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PROPERTY  
DEVELOPMENT  
CONSULTANTS

# Land Divisions Guide From Concept to New Titles

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Our land division design and project management is comprehensive - from the design concept to the issue of new titles.

We investigate the feasibility of your project, advise you about alternative development types such as Torrens and Community titles, provide an estimate of associated costs, and create a suitable land division design.

As your project manager we will:

1. Negotiate your development through the planning systems at Council;
2. Prepare all necessary plans including the proposal, final survey and identification plans;
3. Coordinate surveyors, conveyancers and other professionals;
4. Arrange final clearances with the relevant authorities; and
5. Attend the Lands Titles Office lodgement to finalise your land division.

We keep you informed, and ensure your development application progresses through the government systems in a timely manner. Our consultants are always available to explain the process, and we have put together this land division guide to help clarify the steps involved.

## 1. Research and brainstorm your project – the “Concept”.

To have a complete overview of your project we search government records to determine the zoning regulations, available services and other details relevant to developing your land. This means we will need to identify your land – in most cases an address or certificate of title reference will be sufficient.

This investigation is important for anticipating and avoiding unforeseen difficulties which may be particular to your project. It allows our consultant to advise on the speculated timings for your project and it ensures we provide you with the most accurate estimate possible, including all the government fees so you know what to expect.

We will advise whether your project is suited to Torrens and/or Community titles. In some instances it may be relevant for you to seek the advice of a registered valuer or real estate agent to compare the profitability of these options.

Whether your project is large or small, we can design a layout which is efficient and innovative, and produces the maximum allotment yield. This allows you to make an informed decision about the most appropriate number of allotments, allotment sizes, and staging of the development for an optimum marketing strategy.

## 2. Prepare and Lodge proposal plans

Now that we have finalised your ‘concept’, our consultant prepares your land division proposal plan. The proposal plan shows how the land is being divided and by which development type ie Torrens or Community title.

To prepare the land division proposal plan we complete a 'survey search'. This search compiles all the ownership and boundary information held by the Lands Titles Office relevant to your land. Later in the process this information is used by the surveyor to identify your boundaries on site.

Sometimes preliminary field work may be required for preparing the proposal plan. For example, where a house is going to remain, it may need to be shown on the proposal plan to demonstrate to Council how relevant private open space and on-site parking can be achieved.

The proposal plan and application are lodged electronically with the Development Assessment Commission (DAC) via their 'Electronic Land Division Lodgement Site' (EDALA). We are registered agents with the DAC, and EDALA and our own electronic systems allow us to monitor the progress of your application.

### **3. Assessment of your application by relevant authorities**

The DAC's role is to notify and distribute your application to Council, SA Water and any other relevant government agencies such as the Highways Department, Environment Protection Authority or Health Commission.

In most instances the Council is the relevant planning authority, and has 3 months from the date of EDALA lodgement in which to assess your application. We will contact Council before this time to ensure that your application is progressing.

SA Water will advise us about the availability of water and sewer services and outline the costs for your new connections.

Where other agencies have an input, their conditions may need to be considered.

### **4. Land Division Approval and dealing with the conditions**

Once the Council has issued a "Planning Decision Notification" we will ring you with the good news, and discuss the conditions with you. In the occasional case where an application is refused, we will discuss your options for an appeal.

For the land division to progress, you will need to comply with the conditions which most commonly include:

#### *Demolition*

If demolition is a condition, you will need to engage a demolition contractor. Once the site is clear, we will notify Council so they can inspect.

#### *Surveying*

We will arrange for a surveyor to attend the site to locate and identify your boundaries. Where issues such as encroachments are revealed we will discuss ways to address these.

#### *Fee Payment*

We will advise you of the relevant costs for the SA Water Corporation's new services, the DAC Open Space contribution, and any other relevant fees.

## 5. Preparing Final Plans

After your land has been surveyed, we will prepare the final plan for the Lands Titles Office lodgement. This plan shows the new boundaries and any relevant easements, and is the authority for the title data. We also prepare an identification survey plan which specifies how the boundaries have been marked/pegged, and can be used by your builder or fencing contractor.

## 6. Request for Land Division 'Certificate of Approval'

When all planning conditions have been met and all fees paid, we will upload your final plan through EDALA requesting a final Certificate of Approval (CoA) from the DAC.

Once we receive the CoA, we will lodge your final plan at the Lands Titles Office.

## 7. Lands Titles Office Lodgement and the issue of "New Titles"

When we lodge your final plan with the Lands Titles Office, they will attribute the plan with a unique number. The plan requires documents and duplicate titles in order to be examined, approved, "deposited" and for new titles to issue.

Where certified documents are required, we will notify your conveyancer of the relevant final plan number. Certified documents can include community title applications, transfers and private rights.

Where documents do not require certification, we can arrange consents and organise duplicate title production.

Once the Lands Titles Office has completed the examination of the plan and documents, it will "deposit" the plan and issue an advisory notice. We will forward this notice to you and your conveyancer, so that they may arrange settlements if required. New titles will issue shortly afterwards.

*EACH PROJECT IS UNIQUE, AND THIS IS A GENERAL GUIDE ONLY. PLEASE CONTACT US TO DISCUSS THE SPECIFICS OF YOUR PROJECT.*

### Glossary:

LTO	<i>Lands Title Office</i>
Plan "Deposit"	<i>The formal acceptance of the final plan by the Lands Titles Office. The plan deposit initiates the issue of new Titles.</i>
DAC	<i>Development Assessment Commission</i>
EDALA	<i>Electronic Land Division Lodgement Site</i>