



## WHAT IS CROWN LEASEHOLD ALL ABOUT?

Landowners in the ACT actually own a 99 year Crown lease. When you buy and sell property in the ACT, you buy and sell the residual term of that 99 year Crown Lease.

You don't need the ACT Government to consent to any transfer of property unless a restriction on transfer is noted on the title.

Crown leases are usually easy to renew at the end of the term by submitting a form and paying a fee.

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We believe in sharing knowledge, experience and ambitions so that together we can build something bigger than ourselves and better than what came before.

**Sound good?** Let's chat.

MORRISLEGALGROUP.COM.AU  
HELLO@MORRISLEGALGROUP.COM.AU  
1300 047 227

**Property in the ACT is owned and leased by the Commonwealth under the management of the ACT Government. Property operates under long term leases called 'Crown leases' which are typically granted for 99 years.**

Dealings in Crown lease land in the ACT are conducted in much the same manner as freehold title in other jurisdictions.

The Crown Lease stipulates:

- the permitted uses for the property;
- the maintenance requirements for the property; and
- the Crown's rights to resume the property (which are, historically, seldom exercised).

If the occupier of Crown leased land contravenes the permitted uses in the Crown Lease:

- the Crown may issue a notice of breach; and
- the breach is noted on the Lease Conveyancing Enquiry for that property.

The permitted use of a Crown Lease can be changed if:

- the Territory Plan permits the new proposed use;
- the Crown Lessee obtains a Development Approval to change the Crown Lease;
- the Crown Lessee pays the Lease Variation Charge levied by the ACT Government.

### Can I subdivide or strata title my Crown Lease?

Crown Leases may only be subdivided or unit titled (ie, converted to a strata plan) if:

- the Territory Plan permits subdivision;
- the Crown Lessee obtains a Development Approval to subdivide; and
- there is a minimum 50 years remaining on the term of the Crown Lease.

Although there are administrative differences between unit titling in the ACT and strata titling in other jurisdictions, a Units Plan in the ACT is much like a Strata Plan elsewhere.

The Units Plan stipulates the term of the lease and the permitted uses of the units and the common property of a Units Plan.

### Can I renew after 99 years?

Crown Leases can be renewed by submitting a form and paying an administrative fee.

In granting a further Crown Lease, the ACT Government will consider whether the property is required for a public purpose and should not be granted, however resumption is a rare event.

In the case of a Units Plan:

- the Owners Corporation (or body corporate) of a Units Plan will attend to the renewal of the Units Plan upon its expiry; and
- the whole of the Units Plan will be extended, so it is likely to be administered by the body corporate manager and paid for out of the administration budget for the relevant year.
- The administrative fees for renewing a Crown Lease or Units Plan are updated annually.