**Outline of termination proposal**

*Community Titles Act 2018* Section 142(3)

*Community Titles Regulations 2021* Part 13 Division 2

***Please give careful consideration to the information in this form and attachments.***

**Introduction:**

This form is to be completed by the proponent (the person proposing termination of one or more community titles schemes under Part 11 Division 1 of the *Community Titles Act 2018* (Act)).

If the proposal is to terminate a tier 2 scheme, the proposal must include a proposal to terminate each tier 3 scheme that belongs to the tier 2 scheme. If the proposal is to terminate a tier 1 scheme, the proposal must include a proposal to terminate each tier 2 scheme that belongs to the tier 1 scheme.

The form provides an outline of the termination proposal including:

* identifying the community titles scheme or schemes proposed to be terminated;
* an explanation of the reasons for termination;
* proposals for contracts to be offered to owners of lots in a community titles scheme proposed to be terminated;
* the stages and timelines for progress of the termination proposal;
* what is proposed in terms of subdivision and development of the land in the community titles scheme proposed to be terminated (tier parcel) following termination of the scheme; and
* a description of the planning approvals necessary for the subdivision and development of the tier parcel.

It also includes:

* an explanation of the termination process and consequences of terminating a community titles scheme under Part 11 Division 1 of the Act; and
* the proponent’s arrangements for lot owners in schemes proposed to be terminated to have access to a trust fund for advisory and representation services in connection with the termination proposal[[1]](#footnote-2).

The proponent is required to submit an outline of termination proposal to the community corporation for a community titles scheme proposed to be terminated and each community corporation related to that community corporation[[2]](#footnote-3) (interested community corporations for the termination proposal).

Each interested community corporation to which the outline of termination proposal is submitted has a maximum of 3 months to pass an ordinary resolution[[3]](#footnote-4) supporting consideration of a full termination proposal. If an ordinary resolution is not passed by all the interested community corporations, the proposal cannot proceed further.

**Scheme details of each community titles scheme in the community scheme proposed to be terminated:**

Scheme number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Tier number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of community corporation: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Provide the above scheme details in the following box for each additional scheme]

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| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Proponent details:**

Full name[[4]](#footnote-5): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address for service: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Proponent eligibility to submit proposal:**

Select one of the following:

owner of lot in the community scheme – if this option is selected, provide the scheme number and lot number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

person with a contractual right to purchase a lot in the community scheme – if this option is selected, provide the scheme number and lot number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

body corporate formed by 2 or more of the persons above – if this option is selected, provide the scheme number(s) and lot numbers of the persons who have formed the body corporate: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date of Outline termination proposal: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Part 1**

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| [insert content required in section 142(1)(c)-(g) of the Act and Regulation 110]  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Part 2 – Explanation of the process for and consequences of termination of a community** **titles scheme under Part 11 Division 1 of the Act**

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| [insert approved form of [Annexure A - Explanation of the process for and consequences of termination](https://www0.landgate.wa.gov.au./?a=85218) of a community titles scheme under the *Community Titles Act 2018* Part 11 Division 1]  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Part 3 – Details of arrangements for independent advice or representation referred to in section 160 of the Act**

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| [including but not limited to details required by Regulation 109]  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Part 4 – Additional information included by Proponent**

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| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Part 5 - Execution**[[5]](#footnote-6)

Execution date \_\_\_\_\_\_\_\_\_\_\_\_\_\_

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1. No funding is available for lot owners for advice on this Outline of termination proposal. [↑](#footnote-ref-2)
2. A community titles scheme is related to each community titles scheme to which it belongs or that belongs to it and the community corporations of the related schemes are related community corporations (Act section 13(6)). [↑](#footnote-ref-3)
3. A resolution is passed as an ordinary resolution of the community corporation if the value of the votes cast in favour of a proposed resolution is more than the value of the votes cast against the proposed resolution. If there are only 2 lots in a community titles scheme, an ordinary resolution is taken to be passed supporting consideration of a full proposal if the vote attached to 1 of the lots is cast in favour of the resolution (regardless of the unit entitlement of the lot) (Act section 106(6)). [↑](#footnote-ref-4)
4. If a company, also insert ACN/ABN. [↑](#footnote-ref-5)
5. See Land Titles Policy & Procedure Guide “SIG-01 Signing of Documents” (and associated guides) in relation to execution requirements. [↑](#footnote-ref-6)