

CUSTOMER INFORMATION BULLETIN



DOLA

Department of LAND ADMINISTRATION

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A. IDENTIFICATION OF EARLY ISSUE DEALINGS

Clients are reminded that subdivisional dealings to be processed under the Early Issue of Title Scheme need to be identified with the Green Early Issue Sticker at the time of lodgement. Supplies of stickers are available from the acceptance counter.



An increasing number of clients are omitting to carry out this key requirement often resulting in delays of several days as the dealings, not being clearly identified as Early Issue, do not enter the appropriate stream to receive accelerated progression.

As the effectiveness of the Early Issue Scheme depends largely on identification of the dealings by means of the sticker applied by the client, your cooperation in this regard is essential if we are to optimise our processing time.

B. LODGEMENT OF STRATA PLANS AND APPLICATIONS



Further to Bulletin No. 67

A new accelerated service was introduced by DOLA to reduce Strata Plan Examination and Strata Title issuing time. Simple guidelines were put in place to ensure the new procedure was functional. These guidelines are:

1. Do not settle before Titles are issued
2. No other documents to follow the application [i.e. transfers, mortgages etc.]
3. Submit a request with the Strata Plan when lodged with the Survey Advice Officer

The Land Titles Division is experiencing problems with some dealings lodged resulting in time loss for Customers.

Problems encountered are:

1. Applications and Strata Plans not lodged simultaneously [i.e. same day]
2. Documents lodged which follow the applications [i.e. transfers, mortgages etc.]
3. Request presented in application instead of to the Survey Officer with the strata plan

To ensure applications and strata plans are lodged simultaneously it is not imperative to show the strata plan number in the application, although land description must be correct.

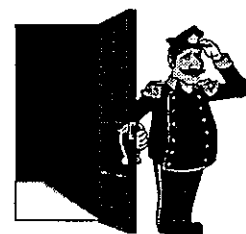
Except for these initial teething problems the new service is running smoothly and titles are issued within the 10 days as targeted.

C. CUSTOMER ADVICE SERVICE

In the interest of equitable and effective use of customer advice, customers are reminded that they should attend to the following before seeking advice on practice and procedure.

Make reference to:

1. Office of Titles Practice Manual [new edition]
2. "Getting It Right" booklet
3. Refer to their licensed principals, practitioner, supervisor or experienced person in their organisation.



Clients please note, after 3 April 1995 only references to the new manual will be considered by Client Advice Officers in satisfying enquiries.

The Document Company Pty Ltd who produce and distribute the Practice Manual, have changed address. An updated order form is supplied herewith for your convenience.

D. ESTATE RESTRICTIVE COVENANTS AND HEIGHT RESTRICTIONS



Clients of DOLA are lodging Estate Restrictive Covenants created by Transfers attempting to impose a height restriction on buildings in an estate by reference to the mean site level.

The reference to "mean site level" in the restrictive covenant is unacceptable. Such a level can be altered substantially by excavation of a lot on the site or by the process of dumping sand on a lot to build up the lot to obtain a better view or to level the lot. Furthermore, the mean site level could be altered by a simple process of erosion over the site. The Register cannot therefore be regarded as an accurate indicator to prospective purchasers of the precise height restriction imposed upon the lot or even upon the site.

Covenants which seek to impose a height restriction must do so by reference to the Australian Height Datum [AHD] and the restriction to be imposed above the AHD for each lot in the sub-division. In this regard, paragraphs 7.50 and 7.190 of the Manual are to apply to estate covenants.

Effective from 23 January 1995 any restrictive covenant, estate or otherwise, with a provision contained in it referring to height levels for the purpose of imposing a height restriction, must refer to the AHD and the height restriction applicable to each lot above that level.

GEOFF SACH
REGISTRAR OF TITLES
DIVISIONAL MANAGER
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