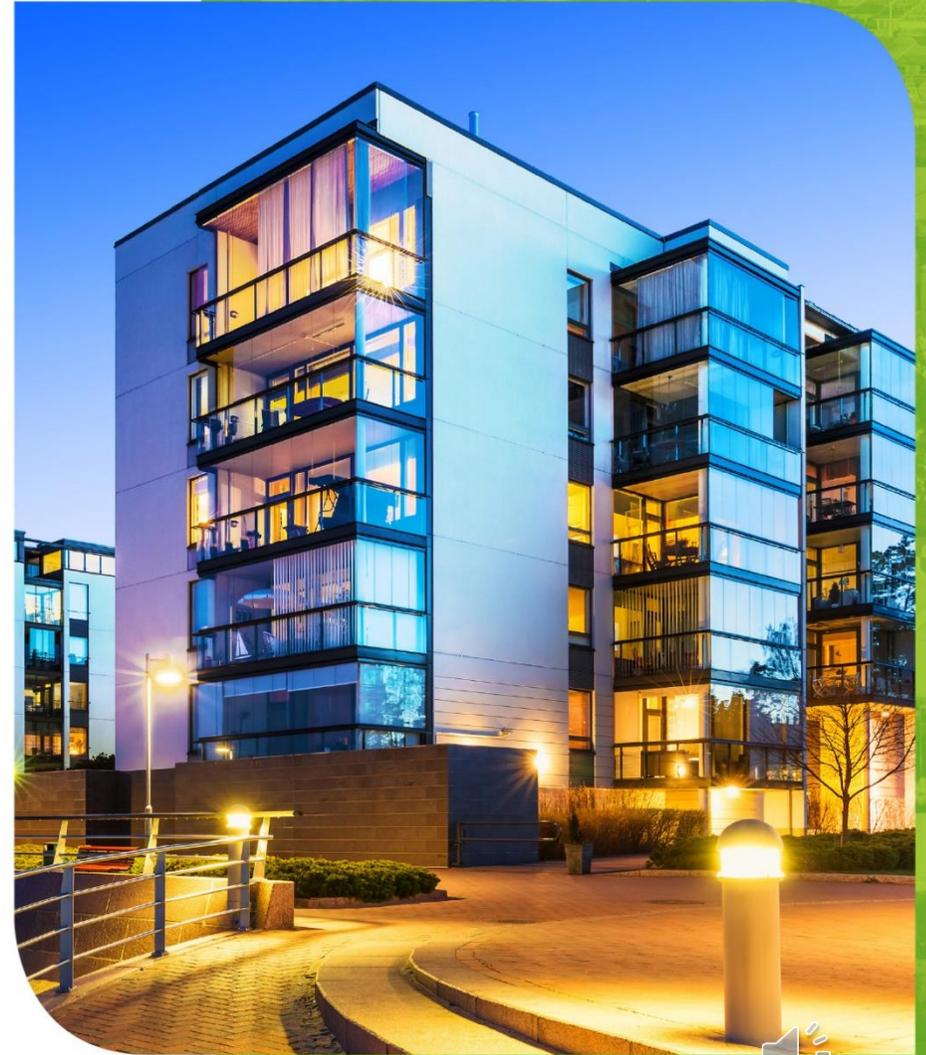




Industry Education Webinar:

Other Titles Affected



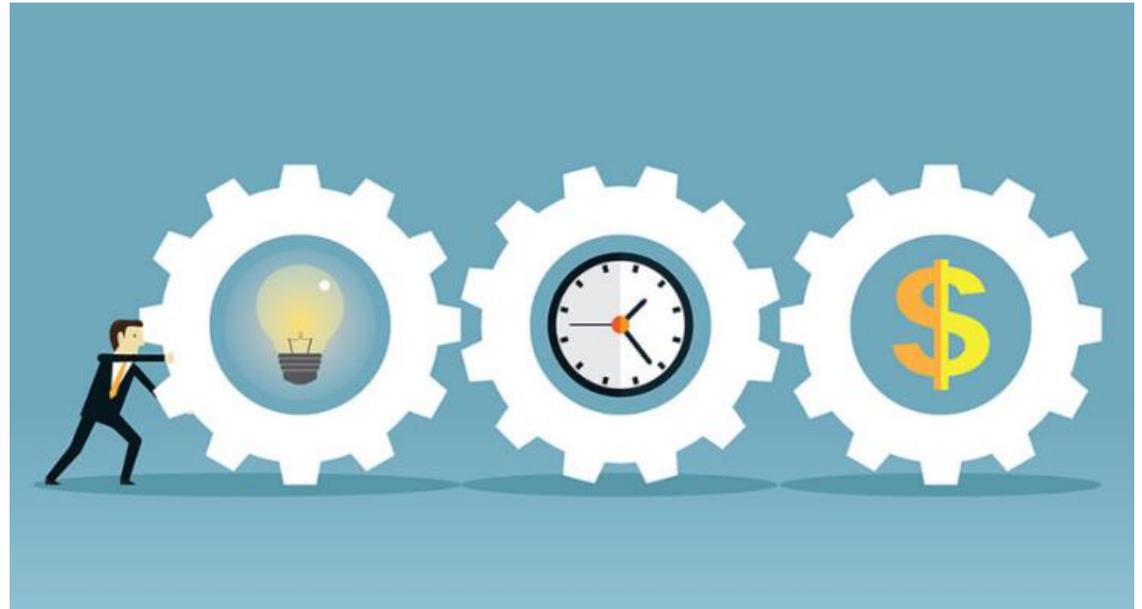


Industry Education Program

Land Services SA is committed to providing an excellent Customer Experience. One way we continue to deliver value to the Industry is through our Industry Education Program, where we produce a range of helpful educational materials, hold regular webinars and Industry Events.

Why are we doing this?

- ✓ Assist in educating the industry by providing regular training updates
- ✓ Assist in reducing requisitions across your business, saving you time and money
- ✓ Supporting you to deliver excellent service to your clients





About our Land Services Team



Steve Andrews is a Senior Plan Examiner with Land Services SA with over 40 years' experience. Steve was involved with the creation of both the New Textual/Diagram sheet plan format and the Plan Presentation Guidelines.



CONTENTS:

- What is the Other Titles Affected?
- When is Other Titles Affected shown?
- How do I find the Other Titles Affected?
- Case Studies





Other Titles Affected

PURPOSE: DIVISION MAP REF: 6628/39/K LAST PLAN:	AREA NAME: SHEDOW PARK COUNCIL: CITY OF MARION DEVELOPMENT NO: 100/0051/03/001/0125	APPROVED: DEPOSITED/FILED:	SHEET 1 OF 2 V01								
AGENT DETAILS: TORRENS SURVEYS 11 ADELAIDE STREET, ADELAIDE SA 5000 Ph: (08) 5625 1256 Fax: (08) 5625 1257		SURVEYORS CERTIFICATION: I Frank L Torrens Licensed Surveyor of South Australia do hereby certify: 1) That this plan has been made from surveys carried out by me or under my personal supervision and in accordance with the Survey Act 1992 2) That the fieldwork was completed on 17/08/2006 except for final placement of survey marks. Dated the 25th day of August 2006 Frank L Torrens Licensed Surveyor									
AGENT CODE: FRTD REFERENCE: A125.368											
SUBJECT TITLE DETAILS:											
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER	HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER	
CT	5164	993		ALLOTMENT(S)	1-5	D	38598	NDARLUNGA			
PT CT	5164	994		ALLOTMENT COMPRISING PIECES	(10* 11)	D	38598	NDARLUNGA			
CT	5201	42		ALLOTMENT(S)	29.30			NDARLUNGA			
CT	5201	43		SECTION (S)	102			NDARLUNGA			
CT	5222	198		ALLOTMENT(S)	51 (RESERVE(S))	D	50526	NDARLUNGA			
OTHER TITLES AFFECTED: CT 5289/142											
EASEMENT DETAILS:											
STATUS	LAND BURDENED	FORM SERVICE	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION				
EXISTING	13-19.30.31		EASEMENT(S)	E	FOR DRAINAGE PURPOSES	COUNCIL FOR THE AREA	2231g RPA				
NEW	32	LONG	RIGHT(S) OF WAY	A	ACCESS	555 IN D111					
ANNOTATIONS:											



Other Titles Affected

Other Titles Affected was never previously captured

- Surveyors search this information
- Conveyancers need this information

When the **Other Titles Affected** on the plan is **incorrect or missing** the Land Division Application will have an incorrect:

- Land Description
- Mode of Issue
- Fees
- Consents

By showing the **Other Titles Affected** correctly it significantly quickens the plan deposit process.





Other Titles Affected

When is Other Titles Affected **Shown?**

- Land outside the bold black lines affected by the outcome of the plan
- An Easement in Gross title(s) affected by the outcome of the plan
- Parcels affected by an amendment to a Community Plan
- Where there is an encroachment by a Community Plan
- Extinguishment of an easement under the *Roads (Opening and Closing) Act, 1991*



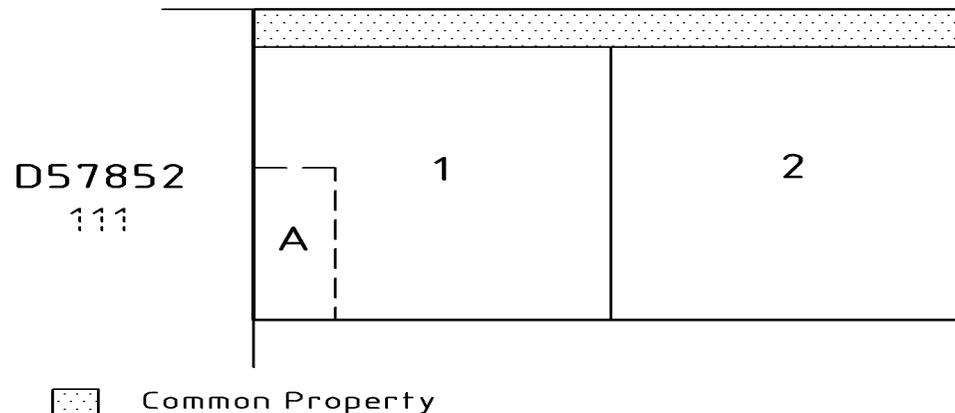


Other Titles Affected

Creating, Varying or Extinguishing easements where the dominant land is not shown

The **dominant land** is not delineated on a plan:

- Where the Dominant land is not contiguous
- In a Community plan/ Amendment to Community plan where the dominant land isn't part of the Community parcels



EASEMENT DETAILS							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
NEW	1	SHORT	EASEMENT(S)	A	FOR SEWERAGE PURPOSES	111 IN D57852	



Other Titles Affected

The Other Titles Affected panel **must** be shown for land outside the **Bold Black** Lines for:

- The creation of easements
- The variation of easements
- The full extinguishment of easements

The Other Titles Affected panel **must not** be shown for land outside the **Bold Black** Lines for:

- The partial extinguishment of easements





Other Titles Affected

Where an easement was created to a body that can hold an **Easement in Gross** and is being Varied or Extinguished the Easement in Gross title **must** be searched.

To find the Easement in Gross title:

- Where the creation easement Dealing is available on SAILIS, search “Dealing Details” to get the Title Reference
- Where the Title is Cancelled use the “Child-Parent Title” search to get the Current Title

The screenshot shows a navigation bar with the following links: [Property Research Report](#), [Image Search](#), [Dealing Search](#), and [General Search](#). Below the navigation bar is a search form with a label *** Dealing Number**, an input field, and a **Search** button. A dropdown menu is open under the **Dealing Search** link, showing the following options: **Dealing Details Search**, **Item Delivery Search**, **Location Request Search**, and **Series Details Search**. An information icon is located to the right of the input field.

Hot Tip: Sec 5.55 of the PPG and are in accordance with Sec 41A of the *Law and Property Act 1936*





Other Titles Affected

- Where the creation document is not available on SAILIS, the document will have to be ordered through “Miscellaneous Search” and retrieved from file to get the title reference.
- Search “Child-Parent Title” to get the Current Title Reference

↗ Home ↗ Land Search ↗ Property Research Report ↗ Image Search ↗ Dealing Search ↗ General Search

Miscellaneous Product Search

* Item Type ⓘ

* Item Number

- Property Interest Report
- SA Water
- Survey Mark Search
- Agent Code Search
- Miscellaneous Search**
- Form 1





Other Titles Affected

An Amendment for a Community plan is required:

- When the **external** boundary has changed
- When the **internal** boundary has changed
- When there are changes due to Creation, Variation or Extinguishment of an easement in conjunction with internal and or external boundary changes
- When there are changes to the Service Infrastructure

The Title Reference(s) for the Affected land must be shown in the Other Titles Affected panel





Other Titles Affected

Encroachments from a Community/Community Strata plan(s) can be:

- Over private land - where they include footings and structures (Wall)
- Over land vested in or under the care & control of the council - Streets, Roads and Reserves (Balcony)

The Title for all encroachments must be shown in the **Other Titles Affected** panel

To find the title for a road:

- SAPPAs will not show the title reference for a road
- Check SAPPAs for other Community /Community Strata plan(s) along the road to see if they have an encroachment
- An historical search back through the plans to find the plan where the road was created
- Government roads do not have a title reference

Hot tip:

If the Title for an encroachment of a Community/Community Strata plan(s) is incorrect or not shown in the Other Titles Affected New SCAP consents will be required





Other Titles Affected

Extinguishment of existing easements under the **Roads (Opening and Closing) Act, 1991**

No extinguishment note is shown for both Roads:

- Closed under the *Roads (Opening and Closing) Act, 1991*
- Opened under the *Roads (Opening and Closing) Act, 1991*

The Easement in Gross title or the Dominant Easement title or fee simple title **must** be shown in the **Other Titles Affected** panel





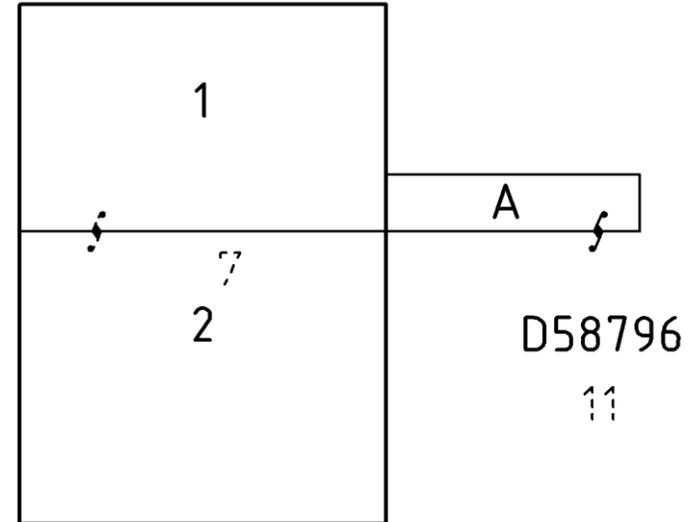
Case Study 1: Full Easement Extinguishment

Allot 7 has an easement over A

New Allots 1 and 2 are not to retain an easement over A.

No other Allots have an easement over A

Other Titles Affected – **Title for Allot 11 in D58796**



EASEMENT DETAILS

STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXTINGUISH	11 in D58796	SHORT	EASEMENT(S)	A	FOR DRAINAGE PURPOSES	7 in D58796	T 1022365



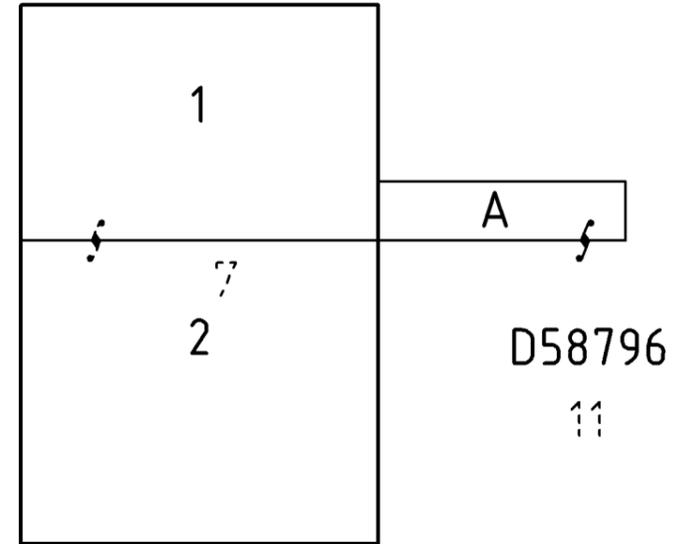


Case Study 2: Partial Easement Extinguishment

Allot 7 has an easement over A

Allot 1 is to retain an easement over A

Allotment 2 is not to retain an easement over A



Other Titles Affected – **NOT SHOWN**

EASEMENT DETAILS							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXTINGUISH	11 in D58796	SHORT	EASEMENT(S)	A	FOR DRAINAGE PURPOSES	2	T 1022365
EXISTING		SHORT	EASEMENT(S)	A	FOR DRAINAGE PURPOSES	1	T 1022365





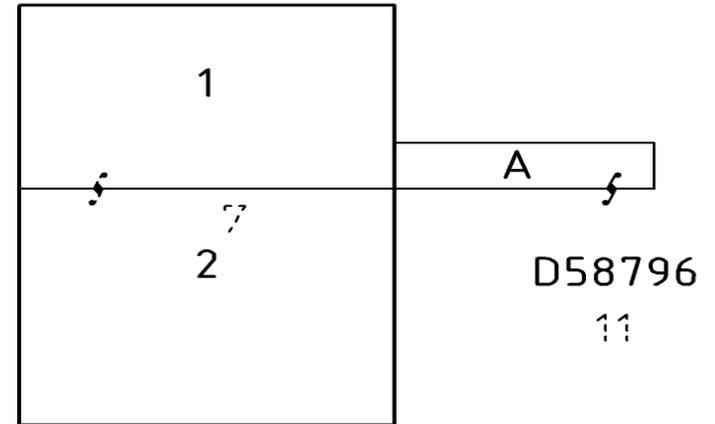
Case Study 3: Partial Easement Extinguishment

Allot 7 has an easement over A

Allots 1 and 2 are not to retain an easement over A

Another Allotment outside of the division has an easement over A

Note: The division plan will not show A



Other Titles Affected – **Not Shown**

EASEMENT DETAILS							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXTINGUISH	11 in D58796	SHORT	EASEMENT(S)	A in D58796	FOR DRAINAGE PURPOSES	7 in D58796	T 1022365





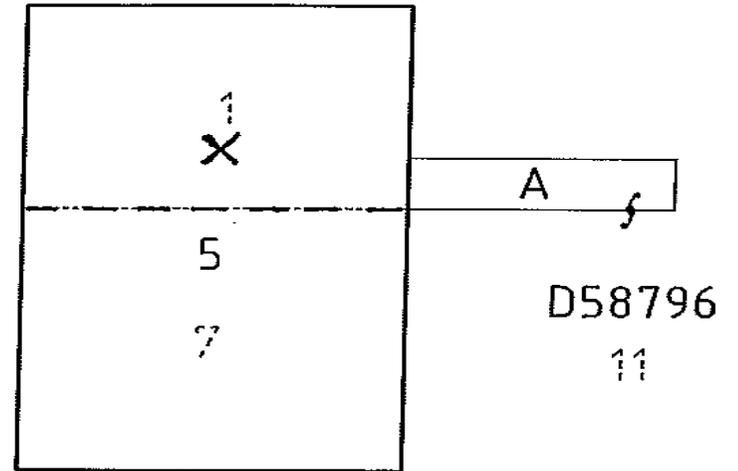
Case Study 4: Option 1 – Easement Appurtenancy

Allot 1 and 7 are to be Amalgamated to form Allot 5

Allot 1 only has an easement over A

The Appurtenancy X is shown

Other Titles Affected – **Not Shown**



EASEMENT DETAILS							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXISTING		LONG	EASEMENT(S)	A		5 (MARKED X)	RTC 1099365 

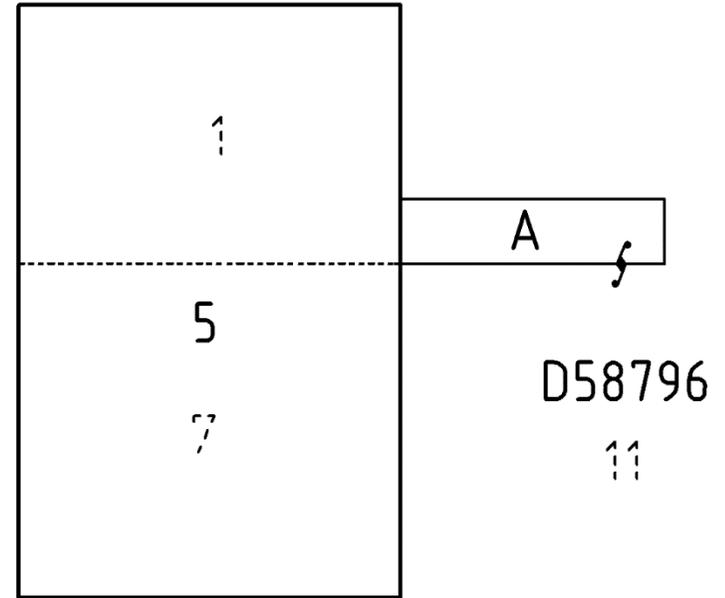


Case Study 5: Option 2 – Vary the Easement

Allot 1 only has an easement over A in D58796

The whole of the land requires the easement

The easement is Varied so that the whole of Allot 5 has the easement



Other Titles Affected – Title for Allot 11 in D58796 is shown

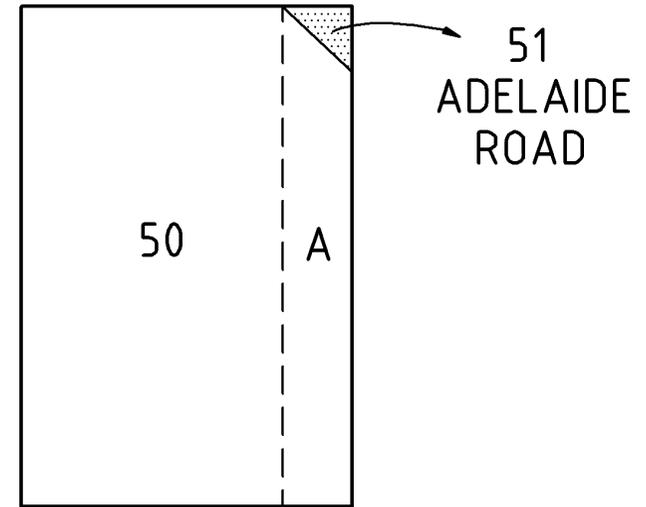
EASEMENT DETAILS							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
VARY FROM	11 IN D58796	LONG	EASEMENT(S)	A		1 IN D58796	T112
VARY TO	5	LONG	EASEMENT(S)	A		5	T112





Case Study 6: Easement Extinguishment

Easement A originally was over Allot 51
Allotment 51 is being Vested as road
and does not require the easement



Other Titles Affected – Title for 26 in
D59963 is shown

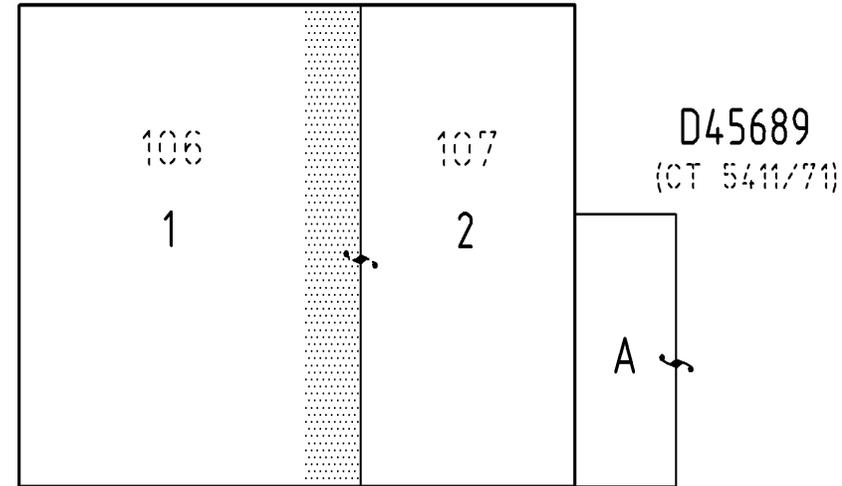
EASEMENT DETAILS							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXTINGUISH	51 (ADELAIDE ROAD)	SHORT	EASEMENT(S)	A IN D1523	FOR DRAINAGE PURPOSES	26 IN D59963	RTC 1012356
EXISTING	50	SHORT	EASEMENT(S)	A	FOR DRAINAGE PURPOSES		RTC 1012356



Case Study 7: Partial Easement Extinguishment



Allot 107 has an easement over A
 Allot 107 is to be reduced to Allot 2



Other Titles Affected – **Not Shown**

EASEMENT DETAILS							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXTINGUISH	CT 5411/71	SHORT	EASEMENT(S)	A	FOR DRAINAGE PURPOSES	107 IN D45689 NOW CONTAINED IN 1	T 1022365
EXISTING		SHORT	EASEMENT(S)	A	FOR DRAINAGE PURPOSES	2	T 1022365





Summary of Key Points

Other Titles Affected is not shown

For land outside the **Bold Black Lines** when an easement is partially extinguished

Other Titles Affected is shown

for an **Amendment** or **Encroachment** of a Community Plan

Other Titles Affected is shown

when creating, varying or extinguishing easements where the Dominant land **is not contiguous**

New SCAP consents required

Where the Title for an encroachment of a Community plan is **incorrect**

If the Other Titles Affected is incorrect

the Land Division Application will have an **incorrect** Land Description, Mode of Issue, Fees and Consents



Easement in Gross

the bodies that can hold an Easement in Gross are listed in the **PPG**



Industry Education Hub



Land Services SA partner with the SA Government and relevant Industry Bodies to deliver a range of Educational Materials to support property industry professionals. This webpage is dedicated to the publication of Industry Education Materials to assist conveyancing and survey professionals.

Industry Education Series	+
eConveyancing	+
Digital Plan Lodgement	+
SAILIS Video Tutorials	+
Land Services SA Fact Sheets	+



Hot Tip:
Keep updated on
LSSA's webinars and
video's

Questions

