

AUSTRALIAN CAPITAL TERRITORY
REAL PROPERTY (UNIT TITLES) (AMENDMENT) ORDINANCE 1982
ORDINANCE NO. 7 OF 1982

Explanatory Statement

Section 8 of the Real Property (Unit Titles) Ordinance 1970 (the Principal Ordinance) requires that an application for the registration of a unit plan shall be in accordance with forms 1 to 5 (inclusive) of the First Schedule as applicable and with the requirements of the Second Schedule.

Form 1 of the Principal Ordinance sets out the form of a surveyor's certificate in which a surveyor must certify in respect of any building on a parcel of land that the building is wholly within the parcel.

As a result of design and siting requirements imposed by the National Capital Development Commission a number of buildings have been constructed with certain structures which extend beyond the boundary of the parcel onto public land so that no certificate can be given and the lease cannot be unit titled.

The amending Ordinance overcomes this problem by amending Form 1 of the First Schedule to the Principal Ordinance to enable a surveyor to certify that a building is wholly within a parcel of land except to the extent that any eaves, guttering, rigid awnings and support for such rigid awnings encroach on land that is a public place within the meaning of the Roads and Public Places Ordinance 1937.

Ord. No. 90/81

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