



Land Title Act 1994

I, Max Locke, Registrar of Titles, direct that the following Directions, or parts thereof, in the Registrar of Titles Directions for the Preparation of Plans, version 3.4, be amended as follows:

Date of effect:

These amendments are effective immediately.

1.2 Compliance with other legislation:

Delete and insert:

Plans shall comply with the general requirements, where applicable, of the:

- ◆ *Body Corporate and Community Management Act 1997;*
- ◆ *Land Title Act 1994;*
- ◆ *Land Act 1994;*
- ◆ *Integrated Planning Act 1997;*
- ◆ *Local Government (Planning and Environment) Act 1990;*
- ◆ *Surveyors Act 2003 and Surveyors Regulation 2004;*
- ◆ *Survey and Mapping Infrastructure Act 2003 and Survey and Mapping Infrastructure Regulation 2004;*
- ◆ **Other legislation that may indicate specific requirements relative to the conduct of the survey, preparation of the plan or an approval process;**
- ◆ **where applicable, in the case of a plan prepared under the provisions of Specified Acts, the *Building Units and Group Titles Act 1980*, and the Regulations thereunder. (See Direction 3.5);**
- ◆ **Published Survey Standards and Survey Guidelines as defined in s.6 and s.7 of the *Survey and Mapping Infrastructure Act 2003* and these Directions.**

2.0 Definitions:

Delete the definition for "Dimensions" and insert:

Dimension: means to place bearings and distances on the boundaries of a parcel, in accordance with the requirements of the provisions of legislation, survey standards and survey guidelines in force at the time (See Direction 1.2) and any Directions made by the Registrar.

5.1 General:

Insert before the commence of the first paragraph:

The requirements of Direction 4.8.2 apply to this section.

5.3.1 Minimum standards for a sketch of part of a building:

Delete the dot point “an alpha character; or” and insert:

- **an alpha character eg A, MB: or**
- **an alpha-numeric combination eg A3, 4B; or**

Delete the dot point commencing “showing the dimensions in metres” and insert:

◆ **dimensions (see Direction 2);**

- **where the lease is bounded by structural elements, no dimensions are required;**
- **where the lease is not bounded by structural elements, those boundaries not identified by a structural element must be dimensioned, saving that, if these boundaries are generally rectilinear (see Direction 11.11.4), distances only may be shown;**

5.6 Samples for services location diagrams:

Delete heading and insert:

Samples for sketches:

Insert new samples:

Figure 5-3: Lease in a building – high value and long term

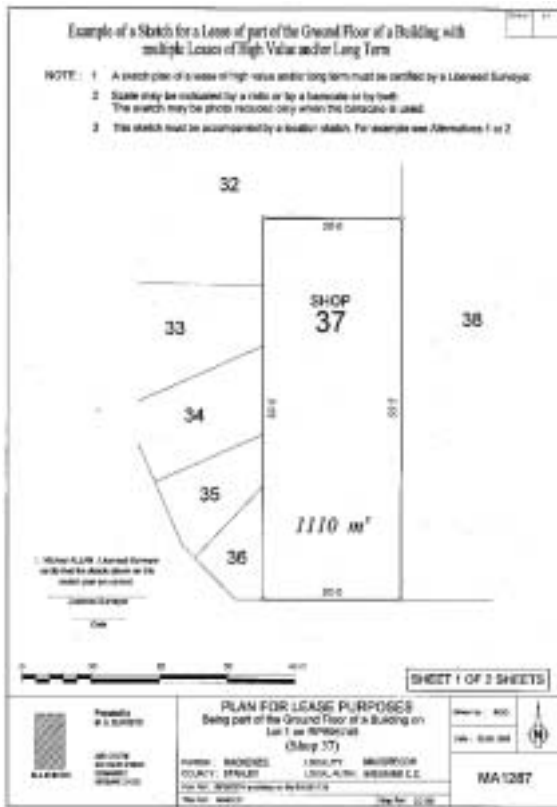


Figure 5-4: Location by direct connection

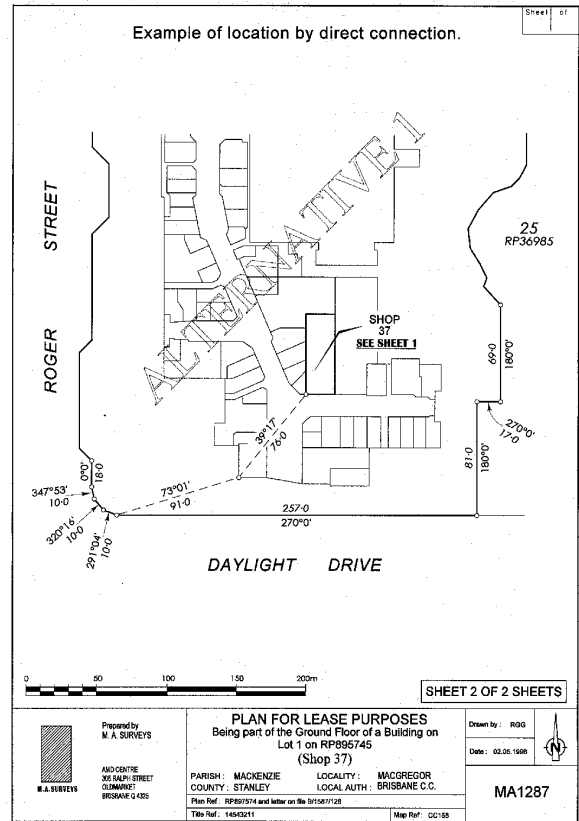


Figure 5-5: Location by offsets..

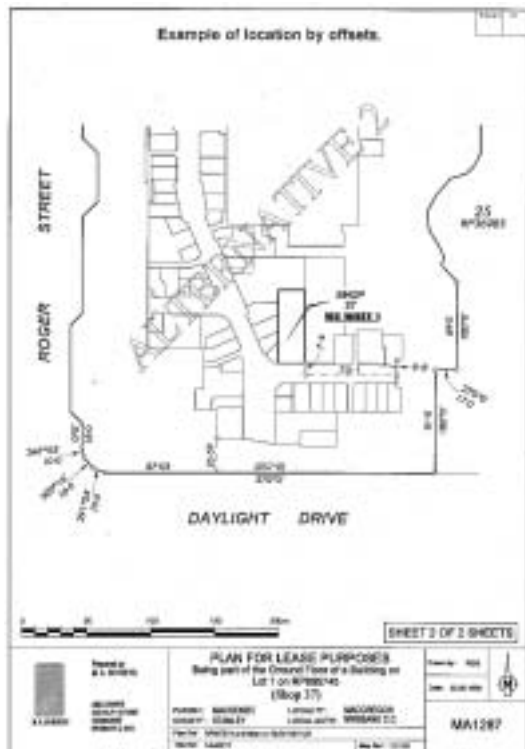


Figure 5-6: Master sketch of multiple leases



Figure 5-7: Table of leases to accompany master sketch

Example of Table of Leases to accompany Master Sketch:

Lease No.	Leasee	Lease No.	Leasee
1		1	
2		2	
3		3	
4		4	
5		5	
6		6	
7		7	
8		8	
9		9	
10		10	
11		11	
12		12	
13		13	
14		14	
15		15	
16		16	
17		17	
18		18	
19		19	
20		20	
21		21	
22		22	
23		23	
24		24	
25		25	
26		26	
27		27	
28		28	
29		29	
30		30	
31		31	
32		32	
33		33	
34		34	
35		35	
36		36	
37		37	
38		38	
39		39	
40		40	
41		41	
42		42	
43		43	
44		44	
45		45	
46		46	
47		47	
48		48	
49		49	
50		50	
51		51	
52		52	
53		53	
54		54	
55		55	
56		56	
57		57	
58		58	
59		59	
60		60	
61		61	
62		62	
63		63	
64		64	
65		65	
66		66	
67		67	
68		68	
69		69	
70		70	
71		71	
72		72	
73		73	
74		74	
75		75	
76		76	
77		77	
78		78	
79		79	
80		80	
81		81	
82		82	
83		83	
84		84	
85		85	
86		86	
87		87	
88		88	
89		89	
90		90	
91		91	
92		92	
93		93	
94		94	
95		95	
96		96	
97		97	
98		98	
99		99	
100		100	

ABC Shopping Centre
Ground Floor Level
Lot 1 on RP00745 (Parish of Maitland)

Figure 5-8 Lease in a building – high value and long term



Figure 5-9: Lease in a building – low value and short term



8.2 To be surveyed and marked:

Delete and insert:

Each parcel, including any balance lots, shall be surveyed, and marked in accordance with the provisions of legislation, survey standards and survey guidelines in force at the time (See Direction 1.2), given an area and dimensioned in accordance with these Directions. (However, see Directions 4.16 and 4.17).

9.5.5 Void:

Delete the first dot point and insert at the commencement of the section:

A void may only exist where a lot is in several different parts, one above the other.

9.7 External boundaries:

Delete first paragraph and insert:

The external boundaries of the land the subject of the survey shown on the plan and of the base parcel shall be surveyed, and marked in accordance with the provisions of legislation, survey standards and survey guidelines in force at the time (See Direction 1.2) and dimensioned in accordance with these Directions. (However see Directions 4.16 and 4.17).

9.17 Private yards:

Insert a new dot point after the eighth dot point:

- ◆ **If a private yard fully surrounds the part of the lot within the structure the boundaries of those parts of the lot that adjoin that part of the lot that is private yard are only shown as a boundary between parts of lots. (See Direction 9.5.2)**

9.20.1 Building in a staged development partially constructed onto a future stage:

Delete last dot point and insert:

- ◆ **on each level which extends outside the base parcel, the boundary shall be clearly marked in accordance with the provisions of legislation, survey standards and survey guidelines in force at the time (See Direction 1.2).**

10.12.4 Footprint of lot intersecting the surface:

Delete first dot point and insert:

- ◆ **the boundaries on the surface so intersected shall be shown on the plan in broken lines, marked as required by the provisions of legislation, survey standards and survey guidelines in force at the time (See Direction 1.2) and fully dimensioned;**

11.8.1 Common property subdivided into lots:

Delete the second dot point and insert:

- ◆ the area of common property being subdivided into a lot or lots shall be noted on the face of the plan by a broken line, except where this would coincide with a boundary of the lot. If the defined area is not shown by broken lines, it shall be described by station numbers, eg A-B-C-D-A. A statement on the face of the plan shall note that the defined area was common property and, in the case of a standard format plan, shall provide an area.

11.10 Including part of common property created on a subsidiary scheme in a higher scheme:

Delete and insert:

Under the provisions s.49DA of the Land Title Act 1994 this action is no longer acceptable. See Direction 12 Transferring Lots Into or Out of a Community Titles Scheme.

11.11.10 All sketches:

Delete the dot point “clearly designating them by” and insert:

- clearly designating them by an identifier other than as a “lot”. The identifier may be alpha, numeric or alpha-numeric, eg A, BA, 2A, A2, 3, 42 etc;

11.12 Examples for exclusive use areas:

Delete the caption for figure 11-2 and insert:

Figure 11-2: Exclusive use areas A to C need distances only, do not require to be marked and a sketch plan may be certified by a member of the body corporate. Exclusive use areas D and E must be fully marked (if no structural elements), dimensioned and certified by a cadastral surveyor

12. Transferring Lots Into or Out of a Community Titles Scheme:

Delete whole of section 12 and insert:

12 Transferring Lots Into or Out of a Community Titles Scheme:

Every action in this section requires additional documents, eg transfers and New Community Management Statements, to be lodged in the land registry. The Land Title Practice Manual contains additional information on the relevant documents and order of lodgement.

12.1 Lot to be added to common property:

Where all or part of a lot outside a Community Titles Scheme is to be added to Common Property:

- ◆ the lot must form a single continuous area of land with a part of the Scheme land;
- ◆ where part of a lot only is to be dealt with, that lot shall be subdivided on a standard or volumetric format plan as appropriate;
- ◆ a plan converting the lot to be transferred to common property.

It is not necessary for the new common property to be amalgamated with existing common property.

12.2 Lot to be added to a community title lot:

Where all or part of a lot outside a Community Titles Scheme is to be added to an adjoining lot within a Community Titles Scheme:

- ◆ the lot must form a single continuous area of land with a part of the Scheme land;
- ◆ where part of a lot only is to be dealt with, that lot shall be subdivided on a standard or volumetric format plan as appropriate;
- ◆ a plan showing the amalgamation of the Community Titles Lot and the adjoining lot.

The provisions of this Direction may not be used where the Community Titles Scheme was created over a building format plan other than:

- ◆ where the lot is being added to a Standard Format lot being a remainder lot created on a Building Format plan. (See Direction 9.3.2); or
- ◆ where the lot is being added to a part lot that is a Private Yard created on a Building Format plan

12.3 Part of common property to be excised:

Where part of common property is to be excised from a Community Titles Scheme:

12.3.1 In the case of a community titles scheme over a standard or volumetric format lot:

- ◆ a plan in either standard or volumetric format as appropriate shall be prepared showing a lot over the part to be excised.
- ◆ where necessary, the lot so created shall be amalgamated with an adjoining lot by a plan of amalgamation in the appropriate format.

12.3.2 In the case of a community titles scheme over a building format plan:

- ◆ where the common property is outside a building or structure:
 - a plan in either standard or volumetric format as appropriate shall be prepared showing a lot over the part to be excised;
 - where necessary, the lot so created shall be amalgamated with an adjoining lot by a plan of amalgamation in the appropriate format.
- ◆ where the common property is inside a building or structure:
 - a plan in volumetric format shall be prepared showing a lot over the part to be excised;
 - where necessary, the lot so created shall be amalgamated with an adjoining lot by a plan of amalgamation in the appropriate format.

12.3.3 Creating new road:

If the purpose of the excision from the common property is:

- ◆ for the body corporate to dedicate and open new road; and
- ◆ the excision does not affect any part of a building or structure on a building format plan

a plan of new road may be prepared without the creation of a lot in the first instance. The description of the plan will be:

Plan of New Road cancelling part of Common Property of <name of Community Titles Scheme> CTS <number of Community Titles Scheme><plan number>”.

Alternatively, if a lot is created by the excision as per 12.3.1 or 12.3.2, an additional plan will be necessary to cancel the lot and dedicate and open it as new road.

12.4 Part or all of a lot to be excised:

Where all or part of a lot is to be excised from a Community Titles Scheme:

- ◆ In the case of Standard and Volumetric Format lots:
 - where part of a lot only is to be dealt with, a plan in either standard or volumetric format as appropriate shall be prepared subdividing the lot affected;
 - where the lot is the whole of a lot on a GTP, a standard format plan must be prepared and lodged to describe the lot on a plan of survey (SP).
- ◆ In the case of a Building Format lot within a building:
 - a plan in volumetric format shall be prepared showing a lot(s) over the lot or part of a lot to be excised and the remainder;
 - the description shall be lot(s) cancelling a lot.

12.5 Areas of common property:

Where common property is created or excised as directed in these Directions, areas shall be provided as required by Direction 11.5.

12.6 Resumptions:

Where part of common property, or part or all of a lot, is to be taken by resumption under the *Acquisition of Land Act 1967*, the general provisions of this Direction apply.

19.4 Dimensions

Delete the first paragraph and insert:

Every profit a prendre must be fully dimensioned, given an area and defined on a plan of the appropriate format.

20.11 Dimensions

Delete the second sentence of the first paragraph and insert:

The linear closure in a surround of any parcel, or part thereof, shall satisfy the standard 3.4.2 of the Department of Natural Resources and Mines, Survey Requirements.

21.4 Description:

Delete example of description and insert:

Covenant < alpha> in Lot <number> on <plan>

23.1 General:

Delete example certificates (2) and replace:

Example Certificate of Amendment - Individual:

***Amendments by me
Cadastral Surveyor (Date).....***

Example Certificate of Amendment - Corporation:

***Amendments by (corporation name) (ACN or ABN Number)
Director (Date).....***

Delete the paragraph following the second example certificate and insert:

Where the cadastral surveyor is a corporation, the certificate of amendment must be signed by a director. The corporation seal is not required.

23.2.1 Overview – authorising another surveyor:

Delete and insert:

Pursuant to s.32 of the *Survey and Mapping Infrastructure Act 2003*, a cadastral surveyor may authorise another cadastral surveyor take action necessary to comply with any requirement about the plan made by the registering entity.

Section 32(4) requires the authorised surveyor to certify on the plan of survey that the action is being taken under the authority of this section.

Section 32((7) requires the authorised surveyor to provide a copy of the authorisation to the registering entity, when the authorisation is to be exercised. The copy of the authorisation should be either an original copy (with original signatures) or a certified copy. For a lodged plan, this authority will be imaged as part of the plan dealing.

23.2.2 Certification of plans by another surveyor:

Delete and insert:

When the provisions of s.32 of the *Survey and Mapping Infrastructure Act 2003* apply the certificate of amendment as referred to in Direction 23.1, is modified as follows:

Individual:

Amendments by <print name of cadastral surveyor>

*Cadastral Surveyor (Date)
(pursuant to s.32 Survey and Mapping Infrastructure Act 2003)*

Corporation:

Amendments by <print name of corporation> (ACN or ABN Number)

*Director (Date)
(pursuant to s.32 Survey and Mapping Infrastructure Act 2003)*

23.5 Corrections after registration:

In the first paragraph, delete "28 days" and insert "**20 business days**".

Delete the dot points following "Corrections following registration, either by alteration or addition, may only be made:" and insert

- ◆ following the lodgement of a Form 14, General Request, requesting such corrections. The Form 14 must be accompanied by:
 - a statement on the surveyor's letterhead as to the correction to be made, (only if the matter is one of a minor typographical nature eg PSM number); and
 - supporting documentation including a copy of the plan showing the changes to be made;

Or

- a statutory declaration from the cadastral surveyor as to the correction to be made; and
- supporting documentation including a copy of the plan showing the changes to be made.
- ◆ by a person holding a delegation from the Registrar to make such corrections; and
- ◆ in a colour other than black ink that is suitable for reproduction through the scanning and photocopying processes.

Delete the paragraph preceding the example statutory declaration and insert:

Statutory declarations may only be made by individuals (natural persons). A body corporate or corporation cannot make such declarations. In the case of a corporation, the statutory declaration is made by a Director of the corporation. The statutory declaration should indicate that the person making the declaration has a "right" to make such a declaration. An example of the statutory declaration could be as follows:

Delete the example statutory declaration and insert:

*I, <full name of individual who is a Director>, a Director of <full name of the corporation and ACN or ABN number> of <city/town> in the state of Queensland, do solemnly and sincerely declare that,
<details of correction>
And I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1867.
Taken and declared before me at <town / city>
<signature of Director identified above>
this <number> day of <month> <year>
Justice of the Peace / Commissioner for Declarations*

Delete the paragraph following the statutory declaration and insert:

The Form 14 must be completed by the cadastral surveyor who signed the plan. If another authorised surveyor is attending to the correction, a copy of that authorisation should accompany the form 14 (See Direction 23.2 Authorising another surveyor). Unlike the Statutory Declaration, the corporation must complete the Form 14 when they are the cadastral surveyor. In these instances items 5 and 7 of the form must agree. If a corporation is identified in item 5, the Form must be signed by the Director/s at item 7.

Licensed Surveyor

Replace “licensed surveyor” with “**cadastral surveyor**” wherever it appears.

Change of Department’s Name

Replace “Natural Resources Mines and Energy” with “**Natural Resources and Mines**” wherever it appears.

Replace “NRM&E” with **NR&M**.

Replace “Surveyors Regulation 1992”

Replace “Surveyors Regulation 1992” with “**Survey and Mapping Infrastructure Regulation 2004**” in the following:

Section 4.11, first paragraph

Section 9.8, third paragraph

Section 9.20.7, first paragraph

**Max Locke,
Registrar of Titles and
Registrar of Water Allocations.
16 December 2004**

