

Subdivision Certificates



What is a Subdivision Certificate?

A Subdivision Certificate authorises the registration of the plan of subdivision for lodgement with NSW Land and Property Information. The plan of subdivision identifies each of the allotments approved under the original consent (if required) or each allotment subject to an exempt boundary adjustment. The plan of subdivision is required to be prepared by a registered surveyor.

All types of subdivision (Torrens, Strata and Community Title) are required to be registered with NSW Land and Property Information before a new 'allotment' of a subdivision of land can be created.

The release of a Subdivision Certificate confirms that the Principal Certifying Authority (Council or Accredited Certifier) is satisfied that works are completed in accordance with the applicable Development Consent and that the land is suitable to occupy.

Types of Subdivision

- Torrens Title – Involves the creation of new allotments from an existing allotment or a boundary adjustment involving adjoining properties. Torrens Title Subdivisions are usually created so that each of the new allotments can be owned as freehold land.

Please note minor boundary adjustments may not require development consent. [The State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) identifies those boundary adjustments which are exempt developments.

- Strata Title – Most commonly used for apartment buildings, commercial and industrial developments. The boundaries of the lots in a strata plan are defined by permanent structures such as walls. Strata title subdivides the air space above the land not the land.

At the commencement of a strata scheme, an owners corporation is set up which is a body corporate of all of the lot owners in the scheme. The body corporate is responsible for maintenance and repairs of common property.

- Community Title – Enables the owners within the plan to share or have the use of community land set aside for parks, playgrounds, swimming pools etc. This type of subdivision is able to include individual dwellings, shops and other facilities. Each owner of an allotment included in the plan contributes levies for the cost of maintaining communal property.

How do I obtain a Subdivision Certificate?

In order to obtain a Subdivision Certificate you must first lodge a Development Application.* If your Development Application is approved you will be provided with a development consent. This consent lists the conditions of approval. You will need to comply with all the conditions of the development consent before applying for a Subdivision Certificate.

*Please note minor boundary adjustments may not require development consent. [The State Environmental Planning Policy \(Exempt and Complying Development Codes\) 2008](#) identifies those boundary adjustments which are exempt developments.

Do I need a Civil Works Construction Certificate?

A Civil Works Construction Certificate Application Form is to be submitted if the development requires bulk earthworks, lot fill, construction of any new roads (including kerb and gutter), bridge or major culvert works, inter-allotment or stormwater drainage or works to water and sewer mains. This application must be lodged and approved by Council prior to the commencement of any subdivision works.

An application form is available at Council's Customer Service Centre or may be downloaded from the [forms section of Council's website](#).

What information am I required to submit with my Subdivision Certificate Application?

When submitting your completed Subdivision Certificate Application Form, you are required to supply the following documentation;

- 3 x A3 copies of the plan of subdivision prepared by a registered surveyor;
- Deposited Plan or Strata Plan Administration Sheet;
- 88B Instrument;
- A summary letter detailing how all relevant conditions of the development consent have been satisfied;
- Supporting documentation i.e. certificates, notice of arrangement for electricity, telecommunications letter etc.;
- For subdivisions involving civil works construction, evidence that the work has been completed including;
 - Works as Executed Drawings
 - Inter-maintenance Inspection Release
 - Superintendents Report

An application form is available at Council's Customer Service Centre or may be downloaded from the [forms section of Council's website](#).

Please note that partial lodgement (i.e. without summary letter, linen plans, administration sheet etc.) will not be accepted.

What is the fee for a Subdivision Certificate Application?

Please see Council's adopted [fees and charges](#) for applicable fees.

Definition of Terms

88B Instrument – Any subdivision which proposes easements, rights of way, covenants or the like that are to be created under Section 88 of the Conveyancing Act 1919, must be accompanied with an instrument prepared under the Conveyancing Act 1919.

Deposited Plan or Strata Plan Administration Sheet – The administration sheet must contain all the signatures, seals and certificates required by the Registrar General, endorsed in the appropriate panels on the approved form. There are different forms for deposited plans and strata plans. This form is required to be submitted to NSW Land and Property Information when lodging the subdivision plan. Copies of these forms are available on the [NSW Land Registry Services Website](#).

Superintendents Report – This report should include Inspection Records, Material Certification and Supply, Testing, Fill Report and details of any variations to the design.