



NOTICE TO SURVEYORS T1/2010

REQUESTS TO EXPEDITE THE PROCESSING OF PLANS AND DOCUMENTS

Extract from Customer Information Bulletin 196

Landgate has had a longstanding policy where customers or their representatives could request that a plan and/or document (outside of Landgate's existing Fast Track process) be expedited provided the request was supported by evidence of:

- a pending settlement (eg: a signed offer and acceptance); or
- a written submission clearly identifying the circumstances for the request (eg: financial hardship).

A review of the existing policy was undertaken to clarify the circumstances in which consideration will be given to the expedition of the processing of documents and plans as well as the supporting evidence required. The outcome of this review is the

"Requests To Expedite The Processing Of Plans And Documents Policy".

This new policy replaces all existing policies and is designed to provide fairness and equity to all parties while enabling decisions relating to the expedition of plans and documents to be made in an accountable and transparent manner. It is also important that all associated decisions are properly documented and regularly audited.

The new policy specifies the following:

1. All requests for priority must be made in writing (including fax and email) addressed to the Registrar of Titles.
2. Priority for the processing of documents or plans may be approved by the Registrar or a delegated officer of the Registrar in circumstances where:
 - The written consent of all parties that have a direct interest in the dealing is obtained, and
 - It is demonstrated that:
 - a) a party to the dealing will experience financial hardship if the documents or plans are dealt with in Landgate's standard turnaround times;Or
 - b) the contract/s specify a definitive date for settlement.
3. For all requests to expedite documents or plans the following evidence requirements apply:
 - a detailed written explanation as to the circumstances of the matter; and
 - a signed letter of consent from each party that has a direct interest in the dealing.

The following additional evidence is also required dependent upon the basis for the request:

(a) Financial Hardship

- any evidence that may substantiate a claim of financial hardship including such items as copies of correspondence from financial institutions (which may take the form of an original, photo or faxed copy of a letter on the financial institutions letter head); and / or
- an original statutory declaration from the person making the request (a photo or faxed copy of a statutory declaration will be accepted with the request to expedite the processing of plans and documents but the original signed declaration must be forwarded to Landgate within 2 working days). Any statutory declaration made must clearly set out the reasons for and the details of the financial hardship.

(b) Definitive Settlement Date

- a certified copy of the “offer and acceptance” clearly showing the definitive settlement date, this can include a copy of the signed application for the issue of new titles in relation to a plan (the offer and acceptance can be certified by a person eligible to witness a statutory declaration in Western Australia).

4. The evidence provided for expediting a plan will also be sufficient evidence to give priority to the issue of new titles.

STANDARD AUDIT PROCEDURE FOR PLANS

Following plan lodgement, Deposited Plans and Strata/Survey- Strata Plans are audited in the following order:

- i. Where Department of Planning requires the certified correct plan be forwarded to the WAPC **prior** to the expiry date of the preliminary planning approval.
- ii. Plans lodged with release letters (including Lot Sync process – see Notice to Surveyors T2/2010), dealt with in lodgement date order.
- iii. “Lot Sync process” plans with lodged applications for new titles, dealt with in plan lodgement date order.
- iv. All other plans dealt with in lodgement date order.

The “Requests to Expedite the Processing of Plans and Documents Policy” will be applied for any request to expedite the auditing of Deposited Plans and Strata/Survey-Strata Plans.

Please consider this Notice as an addendum to Chapter 18 of the Survey and Plan Practice Manual and Chapter 13 of the Strata Titles Manual; it will be inserted at the July 2010 update.

All queries in relation to the new “Requests To Expedite The Processing Of Plans And Documents Policy” should be directed to **Landgate’s Advice Line on 9273 7044**.



BRUCE ROBERTS
REGISTRAR OF TITLES

8 April 2010