Land Subdivision Perth
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BUILT STRATA (APARTMENTS) SUBDIVISION PROCESS

Step 1) The Owner / Developer engages a Builder to construct their multi-unit (multiple dwellings) development site. The Builder lodges a Development Application and following Building Permit to the Local Government (LG) authority. A Building Certifier (also known as a Building Surveyor) will need assess the construction plan and provide a Certificate of Design Compliance (BA3) as part of the approval process. Following LG approval the Builder will commence construction on site. In most cases the Builder will include all run-in utility services as part of the construction packages, however this is to be negotiated as part of the Building Contract.

Step 2) When the Building are at lockup stage (walls, roof, doors and windows) our Land Surveyor will attend the site measure the as-constructed building walls, fences and boundary structures. Our Drafting Department will prepare the Strata Plan showing all final building locations, lot areas and boundary dimensions. We will inspect the Development Approval to determine the impact of any LG conditions on the Strata Plan. This may include any notifications, easements or restrictive covenants to be shown on the Strata Plan.

Step 3) Our project Manager will provide a copy of the Strata Plan and Construction Plans to a Licensed Valuer to calculate a Schedule of Unit Entitlements (Form 3). The Form 3 calculates a number ratio for each unit and takes into account the capital value of buildings and land for each strata lot. This is important in the case of developments with common property as it determines each strata owners voting rights in terms of maintenance and general up keep.

Step 4) On near completion of the development the Builder will request a Certificate of Design Compliance (BA17) from a Building Certifier. The Certifier will attend the property to ensure the development has been constructed as per the Building DA / permit and compliant with all building codes. On receipt of the BA17 the Builder will lodge an Application for Occupancy Permit (BA9) with the Local Government (LG). The LG will usually attend the property and assess the BA9 application within a period of 10-15 business days. On approval of the application the LG will provide an Occupancy Permit (BA10).

Step 5) Around the same time that the Builder lodges the BA9 to LG, our Project Manager will also lodge an Application for Approval of a Strata Plan (Form 15A) with the LG. The Form 15A provides a list all the planning conditions in relation to the subdivision and can be very similar in appearance to the Building Development Approval (DA). On completion of these conditions our Project Manager will lodge an Application for Endorsement of Strata Plan (Form 15C) with the LG. If all planning conditions are complied with the LG will provide a Strata Endorsement Certificate for lodgement to Landgate. The timing of Form 15A / 15C

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lodgements does vary from one LG to another and we will investigate this on the Developers behalf. The process of lodgement and approval can take 40-60 days depending on the complexity of the project and Local Government Authority being dealt with.

Step 6) For complex developments it may be necessary for a Strata Consultant to prepare a By-Law document. This will specify the rules around the usage and maintenance of common property. Our Project Manager will advise if this is necessary and assist with engaging a Strata Consultant (SC) to prepare the documentation. The SC can also assist with the initial Strata meeting following registration of Strata Titles.

Step 7) Our Surveyor lodges the Strata Plan, field records, BA10, Strata Endorsement Certificate and Form 3 to Landgate. The Landgate Auditor will assess the documents, certify the plan correct and place the Strata Plan "In Order For Dealings" (IOFD) within a period of 5-10 business days.

Step 8) The Owner / Developer will forward the IOFD Strata Plan to their Conveyancer / Settlement Agent and request the new Land Titles to be registered at Landgate. All parties that have a registered interest in the property (such as a Mortgagee through a bank loan) must formally consent to the subdivision and Title registration process. In order to save time, the Title Registration process can often be performed in conjunction with step 7 using a Landgate process called "Lot Sync". The Conveyancer will advise if this is possible as it will depend on the cooperation from the Mortgagee. It is becoming more common that banks require IOFD as per step 9 before they are willing to provide a formal consent letter. The Title Registration process can take 2-5 weeks, including the time to obtain the relevant consents.

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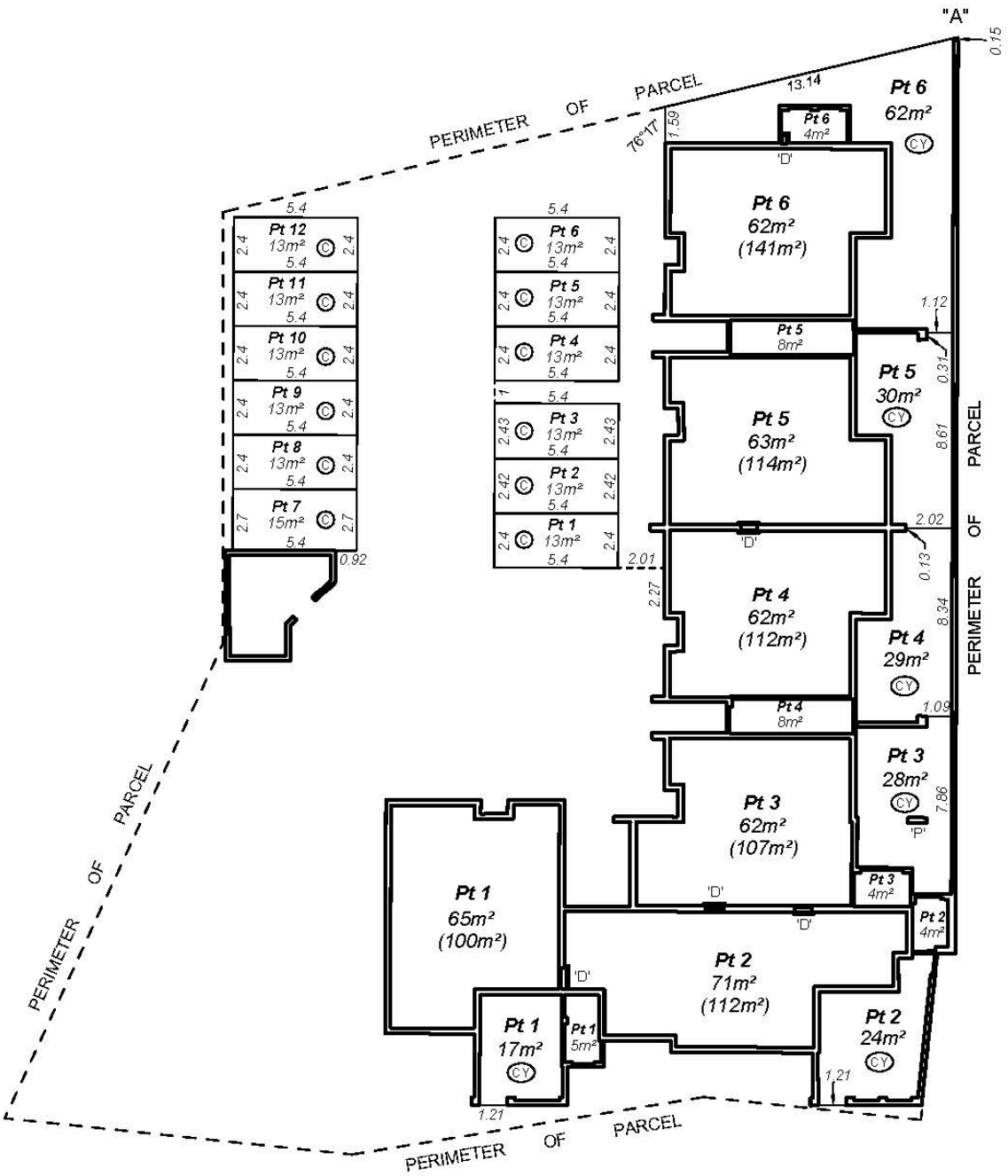
EXAMPLE SUBDIVISION LAYOUT FROM BUILT STRATA PLAN – APARTMENTS