



LandTasmania

Priority Final Plan

2020-2021 Review

OCTOBER 2022

Introduction

On 30 November 2020, the Land Titles Office (“LTO”) introduced the Priority Final Plan scheme (“PFP scheme”), following amendments to Division 3 of the [Local Government \(Building and Miscellaneous Provisions\) Act 1993](#) (the “Act”). The PFP scheme aims to contribute to red tape reduction in the State of Tasmania by more expeditious land development via legislated timeframes for acceptance of some sealed plan subdivisions.

The Recorder of Titles is to accept or reject sealed plans compliant with the PFP scheme, which do not require amendment or further information via Notice in writing (“Notice”) from the LTO, within 15 business days of the requirements of the PFP scheme having been satisfied.

Following publication of the [Office Circular No. 6/2020](#), the LTO has undertaken a post-implementation review of the first year of the PFP scheme (to 29 November 2021).

Key points of the PFP scheme review

For the review period, the following findings are to be noted:

Compliance with the PFP scheme upon plan lodgment

Plans compliant with PFP scheme

70.2% of plans purportedly lodged under the PFP scheme were compliant.

Plans non-compliant with PFP scheme

29.8% of plans purportedly lodged under the PFP scheme were not compliant with the scheme. Those plans therefore did not enjoy the benefits of the PFP scheme and were examined in the normal course of business.

Plans did not satisfy PFP scheme requirements due to five main reasons:

- Expired certification or endorsement letter confirming the lodgment had occurred within 5 business days of the final plan being lodged with the council, or such certification not lodged (23%).
- Copy of the final plan not marked as “**Priority Final Plan**” (19%).
- Subsequent lodgment documents not identical to documents upon initial lodgment (9%).
- Provision of incorrect fees (8%).

- Missing required documents for lodgment, e.g., schedule of easements, survey notes (8%).

79% of plans not compliant with the PFP scheme presented only one reason that did not satisfy the statutory PFP scheme requirements for compliance, and 21% presented multiple reasons.

Plan examination under the PFP scheme

In accordance with [Office Circular No. 5/2019](#), examinations are graded under four “requisition classes”, and accordingly recorded against each lodged plan of survey and the associated survey notes. The allocated “requisition classes” on plans which were otherwise compliant with the PFP scheme can be broken down as follows:

- 31.9% provided an inadequate presentation, textual errors, or omission of administrative detail (“requisition class 2”).
- 2.8% presented errors in dimensions or lot areas, or omission of access or easements (“requisition class 3”), or statutory non-compliance other than in “requisition class 4”.
- 2.5% showed an inadequate basis for boundary redefinition (inclusive of inadequate reporting), inadequate documentation of occupation, incorrect re-establishment, overlapping titles, or failure to mark in accordance with [Survey Directions](#) (“requisition class 4”).
- 37.2% of examinations resulted in the issuing of a Notice (“requisition classes 2 to 4”).
- 5.3% of all examinations under the scheme resulted in the issuing of a Notice with a prescribed fee (“requisition classes 3 and 4”).

Relevant parties are encouraged to take greater care to ensure compliance with the PFP scheme and the Survey Directions. Improved compliance will support the LTO to deliver a more efficient service.

How to comply with the PFP scheme?

To apply for a subdivision plan to be dealt with under the PFP scheme, lodging parties are to provide the following to the LTO:

On initial lodgment with the LTO (within 5 business days of lodging with council)

- Payment of the correct prescribed fees* which may be found by clicking [here](#).

*Any road lot must be included as a lot when calculating the fee payable.

- A copy of the final plan marked “**Priority Final Plan**” as lodged with council.
- A copy of the fully executed schedule of easements.
- Copies, or originals of:
 - Survey notes.
 - Balance plan (if required).
- Certification or endorsement by the owner, an agent of the owner or a legal practitioner acting on behalf of the owner, that:
 - the copy final plan and documents lodged under the PFP scheme with the LTO are **identical** to the documents that were lodged with council, and;
 - were lodged with council not more than **5 business days** before lodgment with the LTO.

With or before the LTO receipt of final plan, marked “Priority Final Plan” sealed by council

These documents **must** be lodged with the LTO either **with or before** lodgment of the final plan sealed by council with the LTO:

- Certificate of title or valid production slip receipt for all affected titles.
Under the PFP scheme it is not a requirement to provide the certificate of title(s) or production slip receipt(s) on the initial lodgment of documents with the LTO.
- **Original** survey notes (if not already provided).
- **Original** fully executed schedule of easements.
- **Original** balance plan (if required and if not already provided).

For examination purposes

In accordance with Office Circular No. 5/2019, a registered land surveyor must ensure that every plan of survey and the associated survey notes lodged are fully compliant with the Survey Directions applicable at that time. It is the responsibility of the surveyor to ensure the provision of documentation with no errors or omissions by satisfying the following criteria:

- Adequate presentation with no textual errors or omission of administrative detail.
- No errors in dimensions or lot areas, or omission of access or easements, or statutory non-compliance.

- Adequate basis for boundary redefinition (inclusive of adequate reporting); adequate documentation of occupation; correct re-establishment of title boundaries; no overlap of titles; marked in accordance with the Survey Directions.

Document guides and links

To assist with the preparation and lodgment under the PFP scheme and enjoy its benefits, the LTO has developed a Priority Final Plan Practice Guide with detailed information related to PFP scheme compliance and Notices.

A Priority Final Plan Checklist and Certification can be found at the end of the PFP Practice Guide that may be included with the initial lodgment or subsequent lodgments.

To access and download both documents visit the [Land Titles Office page](#) on the NRE Tas website or click below:



[Priority Final Plan Practice Guide](#) (PDF 546KB)



[Priority Final Plan Checklist and Certification](#) (PDF 90KB)

Other NRE Tas material is available to assist with preparation and lodgment under the PFP scheme:

[Plan Documentation](#)

[Land Titles Office Fees](#)

[Current Survey Policy and Practice](#)

[Survey Directions](#)

[Office Circular No. 5/2019](#)

[Office Circular No. 6/2020](#)

General enquiries regarding the PFP scheme

General enquiries regarding the PFP scheme should be emailed to lto@nre.tas.gov.au.

DISCLAIMER

This publication may be of assistance and has been prepared to provide practical guidance and assistance. The State of Tasmania and its employees do not guarantee that it is without flaw of any kind or is wholly appropriate for particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from relying on any information in this publication.

This publication does not constitute legal advice.

The State of Tasmania and the Land Titles Office take no responsibility for any transaction undertaken in reliance on the information in this publication. Seek professional advice in relation to particular requirements.

The publication may be updated from time to time and is current at the date of publication shown on the cover.