

Lodgment Rules

Section 12F *Real Property Act 1900*

Version 2.0

Effective: 11 October 2021

Title: Lodgment Rules, Section 12F *Real Property Act 1900*

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Real Property Act 1900

Section 12F

These Lodgment Rules will come into effect on 11 October 2021. They have been made under s 12F of the *Real Property Act 1900* on behalf of the Registrar General by New South Wales Land Registry Services (NSW LRS), under delegation, pursuant to the *Land and Property Information NSW (Authorised Transaction) Act 2016*.

NSW Land Registry Services

On behalf of the **Registrar General**
8 September 2021

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Lodgment Rules

1. Preliminary

These Lodgment Rules are made by NSW LRS on behalf of the Registrar General (under delegation), under section 12F of the *Real Property Act 1900* and may be referred to as the Lodgment Rules.

Section 12F Lodgment rules

- (1) The Registrar-General may make rules (*lodgment rules*), not inconsistent with a relevant Act or the regulations under a relevant Act, for or with respect to any of the following:
 - (a) the lodgment of documents under or for the purposes of a relevant Act, including requirements as to the preparation, form and content of documents and the procedures to be followed in connection with the lodgment of documents,
 - (b) the procedure for the making of any application in connection with the provision of titling and registry services,
 - (c) business operating hours for the purposes of the provision of titling and registry services,
 - (d) any other matter that is required or permitted to be the subject of lodgment rules by a provision of a relevant Act or the regulations under a relevant Act.

Note Requirements of the lodgment rules are requirements made under this Act. Section 39 of this Act provides for the rejection of documents that do not comply with such a requirement. Section 195B of the *Conveyancing Act 1919* makes similar provision.

- (2) The lodgment rules cannot make provision for or with respect to matters for or with respect to which conveyancing rules may be determined.
- (3) A lodgment rule must be published in the Gazette and commences on the day or days specified in the lodgment rule. Commencement is to be no earlier than 20 business days after the day on which the lodgment rule is published in the Gazette unless the Minister approves of an earlier commencement in a particular case (but no earlier than the date of publication of the lodgment rule in the Gazette).
- (4) A lodgment rule may also be published on a website maintained by the Registrar-General or in such other manner as the Registrar-General considers appropriate.
- (5) The power to make lodgment rules includes the power to amend or repeal the rules.
- (6) In this section:
document includes dealing, plan, application, caveat and memorandum.
relevant Act means this Act or any other Act under which titling, and registry functions are exercised.

2. Commencement

These Lodgment Rules come into force on 11 October 2021.

3. Definitions and Interpretation

Note. The *Conveyancing Act 1919*, *Real Property Act 1900*, *Strata Schemes Development Act 2015* and the *Interpretation Act 1987* (and any regulations made under those Acts) contain definitions and other provisions that affect the interpretation and application of these Lodgment Rules.

3.1 Definitions

3.1.1 In these Lodgment Rules:

administration sheet, in relation to a plan (other than a strata plan), means the separate document, in the approved form, required to be lodged with the plan under section 195A of the CA. In relation to a strata plan means an administration sheet within the meaning of the SSDA.

affecting interest means an easement, a profit à prendre, a restriction on the use of land or a positive covenant.

approved means approved for the time being by the Registrar-General.

approved form means a form approved by the Registrar-General for the purposes of the CA, RPA or SSDA or any other Act in relation to which the expression is used.

CA means the *Conveyancing Act 1919*.

Dealing with Exception form means the approved form to be used to attach certain dealings and caveats and to be lodged electronically, pursuant to Rule 10 of these Lodgment Rules.

deeds index particulars form means an approved form setting out the particulars of or relating to an instrument that is signed and lodged for registration under section 184D(1) of the CA.

deposited plan means a plan (other than a strata plan) lodged for registration or recording with the Registrar-General under the CA.

ECNL means the *Electronic Conveyancing National Law*.

Electronic Lodgment Network has the same meaning as in the ECNL.

General Register of Deeds means the General Register of Deeds maintained under section 184C of the CA.

Lodgment Rules exception form means a form approved by NSW LRS which lists the reasons for using the Miscellaneous Dealing form or the Dealing with Exception form. Available here: www.nswlrs.com.au

Miscellaneous Dealing form means the approved form to be used to attach certain dealings, caveats or other instruments and to be lodged electronically, pursuant to Rule 5 of these Lodgment Rules.

NSW LRS means New South Wales Land Registry Services, the operator of the land titling and registry functions under the *Land and Property Information NSW (Authorised Transaction) Act 2016*.

plan of survey means a formal land survey plan within the meaning of the *Surveying and Spatial Information Act 2002*.

RPA means the *Real Property Act 1900*.

section 88B instrument:

- (a) means an instrument of a kind that:
 - (i) under clause 18 of the *Conveyancing (General) Regulation 2018*, is required to accompany a deposited plan or strata plan (other than a building alteration plan) that creates an affecting interest under section 88B of the CA, or
 - (ii) under clause 19 of the *Conveyancing (General) Regulation 2018*, is required to accompany a deposited plan or strata plan (other than a building alteration plan) that releases an easement or profit à prendre under section 88B of the CA, and

SSDA means the *Strata Schemes Development Act 2015*.

strata plan includes, unless these Lodgment Rules provide otherwise, a strata plan, a strata plan of subdivision, a strata plan of consolidation or a building alteration plan within the meaning of the SSDA.

Torrens Register means the Register required to be maintained by section 31B(1) of the RPA.

3.2 Interpretation

In these Lodgment Rules, unless a contrary intention is evident:

- 3.2.1 A reference to these Lodgment Rules is a reference to these Lodgment Rules as amended, varied or substituted from time to time.
- 3.2.2 A reference to any legislation or to any provision of any legislation includes:
 - (a) all legislation, regulations, proclamations, ordinances, by-laws and instruments issued under that legislation or provision; and
 - (b) any modification, consolidation, amendment, re-enactment or substitution of that legislation or provision.
- 3.2.3 Where a word or phrase is given a defined meaning, any other part of speech or grammatical form in respect of that word or phrase has a corresponding meaning.
- 3.2.4 A reference to a Rule or Schedule is a reference to a Rule of, or a Schedule to, these Lodgment Rules.

- 3.2.5 A reference to a Rule includes a reference to all of its sub-requirements.
- 3.2.6 Where general words are associated with specific words which define a class, the general words are not limited by reference to that class.
- 3.2.7 Notes included in these Lodgment Rules do not form part of the Rules.
- 3.2.8 The word 'or' is not exclusive.

4. The General Register of Deeds

Note: See also provisions of the *Conveyancing Act 1919* and the *Conveyancing (General) Regulation 2018*.

4.1 Registration of instruments generally

4.1.1 An instrument that is lodged for registration in the General Register of Deeds must be accompanied by:

- (a) a registration copy of the instrument or a request that a registration copy of the instrument be prepared by the Registrar-General, and
- (b) a completed deeds index particulars form that includes the certificate referred to in section 184D(3) of the CA, and
- (c) the prescribed fee as determined by Schedule 1 of the *Conveyancing (General) Regulation 2018*, and
- (d) a completed statement of the title particulars in the approved form, if required by the Registrar-General, and
- (e) a completed notice of sale in the approved form, if required by the Registrar-General.

4.1.2 Rule 4.1 does not apply to:

- (a) the registration, under section 186 of the CA, of writs, court orders or current legal proceedings, or
- (b) the registration, under section 196A of the CA, of notices of resumption, or
- (c) the registration of notifications of compulsory acquisition under a Commonwealth Act.

4.2 Registration of writs, court orders or legal proceedings

4.2.1 An application for registration of a writ, court order or current legal proceedings in the General Register of Deeds under section 186 of the CA must be in the approved form and must be accompanied by:

- (a) the original or a copy of the writ, court order or legal proceedings, and
- (b) a completed deeds index particulars form that includes the certificate referred to in section 184D(3) of the CA, and
- (c) the prescribed fee as determined by Schedule 1 of the *Conveyancing (General) Regulation 2018*.

4.2.2 The application may also be accompanied by a registration copy of the writ, court order or legal proceedings.

4.3 Registration of notices of resumption

A notice of resumption that is lodged for registration in the General Register of Deeds under section 196A(3)(a) of the CA must be accompanied by:

- (a) a completed deeds index particulars form that includes the certificate referred to in section 184D (3) of the CA, and
- (b) the prescribed fee as determined by Schedule 1 of the *Conveyancing (General) Regulation 2018*, and
- (c) a completed notice of sale in the approved form, if required by the Registrar-General.

4.4 Production of instrument for registration and other documents

4.4.1 An instrument that is lodged for registration in the General Register of Deeds (including any accompanying application and any registration copy of the instrument or application):

- (a) must have endorsed on it the name, address and DX box number (if any) of the person by whom or on whose behalf it is lodged, and
- (b) must be produced to the Registrar-General in such manner as may be approved.

4.4.2 Documents that are lodged for registration must not be bound together except by means of a pin, staple or split pin or other similar means acceptable to the Registrar-General.

4.5 Instruments to comply with Schedule 1 requirements

An instrument lodged for registration in the General Register of Deeds (including any accompanying application and any registration copy of the instrument or application) must comply with the requirements set out in Schedule 1.

4.6 Plans and diagrams to comply with Schedule 1 requirements

The registration copy of a plan or diagram annexed to an instrument or, if no registration copy is lodged, the plan or diagram from which a registration copy is to be prepared by the Registrar-General:

- (a) must comply with the requirements set out in clauses 3, 4 (1) and (2), 6, 7 and 9–14 of Schedule 1, and
- (b) must have all line work, dimensions, hatchings and notations in dense black ink, and
- (c) must not have on it any coloured ink, and
- (d) must have margins of not less than 10 mm on the top, bottom and sides.

4.7 Vacation of registration

For the purposes of section 190A(3) of the CA, an application for vacation of a registration under Division 2 of Part 23 of the CA must:

- (a) be made in the approved form, and
- (b) be accompanied by the prescribed fee as determined by Schedule 1 of the *Conveyancing (General) Regulation 2018*.

5. Lodgment requirements for Miscellaneous Dealing form

Note: See also provisions of the *Real Property Act 1900* and the *Real Property Regulation 2019*.

- 5.1 The Miscellaneous Dealing form can be used to electronically lodge the following documents:
 - 5.1.1 dealings or caveats; or
 - 5.1.2 instruments.
- 5.2 A Miscellaneous Dealing form lodged pursuant to Rule 5.1.1 must:
 - 5.2.1 satisfy an exception published on the Registrar General's website from time to time, and
 - 5.2.2 be accompanied by a properly completed Lodgment Rules exception form, unless otherwise approved by NSW LRS.
- 5.3 NSW LRS may approve a Miscellaneous Dealing form, or any accompanying documents, to be lodged otherwise than in accordance with Rule 5.1.
- 5.4 Schedule 15 sets out the requirements for the lodgment of the Miscellaneous Dealing form.

Note: The Registrar General will provide a 20-business day notice period before any amendment to the exceptions are published on its website.

6. Requirements for plans annexed to dealings or caveats lodged in the Torrens Register

Note: See also provisions of the *Real Property Act 1900* and the *Real Property Regulation 2019*. *This rule applies to any dealing or caveat lodged affecting the Torrens Register.*

- 6.1 A plan that is annexed to a dealing (other than a lease of premises) or caveat must comply with the requirements of Schedule 3.
- 6.2 A plan that is annexed to a lease of premises must comply with the requirements of Schedule 4.

7. Requirements for deposited plans lodged under the CA

Note: See also provisions of the *Conveyancing Act 1919* and the *Conveyancing (General) Regulation 2018*.

Note: Rule 8 sets out the requirements for strata plans.

7.1 Requirements relating to form and content of plans and other documents

7.1.1 The following provisions apply in relation to a plan lodged electronically for registration with the Registrar-General as a deposited plan:

- (a) if the plan is in an image format, the plan must comply with the requirements of Schedule 5,
- (b) if the plan is not in an image format the plan must comply with the requirements set out in clauses 1 (1), 2 (1) and 13–15 of Schedule 5.

7.1.2 The provisions of Schedule 6 apply in relation to any other documents that are required to be electronically lodged with the plan.

Note: If a plan is lodged electronically, all other documents that are required to be lodged with the plan must also be lodged electronically in an electronic form approved by the Registrar-General, except for any of the following:

- (a) sealed copies of court orders,
 - (b) the original documents that clause 14 of the *Conveyancing (General) Regulation 2018* provides may not be produced electronically,
 - (c) documents that are excepted by the Registrar-General,
 - (d) documents that are excepted under any other Act.
- See section 6A(3) of the CA.

7.1.3 A plan lodged by hand for registration with the Registrar-General as a deposited plan must comply with the requirements set out in Schedule 7.

7.2 Electronic lodgment of plans and other documents

7.2.1 A person lodging a plan or other documents electronically for registration with the Registrar-General must lodge the plan or other documents in accordance with the e-plan system established under section 195AA of the CA or otherwise with the consent of the Registrar-General.

7.2.2 Plan lodgment details must be provided in the manner required by the Registrar-General.

7.2.3 The electronic data file containing the plan in electronic form must be accompanied by electronic data files containing:

- (a) such instruments and data as the Registrar-General may require,
- (b) a completed plan checklist in the approved form, if required by the Registrar-General.

Note. An administration sheet is also required to be lodged with the plan. See (See Rules 7.5 and 7.6)

7.2.4 The prescribed fee as determined by Schedule 1 of the *Conveyancing (General) Regulation 2018* must be paid in the manner and by the time specified by the Registrar-General.

7.3 Lodgment of plans by hand

The original plan must be accompanied by the following:

- (a) a completed plan lodgment form in the approved form,
- (b) a completed statement of the title particulars in the approved form, if required by the Registrar-General,
- (c) one print of each sheet of the plan (each sheet being a positive reproduction on a light background),
- (d) the prescribed fee as determined by Schedule 1 of the *Conveyancing (General) Regulation 2018*,
- (e) a completed plan checklist in the approved form, if required by the Registrar-General,
- (f) such instruments as the Registrar-General may require.

Note: An administration sheet is also required to be lodged with a deposited plan (See Rules 7.5 and 7.6)

7.4 Replacement plan for plan lodged by hand may be lodged electronically

7.4.1 Rule 7.4 applies to a plan lodged by hand for registration that is required to be replaced.

7.4.2 The Registrar-General may permit a replacement plan to be lodged electronically in respect of a plan to which Rule 7.4 applies if:

- (a) the Registrar-General has issued a requisition or requirement to the effect that a specified thing is to be done by a registered surveyor in respect of the plan, and
- (b) the replacement plan is lodged by a registered surveyor who is:
 - (i) authorised under the *Surveying and Spatial Information Act 2002* or any other law to do the thing specified by the Registrar-General, and
 - (ii) authorised to lodge plans and other documents electronically under section 195AA of the CA, and
 - (iii) authorised, by way of the plan lodgment form or other instrument in writing, to lodge the replacement plan by the person who lodged the plan by hand

7.4.3 A replacement administration sheet is not required to be lodged with a replacement plan (whether the replacement plan is lodged electronically or by hand) unless the Registrar-General so directs.

7.5 Content of administration sheet

7.5.1 An administration sheet:

- (a) must repeat the heading of the plan with which it is required to be lodged and the surveyor's reference (if applicable) in the appropriate panels on each sheet of the approved form, and

- (b) must contain the following certificates (endorsed in the appropriate panels on the approved form):
- (i) a survey certificate of a surveyor registered under the *Surveying and Spatial Information Act 2002* that is in the form prescribed by the regulations made under that Act, unless the Registrar-General dispenses with the certificate,
Note: Section 195C(1)(c) of the CA enables the Registrar-General to dispense with the certificate.
 - (ii) in the case of a plan of subdivision (other than a plan referred to in section 195C(2) of the CA)—a subdivision certificate,
 - (iii) such other certificates as the Registrar-General may require, and
- (c) in the case of an administration sheet for a deposited plan that does not comprise a plan of survey—must contain a statement identifying the source of the information from which the plan has been compiled.
Note. Plans of this kind are **compiled plans** for the purposes of the regulations made under the *Surveying and Spatial Information Act 2002*.

7.5.2 In Rule 7.5, a reference to a subdivision certificate is:

- (a) if the plan concerned is a plan of subdivision for lease purposes within the meaning of Division 3B of Part 2 of the CA—a reference to a subdivision certificate stating that the plan is a plan of subdivision for lease purposes and that it relates to land within a caravan park or a manufactured home estate, or
- (b) if the plan is a plan of subdivision for lease purposes within the meaning of Division 3C of Part 2 of the CA—a reference to a subdivision certificate stating that the plan is a plan of subdivision for forestry lease purposes.

Note. Part 3 Division 3 of the *Conveyancing (General) Regulation 2018* may require further matters to be included on the administration sheet.

7.6 Administration sheet to comply with Schedule 8

An administration sheet must comply with the requirements set out in Schedule 8.

Note. See Rules 7.1.2, 7.2, clauses 13 and 14 of the *Conveyancing (General) Regulation 2018* in relation to electronic lodgment.

7.7 Refusal to accept an administration sheet

The Registrar-General may refuse to accept an administration sheet that, in the Registrar-General's opinion, is not in the approved form or does not comply with or is not lodged in accordance with Rules 7.5 – 7.6.

7.8 Form and content of section 88B instruments

- 7.8.1 The instrument must, in Part 1 of the approved form, repeat each (if any) statement of intention to create an affecting interest in the same form (and, where there is more than one statement of intention, in the same order) as set out in the administration sheet lodged with the relevant plan.

- 7.8.2 The instrument must contain in Part 1 of the approved form, after each such statement of intention, a schedule setting out the lot numbers of the lots burdened by the affecting interest (numbered individually and in numerical sequence) and, opposite the lot number of each lot burdened:
- (a) the numbers of the lots intended to receive the benefit of the affecting interest, and
 - (b) the name of any road to which any affecting interest is to be appurtenant, and
 - (c) the name of anybody in whose favour any easement referred to in section 88A of the CA or positive covenant without a dominant tenement is to be created, and
 - (d) the name of any prescribed authority in whose favour any restriction or positive covenant that is of the type that may be imposed under section 88D or 88E of the CA is to be created.
- 7.8.3 The instrument must, in Part 1A of the approved form, repeat each (if any) statement of intention to release an easement or profit à prendre in the same form (and, where there is more than one, in the same order) as set out in the administration sheet lodged with the relevant plan.
- 7.8.4 The instrument must contain in Part 1A of the approved form, after each such statement of intention, a schedule setting out the lot numbers of the lots burdened by each easement or profit à prendre proposed to be released and, opposite the lot number of each lot burdened:
- (a) the numbers of the lots that receive the benefit of the easement or profit à prendre, and
 - (b) the name of any road to which the easement is appurtenant, and
 - (c) the name of any prescribed authority in whose favour any easement referred to in section 88A of the CA was created.
- 7.8.5 If each lot in a plan is intended to be burdened by an affecting interest, the benefit of which is intended to be received by every other lot in the plan, it is sufficient if the words “each lot” and “every other lot”, or words to the same effect, are respectively noted in the schedule.
- 7.8.6 The instrument is to set out, in Part 2 of the approved form, the terms of each affecting interest referred to in any statement of intention set out in Part 1 of the approved form.
- 7.8.7 However, if a statement of intention in Part 1 of the instrument uses an expression, the meaning of which is provided for in the CA by section 88A and Schedule 4A or section 181A and Schedule 8, and it is intended:
- (a) that the expression have that meaning in the instrument—no terms are to be set out in Part 2 of the approved form in respect of the statement of intention, or
 - (b) that the expression have another meaning in the instrument—the terms of the relevant easement are to be set out in Part 2 of the approved form in respect of the statement of intention.

7.8.8 No sketch, drawing or other diagram is to appear on the instrument.

7.9 Section 88B instruments to comply with Schedule 9

A section 88B instrument must comply with the requirements set out in Schedule 9.

Note. See Rules 7.1.2, 7.2, clauses 13 and 14 of the *Conveyancing (General) Regulation 2018* in relation to electronic lodgment.

7.10 Refusal to accept section 88B instruments

The Registrar-General may refuse to accept a section 88B instrument that, in the Registrar-General's opinion, does not comply with Rules 7.8 and 7.9.

8. Requirements for strata plans

Note: See also provisions of the *Strata Schemes Development Act 2015* and the *Strata Schemes Development Regulation 2016*.

8.1 Location plans and floor plans

8.1.1 A location plan must comply with Schedules 10 and 11.

8.1.2 A floor plan must comply with Schedules 10 and 12.

8.2 Administration Sheet

8.2.1 An administration sheet that is lodged by hand must comply with Schedule 13.

8.2.2 An administration sheet that is lodged electronically must comply with Schedules 13 and 14.

8.3 Lodgment of strata plans by hand

A strata plan may not be lodged by hand for registration unless it is lodged with the following:

- (a) a completed plan lodgment form in an approved form,
- (b) a copy of each drawing sheet of the plan which, if the strata plan required a strata certificate, is signed by the person who signed the strata certificate,
- (c) a completed plan checklist in an approved form, if required by the Registrar-General.
- (d) the prescribed fee as determined by Schedule 7 of the *Strata Schemes Development Regulation 2016*.

8.4 Lodgment of strata plans electronically

8.4.1 A strata plan and any accompanying documents may not be lodged electronically for registration unless:

- (a) they are lodged in accordance with the e-plan system established by section 195AA of the CA or otherwise with the consent of the Registrar-General, and
- (b) the accompanying documents comply with the requirements of Schedule 14.

- 8.4.2 All documents that are required to be lodged with a strata plan that is lodged electronically must also be lodged electronically, except:
- (a) any of the following documents, but only if the Registrar-General requires the document to be lodged by hand:
 - (i) a consent in writing signed by a caveator, lessee, judgment creditor or other person,
 - (ii) sealed court order, power of attorney, statutory declaration or other original document.
- 8.4.3 The prescribed fee as determined by Schedule 7 of the *Strata Schemes Development Regulation 2016* must be paid in the manner and by the time specified by the Registrar General.

8.5 Proposed affecting interests

A strata plan may designate the site of a proposed affecting interest that is intended to be created (otherwise than under section 88B of the CA) if:

- (a) the interest is shown as proposed by use of the word “proposed” or an abbreviation of that word, and
- (b) no statement of intention to create the affecting interest is included in the administration sheet lodged with the strata plan, and
- (c) if the affecting interest is to apply to only part of the land to which the strata plan relates, the proposed site of the affecting interest is shown and it is distinguished from any other affecting interest to be created under section 88B of the CA, and
- (d) if the affecting interest is limited by height or depth, the height or depth of the interest is clearly shown.

9. Searches

Note: See also provisions of the *Real Property Act 1900* and the *Real Property Regulation 2019* as well as the *Conveyancing Act 1919* and the *Conveyancing (General) Regulation 2018*.

9.1 Official searches under Part 11A of the Real Property Act 1900

A request under Part 11A of the RPA must:

- (a) be limited to parcels of land held by one proprietor or jointly held by 2 or more proprietors, and
- (b) be lodged personally, by post or by other means approved by the Registrar-General.

9.2 Official searches under section 197 of the Conveyancing Act 1919

9.2.1 A request under section 197 of the CA for a search of old system title land, or a request for an office copy of a certificate of the result of such a search, must be made in the approved form.

9.2.2 A request is to be limited to a single chain of title.

- 9.2.3 The prescribed fee as determined by Schedule 1 of the *Conveyancing (General) Regulation 2018* must, if required by the Registrar-General, be paid before delivery of the office copy of a certificate of the result of a search.
- 9.2.4 If a request is withdrawn after commencement but before completion of a search, such fees as the Registrar-General determines (having regard to the work done up to the time of withdrawal) must be paid.
- 9.2.5 The Registrar-General may require an interim payment of fees before completion of a search.

9.3 Public searches for the purposes of section 199 of the Conveyancing Act 1919

For the purposes of section 199 of the CA:

- (a) the prescribed times at which information in the registers is to be made available are:
- (i) in the case of information in the registers provided in printed form – 8.30 am to 4.30 pm New South Wales Standard Time each day (other than a Saturday, Sunday or public holiday) or, where the function of responding to a search request is exercised by the authorised operator, the ordinary business hours of the authorised operator, or
 - (ii) in the case of information in the registers provided in electronic form – between the hours of 1.00 am and midnight New South Wales Standard Time each day (subject to scheduled maintenance or unavoidable system interruptions), and
- (b) the information is to be made available (in response to a request for the dispatch of information by post or other approved means) by the Registrar-General furnishing a copy of the information, and
- (c) the prescribed fee for making the information available is the fee as determined by Schedule 1 of the *Conveyancing (General) Regulation 2018*.

10. Lodgment requirements for the Dealing with Exception form

Note: See also provisions of the *Real Property Act 1900* and the *Real Property Regulation 2019*.

- 10.1 The Dealing with Exception form must satisfy an exception published on the Registrar General's website from time to time, and be accompanied by a properly completed Lodgment Rules exception form, unless otherwise approved by NSW LRS.
- 10.2 NSW LRS may approve a Dealing with Exception form, or any accompanying documents, to be lodged otherwise than in accordance with Rule 10.1.
- 10.3 Schedule 16 sets out the requirements for the lodgment of the Dealing with Exception form.

Note: The Registrar General will provide a 20-business day notice period before any amendment to the exceptions are published on its website.

11. Requirements for making alterations to dealings, caveats and instruments lodged in electronic form in the Torrens Register

Note: See also provisions of the *Real Property Act 1900* and the *Real Property Regulation 2019*.

The requirements for making an alteration to a dealing, caveat and/or instrument lodged electronically are set out in Schedule 17.

Schedule 1– Requirements for instruments registered in the General Register of Deeds

(Rules 4.5 and 4.6)

1 Text

The text must be clearly printed or written:

- (a) across the width of each sheet of paper used, and
- (b) on one side only of each sheet.

2 Margins

The sheets used must have clear margins:

- (a) on the first sheet—of not less than 25 mm at the top and 10 mm on each side and bottom, and
- (b) on each subsequent sheet—of not less than 10 mm on each side and at the top and bottom.

3 Paper

The paper used must be:

- (a) white or off white and free from discolouration and blemishes, and
- (b) of archival quality, and
- (c) 297 millimetres in length by 210 millimetres in width (standard A4), or such other sized paper as may be approved by the Registrar-General.

4 Lettering

- (1) Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, numbers and other symbols must be in a font style that is:
 - (a) at least 10 point (1.8 mm) in size, and
 - (b) dense black or dense dark blue in colour, and
 - (c) open in formation and construction, and
 - (d) in an upright style.
- (2) The lines must not overlap. A carbon copy, or a copy in which the typewritten characters blur or spread or are liable to mark or damage an adjacent sheet, will not be accepted.
- (3) Handwriting and any imprint of a seal must be clear and legible and in dense black ink or dense dark blue ink.
- (4) Unless the Registrar-General otherwise approves or this Schedule provides otherwise, symbols may only be used for punctuation of text, and letters must be used instead of special symbols.

5 Name and address

The name and address of a witness who attested to the signing of an instrument is to be set out below the witness's attestation if the attestation does not include the name and address.

6 Content must not extend into margin

No printing, writing or other notation (other than directions or notations authorised by the Registrar-General or as otherwise provided for by this Schedule) must appear in, or extend into, the margin.

7 Content must not extend into any seal

No printing, writing or other notation must extend into any seal.

8 Information to be included on registration copy

In the top margin on the first sheet of a registration copy there must be printed or written the nature of the original instrument and a note of the stamp duty, if any, appearing on the original instrument.

9 Alterations

Alterations may only be made by striking through the matter intended to be altered or by interlineation and not by rubbing, scraping or cutting the surface of the paper or by using correction fluid. An alteration must be verified by the parties to the instrument.

10 Verification of alterations

Signatures or initials verifying alterations must be placed in the margin as near as practicable to the alteration.

11 No creases

The instrument must be flat and free from creases caused by folding or otherwise.

12 Registration copy must be true copy

If a registration copy is made by a photographic or similar approved copying process, the image in the copy must be dense black, permanent, legible and clearly reproduce all details and notations visible on the original. The process must not affect the quality and permanence of the paper.

13 Part lots

A part of a lot must not be shown on a plan or diagram unless the whole of the lot is shown on another part of the plan or diagram, whether or not on the same sheet.

14 Plans or diagrams

Any plan or diagram included in, or annexed to, the instrument must not be in the form of a plan of survey unless the Registrar-General otherwise permits.

Schedule 2 – Requirements for dealings, caveats and instruments lodged in paper form in the Torrens Register

(Rule 5)

- 1** The text must be clearly printed or written across the width of each sheet of paper used.
- 2** Unless the Registrar-General otherwise approves, all text must be in the English language.
- 3** The text must be printed or written on only one side of each sheet.
- 4** The sheets used must have clear margins:
 - (a) on the first sheet—of not less than 25mm at the top and 10mm on each side and at the bottom, and
 - (b) on each subsequent sheet—of not less than 10mm on each side and at the top and bottom.
- 5** The paper used must be:
 - (a) white or off white and free from discolouration, blemishes and creases, and
 - (b) of archival quality, and
 - (c) 297 millimetres in length by 210 millimetres in width (standard A4), or such other sized paper as may be approved by the Registrar General.
- 6**
 - (1) Unless the Registrar-General otherwise approves, all letters, numbers and other symbols appearing in text must be in a font style that is:
 - (a) at least 10 point (1.8mm) in size, and
 - (b) dense black or dense dark blue in colour, and
 - (c) open in formation and construction, and
 - (d) in an upright style.
 - (2) The lines must not overlap. A carbon copy, or a copy in which the typewritten characters blur or spread, or are liable to mark or damage an adjacent sheet, will not be accepted.
 - (3) Handwriting and any imprint of a seal must be clear and legible and in dense black or dense dark blue ink.
 - (4) All symbols used must be letters unless:
 - (a) the Registrar General otherwise approves, or
 - (b) this Schedule otherwise provides

- 7** All typewriting, printing, handwriting and any imprint of a seal must be to a standard that will enable it to be clearly reproduced by the imaging processes employed by the Registrar General.
- 8** Typewriting, printing, writing or seals must not extend into the margin.
- 9** Typewriting, printing, writing or signatures must not extend into any seal.
- 10**
 - (1) Alterations must be made by striking through the matter intended to be altered and not by rubbing, scraping or cutting the surface of the paper or by using correction fluid.
 - (2) Signatures or initials noting alterations by interlineation or the striking through of matter must be placed in the margin as near as practicable to the alteration.
 - (3) In addition, the name of the person noting the alteration must be printed in cases where:
 - (a) the person initials an alteration, or
 - (b) the person notes an alteration by signature but the person's name cannot be clearly ascertained.
 - (4) The date of the alteration must be included.
- 11** The pages of an annexure to a dealing must be numbered sequentially in the centre of the foot of each page as "Page ... of ... pages" and the annexure:
 - (a) must be identified (on the annexure itself) as an annexure to the dealing, and
 - (b) must be signed, on the first and last pages, by the parties to the dealing (or, if a party is a body corporate, by a person who has attested the affixing of the seal of the body corporate or who has otherwise signed on its behalf), and
 - (c) must be referred to in the body of the dealing.
- 12** An additional or inserted sheet intended to form part of a dealing:
 - (a) must be attached to the dealing in a manner acceptable to the Registrar General, and
 - (b) if it contains matter that would normally be inserted in a form approved by the Registrar General—must be signed by the parties to the dealing (or, if a party is a body corporate, signed by a person who has attested the affixing of the seal of the body corporate or who has otherwise signed on its behalf).
- 13** If, apart from any matter contained in an additional or inserted sheet, it is not readily apparent from the body of a dealing that the additional or inserted matter is intended to form part of the dealing:
 - (a) a note referring to the additional or inserted matter (or covenants by number where appropriate) must be added to the body of the dealing, and
 - (b) a note identifying the additional or inserted matter must be added to the additional or inserted sheet containing that matter.
- 14** Dimensions referred to in a dealing:
 - (a) in the case of dimensions of length, must be expressed in metres and not in any other unit of measurement of length (whether or not related to the metre), and

- (b) in the case of dimensions of area, must be expressed in square metres, hectares or square kilometres and not in any other unit of measurement of area (whether or not related to the square metre, hectare or square kilometre).
- 15** Annexures, additional sheets or inserted sheets may be prepared by means of a photographic or similar process approved by the Registrar-General and, if so prepared:
- (a) must comply with items 1–14, and
 - (b) must contain only printing that is permanent and legible with a dense black image free from excessive background, and
 - (c) must be so prepared that the process does not affect the quality of the paper, and
 - (d) must not include photographs, except with the consent of the Registrar-General, and
 - (e) must be authenticated by original signatures.

Schedule 3 – Requirements for plans annexed to dealings (other than leases of premises) or caveats

(Rule 6.1)

1. A plan must identify the land to which it relates.
2. A plan must be drawn in a manner and to a scale that allows all details and notations to be clearly reproduced by the imaging processes used by the Registrar-General.
3. A plan must contain the following particulars:
 - (a) a statement on each sheet of the reduction ratio at which the plan is drawn,
 - (b) the north point (which must be directed upwards) and the meridian to which it relates,
 - (c) complete dimensions (including area) of every parcel comprised in the plan,
 - (d) sufficient information to define any proposed easement, or any proposed variation of an existing easement, and its relationship to the boundaries of any affected parcel,
 - (e) if prepared by a registered land surveyor within the meaning of the *Surveying and Spatial Information Act 2002*, the signature of the surveyor,
 - (f) the date of preparation of the plan,
 - (g) the signature of each person who has signed the dealing or caveat to which the plan is annexed.
4. The description of the part of the land shown in the plan must agree with the description of that part shown in the dealing or caveat.
5. The lengths shown on a plan must be expressed in metres and not in any other unit of measurement of length (whether or not related to the metre), without the use of any symbol or abbreviation to represent the metre as the unit of measurement employed.
6. Area measurements shown on a plan must be expressed in the following units of measurement:
 - (a) areas of less than one hectare must be expressed in square metres accompanied by the symbol "m²",
 - (b) areas of one hectare or more but less than 10,000 hectares must be expressed in hectares (using not more than 4 significant figures) accompanied by the symbol "ha",
 - (c) areas of 10,000 hectares or more must be expressed in square kilometres accompanied by the symbol "km²".
7. Unless the Registrar-General otherwise approves, all words, letters, figures and symbols appearing on a plan:
 - (a) must be shown in capital letters (except as provided by item 6), and
 - (b) must be open in formation and construction, and
 - (c) must be drawn in an upright style, and
 - (d) must be in the English language.

8.
 - (1) A plan may be altered only by, or with the authority of, the person who prepared the plan by striking through the matter to be altered.
 - (2) In particular, a plan may not be altered by the use of correction fluid or by rubbing, scraping or cutting the surface of the sheet on which the plan is drawn.
 - (3) The Registrar-General may require a sheet on which a plan is drawn to be replaced if, in the opinion of the Registrar-General any alteration on the sheet will render it unsuitable for imaging.
 - (4) Signatures or initials noting alterations by interlineation or the striking through of matter must be placed as near as practicable to the alteration by the person who prepared the plan and made the alteration.
 - (5) In addition, the name of the person noting the alteration must be printed in cases where:
 - (a) the person initials an alteration, or
 - (b) the person notes an alteration by signature but the person's name cannot be clearly ascertained.
 - (6) The date of the alteration must be included.
9. If lodged as an annexure, a plan must be neatly and clearly drawn without colour or edging.
10. Each plan sheet must consist of white or off-white paper of an archival quality, or some other medium approved by the Registrar-General.
11. A plan must be drawn on only one side of a plan sheet and must be drawn on a matt surface.
12. Each plan sheet must be free from discolouration, blemishes and creases.
13. Each plan sheet must be 297mm in length by 210mm in width (standard A4) and have clear margins of at least 10mm on each side and at the top and bottom.
14. If a plan is endorsed on a dealing or caveat, it must be drawn in such a manner that the lines and notation of the plan do not obscure or interfere with any writing or printing on the dealing or caveat.
15. Where the original plan is not available, an annexed plan may be a reproduction prepared by means of a photographic or similar process approved by the Registrar-General and, if so prepared:
 - (a) must comply with items 1–14, and
 - (b) must contain only printing that is permanent and legible with a dense black image free from excessive background, and
 - (c) must be so prepared that the process does not affect the quality of the paper, and
 - (d) must be authenticated by original signatures.

- 16** Plans annexed to dealings must be compiled plans and not plans of survey except with the consent of the Registrar-General.
- 17** A registered plan must not be annexed to a dealing or caveat.

Schedule 4 – Requirements for plans annexed to leases of premises

(Rule 6.2)

- 1 For the purposes of this Schedule, **premises** means a building or part of a building, unless the Registrar-General approves otherwise.
- 2 A plan must identify the premises to which it relates.
- 3 Premises that comprise the whole of a building may be defined by measurements in a plan.
- 4 Premises that comprise part of a building may be identified in a plan by showing the outer walls of the building and defining the leased area by reference to:
 - (a) internal walls and fixtures, or
 - (b) dimensions.
- 5 The description of any premises shown in a plan must agree with the description of those premises shown in the lease.
- 6 A plan must be drawn in a manner and to a scale that allows all details and notations to be clearly reproduced by the imaging processes used by the Registrar-General.
- 7 A plan must be neatly and clearly drawn without colour or edging.
- 8 A plan must contain the following particulars:
 - (a) the north point (which must be directed upwards),
 - (b) if the Registrar-General so requires, dimensional connections of the leased premises to the title boundaries,
 - (c) a statement as to the floor level on which the premises are located, where appropriate,
 - (d) sufficient information to define any proposed easement and its relationship to the boundaries of the affected parcel,
 - (e) the signature of each person who has signed the lease to which the plan is annexed.
- 9 The lengths shown on a plan must be expressed in metres and not in any other unit of measurement of length (whether or not related to the metre), without the use of any symbol or abbreviation to represent the metre as the unit of measurement employed.
- 10 Area measurements shown on a plan must be expressed in square metres accompanied by the symbol “m²”.
- 11 Unless the Registrar-General otherwise approves, all words, letters, figures and symbols appearing on a plan:
 - (a) must be shown in capital letters (except as provided by item 10), and
 - (b) must be open in formation and construction, and
 - (c) must be drawn in an upright style, and
 - (d) must be in the English language.

12

- (1) A plan may be altered only by, or with the authority of, the person who prepared the plan by striking through the matter to be altered.
- (2) In particular, a plan may not be altered by the use of correction fluid or by rubbing, scraping or cutting the surface of the sheet on which the plan is drawn.
- (3) The Registrar-General may require a sheet on which a plan is drawn to be replaced if, in the opinion of the Registrar-General, any alteration on the sheet will render it unsuitable for imaging.
- (4) Signatures or initials noting alterations by interlineation or the striking through of matter must be placed as near as practicable to the alteration by the person who prepared the plan and made the alteration.
- (5) In addition, the name of the person noting the alteration must be printed in cases where:
 - (a) the person initials an alteration, or
 - (b) the person notes an alteration by signature but the person's name cannot be clearly ascertained.
- (6) The date of the alteration must be included.

13 Each plan sheet must consist of white or off-white paper of an archival quality, or some other medium approved by the Registrar-General.

14 A plan must be drawn on only one side of a plan sheet and must be drawn on a matt surface.

15 Each plan sheet must be free from discolouration, blemishes and creases.

16 Each plan sheet must be 297mm in length by 210mm in width (standard A4) and have clear margins of at least 10mm on each side and at the top and bottom.

17 Where the original plan is not available, an annexed plan may be a reproduction prepared by means of a photographic or similar process approved by the Registrar-General and, if so prepared:

- (a) must comply with items 1–16, and
- (b) must contain only printing that is permanent and legible with a dense black image free from excessive background, and
- (c) must be so prepared that the process does not affect the quality of the paper, and
- (d) must be authenticated by original signatures.

18 Plans annexed to leases must be compiled plans and not plans of survey except with the consent of the Registrar-General.

19 A registered plan must not be annexed to a lease.

Schedule 5 – Requirements for deposited plans lodged electronically

(Rule 7.1.1)

1 File type in which plan to be created

- (1) The plan must be created in a format approved by the Registrar-General.
- (2) A plan comprising more than one sheet must be created as a multipage file.

2 Use of approved forms

- (1) A plan intended to be lodged electronically for registration as a deposited plan must be in the approved form.
- (2) Any land that cannot satisfactorily be shown on one sheet may be shown on additional sheets in the approved form.

3 Numbering

Each plan sheet must be numbered consecutively.

4 Margins

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

5 Lettering

- (1) Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, numbers and other symbols appearing on a plan must be in a font style that is:
 - (a) dense and black in colour, and
 - (b) in upper case only (except as otherwise provided by this Schedule), and
 - (c) open in formation and construction, and
 - (d) in an upright style.
- (2) Unless the Registrar-General otherwise approves or this Schedule provides otherwise, symbols may only be used for punctuation of text, and letters must be used instead of special symbols.

6 Use of colouring and edging prohibited

Neither colouring nor edging are to be used on a plan sheet.

7 Clarity of detail

- (1) The plan must be drawn to a scale and the image created in a manner that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.
- (2) The Registrar-General may require a plan file to be resubmitted if, in the opinion of the Registrar-General, the plan image does not comply with subclause (1).

8 Alterations

- (1) A plan image must not be altered.
- (2) Any alterations must be made to the relevant Computer Aided Drafting (CAD) software plan file and a new image created.

9 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 4 sheets must be numbered "Sheet 1 of 4 sheets" and "Sheet 2 of 4 sheets", respectively).
- (2) Each plan sheet must contain a north point (directed towards the top of the plan sheet) and must also specify the orientation to which the north point relates.
- (3) Any separate diagrams or tabulations of dimensions or marks used in an additional sheet must be shown on the sheet.
- (4) No information (other than the plan and any separate diagrams and tabulations of dimensions and marks relating to the plan) is to appear within the plan drawing area of a plan sheet.

10 Linear dimensions

- (1) Linear measurements must be expressed in metres, correct to 3 decimal places, without any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

11 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than one hectare must be expressed in square metres, accompanied by the symbol "m²",
 - (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol "ha",
 - (c) areas of 10,000 hectares or more must be expressed in square kilometres, accompanied by the symbol "km²".
- (2) The total area of a parcel:
 - (a) must be shown within or related to the most significant part of the parcel, and
 - (b) must be the exact mathematical total of all the areas shown on the plan as being within that parcel.

12 Reduction ratio

There must be a statement on each sheet of the reduction ratio at which the plan is drawn.

13 Identification of adjoining land

The identity of all adjoining land must be shown.

14 Identification of new or proposed affecting interests

- (1) A plan must contain sufficient information to define the site of:
 - (a) any affecting interest that is intended to be created as a consequence of the registration of the plan, and
 - (b) any easement or profit à prendre intended to be partially released as a consequence of the registration of the plan, and
 - (c) any proposed affecting interest, or proposed variation or partial release of an easement or profit à prendre,

and where necessary, must also contain sufficient information to indicate the relationship of any such affecting interest to the boundaries of any affected parcel or lot.

- (2) If a proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object that is underground or is within or beneath an existing building, it is sufficient to indicate on the plan the approximate position of the easement.

15 Identification of existing affecting interests

- (1) A plan must:
 - (a) contain sufficient information to define the site, nature and origin of any existing affecting interest affecting a parcel, and
 - (b) wherever possible, show the relationship of the affecting interest to the boundaries of the parcel.
- (2) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object that is underground or is within or beneath an existing building, it is sufficient to indicate on the plan the approximate position of the easement.
- (3) In this clause, **origin**, in relation to an existing affecting interest means the Gazette reference or registration number of the instrument or plan by which the affecting interest was granted, reserved, notified or otherwise created.

16 Signatures not to appear

No signatures, initials or seals are to appear on the plan drawing sheets.

Note. All signatures and seals must be shown on the administration sheet.

Schedule 6 – Requirements for lodging other documents electronically with deposited plans

(Rule 7.1.2)

1 File type in which image of document to be created

If a document is required to be lodged electronically with a plan, each sheet of the completed paper document that bears original signatures and seals must be scanned by the lodging party and an image created in a format approved by the Registrar-General.

Note. If a plan is lodged electronically, all other documents that are required to be lodged with the plan must also be lodged electronically in an electronic form approved by the Registrar-General, except for any of the following:

- (a) sealed copies of court orders,
 - (b) the original documents that clause 14 of the *Conveyancing (General) Regulation 2018* provides may not be produced electronically,
 - (c) documents that are excepted by the Registrar-General,
 - (d) documents that are excepted under any other Act.
- See section 6A (3) of the CA.

2 Multiple sheets

A document comprising more than one sheet must be created as a multipage file.

3 Standard of electronic file

The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper document, bearing original signatures and seals, must be retained by the lodging party for a period of at least 7 years following the date of registration of the plan (see clause 34 of the *Conveyancing (General) Regulation 2018*).

Schedule 7– Requirements for deposited plans lodged by hand

(Rule 7.1.3)

1 Material on which plan to be drawn

- (1) Each plan sheet must consist of white or off-white paper of an archival quality.
- (2) A plan must be drawn on one side of a plan sheet only.
- (3) Each plan sheet must be free from discolouration, blemishes and creases.

2 Use of approved forms

- (1) A plan intended to be lodged by hand for registration as a deposited plan must be in the approved form.
- (2) Any land that cannot satisfactorily be shown on one sheet may be shown on additional sheets in the approved form.

3 Numbering

Each plan sheet must be numbered consecutively.

4 Margins

- (1) A margin of at least 10 millimetres must be left around the plan drawing area of each plan sheet.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

5 Lettering

- (1) Unless the Registrar-General otherwise approves, all words must be in the English language, and all letters, numbers and other symbols appearing on a plan must be in a font style that is:
 - (a) dense and black in colour, and
 - (b) in upper case only (except as otherwise provided by this Schedule), and
 - (c) open in formation and construction, and
 - (d) in an upright style.
- (2) Unless the Registrar-General otherwise approves or this Schedule provides otherwise, symbols may only be used for punctuation of text, and letters must be used instead of special symbols.

6 Use of colouring and edging prohibited

Neither colouring nor edging are to be used on a plan sheet.

7 Clarity of detail

The plan must be drawn in a manner and to a scale that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.

8 Alterations

- (1) A plan may be altered only by striking through the matter to be altered.
- (2) In particular, a plan may not be altered by the use of correction fluid or by rubbing, scraping or cutting the surface of the plan sheet.
- (3) The Registrar-General may require a plan sheet to be replaced if, in the opinion of the Registrar-General, any alteration on the sheet will render it unsuitable for copying.

9 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively as part of the series (for example, the first and second sheets in a plan that is made up of 4 sheets must be numbered "Sheet 1 of 4 sheets" and "Sheet 2 of 4 sheets", respectively).
- (2) Each plan sheet must contain a north point (directed towards the top of the plan sheet) and must also specify the orientation to which the north point relates.
- (3) Any separate diagrams or tabulations of dimensions or marks used in an additional sheet must be shown on the sheet.
- (4) No information (other than the plan and any separate diagrams and tabulations of dimensions and marks relating to the plan) is to appear within the plan drawing area of a plan sheet.

10 Linear dimensions

- (1) Linear measurements must be expressed in metres, correct to 3 decimal places, without any accompanying symbol.
- (2) If a length of less than one metre is shown, the decimal point must be preceded by the numeral "0".

11 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than one hectare must be expressed in square metres, accompanied by the symbol "m²",
 - (b) areas of one hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol "ha",
 - (c) areas of 10 000 hectares or more must be expressed in square kilometres, accompanied by the symbol "km²".
- (2) The total area of a parcel:
 - (a) must be shown within or related to the most significant part of the parcel, and

- (b) must be the exact mathematical total of all the areas shown on the plan as being within that parcel.

12 Reduction ratio

There must be a statement on each sheet of the reduction ratio at which the plan is drawn.

13 Identification of adjoining lands

The identities of all adjoining lands must be shown.

14 Identification of new or proposed affecting interest

(1) A plan must contain sufficient information to define the site of:

- (a) any affecting interest that is intended to be created as a consequence of the registration of the plan, and
- (b) any easement or profit à prendre intended to be partially released as a consequence of the registration of the plan, and
- (c) any proposed affecting interest, or proposed variation or partial release of an easement or profit à prendre,

and where necessary, must also contain sufficient information to indicate the relationship of any such affecting interest to the boundaries of any affected parcel or lot.

(2) If a proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object that is underground or is within or beneath an existing building, it is sufficient to indicate on the plan the approximate position of the easement.

15 Identification of existing affecting interests

(1) A plan must:

- (a) contain sufficient information to define the site, nature and origin of any existing affecting interest affecting a parcel, and
- (b) wherever possible, show the relationship of the affecting interest to the boundaries of the parcel.

(2) If an easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object that is underground or is within or beneath an existing building, it is sufficient to indicate on the plan the approximate position of the easement.

(3) In this clause, **origin**, in relation to an existing affecting interest means the Gazette reference or registration number of the instrument or plan by which the affecting interest was granted, reserved, notified or otherwise created.

16 Signatures not to appear

No signatures, initials or seals are to appear on a plan sheet.

Note. All signatures and seals must be shown on the administration sheet.

Schedule 8 – Requirements for administration sheet lodged with deposited plans

(Rule 7.6)

1 Use of approved form

Any signatures, seals or certificates that cannot satisfactorily be shown on one sheet may be shown on one or more additional sheets in the approved form. The total number of additional sheets must not be more than 5 unless the Registrar-General otherwise approves.

Note. An administration sheet is required by section 195A of the CA to be in the approved form. The completed administration sheet must be lodged with and in the same manner as the plan. This Schedule prescribes additional requirements.

2 Paper

The paper used must be:

- (a) white or off white and free from discolouration, blemishes and creases, and
- (b) of archival quality, and
- (c) 297 millimetres in length by 210 millimetres in width (standard A4), or such other sized paper as may be approved by the Registrar-General.

3 Margins

- (1) The sheets used must have clear margins of not less than 10 mm on each side and top and bottom.
- (2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General or as otherwise provided for by this Schedule) must appear in, or extend into, the margin.

4 Lettering

- (1) The text of an administration sheet must be clearly printed or written:
 - (a) across the width of each panel on the sheet of paper used, and
 - (b) on one side only of each sheet.
- (2) All text must be clear and legible and dense black or dense dark blue in colour. The lines must not overlap. A carbon copy, or a copy in which the typewritten characters blur or spread, or are liable to mark or damage an adjacent sheet, will not be accepted.
- (3) Handwriting and any imprint of a seal must be clear and legible and in dense black ink or dense dark blue ink.

5 Alterations

Alterations may only be made by striking through the matter intended to be altered or by interlineation and not by rubbing, scraping or cutting the surface of the paper or by using correction fluid. An alteration must be verified by the parties to the instrument.

6 Verification of alterations

Signatures or initials verifying alterations must be placed in the margin as near as practicable to the alteration.

7 Information to be included on multiple sheets

If the administration sheet comprises more than one sheet:

- (a) each sheet other than the first sheet must repeat:
 - (i) the heading on the first sheet, and
 - (ii) if the administration sheet relates to a plan of subdivision—the subdivision certificate number and date of endorsement, and
 - (iii) the surveyor's reference, and
- (b) each sheet must be numbered:
 - (i) sequentially in the top right hand corner of each sheet as "Sheet of sheets", and
 - (ii) separately from the drawing sheets.

Schedule 9 – Requirements for section 88B instruments

(Rule 7.9)

1 Text

The text of a section 88B instrument must be clearly printed or written:

- (a) across the width of each sheet of paper used, and
- (b) unless the Registrar-General otherwise permits, on one side only of each sheet.

2 Margins

(1) The sheets used must have clear margins:

- (a) on the first sheet—of not less than 10 mm (on the left-hand side), 10 mm (on the right-hand side), 25 mm (at the top) and 10 mm (at the bottom), and
- (b) on each subsequent sheet—of not less than 10 mm (on the sides and top and bottom)

(2) No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

3. Paper

The paper used must be:

- (a) white or off white and free from discolouration, blemishes and creases, and
- (b) of archival quality, and
- (c) 297 millimetres in length by 210 millimetres in width (standard A4), or such other sized paper as may be approved by the Registrar-General.

4 Size of lettering

All text must be at least 10 point (1.8 mm) in size and be clear and legible and dense black or dense dark blue in colour. The lines must not overlap. A carbon copy, or a copy in which the typewritten characters blur or spread, or are liable to mark or damage an adjacent sheet, will not be accepted.

5 Legibility

Handwriting and any imprint of a seal must be clear and legible and in dense black ink or dense dark blue ink.

6 Alterations

Alterations may only be made by striking through the matter intended to be altered or by interlineation and not by rubbing, scraping or cutting the surface of the paper or by using correction fluid. An alteration must be verified by the parties to the instrument.

7 Verification of alterations

Signatures or initials verifying alterations must be placed in the margin as near as practicable to the alteration.

8 Signatures

The final sheet must bear:

- (a) in any case—the attested original signatures of the persons who appear to the Registrar-General to be the owners, mortgagees, or covenant chargees of the land over which the easement, or in respect of which the restriction on the use of land, covenant or profit à prendre, is intended to be created, and
- (b) in the case of the creation of an easement referred to in section 88A of the CA—the attested original signature of the prescribed authority in whose favour the easement is to be created, and
- (c) in the case of the creation of a restriction on the use of land, or a positive covenant, that is of a type that may be imposed under section 88BA, 88D or 88E of the CA—the attested original signature of any prescribed authority in whose favour the restriction or positive covenant is to be created, and
- (d) in the case of the creation of a covenant intended to impose an obligation (however described) on a prescribed authority, or the owner of land that is not shown on the plan, to maintain or repair, or to contribute to the maintenance or repair of, the site of an easement—the attested original signature of the prescribed authority or owner, and
- (e) in the case of the release or partial release of an easement or profit à prendre:
 - (i) the attested original signatures of the persons who appear to the Registrar-General to be the owners, mortgagees or covenant chargees of the land that has the benefit of the easement or profit à prendre, and
 - (ii) the attested original signature of any person whose consent is required to the release or partial release, and
- (f) in any case—the capacity in which each signatory has signed.

9 Numbering of sheets

If the instrument comprises more than one sheet:

- (a) each sheet other than the first sheet and the final sheet must repeat the heading on the first sheet and the plan identification appearing in Part 1 of the instrument, and
- (b) each sheet other than the final sheet must be signed by an attesting witness to the final sheet, and
- (c) each sheet must be numbered sequentially in the top right hand corner of each sheet as “Sheet of sheets”.

10 References to signatures

In this Schedule, a reference to a **signature** includes a reference to the affixing of a seal or any other method by which a corporation or prescribed authority executes an instrument.

Schedule 10 – Requirements for lodging strata plans

(Rule 8.1)

1 Plan sheets for plans lodged by hand

Each plan sheet for a plan lodged by hand must:

- (a) be white or off white paper of an archival quality, and
- (b) be free from discolouration, blemishes and creases, and
- (c) have a plan drawn on one side of the sheet only.

2 File type for plans lodged electronically

- (1) An electronic plan file must be created in a format approved by the Registrar-General.
- (2) A plan comprising more than one sheet must be created as a multipage file.

3 Margins

No printing, writing or other notation (other than directions or notations authorised by the Registrar-General) must appear in, or extend into, the margin.

4 Lettering

- (1) All words must be in the English language, and all letters, figures and symbols appearing on a plan must be in a font style that is:
 - (a) dense and black in colour, and
 - (b) in upper case only (except as otherwise provided by this Schedule), and
 - (c) open in formation and construction, and
 - (d) in an upright style.
- (2) Symbols may not be used except for the purposes of punctuation.
- (3) The Registrar-General may approve departures from this clause.

5 Use of colouring and edging prohibited

Neither colouring nor edging are to be used on a plan sheet.

6 Clarity of detail

The plan must be drawn in a manner and to a scale that allows all details and notations to be clearly reproduced by the copying processes used by the Registrar-General.

7 Alterations made to plans before registration

- (1) A plan that was lodged by hand may be altered only by, or with the authority of, the surveyor who prepared it and each alteration must be authenticated by signing and dating the plan or administration sheet as appropriate.
- (2) An alteration to a plan that was lodged by hand is to be made by addition to, or striking through, the matter to be altered. However, the Registrar-General may require a plan sheet to be replaced if, in the opinion of the Registrar-General, any alteration on the sheet will render it unsuitable for copying.

- (3) An alteration to a plan that was lodged electronically is to be made by creating a new version of the electronic plan file and not by altering the version that was lodged.
- (4) If an alteration to a plan affects a lot boundary or the area of a lot, authentication of the plan is required following the alteration by a duly authorised officer of a local council or an accredited certifier signing and dating the strata certificate and, if the plan was lodged by hand, also signing and dating a copy of the altered plan (which is to be provided to the Registrar-General).
- (5) The Registrar-General may require that a qualified valuer certify that the schedule of unit entitlement accurately reflects a plan following an alteration by signing and dating the valuer's certificate.
- (6) The Registrar-General may require the registered proprietor or any other person to authenticate a plan following an alteration by signing and dating the administration sheet.

8 Information to be included on plan sheets

- (1) Each plan sheet in a series of plan sheets must be numbered consecutively in whole numbers starting from sheet 1 and show the total number of sheets in the series.
Example. Sheet 1 of 5 sheets.
- (2) Each sheet of a location plan or floor plan must contain a north point that is directed towards the top of the sheet.
- (3) No information (other than the plan and any separate diagrams and tabulations of dimensions relating to the plan) is to appear within the plan drawing area of a plan sheet unless otherwise authorised by this Schedule.

9 Linear dimensions

- (1) Linear measurements must be expressed in metres (correct to 3 decimal places) without any accompanying symbol.
- (2) If a length of less than 1 metre is shown, the decimal point must be preceded by the numeral "0".

10 Area dimensions

- (1) Area measurements must be expressed as follows:
 - (a) areas of less than 1 hectare must be expressed in square metres, accompanied by the symbol "m²",
 - (b) areas of 1 hectare or more must be expressed in hectares (using not more than 4 significant figures), accompanied by the symbol "ha".
- (2) A statement may be added to the plan stating that all areas are approximate.
- (3) The total area of a lot:
 - (a) must be shown within or relevant to the most significant part of the lot, and
 - (b) must be the exact mathematical total of the areas shown elsewhere in the plan within or relevant to the component parts of that lot.

11 Bearings and angles

- (1) Bearings must not be shown on any plan sheet unless they form part of permitted survey information.

- (2) Angular relationships must be established by linear dimensions and rectangular offsets only, and not by use of angular dimensions, except in the case of an angular dimension of 90°, which must be shown as such.

12 Signatures not to appear

The plan drawing sheets are not to show any signatures or seals unless otherwise authorised or required by this Regulation.

Note. Generally, signatures and seals must be shown on the administration sheet.

Schedule 11 – Location plans

(Rule 8.1.1)

- 1 A location plan must be in the approved form.
- 2 A location plan for the whole of a building must show the following:
 - (a) the parcel boundaries and the lengths of those boundaries,
 - (b) the external limits of the building,
 - (c) the external limits of any structural feature used in the plan to define lots,
 - (d) the external limits of any lots or parts of lots that are within the parcel but not within the building (**external lots**),
 - (e) if any encroachment exists, sufficient information to indicate the nature and extent of the encroachment.
- 3 A location plan for part of a building must show the following (using such elevations, sections, levels and planes as the Registrar-General considers to be necessary):
 - (a) the boundaries of the land occupied by the building and the lengths of those boundaries,
 - (b) the external limits of the building,
 - (c) the external limits of the part of the building to which the plan applies,
 - (d) the parcel boundaries to the extent necessary to show the location of the following:
 - (i) the part of the building to which the plan applies,
 - (ii) any structural feature used in the plan to define lots,
 - (iii) any external lots,
 - (e) if any encroachment exists, sufficient information to indicate the nature and extent of the encroachment.
- 4 A location plan must also show the following:
 - (a) the identity of any land that adjoins the parcel,
 - (b) the street number of the building,
 - (c) the number of floors or levels in the building,
 - (d) the material from which the external walls of the building are constructed,
 - (e) if the building is within 2 metres of a parcel boundary (but is not on the boundary), connections that accurately show the relationship of the boundary to the building,
 - (f) if an external lot is within 2 metres of a parcel boundary (but is not on the boundary), connections that accurately show the relationship of the boundary to the structural feature used to define the external lot. These connections should correspond to those used on the floor plan that defines the lots.

- 5** All connections shown on a location plan must be referred to a stated surface of a floor, wall, ceiling or structural feature.
- 6** There must be a statement on each sheet of a location plan of the reduction ratio at which the plan is drawn.
- 7** If an affecting interest affects a parcel, the location plan must:
 - (a) contain sufficient information to define the site and nature of the affecting interest, and
 - (b) contain the registration number of the instrument or plan, or the Gazette reference, by which the interest was granted, reserved, notified or otherwise created, and
 - (c) wherever possible, show the relationship of the affecting interest to the boundaries of the parcel.
- 8** If an existing or proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object, which is underground or is within or beneath an existing building, it is sufficient to indicate on the location plan the approximate position of the easement.
- 9** A location plan must contain sufficient information:
 - (a) to define the site of any affecting interest that is intended to be created (whether as a consequence of the registration of the plan or otherwise) and that affects common property, other than common property within a building, and
 - (b) to indicate, where necessary, the relationship of the affecting interest to the boundaries of any affected parcel or lot.

Schedule 12 – Floor plans

(Rule 8.1.2)

- 1 A floor plan must be in the approved form.
- 2 A floor plan must be on a separate sheet to the location plan.
- 3 A floor plan must:
 - (a) show the boundaries of each lot and each part of a lot, and
 - (b) show the area of each lot and each part of a lot, and
 - (c) include a lot number for each lot and, if a lot has separate parts, clearly identify each of those parts, and
 - (d) show boundaries defined by walls or other structural features (**structural boundaries**) by the use of thick lines, and
 - (e) show other boundaries (**line boundaries**) by the use of thin lines and include sufficient connections from walls or other structural features to accurately show the location of those line boundaries, and
 - (f) if an upper or lower boundary of a lot or part of a lot is not limited by a structural feature—include statements sufficient to accurately indicate the location of that boundary, and
 - (g) include notations to clearly identify any encroachment that is designated for use with a lot, and
 - (h) show all structures on a lot (other than a dividing fence within the meaning of the *Dividing Fences Act 1991*) that are outside a building and within 1 metre of the boundary of the lot and include notations to clearly identify whether each such structure is common property or part of the lot.
- 4 A floor plan must show the lowest level to the highest level unless the Registrar-General has previously given approval for the levels to be shown in a different manner.
- 5 A floor plan must not show the relationship of lot boundaries to parcel boundaries, except to the extent necessary to show any encroachments.
- 6 There must be a statement on each sheet of a floor plan of the reduction ratio at which the plan is drawn.
- 7 A floor plan may show sufficient information to define the site of an existing easement that is located within a building if the Registrar-General agrees that the enjoyment of the easement would be reliant on its position being shown in such a manner.
- 8 A floor plan must contain sufficient information to define the site of:
 - (a) any affecting interest intended to be created as a consequence of the registration of the plan that affects a lot in the plan or common property within a building, and
 - (b) any proposed easement over a lot in the plan or common property within a building.
- 9 If a proposed easement is in respect of an existing tunnel, pipe, conduit, wire or other similar object which, is underground or is within or beneath an existing building, it is sufficient to indicate on a floor plan the approximate position of the easement.

Schedule 13 – Requirements for administration sheet lodged with strata plans

(Rule 8.2)

Note. An administration sheet must be in the approved form (see the definition of *administration sheet* in section 4(1) of the SSDA). All signatures and seals must be shown on the administration sheet. No signatures or seals are to appear on the plan drawing sheets. The completed administration sheet forms part of the plan and must be lodged with and in the same manner as the plan.

1 Use of approved form

- (1) An administration sheet must be in an approved form.
- (2) Any signatures, seals or certificates that cannot satisfactorily be shown on one sheet may be shown on one or more additional sheets in an approved form.

2 Paper

The paper used must be:

- (a) white or off white and free from discolouration, blemishes and creases, and
- (b) of archival quality, and
- (c) 297 millimetres in length by 210 millimetres in width (standard A4), or such other sized paper as may be approved by the Registrar-General.

3 Clarity

- (1) Text must be clearly printed or written:
 - (a) across the width of each panel on the sheet of paper used, and
 - (b) on one side only of each sheet.
- (2) Text or seals (other than directions or notations authorised by the Registrar-General) must not extend into a margin.

4 Alterations

- (1) Alterations must be made by adding to or striking through the matter intended to be altered.
- (2) Alterations must be authenticated by signing and dating as near as practicable to the alteration.

5 Information to be included on multiple sheets

If the administration sheet comprises more than one sheet, each sheet must be numbered consecutively in whole numbers starting from sheet 1 and show the total number of sheets.

Example. Sheet 1 of 5 sheets.

Schedule 14 – Requirements for lodging administration sheet and other documents electronically with strata plans

(Rules 8.2.2 and 8.4)

1 Application of Schedule

This Schedule applies to the following documents when required to be lodged electronically with a strata plan:

- (a) an administration sheet,
- (b) a strata development contract,
- (c) a strata management statement,
- (d) by-laws,
- (e) an instrument pursuant to section 88B of the CA,
- (f) any other documents required by the Registrar-General.

2 Creation of electronic file

- (1) The completed paper document is to be scanned and an electronic file created in a format approved by the Registrar-General.
- (2) A document comprising more than 1 sheet must be created as a multipage file.

3 Lodging procedure

- (1) The scanned document must be lodged electronically together with the plan.
- (2) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.

Note. The completed paper document must be retained by the lodging party for a period of at least 7 years following the date of registration of the plan (see clause 25 of the *Strata Schemes Development Regulation 2016*)

Schedule 15 – Lodgment requirements for Miscellaneous Dealing form

(Rule 5)

1 Preparation of instrument, dealing or caveat

- (1) The dealing or caveat referred to in Rule 5.1.1 must comply with Schedules 2, 3 and 4 as applicable.
- (2) The instrument referred to in Rule 5.1.2 must comply with Rule 4.

2 Creation of electronic file

- (1) The properly completed instrument, dealing or caveat must be an electronic file created in a format approved by the Registrar-General.
- (2) A document comprising more than 1 sheet must be created as a multipage file.

3 Lodging procedure

- (1) The electronic file must be lodged together with the:
 - (a) Miscellaneous Dealing form available in the ELN; and
 - (b) Unless otherwise approved by NSW LRS, the Lodgment Rules exception form, which must indicate which reason has been selected for the lodgment of this form.

Note. The completed document(s) must be retained by the lodging party for a period of at least 7 years following the date of registration of the dealing (see Rule 6.6 of the NSW Participation Rules).

Schedule 16 – Lodgment requirements for Dealing with Exception dealing form

(Rule 10)

1 Preparation of dealing or caveat

- (1) The dealing or caveat referred to in Rule 10.1 must comply with Schedules 2, 3 and 4 as applicable.

2 Creation of electronic file

- (1) The properly completed dealing or caveat must be an electronic file created in a format approved by the Registrar-General.
- (2) A document comprising more than 1 sheet must be created as a multipage file.

3 Lodging procedure

- (1) The electronic file must be lodged together with the:
 - (a) Dealing with Exception dealing form available in the ELN; and
 - (b) Unless otherwise approved by NSW LRS, the Lodgment Rules exception form, which must indicate which reason has been selected for lodgment of this form.

Note. The completed document(s) must be retained by the lodging party for a period of at least 7 years following the date of registration of the dealing (see Rule 6.6 of the NSW Participation Rules).

Schedule 17 - Requirements for making alterations to dealings, caveats and instruments lodged in electronic form in the Torrens Register.

(Rule 11)

1 Lodgment procedure

- (1) The standard of the electronic file received by the Registrar-General must be acceptable to the Registrar-General.
- (2) The document must be submitted through the channel approved by the Registrar-General, together with all required attachments.

Note. The completed document(s) and all evidence must be retained by the lodging party for a period of at least 7 years following the date of registration of the dealing (see Rule 6.6 of NSW Participation Rules)

2 Making alterations to electronic dealings procedure

- (1) A Dealing, caveat or instrument that requires a minor alteration after a requisition has been received will be required to be altered and re-submitted.
- (2) Alterations must be made by striking through the matter intended to be altered and not by rubbing, scraping or cutting the surface of the paper or by using correction fluid.
- (3) Signatures or initials noting alterations by interlineation or the striking through of matter must be placed in the margin as near as practicable to the alteration.
- (4) In addition, the name of the person noting the alteration must be printed in cases where:
 - (a) the person initials an alteration, or
 - (b) the person notes an alteration by signature, but the person's name cannot be clearly ascertained.
- (5) The date of the alteration must be included.