

# Circular



Land and  
Property  
Information

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## Electronic Lodgment of Plans (e-plan)

### Conveyancing Legislation Amendment (e-plan) Act 2002 and enabling Regulations

The Conveyancing Legislation Amendment (e-plan) Act 2002 and the various supporting regulations commenced on 19 August 2002.

The object of the Act is to provide for the electronic lodgment of plans and certain accompanying documents by an **approved person**. The Act provides the necessary amendments to the Conveyancing Act 1919, Real Property Act 1900, Strata Schemes (Freehold Development) Act 1973, Strata Schemes (Leasehold) Development Act 1986 and the Community Land Development Act 1989.

The Act also provides that all requisite signatures, seals and certificates may be endorsed on an approved form for signatures (**signatures form**) instead of the plan, and where the plan is to be lodged electronically a **signatures form** must be adopted and scanned to be lodged electronically with the plan.

### Will the Act prevent me from lodging a plan by hand?

No. The current manual system of lodgment by hand at the Sydney office of LPI will still be available (see Information Kit No. 1 – Lodging a Plan).

The new e-plan system provides an alternative for an **approved person**, in the form of an internet lodgment facility that is a faster, more secure (avoids the loss or damage of original documents in transit) and more efficient system.

A plan cannot be lodged and dealt with using a combination of both the electronic and manual systems. Compliance with any requisitions must be carried out using the system under which the plan was lodged. The only exception to this rule is that the following original documents must always be lodged manually:

- the certificate of title/old system deeds
- any letters of (lessee's, caveator's, judgment creditor's, adjoining owner's) consent
- a Statement of Title Particulars, if required
- any statutory declarations (eg, establishing adverse possession) and
- office copies of court orders.

## How do I become an **approved person** to lodge plans electronically?

Access to the e-plan facility is available to;

- (i) NSW registered surveyors, who must complete an 'on line' application providing certain personal details
- (ii) a nominated representative of a surveyor's company, or an authorised representative of a government agency who must submit a written request for a 'group ID' to the e-plan project manager.

After initial approval an **approved person** will be issued with a userID and password to access the e-plan system and **must** first lodge test data files to the required specifications to gain approval to lodge plans for registration.

**Approval may be cancelled by the Registrar General for breaches of the terms and conditions of use.**

## How does the e-plan system work?

The electronic plan lodgment process operates on the following basis:

- The previous legislative requirements relating to the preparation of plans and accompanying documents (i.e. content and layout) has not been changed, but includes additional requirements for endorsement of signatures, seals and certificates on a separate form and conversion of original documents to an electronic image format known as a Tagged Image File Format (TIFF).
- A surveyor will prepare the plan image and plan mathematics files using the appropriate software.
- A solicitor will retain the task of:
  - Preparing the instrument(s) that accompany a plan, for example a section 88B instrument creating easements and/or restrictions and
  - Arranging for the collection of the various signatures and consents that are needed for the plan and any accompanying instrument.

- The signatures needed for a plan, namely:
  - the signature of the person giving the subdivision/strata certificate
  - the signature of the surveyor
  - the signature of an authorised officer signing on behalf of the Crown and public bodies which are lodging the plan
  - the signatures of the registered proprietor/owner and the mortgagee, chargee or covenant chargee of the land,

will be entered on an Approved Form for Signatures (**signatures form**) - see Annexure "A". No signatures or seals will appear on the plan – see Annexure "B".

Where other documents bearing original signatures are required, namely

- any letters of (lessee's, caveator's, judgment creditor's, adjoining owner's) consent;
- a Statement of Title Particulars, if required
- any statutory declarations (eg, establishing adverse possession) and
- office copies of court orders

these original documents must be lodged manually (by hand or post) before registration of the plan.

- The **approved person** will:
  - (i) scan and create TIFF images of the following original documents bearing signatures and seals to the required specifications:
    - the completed signatures form
    - the accompanying instruments
    - the completed plan checklists and
    - other documents that may be required by the Registrar General.
  - (ii) Compress the electronic TIFF files of the plan and accompanying material into a single zip file for transmission to LPI
  - (iii) Login by userID and password, to the secure Internet lodgment facility on the e-plan homepage located at [www.lpi.nsw.gov.au](http://www.lpi.nsw.gov.au)
  - (iv) Complete an on-line lodgment form and acknowledge the following statement:

**“I declare that any image of a signed form, instrument or document lodged herewith was created from the form, instrument or document bearing the original of the signatures or seals. I agree to hold the original forms, instruments or documents for a period of 12 months from the date of registration of the plan.”** (see relevant regulations)

- (v) Upon acceptance of the above statement, upload the zip file containing the electronic lodgment bundle.
- When the file upload is complete:
  - (i) a **“Successful Upload”** screen will be displayed, this indicates that the file has been successfully uploaded to the LPI website.
  - (ii) Lodgment in LPI will take place when the file is downloaded by LPI staff from the secure website to the LPI network, during normal business hours, and the details entered into the Integrated Titling System.
  - (iii) Notice of a successful lodgment and deposited/strata plan number, together with a tax invoice for the fees payable, are forwarded by e-mail to the **approved person**.
- Fees are payable within 7 days of the date of the tax invoice (the lodgment date).
  - (i) **in person** at the LPI Office at 1 Prince Albert Road, Queens Square, Sydney
  - (ii) by **post** to Revenue Section, Finance Branch, Land and Property Information, 1 Prince Albert Road, Queens Square, Sydney 2000
  - (iii) by **electronic funds transfer (EFT)** - details of this facility are available from Finance Branch on 02 9228 6773.
- The following original documents must be lodged manually (by hand or post), before registration of the plan:
  - (i) the certificate of title/old system deeds
  - (ii) any letters of (lessee's, caveator's, judgment creditor's, adjoining owner's) consent
  - (iii) a Statement of Title Particulars, if required
  - (iv) any statutory declarations (eg, establishing adverse possession) and
  - (v) office copies of court orders.
- After lodgment (before examination and registration) an electronic copy of a newly lodged plan and accompanying instruments and signatures form, is sent to the relevant local council.
- After the plan is examined and registered in LPI, an image of the plan and the accompanying instruments, including the signatures form, is stored in the imaging System of LPI and certificates of title and notices of registration delivered.
- After registration an electronic copy of the registered plan and accompanying instruments, including the signatures form, is sent to the relevant local council.

### **What is a signatures form? – “Approved Form for Signatures”**

The **signatures form** is an approved form for signatures that replaces the need to endorse signatures and seals on the plan and must be used in conjunction with electronic lodgments. A **signatures form** may also be adopted for use with a manual lodgment.

When a **signatures form** is adopted the completed form must be lodged in the same manner as the plan. If the plan is lodged by hand the completed **signatures form** bearing original signatures and seals is lodged with the plan. If the plan is lodged electronically the completed **signatures form** bearing original signatures and seals is scanned to the required specifications, by the **approved person** and a TIFF image created and lodged with the plan. Where a **signatures form** is adopted no signatures or seals will appear on the plan drawing sheets irrespective of the method adopted for lodgment.

The **signatures form** must contain all the signatures, seals and certificates required by the Registrar General, endorsed in the appropriate panels on the approved form. Where insufficient space is available for the number of signatures seals and certificates required, additional annexure sheets in the approved form may be added.

Any statement of intention to dedicate a public road (including a temporary public road) under the Roads Act 1993 or to create a public reserve or drainage reserve under the Local Government Act 1993, as indicated on the plan, must be repeated in the panel provided on the **signatures form**.

There are different approved forms for signatures for deposited plans and strata plans.

### **What are the requirements for creating TIFF images?**

(i) The Plan:

The plan TIFF image must be created from a Computer Aided Drafting (CAD) system using third party software in the form of a raster printer driver and not scanned from hardcopy. Additional information is available from the Surveyors Information Package on the LPI website at:  
<http://lpi-online.lpi.nsw.gov.au/eplan.html>

(ii) Other Documents:

All accompanying documents (signatures form, 88B, checklists, survey reports, developer by-laws, management statements and development contracts) bearing original signatures and seals must be scanned and a TIFF image created.

(iii) Each TIFF image must be created to the following specifications:

- (ii) Size - true to the approved form or document size (A2, A3 or A4)
- (iii) Colour - must be black and white (monochrome)
- (iv) Resolution - 200 dots per inch (dpi)
- (v) Compression - CCITT Group 4

(vi) Where there is more than one sheet to a plan file or other document file, each file must be created as a multipage TIFF.

### **Where do I get further information?**

General inquiries on all matters relating to plans may be made:

Customer Support Counter  
level 2, North Wing  
Land and Property Information  
1 Prince Albert Road  
Queens Square Sydney NSW

T: 02 9228 6798

F: 02 9221 4405

[www.lpi.nsw.gov.au](http://www.lpi.nsw.gov.au)

Inquiries for electronic lodgment of pre-examination plans, or final plans to be lodged for registration may be sent to [eplan@ditm.nsw.gov.au](mailto:eplan@ditm.nsw.gov.au) or

T: 02 9228 6907

F: 02 9223 8114

Des Mooney  
General Manager

PLAN FORM 6

<b>CERTIFICATES, SIGNATURES AND SEALS</b>		Sheet of sheet(s)
<p><b>PLAN OF</b></p>	<p style="text-align: right;">*</p>	* OFFICE USE ONLY
	<p><b>Registered:</b></p> <p style="text-align: right;">*</p>	
<p style="text-align: center;"><b>Surveyors (Practice) Regulation 2001</b></p> <p>I, .....  of .....  a surveyor registered under the <i>Surveyors Act 1929</i>, certify that the survey represented in this plan is accurate, has been made in accordance with the <i>Surveyors (Practice) Regulation 2001</i> and was completed on:.....</p> <p>The survey relates to  .....  (specify the land actually surveyed or specify any land shown in the plan that is not the subject of the survey)</p> <p><i>Signature</i> ..... <i>Dated:</i> .....  Surveyor registered under the <i>Surveyors Act 1929</i></p> <p><i>Datum Line:</i> .....  Type: <i>Urban/Rural</i></p>	<p><b>SIGNATURES, SEALS and STATEMENTS of intention to dedicate public roads or to create public reserves and drainage reserves.</b></p>	
<p style="text-align: center;"><b>Department of Land and Water Conservation Approval</b></p> <p>I, ..... in approving this plan certify  (Authorised Officer)  that all necessary approvals in regard to the allocation of the land shown herein have been given</p> <p><i>Signature:</i> .....  <i>Date:</i> .....  <i>File Number:</i> .....  <i>Office:</i> .....</p>		
<p style="text-align: center;"><b>Subdivision Certificate</b></p> <p>I certify that the provisions of s.109J of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to:</p> <p>the proposed ..... set out herein  (insert 'subdivision' or 'new road')</p> <p style="text-align: center;">* Authorised Person/General Manager/Accredited Certifier</p> <p><i>Consent Authority:</i> .....  <i>Date of Endorsement:</i> .....  <i>Accreditation no.:</i> .....  <i>Subdivision Certificate no.:</i> .....  <i>File no.:</i> .....</p> <p><b>Note:</b>  When the plan is to be lodged electronically in Land and Property Information, it should include a signature in an electronic or digital format approved by the Registrar-General.  * Delete whichever is inapplicable.</p>		

SURVEYOR'S REFERENCE:

Use FORM 6A for additional signatures

