



## **STRATA TITLING OF AN EXISTING RESIDENTIAL FLAT BUILDING**

If you are intending on strata subdividing a residential flat building, the following is a summary of matters that you need to address:

- Strata subdivision requires Development Consent and the issue of a Subdivision Certificate. These are separate applications and development consent is the first application that you need to obtain.

### **Development Application**

- You need to apply for development consent by submitting a development application (DA) to Council. This involves completing a DA form and submitting it with 6 copies of plans of the lot layout. The plans must be drawn to scale and a fee is required to be paid.
- Council requires that any parking spaces/garages and storerooms be allocated to individual lots and shown as “part lots” on the strata plan. Required visitor parking spaces must be shown as common property.
- You can contact Council’s Customer Service Centre on 9716 1800 for details of the fees required for both applications.

Residential flat buildings that have provided rental accommodation at any time over the past 24 months may be affected by State Environmental Planning Policy No 10 (Retention of Low Cost Rental Accommodation). This piece of legislation is administered by the NSW State Government’s Department of Planning. You can contact the Department on 9228 6111 for further details of the Policy, and their additional submission requirements. You will need to provide details of the quarterly rent rating for each unit for the last 2 years.

- You will still lodge the application with Council and we will forward all of the information you submit to the Department of Planning, and we will advise you of the result.



# Ashfield Council

## Fire Safety

- Fire safety of residential flat buildings is an important issue and the building will be required to be upgraded to current fire safety requirements.
- If your building has been recently “fire upgraded”, please advise Council in your application and provide details. If the building has not been upgraded, a building surveyor will inspect the building and advise you of the necessary up-grading work that is required.

## Building Code of Australia

- Council’s Building Surveyor will also inspect the building for necessary safety upgrading (balustrades), required repairs, painting, laundry facilities, condition of fences and general maintenance.
- A BCA compliance report is required to be submitted with your application. You need to contact a Building Consultant to obtain such a report.

## Landscaping

- Upgrading of landscaping is actively encouraged, particularly in any areas where you can reduce hard surfaces and plant trees; particularly in the front setback and to provide privacy for your neighbours.

## Garbage

- You will need to provide details of garbage storage and recycling areas.

## Subdivision Certificate

- If your Development Application is approved, you will need to apply for and obtain a Subdivision Certificate. For this application, the surveyor’s plans and 6 copies need to be submitted to Council for endorsement. Please make sure that you do not fold the original plan.
- The signed plans can then be lodged with the Land Titles Office who issue separate titles for the lots.