



REGISTRAR-GENERAL'S OFFICE

A DIVISION OF THE DEPARTMENT OF LANDS

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65

NOTICE TO LODGING PARTIES

Your attention is drawn to the Government Gazette of 26 July 1990 at pages 397, 411 to 419 incl. and 436 to 438 incl. Proclamations on these pages:

- proclaim the commencement date of the Strata Titles Act Amendment Act, 1990 (except SS.6(b) & 27 which came in to operation retrospectively on 1/9/88), and amendments to the Strata Titles Regulations, 1988 as Thursday 2 August 1990, and;
- sets out Panel Forms approved by the Registrar-General for the following purposes;
 - The creation of an easement pursuant to Section 223lo of the Real Property Act, 1886 or Section 17b of the Strata Titles Act, 1988, and
 - The extinguishment or variation in position of an easement created by the above mentioned sections.

Provisions of the Amendment Act of particular interest to Conveyancers are as follows:

- The provision of the Act relating to the extinguishment or variation of an easement on deposit of a strata plan is now extended to include an application to amend a strata plan,
- The provision of the Act relating to the resolution of problems incurred by the encroachment of a building beyond the boundaries of the site are extended to an application to amend a strata plan,
- Procedures that may be adopted when the whereabouts of a person, whose consent to the deposit of a strata plan is required, is unknown, and
- Facilities similar to those of Section 223lo of the Real Property Act, 1886, whereby an easement may be created on deposit of a plan of division or later extinguished or varied in position, are now inserted into the Strata Titles Act as Section 17b.

This means that an easement may be created eg, over land within a unit or common property appurtenant to another unit and/or through a site appurtenant to nearby land or vice versa.

The above mentioned Government Gazette sets out redesigned Panel Forms for this purpose.

Other changes to the Act are of interest to the conveyancer and strata corporations and their advisers.

These and the above mentioned provisions should be studied in detail.

Further information on the operation of the amendments will be available from the Lands Titles Office in the near future.

J G Maher
Registrar-General
1 August, 1990.