



# **SURVEYOR-GENERAL OF THE AUSTRALIAN CAPITAL TERRITORY**

**GUIDELINE No.5 (Updated 5 March 2010)**

## **COMMUNITY TITLE SURVEYS IN THE ACT**

### **1.0 INTRODUCTION**

The administration of the community titles within the ACT is regulated via the Community Title Act 2001. Unlike New South Wales, the ACT Community Title Act is not an instrument for sub-division of land. This guideline provides instructions to surveyors requested to survey land intended to be developed for community title.

### **2.0 COMMUNITY TITLE**

The Community Title Act 2001 makes provision for the establishment and administration of community title schemes. The Act provides for considerable flexibility in the size and nature of community titles however they must be comprised of at least one 'lot' of common property and two 'lots' that are not common property. It is potentially possible for a community title to be comprised of a mixture of single dwellings and units.

The land included in a Community Title Scheme must form a single area that is not divided by anything other than a road or a body of water. The common property may include areas for access (roads), ovals, parks or other common purposes including utility services administered by the body corporate.

### **3.0 LOTS AND BLOCKS**

Land within the ACT may be divided only as follows:

- Districts and blocks (rural areas) – in accordance with the Districts Act 2002
- Districts, divisions, sections and blocks – in accordance with the Districts Act 2002
- Blocks may be divided into Class A or B units – in accordance with the Units Titles Act 2001

The Community Titles Act is not an instrument for sub-division of land. Therefore land can only be divided (or consolidated) under the Districts or Unit Title Acts.

The Community Titles Act refers to lots as opposed to blocks. The Act defines a lot as 'a parcel of land for which a certificate of title has been issued under the Land Titles Act'.

A lot therefore may be comprised of:

- a single block with a single dwelling (the usual case),
- a single block comprising a units plan; or:
- a combination of a number of blocks.

#### **4.0 ROADS WITHIN COMMUNITY TITLES**

The Community Titles Act does not restrict how roads should be administered. A road within a community title may therefore be a gazetted public road, or an easement for 'pedestrian and vehicular access'. The latter gives the Body Corporate the right and burden of administering the land within the road (easement) reserve.

Roads within community titles may therefore be established either as public roads or easements for 'pedestrian and vehicular access'.

#### **5.0 PLANNING AND LAND TITLES REQUIREMENTS**

The Community Titles Act, Community Title Regulations and forms, and the Land Titles Practice Manual provide further guidance on the requirements for lodging a community title. Chapter 61 of the Land Titles Practice Manual refers specifically to community title. The Manual can be found at:

[http://www.ors.act.gov.au/landtitles/pdfs/Land\\_Titles\\_Practice\\_Manual.pdf](http://www.ors.act.gov.au/landtitles/pdfs/Land_Titles_Practice_Manual.pdf)

#### **6.0 CONTACTS:**

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