Notice to the Owner of the Leasehold Scheme and Designated Interest Holders for making / amendment / repeal of staged subdivision by-laws

*Strata Titles Act 1985*

Section 42(6)

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

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

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

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

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

Select why the person is being notified:

|  |  |  |
| --- | --- | --- |
|  |  |  |
|  | Owner of the leasehold scheme[[1]](#footnote-2) |  |
|  |  |  |
|  | Designated Interest Holder[[2]](#footnote-3) |  |
|  |  |  |

The Notifier gives notice to the person named above of the making / amendment / repeal[[3]](#footnote-4) of staged subdivision by-laws[[4]](#footnote-5) detailed below:

|  |
| --- |
| [Insert details of the staged subdivision by-law(s) being made, amended or repealed] |

If you are the owner of the leasehold scheme, your written consent is required for the making, amendment or repeal of staged subdivision by-laws.

If you are a designated interest holder, your written consent is required for the making, amendment or repeal of staged subdivision by-laws. You have 60 days after being given this notice to give written consent or to make a written objection to the staged subdivision by-laws 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 staged subdivision by-laws.

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

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

**Execution**

|  |  |  |
| --- | --- | --- |
| 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] | |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name |

|  |  |
| --- | --- |
| [Insert corporation clause here, if applicable] | |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name |

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

I /  We[[9]](#footnote-10) **CONSENT** to the making / amendment / repeal[[10]](#footnote-11) of the staged subdivision by-laws.

Select applicable:

**Owner of leasehold scheme**

**Designated interest holder**

|  |  |  |
| --- | --- | --- |
| [Insert corporation clause here, if applicable][[11]](#footnote-12) | | |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Lot Number (if relevant) | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Lot Number (if relevant) |

|  |  |
| --- | --- |
| In the presence of: | In the presence of: |
| Witness Signature | Witness Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Address | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Address |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Occupation | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Occupation |

**OR**

I /  We[[12]](#footnote-13) being a designated interest holder **OBJECT** to the making / amendment / repeal[[13]](#footnote-14) of the staged subdivision by-laws.  My /  Our reason(s) for objection is set out below.

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

|  |  |
| --- | --- |
| [Insert corporation clause here, if applicable] | |
| Signature | Signature |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Full Name |

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. Delete whichever is inapplicable. [↑](#footnote-ref-4)
4. Staged subdivision by-laws has the meaning in section 42 of the Act. [↑](#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. Select whichever is applicable. [↑](#footnote-ref-10)
10. Delete whichever is inapplicable. [↑](#footnote-ref-11)
11. Witness not required when signing by a corporation under section 127 of the *Corporations Act 2001*. [↑](#footnote-ref-12)
12. Select whichever is applicable. [↑](#footnote-ref-13)
13. Delete whichever is inapplicable. [↑](#footnote-ref-14)