Notice to Lot Owners and others for amendment of scheme plan

*Strata Titles Act 1985*

Section 35

Date of Notice: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Scheme Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Lot Number(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of person(s) giving the notice: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Person Notified: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Select why the person is being notified:

|  |  |  |
| --- | --- | --- |
|  |  |  |
|[ ]  The owner of the leasehold scheme[[1]](#footnote-2)  |  |
|  |  |  |
|[ ]  The owner of a lot affected who has the life estate |  |
|  |  |  |
|[ ]  The owner of a lot affected |  |
|  |  |  |
|[ ]  Owner of reversionary interest in lot affected |  |
|  |  |  |

who is not an applicant for registration of the amendment

|  |  |  |
| --- | --- | --- |
|  |  |  |
|[ ]  Designated interest[[2]](#footnote-3) holder |  |

|  |
| --- |
| [Insert description of amendment of scheme plan and any associated amendment of the schedule of unit entitlements] |

If you are the owner of the leasehold scheme, your written consent is required for any amendment of the scheme plan unless you are the applicant.

If you are an owner described above, your written consent is required for an amendment of scheme plan that:

* effects a Type 1 or 3 subdivision and associated amendment of the schedule of unit entitlements; or
* creates or discharges an easement or restrictive covenant affecting a lot.

If the amendment of scheme plan:

* effects a Type 3 subdivision and you are a designated interest holder over the whole or part of a lot affected by the amendment;
* creates or discharges an easement or restrictive covenant over common property or an affected lot and you are a designated interest holder over the common property or an affected lot;
* effects a type 2 or 4 subdivision and you are a designated interest holder over the whole or part of the scheme parcel,

you have 60 days after being given this notice of amendment of scheme plan and any associated amendment of the schedule of unit entitlements to give written consent or to make a written objection to the amendment setting out the reasons for objection.

If you don’t provide written consent or written objection with reasons no later than the end of 60 days after being given this notice, you will be deemed to have consented to the amendment of scheme plan and any associated amendment of the schedule of unit entitlements.

Written consent or objection with reason(s) is to be emailed to: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

or sent to the following address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**Execution**

|  |  |
| --- | --- |
| 1. Common Seal[[3]](#footnote-4)

Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_The common seal of[[4]](#footnote-5)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is fixed to this document in accordance with the *Strata Titles Act 1985* section 118(1) in the presence of: | [AFFIX COMMON SEAL HERE] |
| Member of Council[[5]](#footnote-6): | Member of Council5: |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |

**OR**

|  |
| --- |
| 1. No Common Seal3

Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_Signed for and on behalf of4 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in accordance with the *Strata Titles Act 1985* section 118(2): |
|  |
| [ ]  Member of Council / [ ]  Strata Manager of strata company[[6]](#footnote-7): | [ ]  Member of Council / [ ]  Strata Manager of strata company6: |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |

**OR**

1. Owner

Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |
| --- |
| [Insert corporation clause here, if applicable] |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Lot Number | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Lot Number |

|  |
| --- |
| [Insert corporation clause here, if applicable] |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Lot Number | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Lot Number |

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| --- |
| **CONSENT/OBJECTION** |

[ ]  I / [ ]  We[[7]](#footnote-8) **CONSENT** to this amendment of scheme plan and any associated amendment of the schedule of unit entitlements.

[ ]  **Owner of leasehold scheme** / [ ]  **Owner of affected lot** / [ ]  **Designated interest holder** /

[ ]  **Owner of a lot affected who has the life estate** / [ ]  **Owner of reversionary interest in lot affected**[[8]](#footnote-9):

|  |
| --- |
| [Insert corporation clause here, if applicable][[9]](#footnote-10) |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |
| In the presence of: | In the presence of: |
| Witness Signature | Witness Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Occupation | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Occupation |

**OR**

[ ]  I / [ ]  We[[10]](#footnote-11) **OBJECT** to this amendment of scheme plan and any associated amendment of the schedule of unit entitlements. [ ]  My / [ ]  Our reason(s) for objection is set out below.

|  |
| --- |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

Designated interest holder:

|  |
| --- |
| [Insert corporation clause here, if applicable][[11]](#footnote-12) |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Lot Number | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Lot Number |
| In the presence of: | In the presence of: |
| Witness Signature | Witness Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Full Name |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Address |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Occupation | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Occupation |

1. Refer to section 3(1) of the Act for the meaning of owner of leasehold scheme. [↑](#footnote-ref-2)
2. Refer to section 3(1) of the Act for the meaning of designated interest. [↑](#footnote-ref-3)
3. See SIG-14 for execution of documents by a strata company. [↑](#footnote-ref-4)
4. Insert the name of the strata company (i.e. The Owners of + scheme name + scheme type + scheme number), e.g. The Owners of Pretty Ponds Survey-Strata Scheme 12345. [↑](#footnote-ref-5)
5. The common seal must be witnessed by 2 members of council. [↑](#footnote-ref-6)
6. Select whichever is applicable. [↑](#footnote-ref-7)
7. Select whichever is applicable. [↑](#footnote-ref-8)
8. Select one. [↑](#footnote-ref-9)
9. Witness not required when signing by a corporation under section 127 of the *Corporations Act 2001*. [↑](#footnote-ref-10)
10. Select whichever is applicable. [↑](#footnote-ref-11)
11. Witness not required when signing by a corporation under section 127 of the *Corporations Act 2001*. [↑](#footnote-ref-12)