

# **Renewal or conversion of a term lease**

## **Standard operating procedure**

**SIG/2017/3553**

**Version 1.01**

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## Version History

Version	Date	Comments
1.00	31/03/2011	Document created
1.01	12/10/2018	Included in Policy Register

## Approval

Position	Name	Date
Director of Surveys	Russell Priebbenow	12/10/2018

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## 1 Scope

The State Land Administration Management (SLAM) function of the department has expressed concerns about the standard of plans being used for tenure purposes. To improve the certainty of the metes and bounds of term leases for pastoral purposes, all plans being used for renewal or conversion must be investigated to ensure there is a suitable description of the parcel.

Conversion to a freeholding tenure requires a fully surveyed parcel and therefore the following process may not be suitable.

For conversion to other tenures the process may be acceptable.

## 2 Purpose

The purpose of this procedure is to determine if a plan is suitable for the renewal or conversion of a term lease for pastoral purposes. The procedure will deal generally with plans prefixed as "PH", but the processes may be used for other plans although some criteria may be more or less strict for other forms of tenure. The objective is to ensure that each pastoral holding is described by sufficient metes and bounds, and the plan must allow for the calculation of an area. If certain criteria are not satisfied then a new plan must be lodged for renewal or conversion purposes.

## 3 Background

PH plans came into use in the early 1960's. Before that, most pastoral holdings were described by metes and bounds in the lease document. Some were only described by the bounds only with no dimensions at all. Imperial metes were normally rounded to the nearest 1/8th of a mile and ¼ of a degree. Pastoral holdings were all transposed to PH plans even if an existing survey plan fully described the parcel. Examples are PH1191 with underlying plan WL36, and PH2078 with underlying plan WS24.

## 4 Procedure

**Table 1 – Parcel description assessment procedure**

Initial Action	Procedure	Action Officer
The local SLAM unit receives an application for a renewal or conversion of a term lease.	Local SLAM officer sends a request to the local survey unit, using the general Email group, to determine if a suitable plan exists for the renewal or conversion of the lease.	Local SLAM officer
Receiving request from SLAM	Ensure that the request is for the renewal of the term lease. If the request is for a conversion, determine if a compiled plan is still acceptable for the tenure that the parcel is being converted to.  Local survey unit to appoint a surveyor to start the process.	Local survey officer
Investigation of PH plan	Use the Table 2 - Investigation Process.	Local survey officer
Recommendation	Make recommendation to the SLAM unit, one of the following: <ul style="list-style-type: none"> <li>• The plan is acceptable,</li> <li>• The plan is acceptable with minor amendments,</li> <li>• There are survey plans behind the current plan which would make a more suitable description of the holding. Convert holding description to Lot on Plan, or</li> <li>• The plan is not acceptable and a new survey plan is required.</li> </ul>	Principal Surveyor
Local SLAM unit	Recommendation acted on.	Local SLAM officer

## 5 Process for investigation of plan

The decision on the acceptability or otherwise of the plan for use for renewal or conversion of a term lease must be approved by the regional Principal Surveyor.

**Table 2 – Investigation process**

Process	Comments
Print out the plan, the current title and, if available, an image of the old lease document.	It may also be necessary to investigate the file, but generally this is not required.
Check the plan to see if all external boundaries are dimensioned and an area shown.	Sometimes the metes and bounds are written on the face. This is not acceptable.
Go to Smartmap and print out the relevant map.	

Process	Comments
Using Smartmap, do plan search by area or polygon of the subject parcel and all adjoining parcels.	
Investigate the area search print-out and look at all plans that may assist.	
<p>Look for any road action plans, generally prefixed as RA or AP to ensure the current plan shows all the roads actions.</p> <p>This is checked by working through all the endorsements on the lease document to identify all road actions.</p> <p>It may be necessary to confirm with a SLAM officer that all road actions have been finalised if for instance there is no Gazette reference on the plan.</p>	Use the print-out of the lease if it is available as well as the area search. The lease will have endorsements on it that should assist in determining any action on the title.
<p>Check to see if another plan may be used instead of the current plan. Use the area search print-out and the actual plan and check each relevant plan. Generally the plan is a copy of the working map and it will have very useful information shown. Any plans written in, or near, the subject parcel on the plan should be looked at.</p>	<p>Examples of where the underlying plan should be used instead of the PH:</p> <ul style="list-style-type: none"> <li>• WL36 instead of PH1191</li> <li>• WS24 instead of PH2078</li> </ul> <p>General Examples</p> <p><b>Acceptable:</b></p> <ul style="list-style-type: none"> <li>• PH255 Some amendments</li> <li>• PH47 Some amendments</li> <li>• PH203</li> </ul> <p><b>Not acceptable:</b></p> <ul style="list-style-type: none"> <li>• PH1997</li> <li>• PH968</li> <li>• PH2099</li> </ul>
<p>If another earlier plan cannot be used instead of the current plan re-visit the actual plan.</p> <p>1. Are there sufficient metes and bounds?</p>	<p>YES – go to question 2. NO – new plan required with adequate metes and bounds.</p>
<p>2. Is the metes and bounds description in word form rather than numeric form on the face of the plan?</p>	<p>NO – go to question 3. YES – new plan is required that converts the metes and bounds from word form into measurements and areas (even if they are about measurements and areas) on the face of the plan.</p>

Process	Comments
3. Does the plan reflect all road opening and closure actions and any other reservation action?	<p>YES – go to question 4.</p> <p>NO –methodically work through all endorsements on the original lease document. If there is not a reference to a Gazette entry, check with SLAM that all road actions and other reservation actions have been finalised.</p> <p>Depending on the number of RA and AP actions that have been omitted from the PH, the Senior Surveyor should choose whether to amend the existing plan or compile a new plan.</p>
4. Does any abuttal plan show significant differences to the plan?	<p>YES – new plan required.</p> <p>NO –current plan is adequate. Go to question 5.</p> <p>Note - A significant difference is anything that would trigger a further investigation or that would improve the plan. It includes anything that is ambiguous or is likely to cause confusion.</p>
5. Is the area shown as metric and as about?	<p>YES – go to question 6.</p> <p>NO – It may be sufficient to include a conversion table for the area. Ensure that the area in the deed and on the plan agree. This is only required if the plan will be used for the renewal.</p>
6. Is the Lot number on the face of the plan?	<p>YES – Go to question 7.</p> <p>NO – The lot number should be added. It is the run number which can be ascertained from lease documents. It may be necessary to confirm this number with SLAM. This is only required if the plan will be used for the renewal of the lease.</p>
<p>7. Minor additions to the plan?</p> <p>Minor amendments include:</p> <ul style="list-style-type: none"> <li>• Lot number</li> <li>• Metric area</li> <li>• Adding one or two bearing and distances</li> </ul>	<p>Amendments to the PH plan should be forwarded to <a href="mailto:CadastralAdminDatahelp@dnrmee.qld.gov.au">CadastralAdminDatahelp@dnrmee.qld.gov.au</a> with the subject heading “post PH##### “.</p> <p>This email must be sent by the Regional Principal Surveyor with a relevant explanation.</p>
Forward report to regional Principal Surveyor for final processing	