

Notice

To Lodging Parties

18 August 2014

No 176

1. Plan Presentation Guideline Amendments
 2. Amendment to Articles, Variation of By-Laws and By-Laws
 3. Industry Information Sessions Priority Notices
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1. Plan Presentation Guideline Amendments

The Land Services Group has reviewed and updated the Plan Presentation Guidelines (PPG).

The amendments (which are detailed in Appendix A) are to:

- Provide clarification of existing plan requirements
- Incorporate amendments to Strata Plans in the A3 plan format
- Reflect changes to plan presentation requirements

The updated [PPG Version 6](#) is available to view or download on the Land Services Group Website.

Please contact Steve Andrews on 08 8226 3949, should you have any queries relating to these amendments.

2. Amendment to Articles, Variation of By-Laws and By-Laws

On 28 October 2013 changes were made to the *Community Titles Act 1996* and the *Strata Titles Act 1988* introducing penalty notices which enable greater enforceability of by-laws or articles under the respective acts.

Section 19(3) of the *Strata Titles Act 1988* stipulates that any amended articles or rules have no effect until they are lodged with the Registrar-General. Similarly, various sections of the *Community Titles Act 1996* state the by-laws and any variation of the by-laws must be filed with the deposited community plan in the Lands Titles Office (LTO).

It has been noted that in an attempt to circumvent these legislative requirements, by-laws and amendment to articles have been lodged with the LTO that purport to create rules 'which may be amended from time to time and shall be enforceable and subject to penalty', as if those rules formed part of the articles or by-laws.

Where such documentation (purporting that the rules held by the corporation will operate with the same enforceability as the articles/by-laws filed in the LTO) are lodged with the Registrar-General, the documents will be referred out for correction, for the removal of those statements.

Land Services Group

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3. Industry Information Sessions – Priority Notices

Industry Information Sessions were held on the 12 and 13 of August 2014, with over 200 people in attendance.

For our regional clients and those that were unable to attend; one of the [sessions was recorded](#) and can be viewed on our website, together with a copy of the [presentation](#).

A copy of the [Priority Notice Proposal Paper](#) document has also been published on our website for your information.

The consultation period for Priority Notices closes on **29 August 2014**, with feedback to be emailed to LSBRProgram@sa.gov.au.



Brenton Pike
REGISTRAR-GENERAL
Land Services Group



Appendix A

PPG Ref Sec	Change
2.9	Changes to the requirements for plans of correction of data under Section 223J of the Real Property Act 1886.
2.24.3	Updated PM requirements for plans for information.
2.28.5	Updated outer boundary requirements
2.35.3-5	Clarification of annotations for land that is redesignated.
2.36	Amendment to the heading “re-identification of land and redesignation of parcels”.
Table 2.3	Updated historical information requirement for City of Mitcham
Table 2.5	Clarification of when fresh DAC is required for easements, land parcel(s) and encroachment(s)
Table 3.1	Addition of the certification for an amendment to a strata plan
5 & Tables 5.7-9	Updated to include water industry entity
5.7, 8.1 & Table 5.3	Amendment to easement identifiers.
5.8.2 & 5.8.3	Clarification of easement and rights of way purposes
5.10.10 & 5.10.11	Addition of requirements for easement appurtenances
Table 5.5	Updated dominant authority decision table
Table 5.10	Amendments to the summary of possible easement combinations
5.13.2-4	Clarification of plan requirements for easements shown on a plan of division that are not created on deposit of the plan
5.14.1 & 5.14.2	Clarification of the plan requirements for easements created/varied over land being redesignated on a plan of division.
5.18	Additional information regarding the use of other titles affected for the example of extinguishment of easements
5.23	Updated regarding land burdened for the extinguishment of vested reserves.
5.29	Updated (including examples) regarding easements in amendments to strata plans
Figure 5.8-9	Addition of requirements regarding other titles affected for the creation of easements in community plans
5.43	Changes to easements limited to time
5.44	Addition of new section regarding easements of limited duration.
5.45.6	Addition of plan requirements for easements limited in height
Table 5.11	Updated table of bodies entitled to hold an easement in gross
Table 6.1	Updated annotation for reserves
Table 7.2	Updated abbreviations for avenue, colour bond fence, crescent, foreshore and walk
7.32.4	Updated plan requirements where there is an angular misclosure greater than 0°01’.
7.38.1	Updated authority requirements for uncertified plans
7.41.1	Updated requirements of areas vesting as public roads
7.56.2	Updated regarding plan requirements for administrative boundaries.
9.2.1	Updated requirements for common property identification
9.14.6	Updated link for service infrastructure plan
10.28 – 30	Clarification of the plan requirements when amending the external

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	boundaries of a community plan
11	Updated (including examples) regarding lodging amendments to strata plans in the A3 plan format.
11.11-12	Clarification of the plan requirements when amending the external boundaries of a strata plan
12.1.2	Updated requirements for a certified survey where there is a prior certified survey that has shown its intention to further divide.
12.2.2	Clarification of survey requirements for the creation of a new road.
12.3.7 - 8	Updated Pegged in Accordance survey requirements
12.4	Change to clarify the requirements for a certified survey of easements that are varied, new or proposed, including examples
14.3 & 14.5	Updated annotation for reserves that are vested in a prior plan

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