

GUIDE TO COMMUNITY TITLE SUBDIVISIONS

Community Title subdivision is generally utilised to create separate title for higher density residential developments, including duplexes, dual occupancies, and multi-unit complexes. Community Title subdivisions are characterised by the creation of Common Property and the establishment of a Community Management Scheme (CMS) which creates a Body Corporate.

Creation of Community Management Schemes in Queensland is controlled the Body Corporate and Community Management Act 1997.

Two types of plans for Community Title are available – **Building Format** (formerly known as Strata Title) and **Standard Format** (formerly known as Group Title).

Building Format

Building Format is the *subdivision of a building* whereby the boundary of each lot is defined by points on a building. Lots are measured to the centre of walls with external walls and roofs of buildings therefore being part of the Common Property. Building Format plans are used for multi-storey complexes.

Exclusive Use may be given to lot owners over parts of Common Property eg. Private Open Space (courtyards) around units and car parking areas.

The Body Corporate is required to:

- insure the building structure and common property; and
- if the CMS is not drafted carefully, maintain the exterior of the building and the common property.

Therefore, the body corporate levies are usually higher.

Application for subdivision approval to a Local Authority is not required for Building Format subdivision. The local Authority is however required to consent to (seal) the plan of subdivision provided that the use is an approved use and all development conditions of previous approvals have been met.

Standard Format

Standard Format subdivision is the *subdivision of land* whereby the individual units or dwellings are contained within lots and Common Property is created over areas of shared use (eg driveways/roads, refuse bin storage areas and letterboxes)

Body Corporate fees are generally lower as the body corporate does not have to maintain the exterior of the buildings, and may not have to insure the building/s if there are no shared walls.

Application for development (Lot Reconfiguration – subdivision) approval to a Local Authority is required for Standard Format subdivision under the Integrated Planning Act 1997. The local Authority is also required to consent to (seal) the plan of subdivision when development conditions imposed by the approval have been met.