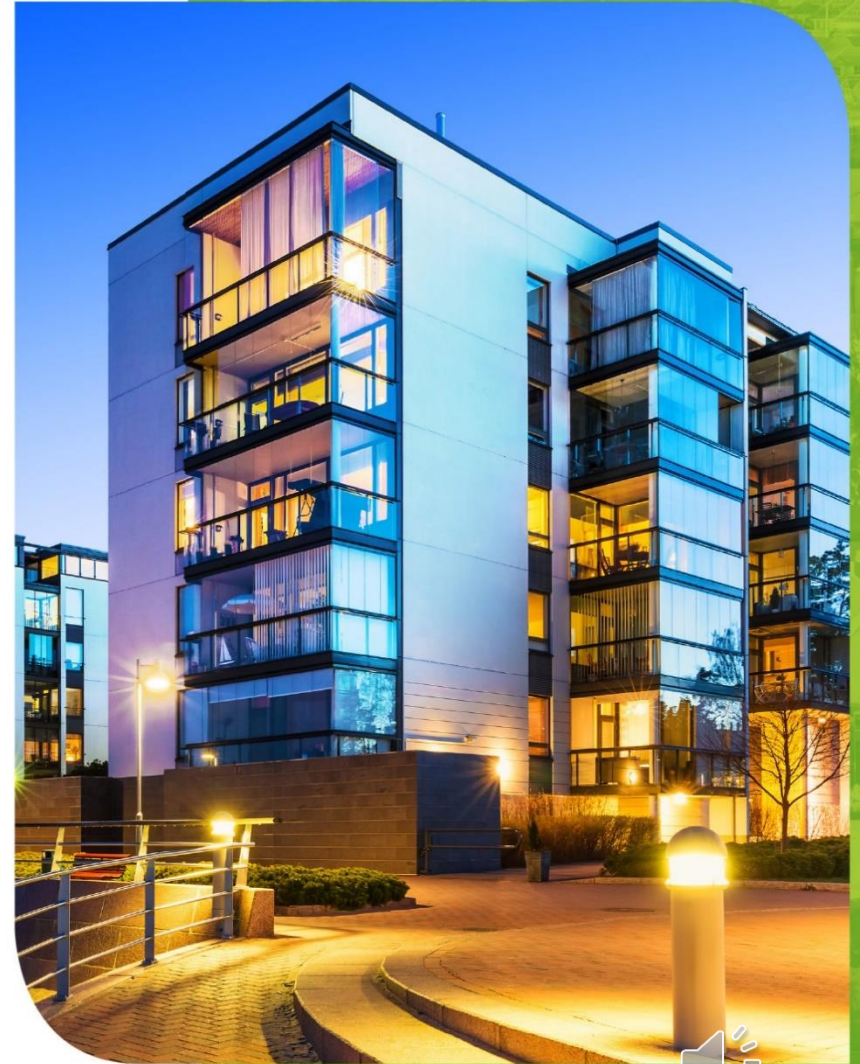




**LAND
SERVICES
SA**

How to Prepare an Application for Community Titles (ACT)



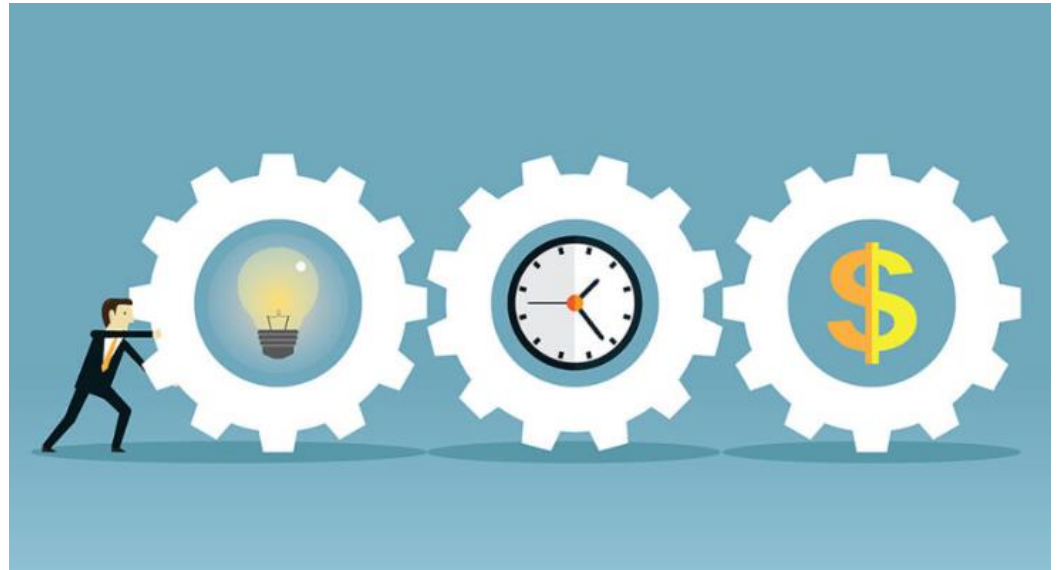


Industry Education Program

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



John Ikonomopoulos is a Property Examiner within Land Services SA. He has over 27 years of experience in numerous areas of Land Information Services and has worked on various projects. Current areas of focus are examining division applications and studying to become a Registered Conveyancer.

Sandy Beaglehole is a Property Examiner within Land Services SA. She has over 40 years of experience in numerous positions within Land Services SA and has spent the last 7 years as a Property Examiner.



Jaymie Heinrich is a Property Examiner within Land Services SA. She has over 20 years of experience in numerous positions within Land Services SA and has and has spent the last 3 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 has spent the last 2 years as a Property Examiner focusing on examination of division documents.



Contents

- ❖ New vs Existing Schemes
- ❖ Tiers/Staging
- ❖ Accompanying LF dealings
- ❖ The Community Corporation
- ❖ Consent Forms
- ❖ Lot Entitlement Sheet





New vs Existing Schemes

APPLICATION FOR DEPOSIT OF A PLAN OF COMMUNITY DIVISION

(Pursuant to Section 14 of the Community Titles Act 1996)

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.

C

Development No::

TYPE OF SCHEME

*Strike through the inapplicable

***NEW / EXISTING**

***PRIMARY / SECONDARY / TERTIARY**

LAND DESCRIPTION





New vs Existing Schemes

Existing Schemes

- An existing scheme is a building unit scheme in existence as at 22 February 1968.
- Two systems of Unit Ownership established: Company Titles and Cross Leases
- A community strata plan is prepared and ACT dealing lodged to convert the Company or Moiety Titles to Community Titles

New Schemes

- All other schemes are new schemes.



For further assistance refer to the **Community Title Applications – Preparation Notes**

<https://www.landservices.com.au/land-division/community-and-strata>





Tiers/Staging

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C Development No::

TYPE OF SCHEME

*Strike through the inapplicable

*NEW / EXISTING

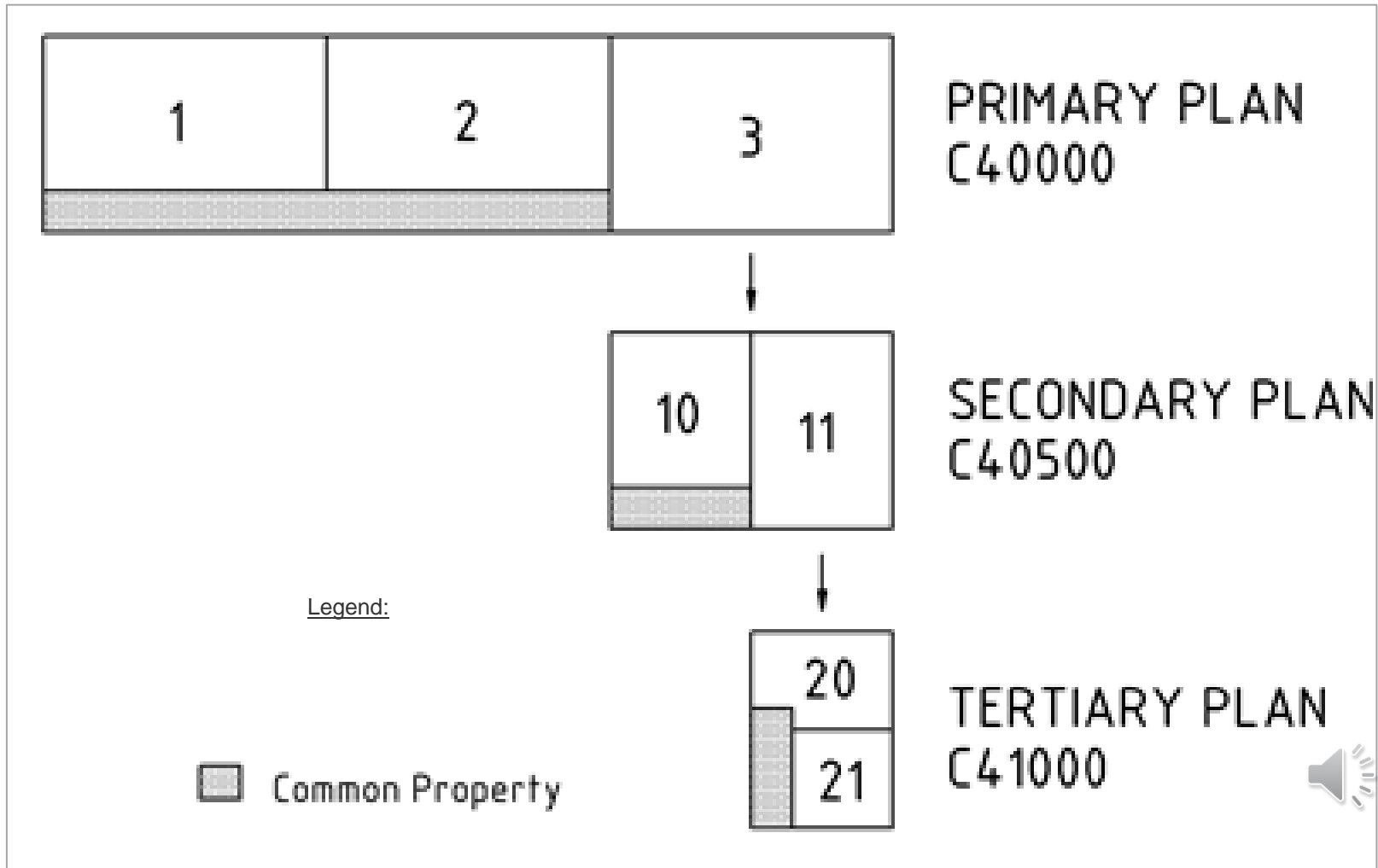
***PRIMARY / SECONDARY / TERTIARY**

LAND DESCRIPTION





Tiers/Staging





Accompanying LF Dealings

To the Registrar-General,

I/We the Applicant(s)

- (1) apply to you to,
 - (a) have the accompanying plan of community division deposited in the Lands Titles Registration Office
 - (b) have the accompanying Schedule of Lot Entitlements annexed to the plan
 - (c) issue certificates of title in accordance with the Schedule of Mode of Issue
- (2) certify that
 - (a) deposit of the plan will affect my/our estate or interest in the said land to the extent indicated in the Details of Transactions panel
 - (b) this division is not prohibited by Section 14 (7) or (8) of the said Act
 - (c) deposit of the said community plan will not contravene the provisions of Sections 15 and 47 of the Act
- (3) request that you file the undermentioned documents with the plan of community division

Scheme Description*
By-laws
Development Contract*

* Strike through if inapplicable

Page ____ of ____





Accompanying LF Dealings

Please ensure you check which LF dealings are required to be lodged with the ACT and strike through the inapplicable within the form.

- Compulsory for all schemes
- Not generic
- Operation rules

By-Laws

Must be lodged when at least one or more of the following occurs:

- Creating more than 6 lots
- A development lot exists
- Lots are predominantly for commercial purposes
- Further development to occur

Scheme Description

Must be lodged when:

- Further development is to occur
- To bind the developer to undertake the further development or to develop a lot in a certain manner

Development Contract



For further information on LF Dealings please refer to the “LF documents – By-Laws-Scheme Description and Development Contracts” Webinar located on our website: <https://www.landservices.com.au>



Community Corporation

ADDRESS OF CORPORATION (as shown on State Commission Assessment Panel Certificate)

Address

- Exactly as per the SCAP certificate
- Postal address for the site

SCHEDULE OF MODE OF ISSUE

Easement(s) / Right(s) of Way as per accompanying plan and other titles affected

| PARCEL IDENTIFIER / CT REFERENCE | FULL NAME, ADDRESS AND MODE OF HOLDING | ESTATES OR INTERESTS |
|----------------------------------|--|----------------------|
| Lots 1 and 2 | FULL NAME, ADDRESS AND MODE OF HOLDING here | ? |
| Common Property | Community Corporation No. 99999 Inc. of 1 Smith Street Adelaide SA 5000 | Nil |

Common Property

- Include only once in the Mode of Issue

Corporation Name and Address

- Name exactly as per how the title will issue
- Address as per Land Division certificate





Consent Forms

CERTIFICATE OF CONSENT FOR THE DEPOSIT OF A PLAN OF COMMUNITY DIVISION

CONSENTING PARTY (Full Name and Address)
Bank Pty Ltd (ACN 111 222 333) of 1 Two Street, Adelaide SA 5000

NATURE OF ESTATE OR INTEREST HELD

As Mortgagee

STATEMENT OF EFFECT ON ESTATES OR INTERESTS OF CONSENTING PARTIES

| ESTATE / INTEREST AFFECTED | EFFECT ON ESTATE OR INTEREST HELD OR CLAIMED | CONSIDERATION / VALUE |
|----------------------------|---|------------------------------|
| M12345678 | *Adjusted to cover the parcels as set out on the accompanying plan / Mode of Issue *Extinguishment*/Variation*/Creation* of easements as set out on the accompanying plan ** NIL | Strike out Insert NIL |

For further information on Consent Forms please refer to the “Consent Forms” Webinar located on our website: <https://www.landservices.com.au>





Lot Entitlement Sheet

| LOT ENTITLEMENT SHEET | | |
|------------------------------|------------------|------------|
| SCHEDULE OF LOT ENTITLEMENTS | | |
| LOT | LOT ENTITLEMENTS | SUBDIVIDED |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| | | |
| AGGREGATE | | |

COMMUNITY PLAN NUMBER

C

SHEET _____ OF _____

ACCEPTED

PRO REGISTRAR-GENERAL

DEV. No. : :

CERTIFICATE OF LAND VALUER

I
being a land valuer within the meaning of the
Land Valuers Act 1994 certify that this
schedule is correct for the purposes of the
Community Titles Act 1996.

Dated the day of 20

.....
Signature of Land Valuer

1. **Do not include:**
 - Development Lots
 - Roads/Reserves
 - Common Property

2. **Certified within 6 months**

3. **Plan Number and Development Number**

4. **Sheet number: 1 of 1**

5. **Check for Lots Comprising Pieces**



For further assistance refer to the LES Guidance Notes
<https://www.landservices.com.au/land-division/fees,-guides-and-forms/forms-and-guidance-notes>.



Common Requisitions

- **Stamp Duty** – All ACT dealings must be assessed for Stamp Duty Purposes and the Stamp Duty ID shown on the outer cover
- **Roads/Reserves** – New Road/Reserve parcels are to be referred to as Allotments and not Lots in the Mode of Issue
- **Fees** - New title fees are not required for the common property, roads or reserves
- **Consent Forms** – Ensure the consent form is executed correctly (see the ‘Consent Form’ webinar for further detail)
- **Change of Name** - If the name of an applicant or consenting party has altered an application amending their name should precede the ACT



For further assistance refer to the ACT Guidance Notes

<https://www.landservices.com.au/land-division/fees,-guides-and-forms/forms-and-guidance-notes>.





Summary of Key Points

Accompanying LF Dealings

Is a Scheme Description or Development Contract required?

Community Corporation

Full Name of the corporation and address as per the Land Division certificate

Tiers/Staging

LF Dealings must be consistent between the Primary/Secondary/Tertiary

Encumbrance/Mortgage

Does not need to be adjusted over the common property

Existing Schemes

Is this an existing Scheme?

Lot Entitlement Sheet

Ensure the dealing is lodged within 6 months of the certification date

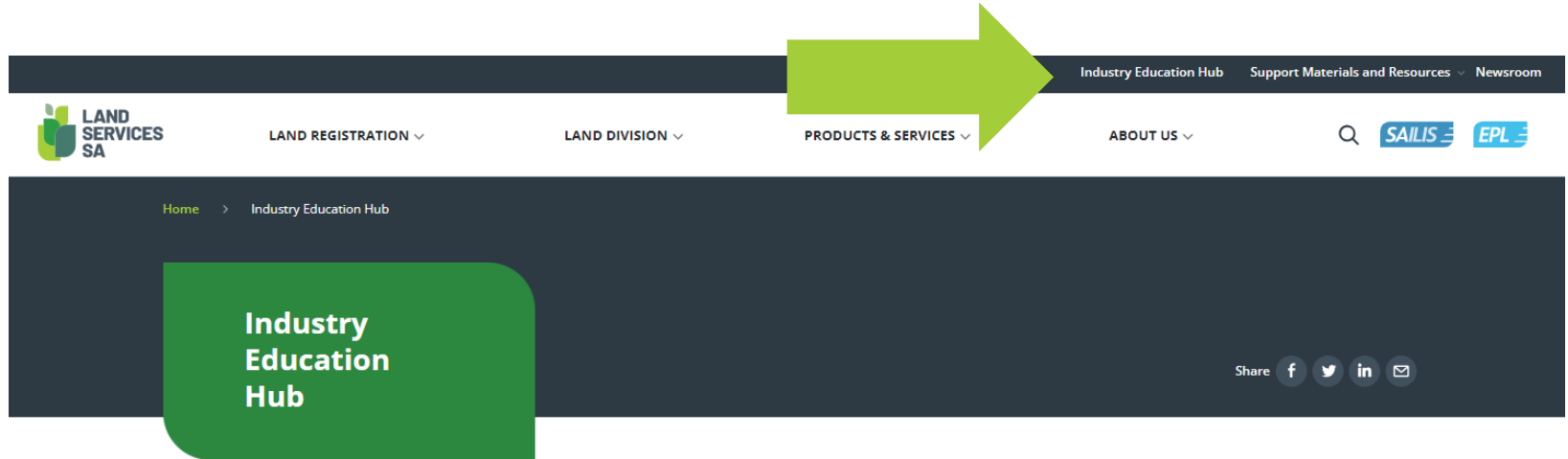


For further information refer to the Community Titles booklet prepared by the legal services commission at the following website: <https://lsc.sa.gov.au/>





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.

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



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

Questions

