

5. Sketches :

5.1 General:

The requirements of Direction 4.8.2 apply to this section saving that where a building exists over two or more lots a lease of part of that building may exist over two or more lots.

A sketch plan may be used in the following circumstances:

- ◆ Leases within a building (See Direction 5.3);
- ◆ Exclusive use areas for a community titles scheme. (See Direction 11.11);
- ◆ Services location diagram (See Direction 5.4);
- ◆ Water Storage Easements - inundated areas, s.82(3) *Land Title Act 1994* (See Direction 5.5).

5.2 Leases:

If part of a building on a lot is leased, the premises must be sufficiently identified, either by means of a description satisfactory to the Registrar or a sketch which conforms with the standards required by the Registrar (s 65 of the *Land Title Act 1994*).

If part of a lot or part of a building and part of the lot outside the building is leased, a survey plan identifying the part of the land is required to be lodged and registered. This plan must be prepared in accordance with either Directions 8 or 10.

When the first lease in a large shopping centre or similar complex that will contain multiple leases of parts of the building but not part of the lot outside the building is lodged, a master sketch showing all the leased areas of the centre/complex is required to be lodged. If a master sketch is required it should not be included as part of the lease lodged for registration.

When the roof of a building is leased, it is regarded as being a lease of land. The plan must define the roof height and the leased area as a volumetric parcel in accordance with Direction 10. The lease of space for signage on the wall of a building will require similar attention.

5.3 Sketch plans for leases within a building:

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

For a lease of part of a building, a detailed sketch is required. Architectural or building plans are not acceptable as lease sketches. A sketch for a lease of part of a building must:

- ◆ be drawn, on one side only, on international A4 (preferred) or A3 sized paper, unless prior permission has been sought and granted from the Registrar in cases where these sizes are impractical;
- ◆ be drawn to scale. (See Direction 5.3.13);
- ◆ show a north point and generally be drawn with north indicating vertically (may be rotated no more than 90 degrees from the vertical);
- ◆ show the description of the lot(s) affected by the lease;

- ◆ designate the leased area(s) by:
 - identifying them by
 - an alpha character eg A, MB: or
 - an alpha-numeric combination eg A3, 4B; or
 - shop number, if part of a shopping complex; or
 - unique number with the consent of the Registrar of Titles, and
 - either outlining with lines significantly heavier than other lines on the sketch; or
 - hachuring (hachuring must not obliterate any information); and
- ◆ including an area, in square metres;
- ◆ dimensions (see Direction 2);
- where the lease is bounded by structural elements or physical features, no dimensions are required. If structural elements or physical features are used to define the lease, the sketch plan must indicate what structural elements or physical features are used;
- 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;
- ◆ locate the leased area(s) as required by Direction 5.3.3 or 5.3.4 ;
- ◆ indicate the relevant level of the building if applicable;
- ◆ show relevant adjoining information;
- ◆ clearly indicate the purpose of the plan.

5.3.2 Certification of lease sketch:

5.3.2.1 Prepared by a cadastral surveyor:

A cadastral surveyor must prepare sketches where a lease of part of a building is:

- (i) **high value** (more than \$ 1,000 per month rental); and/or
- (ii) **long term** (more than ten years).

5.3.2.2 Prepared by persons other than a cadastral surveyor:

Persons other than a cadastral surveyor may prepare a sketch for a lease of part of a building that is both:

- (i) **low value** (\$1,000 or less per month rental); and
- (ii) **short term** (ten years or less).

5.3.3 Location of leased areas of high value and/or long term:

A leased area must be unambiguously located in relation to the outer walls of the building and to cadastral boundaries. Sufficient outline of the level of the building must be shown to clearly locate the lease within the building. Connection from the outer walls of the building to an intersection of cadastral boundaries may be achieved by direct connection or deposited identification survey.

5.3.3.1 Connection by direct connection:

Sufficient outline of the building must be shown on the sketch to enable unambiguous location of the leased area. Measured connections from a corner of the building to a corner of the base parcel to locate the building and clarify that the lease does not encroach onto adjoining land must be shown.

The leased area is to be connected to a corner or corners of the building by measured connections.

5.3.3.2 Connection by deposited identification survey:

An identification survey may be used to locate reference marks within the base parcel that may subsequently be used in lease sketches as an alternative to connecting to a corner of the title boundary.

If an identification survey is used it:

- ◆ must be deposited before the lease;
- ◆ must show the boundaries of the base parcel;
- ◆ must show sufficient reinstated corners of the base parcel to allow unambiguous location of the building;
- ◆ must show the full outline of the building, and connections from at least two corners of the building to two reinstated corners of the base parcel;
- ◆ may show the location of reference marks within the various levels of the building to facilitate future connection of leased areas within the building.

Where an identification survey is used to locate a lease within a building, it shall be sufficient to:

- ◆ connect to a corner of the building by measured connections or connect to reference marks shown on the identification survey plan, and use the information on the identification survey plan to calculate a connection to that corner; and
- ◆ show the building location by compilation from the identification survey plan; and
- ◆ note the number of the identification survey used on the sketch.

5.3.4 Location of low value and short term leases:

A low value and short term lease must be unambiguously located to external corners of the building.

5.3.5 Leased areas in a building format lot:

In the case of a leased area in a building format lot:

- ◆ the building format lot is the base parcel;
- ◆ only connections to the boundaries of the building format lot are required; and
- ◆ a building location is not required.

5.3.6 Leased areas in parts:

A lease may not be in parts.

5.3.7 Leases restricted vertically:

Where a lease is restricted in height or depth by other than floors and ceilings, the requirements of Direction 10 applies if the lease is 'long term' or 'high value'. The vertical restriction of 'short term' and 'low value' leases may be defined by measurements (for example 3 metres above the floor level).

5.3.8 Multiple sheets:

If a single sheet is insufficient to show all details required, multiple sheets may be used. If using multiple sheets:

- ◆ information on each sheet must be drawn, on one side only, on international A4 (preferred) or A3 sized paper; and
- ◆ the first sheet must show the building location and connections to the boundaries of the base parcel. If possible, it should also show the leased area(s) to scale with references to diagrams necessary to show full detail.

5.3.9 Sheet numbering:

A sketch must be numbered in the top right hand corner consecutively with the numbering of the lease instrument.

5.3.10 Standards for master sketch:

A master sketch must:

- ◆ be drawn on on one side of paper no larger than international A I sized paper;
- ◆ be drawn to scale (See Direction 5.3.13);
- ◆ show a north point and generally with north indicating vertically (may be rotated no more than 90 degrees from the vertical);
- ◆ show the location of every lease currently registered and where possible, proposed lease areas;
- ◆ show an identifier for every lease that is registered and or proposed;
- ◆ provide a table with two columns, one for the lease identifier and the other for the dealing number, with the lease identifier column completed.

A master sketch may:

- ◆ comprise more than one sheet, provided each sheet is identified by the sheet number and the total number of sheets (for example, sheet 1 of 2 and sheet 2 of 2);
- ◆ show dimensions and/or areas for each lease.

5.3.11 Example of certificate by cadastral surveyor:

I, [Name], Cadastral Surveyor, certify that the details shown on this sketch plan are correct.

(Signed) Cadastral Surveyor, Date.

5.3.12 Example of certificate by other than a cadastral surveyor:

I, [Name], certify that the details shown on this sketch plan are correct.

(Signed), Date.

5.3.13 Scale of sketch:

Scale ratios, or multiples of 10 thereof, which may be used in sketches:

| | | | | |
|-------|----------|---------|-------|---------|
| 1 : 1 | 1 : 1.25 | 1 : 1.5 | 1 : 2 | 1 : 2.5 |
| 1 : 3 | 1 : 4 | 1 : 5 | 1 : 6 | 1 : 7.5 |
| 1 : 8 | | | | |

To avoid uncertainty whether any copy of a sketch has been photographically enlarged or reduced from the original, the use of a bar scale on the face of the sketch is recommended.

5.4 Services location diagram (s.70 BCCM):

A services location diagram is only to be used in connection with a community titles scheme. The terms services location diagram and service easement are defined in Schedule 6 (Dictionary) of the *Body Corporate and Community Management Act 1997*.

The purpose of the services location diagram is to ensure that any interested party is aware of the existence of a service easement and its location within the community titles scheme. It is not the intention that the diagram is precise (survey accurate) but the information should ensure that ambiguity relating to the location of any service is avoided. Persons other than a cadastral surveyor may prepare a services location diagram.

A services location diagram is to satisfy the following criteria:

- ◆ the principle that the information for which the services location diagram is prepared should be easily, readily and unambiguously identifiable from any information that may appear on the diagram must be satisfied.
- ◆ be drawn, on one side only, on international A4 (preferred) or A3 sized paper, unless prior permission has been sought and granted from the Registrar of Titles in cases where these sizes are impractical;
- ◆ be capable of reproduction at a reduced scale, without any loss of clarity;
- ◆ be drawn in black ink. The use of colours is unacceptable;
- ◆ if more than one service is shown, clearly designate each service either by a legend or noting on the face of the diagram ;
- ◆ drawn to scale. (See Direction 5.3.13);
- ◆ show a north point and generally be drawn with north indicating vertically (may be rotated no more than 90 degrees from the vertical);
- ◆ identify the date of preparation;
- ◆ show sufficient outline of any building, and other physical improvements, that would assist in the determination of the location of the services;
- ◆ dimensions, if supplied, need only be indicative;

Registrar of Titles Directions for the Preparation of Plans

- ◆ connections and/or offsets to the corners of lots or building features may be shown;
- ◆ each sheet must:
 - show the community titles scheme name and number; and
 - make provision for and be numbered in the top right hand corner, consecutively with the sheet numbering in the CMS, and each sheet shall show the total number of sheets in the CMS; and
 - contain a title for identification.

For samples see Figure 5-1: SLD with legend and Figure 5-2: SLD without legend.

5.5 Water storage easements - inundated areas:

Where an instrument is creating a public utility easement for water storage above a weir, it must show the part of the land over which water above the weir may be stored (S.82(3) *Land Title Act 1994*). The requirements of the Registrar of Titles should be sought for the type and format of plans required.

5.6 Samples for sketches:

Figure 5-1: SLD with legend

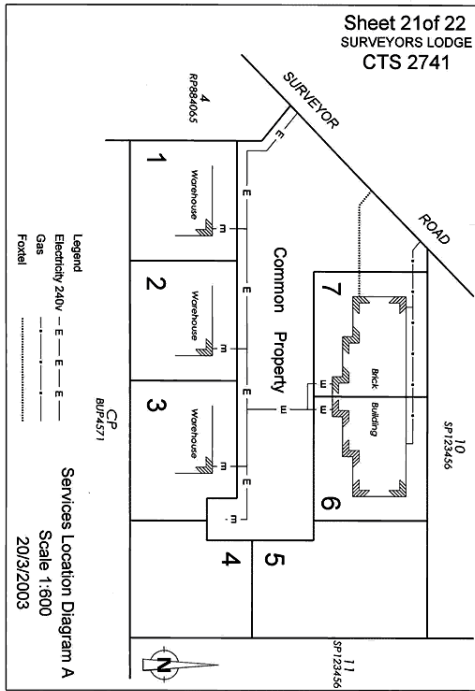


Figure 5.1: SLD with legend

Figure 5-2: SLD without legend

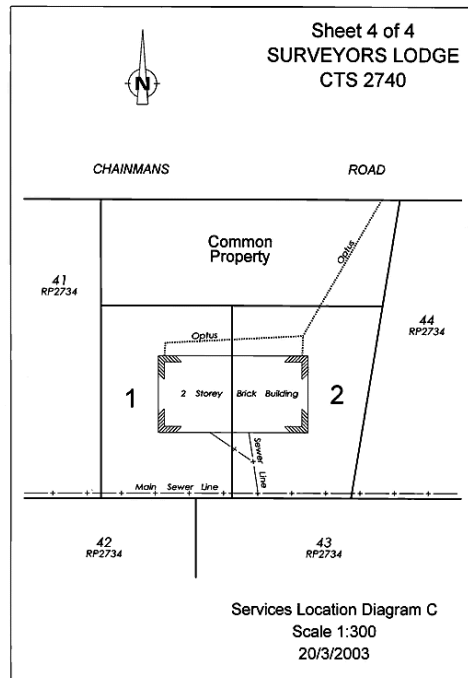


Figure 5.2: SLD without legend

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

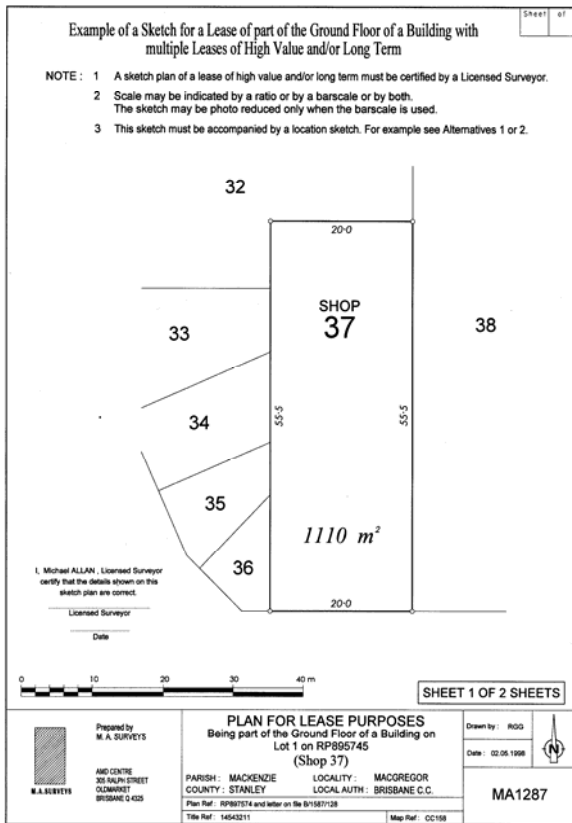


Figure 5-4: Location by direct connection

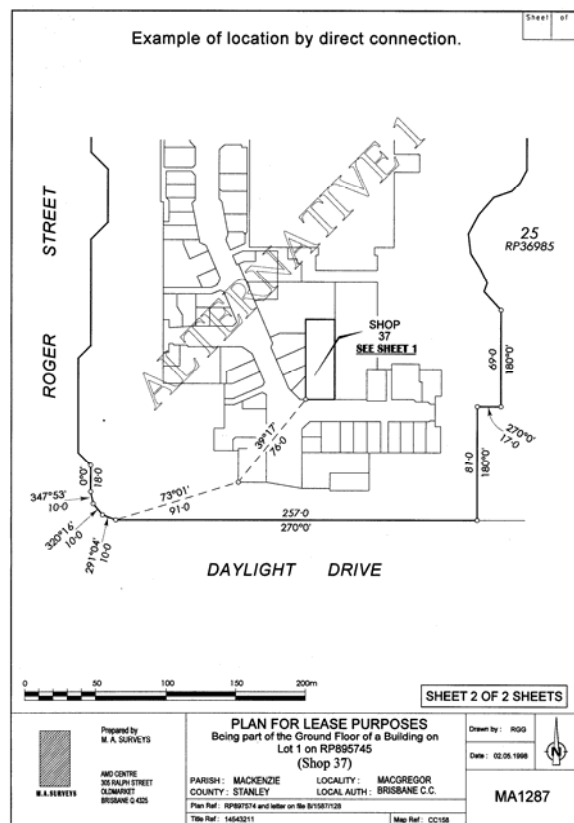


Figure 5-5: Location by offsets.

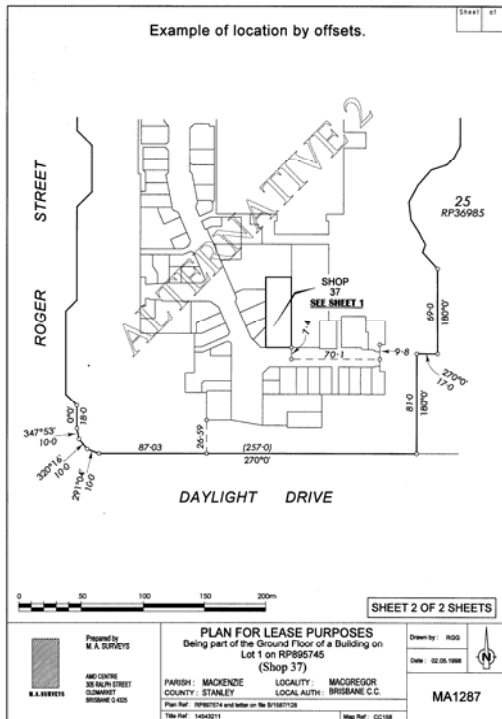


Figure 5-6: Master sketch of multiple leases

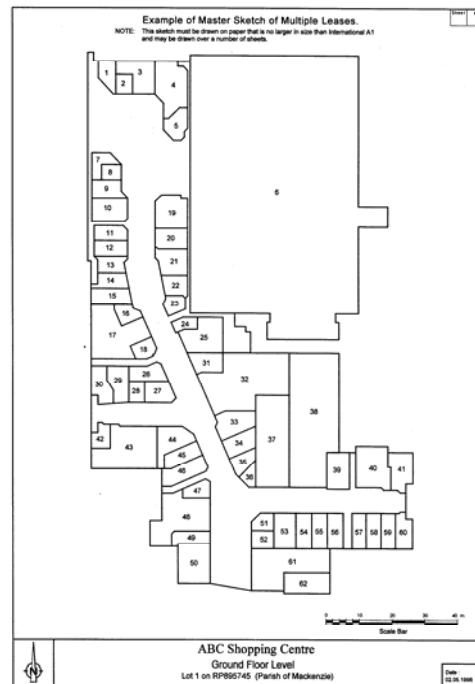


Figure 5-7: Table of leases to accompany master sketch

Example of Table of Leases to accompany Master Sketch.

| IDENTIFIER | DEALING NUMBER | IDENTIFIER | DEALING NUMBER |
|------------|----------------|------------|----------------|
| 1 | | 50 | |
| 2 | | 51 | |
| 3 | | 52 | |
| 4 | | 53 | |
| 5 | | 54 | |
| 6 | | 55 | |
| 7 | | 56 | |
| 8 | | 57 | |
| 9 | | 58 | |
| 10 | | 59 | |
| 11 | | 60 | |
| 12 | | 61 | |
| 13 | | 62 | |
| 14 | | | |
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| 47 | | | |
| 48 | | | |
| 49 | | | |

ABC Shopping Centre
Ground Floor Level
Lot 1 on RP895745 (Parish of Mackenzie)

Date: 02.05.1998

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

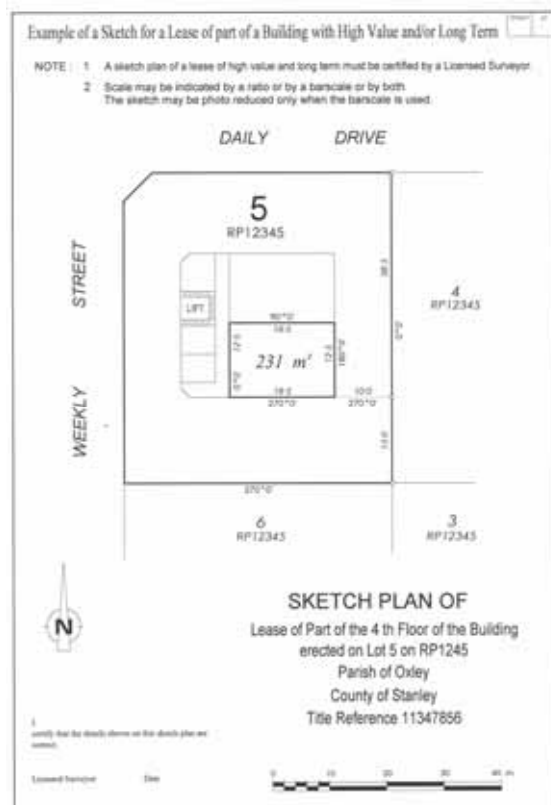


Figure 5-9: Lease in a building – low value and short term



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