



LAND TITLE  
OFFICE OF REGULATORY SERVICE  
Department of Justice and Community Safety

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1734356

DEPARTMENT OF  
JUSTICE & COMMUNITY SAFETY

APPLICATION TO  
ALTER A UNITS PLAN

Form 055 - ALUP

Land Titles Act 1925

LODGING PARTY DETAILS

Name	Postal Address	Contact Telephone Number
CB Richard Ellis	GPO Box 1987 Canberra ACT 2601	6232 2733

TITLE AND LAND DETAILS

Volume & Folio	District/Division	Section	Block	Unit
1162:5 1162:2 1162:3 1162:4	DEAKIN	35	66	CP 2 3 4

UNITS PLAN NUMBER

DATE

617

11 March 2011

FULL NAME OF APPLICANT (Surname Last)

FULL POSTAL ADDRESS (Including Post Code)

The Owners - Units Plan No 617

25 Geils Court Deakin ACT 2600

TYPE OF VARIATION (Please tick relevant box and supply more detail – provide all unit numbers affected)

- ☐ Staged Development (please complete box below)
- ☐ Building Damage Order
- ☐ Minor Boundary Change
- ☐ Alteration to Schedule of Unit Entitlement
- ☒ Other – Refer to Annexure

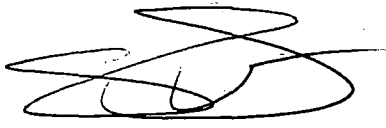

STAGED DEVELOPMENT (Please complete if application relates to a Staged Development)

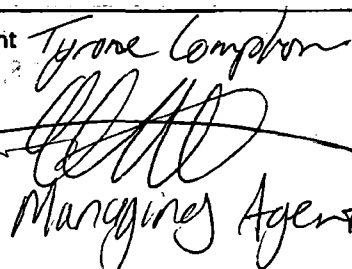


TOTAL NUMBER OF STAGES	STAGE NUMBER FOR THIS APPLICATION	UNIT NUMBERS COMPLETED IN THIS STAGE	LIST PAGE NUMBERS IN PLAN THAT HAVE BEEN AMENDED/REPLACED

**SUPPORTING DOCUMENTATION** (Please tick relevant box – supply all evidence required)

- ☐ ACT Civil and Administrative Tribunal (ACAT) Order Number -
- ☒ Authority executed by the Authorised officer on behalf of the Minister / ACT Planning and Land Authority
- ☐ Amended Development Statement
- ☐ Gazettal Notice
- ☐ Amended Units Plan pages
- ☐ Amended Surveyors Declaration
- ☐ Application made within three (3) months of the date the Authority (ACTPLA) has executed replacement sheets

COURT ORDER PERIOD (complete if applicable)	APPLICATION PERIOD (complete if applicable)
Application must be made within three months of the date of the court order.	Application must be made within three months of the unopposed resolution by the Owners Corporation endorsing an application to the Minister.
Date of Court Order: -	Date of Unopposed Resolution: -

LESSOR'S / ACTPLA'S EXECUTION	
Signed by the person duly authorised by ACT Planning and Land Authority (Please print full name of authorised signatory). <div style="text-align: right;">Slavica Stewart</div>  Signature of authorised person Dated - 11 March 2011	Print full name and address of witness <div style="text-align: right;">Elise Gill</div> ACT Planning and Land Authority Dame Pattie Menzies House 16 Challis Street Dickson ACT 2602  Dated - 11 March 2011

APPLICANT'S EXECUTION	
Print full name of applicant Tyrone Compton  Managing Agent  Signature of common seal of applicant	Print full name and address of witness LAURIE OMARA 17-23 TOWNSEND ST PHILLIP ACT  BODY CORPORATE MANAGER Signature of witness

OFFICE USE ONLY			
Lodged by		Certificate of title lodged	
Data entered by		Certificates attached to title	
Registered by	A	Attachments / Annexures	
Registration date	18 MAR 2011	Production number	1729363, 1729364 1729365

Commonwealth of Australia  
STATUTORY DECLARATION  
*Statutory Declarations Act 1959*

1 Insert the name, address and occupation of person making the declaration

I, Tyrone Compton of 17-23 Townshend Street, Phillip ACT 2606, Strata Manager, make the following declaration under the *Statutory Declarations Act 1959*:

2 Set out matter declared to in numbered paragraphs

I am the Body Corporate Manager for The Owners – Units Plan 617.

The Owners – Units Plan 617 hereby apply to dispense with production of Certificate of Title Volume 1162 Folio 5.

We are unable to produce the Certificate of Title Volume 1162 Folio 5 for the Common Property at Block 66 Section 35 Deakin for the following reasons:

1. We believe that the Certificate of Title has been, lost, mislaid or destroyed.
2. A search with the Body Corporate records reveal that the Certificate of Title is not held by us.
3. Enquires with the Office of Regulatory Services, Canberra has revealed that the Certificate of Title was collected by Williams Love and Nichol Lawyers in 2005
4. Williams Love and Nichol Lawyers claim that they do not hold the Certificate of Title
5. Enquiries with Australian Private Hospital Association Limited, the name in which the current Certificate of Title is held revealed that the property was sold in 2005 and the Title is not held with them.
6. The Title is not being held as security for any loan, mortgage or any other encumbrance.

I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

3 Signature of person making the declaration

3 

4 Place  
5 Day  
6 Month and year

Declared at <sup>4</sup> Phillip Act on <sup>5</sup> 24th of <sup>6</sup> February 2011


Before me,

7 Signature of person before whom the declaration is made (see over)

7



ACT

  
TIMOTHY MALÝ  
Justice of the Peace # 2361



8 Full name, qualification and address of person before whom the declaration is made (in printed letters)

8

Note 1 A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years — see section 11 of the *Statutory Declarations Act 1959*.

Note 2 Chapter 2 of the *Criminal Code* applies to all offences against the *Statutory Declarations Act 1959* — see section 5A of the *Statutory Declarations Act 1959*.



LAND TITLES  
OFFICE OF REGULATORY SERVICES  
Department of Justice and Community Safety

**ANNEXURE**

Land Titles Act 1925



Form 029 - ANN

**TITLE AND LAND DETAILS**

Volume & Folio	District/Division	Section	Block	Unit
1162:5	DEAKIN	35	66	CP
1162:2				2
1162:3				3
1162:4				4

ANNEXURE TO (insert dealing type)	TOTAL NUMBER OF PAGES IN ANNEXURE
Application to Vary a Units Plan	2

**PARTIES TO DOCUMENT** (Please state all parties this annexure relates to/supports)

**ACTPLA**  
**The Owners - Units Plan No 617**

**AUSTRALIAN CAPITAL TERRITORY  
PLANNING AND DEVELOPMENT ACT 2007  
APPLICATION TO ALTER A UNITS PLAN**

Under the Planning and Development Act 2007 I, **Ben Green**, approve the variation of Units Plan specified hereunder:

**PARTICULARS OF VARIATION**

**FORM 4**

**FORMER PROVISION**

4 (a) The Lessees of each of the units 1-4 further covenants with the Territory to use the premises only for any one or more of the following purposes:

- (i) an approved association;
- (ii) offices; and

Unit 1 may also be used for a health facility;

PROVIDED THAT none of the units will be used for retail or wholesale trading;

**AMENDED PROVISION**

4 (a) The Lessees of each of the units 1-4 further covenants with the Territory to use the premises only for any one or more of the following purposes:

- (i) an approved association;
- (ii) community use LIMITED TO health facility;
- (iii) offices;

PROVIDED THAT none of the units will be used for retail or wholesale trading;

**ADDED PROVISIONS**

Replace the full stop (".") at the end of clause 1(g) with a semi-colon (";") and insert the following:

1 (h) "health facility" means the use of the land for providing health care services (including diagnosis, preventative care or counselling) or medical or surgical treatment to out-patients only.

Date 11 March 2011



11/3/2011

Ben Green

The person for the time being holding or performing  
the duties of the office of Senior Officer Grade C  
Position Number 22561  
Delegate of the Authority