

1 December 2021 – Changes to Community Title Laws

Commencing **1 December 2021**, changes to the Community Land Development Act 2021 and Community Land Management Act 2021 will commence.

The new legislation will modernise and simplify the development process of community schemes within NSW, aligning the community schemes legislation with the Strata Schemes Management Act 2015 and Strata Schemes Development Act 2015.

What is the Aim of the New Community Title Legislation?

1. To create consistency between community lands and strata schemes laws in NSW
2. Provide modern, flexible, and democratic governance arrangements
3. Improve maintenance of shared property and financial management
4. Support a simpler and more flexible development process

What are the Key Changes to Community Title Legislation?

- To provide more flexibility for schemes with some requirements for unanimous resolutions to now be special resolutions
- Make it easier for schemes to deal with association property and add land to a scheme
- Introduction of a new process for development contracts bringing the process in line with strata schemes
- The simplification of tiered schemes
- Allowing schemes to apply to NSW LRS for a termination

- of a community scheme instead of going to court
- Allowing an association to also create statutory easements
- The introduction of a new process for amalgamations

For further information visit www.nswlrs.com.au.

How will this Affect Your Strata and Community Schemes?

- Your existing by-laws will need to be consistent with the new aligned community and strata schemes legislation otherwise they may not be enforceable
- You may also need to consider whether your community and neighbourhood management statements are in line with the new laws
- It is therefore important that you review any by-laws and management statements to ensure they are in line with these new laws
- This fact sheet includes detailed information about the different types of orders and how community schemes disputes are managed at NCAT – [Community_Schemes_Fact_Sheet](#)

Do you need help reviewing your by-laws and management statements to ensure they are in line with the new legislation? [Contact us now, help is here.](#)

For all NSW strata legal advice including by-laws, building defects and levy collections contact us [here](#) or call 02 9562 1266, we're happy to assist.