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| Example – multi-storey building subdivision |
| Plan under the *Subdivision Act 1988* |

This is a guide to preparing a plan under the *Subdivision Act 1988* for a multi-storey subdivision that includes boundaries defined by buildings, multiple owners corporations and the use of cross-sections to define all boundaries.

This example incorporates the Subdivision (Registrar’s Requirements) Regulations 2011 and includes items covered in other published examples.

## Key elements for preparing a plan for a multi-storey building subdivision

Note: some of the points below are referenced on the pages that follow.

1. All plans containing building boundaries must contain a notation stating which lines in the plan represent boundaries defined by buildings.

The default method of identifying boundaries defined by buildings is a thick continuous line – as indicated by regulation 11(3)(a).

1. Plans that contain building boundaries must describe the location of boundaries, defined by buildings in the notations area on the plan.

Unless otherwise specified on the plan, the location of any building boundary is as defined in regulation 10(4).

1. The boundaries depicted for each location described should be consistent and separately identifiable on the plan.
2. When adopting thick continuous lines to define building boundaries, the same thick lines must not be used on the external boundaries of the plan. Non-building boundaries are to be shown as thin continuous lines.
3. When any part of a parcel is defined by reference to a building or is situated above or below another parcel, the area of that parcel is not to be shown.
4. Except in the instance of a boundary defined by a building on a previous registered plan, building boundaries are not to be shown on the external boundaries of the plan – as indicated by regulation 11(12).
5. In multi-storey plans, the external/site boundary and any relevant abuttals should be shown and defined on every diagram, including those above and below ground.
6. Plan diagrams should be drawn in levels that correspond to the levels shown on the cross sections.

When lots overlap but levels are not used, a separate diagram for each lot may be required. In these examples (such as stairs or ramps) the diagrams may be drawn without reference to the levels. The cross-sections will define the location of each level.

1. The depiction of any structure on a plan that is not a parcel boundary must differ significantly to that of an easement – as indicated by regulation 11(2).
2. Major building features may be identified on the plan such as a lift, stairs or a balcony. Minor building features and notations depicting how areas are used (e.g. visitor parking, bike storage, gym, bin storage etc.) or what exists above or below a parcel are not to be shown.
3. When parcels in a plan of subdivision are situated above or below each other, one or more cross-sections are required – as indicated by regulation 11(5).
4. Once a cross-section is required, all parcels on a plan must have their upper and lower boundaries defined. Parcels with upper and lower boundaries must be covered by the cross-sections, while unlimited parcels may be denoted as such by a notation.
5. ‘Typical’ notations may be used in a cross-section to identify parcels not covered by a specific cut, but have upper and lower boundaries identical to parcels depicted in that cross-section. The typical notation must be clear for which parcels the cross-section is typical.
6. Vinculums that cross a title boundary (either a building boundary or dimensioned line) are used to identify changes in the upper and lower (horizontal) boundaries, within a continuous parcel. These changes are defined within a cross-section. A cross-section must always be used when a boundary is shown with a vinculum.

Vinculums are not to be used for parcels severed by common property walls, in parts or in cross-sections.

1. The position of cross-section identifiers defines the extent of the cross section. The direction of the arrows identifies the direction of the cut (i.e. the direction of the view). Cross-section identifiers must not obscure any lines or dimensions.
2. In a cross-section, boundaries that are a projection of a building must be shown as a thick broken line– as indicated by regulation 11(9). If a boundary is the projection of a line depicting two separate boundaries, a notation must identify which boundary is being projected.
3. A common property ‘exclusion statement’ must be shown in the notations area when parts of the common property are not shown in ‘plan view’. The ‘exclusion statement’ can only apply to one common property in the plan. The notation will be applicable when common property forms the area contained in walls floors and ceilings; and is depicted as single lines or airspace above buildings or car parks, or underground.
4. An ‘inclusion statement’ may be shown when structures that define boundaries (i.e. when boundaries are interior faces) or certain service installations or appurtenances are deemed to form part of common property. The relevant common property must be clearly identified.
5. A plan may contain multiple owners corporations. Reasons for this may include separate areas of common property for the exclusive use of a group of lots. A ‘limited to common property owners corporation’ will be made up of the lots that have use of the common property.
6. Multiple owners corporations must adhere to the restrictions of section 27D of the Subdivision Act.
   1. There can only be one unlimited owners corporation affecting any lot.
   2. When a lot is affected by multiple owners corporations, at least one of those owners corporations must be unlimited.
7. When multiple owners corporations include common property, the plan must satisfy conditions for ownership and use of the common property.
8. Any member of a limited owners corporation that includes common property is entitled to use that common property (Section 27(c)(3) *Subdivision Act 1988*).
9. Common property vests in the name of the unlimited owners corporation (Section 30 *Subdivision Act 1988*).
10. A lot that is in a limited owners corporation with common property must also be a member of the relevant unlimited owners corporation.
11. Notations regarding the use of the common property must be placed on the schedule for the unlimited owners corporation.
12. Notations regarding ownership of the common property must be placed on the schedule for the limited owners corporation.
13. A lot index sheet may be helpful for cross referencing lots in large building subdivisions to the relevant sheet number.

Note: The following example is a five-level apartment building with part lots and two separate common properties.

Sheet 1 contains location of land details and notations regarding boundaries defined by buildings, common proeprty inclusions and easement details

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Sheet 2 of plan contains diagram for ground level including steps in courtyards shown by vinculums on boundary lines Two cross section cuts are depicted.

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14

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Sheet 4 of plan contains diagram of lots on first level and includes boundaries shown as buildings. Two cross section cuts are depicted.

7

8

19

Sheet 5 of plan contains diagram of lots on second level and includes boundaries shown as buildings. Two cross section cuts are depicted.

7

8

Sheet 6 of plan contains diagram of lots on third level and includes boundaries shown as buildings. Two cross section cuts are depicted.

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14

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Sheet 7 of plan contains diagram of two cross sections showing basement ground first second and third levels and the upper and lower boundaries of the lots intersected by the cuts.

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11

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16

The eighth sheet in the plan is the first owners corporation sheet. Contains table of Lots and common property no.1 in unlimited owners corporation no.1 and includes relevant notations and entitlement and liability values. This OC owns common property no.1

24

The ninth sheet in the plan is the second owners corporation sheet. Contains table of Lots and common property no.1 in limited owners corporation no.2 and includes relevant notations and entitlement and liability values. Only this OC can use common property no.1

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