

Strata Plan Tips and Reminders

To assist in the preparation of strata plans, we are providing some helpful tips and reminders on various strata plan scenarios and components in which NSW LRS are seeing an increase in inquiries and lodgments.

Common Property Rights By-Laws

By-laws may also confer certain rights or privileges. These are known as “common property rights by laws” (previously referred to as exclusive use by-laws). These may provide that part of the common property is for the exclusive use of a specified lot or lots. See Division 3 Part 7 *Strata Schemes Management Act 2015*.

Where the intention is to create common property rights by-laws on registration of the strata plan, Strata Plan By-laws ([Approved Form 7](#)) must be lodged with the plan.

If it is intended to provide a by-law granting exclusive use of part of the common property to a lot or lots, the relevant part should be clearly described within the wording of the by-law.

The site must also be clearly defined on either a sketch plan in the strata by-laws (with Approved Form 7 header) or on the floor plan. For examples see [sketch plan](#) and [strata plan floor plan](#) below.

The site must be defined by structure and/or line boundaries with perpendicular offsets or prolongations of the face of the structure in the same manner as with lot boundaries on a floor plan. A stratum statement will also be required for those parts which do not have a structural base or covering for their entire area.

For further information see [By-Laws](#).

NOTE: Any plan proposed in the strata by-laws must not be a registered strata plan or deposited plan.

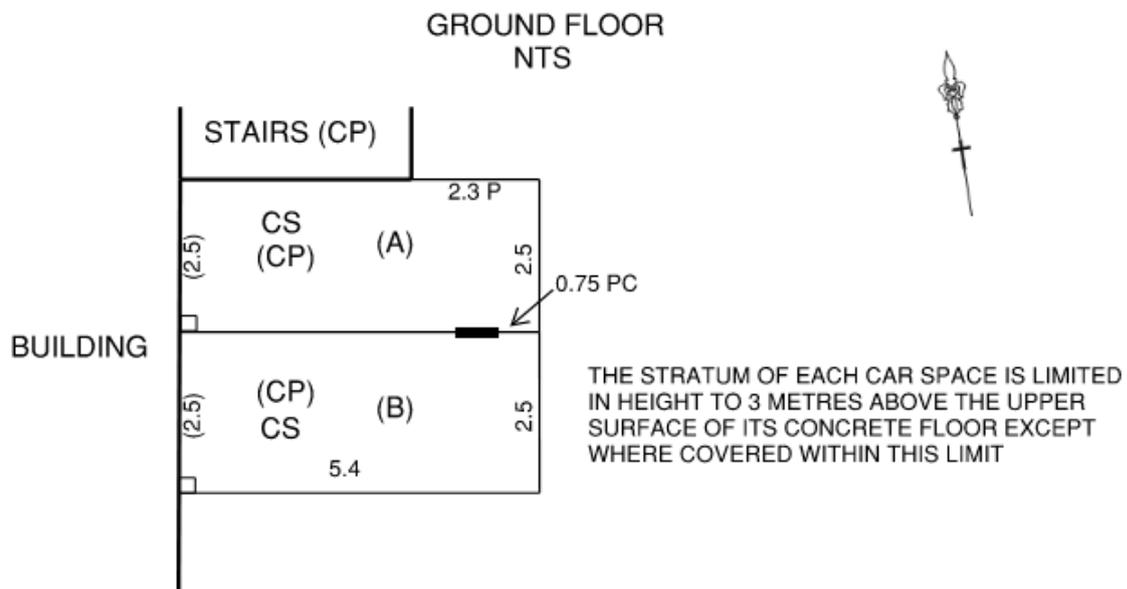
Strata Plan Preparation Guide

Remember to review the [Strata Plan Preparation Guide](#) located on the NSW LRS website.

Sketch Plan (with Approved Form 7 header)

The following is an example where lots 1 and 2 have been granted a common property rights (exclusive use) by-law over the common property car spaces denoted (A) and (B)

Approved Form 7	Strata Plan By-laws	Sheet	of	sheet(s)
Registered:	Office Use Only			Office Use Only



THE STRATUM OF EACH CAR SPACE IS LIMITED IN HEIGHT TO 3 METRES ABOVE THE UPPER SURFACE OF ITS CONCRETE FLOOR EXCEPT WHERE COVERED WITHIN THIS LIMIT

CS - CAR SPACE
 (CP) - COMMON PROPERTY
 P - DENOTES PROLONGATION OF FACE OF WALL
 PC - DENOTES PROLONGATION OF CENTRELINE OF COLUMN

Exclusive area	Lot
(A)	1
(B)	2

Strata plan floor plan

The following is an example of a common property rights (exclusive use) by-law over the common property area's denoted (EU1) and (EU2).

The floor plan will not reference the lot which has been granted the common property rights (exclusive use) by-law as this must be specified in the strata by-laws only.

