

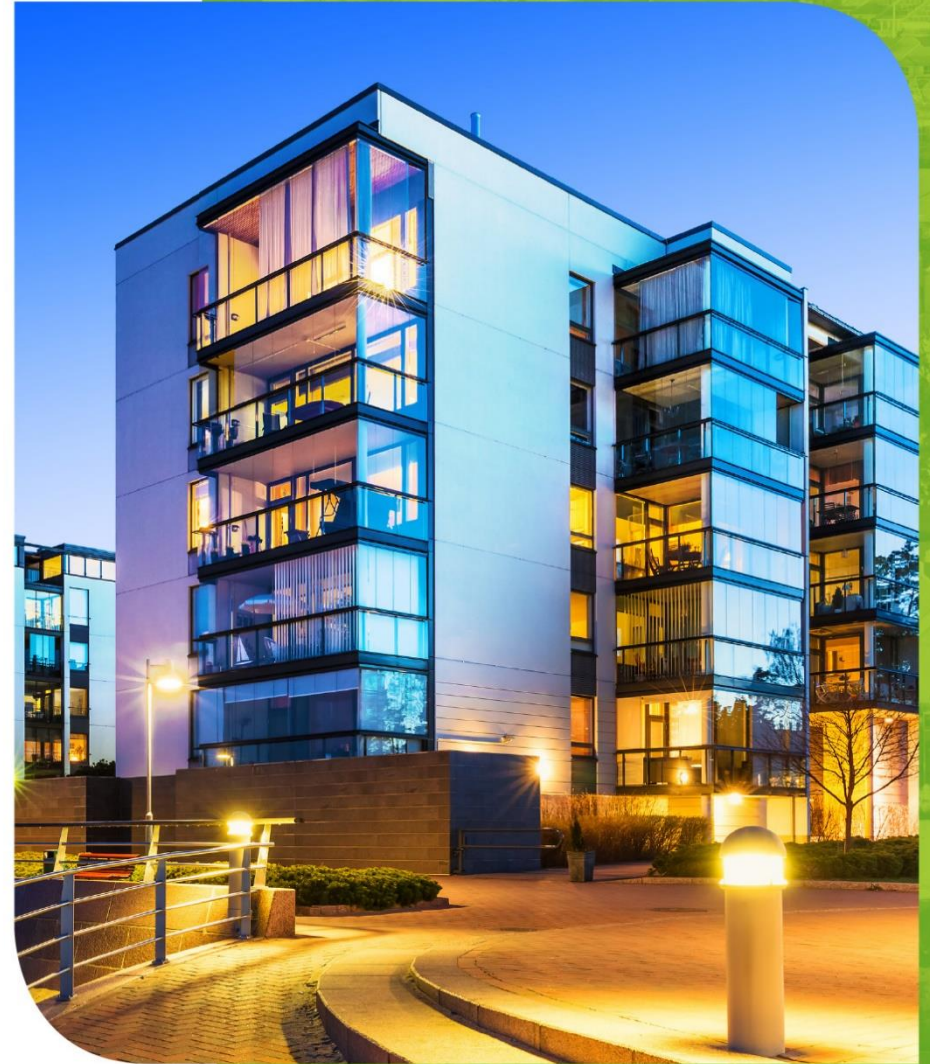


Other Titles Affected

Plan of Division

March 2021

landservices.com.au



Agenda

- Who are we?
- Why are we doing this?
- What is the Other Titles Affected?
- When is Other Titles Affected shown?
- How do I find the Other Titles Affected?

Case Studies





Who are we?

Land Services SA - Steve Andrews



Steve Andrews is a Senior Plan Examiner within Land Services SA with over 40 years of experience.

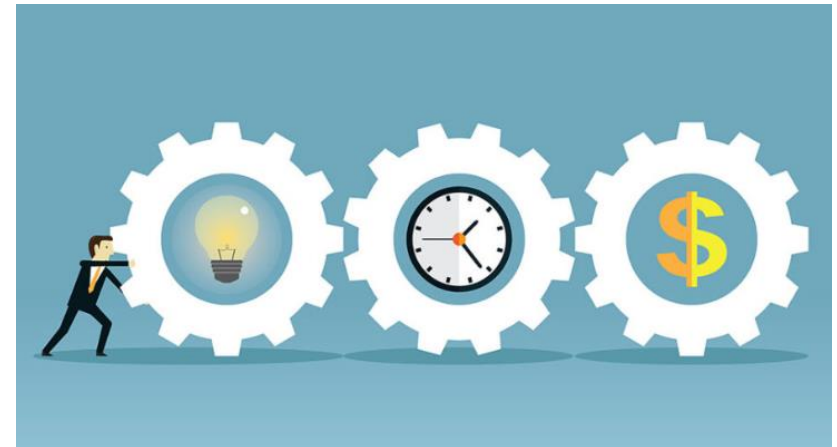
Steve was involved with the creation of both the New Textual/Diagram sheet plan format and the Plan Presentation Guidelines.



Why are we doing this?

Land Services SA is committed to providing an excellent Customer Experience

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





Other Titles Affected

PURPOSE: DIVISION		AREA NAME: SHEDDOW PARK		APPROVED:		SHEET 1 OF 2 V01		
MAP REF: 6628/39/K		COUNCIL: CITY OF MARION		DEPOSITED/FILED:				
LAST PLAN:		DEVELOPMENT NO: 100/D051/03/001/0125						
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.				
AGENT CODE: FRTD				Dated the 25th day of August 2006 Frank L. Torrens Licensed Surveyor				
REFERENCE: A125.368								
SUBJECT TITLE DETAILS:								
PREFIX	VOLUME	FOLID	OTHER	PARCEL ALLOTMENT(S)	NUMBER	PLAN	NUMBER HUNDRED / 1A / DIVISION TOWN	REFERENCE NUMBER
CT	5164	993		ALLOTMENT(S)	1-5	D	38598 NOARLUNGA	
PT CT	5164	994		ALLOTMENT COMPRISING PIECES	(10* 11)	D	38598 NOARLUNGA	
CT	5201	42		ALLOTMENT(S)	29.30		NOARLUNGA	
CT	5201	43		SECTION (S)	102		NOARLUNGA	
CT	5222	198		ALLOTMENT(S)	51 (RESERVE(S))	D	50526 NOARLUNGA	
OTHER TITLES AFFECTED: CT 5289/142								
EASEMENT DETAILS:								
STATUS	LAND BURDENED	FORM SERVICE	CATEGORY EASEMENT(S)	IDENTIFIER	PURPOSE	IN FAVOUR OF		CREATION
EXISTING	13-19.30.31			E	FOR DRAINAGE PURPOSES	COUNCIL FOR THE AREA		223g RPA
NEW	32	LONG	RIGHT(S) OF WAY	A	ACCESS	555 IN 0111		
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/missing** the Land Division Application will have an incorrect:

- Land Description
- Mode of Issue
- Fees
- Consents.

By showing the Other Titles Affected correctly 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 Act.

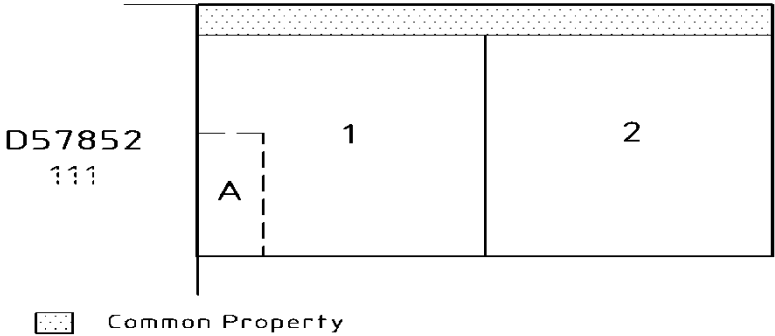


Other Titles Affected

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 that 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 Search” - to get the Title Reference
Where the Title is Cancelled search “Child Parent Search” to get the Current Title

A screenshot of the SAILIS search interface. At the top, there is a navigation bar with links: 'Property Research Report', 'Image Search', 'Dealing Search', and 'General Search'. Below this is a blue horizontal bar. To the right of the blue bar is a dropdown menu with the following options: 'Dealing Details Search', 'Item Delivery Search', 'Location Request Search', and 'Series Details Search'. Below the navigation bar, there is a search form with a red asterisk icon and the text 'Dealing Number' followed by a text input field and an information icon. Below the input field is a 'Search' button.

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 Dealing will have to be ordered through “Miscellaneous Search” to get the title reference. Search “Child Parent Search” to get the Current Title Reference

A screenshot of the 'Miscellaneous Product Search' form on the landservices.com.au website. The form is located under a dark blue navigation bar with links: Home, Land Search, Property Research Report, Image Search, Dealing Search, and General Search. The form itself has a blue header with the text 'Miscellaneous Product Search'. Below the header, there are two input fields: 'Item Type' with a dropdown menu showing 'Dealing' and an information icon, and 'Item Number' with a text box and an information icon. A 'Search' button is located below these fields. To the right of the form, there is a dark blue sidebar with a list of search options: Property Interest Report, SA Water, Survey Mark Search, Agent Code Search, Miscellaneous Search (which is highlighted with a white background), and Form 1.

↗ 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 the road:

- SAPPA will not show the title reference for a road
- Check SAPPA for other Community /Community Strata plan(s) along the road to see if they have an encroachment
- A 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 Act**

No extinguishment note is shown for both Roads:

- Closed under the Roads Act
- Opened under the Roads Act

The Easement in Gross title or the Dominant easement title or fee simple title **must** be shown in the

Other Titles Affected panel

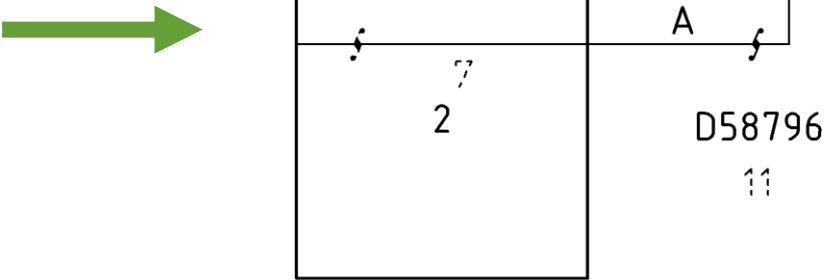


Case study one

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 IN D58796	FOR DRAINAGE PURPOSES	7 in D58796	T 1022365

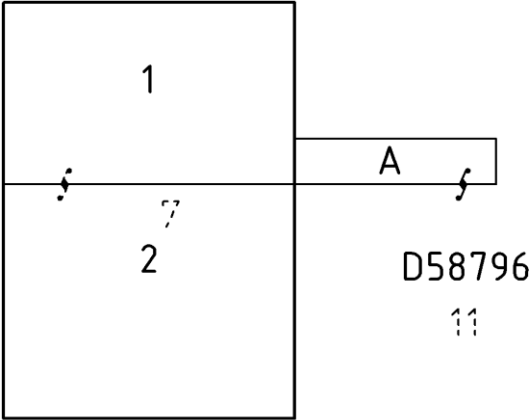


Case study two

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**



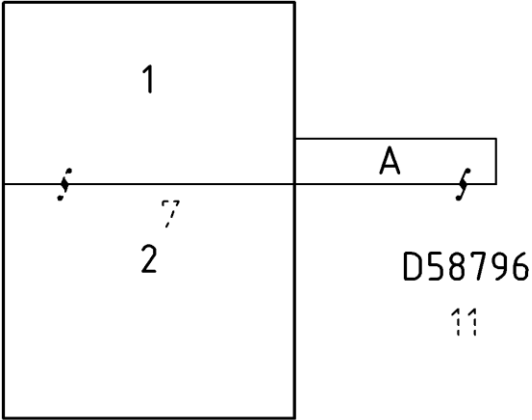
EASEMENT DETAILS							
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
EXTINGUISH	11 in D58796	SHORT	EASEMENT(S)	A	FOR DRAINAGE PURPOSES	2	T 1022365
EXISTING		SHORT	EASEMENT(S)	A	FOR DRAINAGE PURPOSES	1	T 1022365



Case study three

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 four

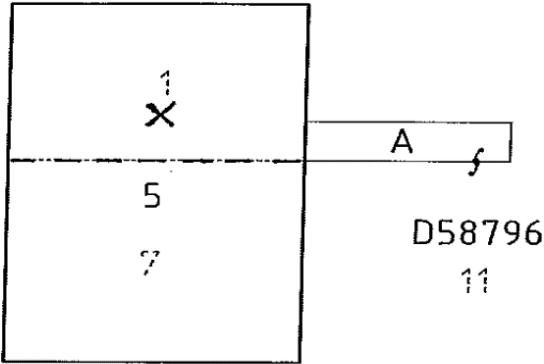
Option one - Easement Appurtenancy

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 five

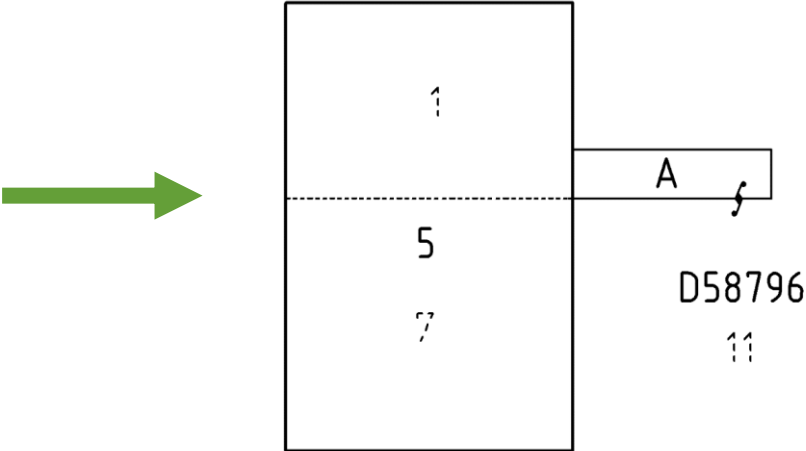
Option two – Vary the Easement

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
VARY FROM	11 IN D58796	LONG	EASEMENT(S)	A		1 IN D58796
VARY TO	11 IN D58796	LONG	EASEMENT(S)	A		5

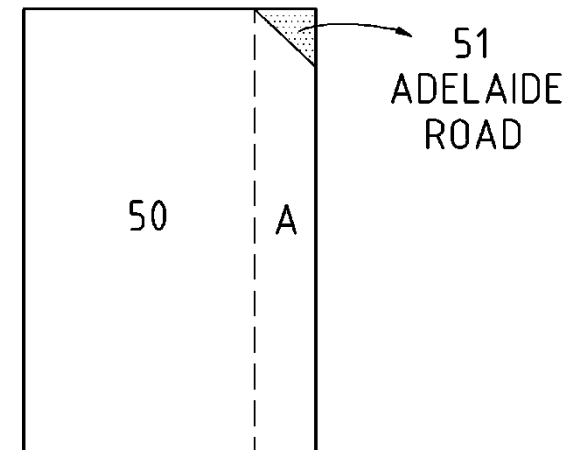


Case study six

Easement Extinguishment

Allotment 51 is being vested as road and does not require the easement over A

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

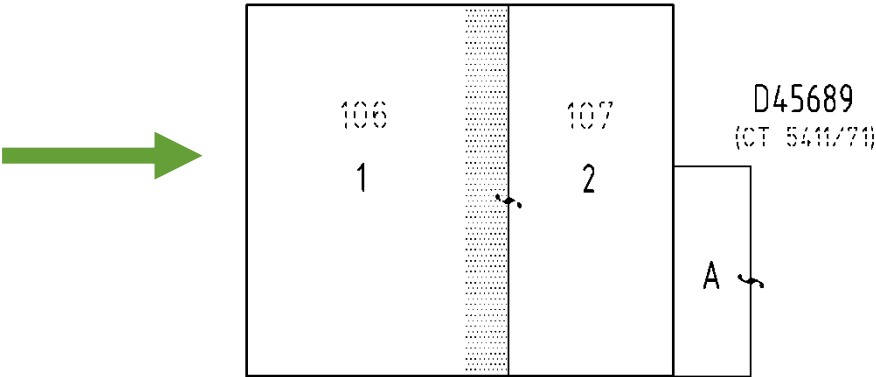


Case study seven

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



Other Titles Affected

Hot Tips

- ✓ Where Other Titles Affected is **incorrect** the Land Division Application will have incorrect Land Description, Mode of Issue, Fees and Consents
- ✓ Other Titles Affected is shown when creating, varying or extinguishing easements where the Dominant land **is not contiguous**
- ✓ 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
- ✓ Where Title for an encroachment of a Community plan is **incorrect new SCAP consents will be required.**

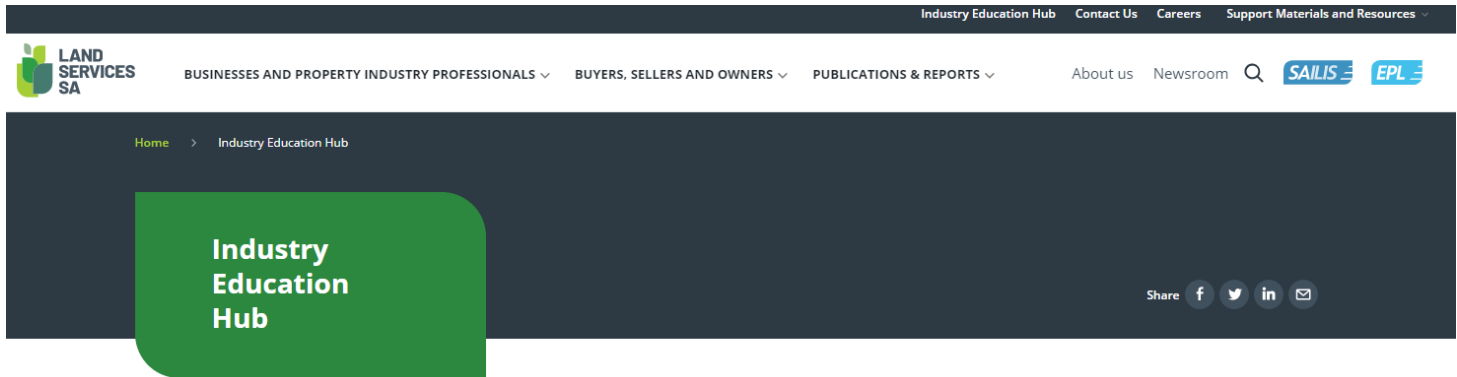
An aerial photograph of a suburban neighborhood, showing numerous houses with dark roofs and lush green trees. The entire image is covered with a semi-transparent green overlay. A thin white vertical line is positioned to the left of the word 'Questions'.

Questions



Industry Education Hub

Keep updated on Land Services SA webinars and videos



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 professionals. The first set of materials consists of a series of short training videos focusing on key requirements of eConveyancing in the lead up to 3 August 2020, the date set for mandating of eConveyancing in South Australia.

These videos have been published by topic to enable practitioners to select and watch videos relevant to them at their convenience.

eConveyancing Series

Training Video	Relevant Support Materials
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An aerial photograph of a suburban neighborhood, showing numerous houses with dark roofs and lush green trees. The entire image is covered with a semi-transparent green overlay. On the left side, there is a vertical white line.

End