

Owner(s) Consent Requirements

Information Sheet



It is the applicant's responsibility to clearly demonstrate that **all owners** have consented to the lodging of the application.

If the applicant is not the owner of the land, then:

- The individual owners must sign and print their names on the relevant application form; **or alternately**
- A statement signed by the owners of the land to the effect that the owner(s) give consent to the making of the application, is required

If the owner is a Company / Organisation:

Owner(s) consent must be signed in accordance with the Corporations Act 2001 by:

- One director and company secretary; **or**
- Two directors; **or**
- The sole director (*if the company / organisation only has a single director and no company secretary*)

The applicant must also provide the Australian Business Number (ABN) or Australian Company Number (ACN) and the names and positions of those signing the consent.

If the property is under Strata/Community Title:

If the property is under Strata or Community Title, then in addition to the owner(s) signature the following must be provided **if any works or proposed use affects any common property**:

- The common seal of the owner(s) corporation must be stamped on the application form and witnessed by two members of the executive committee (where there is a determination by the owner(s) corporation); **or alternately**
- The common seal of the owner(s) corporation must be stamped on the application form and witnessed by the appointed Strata/Community Title Managing Agent **in addition to one of the following**:
 - A letter on management letterhead stating that the requirements of the Strata Management Act have been met; **or**
 - A copy of the resolution or minutes showing that a special resolution has been passed at a general meeting of the owner(s) corporation that specifically authorises the change to common property.

Signing on owner(s) behalf:

If an applicant is signing on the owner(s) behalf as the owner(s) representative, they must state the nature of their legal authority and attach documentary evidence of their authority (a full copy is required). Depending on the nature of the authority, the following evidence may be accepted: Power of Attorney, Trust Deed, Probate, Letters of Administration, Delegation Schedule, Letter (with organisation's letterhead) confirming the authority.

New owner(s):

If the property has recently been sold, documentary evidence of the sale must be provided, such as:

- A copy of the Certificate of Title; **or**
- Letter from the solicitor confirming settlement