

# Built vs survey

*strata*



# Strata Titles

## How to divide and conquer

The process of dividing land into smaller parcels is called subdivision and it creates what is known as a “title” for each new block or property.

If you own a block large enough to be subdivided, there are a number of options to consider.

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There are two different ways of subdividing a block, depending on what you plan to do with it. Each has its advantages and disadvantages.

### 1 Building (or Built) Strata

This is ideal if you plan to build several properties on your block. However, you will need to have all the new properties completed before titles can be issued.

### 2 Survey Strata

This is the process to use if you want to create vacant new blocks. It does not depend on having any buildings completed, even if you plan to build on the block in the future.

# Building Strata – The Detail

A Building Strata can be the easiest way to subdivide your block. Although it relies on having the buildings completed first – including landscaping, fencing, letterboxes and crossovers – it can also be the cheapest way to subdivide in terms of surveying costs. It's important, however, to weigh this up against the need to complete the entire development before titles can be issued.

## How is it done?

The first step is to design a development to suit your block. This could be anything from a simple duplex development, to a multi-unit development or apartments.

Your plans are then submitted to the local planning authority to obtain a development approval. Once you have development approval you can apply for a building permit and begin construction.

The Building Strata process can begin once you reach the "lock up" stage of construction. When all the work has been finished and the development is complete, the local planning authority will send an officer to inspect your development.

Once this has been done and the officer has given approval, the relevant paperwork will be sent to Landgate and titles for your development will be issued soon after.

## The tricky bits

- ❑ Construction of your development must follow your building approval to the letter. Any changes that are made on site but not reflected in the building approval could mean serious delays to the Building Strata process.
- ❑ Once the Building Strata process is complete and the new titles have been issued, any change to the buildings – especially in terms of their external appearance – will need the consent (under the Strata Titles Act) of all the owners within the development.
- ❑ Some financial lenders are cautious about funding Building Strata developments because new titles can only be issued once the development is complete. It's important to discuss your options with your finance advisor.
- ❑ If your development includes an existing property, this property must comply with current local planning authority standards. This may involve upgrading the property by adding hard-wired smoke alarms, new termite treatment, storage sheds or car bays, for example, or improving the look of the property from the street.
- ❑ No vacant lots are permitted under the Building Strata process.

## Good to know

- ❑ Lot sizes can be smaller than the minimums required in the R-Codes, providing you have the approval of the local planning authority. However, it seems more and more local planning authorities are requiring an exact match with the relevant R-Codes or referring it to the Western Australian Planning Commission (WAPC) for approval first.
- ❑ The local planning authority may permit less than the minimum driveway and pedestrian access legs required by the R-Codes.
- ❑ All mains services, such as water, communications and power can be shared between the strata lots.
- ❑ At the design stage, check the title and parent plan for your block to confirm easements for the Water Corporation, Western Power and local government drainage. Construction within these easements is allowed, but will result in extra fees and paperwork during the Building Strata process.
- ❑ Also check for any restrictive covenants before you start designing a Building Strata development. The local planning authority will be able to advise you.

# Survey Strata – The Detail

This subdivision process was introduced to allow the creation of vacant strata lots. No buildings need to be shown on your plan if you are developing only vacant lots. The Survey Strata process does, however, permit a combination of vacant lots and buildings, old or new.

Once titles have been issued and the new blocks have been built on, any changes to the properties can be done without the consent of other strata lot owners.

## How is it done?

The Survey Strata process can be started at any time and is often done before any building work begins. When subdividing a large lot into smaller building blocks it's important to think about what sort of house designs might work best. Designing the homes and the subdivision in tandem can usually reap the biggest rewards.

Using a feature contour survey of the block and information about the relevant R-Codes, a designer or architect will be able to maximise the land you have available. The plan of your proposed new lots is then submitted to the Western Australian Planning Commission.

Obtaining conditional approval takes approximately three months, during which time your plan is also sent to the Water Corporation, Western Power and Local Government. They will detail any conditions that need to be met. These often relate to the placement of power domes and electrical distribution boards, sewer connections, stormwater drainage and paved common property, for example.

A surveyor will peg the new lots, prepare a strata plan and issue a strata plan number. Once all the conditions have been met, the strata plan and strata number will be sent to Landgate ready for the new titles to be issued.

## The tricky bits

- ✓ The Western Australian Planning Commission, which must approve all Survey Strata applications, is considered less flexible than local planning authorities.
- ✓ All proposed vacant lots must be cleared of buildings and all services must be provided before titles will be issued.
- ✓ If you choose to start the Survey Strata process before starting any building work, it will need to be done at your own expense.
- ✓ Any proposed lots with an existing building must comply and have car bays, a driveway, a storage shed, and a private courtyard area all completed BEFORE new titles can be obtained.
- ✓ Survey Strata can be the more costly option but the trade-off is that you can complete the subdivision before you start building. Financial lenders will often look at this more favourably than a proposed Building Strata development.

## Good to know

- ✓ In general, lot sizes must comply with the minimums required by the relevant R-Codes.
- ✓ Intrusions and wall attachments are not normally allowed to encroach into another strata lot owner's property.
- ✓ All mains services can be shared between the strata lots.
- ✓ Check for any requirement for vesting land or contribution for cash in lieu of vesting, restrictive covenants before you start designing a Survey Strata development. The local planning authority will be able to advise you.

**Whether you choose Building Strata or Survey Strata will depend on a number of factors, including your situation, your finance and your objectives.**

**Dale Alcock Developments can help you determine which strata process best suits your project and can guide you every step of the way, from feasibility assessments**



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