Application for Registration of an Amendment of a Scheme Plan effecting Subdivision

*Strata Titles Act 1985* Section 35

*Strata Titles (General) Regulations 2019*

Scheme Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

| Land description**[[1]](#footnote-2)** | Extent | Volume | Folio |
| --- | --- | --- | --- |
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|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

[select one]

[ ]  The Owners of[[2]](#footnote-3) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

OR

[ ]  The Applicant(s)[[3]](#footnote-4) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

apply to the Registrar of Titles to register the amendment of scheme plan effecting subdivision indicated below and any associated schedule of unit entitlements.

1. Subdivision type[[4]](#footnote-5):

|  |  |
| --- | --- |
|[ ]  Type 1(a) | the addition of land from outside the parcel of a strata titles scheme to common property in the scheme  |
|  |  |  |
|[ ]  Type 1(b) | the conversion of a lot in a strata titles scheme to common property in the scheme |
|  |  |  |
|[ ]  Type 2 | the removal from the parcel of a strata titles scheme of land comprised of common property |
|  |  |  |
|[ ]  Type 3 | consolidation of 2 or more lots in a strata titles scheme into 1 lot in the scheme (not affecting common property in the scheme) |
|  |  |  |
|[ ]  Type 4 | a subdivision that does not involve the alteration of the boundaries of the parcel and is not a type 1, 2 or 3 subdivision |
|  |  |  |

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| --- |
| 1. For Types 3 or 4, how many lots are being created? \_\_\_\_\_\_\_\_\_\_
 |

|  |  |  |
| --- | --- | --- |
| 1. For Types 1(b), 3 or 4, is this a subdivision to which staged subdivision by-laws[[5]](#footnote-6) apply?
 | [ ]  Yes | [ ]  No |

|  |  |  |
| --- | --- | --- |
| 1. For Type 4, do pre-commencement re-subdivision by-laws[[6]](#footnote-7) apply?
 | [ ]  Yes | [ ]  No |
| 1. If “Yes” selected for questions 3 or 4, does the subdivision comply with the staged subdivision by-laws/pre-commencement re-subdivision by-laws?
 | [ ]  Yes | [ ]  No |

Accompanying documents:

|  |
| --- |
|[ ]  **Consent of the Owner of the Leasehold Scheme**, if a leasehold scheme unless the owner of the leasehold scheme is the applicant. (Not required if “Yes” selected for question 5.) |
|[ ]  **Transfer of Land** (Types 1(a), 1(b) or for freehold schemes, Type 2). |
|[ ]  **Surrender** of Land (Type 2 for leasehold schemes only). |
|[ ]  **Certificate of Strata Company – effecting subdivision** (Not required if “Yes” selected for question 5 or for Type 3 subdivisions). |
|[ ]  **Disposition Statement**, if applicable (Type 4 only). |
|[ ]  **Statement to Deal**, if applicable. |
|[ ]  **Consent Statement – Designated Interest Holders** attaching the written consent (or attaching consent endorsed on the **Notice to Lot Owners and others for amendment of scheme plan**), if any. (Not required if “Yes” selected for question 5.) |
|[ ]  Written consents of affected lot owners (or consent endorsed on the **Notice to Lot Owners and others for amendment of scheme plan**), if any. (Not required if “Yes” selected for question 5.) |
|[ ]  If for Type 4, pre-commencement re-subdivision by-laws apply and “No” is selected for question 5, written consents of registered interest holders and caveators of affected lots. |

**Execution[[7]](#footnote-8)**

|  |  |
| --- | --- |
| 1. Common Seal[[8]](#footnote-9)

Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_The common seal of[[9]](#footnote-10)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is fixed to this document in accordance with the *Strata Titles Act 1985* section 118(1) in the presence of: | [AFFIX COMMON SEAL HERE] |
| Member of Council[[10]](#footnote-11): | Member of Council10: |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |

**OR**

|  |
| --- |
| 1. No Common Seal8

Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_Signed for and on behalf of9 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in accordance with the *Strata Titles Act 1985* section 118(2): |
|  |
| [ ]  Member of Council / [ ]  Strata Manager of strata company[[11]](#footnote-12): | [ ]  Member of Council / [ ]  Strata Manager of strata company11: |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |

**OR**

1. Applicant(s) sign here

Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
| [Insert corporation execution clause here, if applicable][[12]](#footnote-13) |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |
|  |  |
| In the presence of: | In the presence of: |
| Witness Signature | Witness Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Occupation | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Occupation |

|  |  |  |  |
| --- | --- | --- | --- |
| Lodged by:[[13]](#footnote-14)  | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |  | Instruct if any documents are to issue to other than Lodging Party **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Address: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Phone Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Email Address:  | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Reference Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Issuing Box Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
|  |  |  |
| Prepared by: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |  |  |
| Address: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Phone Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Email Address: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
| Reference Number: | **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |
|  |  |  |
| Titles, Leases, Evidence, Declarations etc. lodged herewith 1. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**2. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**3. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**4. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**5. **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |  | **OFFICE USE ONLY**Landgate OfficerNumber of Items Received: \_\_\_\_\_ Landgate Officer Initial: \_\_\_\_\_\_ |

1. List lots and/or common property the subject of the amendment of scheme plan only. [↑](#footnote-ref-2)
2. For a Type 1, 2 or 4 subdivision, the name of the strata company to be completed as “[scheme name + scheme type + scheme number]” under s.14(2) of the Act, e.g. Pretty Ponds Survey-Strata Scheme 12345. [↑](#footnote-ref-3)
3. For a Type 3 subdivision, the Applicant(s) will be the owner(s) of the lots the subject of the Application – insert the full name(s) of the Applicant(s) as shown on the certificates of title and the address to which future notices can be sent. [↑](#footnote-ref-4)
4. Refer to sections 3(1) & 35 of the Act for subdivision types. [↑](#footnote-ref-5)
5. Staged subdivision by-laws have the meaning in section 42 of the Act. [↑](#footnote-ref-6)
6. Pre-commencement re-subdivision by-laws means by-laws of a strata company made before the commencement day that:

are of a kind described in Schedule 2A item 8 of the Act, as in force immediately before the commencement day; and

continue to have effect under Schedule 5 clause 4(1) of the Act. [↑](#footnote-ref-7)
7. This form may be signed by the strata company for types 1, 2 or 4, or the owner(s) of lots the subject of a type 3 subdivision. [↑](#footnote-ref-8)
8. See SIG-14 for execution of documents by a strata company. [↑](#footnote-ref-9)
9. Insert the name of the strata company (i.e. The Owners of + scheme name + scheme type + scheme number), e.g. The Owners of Pretty Ponds Survey-Strata Scheme 12345. [↑](#footnote-ref-10)
10. The common seal must be witnessed by 2 members of council. [↑](#footnote-ref-11)
11. Select whichever is applicable. [↑](#footnote-ref-12)
12. Witness not required when signing by a corporation under section 127 of the *Corporations Act 2001*. [↑](#footnote-ref-13)
13. Lodging Party Name may differ from Applicant Name. [↑](#footnote-ref-14)