

Notice to lot owners and others for amendment of scheme plan

Version 1 – 30/06/2021

The information provided in this guide is not intended to amount to legal advice. Professional assistance may be required to determine the most appropriate action to protect your legal rights. Please read our [Terms of Use](#) on the Strata Titles Policy and Procedure Guides web page. Landgate accepts no responsibility where parties print this guide and seek to rely on information that is out of date.

Name of Form: Notice to lot owners and others for amendment of scheme plan

Type of Form: External to Landgate

When it's used: When giving notice to the owner of a lot affected by amendment of the scheme plan for a community titles scheme and/or to types 1 and 2 interest holders over an affected lot or common property or land to be leased as temporary common property, for the purpose of obtaining consents prior to applying for registration of the amendment of community titles scheme.

Details of entries:

- Date of notice: Enter the date of the notice. Note that the 60 days commences for type 2 interest holders when notice is given, not the date of the notice.
- Scheme number: Enter the number shown on the scheme plan for the community titles scheme, so if the plan says scheme plan 12345 then the scheme number is 12345.
- Lot number(s): Enter the lot number(s) affected by the amendment of scheme plan.
- Name of person(s) giving the notice: This is likely to be the applicant for registration of the amendment of the community titles scheme (i.e. the community corporation for the scheme or the owner of a lot in the scheme the subject of the amendment of scheme plan or the community corporation for a tier parcel that belongs to the scheme).
- Name of person notified: Enter the name of the person that this notice is being given to. For example, if there is a registered mortgage you would enter the name of the mortgagee.
- Check box: Select from one of the 5 options why the person identified above is being notified. For example, if the name of the bank has been entered you would select type 1 interest holder and specify the lot number and/or common property.
- Insert description of amendment of scheme plan and any associated amendment of the schedule of unit entitlements: This could either be a written description of the type of amendment and resulting amendments to the schedule of unit entitlements or by attaching copies of the scheme plan and schedule of unit entitlements or details of the lease creating temporary common property, easement or restrictive covenant, the subject of the amendment of

scheme plan.

- Address: Enter the postal address where the written consent or objection can be sent to. [Note that for registration purposes Landgate only accepts documents signed with wet signatures.]
- Contact details: Enter the contact details of the person to whom enquiries may be made about the Notice.

Other requirements:

- Execution:
 - Insert date of execution.
 - All persons giving the notice must execute the document.
- Consent execution:
 - Select applicable check box.
 - Insert the date of execution.
 - To be executed by the person giving consent. Written consent can also be provided separately.
 - The owner of an affected lot or type 1 interest holder of an affected lot or common property or type 1 interest holder of land leased as temporary common property must provide written consent for the amendment of scheme plan to be registered.
 - If type 2 interest holder of affected lot or common property or type 2 interest holder of land leased as temporary common property does not provide written consent or written objection, then 60 days after notice is given consent will be deemed to have been given and registration of the amendment of scheme plan will be permitted. (Only the type 2 interest holders are subject to the 60 days deeming provisions.)
- Objection execution:
 - Select applicable check boxes.
 - Insert the date of execution.
 - To be executed by the person giving objection. Written objection can also be provided separately.
 - The person objecting must enter reason(s) for objection.