



1. 100% Digital Lodgment and SPEAR ELN update

1.1	100% Digital Lodgment	<p>Q: When 100% digital lodgment happens, who will be the lodging party for plans of Crown Allotment?</p> <p>A: Applicant Contacts will continue to submit Plan of Crown Allotment applications to Surveyor-General Victoria. Once certified by the Surveyor-General, Plans of Crown Allotment may form part of several different applications including (but not limited to):</p> <ul style="list-style-type: none"> • Crown Grants – lodged by the Department of Treasury and Finance • Crown Leases – primarily lodged by the Department of Environment, Land, Water and Planning or the Alpine resorts • Major Transport Projects Facilitation Act 2009 dealings - lodged by the acquiring authority or their lodging party
1.2	100% Digital Lodgment	<p>Q: Will all subdivision planning permits be required to go through SPEAR?</p> <p>A: No, the 100% digital lodgment requirement does not involve the permit process at council. The requirement is for the lodgement of dealings at Land Use Victoria (LUV).</p> <ul style="list-style-type: none"> • All transactions to be lodged electronically from August 2019 (except SPEAR Electronic Lodgment Network [ELN] transactions). • All transactions to be available for electronic lodgment from August 2019 (SPEAR ELN) <p>Subject to Registrar’s approval, it is proposed that Licensed Surveyors submit ALL plan and survey-based applications in SPEAR from 1 January 2020. The intention is, lodgments supported by paper plans and/or surveys will be refused by LUV after this date. This requirement will be detailed in the next version of the Registrar’s Requirements.</p>
1.3	100% Digital Lodgment	<p>Q: Who provides the council consent for a 45E creation of carriageway easement? Traditionally this is supplied by the surveyor.</p> <p>A: This can be supplied as an ‘Other document type’ by the Applicant Contact. If not supplied by the Applicant Contact, the lodging party will be able to supply it using the ‘Council consent letter’ document type.</p>
1.4	SPEAR ELN	<p>Q: What percentage of current lodging parties are not ELN subscribers?</p> <p>A: Approximately 10% of Subdivision Act dealings are lodged via the SPEAR ELN.</p>
1.5	SPEAR ELN	<p>Q: Does PEXA integrate with SPEAR?</p> <p>A: No, SPEAR and PEXA do not integrate. They are independent ELNs, responsible for different lodgments and transactions.</p>
1.6	SPEAR ELN	<p>Q: What are the common refusal reasons?</p> <p>A: The most common reasons that lodgments are refused include:</p> <ul style="list-style-type: none"> • Insufficient or incorrect lodgment fees • Titles requiring nomination have not been nominated • Incorrect Owners Corporation (OC) additional information has been supplied (OC1 and OC2 forms) <p>SPEAR ELN system validations eliminate the first two issues. Surveyors supplying OC details in SPEAR greatly reduces the third issue.</p>



2. SPEAR IT and Service Desk update

2.1	Release 4.9: Card surcharge fees	<p>Q: Which bank processes the credit card fee? Does council need a contract with the bank to apply surcharges or is it piggy backed off a SPEAR contract with Westpac?</p> <p>A: SPEAR Payments are processed by Westpac. Councils need to complete a direct debit request with Westpac to nominate the account to which payments will be received and, if not the same account, the account from which the fees will be debited. These do not need to be Westpac accounts. Councils wishing to register for SPEAR Payments can contact the SPEAR Service Desk to obtain the required forms.</p>
2.2	Release 4.9: Card surcharge fees	<p>Q: Are we allowed to use debit cards? Some banks don't charge a fee for debit cards.</p> <p>A: Card issuers (Visa or Mastercard) charge a fee for every transaction. Most debit card payments incur fees of below 0.5 per cent, which is generally lower than most credit cards at 1-2 per cent. It is up to the payee to decide whether they will pass this on to customers.</p> <p>As government accounts are charged lower fees, SPEAR Payments incur a fee of no greater than 0.4 per cent per transaction. Councils wishing to impose a surcharge on SPEAR Payments are advised not to exceed this amount.</p> <p>For more information, see https://www.accc.gov.au/consumers/prices-surcharges-receipts/credit-debit-prepaid-card-surcharges</p>
2.3	Release 4.9: Responsible Authorities expiring planning permits	<p>Q: With joint applications, when a permit lapses / expires – what happens with the certification component?</p> <p>A: The certification in a joint application remains active even if the supporting planning permit has lapsed or expired. It is up to the Responsible Authority to subsequently deal with the certification aspect of the application, by either refusing certification, or proceeding (if the circumstances allow for this). Alternatively, the Applicant Contact can withdraw the application if it is not able to proceed.</p>
2.4	Release 4.9: Responsible Authorities expiring planning permits	<p>Q: If a council manually expires a permit to move it to the completed list, will we still be able to apply for an extension?</p> <p>A: The process to apply for an extension of time on the planning permit is unchanged and will not be impacted by council expiring the application in SPEAR.</p>
2.5	Release 4.9: Prompt to update Planning Permit number	<p>Q: Will we be advised to update the planning permit number in the 'Grounds for:' section of a plan e.g. Removal of easement?</p> <p>A: No, SPEAR cannot read that value. This will need to be maintained manually. The system prompt is only for council to update their permit number in the certification panel, prior to certification.</p>
2.6	Release 4.9: Prompt to update Planning Permit number	<p>Q: Does the planning permit warning appear in a joint application where the permit number is not known at the creation of that application?</p> <p>A: This prompt will be invoked as follows:</p> <ul style="list-style-type: none"> • Joint applications: where the permit component of the application is 'lapsed', 'not required', 'refused', 'withdrawn', 'cancelled' or 'expired'. • Certification applications: where the permit was issued /requested in SPEAR, and the permit is 'lapsed', 'not required', 'refused', 'withdrawn', 'cancelled' or 'expired'



		<p>This prompt will not be displayed if the permit was requested/issued outside of SPEAR, as the system has no way of determining what the status of that permit is.</p>
2.7	Release 4.9: Enhanced 'Notes' functionality	<p>Q: Would it be a good idea to allow notes to be made public to other organisations if required?</p> <p>A: This is not in scope of the functionality. Communication of requirements with other organisations in the application could instead be achieved by using the Conditions document in SPEAR. For more information on this please refer to User Guide 29 - Manage Conditions.</p>
2.8	Release 4.9: Enhanced 'Notes' functionality	<p>Q: While the 'Notes' functions are advertised as private to your organisation, could they be subject to a freedom of information request?</p> <p>A: Users should decide if the Notes feature is the most appropriate place to share information based on their organisational communication policies. The Notes feature is optional to use and was developed as a means of facilitating file note sharing within an organisation.</p>
2.9	Release 4.9: Council consent for carriageway Easements under Section 45, TLA	<p>Q: Any possibility some of the additional application types being added that require consent from council (e.g. 45E carriageway dealings) can utilise the SPEAR workflow to have council respond directly within the application?</p> <p>A: No, at this stage consents to support these types of applications are supplied using 'Other document type' by the Applicant Contact. If not supplied by the Applicant Contact, the lodging party will be able to supply it using the Council consent letter document type.</p>
2.10	Release 4.9: Council consent for carriageway Easements under Section 45, TLA	<p>Q: Will SPEAR support Section 73B, TLA applications for creation of carriageway easement with council consent?</p> <p>A: Section 73B details the requirement to supply council consent for these types of easements, however the application submitted in SPEAR will still be done under Section 45. The consent document will be supplied as an 'Other document type' by the Applicant Contact. If not supplied by the Applicant Contact, the lodging party will be able to supply it using the 'Council consent letter' document type.</p>
2.11	Service Desk Update: Java Replacement (Digital Signing)	<p>Q: Will the Java replacement remove the number of clicks / steps required to complete the signing process?</p> <p>A: SPEAR is implementing an alternative to Java for digital signing to avoid users needing to purchase commercial licences to use newer versions of Java. The SPEAR team will work with the IT team in developing an appropriate solution.</p>
2.12	Service Desk Update: Owners Corporation Schedule	<p>Q: Is the OC spreadsheet & macro-enabled spreadsheet for generating multiple OC's available on the SPEAR website?</p> <p>A: Yes, the OC template and the macro-enabled spreadsheet are both available on the SPEAR website at: https://www.spear.land.vic.gov.au/spear/pages/applicants/how-do-i-set-up-my-plan-templates.shtml</p>
2.13	Service Desk Update: Abstract of Field Records	<p>Q: Do Abstract of Field Records have to be landscape?</p> <p>A: The page template for Abstract of Field Records is in landscape format, this is necessary to accommodate the digital signing watermarks that are applied by SPEAR when the document is digitally signed.</p>



2.14	Service Desk Update: LASSI	<p>Q: There are several survey labels on LASSI that return unrelated application documents, or do not return anything. Are these known issues and if so, are they being fixed?</p> <p>A: The SPEAR Service Desk receives infrequent calls regarding these types of issues and handle them on a case by case basis. If there is a broader underlying issue, then it would help if more users reported the problems more frequently so that the IT teams responsible for maintaining these processes could have more scenarios to investigate.</p>
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3. ePlan update

3.1	ePlan Update	<p>Q: Is there a plan to make ePlan mandatory? If so, is there a set date?</p> <p>Provision for industry take up will be considered should ePlan become mandatory. Surveyors are encouraged to become familiar with the ePlan processes and creating and submitting ePlans in SPEAR.</p>
3.2	ePlan Update	<p>Q: How well does the ePlan Visualiser define easements and visualise easements? Do the dimensions self-populate in the Visualiser?</p> <p>A: Easements are defined by surveyors as dimensioned polygons in the original CAD files. The attributes of easements are subsequently defined by the surveyor in the ePlan file using ePlan enabled software (i.e. identifier, beneficiary, origin, and purpose).</p> <p>Once all the easement data has been supplied, the ePlan Visualisation Service visualises the easements linework and dimensions from the ePlan file. Surveyors can later modify the way easements are presented using the ePlan Visualisation Enhancement Tool (VET).</p>
3.3	ePlan Update	<p>Q: For complex easements, in CAD it can be challenging to label them in a manner which is easily understood visually – how does the ePlan Visualiser deal with this scenario?</p> <p>A: As outlined in the response to 3.2 (above), the ePlan Visualisation service visualises the easement linework from the CAD file and applies easement attributes from the ePlan file.</p> <p>The ePlan Visualiser is generally able to find the most suitable position for easement labels, however if required, the ePlan Visualisation Enhancement Tool (VET) can be used to reposition labels and arrows.</p> <p>Complexity in easements generally comes from overlapping easements. When easements polygons overlap, the ePlan Visualiser creates a random identifier for the overlapping part e.g. E3*, with a warning in the easement table: 'Easement references shown with an asterisk(*) are compiled by SPEAR and do not appear in the ePlan data'</p> <p>To simplify this, it is recommended that surveyors create separate polygons for overlapping easements, so that the easement identifier and other attributes can be appropriately defined in the ePlan file and visualised accordingly.</p>



4. Digital Cadastre Modernisation Project and CAD co-design update

4.1	Digital Cadastre Modernisation Project	<p>Q: How accurate is the DCM Project aiming to be?</p> <p>A: The project has an objective of achieving close to .01 of a metre of accuracy in metropolitan settings and 0.5 of a metre in rural regions.</p>
4.2	DCM Project	<p>Q: Why is the data capture being done overseas when we have the local knowledge here?</p> <p>A: The current Back Capture provider was chosen based on value for money and past experience in undertaking Back Capture services in Australia and overseas.</p>
4.3	CAD co-design	<p>Q: Have any surveying firms received the co-design standard template?</p> <p>A: No, not yet as the co-design project is only just commencing and will be undertaken in consultation with industry. The aim of the project is to standardise the data requirements and layering standards for the creation of CAD files. The outcomes of this project will be communicated with industry in due course. For further information please contact surveyor.general@delwp.vic.gov.au</p>

5. Plan Branch update

5.1	Plan Branch update: Section 26Y TLA	<p>Q: What are the exact reasons the warnings are being removed from title?</p> <p>A: The <i>Transfer of Land Act 1958</i> (TLA) was amended by the <i>Land Legislation Amendment Act 2017</i> to include Section 26Y. This section provides that a provisional folio created from a conversion of general law land becomes an ordinary folio (unless an ordinary folio has been created already) 15 years after the creation of the provisional folio.</p> <p>Section 26Y has the effect that any warnings on a provisional folio ('Warning as to Title', 'Warning as to Dimensions' and 'Warning as to subsisting interests') are removed.</p>
5.2	Plan Branch update: Section 26Y TLA	<p>Q: Are only subsisting interests being removed by Section 26Y, or will all warnings on title be removed (including warning as to dimensions)?</p> <p>A: Section 26Y has the effect that any warnings on a provisional folio ('Warning as to Title', 'Warning as to Dimensions' and 'Warning as to subsisting interests') are removed.</p>
5.3	Plan Branch update: Section 26Y TLA	<p>Q: Will the removal of the 'provisional title' after 15 years also remove a warning as to dimensions or other warnings? If so, how will surveyors know that the warning used to exist? Will they need to do a historical search on every title they suspect might have had one?</p> <p>A: Yes, Section 26Y has the effect that any warnings on a provisional folio ('Warning as to Title', 'Warning as to Dimensions' and 'Warning as to subsisting interests') are removed.</p> <p>Historical search of the plan will provide the warning notations, which were applicable to the parcel of interest.</p>
5.4	Plan Branch update: Section 26Y TLA	<p>Q: Does 15 years start at the date of the title created?</p>



		<p>A: Yes, Section 26Y provides that a provisional folio created from a conversion of general law land becomes an ordinary folio 15 years after the creation of the provisional folio.</p>
5.5	Plan Branch update: Section 26Y TLA	<p>Q: Is it possible to amend the dimensions on the title after the provisional title status has been removed?</p> <p>A: Yes, but if the 15-year period has elapsed and warnings removed from the provisional folio, then any amendment to dimension will need to be undertaken using an alternate boundary amendment application, e.g. sections 60, 99, 103, or 15 of the TLA.</p> <p>Existing applications under Section 26P of the TLA (including applications which have been created in SPEAR but not yet lodged) where the 15-year period has elapsed will need to be altered to an appropriate alternate boundary amendment application (e.g. sections 60, 99, 103, or 15 of the TLA) before they can proceed.</p>
5.6	Plan Branch update: Section 26Y TLA	<p>Q: Where can I get further information about the Section 26Y changes?</p> <p>A: Customer Information Bulletin 187 outlined the changes: https://www.propertyandlandtitles.vic.gov.au/customer-information-bulletins</p> <p>Alternatively, email aps.branch@delwp.vic.gov.au if you have any further enquiries.</p>

6. Geographic Names Victoria update

6.1	Geographic Names Victoria	<p>Q: In regard to the importance of street naming for emergency services, are aboriginal names appropriate to use considering the unfamiliar pronunciation and spelling for a lot of people?</p> <p>A: The naming of roads, features and localities in local Aboriginal language can act as a form of recognition of Victorian Traditional Owners' ties with Country and, for the broader community, becomes a lasting reminder of Victoria's rich heritage. Encouraging a deeper understanding and appreciation of Aboriginal culture and heritage in the wider community is important and necessary part of this.</p> <p>There are various examples across our state where Local Government Authorities have worked in successful partnership with Traditional Owners to name or rename places in their communities, and something that Geographic Names Victoria is proud to support.</p>
6.2	Geographic Names Victoria	<p>Q: What is the position on non-conforming historical street names such as 'Esplanade'. It is a historical name (circa 1880) so renaming isn't appropriate.</p> <p>A: Historical/existing street names can continue to be used in addressing.</p>
6.3	Geographic Names Victoria	<p>Various questions were raised across the user group meetings, relating to the appropriate naming of common property, carriageway easements and retirement villages.</p> <p>For specific information relating to these examples, please contact Geographic Names Victoria: geo.names@delwp.vic.gov.au</p>