

Land Victoria

Customer Information Bulletin

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Customer Information Bulletin on email

If you'd like to receive the *Customer Information Bulletin* electronically or unsubscribe, send your request via email to trs.enquiries@dse.vic.gov.au, telephone (03) 8636 2010, or fax (03) 8636 2250.

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Land Registration Services

Limit to over-the-counter lodgements

Customers who lodge dealings over the counter are advised that these lodgements are now limited to a maximum of five dealings per customer, per sitting. Customers lodging routine transaction documents are encouraged to submit them for processing through the bulk lodgement facility.

Changes to payment methods for Land Victoria lodgement fees

Land Victoria is phasing out cheques as a fee payment method. The change will be progressive and expected to be finalised by the end of 2010.

The first stage of the process will take effect from 1 January 2010. From that date onwards, Land Victoria will no longer accept third party cheques for fee payments. Bank cheques and cheques drawn on a lawyer's or conveyancer's trust account will continue to be accepted after 1 January 2010, pending the phase-out period's completion.

Also, from 1 January 2010 any cheque payment must be for the exact amount of the fees payable and customers will no longer be able to carry a credit for any overpayment of fees. Land Victoria will work with customers to eliminate any existing credits prior to commencing the new practice.

Further changes will occur throughout 2010 and customers will be advised of these changes in future bulletins.

Electronic caveats online

There has been significant industry interest in caveats online since its launch in April 2009.

Lodging caveats online is quicker and more efficient, and the lodgement fee for an electronic caveat is less costly than a paper caveat. Following lodgement, dealing numbers are provided to the lodging party electronically within minutes. Advice on the status of the caveat is also provided electronically.

Caveats expressing the following grounds of claim can be processed using caveats online:

- contract from the registered proprietor(s)
- mortgage from the registered proprietor(s)
- charge from the registered proprietor(s)
- charge contained in an agreement from the registered proprietor(s)

- charge contained in a mortgage from the registered proprietor(s)
- charge contained in a building agreement from the registered proprietor(s).

The service will be extended later this year to allow the selection of one or more registered proprietors for all of the above grounds of claim.

For information on how caveats can be lodged online, contact Land Victoria on 8636 2586 or go to www.landexchange.vic.gov.au/ec.

Training for caveats online is straightforward and provided free-of-charge.

Alerts on unregistered plans

Land Victoria offers customers an Internet service that provides up-to-the-minute notification about a plan of subdivision's progress through the office – from notification at the time of lodgement through to registration. Emails are sent as a plan progresses through the office. This eliminates the need to repeatedly undertake a dealing enquiry/search, telephone or make in-person enquiries about a plan's progress.

This alert on an unregistered plan is a subscription service available through LANDATA®. Subscriptions are in multiples of three months and the cost is the same as a single dealing enquiry/search.

The service is useful for a wide range of people. A developer can follow a plan's progress as it happens and know immediately when a plan is registered. A buyer off-the-plan does not need to rely on other parties to find out how a subdivision is progressing. Lawyers, conveyancers and surveyors can keep an eye on a plan's progress, as can their agents.

For a small extra fee, customers can obtain the associated title allocation following registration of the plan.

The streamlined LANDATA® email alert service saves customers valuable time throughout the registration process and will greatly reduce instances where Land Victoria staff need to personally answer customer enquiries.

To subscribe, go to www.LANDATA.vic.gov.au.

Catchment and Land Protection (CaLP) – Section 90 certificates

From 1 September 2009 all CaLP certificates, previously issued by the Department of Primary Industries (Benalla Office) are now issued by LANDATA®. The cost is \$16.50 and if the property in question covers more than one title, it is \$16.50 per title.

CaLP Certificates are property certificates issued under Section 90 of the *Catchment and Land Protection Act 1994* and form part of the property conveyancing process.

These certificates assist in identifying potential land management issues for prospective land owners.

To order your CaLP certificate you will need:

- a copy of the Register Search Statement (Title)
- a copy of the plan.

You can then do one of the following to order the certificate:

- Order online at LANDATA® (www.landata.vic.gov.au>Titles and Property Certificates)
- Order from a LANDATA® licensed information broker
- Go to the Land Information Centre at Level 10, 570 Bourke Street, Melbourne and pay by cash, debit or credit card

- Mail your order to LANDATA® at PO Box 500, East Melbourne 8002 or DX 210098, ensuring that you enclose a cheque for \$16.50 per certificate ordered.

The first two options are the preferred ordering methods.

Victorian Water Register

Unconfirmed ownership of water shares in the southern declared water systems

By confirming ownership of shares before 31 December 2009, water share owners will avoid the ownership of unconfirmed water shares being automatically determined (under Clause 17(3) in Schedule 15) in a way that may not suit the owners' businesses or future plans. In addition, there are no fees payable if confirmation occurs before 31 December 2009. If you need to change ownership details after 31 December, fees will apply.

As noted in earlier Customer Information Bulletins, where a water share was unbundled out of an existing irrigation right derived from a land holding, some shares were issued at that time or later changed to the confirmation status of 'Unconfirmed 17(1) (a) and (b)' under Schedule 15 of the *Water Act 1989*.

In cases where the irrigation holding was made up of two or more land folios, some had different owners, were owned in a different manner or had different mortgages. The owners were all identified but in some cases the exact details of the portions owned by each individual could not be determined.

If owners and their lenders cannot reach agreement about how the shares are to be owned, or if owners' circumstances are complex, independent legal or accounting advice may be necessary.

The application form is available from the Victorian Water Registrar website at www.dse.vic.gov.au/waterregister. Information about completing the form and other general information on unbundling is available on the website.

Southern Rural Water Corporation is also now available to help customers work through the process of confirming water ownership arrangements.

For more information please contact Southern Rural Water on 51 39 3100.

End of 'no recording fee' on Discharge of Mortgage on a water share

Since unbundling started, the Registrar waived the fee for a discharge of mortgage when the recording of a mortgage was extended to a water share under Schedule 15 of the *Water Act 1989*. From 1 January 2010 the recording of a discharge of mortgage will incur the usual fee of \$51.00.

Where a lender/bank agrees to discharge a mortgage, a discharge of mortgage in the approved form must be lodged for recording. The Discharge of Mortgage of Water Share form is available on the Victorian Water Registrar website (see above).

