**Full termination proposal**

*Community Titles Act 2018* Section 147(9)

*Community Titles Regulations 2021* Part 13 Division 4

***Please give careful consideration to the information in this form and attachments and the availability of advisory and other services in connection with the termination process.***

**Introduction:**

All of the community titles schemes specified below and community titles schemes related to them voted by ordinary resolution in favour of considering a full termination proposal. The Western Australian Planning Commission (Planning Commission) has approved one or more plans of subdivision so that the tier parcels in the community scheme for the community titles schemes proposed to be terminated cease being subdivided by a community titles scheme.

The proponent specified below now submits the Full termination proposal to the community corporations of all community titles schemes in the community scheme for distribution to owners of lots and others mentioned in section 145(3) of the *Community Titles Act 2018* (Act), there being no reason under the Act section 145(2) why the Full termination proposal cannot be submitted.

Owners of lots and others are encouraged to:

1. participate in the termination process outlined in Annexure A to Attachment 1 below; and
2. if they are owners of lots in a community titles scheme proposed to be terminated in this Full termination proposal, take advantage of the funding made available by the Proponent for advisory services, and if they are owners who are classified as Vulnerable persons, ancillary services

in order to make an informed decision when casting the vote for their lot on the termination resolution in respect of this Full termination proposal.

**Scheme details of community titles scheme or schemes 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]

|  |
| --- |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Proponent details:**

Full name[[1]](#footnote-2): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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 Full termination proposal:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_

The following attachments form part of this Full termination proposal:

|  |
| --- |
|[ ]  Attachment 1: Copy of Outline of termination proposal, including Annexure A – Explanation of the process for and consequences of termination of a community titles scheme under the *Community Titles Act 2018* Part 11 Division 1. |
|  |  |  |
|[ ]  Attachment 2: Plan(s) of subdivision approved by the Planning Commission for each community titles scheme proposed to be terminated except to the extent that the Act section 144(3) applies. |
|  |  |  |
|[ ]  Attachment 3: Termination infrastructure report in respect of each community titles scheme proposed to be terminated and complying with the Act sections 147(2) and (6) and the *Community Titles Regulations 2021* (Regulations) regulations 119 and 122  |
|  |  |  |
|[ ]  Attachment 4: Termination valuation report in respect of each community titles scheme proposed to be terminated and complying with the Act section 147(3)-(6) and Regulations 120-122  |

The terms of this Full termination proposal are in substitution for the terms set out in the Outline of termination proposal in Attachment 1.

**Parts A to C must be completed:**

**Part A**

|  |
| --- |
| [Insert content required by section 147(1)(c)-(k) of the Act in respect of each community titles scheme proposed to be terminated]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Part B - Insert other prescribed content for each community titles scheme proposed to be terminated**

|  |
| --- |
| [Describe in detail what is proposed to happen on termination to tenants under leases that are subject to the *Commercial Tenancy (Retail Shops) Agreements Act 1985* section 13]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_[In relation to a community scheme in which 1 or more (but not all) community titles schemes are proposed to be terminated, describe in detail what is proposed to happen on termination to community titles schemes that are not proposed to be terminated]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_[The name and contact details of the trustee of the trust established by the Proponent for funding arrangements for owners of lots and owners of lots classified as Vulnerable persons in community titles schemes proposed to be terminated to access advisory, ancillary and representation services]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Part C**

|  |
| --- |
| [Insert any additional information the Proponent chooses to include under the Act section 147(7). If no additional information, insert N/A]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

**Execution**[[2]](#footnote-3)

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

|  |
| --- |
|  |

1. If a company, also insert the ACN/ABN. [↑](#footnote-ref-2)
2. See Land Titles Policy & Procedure Guide “SIG-01 Signing of Documents” (and associated guides) in relation to execution requirements. [↑](#footnote-ref-3)