Notice of Entry under Statutory Easement

*Strata Titles Act 1985*

Section 65(4) & (5)

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

The person whose details are provided below[[1]](#footnote-2):

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

notifies[[2]](#footnote-3):

[select one]

|  |  |
| --- | --- |
|  | the occupier of Lot \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_; |
|  |  |
|  | the strata company for the strata titles scheme; |
|  |  |
|  | the occupiers of the special lots \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ who have exclusive use and enjoyment of, or special privileges over, the special common property under exclusive use by-laws; |
|  |

that the person will exercise the right of entry under the statutory easement described below on the date specified below to exercise rights under the easement.

**Date of Entry[[3]](#footnote-4):** \_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Statutory Easement:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Reason for Entry:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Name of person/company entering:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Execution[[4]](#footnote-5)**

|  |  |  |
| --- | --- | --- |
| 1. Common Seal[[5]](#footnote-6)   Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_  The common seal of[[6]](#footnote-7)  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  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[[7]](#footnote-8): | Member of Council7: | |
| Signature | Signature | |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name | |

**OR**

|  |  |  |
| --- | --- | --- |
| 1. No Common Seal5   Date of Execution: \_\_\_\_\_\_\_\_\_\_\_\_\_\_  Signed for and on behalf of6 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in accordance with the *Strata Titles Act 1985* section 118(2): | | |
|  | | |
| Member of Council /  Strata Manager of strata company[[8]](#footnote-9): | Member of Council /  Strata Manager of strata company8: |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name |

**OR**

1. Owner

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

|  |  |
| --- | --- |
| [Insert corporation clause here, if applicable][[9]](#footnote-10) | |
| Signature of Owner | Signature of Owner |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  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. Please insert name of lot owner, lots owners or strata company as relevant exercising right of entry. [↑](#footnote-ref-2)
2. Select one. [↑](#footnote-ref-3)
3. Period of notice must be at least:

   for entry by strata company – 7 days unless a shorter period is agreed to by the occupier of the lot(s); and

   in any other case – 28 days unless a shorter period is agreed to by the occupier of the lot(s) or strata company, as the case requires. [↑](#footnote-ref-4)
4. If person exercising right of entry is the strata company, use sealing/signing clause.

   If person exercising right of entry is a lot owner or owners of more than one lot, must be signed by all owners. [↑](#footnote-ref-5)
5. See SIG-14 for execution of documents by a strata company. [↑](#footnote-ref-6)
6. 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-7)
7. The common seal must be witnessed by 2 members of council. [↑](#footnote-ref-8)
8. Select whichever is applicable. [↑](#footnote-ref-9)
9. Witness not required when signing by a corporation under section 127 of the *Corporations Act 2001*. [↑](#footnote-ref-10)