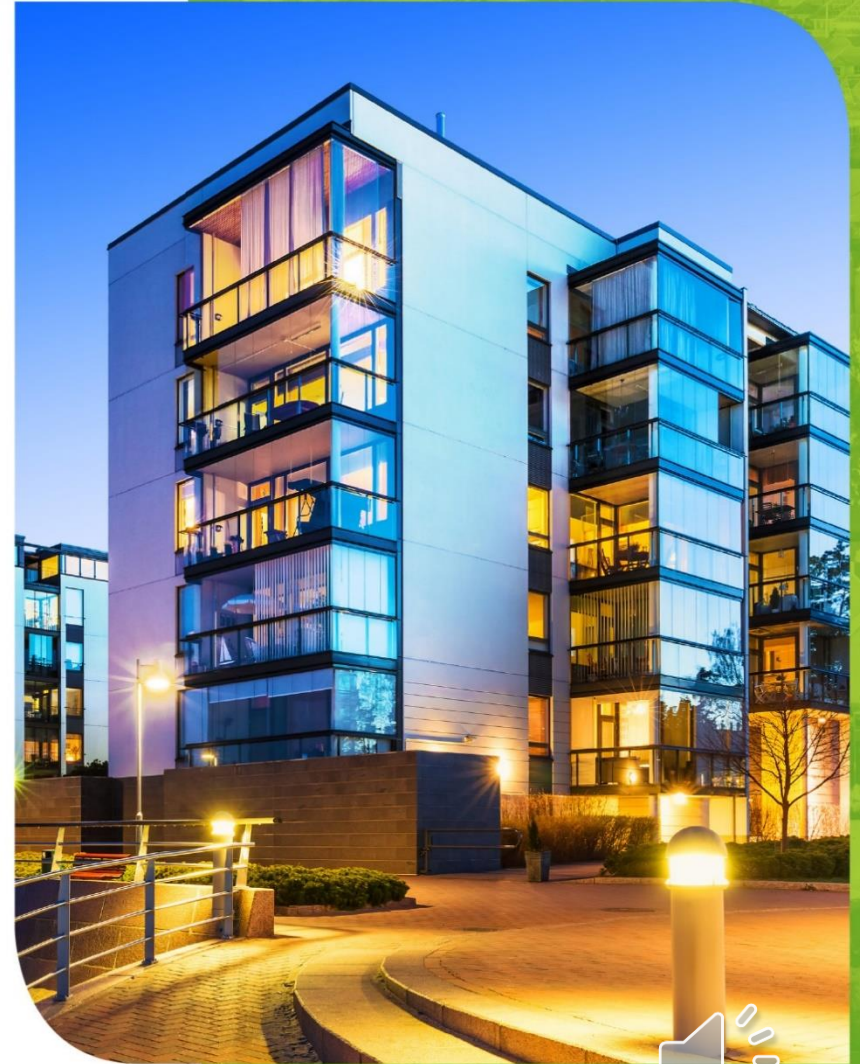




Industry Education Webinar:

RTC (Application for deposit of
a plan of Division) cancelling
Strata or Community plans



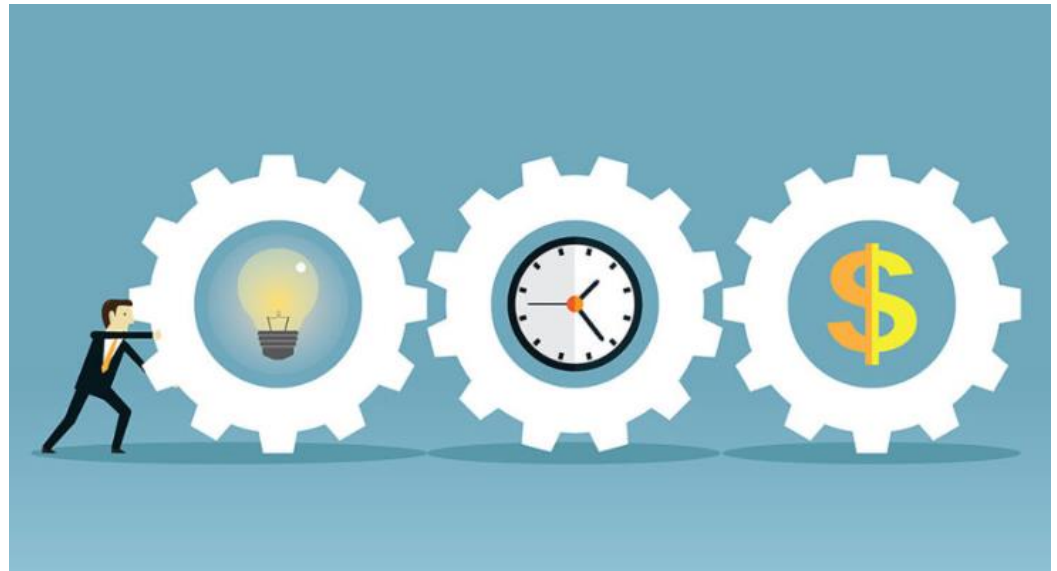


Industry Education Program

Land Services SA is committed to providing an excellent Customer Experience. One way we continue to deliver value to the Industry is through our Industry Education Program, where we produce a range of helpful educational materials, hold regular webinars and Industry Events.

Why are we doing this?

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





About our Land Services Team



Sandy Beaglehole is a Property Examiner within Land Services SA. She has over 39 years of experience in numerous positions within Land Services SA and has spent the last 9 years as a Property Examiner.

John Ikonomopoulos is a Property Examiner within Land Services SA. He has over 26 years of experience in numerous areas of Land Information Services. Current areas of focus are examining division applications and studying to become a Registered Conveyancer.



Jaymie Heinrich is a Property Examiner within Land Services SA. She has over 19 years of experience in numerous positions within Land Services SA and has spent the last 2 years in the role as a Property Examiner.

Brad Cortvriend is a Property Examiner within Land Services SA. He has 3 years of plan examination experience in the Division team, and is now a Property Examiner focusing on examination of division documents.



Contents

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- Upon cancellation of Strata or Community Schemes
- Deposited Plan – What to look for
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- Details of Transaction panel
- Consent form for Strata Plan
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- Consent form for registered interests
- Execution page
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Introduction

Strata Plan and Community Plans can be cancelled by a plan of division to become Torrens titles.

- Strata Plans are cancelled under Section 17AAA of the Strata Titles Act 1988
- Community Titles are cancelled under Section 70 of the Community Titles Act 1996





Upon cancellation of Strata or Community Schemes

On cancellation of a Strata or Community plan the following occur

STRATA	COMMUNITY
Strata Corporation is dissolved	Community Corporation is dissolved
Articles are revoked	By-laws are revoked
	Development contract is discharged






Deposited Plan – what to look for

The Deposited Plan (DP)

- The only indication on the plan will be that all title references will be shown in the subject title panel on the plan, for all units (Strata) or lots (Community) and the common property title in the scheme.

PURPOSE:	DIVISION	AREA NAME:	EDWARDSTOWN	APPROVED:	21/12/2021	 D129717 SHEET 1 OF 2 106725_text_01_v04_Version_4				
MAP REF:	6628/50/L	COUNCIL:	THE CORPORATION OF THE CITY OF MARION	DEPOSITED:						
LAST PLAN:		DEVELOPMENT NO:	100/D190/20/001/63719							
AGENT DETAILS:	HENNIG & CO PTY LTD 275 MARION ROAD NORTH PLYMPTON SA 5037 PH: (08) 62970883 FAX: (08) 62971170			SURVEYORS CERTIFICATION:			I Shayne Bryan Hennig, a licensed surveyor do hereby certify - 1) That this plan has been made from surveys carried out by me and correctly prepared in accordance with the Survey Act 1992. 2) That the field work was completed on the 8th day of February 2021 21st day of December 2021 Shayne Bryan Hennig Licensed Surveyor			
AGENT CODE:	HENN									
REFERENCE:	18184									
SUBJECT TITLE DETAILS:										
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER	HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER
CT	5856	473		UNIT(S)	2	S	3518	ADELAIDE		
CT	5032	51		UNIT(S)	1	S	3518	ADELAIDE		
CT	5856	474		COMMON PROPERTY		S	3518	ADELAIDE		
OTHER TITLES AFFECTED:										
EASEMENT DETAILS:										
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF			CREATION	
ANNOTATIONS: NO OCCUPATION ON SUBJECT LAND BOUNDARIES UNLESS OTHERWISE SHOWN										





Preparing the RTC Application

The **Corporation is the only applicant**, all unit and lot owners are consenting parties and they will sign a consent form.

For a **cancellation of a strata plan** the extra wording is required

For a **cancellation of a community plan** the extra wording is required

APPLICATION FOR DEPOSIT OF A PLAN OF DIVISION

(Pursuant to Part 19AB of the Real Property Act 1886)

PRIVACY COLLECTION STATEMENT: The information in this form is collected under statutory authority and is used for maintaining publicly searchable registers and indexes. It may also be used for authorised purposes in accordance with Government legislation and policy requirements.

D..... Development No

LAND DESCRIPTION

The whole of the land comprised in Certificate of Title Volume 6733 Folio's 234 to 236 inclusive

All existing titles in the scheme to be included into the land description

APPLICANT(S) (Full name and address of all Registered Proprietors of land divided)

Strata Corporation No. Inc. of (Address)

Hereby applies pursuant to Section 17AAA of the Strata Titles Act 1988 to cancel Strata Plan No. and issue Certificates of Titles in accordance with the Schedule of Mode of Issue herein

Community Corporation No. Inc. of (Address)

Hereby applies pursuant to Section 70 of the Community Titles Act 1996 to cancel Community Plan No. and issue Certificates of Titles in accordance with the Schedule of Mode of Issue herein

To the Registrar-General,

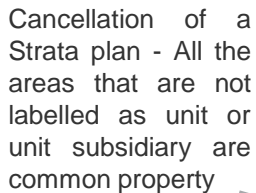
I/We the Applicant(s) hereby apply to have the accompanying plan of division deposited in the Lands Titles Registration Office and acknowledge that on the deposit of the said plan;

- (a) my/our estate and interest in the said land will be affected to the extent indicated in the Details of Transactions panel
- (b) certificates of title will issue in accordance with the Schedule of Mode of Issue.





- Contacting the surveyor to overlap the two plans so it is clear where the new boundaries now compare to the old boundaries
- Overlapping plans, at the same scale and using a light box
- Common property on a Strata plan is the external walls, roof, foundations and service infrastructure therefore these areas need to be vested to the owner.





- Contacting the surveyor to overlap the two plans so it is clear where the new boundaries now compare to the old boundaries
- Overlapping plans, at the same scale and using a light box





Details of Transaction Panel

VESTINGS BETWEEN THE CORPORATION AND UNIT/LOT OWNERS

Only vestings between the corporation, who is the only applicant, to be shown in the details of transaction panel. These vestings should also be shown in the relevant unit/lot owners consent form.

VESTINGS BETWEEN UNIT AND LOT OWNERS

Any vestings between the owners to be shown on their consent form.

DETAILS OF TRANSACTION(S) (Applicants only)	CONSIDERATION / VALUE
Vesting of land from Strata Corporation No 30402 Inc. to Mary Brown to form Allotment 302	Nil pursuant to Sec 17AAA(5) of the Strata Titles Act 1988
Vesting of land from Community Corporation No. 42983 Inc. to Mary Brown to form Allotment 302	Nil pursuant to Sec 70 of the Community Titles Act 1996





Consent form for Strata plan

Each unit owner will need to complete a consent form

Any vestings shown in the Details of Transaction panel that affect this unit owner to be shown in their consent form.

Consent form to shown 'Cancellation of Strata Plan.....'

CERTIFICATE OF CONSENT FOR THE DEPOSIT OF A PLAN OF DIVISION

CONSENTING PARTY (Full Name and Address)

Mary Brown of 101 Grenfell Street Adelaide SA 5000

NATURE OF ESTATE OR INTEREST HELD

Registered proprietor of CT Volume 6733 Folio 234

STATEMENT OF EFFECT ON ESTATES OR INTERESTS OF CONSENTING PARTIES

ESTATE / INTEREST AFFECTED	EFFECT ON ESTATE OR INTEREST HELD OR CLAIMED	CONSIDERATION / VALUE
Registered proprietor of CT Volume 6733 Folio 234 (Unit 1 S30402)	Vesting of land from Strata Corporation No 30402 Inc. to Mary Brown to form Allotment 10 Cancellation of Strata Plan No. 30402	Nil pursuant to Sec 17AAA(5) of the Strata Titles Act 1988

*strike through the inapplicable

** insert relevant effect on estate or interest

I/We the consenting party

- (1) certify my/our consent to the deposit of the accompanying plan of division in the Lands Titles Registration Office.
- (2) acknowledge that the deposit of the plan will affect my/our estate or interest to the extent set out in the above Statement of Effect panel.

EXECUTION BY CONSENTING PARTY

DATED

EXECUTION





Consent form for Community plan

Each lot owner will need to complete a consent form

Any vestings shown in the Details of Transaction panel that affect this lot owner to be shown in their consent form.

Consent form to shown 'Cancellation of Community Plan.....'

CERTIFICATE OF CONSENT FOR THE DEPOSIT OF A PLAN OF DIVISION

CONSENTING PARTY (Full Name and Address)

Mary Brown of 101 Grenfell Street Adelaide SA 5000

NATURE OF ESTATE OR INTEREST HELD

Registered proprietor of CT Volume 6733 Folio 234

STATEMENT OF EFFECT ON ESTATES OR INTERESTS OF CONSENTING PARTIES

ESTATE / INTEREST AFFECTED	EFFECT ON ESTATE OR INTEREST HELD OR CLAIMED	CONSIDERATION / VALUE
Registered proprietor of CT Volume 6733 Folio 234 (Lot 1 C42983)	Vesting of land from Community Corporation No. 42983 Inc. to Mary Brown to form Allotment 302 Cancellation of Community Plan No. 42983 Vesting of land from Joe Smith (Lot 2) to Mary Brown to form Allotment 302	Nil pursuant to Sec 70 of the Community Titles Act 1996

*strike through the inapplicable

** insert relevant effect on estate or interest

I/We the consenting party

- (1) certify my/our consent to the deposit of the accompanying plan of division in the Lands Titles Registration Office.
- (2) acknowledge that the deposit of the plan will affect my/our estate or interest to the extent set out in the above Statement of Effect panel.

EXECUTION BY CONSENTING PARTY

DATED

EXECUTION





Consent form for registered interests

Every registered interest will need to complete a consent form

The 'Adjusted Clause' statement can be used for the consent form.

CERTIFICATE OF CONSENT FOR THE DEPOSIT OF A PLAN OF DIVISION

CONSENTING PARTY (Full Name and Address)

Commonwealth Bank of Australia (ACN 123 123 124) of 100 King William Street Adelaide SA 5000

NATURE OF ESTATE OR INTEREST HELD

As Mortgagee pursuant to Mortgage 9293020

STATEMENT OF EFFECT ON ESTATES OR INTERESTS OF CONSENTING PARTIES

ESTATE / INTEREST AFFECTED	EFFECT ON ESTATE OR INTEREST HELD OR CLAIMED	CONSIDERATION / VALUE
M 9293020	*Adjusted to cover the parcels as set out on the accompanying plan / Mode of Issue	Nil pursuant to Sec 17AAA(5) of the Strata Titles Act 1988 OR Nil pursuant to Sec 70 of the Community Titles Act 1996

*strike through the inapplicable

** insert relevant effect on estate or interest

I/We the consenting party

- (1) certify my/our consent to the deposit of the accompanying plan of division in the Lands Titles Registration Office.
- (2) acknowledge that the deposit of the plan will affect my/our estate or interest to the extent set out in the above Statement of Effect panel.

EXECUTION BY CONSENTING PARTY

DATED





Execution Page

The **Strata Corporation** or **Community Corporation** will execute the document and the common seal needs to be affixed.

DATED

EXECUTION BY APPLICANT(S)

The common seal was
affixed pursuant to
unanimous resolution
in the presence of

.....
Mary Brown
Presiding Officer,
Treasurer and
Secretary



CERTIFICATION *Delete the inapplicable

Applicant(s)

*The Certifier has taken reasonable steps to verify the identity of the applicant or his, her or its administrator or attorney.

*The Certifier has retained the evidence to support this Registry Instrument or Document.

*The Certifier has taken reasonable steps to ensure that the Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Signed By:

<Name of certifying party>

<Capacity of certifying party>

for: <Company name

on behalf of the Applicant

DATED

EXECUTION BY APPLICANT(S)

The common seal was
affixed pursuant to
unanimous resolution in
the presence of

.....
Mary Brown
Presiding Officer

.....
Joe Smith
Treasurer



CERTIFICATION *Delete the inapplicable

Applicant(s)

*The Certifier has taken reasonable steps to verify the identity of the applicant or his, her or its administrator or attorney.

*The Certifier has retained the evidence to support this Registry Instrument or Document.

*The Certifier has taken reasonable steps to ensure that the Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Signed By:

<Name of certifying party>

<Capacity of certifying party>

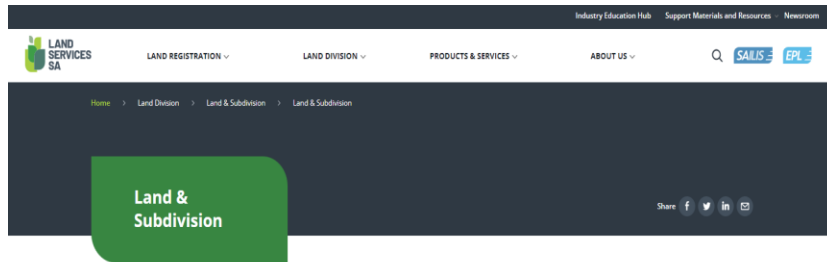
for: <Company name

on behalf of the Applicant





Preparation Notes



Land & Subdivision

Boundary and Fence Adjustment

Land & Subdivision

Statutory Instruments

Plans lodged with Land Services SA are required to adhere to strict standards and are examined for compliance.

The Registrar-General's [Plan Presentation Guidelines \(PPG\)](#) describes the requirements for lodging property related plans, with the [Surveyor-General's Cadastral Surveying Guidelines](#) providing requirements for survey plans.

For a brief overview of the Land Division process - please read our [Land Division Fact Sheet](#).

Support Materials for Industry Professionals

The following documents and webinars have been developed to assist Industry Professionals when undertaking a Land Division under the Real Property Act 1886:

- [Division Applications under Part 19AB - Preparation Notes](#)
- [Division Applications under Part 19AB \(Easements\) - Preparation Notes](#)

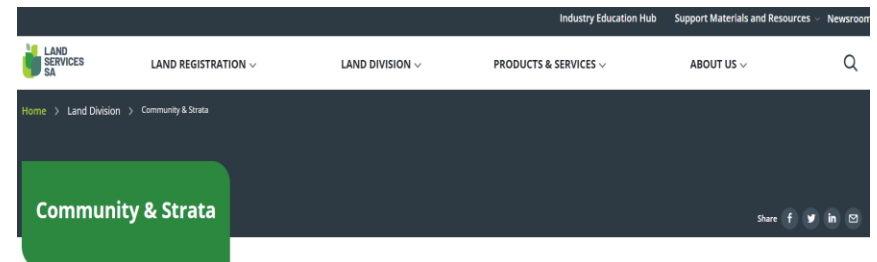
Webinars

Documentation

- [RTU or RTC forms - click here to view the recording \(download the presentation\)](#)
- [Consent forms - click here to view the recording \(download the presentation\)](#)

Plans

- [Textual Sheet: Other Titles Affected - click here to view the recording \(download the presentation\)](#)



Land division is the alteration of the boundaries of land and can be done under Part 19AB of the Real Property Act 1886 or the Community Titles Act 1996. Plans of division relating to the Strata Titles Act 1988 or the Community Titles Act 1996 can be amended.

Land Services SA has developed a [Fact Sheet](#) to explain and simplify the Community Titles Act 1996 for Industry Professionals

Further, the Legal Services Commission have developed two legal guides to help unit owners understand their rights and obligations. You can access these guides on the [Legal Services Commission website](#).

Statutory Instruments

Plans lodged with Land Services SA are required to adhere to strict standards and are examined for compliance.

The Registrar-General's [Plan Presentation Guidelines \(PPG\)](#) describes the requirements for lodging property related plans, with the [Surveyor-General's Cadastral Surveying Guidelines](#) providing requirements for survey plans.

Support Materials for Industry Professionals

The following documents and webinars have been developed to assist Industry Professionals when dealing with land under the Community Titles Act 1996:

- [Community Title Applications - Preparation Notes](#)
- [Community Title Amendment Applications - Preparation Notes](#)

Webinars

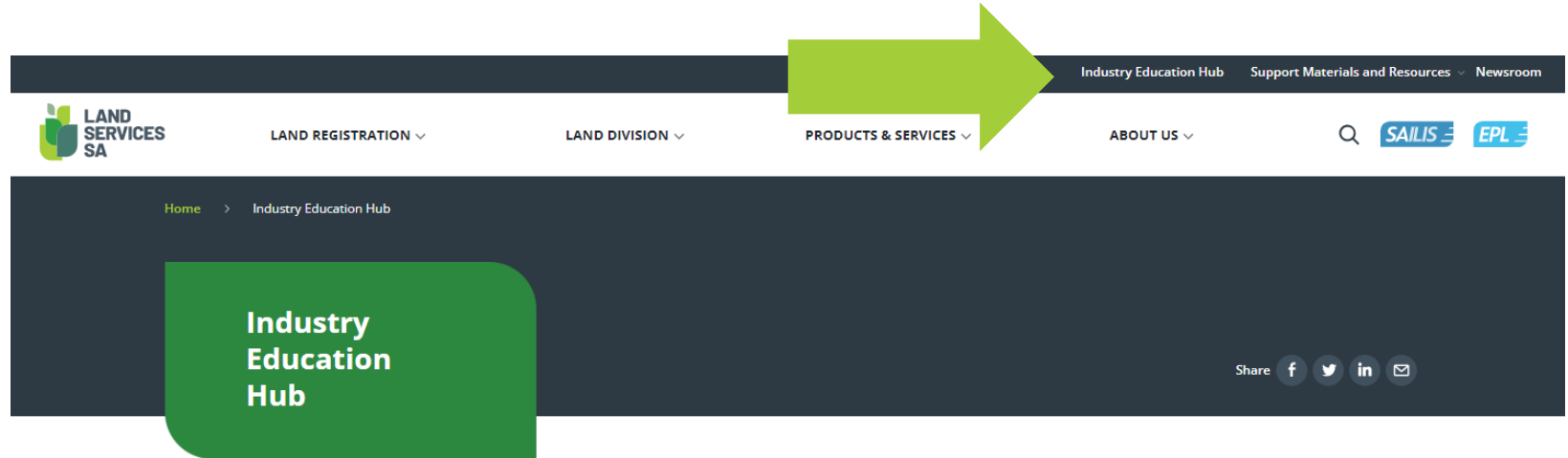
Documentation

- [LF Documents - Click here to view the recording \(download the presentation\)](#)
- [Variation of By-Laws - Click here to view the recording \(download the presentation\)](#)
- [Amendments to Community Plans - Click here to view the recording \(download the presentation\)](#)





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 and survey professionals.

Hot Tip:
Keep updated on
LSSA's webinars and
video's

Industry Education Series	+
eConveyancing	+
Digital Plan Lodgement	+
SAILIS Video Tutorials	+
Land Services SA Fact Sheets	+



Questions

