

Guide

to subdivide or consolidate land

May 2014

This guide sets out the requirements for lodging a plan of subdivision under the *Subdivision Act 1988*.

Documents required by Land Victoria

1. Subdivision or Consolidation - SA 22 form

The Subdivision or Consolidation (SA22 form) must be fully completed and is available on the [Forms, guides and fees](http://www.dtpli.vic.gov.au/property>Land titles>Forms, guides and fees) page at www.dtpli.vic.gov.au/property>Land titles>Forms, guides and fees.

2. Certificate(s) of Title

Certificate(s) of Title must be supplied. It/they will be:

- in possession of the lodging party; or
- held by a financial institution, legal practitioner or other party who must provide Land Victoria with the Certificate(s) of Title to enable the transaction to be lodged.

(In most cases, the party providing the Certificate(s) of Title will charge a fee.)

3. Consents

Registered interests on the affected title(s) must consent to the registration of the plan. Consents must accompany the Subdivision or Consolidation (SA22 form).

For further information refer to consents for subdivision act plans available at www.dtpli.vic.gov.au/property>Land Titles>Plans of subdivision & consolidation.

4. Certified plan

The plan must be prepared, signed and dated by a licensed surveyor and certified by council. Each sheet of the plan must be signed by both council and the licensed surveyor.

5. Statement of Compliance

Plans cannot be lodged at Land Victoria without including a Statement of Compliance. A Statement of Compliance is council evidence showing all council requirements have been satisfied. A Statement of Compliance must either be included in the council certification on the plan or supplied separately.

6. Surveyor's Report

All plans, including non-survey plans, require a Surveyor's Report.

7. Abstract of Field Records

All plans based on survey require an Abstract of Field Records. When the field records are based on a survey in another registered dealing, the surveyor must make reference to that dealing in the Surveyor's Report.

8. Street addressing

When the plan is lodged electronically through SPEAR (Surveying and Planning through Electronic Applications and Referrals), the street addressing information is automatically delivered to Land Victoria.

If the plan is not a SPEAR plan, then the lodging party must ensure that the Street Addressing Information form (SR11) is completed by council and delivered to Land Victoria in order for the plan to be accepted at lodgement. This can be confirmed by contacting council or the surveyor.

9. Subdivision Act Plan Lodgement Checklist

A Subdivision Act Plan Lodgement Checklist must be completed and presented at lodgement. The checklist is available on the [Forms, guides and fees](http://www.dtpli.vic.gov.au/property>Land titles>Forms, guides and fees) page at www.dtpli.vic.gov.au/property>Land titles>Forms, guides and fees.

10. Owners corporations

Plans creating owners corporation(s) must be lodged with:

- an Unlimited Owners Corporation Information OC1 form for each unlimited owners corporation
- a Limited Owners Corporation Information OC2 form for each limited owners corporation
- an Owners Corporation Lodgement Checklist for each owners corporation created.

The forms and checklist are available on the [Forms, guides and fees](http://www.dtpli.vic.gov.au/property>Land titles>Forms, guides and fees) page at www.dtpli.vic.gov.au/property>Land titles>Forms, guides and fees.

For SPEAR plan lodgements

The SA22 form, consents, the Subdivision Act Plan Lodgement Checklist, any relevant owners corporation documentation and the Certificate(s) of Title should be lodged with Land Victoria once the items under points 4 to 8 (above) have been submitted electronically through SPEAR.

Fees

Land Victoria fees are payable at lodgement.

Acceptable payment methods and lodgement fees are available on the [Forms, guides and fees](http://www.dtpli.vic.gov.au/property>Land titles>Forms, guides and fees) page at www.dtpli.vic.gov.au/property>Land titles>Forms, guides and fees. Note, additional fees are payable if:

- the application is lodged by post
- a Certificate of Title is provided by another party.

Before lodging at Land Victoria

Prior to lodgement, the lodging party must be in possession of the Certificate(s) of Title or ensure that the Certificate(s) of Title has/have been provided to Land Victoria through the nomination process.

To ascertain whether or not the Certificate(s) of Title has/have been nominated, a single Made Available Alert or one or more Pre-Lodgement Checks can be made through LANDATA®.

Subscribing to the Made Available Alert results in customers being notified by email when a Certificate of Title has been nominated at Land Victoria.

A Pre-Lodgement Check is made prior to lodgement to confirm that Certificate(s) of Title has/have been nominated, to inform of the existence of a prior dealing affecting that title or to provide details of the controlling party of Certificate(s) of Title.

A Made Available Alert or Pre-Lodgement Check(s) product can be obtained through:

- Document Tracking in [LANDATA®](http://www.landata.vic.gov.au) at www.landata.vic.gov.au
- a [title information broker](http://www.dtpli.vic.gov.au/property>Property information) found at [www.dtpli.vic.gov.au/property> Property information](http://www.dtpli.vic.gov.au/property>Property information) > [Buying and selling property](http://www.dtpli.vic.gov.au/property>Buying and selling property) > [Brokers and data service providers](http://www.dtpli.vic.gov.au/property>Brokers and data service providers).

Not in common ownership (NICO) subdivision

A plan of subdivision can be lodged for two or more parcels of land, each owned by different parties.

This may result in title(s) that are not in common ownership (NICO).

For further information refer to What is NICO? available at www.dtpli.vic.gov.au/property>Land Titles>Plans of subdivision & consolidation.

How to complete the SA22 form

This form should be completed online and then printed for lodgement.

If the form is being completed manually rather than online:

- the writing must be clear and legible, and in BLOCK LETTERS
- only use black or blue pen
- correction fluid MUST NOT be used
- the back of the form MUST NOT be used.

If there is insufficient space in any panel an Annexure Page (A1) must be used, which is available on the [Forms, guides and fees](http://www.dtpli.vic.gov.au/property>Land titles>Forms, guides and fees) page at www.dtpli.vic.gov.au/property>Land titles>Forms, guides and fees.

The points below assist in successfully completing the SA 22 form.

1. Lodged by

This section is to be completed by the party lodging the application at Land Victoria.

Please insert the following:

- name, telephone number and postal address for contact details or for the return of any documents
- customer reference and your Land Victoria customer code (if applicable).

2. Land

Insert Volume and Folio number(s) of affected title(s), e.g. Vol 12345 Fol 125.

Multiple titles, numbered consecutively, may be inserted as a single range entry, e.g. Vol 12345 Fol 125-132.

3. Applicant

Insert the full name(s) and current street address(es) of the applicant(s).

Please note that a 'care of' or 'post office box' is not an acceptable address.

4. Plan number, stage number and SPEAR number

Insert number of the plan of subdivision to be registered. For a stage plan, insert the stage plan number, e.g. PS601542A/S2.

If the plan is a SPEAR plan, the SPEAR reference number must be inserted, e.g. S000083E.

5. Council in which land is located

Insert the name of council that has certified the plan.

6. Date

Insert the date the form is signed by the applicant, e.g. DD/MM/YYYY.

7. Signature of applicant

The form must be signed by the applicant(s), a legal practitioner, a licensed conveyancer or an agent of the applicant.

Signature requirements are:

- applicant signs – no witness required
- signature of an Australian legal practitioner (under the *Legal Profession Act 2004* for the applicant) – full name and address must be given
- signature of a licensed conveyancer (under the *Conveyancers Act 2006* for the applicant) who must state he/she is a licensed conveyancer
- signature of an agent – letter of agency must be supplied.

Lodging at Land Victoria

For location and contact details, refer to
www.dtpli.vic.gov.au/property>Contact us

Authorised by the Victorian State Government

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