

# 2025 AAC Strata & Subdivision Workshop

By: Dean Dehghan-Khalaji

## DISCLAIMER

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session."*



## Question 1

Strata – A Stata Plan comes in detailing a basement carpark for a Seniors living development (*Diagram 1*).

The DA & CC include shared zone linemarking and 1 car space dedicated to each unit as shown in (*Diagram 2*).

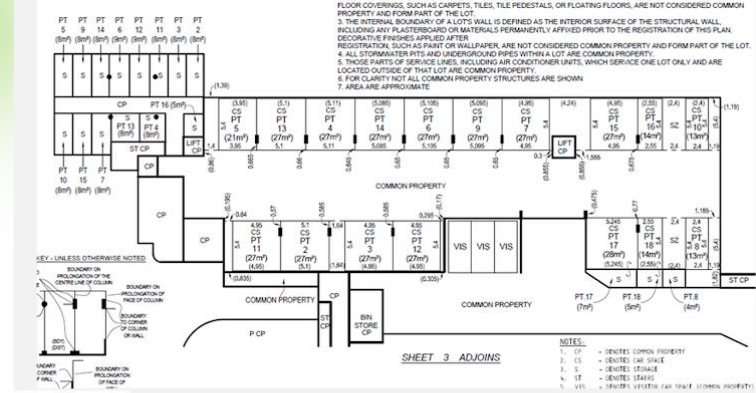
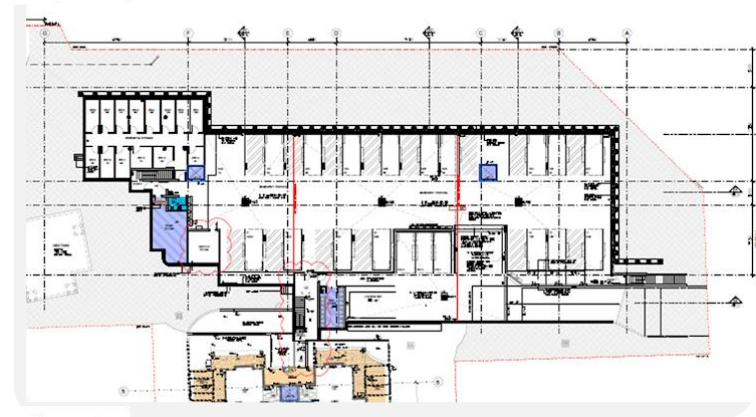


Diagram 1



A

**Answer One** Do you endorse the Strata Certificate as provided

C

**Answer Three** Do you request the Surveyor to update the plans to reflect the DA & CC

B

**Answer Two** Do you request the PCA to ensure that the changes are consistent with DA, and do not need a S4.55

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# FORM COMMON PROPERTY

2. THE UPPER SURFACE OF A LOT'S FLOOR IS DEFINED AS THE UPPER SURFACE OF THE STRUCTURAL FLOOR, INCLUDING ANY WATERPROOFING MEMBRANES PERMANENTLY AFFIXED PRIOR TO THE REGISTRATION OF THIS PLAN. FLOOR COVERINGS, SUCH AS CARPETS, TILES, TILE PEDESTALS, OR FLOATING FLOORS, ARE NOT CONSIDERED COMMON PROPERTY AND FORM PART OF THE LOT.

3. THE INTERNAL BOUNDARY OF A LOT'S WALL IS DEFINED AS THE INTERIOR SURFACE OF THE STRUCTURAL WALL, INCLUDING ANY PLASTERBOARD OR MATERIALS PERMANENTLY AFFIXED PRIOR TO THE REGISTRATION OF THIS PLAN. DECORATIVE FINISHES APPLIED AFTER REGISTRATION, SUCH AS PAINT OR WALLPAPER, ARE NOT CONSIDERED COMMON PROPERTY AND FORM PART OF THE LOT.

4. ALL STORMWATER PITS AND UNDERGROUND PIPES WITHIN A LOT ARE COMMON PROPERTY.

5. THOSE PARTS OF SERVICE LINES, INCLUDING AIR CONDITIONER UNITS, WHICH SERVICE ONE LOT ONLY AND ARE LOCATED OUTSIDE OF THAT LOT ARE COMMON PROPERTY.

6. FOR CLARITY NOT ALL COMMON PROPERTY STRUCTURES ARE SHOWN

7. AREA ARE APPROXIMATE

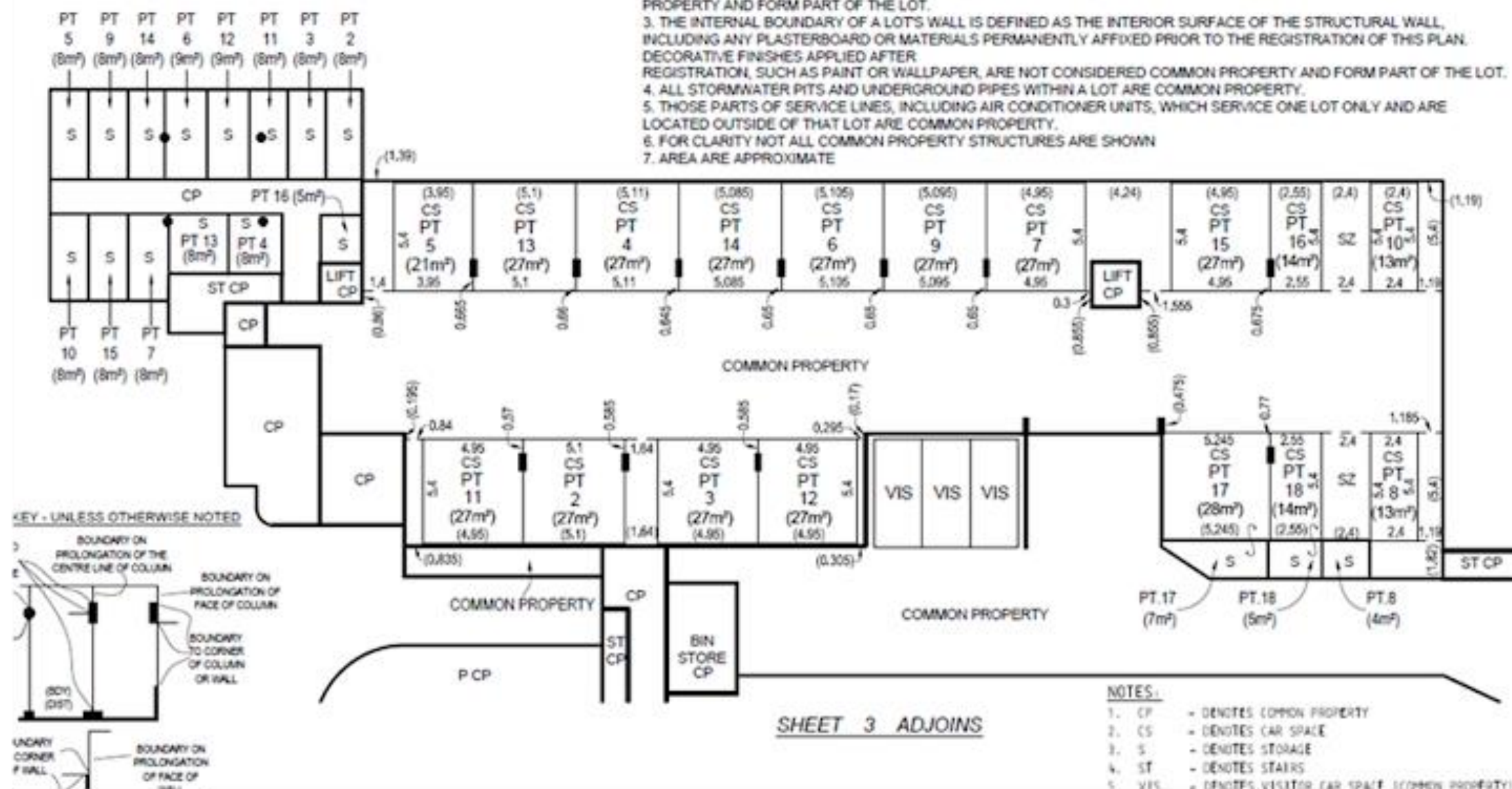


Diagram 1

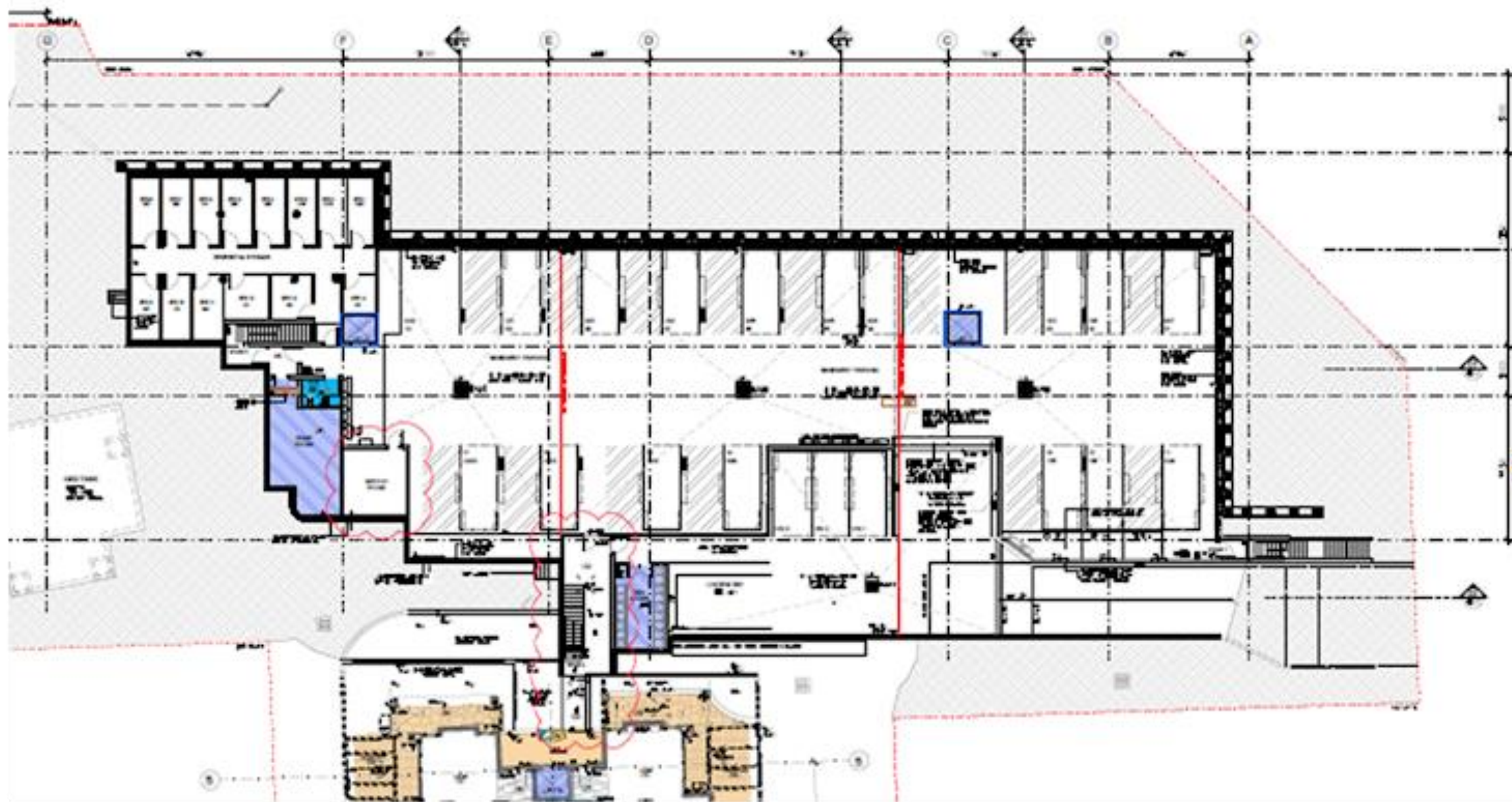


Diagram 2

## Question 2

How do you interpret the following excerpt from the NSW LRS Strata Plan Preparation Guide; “furthermore the date provided in the surveyor’s certificate must agree with the date shown in the surveyor’s panel on the plan drawing sheet.”

The current Strata Plan Approved forms are available on the NSW Land Registry Services [website](#).

1. The Approved form must be produced including all of the text. It is not permitted to omit any information. Inapplicable information should be struck through.
2. Surveyors should note that all relevant sections of the surveyor’s certificate must be completed and inapplicable information struck through, **furthermore the date**

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**provided in the surveyor’s certificate must agree with the date shown in the surveyor’s panel on the plan drawing sheet.**

3. It is the surveyor’s responsibility to complete the by-law panel. It should not be left blank. Inapplicable information should be struck through.

### By-laws

A

**Answer One**

The Strata Admin date must precede the Strata Plan date

B

**Answer Two**

The Strata Admin and Strata Plan Surveyor Dates must match

C

**Answer Three**

The dates on the Strata Admin and Strata Plan do not matter

D

**Answer Four**

The Strata Plan date must precede the Strata Admin date

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## Re: NSW LRS Enquiry



Plan Ops - Plan Advice <planinquiry@nswlrs.com.au>

To  Dean Dehghan-Khalaji

 You forwarded this message on 18/02/2025 4:31 PM.

If there are problems with how this message is displayed, click here to view it in a web browser.

Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Good afternoon Dean,

Thank you for your email.

The date the surveyor signed the surveyors certificate and the date shown in the surveyors panel on the plan drawing sheet is generally the same. However, the date shown in the surveyors certificate may also be after the date shown in the surveyors panel on the plan drawing sheet.

**Dino**

Strata Plan Title Advisor, Titling & Plan Services

NSW Land Registry Services

E [planinquiry@nswlrs.com.au](mailto:planinquiry@nswlrs.com.au)

P customer service (02) 8776 3575 | W [www.nswlrs.com.au](http://www.nswlrs.com.au)



### Question 3

You receive an application for a 2 lot subdivision under the LHRDC, the Building CDC approval description is detailed as “attached dual occupancy under Part 3B: Low Rise Housing Diversity Code”.

The plan details and existing dwelling, where the new construction will create a dual occupancy by attaching to the existing dwelling. Is it permissible to approve a Torrens Title Subdivision under the LRHDC?



A

**Answer  
One**

YES

B

**Answer  
Two**

NO

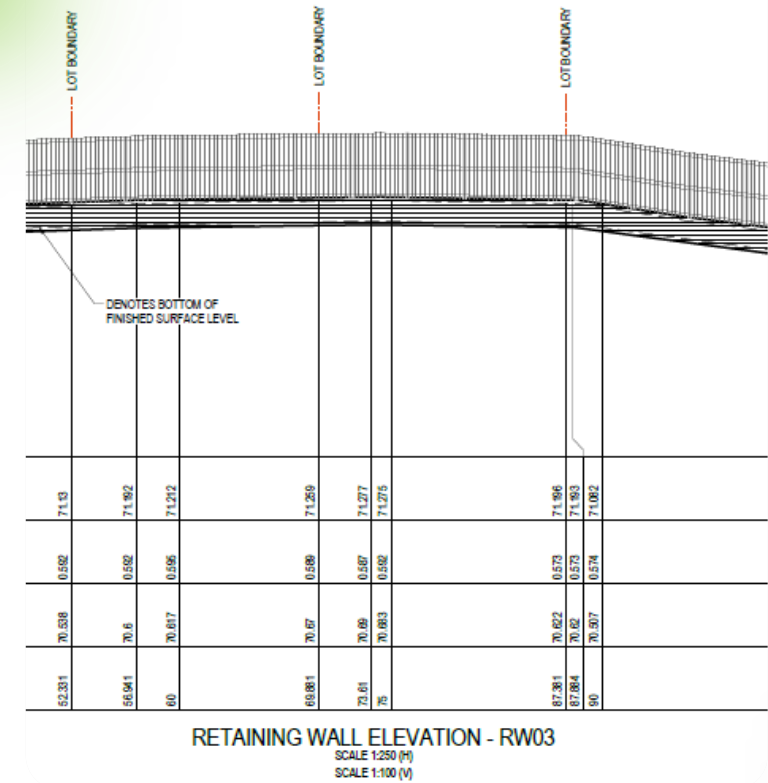
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## Question 4

An SWC application is received for a 25 lot subdivision, where there are substantial retaining walls throughout the site of varying heights between 1.32m to 2.47m.

The applicant has stated that these will be designed and certified by a Structural Engineer under “Design and Construct” from the contractor



A

**Answer One**

Exclude the retaining walls from your SWC approval?

B

**Answer Two**

Note the retaining walls are D&C on the plans

C

**Answer Three** Request applicant to get the Structural Design completed before SWC

D

**Answer Four** OTHER

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## Question 5

You receive an application for a Strata Certificate for a 4 lot townhouse development where a Strata DA has recently been issued by Council.

The dwellings are 25 years old, you request a Certificate of Compliance from the Water Supply Authority. The applicant says they can't locate one.

**Sydney WATER**

Case No. [REDACTED]

**SUBDIVIDER/DEVELOPER COMPLIANCE CERTIFICATE**  
(A certificate under Division 9 Section 73 of the Sydney Water Act, 1994)

| DESCRIPTION OF SUBDIVISION/DEVELOPMENT |                    |                       |
|--|--------------------|-----------------------|
| Council                                | [REDACTED]         |                       |
| Street                                 | [REDACTED]         |                       |
| Lot No                                 | Subdivision into 2 | Lots numbered 1 AND 2 |
| Development Subdivision (Torrens)      |                    |                       |
| Name of applicant                      | [REDACTED]         |                       |
| Applicant's address                    | [REDACTED]         |                       |

Sydney Water Corporation certifies that the above-named applicant has complied with the requirements, relating to the plan of Subdivision/Development described above, of Division 9 of the Sydney Water Act, 1994.

THE FOLLOWING ITEMS 2 AND 5 APPLY TO LOTS 1 & 2 IN THE TORRENS TITLE SUBDIVISION:

1. ~~Water facilities are to be provided as a result of the subdivider/developer's compliance with Sydney Water's requirements.~~
2. **Water facilities are available.**
3. ~~Water facilities cannot be provided within a reasonable time from the date of this certificate.~~
4. ~~Sewerage facilities are to be provided as a result of the subdivider/developer's compliance with Sydney Water's requirements.~~
5. **Sewerage facilities are available.**
6. ~~Sewerage facilities are under the control of the local council.~~
7. ~~Sewerage facilities cannot be provided within a reasonable time from the date of this certificate.~~
8. ~~Sydney Water's requirements for future subdivision of this dual occupancy development have NOT been met. On subdivision an additional certificate will be required. THIS MUST BE STRUCK OUT OR A NEW CERTIFICATE WILL BE REQUIRED~~

Tap in Reference No. [REDACTED] Council Reference No. [REDACTED]

Name [REDACTED] Approval date: [REDACTED] 0

Signature [REDACTED]

(Approving Officer for and on behalf of Sydney Water)

A

**Answer One**

Not approve the Strata Certificate until one is received

C

**Answer Three**

Endorse the Strata Certificate (if there was an issue they had 25 years

B

**Answer Two**

Request written confirmation from the Water Supply Authority that a Certificate of Compliance is not required for Strata

Subdivision

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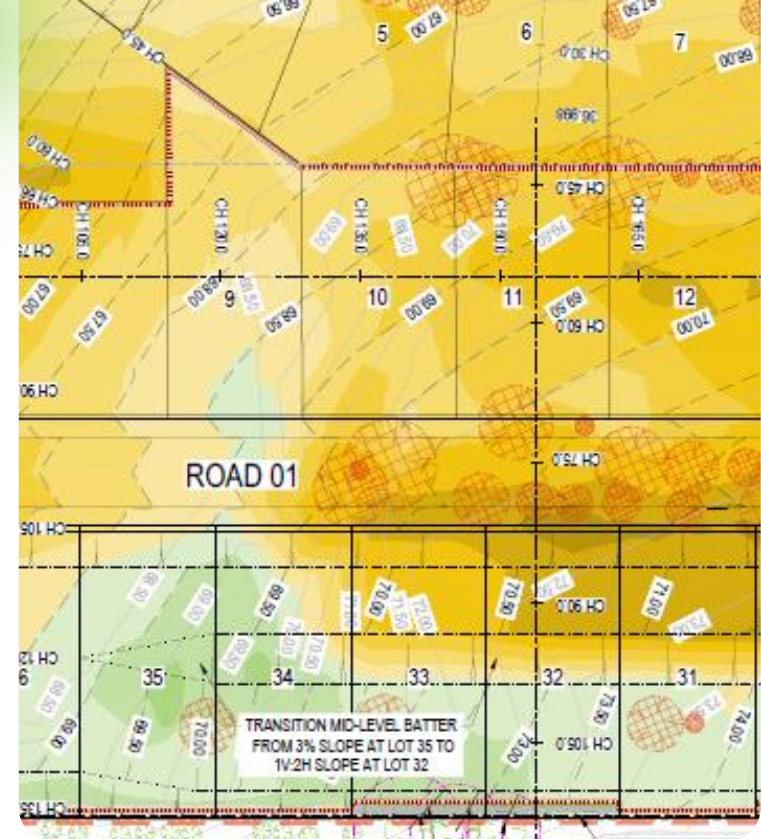
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## Question 6

You have an SWC where an application for a 30 lot subdivision including bulk earth works.

There is no specific condition regarding bulk earth works, however the SWC drawings vary from the approved stamped plans by 1.02m to 2.53m.

In your opinion how much variance is acceptable for an SWC without a Mod to DA?



A

**Answer One**

10% height change

B

**Answer Two**

Up to 500mm

C

**Answer Three**

Less than 1m

D

**Answer Four**

If cut & fill balance is within 10%

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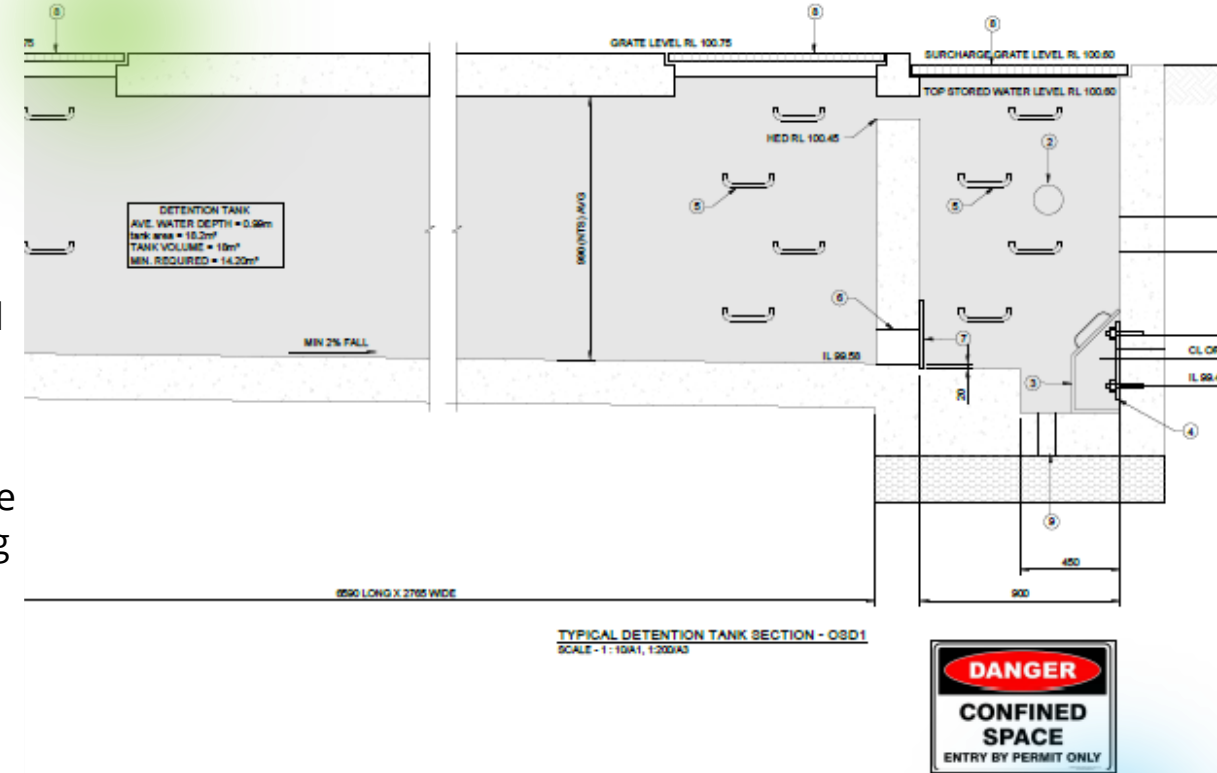
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E: None, only that the design levels match with the surrounding approved levels

## Question 7

You have an SWC for a 3 lot Subdivision & Dwellings, all works completed prior to Subdivision Certificate. The DA requires OSD tanks to be constructed for each dwelling, and there is a stormwater drainage condition under “Prior to SWC” for the OSD.

The applicant has advised that the OSD tanks are going to be approved and built as part of the dwellings, under a Building CDC. They are pushing the SWC to commence works & the Building CDC won’t be approved for a while.



A

**Answer One**

Request applicant to approve OSD with SWC

B

**Answer Two**

Exclude OSD from SWC

C

**Answer Three**

Wait for the Building CDC.

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## Question 8

A Prior to Subdivision Works Certificate condition states that a document or plan must be “Submitted for approval to Council’s – Manager of Special Approvals Department”



A

**Answer One**

Request approval from Council only if it is outside your field of expertise

B

**Answer Two**

Request the applicant provide evidence that a submission has been made

C

**Answer Three**

Request approval from Council as the intent of the condition reads as such

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# Thank You for attending the Strata & Subdivision Workshop

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