

## Form 1

# Small Claims Court—application under Common Boundaries Act 1981, section 4 (1)

*Common Boundaries Act 1981*

In the Small Claims Court of the Australian Capital Territory

Application No \_\_\_\_\_ of (year) (*Court to complete*)

(name)  
Applicant

(name)  
Respondent

To the Registrar:

The applicant applies for a determination under the *Common Boundaries Act 1981*, section 5.

### **Applicant**

Full name:

Address:

*(if the applicant is represented by another person)*

Representative's full name:

Representative's address:

### **Respondent**

Respondent's name:

Respondent's address:

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Filed for the applicant by:

*(the applicant's address for service and telephone number (if any) or, if the applicant is represented by a solicitor and the solicitor is the agent of another solicitor, the name and place of business of the other solicitor)*

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## Details of application

- 1 The applicant occupies land situated at *(address)* being block *(number)*, section *(number)*, division of *(name of division)* (***the applicant's land***).
- 2 The respondent occupies land situated at *(address)*, being block *(number)*, section *(number)*, division of *(name of division)* (***the respondent's land***).
- 3 There is no fence separating the applicant's land and the respondent's land.
- 4 The proposed fence consists of *(set out details of proposed fence)*.
- \*5 The proposed fence follows the boundary of the applicant's land.
- \*5 The proposed fence does not follow the boundary of the applicant's land but a line as follows:  
*(set out the proposed fence line)*
- 6 The cost of the proposed fence is \$ *(amount)*.
- 7 On *(date)*, the applicant gave the respondent a notice in writing requesting the respondent to discuss the erection of, and payment for, a fence between the applicant's land and the respondent's land.
- \*8 The respondent has refused to join in the erection of a fence between the respondent's land and the applicant's land.
- \*8 The applicant and respondent have not been able to agree upon the following matters:  
*(set out the matters that cannot be agreed)*

Date:

*(signature of applicant or applicant's representative)*

*(name of applicant or applicant's representative)*

*\*omit if, or whichever is, inapplicable*