

9. Building Format Plans:

9.1 Definitions for building format plans:

For this section, the following definitions shall apply:

Balcony: means a part of a lot being an addition to the face of a building, whether covered or uncovered, that immediately adjoins its parent lot, is accessible from that lot and is above ground level.

Base Parcel: means the land that is subdivided by a building format plan, exclusive of any new road, public use land, parts of common property being included in a higher scheme or remainder standard format lots created on that plan.

Carport: means a lot or part of a lot for parking contained within a structure that has a roof and a constructed floor and which is not fully enclosed by walls.

Courtyard: means a part of a lot, predominately paved and usually at ground level, and which immediately adjoins another part or parts of the same lot on the same level and usually no greater in area than that lot. The features bounding a courtyard need not be a wall, but shall be sufficient to clearly define the area.

Deck: see balcony.

Existing Building: means a building that was completed before the commencement of the *Body Corporate and Community Management Act 1997*.

Garage: means a lot or part of a lot being an area for parking contained within an enclosed structure or on an unroofed level of a building.

Low Rise Building: means a building that may consist of several levels, but in which there are no lots one above the other.

Patio: see verandah.

Porch: see verandah.

Private Yard: means a part of a lot, unlimited in height and depth, being open space at ground level and which immediately adjoins another part or parts of the same lot. (See Direction 9.17).

Roof Garden: means a part of a lot being an area on the roof of a building that contains other parts of the same lot.

Storage: means a lot or part of a lot being an area for storage contained within a structure.

Structural Elements: See Direction 9.6.1.

Verandah: means a part of a lot within the same structure and immediately adjoining another part of the same lot. A verandah is defined by floors and ceilings and partly by walls and partly by balustrades or other structural elements. Included in this definition are patios and porches, which terms may be used if appropriate.

Void: means a part of a lot on a higher level than the lowest level on which another part of the same lot is defined, that is not bounded by a floor. A void is not given an area. (See Direction 9.5.5).

Where it is desired to use other terms to describe areas on a plan, prior approval of the Registrar must be sought for their use.

9.2 Subdivision:

A Building Format plan may subdivide:

- ◆ a lot or lots and/or common property created on a Standard Format plan;
- ◆ a lot or lots and/or common property created on another Building Format plan;
- ◆ a lot or lots and/or common property created on a Volumetric Format plan.

Other than as permitted in Direction 9.16, it is not permissible to subdivide a base parcel that consists of both standard and volumetric lots.

The whole of the base parcel being subdivided must be dealt with, and no undescribed balance or remainder shall be left. (However, see Directions 4.16 and 4.17).

9.3 Lots on a building format plan:

9.3.1 Creation of building format lots:

A Building Format plan:

- ◆ must create common property; and
- ◆ must create at least two building format lots;

unless the plan is:

- ◆ a resubdivision of an existing lot; or
- ◆ a resubdivision of an existing lot in an existing Community Titles Scheme which creates only one lot and additional common property; or
- ◆ an amalgamation of less than all existing lots, in a Building format plan; or
- ◆ creates additional common property for an existing Community Titles Scheme.

Provided that the foregoing is complied with, it is acceptable for a Building Format plan to create individual isolated lots within a Scheme.

All lots, or parts of lots, must be contained within, on, under or immediately adjacent to a building or structure except as permitted under Direction 9.17.

9.3.2 Creation of a standard format lot on a building format plan:

Where a Building Format plan deals with part of a base parcel that consists of Standard Format lots only, the remainder of the base parcel shall be fully dimensioned, given a number and shall be considered to be a Standard Format lot for any future action. (However see Directions 4.16 and 4.17).

A note shall be placed on the face of the main plan stating that "Lot <lot number> is a Standard Format lot".

Only one Standard Format lot may be created, apart from those noted in Direction 9.3.3.

It is not necessary for a Standard Format lot to be included as scheme land in the Community Management Statement. (See Direction 13.5)

9.3.3 Other lots that may be created on a building format plan:

In addition to Building Format lots and the one Standard Format lot permitted above, it is permissible to create lots for park, reserves or other public use land, and to dedicate New Road.

9.4 Lot numbers:

Lot numbers in a building format plan:

- ◆ shall be numeric;
- ◆ may be made up in the form FL, TFL, TL, BL or BFL, where T is a tower number, F is a floor number, L is a lot number, and B is a building number.
- T must be a single digit number, F, B and L may be two digit numbers. However, the number in no case may exceed 5 digits.
- To determine a floor number,
 - the lowest level shall be numbered 1 or 01 as appropriate; or
 - the lowest level where the first main part of a lot exists shall be numbered 1 or 01 as appropriate; and
 - each additional floor shall be numbered consecutively, regardless of the existence or otherwise of lots on that level.
- ◆ shall be numbered consecutively, saving that where a numbering system based on numbers in a tower and/or level is adopted, numbers need not be consecutive from one tower or level to another;
- ◆ must not be duplicated within the one plan;

The numbering system adopted must be used consistently throughout every stage of the scheme.

Where lots are proposed for dedication to public use or for future subdivision, they may be given numbers that are higher than the total number of lots within the development.

In the case of a staged development, provided that the numbering of lots in the completed development complies with the preceding paragraphs, the numbering of lots on individual plans of stages in that development need not.

Where the requirements of this Direction would require that lot numbers in an extensive development be amended following subdivision or amalgamation of lots prior to finalization of the plan, but subsequent to contracts on other lots being exchanged, the requirement of consecutive numbering may be disregarded. In these cases, a letter from the surveyor shall be lodged with the plan justifying the numbering. Where it is not obvious on the plan that the lack of consecutive numbering is the result of subdivision or amalgamation, the provisions of Direction 1.3 should be utilised.

9.5 Part lots:

9.5.1 Part lots are permitted:

- ◆ Each part shall be given an area and a total area shall be noted in the largest part. If there is insufficient space, the total area may be noted on the face of the plan.
- ◆ Where part lots are located on different levels, provided that the numbering of the main part of the lot complies with the requirements of Direction 9.4, the numbering of other parts of the same lot on other levels may appear in any order in relation to other lots or part lots.

9.5.2 Part lots adjoining:

◆ Where part lots adjoin one to the other, it is not necessary to designate each with its lot number. However, they shall be shown separated by a light line. The part lot shall be designated with its descriptor and an area. "Part" or "pt" is not used when there is no lot number.

◆ Where part of a lot, fully bounded by structural elements, immediately adjoins another part of the same lot not so bounded, the division between the parts shall be the centre of the wall and each part shall be dealt with as adjoining part lots.

9.5.3 Part lots not adjoining:

Where a part lot is separated from another part of the same lot, each shall be noted with its lot number and the designation "Part" or "Pt".

9.5.4 Description of part lots:

A part lot that is a main part of a lot, and which is fully bounded by walls, floors and ceilings shall not be given any description other than the lot number.

Other part lots shall be described on the face of the plan as "balcony", "carport", "courtyard", "garage", "patio", "porch", "private yard", "roofgarden", "storage", "deck", "void" or "verandah", or otherwise as permitted by the Registrar.

9.5.5 Void:

A void may only exist where a lot is in several different parts, one above the other.

A void is a part of a lot that:

- ◆ is shown within the outer boundaries of a lot on other than the lowest level on which part the lot appears; and
- ◆ is not bounded by a floor; and
- ◆ may not be given an area.

Examples of a void would include the opening on the second or highest floors of a multi story unit where an internal staircase is provided, or the open area above the ground floor in an industrial building where an office is provided at a higher level (i.e. a mezzanine level) over only a part of the total floor area.

A void shall be dealt with as for other part lots, but shall not be given an area. It is not necessary to dimension the boundary between a part lot and a void.

A void may not exist in common property.

9.6 Boundary definition:

9.6.1 Structural elements:

The following are acceptable structural elements for the purposes of this Direction:

- ◆ Floors or ceilings, centre;
- ◆ Walls, full height, centre;
- ◆ Walls, not full height, centre;

- ◆ Doors or windows, centre, other than where incorporated into a wall, when the boundary would be collinear with the centre of the wall;
- ◆ Balustrades or railings, outer face;
- ◆ Edge of a floor or a concrete base not abutting a wall, outer edge;
- ◆ Corners within a building or structure defined by the centres of posts which are structurally required for the building or a wall.

Other structural elements similar in nature to the above may be used with the approval of the Registrar.

9.6.2 Where the horizontal boundaries of lots or part lots in or on building or structure are:

- ◆ defined by structural elements as specified in Direction 9.6.1, the boundary need be delineated only;
- ◆ not defined by structural elements as specified in Direction 9.6.1 or the boundary is located in other than the position specified in or on the structural element specified in that Direction:
 - the boundary must be dimensioned;
 - the boundary must be unambiguously located with reference to structural elements identified on the plan, or by connection to the boundaries of the base parcel, and
 - each corner shall be marked by an approved survey mark, or referenced to occupation.

To avoid ambiguity, it is directed that it is only those boundaries that are not defined by structural elements as defined in Direction 9.6.1 that must be dimensioned.

9.6.3 Where the vertical boundaries of lots or part lots in a building or structure are:

- ◆ defined by structural elements as defined in Direction 9.6.1, no additional definition is required;
- ◆ not defined by structural elements as noted in Direction 9.6.1, and on a roof, the vertical dimension shall be:
 - where there is an adjoining lot, or part lot, defined vertically by structural elements, on the same level as the lot or part lot, the upper boundary of the lot or part lot shall be the horizontal extension of the upper boundary of the adjoining lot;
 - where there is no adjoining lot, the upper boundary shall be defined by a vertical distance above the roof. This vertical distance shall be determined by the mean of the vertical distances between the upper and lower limits of lots within the building and shall be noted on the diagram for that level. The following is an example of the statement required in the above situation **Lot <num> is limited to a height of <num> metres above the floor of Level <alpha>.**

9.6.4 Where a part lot outside a building or structure is:

- ◆ a private yard, each corner shall be marked, in accordance with the Departmental standards for cadastral surveys section 3.22.1 and each boundary shall be fully dimensioned other than those that immediately adjoin another part of the same lot that is fully defined by structural elements. "Marked" shall include normal references to occupation at corners. A private yard shall be shown on the level diagram for the lowest level;.

- ◆ other than a private yard (eg a balcony or a courtyard, etc), it shall be shown on the level diagram (see Direction 9.12) for the level on which it lies and:
 - for horizontal definition, see Direction 9.6.2;
 - for vertical definition:
 - where the part lot is fully or partially defined by structural elements as defined in Direction 9.6.1, no additional definition is required;
 - where there is no upper structural element, this shall be defined by the extension of the ceiling of the adjoining part lot within the structure.

9.7 External boundaries:

The external boundaries of the land the subject of the survey shown on the plan and of the base parcel shall be surveyed, and marked in accordance with the provisions of legislation, survey standards and survey guidelines in force at the time (See Direction 1.2) and dimensioned in accordance with these Directions. (However see Directions 4.16 and 4.17). Common Property is not to be labelled on the first sheet of a Building Format Plan. Common Property extends to the centre line of the walls and therefore it can only be correctly depicted on the level diagrams.

An area, which shall be the total area within the outer boundaries of the base parcel the “Base Parcel Area”, shall be shown as a note on the face of the plan. Where the base parcel is a volumetric format lot, the base parcel area shall be taken to be the area of the footprint.

The boundary of the base parcel shall be shown, in all cases, as a full line

See Figure 9-7.

9.8 Location of buildings:

The first sheet of a Building Format plan, the main plan, shall show the plotted location of each building or structure with respect to the outer boundaries of the base parcel. At least two major corners of each building shall be connected to the outer boundaries of the base parcel, either directly or indirectly, by surveyed connections which shall be shown on the plan or in a diagram on an additional sheet.

The line thickness used for the building diagrams shall be significantly thinner than that used for the outer boundaries of the base parcel. It is not necessary to place a circle at each corner of the building.

In this Direction, the outline of the building or structure shall be defined by the projection of the outermost walls of the building, inclusive of any sub-surface basement levels. However, it shall be exclusive of any eaves, guttering, projecting balconies, courtyards, or other incidental projections, none of which shall be shown on the main plan, unless it is necessary to illustrate an encroachment or to satisfy the requirements of the *Survey and Mapping Infrastructure Regulation 2004*.

Where a basement or podium is significantly greater in horizontal dimensions than the upper levels, the upper levels shall be shown in broken outline on the building diagram.

Where a base parcel is a volumetric format lot, the outer boundaries of the base parcel shall be taken to be the outer boundaries of the footprint of the volumetric lot.

The description of the type of building (including the number of floors/levels) is required to be shown.

See Figure 9-7.

9.9 Information to be shown on the main plan:

The information required in Directions 9.7 and 9.8 shall, as far as possible, be shown on the face of the main plan.

9.10 Multiple buildings:

Where there are multiple buildings within a Scheme, each building containing more than one lot shall be lettered sequentially, and prefixed with the word "Building" or "Bldg" and lettered commencing from "A".

Where the plan is the first of a series in a Scheme, the commencing letter may be other than "A", provided that when the Scheme is completed, the buildings are lettered in a continuous series starting from "A"

This Direction applies to Schemes with single or multiple layers.

9.11 Multiple levels:

Where there are multiple levels in a building, each level shall be lettered sequentially, commencing with the letter A, which shall designate the lowest level in the building.

In the case of multiple buildings, each level in each building shall be designated using the same system, regardless of the relative relationship in height between levels lettered the same in each building.

Where a lot occupies several levels, the part on each level shall be shown as a separate part lot.

Where a building is subdivided by a Volumetric Format plan into lots consisting of a number of levels in the one building, levels shall continue to be designated as required by this Direction, notwithstanding that the levels in a Building Format plan subdividing one of the Volumetric Format lots may not then commence with the letter "A". In this case, a lateral aspect diagram shall be prepared to illustrate the level relationship between the different Volumetric Format lots and the Building Format plan.

9.12 Level diagrams:

A diagram of every level in each building shall be included on the plan whether or not lots are defined on that level. These diagrams shall illustrate the lots and/or common property on that level. Each level diagram within the one building shall be drawn to the same scale and orientation, and shall be such that the required information may be clearly shown.

Every level diagram shall be noted with its alpha identifier, eg Level A. If applicable the buildings on the level diagrams should be labelled with their building identifier, eg Building A.

Where the requirements of this Direction would result in level diagrams being unusually small or large, this requirement may be disregarded. In these cases, a letter from the surveyor shall be lodged with the plan justifying the departure from the requirement. Orientation must remain the same.

Adjoining information must be shown on all level diagrams. This includes common property and secondary interests.

All enclosed spaces on a level diagram on a building format plan must be labelled as either a Lot or Common Property.

The use of descriptive words such as "lift", "laundry", "stairs" etc. may be used to add a description to an area of Common Property so long as the descriptive words are not as prominent as the common property descriptor.

The use of an abbreviation for the common property is permitted. CP or Comm Prop are acceptable abbreviations.

9.13 Buildings with levels of different horizontal dimensions:

- ◆ Where a building is of differing horizontal dimensions on different levels, on the outline diagram for a level that is set back from, or extends beyond, the level below, the outline of the lower level shall be shown in broken line. Note that this only applies to the level immediately below.

In this Direction, the outline does not include any projections, i.e. balconies or courtyards, or a private yard.

- ◆ Where necessary, a diagram or diagrams showing the lateral aspect (vertical section) shall be included in the plan. It will be acceptable, and may be necessary, to show the lateral aspect from different viewpoints.

See Figure 9-8 and Figure 9-9.

9.14 Floors with steps in level:

A step in physical level on a floor shall not necessitate creation of another level merely because of this step in physical levels regardless of the amount of the step.

Where the amount of the step is greater than one metre, a lateral aspect view shall be provided showing the step in relation to the remainder of the building.

9.15 Buildings with multiple towers:

Where a building consists of several towers over a podium, it shall be dealt with in the following manner:

9.15.1 Building footprint:

- ◆ The building footprint is that of the podium or basement. The towers shall be shown in outline as required by Direction 9.8.
- ◆ No objection will be taken to referring to the towers as Tower A, Tower B etc.

9.15.2 Level designations:

- ◆ The level designations in each tower shall continue from the levels in the podium or basement. That is, if the basement has levels A and B, the levels in each tower shall start at C. This Direction applies whether the towers or buildings are developed at the one time or in stages.
- ◆ Level diagrams are prepared as required by Direction 9.12. The parts of a level within each tower may be noted as Tower A, Tower B etc.
- ◆ In either case, level diagrams for the basement levels shall be shown for the whole extent of the basement.

9.15.3 Lateral aspect diagram:

A lateral aspect diagram shall be provided in all cases.

Where the development is carried out in stages, the lateral aspect diagram of later stages shall show the whole of the previous stages as well as the current stage.

9.16 Plans with standard and volumetric lots in the base parcel:

See also direction 9.23

9.16.1 The provisions of this Direction may only be used:

- ◆ where permitted by Direction 9.20.5; or
- ◆ with prior permission of the Registrar.

This Direction shall supersede the provisions of other Directions in case of conflict.

9.16.2 Additional to Direction 9.7:

The plan shall, in addition to the requirements of Direction 9.7, show:

- ◆ the footprint of the volumetric lot as part of the main diagram of the base parcel. The footprint area shall be shown as a note immediately under the note of the total area required by Direction 9.7. This note shall be repeated under any Direction that requires an amended total area to be shown.
- ◆ show an isometric diagram of the volumetric lot.

9.16.3 Lateral aspect diagram:

A lateral aspect diagram shall be prepared showing the relationship of the floor levels in the plan to the volumetric lot.

9.16.4 Level diagrams:

On the diagram of a lot any level that:

- ◆ fully adjoins any part of the volumetric lot in the vertical dimension, indicate the extent of that lot in full line;
- ◆ partially adjoins any part of the volumetric lot in the vertical dimension, indicate the extent of that lot in broken line.

9.16.5 Boundary between standard and volumetric lots:

In all other respects, it is not necessary to indicate the dividing line between the volumetric and standard format lots.

9.17 Private yards:

The following principles shall apply to private yards:

- ◆ Private Yards must immediately adjoin another part or parts of the same lot within a structure, or a courtyard that so adjoins.
- ◆ Private yards are permitted only where the part lot within the structure noted above is in, or immediately adjacent to, a low rise building.
- ◆ Private yards must not adjoin any part of another lot or lots, except where that part is a private yard or a courtyard. (See Figure 9-17 and Figure 9-18)
- ◆ Private Yards are unlimited in height and depth.

- ◆ Private Yards must be defined as required by Direction 9.6.4.
- ◆ A private yard may not be restricted vertically by any part of the same or another lot.
- ◆ A private yard shall be shown on the level diagram for the lowest level. Where the private yard would not immediately adjoin a part lot on the lowest level because the extent of that part lot is lesser in horizontal extent than the part lot on a higher level, a note made on the inner boundary of the private yard that it immediately adjoins the part on the higher level shall be sufficient to satisfy the requirement that a private yard must immediately adjoin a lot.
- ◆ Where a private yard adjoins a lot or part of a lot bounded by structural elements, the boundary between them is only for the purposes of a “part lot”. (See Direction 9.5.2).
- ◆ If a private yard fully surrounds the part of the lot within the structure the boundaries of those parts of the lot that adjoin that part of the lot that is private yard are only shown as a boundary between parts of lots. (See Direction 9.5.2).
- ◆ If a private yard only partially surrounds the part of the lot within the structure:
 - the boundaries of those parts of the lot within the structure that immediately adjoin other lots or common property are the floors, walls and ceilings; and
 - the boundaries of those parts of the lot that adjoin that part of the lot that is private yard are only shown as a boundary between parts of lots. (See Direction 9.5.2).

See Figure 9-10 to Figure 9-15.

9.18 Diagrams to illustrate detail:

Where it is necessary to use diagrams to clearly illustrate detail, each shall be shown with the same orientation. For level diagrams, see Direction 9.12.

9.19 Easements:

Where an easement is required in either a lot or common property and:

- ◆ is outside a building or structure; or
- ◆ is to be restricted other than by the vertical restrictions of a level within a building,

it shall be dealt with as required by Direction 6.

Where an easement is required in either a lot or common property, is wholly contained within a single level within a building or structure and occupies the whole of the vertical extent of that level, it shall be:

- ◆ subject to the requirements of Directions 6.1 and 6.3;
- ◆ shown on a diagram of that level;
- ◆ delineated or dimensioned as required by the general requirements of Direction 9.6; and
- ◆ taken to be restricted vertically by that level.

9.20 Encroachments:

Where any part of a building, including its footings, foundations or other projections, proposed to be the subject of a Building Format plan, encroaches onto an adjoining lot or road, the requirements of this Direction shall be complied with.

Saving that if:

- ◆ the building is an existing building; or
- ◆ it is not practical to do so;

it shall not be necessary to determine the extent of footings or foundations below the surface of the land.

9.20.1 Building in a staged development partially constructed onto a future stage:

Provided that:

- ◆ the lot comprising the future stage is part of scheme land for the same scheme as the present stage; and
- ◆ the lot comprising the future stage satisfies s.115M(2)(c) of the *Land Title Act 1994*; and
- ◆ it is not intended that the future stage be a subsidiary scheme;

the construction of works for a future stage over the boundary of the base parcel may be taken as being satisfied by the provisions of Division 5 of Part 6A of the *Land Title Act 1994*, and does not necessitate any further action.

However:

- ◆ on the main plan, the footprint of the building shall note that it extends into the adjoining lot, by showing the walls extended;
- ◆ provided that there are no other encroachments, the first option in the certificate referred to in Direction 9.20.7 may be selected;
- ◆ on each level which extends outside the base parcel, the boundary shall be clearly marked in accordance with the provisions of legislation, survey standards and survey guidelines in force at the time (See Direction 1.2).

Where the construction cannot satisfy Division 5 of Part 6A of the *Land Title Act 1994*, resolution of the encroachment is required in terms of Direction 9.20.2.

9.20.2 Encroachment onto an adjoining lot or unallocated state land:

In the case of an encroachment:

- ◆ onto an adjoining lot, the acquisition of the necessary land, or the registration of an easement; or
- ◆ onto Unallocated State Land, the acquisition of the necessary land

to cover the encroachment is required.

This Direction applies equally to an encroachment onto a lot created on a plan of an earlier stage by a building in a later stage, unless the provisions of Division 5 of Part 6A of the *Land Title Act 1994* are satisfied. If this is the case, the second option in the certificate referred to in Direction 9.20.7 shall be selected, but no other action is required.

9.20.3 Encroachment onto road:

- ◆ Minor encroachments:

Subject to Local Government consent, the following shall be permitted:

- eaves, guttering, awnings and other such minor projections from the wall of the building on an existing building, or as required or permitted by the Local Government under the provisions of the *Building Act 1975*; and
- in the case of an existing building, up to half the width of the wall.

In each case, the Local Government shall consent, in Form 18, to the specific encroachments shown on the plan, and the consent shall be lodged with the plan. This does not extend to include any part of a structure that forms, or is intended to form, any part of a lot that is on an existing building or required or permitted by a Local Government under the provisions of the *Building Act 1975*.

◆ In all other cases of encroachments onto a road whether at, above or below ground level, one of the following is required:

- permanent closure of the road and the issue of freehold title or term lease over the closed road in terms of the provisions of the *Land Act 1994*.
- temporary closure of the road and issue of a road licence over the closed road in terms of the provisions of the *Land Act 1994*.

(Early application should be made to the Minister where an encroachment onto a road is found.)

Should the Minister decide not to address the encroachment by an action under the *Land Act 1994*, a copy of the Minister's letter of response indicating that no action is intended to be taken in regard to the encroachment must be lodged with the plan in the land registry.

If consent to the encroachment is granted by the Minister there is no requirement to obtain the consent of the Local Government.

9.20.4 Maximum amount of encroachment:

Where the action taken to cover the encroachment is by other than the acquisition of a freehold title, the amount of the encroachment of a building may not be such that the boundary of a Building Format lot would project beyond the boundaries of the base parcel. That is, the maximum amount of encroachment permitted is limited to half the width of the wall.

9.20.5 Where a volumetric lot is created to remedy an encroachment:

In the case of an existing building:

- ◆ which encroaches onto adjoining road or an adjoining lot; and
- ◆ for which a volumetric lot:
 - as the result of a road closure, has been the subject of a deed of grant from the State to the registered owners of the standard lot containing the building; or
 - in the case of an adjoining lot, has been transferred from the adjoining registered owners to the registered owners of the standard lot containing the building.
- ◆ and for which a Covenant to either the State or the Local Government as appropriate has been registered in terms of Section 97A of the *Land Title Act 1994* to the effect that the volumetric lot will be held in the one ownership together with the standard lot on which the building encroaching is located;

the requirements of Direction 9.16 shall apply.

9.20.6 Provisions of the *Land Act 1994*:

Attention is drawn to Chapter 3 Part 2 of the *Land Act 1994* dealing with roads and Chapter 7 Part 2 dealing with Unlawful Occupation of Non-Freehold and Trust Land.

9.20.7 Certificate on encroachment:

In addition to the Surveyors Certificate required by the provisions of the *Survey and Mapping Infrastructure Regulation 2004*, the surveyor shall place the following certificate on the reverse of the main plan:

I certify that:

***As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road;**

***Part of the building shown on this plan encroaches onto adjoining * lots and road**

Cadastral Surveyor/Director* Date

***delete words not required.**

Where any part of a building, but not part of a lot in the building, is noted as encroaching onto adjoining land or road, the following additional note shall be placed on the plan above the certificate noted above:

All lots defined on this plan are wholly contained within the base parcel.

If the encroachment onto the road is part of an existing building (directions 9.1 and 9.20.3) the following note shall be placed immediately above item 12 on the reverse of the plan:

Encroachment is part of an existing building.

9.21 Plans of amalgamation or subdivision of lots:

Where a new plan deals with lots within a building format plan:

- ◆ The whole of the lots, and where a lot is in parts, all of the parts, being dealt with shall be shown on the plan, and delineated or dimensioned as required by Direction 9.6;
- ◆ As much of the level or levels on which the subject lots are located as is necessary to locate the lots shall be shown.
- ◆ Lot numbering is at the discretion of the surveyor, provided it follows the general numbering scheme adopted for the remainder of the development and is in accordance with Direction 9.4.
- ◆ Unless the building has changed in size, shape or location in relationship to the boundaries of the base parcel:
 - it is not necessary to comply with the provisions of 9.7 or 9.8;
 - it is not necessary to complete the certificate specified in Direction 9.20.7. This certificate may be crossed out and noted "Not applicable".

9.22 Community titles schemes:

Where lots on the plan are to be used as part of a community title scheme, Direction 4.20 must be satisfied.

Where a plan identifies secondary interests only in a lot or common property within a community titles scheme it is not necessary to complete item 3 or item 12 or to comply with direction 4.20.

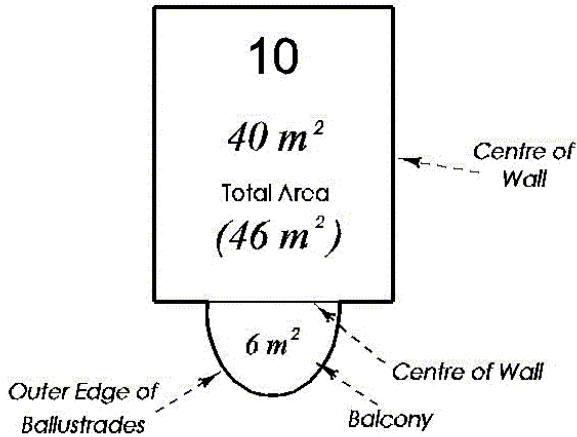
9.23 Plans where base parcel has registered volumetric or restricted secondary interests:

Where the base parcel contains secondary interests that are restricted in height or depth or both, the building format plan must show a lateral aspect diagram of that interest and the building format lots.

The lateral aspect diagram must be prepared to a scale that clearly demonstrates whether the interest either affects or adjoins building format lots shown on the plan. More than a single lateral aspect diagram may be necessary to provide an adequate level of detail.

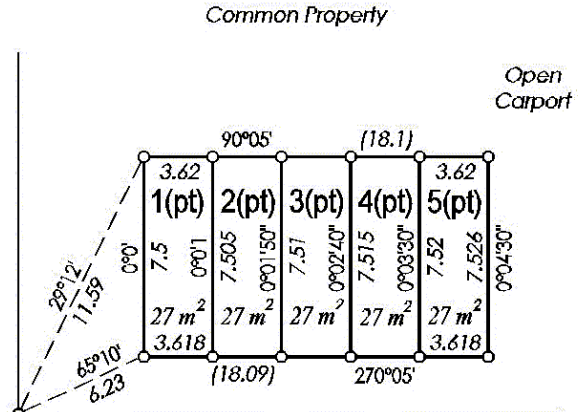
9.24 Examples for building format plans:

Figure 9-1: Part Lot, Balcony



Note: Descriptions of the bounding features are for the purposes of this diagram only.

Figure 9-2: Part Lots, Carports



Note: All corners marked with nails in conc

Figure 9-3: Part Lot, Courtyard

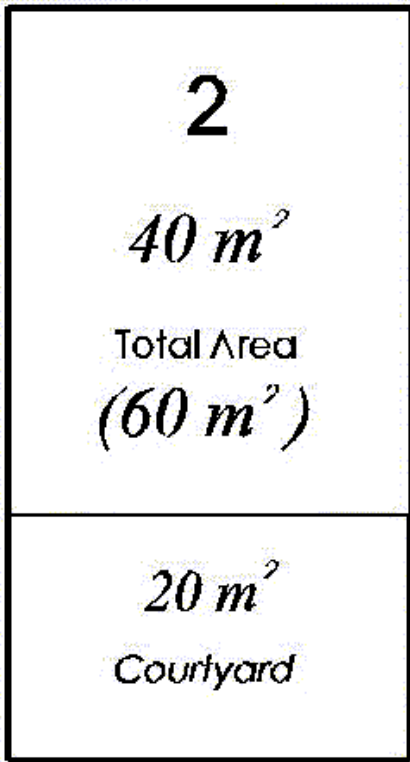
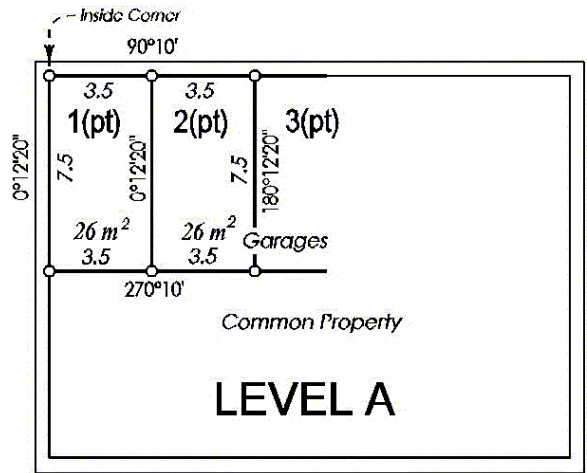


Figure 9-4: Part Lots, Garages



Note: Unless otherwise noted, all corners are ramscd nails in concrete.

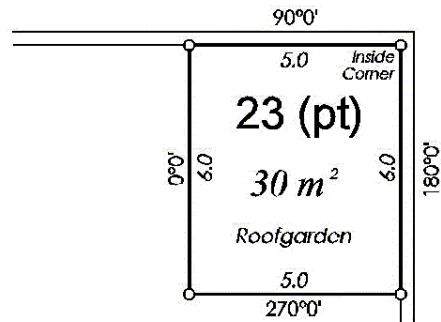
Note: Wall shown for illustrative purposes only. It is not required on an actual plan.

Figure 9-5: Part Lots, Verandahs.

1	2	3
152 m^2	152 m^2	152 m^2
Total Area (188 m^2)	Total Area (188 m^2)	Total Area (188 m^2)
36 m^2 Verandah	36 m^2 Verandah	36 m^2 Verandah
Face	of	Balustrades

Note: "Face of Balustrades" is for the purposes of this diagram only.

Figure 9-6: Part Lots, Roof garden



Note: Unless otherwise noted, all corner are nails in concrete.

Note: Wall shown for illustrative purposes only. It is not required on an actual plan.

Figure 9-7: Main plan for a building format plan

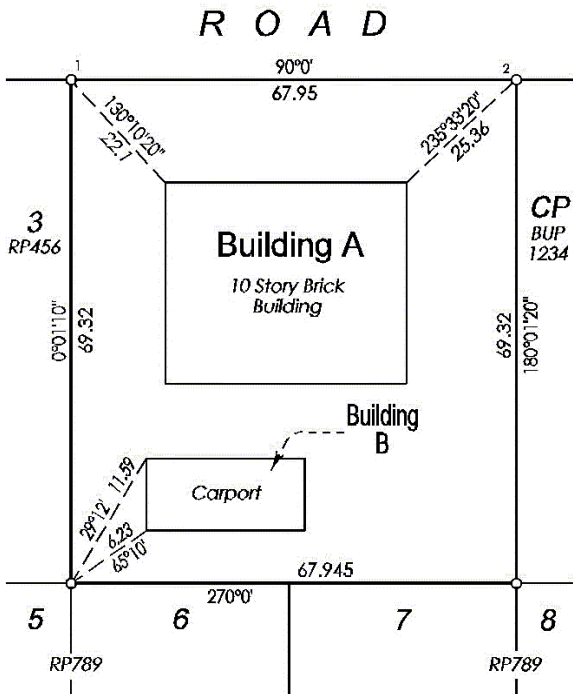


Figure 9-8: Lateral aspect view

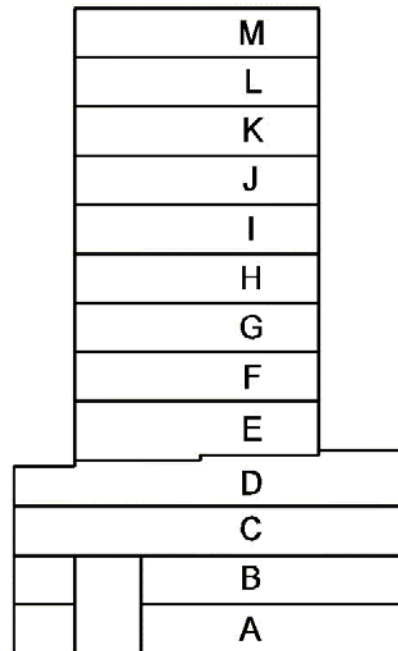
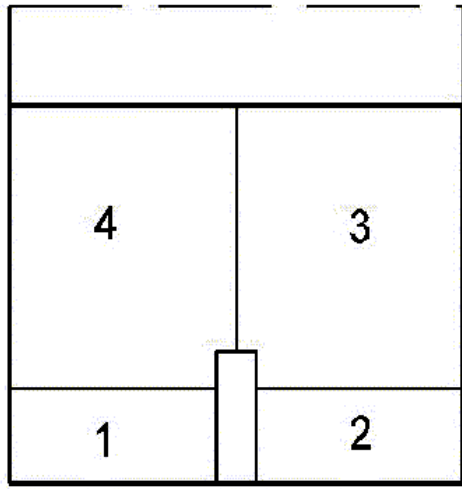
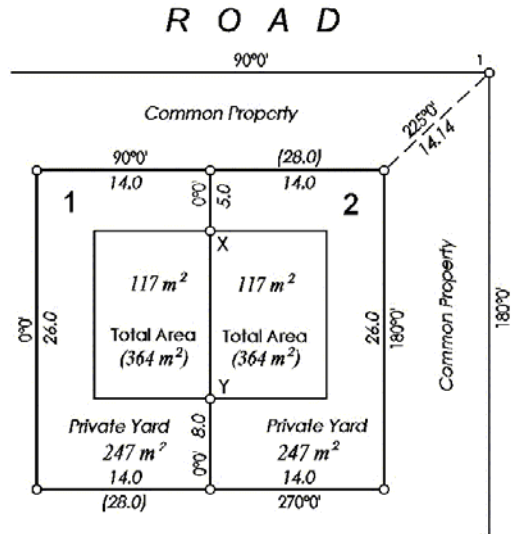


Figure 9-9: Level D illustrating the location of the level below



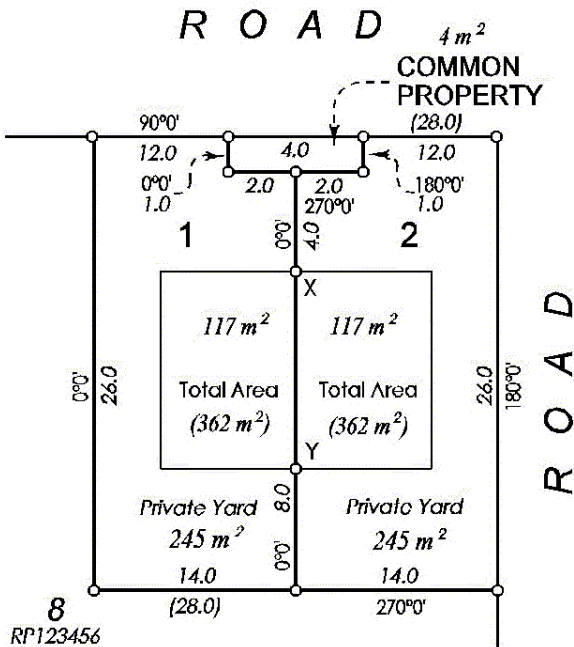
Level D

Figure 9-10: Private Yards within a larger community titles scheme



Note: All corners pegged unless otherwise noted.
(X - Y is centre of wall.)

Figure 9-11: Private Yards taking up the whole of a community titles scheme



RP123456

Note: All corners pegged unless otherwise noted.
(X - Y is centre of wall.)

Figure 9-12: Private Yards - acceptable

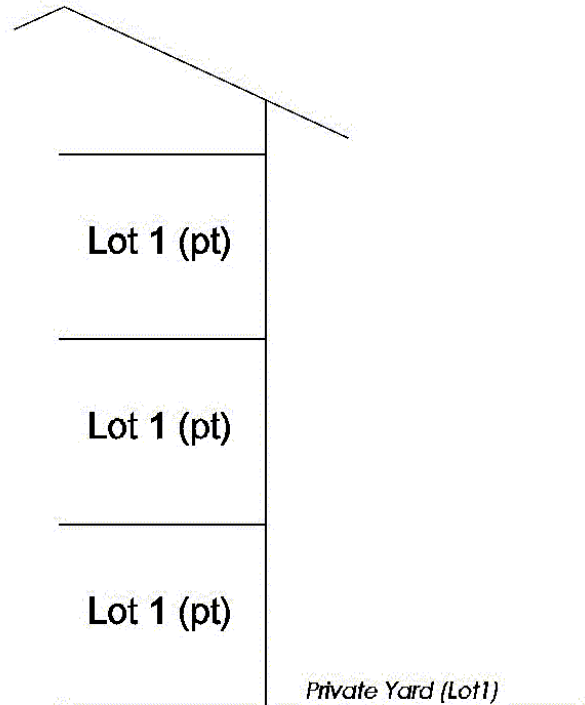


Figure 9-13: Private Yard – acceptable. Balcony is shown on Level B diagram in broken line only and is not given an area on the level diagram.

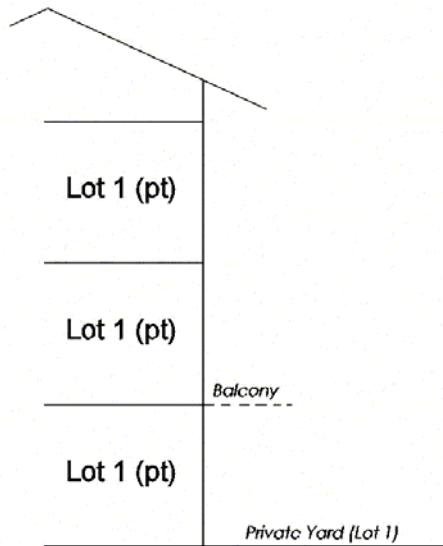


Figure 9-14: Private Yard unacceptable as balconies of lots 2-5 are within the private yard. A private yard that was less than the projection of the balconies would be acceptable.

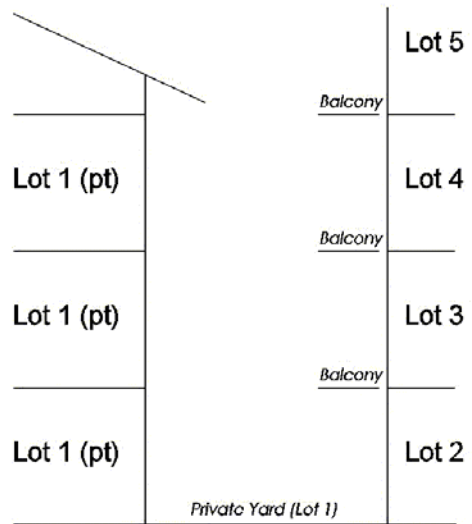


Figure 9-15: Private Yard unacceptable. Lots in building do not satisfy a low rise building.

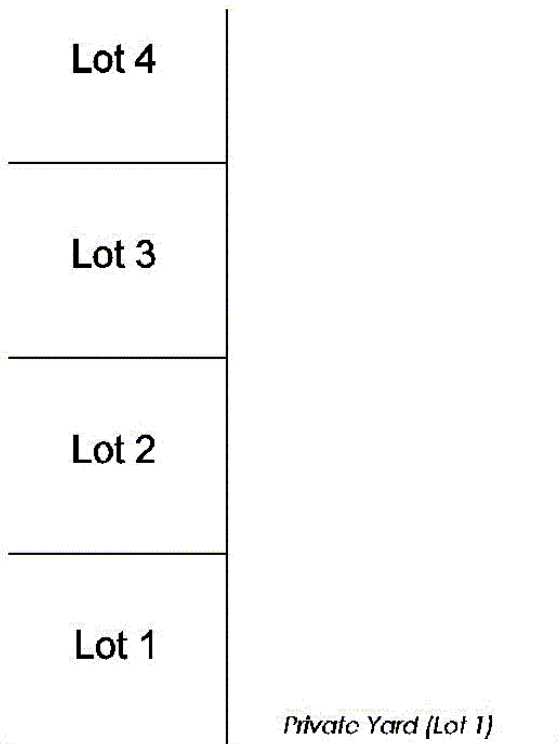


Figure 9-16: Voids

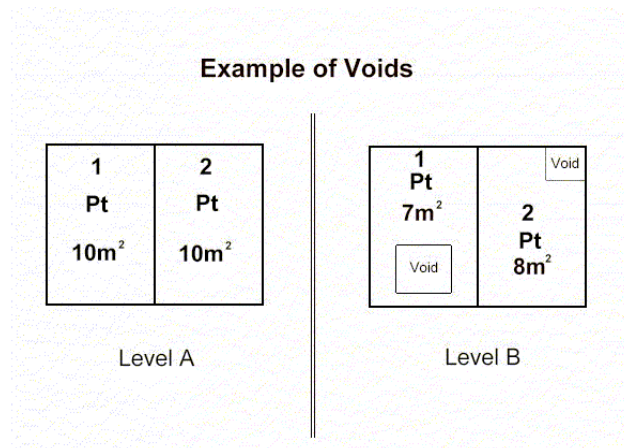


Figure 9-17: Private Yard – unacceptable to adjoin any part of another lot, except courtyard or private yard.

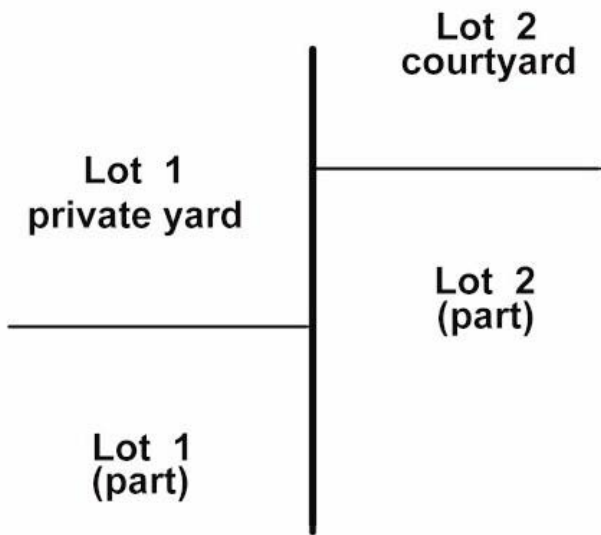


Figure 9-18:- Private Yard – acceptable – does not adjoin main part of adjoining lot.

