

Circular

Division: Land and Property Information Division
No: 2005/01
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Proposed Land Title Lodgment, Examination and Related Fees, including Water Access Licence Register Fees

The Department of Lands is officially registered in the Australian Business Register and also registered for GST. Its ABN is 21 804 973 362

Land Property Information Division (LPI) plans to introduce a new schedule of fees for land title related products and services from 1 July 2005.

Current lodgment, examination and related fees for 2004-05 are listed on the Lands website at www.lands.nsw.gov.au/FormsAndFees/default.htm.

What fees will change?

Fees will generally increase in line with movements in the Consumer Price Index. A table detailing proposed fees for the main titling related products and services is attached. Key land title fee increases include:

- Dealing lodgment \$77.25
- Plan lodgment \$823.00
- Lots in plans \$82.30
- Document copies \$10.30 (over the counter)
- On-line title searches \$8.25 (via <http://lpi-online.lpi.nsw.gov.au>)

Other proposed changes include:

- an increase in fees relating to the registration of crop and wool liens, stock mortgages, bills of sale, writs, orders and resumptions to bring them into line with fees for other documents registered in the General Register of Deeds such as conveyances and powers of attorney. The fee for all documents registered in the General Register of Deeds will be \$73.25;
- introduction of a postage fee for documents where lodging parties request delivery by mail to a street address (these documents are now delivered by registered mail as a security measure);
- provisions for the lodgment of applications to record appurtenant easements created by a deed in the Register, and also for the cancellation of extinguished easements; and

- separate fees for applications to bring land under the Real Property Act pursuant to section 14 and section 31A to account for the fact that applications under section 31A are generally less complex than those under section 14.

What impact do the fee changes have on Water Access Licence (WAL) dealings and searches?

By agreement with the Department of Infrastructure Planning and Natural Resources (DIPNR), the fee for WAL searches will be the same as the fees applicable for equivalent Torrens title searches. Fees for lodgment of WAL dealings are not equivalent to lodgment fees applicable for dealings lodged under the *Real Property Act 1900*. This is because a Torrens Assurance Fund levy of \$4.00 is included in the fee for each Real Property Act dealing. As indefeasibility of title is not yet offered for water access licences, no levy is applied to WAL dealings. WAL fee increases are summarised below:

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| • WAL dealing lodgment (note exception below) | \$73.25 |
| • Application for replacement WAL Certificate | \$146.50 |
| • WAL searches (Over the counter delivery) | \$10.30 |
| • WAL searches (via http://lpi-online.lpi.nsw.gov.au) | \$8.25 |
| • WAL owner name search (Over the counter delivery) | \$2.10 |

Please note that the above fees relate only to transactions on the WAL Register. Licensing and other fees are applied by DIPNR.

When will the new fees take effect?

The new fees are expected to apply from 1 July 2005. Regulations relating to the new fees are likely to be gazetted in June 2005.

Fees as at 1 July 2004 will continue to be applied to services eg dealings, plans and search requisitions lodged before 1 July 2005 but not finalised until after 1 July 2005. New 2005-06 copy tickets will be available for purchase from the LPI cashiers desk on the Ground Floor at LPI's Queens Square Sydney office from Monday 20 June 2005. Unused old tickets may be exchanged for new tickets at the cashiers' desk from 1 July 2005.

Payment of fees by cheque

Customers are reminded that a charge of \$44.00 (including GST) is payable by the lodging party in any instance where a cheque made out to Lands is dishonoured on presentation to the relevant bank.

Where can I get more information?

LPI will issue another circular to confirm details of the new fees as soon as the regulations have been gazetted.

Inquiries relating to dealings and land information products and services may be made in person at the Client Service Counter, ground floor, Department of Lands, Queens Square, Sydney, by telephone T: 02 9228 6713 or F: 02 9223 9464 or through our website to <http://www.lands.nsw.gov.au/LPIenquiry.htm>.

Inquiries relating to plans should be made at the Plan Support Counter, level 2, Department of Lands, Queens Square, Sydney T: 02 9228 6798 or F: 02 9221 4405 or through our website to <http://www.lands.nsw.gov.au/LPIenquiry.htm>.

Des Mooney
Deputy Director General, Department of Lands and
General Manager, Land and Property Information

LPI Product/Service	Fee (\$)
Registration Services (Dealings and related documents)	
Amendment of a folio of the Register, Crown Grant or Certificate of Title (minimum)	77.25
Application, dealing or request for which no fee is otherwise provided	77.25
Application, dealing, request or caveat referring to more than 20 folios of the Register, for each group of 20 folios or part thereof	77.25
Applications, Dealings, Requests and Caveats – lodgment	
Application, request or dealing that results in more than one recording on a folio of the Register, for each additional recording	77.25
Appurtenant easement created by a deed, Application to record in the Register, and in addition:	77.25
<ul style="list-style-type: none"> For each quarter hour or part of a quarter hour occupied in examining the application 	51.50
Cancel recording of writ, Application to	77.25
Cancellation of an abandoned or extinguished easement, Application for, and in addition:	77.25
<ul style="list-style-type: none"> For each quarter hour or part of a quarter hour occupied in examining the application 	51.50
Caveat	77.25
Change of name (Real Property Act)	77.25
Change of name or address for service of notice on caveator	77.25
Charge	77.25
Crown Holding - application for recording (s13D and s13K Real Property Act 1900)	77.25
Determination of lease (no fee payable for determination by expiry concurrently with registration of any other dealing)	77.25
Determination of title boundary (Part 14A Real Property Act)	77.25
Discharge of Mortgage or Charge	77.25
Extinguishment of Restrictive Covenant, Application for, and in addition:	77.25
<ul style="list-style-type: none"> For each quarter hour or part of a quarter hour occupied in examining the application Such fee as the Registrar General shall decide, having regard to costs of service of notice 	51.50
Foreclosure, and in addition:	77.25
<ul style="list-style-type: none"> such fee as the Registrar General shall decide, having regard to advertising costs 	
Lease	77.25
Memorandum	77.25
Mortgage	77.25
Notice of Death (s101 Real Property Act 1900)	77.25
Order of Court (including extension of a caveat)	77.25
Order terminating a neighbourhood scheme (s 72 Community Land Development Act 1989), Application for, and in addition:	77.25
<ul style="list-style-type: none"> for each quarter hour or part of a quarter hour occupied in examining the application 	51.50
Plan, sketch or diagram accompanying a dealing, application, request or instrument	77.25
Possessory title, Application for (s45D Real Property Act 1900) and in addition:	77.25
<ul style="list-style-type: none"> for each quarter hour or part of a quarter hour occupied in examining the application 	51.50

LPI Product/Service	Fee (\$)
Postponement of Mortgage	77.25
Preparation of lapsing notice (s74I or 74J Real Property Act 1900)	77.25
Replacement of lost, mislaid or destroyed certificate of title	154.50
Transfer	77.25
Transfer including Covenant (minimum)	154.50
Transfer including Easement (minimum)	154.50
Transmission Application	77.25
Variation of Mortgage or Lease	77.25
Withdrawal of Caveat	77.25
Writ	77.25
Primary Application under section 14 of the Real Property Act, and in addition,	618.00
<ul style="list-style-type: none"> for each quarter hour or part of a quarter hour after the first three hours occupied in the examination of the application 	51.50
Primary Application under section 31A of the Real Property Act, and in addition,	206.00
<ul style="list-style-type: none"> for each quarter hour or part of a quarter hour after the first hour occupied in the examination of the application 	51.50
Production of a document for the purpose of any application, request, dealing or plan to be subsequently lodged	*36.00
Sealing of an instrument not prepared on an approved form	77.25
Registration Services (Plans and related documents)	
Amendment of a plan (minimum)	77.25
Building Management Statement	154.50
By-laws accompanying a plan	154.50
Change of address of an Owners Corporation	77.25
Change of by-laws	77.25
Community land development contract	154.50
Community land management statement	154.50
Deposited plan, strata plan or community land plan, lodgment of, and in addition,	823.00
<ul style="list-style-type: none"> for each lot 	82.30
<ul style="list-style-type: none"> for preparation and supply of a Certificate of Title for common property in a strata scheme 	82.30
<ul style="list-style-type: none"> for each quarter hour or part of a quarter hour after the first four hours occupied in the examination of the plan 	51.50
Notice of conversion of a strata scheme	77.25
Order terminating a strata scheme, Application for, and in addition:	77.25
<ul style="list-style-type: none"> for each quarter hour or part of a quarter hour occupied in the examination of the application 	51.50
Order of Strata Titles Board	77.25
Plan of consolidation - for each title consolidated	15.45
Pre-Examination of a plan prior to lodgment, and, in addition:	*905.30
<ul style="list-style-type: none"> for each quarter hour or part of a quarter hour after first four hours occupied in the examination of the plan 	*56.65
Production of a document for the purpose of any application, request, dealing or plan to be subsequently lodged	*36.00
Recording a plan prepared solely for the purpose of placing survey information on public record	77.25
Re-examination of a plan if survey information has been added to an original compiled plan as a result of requisition	77.25
Section 88B Instrument (Conveyancing Act 1919) - for each easement etc created or released	77.25

LPI Product/Service	Fee (\$)
Strata development contract	154.50
Strata management statement	154.50
Substitute plan or any sheet thereof or additional sheet	77.25
Registration Services (General Register of Deeds)	
Bill of sale - lodgment for filing, recording, registration or entry	73.25
Crop or wool lien, or stock mortgage or any other instrument relating thereto - registration	73.25
Deed - recording or registering any instrument not otherwise provided for in the General Register of Deeds	73.25
Power of attorney	73.25
Preparation of registration copy of an instrument (minimum)	10.30
Writ, Order or Legal Proceeding - registration or renewal or vacation of registration	73.25
Land Information Products and Services	
Archive retrieval	*22.65
Certified copy (minimum)	77.25
Copies of Documents (Lands Online delivery – includes title searches and images of dealings and plans) Note: Street address, prior title, and lots created searches are available free of charge	*8.25
Copies of Documents (Over the Counter delivery - includes title searches, images of dealings and plans and other documents, first twenty pages thereof) (minimum) Note: Street address, prior title, and lots created searches are available free of charge	10.30
Copy of an Official Search	77.25
Copy of any plan stored in the Plan Room at LPI Queens Square Sydney	20.60
Deposited deeds, inspection of	*22.65
Deposited deeds, permanent lodgment or return of up to four deeds, and in addition: • for each additional deed	*22.65 *3.40
Initial search of the Register (including a copy of relevant folio and transmission fee) and in addition: • for each quarter hour or part of a quarter hour after the first quarter hour occupied in the search • for any additional document	*56.65 *56.65 10.30
Official Search, Requisition for, and in addition: • for each quarter hour or part of a quarter hour after the first hour occupied in the search	206.00 51.50
Owner name search (Over the Counter delivery)	2.10
Property Information Inquiry Service (PIIS) Inquiry - service fee	*30.80
Search, or continuation of a search of the General Register of Deeds, Requisition for, and in addition: • for each quarter hour or part of a quarter hour after the first half hour occupied in the search	*56.65 *56.65
Subpoena, lodgment of, and in addition: • for each certified document requested	77.25 10.30
Supply of a copy of a specified document by post or facsimile, including transmission fee	*22.65
Writs, Orders or Legal Proceedings, search against each name	10.30

Fees marked * include Goods & Services Tax (GST)