



Inquiry into annual and financial reports 2024–2025

Answer to question on notice

Asked by: Ms Fiona Carrick MLA

Addressed to: Attorney-General

Reference: Land Titles Office

Hearing: 20 November 2025

In relation to: Crown lease variations

Question received: 22 November 2025

Answer Due: 4 December 2025

Would you please provide the following information about lease variations:

- What is the process for a constituent to finalise a lease variation, including the role for the Territory Planning Authority (TPA) and the role for the Land Titles Office (LTO)?
- Is it a requirement to seek certification of identity from a Justice of the Peace and if so, why?
- What assessments do the LTO undertake before processing the lease variation?
- Is the application paper based or electronic?
- Is the payment in person or electronic?
- What is the average time to process a lease variation?
- Is there a difference in the timeframes for minor lease variations and more significant lease variations?
- How does the TPA communicate with the LTO about lease variations?
- Why is the LTO in a different portfolio than the TPA?
- Has the process for a lease variation been reviewed and if so, when was the last review?
- Are there any efficiencies that could be implemented?

Ms Tara CHEYNE MLA: The answer to the Member's question is as follows:

1. *What is the process for a constituent to finalise a lease variation, including the role for the Territory Planning Authority (TPA) and the role for the Land Titles Office (LTO)?*

TPA role:

- Leases can only be varied by way of development application.
- The TPA assesses and determines development applications to vary Crown leases under the *Planning Act 2023*.
- Before a Crown lease variation can be registered at the LTO, the Development Application (DA) must first be approved; any conditions satisfied; and Lease Variation Charge (LVC) paid.
- Instruments of variation or replacement leases, and lodgement documents are given to the applicant to sign, giving permission to vary the Crown lease. These documents are returned to the TPA for execution.
- The TPA gives the executed documents to the LTO for lodgement.

LTO role:

Once a lease variation is signed by the TPA, LTO lodge it on the register.

2. *Is it a requirement to seek certification of identity from a Justice of the Peace and if so, why?*

If a party to an instrument wishing to transfer or otherwise deal with or affect an interest in land lodges an instrument, in person, with the registrar-general and not engage a legal practitioner, the individual will be classified as a Self-Represented Party under the *Land Titles Act 1925* (the Act). The Act stipulates the Registrar-General must not register an instrument unless they are reasonably satisfied that the party's identity has been verified in accordance with the verification of identity rules as in force at the time of verification. The verification of identity rules is a Disallowable Instrument.

3. *What assessments do the LTO undertake before processing the lease variation?*

That the instrument is executed correctly, verification of identity has taken place (if applicable) and that the instrument meets any other requirements under the Act.

4. *Is the application paper based or electronic?*

Development applications to vary Crown leases are lodged electronically with the TPA. LTO instruments to vary Crown leases are electronic, however replacement lease documents are a mixture of electronic, and paper based.

5. *Is the payment in person or electronic?*

If the lodging agent has a lodgement account (like most law firms), it can be done electronically. If it is not, then the payment can be made at the counter at Dickson Specialised Centre.

6. *What is the average time to process a lease variation?*

A development application to vary a Crown lease follows the same process and timing as standard or significant development application.

Following development approval to vary a lease, the time taken to finalise the variation can vary significantly depending on the complexity of the proposal. A simple approval to specify or increase

the number of dwellings permitted may be finalised within a couple of weeks, whereas a more complicated subdivision may take several years.

The LTO is five to ten working days for registration.

7. Is there a difference in the timeframes for minor lease variations and more significant lease variations?

DAs have a statutory assessment timeframe of between 30 – 60 working days. A standard development application that receives no representations has a statutory assessment timeframe of 30 working days, while a significant application has a statutory timeframe of 60 working days.

Following development approval to vary a lease, the time taken to finalise the variation can vary significantly depending on the complexity of the proposal. A simple approval to specify or increase the number of dwellings permitted may be finalised within a couple of weeks, whereas a more complicated subdivision may take a number of years.

8. How does the TPA communicate with the LTO about lease variations?

The TPA has access to an LTO electronic lodgement box and notifies the LTO via email when lodgements are filed.

9. Why is the LTO in a different portfolio than the TPA?

The LTO reports to the Registrar-General under the *Registrar-General Act 1993* and fall under the jurisdiction of the Attorney-General. The TPA is the responsibility of the planning minister under the *Planning Act 2023*. Since the formation of the new City and Environment Directorate (CED) the LTO and TPA are now within the same Directorate.

10. Has the process for a lease variation been reviewed and if so, when was the last review?

Yes, this was moved electronic about two years ago. The Directorate is currently considering options to streamline the development application process for lease variations. There is also broader Government work on foot to review LVC, which may also result in changes to the lease variation process.

11. Are there any efficiencies that could be implemented?

Efficiencies will depend on the outcomes of the work identified above. Further, as CED is embedded, reviews are being undertaken to reduce duplication and streamline processes across the planning and land functions of the Directorate.

Approved for circulation to the Standing Committee on Legal Affairs

Signature:

By the Attorney-General, Ms Tara Cheyne MLA

Date:

2/12/25