

# Notice

To Lodging Parties

3 October 2012

No 166

**Notice of Proposed Rejection**

**Plan Presentation Guideline  
Amendments**

**Transfer Fees Pursuant to Sec 67**

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## Notice of Proposed Rejection

With work being undertaken on the introduction of a new Land Administration System, the Land Services Group (LSG) are using the opportunity to look at current procedures and make changes to align with future practice where practical.

An audit undertaken earlier this year revealed a number of approved plans still awaiting deposit, of which the Development Assessment Commission (DAC) Certificate had, or was about to, expire. This audit led to correspondence being sent to Agents requesting action on outstanding plans.

To ensure we continue to proactively manage our library of approved plans still awaiting deposit, a revised procedure will be introduced:

- Agents will receive a courtesy “*Notice of Proposed Rejection*” letter one month prior to the expiration of the DAC Certificate
- Should agents wish the plan to remain in the Lands Titles Office (LTO), they will need to either lodge the relevant documentation for the plan to be deposited, or contact the Development Assessment Commission and request a renewal of the DAC Certificate
- Should an appropriate action not be taken before the expiry of the DAC Certificate, the plan will be rejected from the LTO without further notice

On “*Notice of Proposed Rejection*” a lodging agent may choose to withdraw the plan from the LTO. The reimbursement of fees upon the withdrawal of a plan will be determined on a case by case basis. No fees will be reimbursed with the rejection of a plan.

Should you have any enquires regarding the ‘*Notice of Proposed Rejection*’ or the withdrawal process, please contact Team Leader, LTSA Services on **08 8226 3914**.

## **Plan Presentation Guideline Amendments**

The Land Services Group has reviewed and updated the Plan Presentation Guidelines, with the aim to:

- Provide clarification of existing plan requirements
- Reflect changes made to Electronic Plan Lodgement (EPL)
- Reflect changes as a result of the Statutes Amendment (Real Property) Act 2008

LSG will facilitate a workshop for clients affected by these amendments, where the changes will be explained and your questions answered.

A PDF of the updated Plan Presentation Guidelines (PPG) Version 4.0 is available to view or download on the Land Services Group Website.

Please refer to Appendix A for a detailed list of these amendments.

## **Transfer Fees Pursuant to Sec 67**

The Land Services Group have also made changes to the way fees are to be dealt with for Transfers lodged pursuant to Section 67 of the Stamp Duties Act 1923.

In an effort to streamline and simplify the payment of lodging fees, LSG will now calculate the lodging fee as per the proportioned value or consideration shown on each individual transfer.

Should you have any queries relating to the payment of these fees, please contact Team Leader, Registration on **08 8226 3956**.



Brenton Pike  
**Registrar-General**  
**Land Services Group**

## Appendix A - Changes to the PPG in NTLP 166

| PPG Ref  | Change  |
|--|---|
| Intro  | Added Crown Land Management Act 2009 (CLMA).  |
| 1.8.7  | Added "All words, plans and allotment numbers must be shown in full and not divided"  |
| Table 2.1  | Updated Plan Purpose AMALGAMATION AND EASEMENT and DIVISION AND APPLICATION UNDER SECTION 115A OF THE RPA, EASEMENT AND REDESIGNATION OF PARCELS. – Also minimal changes to Title System and plans that can be lodged using EPL   |
| 2.1  | Plans can be lodged via EPL unless non-standard subject Title Details.  |
| 2.2, 2.3,2.4, 2.8, 2.10, , 2.12., 2.12.1,2.13, 2.13.3, 2.19, 2.24.2, 2.28.5, 2.34,2.34.2, 2.35.4, &5, 2.37.1, 2.38.1 | Minimal changes to Plan Purpose.  |
| 2.12.3   | Updated as regards "the land must be declared public under Section 210 of the Local Government Act 1999 in the Government Gazette prior to acceptance of the plan".   |
| 2.9  | Added 223J Correction requirements from Notice to Lodging Party.  |
| 2.22.4   | "Where AND EASEMENT is used in a division plan, the easement status must be shown as PROPOSED and a note in the Annotations (eg. EASEMENT(S) .... DO NOT FORM PART OF THE DIVISION)".   |
| 2.34.1   | "If a new title boundary discloses a shortage outside tolerances (eg. >1/500 x Distance) consents from all parties with an interest in the land and duplicate titles must be lodged before the plan will be approved".  |
| 2.36   | REIDENTIFICATION OF BOUNDARIES AND REDESIGNATION OF PARCELS. Can now also be used to <ul style="list-style-type: none"> <li>• Uniquely identify land to cancel Community and Strata plans.</li> <li>• Uniquely define Crown land which pursuant to the Crown Land Management Act 2009 will be deemed as a public road.</li> </ul> |
| 2.54   | Updated to "The last plan (LAST PLAN) refers to the survey that provided data for the boundaries of the plan and must be shown only in the following circumstances".  |
| 2.55.2   | Information regarding the expiry date and reissue of a DAC certificate added.   |
| Table 2.5 (DAC decision Table)   | Further examples of Fresh DAC (Material differences) and Fresh DAC is not required (No material differences) have been added  |
| Table 3.1  | Surveyors Certification for Lease Plans using Coordinates have been added.  |
| Examples 4.2, 4.3, 4.4, 4.7, 4.8, 4.12 & 4.13  | Minimal changes to Plan Purpose.  |
| Example 4.5  | Crown land dedicated Camping Reserve - Removed  |
| Examples 4.15, 4.16 & 4.17   | Description of examples changed for examples referring to historical identity and seabed / foreshores.  |
| 4.20 and Examples 4.18-4.22  | Road Plans subject title details and examples updated.  |
| Table 4.2  | Addition of Closed Road identifiers   |
| Table 4.3 & 4.7.5  | Road name for Road(s) and Drainage Reserve have been added.   |
| 4.10.4 & Table 4.4   | OOH updated to OH.  |
| Table 4.5  | Addition of Seabed.   |
| 4.11.1 & 4.11.2 & 4.11.4   | Updated requirements for showing the Township name in the subject title details.  |

| <b>PPG Ref</b>   | <b>Change</b>   |
|--|---|
| 4.14, 4.15 - Case Studies 4.1, 4.16 – Case Study 4.2, 4.17 – Case Study 4.3, 4.18 – Case Study 4.4 & Example 4.9 | Other Title(s) Affected updated. New Case Studies Included.   |
| 4.21   | Resubdivision Docket requirements added   |
| 4.22   | Closed Roads in Certificate of Title requirements added.  |
| Definition of Terms & Table 5.7, 5.8 & 5.9   | Profits a prendre added to Definition of Terms and moved from PURPOSE - SHORT form and added to CATEGORY - LONG form.   |
| 5.1.3  | Added varied to created, for an easement where the dominant and servient land are contiguous.   |
| 5.1.4  | New section added regarding Creation/variation of an easement where the dominant and servient land are not contiguous.  |
| 5.1.9 Example 5.2 & 5.3  | Updated regarding Party Wall and Dual access easements with examples of each.   |
| 5.2  | Service Easements updated.  |
| 5.4 (3 <sup>rd</sup> dot point) Table 5.1  | New dot point added regarding the requirements for showing Land Burdened where there is an existing easement that is extensive or physically separated from the servient land.                              |
| 5.8.2 and Table 5.7, 5.8 & 5.9   | A Right of Way on Foot updated to On Foot for the Purposes of a short form easement.  |
| 5.8.3  | USE AND ENJOYMENT removed from Long form easements.   |
| 5.10.9   | Minister for Infrastructure updated to South Australian Water Corporation where the easement is to be varied or extinguished.   |
| Table 5.5  | Remove Existing from “Dominant Authority Decision Table for Easements” HEI UTILITIES DEVELOPMENT LTD updated to PAI UTILITIES DEVELOPMENT LTD.  |
| Table 5.6  | Certificate of Title under road order added for the creation document number prefix decision table.   |
| Table 5.7, 5.8 & 5.9   | Easement Decision Tables updated in accordance with new short form purposes.  |
| 5.12 Table 5.10  | Added an example for Transmission Lessor Corporation and Electranet Pty Ltd<br>Added an example for IN FAVOUR OF FOR: 101-105 and (22.23.24 marked X).  |
| 5.13-5.14  | New section added regarding easements shown on a plan of division that are not created on the deposit of the plan and Easements that are created/varied over land being redesignated on a plan of division. |
| 5.18   | OTHER TITLES AFFECTED added to Options 1 & 2  |
| 5.19.3   | Updated section relating to a totally extinguished easement where only portion is extinguished by Section 90C of the RPA 1886. Options 1 & 2 have been updated.   |
| 5.20.3-5.20.8  | Updated dot points relating to extinguishment by Section 90E of the RPA 1886.   |
| 5.28.3, 5.28.5<br>5.28.6   | Updated dot points relating to easements in Community Plans.  |
| 5.29   | New section relating to easements in an amendment to a Community Plan.  |
| 5.32 - 5.37  | Updated section relating to easements affected by the Roads process.  |
| 5.38.1   | New section regarding Easements including service easements can be created over Crown Land upon deposit of a division plan.   |
| 5.44.2 – 5.44.3  | Updated to clarify the rules relating to showing easement height limitations in a schedule on the diagram sheet or by cross section or a combination of both.   |
| 5.53   | Updated regarding the link for the electricity entities which can hold an easement in gross.  |
| 6 – Table 6.1  | Example annotations updated. Plan prefix removed and reference section added to annotations.  |

| <b>PPG Ref</b>  | <b>Change</b>   |
|---|---|
| 7.10.1, 7.24.3,<br>7.28.7, 7.35.4,<br>7.38.2<br>7.45.5, | Minimal changes to Plan purpose.  |
| Table 7.2   | Abbreviations table updated.  |
| 7.26.5  | Updated regarding naming all land vested for road.  |
| 7.39.6, 7.39.9,<br>7.39.10, 7.39.11 &<br>7.40           | Updated regarding the numbering of sheets for Enlargements and Continuations.   |
| 7.54.16, 7.54.17  | Updated requirements regarding roads that intersect with the subject land.  |
| Tables 7.9 & 7.13                                       | Clarification, no change to content.  |
| 7.65.5  | Annotation note added.  |
| 7.69.5-7.69.8   | Clarification of the use of bearing datum's. GPS changed to GNSS.   |
| 7.70.1  | Clarification of the order of preference of Bearing Datums for Uncertified plans.   |
| 7.74  | Explanation regarding the requirements of the annotation referring to Renmark Reservation.  |
| 7.75  | New section relating to Acquisition plans.  |
| 7.76  | New Section relating to SSM Coordination in DSA's numbered 500 onwards.   |
| 9.2.1   | Changed to allow Common property (C1) and (C2) etc to abut each other.  |
| 9.3   | Clarification of rules regarding Common Property for public use.  |
| 9.9   | Clarification of minimum requirements for a tiered Community Plan.  |
| 9.10  | Clarification of minimum requirements for a Community Plan with a Development Lot.  |
| 9.12.2  | Clarification of the Last Plan reference for Primary and Secondary plans.   |
| 9.23  | Addition of section relating to the methods of fixing and identifying lateral boundaries of lot subsidiaries.                                 |
| 9.24.4, 9.24.5  | Addition relating to Lot Subsidiaries defined by data.  |
| 9.26,<br>9.26.1- 9.26.3                                 | Addition regarding Lot subsidiaries defined by Monument.  |
| 9.31.6  | Addition to Other Titles Affected panel of the title over which a Community Plan encroaches.  |
| 9.32.4  | Addition regarding the annotation required on the Secondary and Tertiary plan where there is an encroachment over a road on the Primary plan. |
| 9.42  | Clarification of the process where a Strata plan adopts the Community Titles Act (lodging an LR) with a subsequent amendment.                 |
| 9.43.1, 9.43.2  | Clarification on cancellation of Community Plans.   |
| 9.44-9.56   | Updated bearing datum, abuttals and removal of reference to Lot Entitlement sheet.  |
| 10<br>10.1  | Clarification as regards to requirements for amendments to Community Plans.   |
| 10.2.8  | Clarification as regards to existing easement requirements for amendments to Community Plans.   |
| 10.26 – 10.32   | Addition of sections to clarify plan requirements for a Community Plan where the external boundaries have changed.                            |
| 11  | Clarification for requirements of amendments in red to Strata Plans.  |
| 11.1.2  | Clarification of scales for amendments to Strata Plans.   |
| 11.3.5  | Updated regarding to information captured when the Site Plan is amended.  |
| 11.3.10, 11.3.11  | Added for clarification of numbering Strata Plan Units.   |
| 11.6.1-11.6.2   | Clarification of rules regarding amendments in red over Strata plans.   |
| 11.8 – 11.13  | Addition of sections to clarify plan requirements for a Strata Plan where the external boundaries have changed.                               |
| 11.14 – 11.17   | Addition of sections to clarify plan requirements for a cancellation of a Strata Plan.  |
| 11.18   | Addition of section relating to existing easements where a Strata Plan has been cancelled.  |
| 12.1.5  | Clarification for survey requirements for the division of pieces of an allotment.   |
| 12.2.4  | Updated name of MSPV2 to Cadastral Survey Guidelines.   |

| <b>PPG Ref</b>         | <b>Change</b>  |
|------------------------|--|
| 12.3.7                 | Updated to clarify prior certified surveys in and outside DSA's  |
| 12.5.1                 | Addition of survey requirements for lease plans where the monuments are close to a title or easement boundary.                                     |
| 13.5.2                 | Addition of an example of an existing party wall where the division line is going through the party wall.  |
| 13.7.3                 | Addition of Easement Detail Schedule for figure 13.15.   |
| 14                     | Updated Crown Lands Act 1929 to Crown Land Management Act 2009.  |
| 14.1.1                 | Clarification of Drainage Reserve.   |
| 14.1.3                 | Clarification of redesignated and revested reserves. The annotation regarding "Allotment.. is no longer a Reserve vide ..." has also been removed. |
| 14.1.4                 | Clarification on dealing with a closed road merged with a Reserve.   |
| 14.2, 14.3 & 14.5      | Reserves case studies regarding annotation and DAC certificate requirements have been updated.   |
| 15.4.3                 | Clarification on the requirements relating to the balance of the land remaining as road after a road closure.                                      |
| 15.4.5                 | Updated as regards to an approved road name must be shown for roads being opened under the Roads Act.  |
| 15.4.6                 | Clarification of the annotation required for a Road Opening.   |
| 15.5                   | Clarification of the requirements of a road plan that incorporates an amalgamation of adjoining land.  |
| 16.3.10                | Addition of section relating the mezzanine floor of a lease plan.  |
| 16.4.3                 | Minimal changes to the wording relating to the subject land delineation of lease plans.  |
| 16.4.5                 | Clarification as to how to deal with leases over pieces of an allotment .  |
| 16.5.1                 | Updated to include the example of Carpark1.  |
| 16.7.1                 | Addition of requirements for plotting monument(s) for lease plans.   |
| 16.7.2                 | References to Sec 12.5 for determining when a Certified Survey is required for a lease plan.   |
| 16.7.3                 | "and any extension" added to the term of the lease for physical monuments that are used as a lease boundary.                                       |
| 16.7.6                 | Clarification of plan requirements when a monument is co-incidental to a title boundary.   |
| 16.19                  | Addition of section regarding lease boundaries defined by coordinates.   |
| 17.5.3, 17.8.2, 18.1.2 | Minimal changes to wording.  |
| 18.1.3                 | Clarification of annotation requirements for parcel(s) that have vertical limitation.  |
| 18.1.5                 | Addition of note "For lots in a Community Plan, replace ALLOTMENT with LOT" for the area schedule.   |
| 18.2.2                 | Updated with regards to the sheet number in the cross section note.  |
| 18.2.4                 | Minimal update to wording.   |
| 18.2.7                 | Addition of an example of a Cross Section with complex vertical limits.  |
| 18.3<br>Figure 18.6    | Minimal changes to plan purpose and addition of annotations regarding height limits.   |
| 19.3.1                 | Addition of annotation regarding plotting of river from a DPTI Aerial Image Mosaic.  |
| 21.2                   | Addition of types of Alterations/ Additions which are unacceptable.  |
| 22                     | Creation of new section for withdrawing plans.   |
| 23                     | Creation of new section regarding amendments to plans prior to deposit.  |