

Title Registration Services Customer Information Bulletin

Edition 97 January 2007

SPEAR Streamlined Planning through Electronic Applications and Referrals

This edition of the Customer Information Bulletin provides information on the SPEAR system, and the requirements for lodging a SPEAR plan for registration.

It is an update of Customer Information Bulletin number 88 issued in September 2004.

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Background to SPEAR



SPEAR covers the approval process for a number of Subdivision Act plans and includes the application for a planning permit, council certification and lodgement in Land Registry.

SPEAR allows applications to be electronically submitted to council, referred electronically for comment and tracked online from the initial planning stage through to lodgement and registration of the plan at Land Registry.

SPEAR is an Internet system that enables a subdivision application to be lodged, managed, referred and tracked online. The system was developed by Land Victoria as part of its Land Exchange program.

SPEAR is comparable to an electronic mail box that stores data and allows subscribers to access this data. Its aim is to reduce the delays, duplication of data, double handling of documents and high administrative overheads that are characteristic of the current manual, paper-based development approval process.

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Changes to registration processes in Land Registry

1 Lodgement of SPEAR Plans

The lodgement of SPEAR plans in Land Registry is similar to the paper process except that some of the documents provided in paper form are supplied electronically through SPEAR.

Lodgement still occurs on Level 9, 570 Bourke Street, Melbourne and the Subdivision Act Plan Lodgement Checklist must still be completed.

When a SPEAR plan is lodged, the plan acceptance officer will access SPEAR and confirm that the plan has been certified by council and has been released by the surveyor.

The appropriate form from the Subdivision (Procedures) Regulations 2000 must be supplied by the lodging party and must contain the SPEAR reference number. Relevant consents to the registration of the plan must be provided. Additional Body Corporate Rules for a SPEAR plan must also be supplied with the appropriate notations made on the SPEAR plan.

The fees for lodging a SPEAR plan are the same as those for lodging a non-SPEAR plan.

2 Statement of Compliance

For SPEAR plans, a Form 24 or Form 25 (Subdivision (Procedures) Regulations 2000) Statement of Compliance will not be provided to Land Registry in paper form but will be available from SPEAR.

3 Letter of Authorisation

A Letter of Authorisation from the lodging party must be provided so the plan can be registered.

This is only applicable where the council has issued a Form 24 or 25 Statement of Compliance.

The Letter of Authorisation is required to preserve the existing control the lodging party has over the registration of the plan (as with the supply of paper Statements of Compliance).

The lodging party and surveyor need to maintain open communication about the release of the Statement of Compliance.

The Letter of Authorisation should be addressed to the Registrar and include the plan number, stage number (if applicable) and SPEAR reference number. The letter should advise that:

- a Statement of Compliance has been issued by the council and is available on SPEAR
- the plan can proceed to registration.

The Letter of Authorisation must be signed by the lodging party.

4 Re-certified plans

Re-certified plans will not be returned to Land Registry in paper form but will be provided through SPEAR.

To enable the registration process to resume for a re-certified SPEAR plan, a Letter of Authorisation from the lodging party, addressed to the Registrar, must be provided.

The Letter of Authorisation preserves the existing control that the lodging party has over the registration of the re-certified plan and mirrors the handing over to Land Registry of paper non-SPEAR re-certified plans.

The Letter of Authorisation should be addressed to the Registrar and include the plan number and stage number (if applicable) and SPEAR reference number. The letter should advise that:

- a re-certified plan is available on SPEAR
- the plan can proceed to registration.

The Letter of Authorisation must be signed by the lodging party.

5 Unregistered SPEAR plans

SPEAR plans will be electronically uploaded to the Land Registry imaging system after lodgement and will be watermarked (as shown below) as an unregistered plan to enable online searching of the plan from lodgement.

Watermark:

WARNING: PLAN AND SURVEY DOCUMENTS NOT REGISTERED.

The watermark will be located on the right hand side of the printed document. When the plan is registered the watermark is removed.

What plans can be processed in SPEAR

The following Subdivision Act plan types may be submitted through SPEAR:

- Section 22: plans of Subdivision and Consolidation, including Staged Plans
- Section 32 plans
- Section 23 plans
- Section 24A plans
- Section 35 plans.

Differences between SPEAR and non-SPEAR documents

Documents provided through SPEAR

The following documents will be provided through SPEAR:

- plan
- Council Certification and Endorsement document
- Statement of Compliance
- Planning Permit
- Abstract of Field Records (optional)
- Surveyors Report (optional).

1 The plan

The major differences compared with a paper plan are:

- the Council Certification and Endorsement panel and Council Delegate signature panel will have a line placed through them. SPEAR plans are digitally signed by council delegates
- the statement "This is a SPEAR plan" will be shown in the notations panel
- the Surveyor's signature panel on the first page of the plan will state "Digitally signed"
- there will be no surveyor's signature or surveyor's signing date on the plan as the surveyor has digitally signed the plan in SPEAR
- the page numbering will accord with the Subdivision (Procedures) Regulations 2000. The first page will be numbered as "Sheet 1 of [total number of sheets] sheets". The second and subsequent sheets will be numbered consecutively with no reference to the total number of sheets.

2 Council Certification and Endorsement

The Council Certification and Endorsement document replaces the Council Certification and Endorsement panel that is shown on paper plans. The council delegate certifies the plan by completing this document in SPEAR and digitally signing it.

The completed Council Certification and Endorsement document that is provided to Land Registry through SPEAR shows only the information selected by the council delegate at the time of certification.

The Council Certification and Endorsement document will be imaged by Land Registry as the last page of the plan but will not have a page number in the plan numbering sequence.

3 Statement of Compliance (Form 24 or Form 25)

Councils prepare the Statement of Compliance electronically in SPEAR. The statement is then available through SPEAR. You should note:

- there is no handwritten signature because the council delegate digitally signs the Statement of Compliance in SPEAR
- the statement "Digitally signed by (name of council delegate) on (date)" replaces the handwritten signature. The name of the signing council delegate will be typed
- the date on the Statement of Compliance will be the date it was digitally signed by the council delegate
- reference to the Surveyor's Plan Version is shown
- the following statement has been added to the Form 24 and 25 to accord with the Subdivision (Procedures) Regulations 2000:
"In the case of a plan in a form other than paper, you should now make available this statement to the Office of Titles. If you have not yet lodged the certified plan then this statement should be made available with that plan".

4 Surveyor's Report

The differences between a Surveyor's Report provided through SPEAR and a non-SPEAR paper Surveyor's Report are:

- there will be no surveyor's signature shown because the surveyor digitally signs the report in SPEAR
- the statement "Digitally signed by (name of surveyor) on (date)" replaces the handwritten signature. The surveyor's name will be typed
- there will be no signing date shown on the Surveyor's Report because it is digitally signed by the surveyor.

It is not mandatory for the Surveyor's Report to be lodged in SPEAR. It may still be provided in paper form at the time of lodgement at Land Registry.

5 Abstract of Field Records

The differences between Abstract of Field Records provided through SPEAR and non-SPEAR paper Abstract of Field Records are:

- there is no surveyor's signature because the surveyor digitally signs the Abstract of Field Records in SPEAR
- the statement "Digitally signed" replaces the handwritten signature. The surveyor's name is typed
- there is no signing date entered on the Abstract of Field Records, as it is digitally signed by the surveyor.

It is not mandatory for the Abstract of Field Records to be lodged in SPEAR. It may still be provided in paper form at the time of lodgement at Land Registry.

Map base identification of SPEAR plans

VicMap will not identify if a plan is a SPEAR plan.

Queries regarding lodgement of SPEAR plans

Queries regarding the lodgement of a SPEAR plan are to be directed to the Title Registration Services Customer Enquiry Centre on 8636 2010.

Information regarding SPEAR is available from the SPEAR home page on the Land Exchange website
www.landexchange.vic.gov.au/spear

Customer Information Bulletin on email

If you'd like to receive the *Customer Information Bulletin* electronically or to unsubscribe, send your request via email trs.enquiries@dse.vic.gov.au, telephone (03) 8636 2812, or fax (03) 8636 2250.

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