

Form: 15CB
Release: 2.2
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CHANGE OF BY-LAWS
New South Wales
Real Property Act 1900

AD951208R

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE	For the common property CP/SP 55068	
(B) LODGED BY	Document Collection Box 1W	Name, Address or DX, Telephone, and LLPN if any GRAHAM COCHRANE SOLICITOR LOCKED BAG 4 CROYDON NSW 2132 PH. (02) 9797 1950 Reference: 8.2402
	CODE CB	

- (C) The Owners-Strata Plan No. 55068 certify that pursuant to a resolution passed on 29 April 2008 and
 (D) in accordance with the provisions of section No. 47 & 52 of the Strata Schemes Management Act 1996
 the by-laws are changed as follows—
 (E) Repealed by-law No. NOT APPLICABLE
 Added by-law No. SPECIAL BY-LAWS 14 - 18 inclusive
 Amended by-law No. SPECIAL BY-LAWS 3 and 4
 as fully set out below:
 SEE ANNEXURE "A"

(F) The common seal of the Owners-Strata Plan No. 55068 was affixed on 9/5/08
 Signature(s): *[Handwritten Signature]*
 Name(s): *PAUL C BOWEN* Strata Manager
 being the person(s) authorised by section 238 of the Strata Schemes Management Act 1996 to attest the affixing of the seal.



(G) COUNCILS CERTIFICATE UNDER SECTION 56(4) OF THE STRATA SCHEMES MANAGEMENT ACT 1996
 I certify that _____ has approved the change of by-laws set out herein.
 Signature of authorised officer: _____
 Name of authorised officer: _____ Position of authorised officer: _____

STRATA SCHEME NO 55068
ANNEXURE "A" TO NOTIFICATION OF CHANGE OF BY-LAWS

SPECIAL BY-LAW 14 NOTICE OF LEASE & OBLIGATIONS UPON OWNERS AND LESSORS

A. *Definitions:*

In this by-law:

1. The terms "residential tenancy agreement" "landlord" and "tenant" respectively have the same meanings as those terms are defined in the Residential Tenancies Act 1987.
2. "Schedule 1 by-laws means the by-laws in Schedule 1 of the Strata Schemes Management Act 1996.

B. *Interpretation:*

In this by-law words importing the singular include the plural and vice versa, words importing a gender include any gender and words defined in the Strata Schemes Management Act 1996 have the meaning given to them in that Act.

C. *Terms:*

1. If a lot is leased the owner of the lot must give written notice of the lease to the secretary of the Owners Corporation within 14 days after the commencement of the lease. The notice must specify the name of the lessee, the date of commencement of the lease and the name of any agent acting for the owner.
2. A lessor of a lot must provide the occupant of his lot with a copy of the Schedule 1 by-laws and any registered by-laws and must take any necessary and reasonable action to restrain any breach of the by-laws by the occupier of his lot.
3. An owner of a lot must take any necessary and reasonable action to restrain any breach of the by-laws by the occupier of his lot.
4. A lessor of a lot must take any necessary and reasonable action to enforce the terms of any residential tenancy agreement if there is any breach of the by-laws, any other breach of such residential tenancy agreement, the provisions of the Residential Tenancies Act 1987, or any other legislation affecting the relationship of landlord and tenant, by the occupier of his lot.

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Signatures: _____

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SPECIAL BY-LAW 16

PERFORMING BUILDING WORK

Introduction

The purpose of this by-law is to put owners on notice as to how building works should be performed within the strata plan. The by-law distinguishes between minor works such as a refurbishment, more extensive works and major renovations.

Terms

1. *Minor Works*

If the owner or occupier (with the owner's consent) of a lot intends to carry out minor Works, such as painting, wall-papering, installing new cabinets in the kitchen (without penetrating a common property wall or floor) or otherwise performing minor renovations to a lot then no notice need be given to the Owners Corporation and no consent is required.

2. *Penetration of Common Property*

If the owner or occupier (with the owner's consent) of a lot intends to carry out Works that involve penetrating a common property wall, ceiling or floor then notice must be given to the Owners Corporation and written approval obtained.

3. *Air Conditioners*

3.1. Prior to installing any air conditioner the owner or occupier must:

3.1.1. Provide the Owners Corporation with a copy of any requisite approval of Council, including all conditions of approval, drawings and specifications.

3.1.2. Obtain the written approval of the Owners Corporation to the size, performance specifications, colour and type of the proposed unit, and its location and manner of installation (including the application of acoustic dampeners and screens (or other requirements) to minimize the visibility of any component of the unit). For this purpose, the owner or occupier must, if requested in writing by the Owners Corporation, present drawings and specifications of the proposed installation to the Owners Corporation.

3.2. If an occupier of a lot is installing an air conditioner then the written consent of the owner of the lot must be provided to the Owners Corporation.

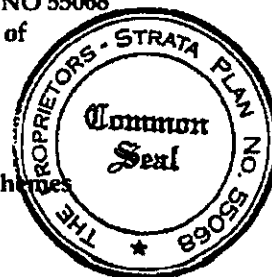
3.3. In installing an air conditioner, an owner or occupier must: -

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3.3.1. Ensure that condensation and run-off are drained through lines to existing drains or pipes.

3.3.2. Conceal electrical and coolant lines from view, as far as possible.

3.4. No air conditioner shall be installed in a window.

Use of an air conditioner

3.5. An owner or occupier must not use an air conditioning unit in breach of the Protection of the Environment Operations Act 1997 or any other applicable law.

3.6. An owner or occupier must not use an air conditioner if its use generates noise, vibration or heat that interferes unreasonably with the use and enjoyment of another lot by the owner or occupier of it or of the common property by any person entitled to use it. If required by the Owners Corporation (acting reasonably) the owner or occupier will perform remedial works to mitigate noise or vibration or remove a unit.

3.7. The owner or occupier must maintain the air conditioner in a state of good and serviceable repair and must renew or replace it when necessary.

3.8. For the purpose of this by-law any air conditioner shall remain the property of the owner of the lot installing it or the owner of the lot served by it whether or not it is installed by the owner or occupier.

3.9. An owner or occupier may remove an air conditioner but must do so at his expense and in a workmanlike manner. An owner or occupier must ensure that after an air conditioner is removed the common property is restored.

4. Alteration of Structure

4.1. If the owner or occupier (with the owner's consent) of a lot intends to carry out Works that alter the structure of the lot then Section 116(2) of the Strata Schemes Management Act 1996 provides that the owner must first give the Owners Corporation, not later than 14 days before commencement of the alteration, a written notice describing the proposed alteration.

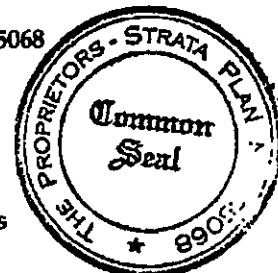
4.2. Notification under this clause is to be given to both the Strata Managing Agent and the Secretary of the Owners Corporation.

4.3. No work to common property may be performed under this clause that interferes with support or shelter provided for another lot or common property or the passage or provision of water, sewerage, drainage, gas, electricity, garbage, artificially heated or cooled air, heating oil or other

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services (including telephone, radio and television services) through or by means of any pipes, wires, cables or ducts.

- 4.4. If notification is given under this clause and the Owners Corporation requests clarification, further information and/or certification, then work shall not commence until such information, clarification or certification is provided.

5. Material Alteration

If the owner or occupier (with the owner's consent) of a lot intends to carry out Works that include material alteration of the common property or interference with services, support or shelter, the Owners Corporation may require that such works may not be undertaken without a specific by-law being made and registered (such a by-law may contain requirements concerning maintenance of works, indemnity of the Owners Corporation, hours of work, payment of bonds etc). Development Consent from Council may also be required.

6. Section 52 By-law

For a by-law in terms of clause 5 hereof to be made, the Owners Corporation should be supplied with adequate details to enable the by law to be drafted. If an architect or other design consultant is involved then the nature and scope of the Works will be readily ascertainable from the drawings prepared by that person. A copy of any drawing may be annexed to and form part of the by-law. The purpose of a by law of this type is that once registered on the common property Certificate of Title, the owner and successors in title and other owners and the Owners Corporation are clearly on notice of the nature and extent of the privilege granted and the responsibilities imposed under the by-law.

7. Conditions Applicable to all Building Works other than Minor Works

7.1. Plan of Management

- 7.1.1. The owner or occupier must provide, prior to the commencement of any Building Works, to the Executive Committee a plan of management directed at demonstrating the method or methods by which goods, including demolition materials will be removed from the building and goods, including building materials, will be brought to the site of the works and stating the duration of the Works.

- 7.1.2. The Executive Committee may approve in writing the plan as presented to it, or may disapprove the same, or may approve the same only on conditions or with the making of changes to the

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proposals contained therein. No work shall be commenced until and unless approval is given, and all works must be done in strict compliance with the plan of management as approved, or, if the Executive Committee has appended conditions thereto, in accordance with those conditions.

7.2. *Payment of Bond*

7.2.1. Owners or occupiers performing any building Works shall, prior to commencement of such works, pay a bond of \$5,000.00 (five Thousand Dollars) or such other amount as may be determined by the Owners Corporation from time to time which bond may be used by the Owners Corporation for the purpose of remedying for its benefit, or the benefit of an owner or occupier of another lot in the strata scheme, a breach on the part of the owner or occupier of an obligation under this by-law. It may do so without prejudice to any other right that may arise by reason of the breach.

7.2.2. The Owners Corporation may deduct from the bond any of the following:

7.2.2.1. A non-refundable portion of \$300 toward wear and tear of the common property.

7.2.2.2. The cost of rectifying any damage to the common property or the Owners Corporation's personal property caused by the building works.

7.2.2.3. The cost of cleaning the common property if the owner or occupier fails to do so to the reasonable satisfaction of the Owners Corporation.

7.2.3. The Owners Corporation must pay any residue of the bond to the owner or occupier within fourteen days of notification of completion of the building works.

7.3. *Hours of Work*

The owner or occupier must not perform Works or allow them to be carried out except between the hours of 8 AM and 5 PM Monday to Friday and 8 AM to 12 Noon on a Saturday (excluding public holidays) or during such other times as may be approved by the Owners Corporation.

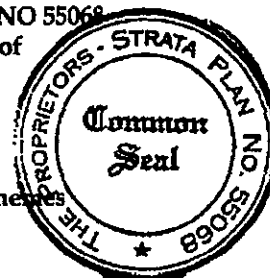
7.4. *Hard Surfaces*

No work is permitted within the strata scheme that would result in a kitchen, bathroom, laundry or other hard surfaced area within a lot, being relocated to a

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position above a bedroom of a Lot below.

7.5. Compliance with Codes

- 7.5.1. Owners or occupiers performing any building Works in the strata parcel must comply with all directions, orders and requirements of all relevant statutory authorities and must ensure and be responsible for compliance with such directions, orders and requirements by the Owner's servants, agents and contractors.
- 7.5.2. Owners or occupiers performing any building Works in the strata parcel must comply with any applicable Australian Standard and Building Code.

7.6. General Conditions

- 7.6.1. The owner or occupier shall ensure that none of Works encroach onto an adjoining lot.
- 7.6.2. Works must be undertaken in such a way as to cause minimum disturbance or inconvenience to the lots or their occupiers and owners.
- 7.6.3. The owner or occupier must maintain all areas of common property adjacent to the Works, or used for or in relation to the Works, in a clean and tidy state while the Works are being carried out.
- 7.6.4. Works inside the lot must only occur when the door between the lot and the common property hallway is completely closed. The owner or occupier must ensure that the corridor serving the lot is protected from damage for the duration of the Works.
- 7.6.5. The owner or occupier must ensure that the lift is protected by the use of drop sheets and kept clean during any Works.
- 7.6.6. The owner or occupier must repair promptly any damage caused or contributed to by Works, including damage to the property of the Owners Corporation and the property of the owner or occupier of another lot in the strata scheme.

The terms of this by-law are additional to the requirements of Section 116 of the Strata Schemes Management Act 1996.

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SPECIAL BY-LAW 17

AMENDMENT OF SPECIAL BY-LAW 3

Special By-law 3 in Dealing 34421974 (as amended by Special By-law 9 in Dealing AC196209) is further amended by substitution of the following schedule to Special By-law 3:

The Schedule

Lot Number	Parking Space
65	P1
65	P2
68	P3
64	P4
44	P5
55	P6
35	P7
3	P8
4	P9
68	P10
57	P11
6	P12
11	P13
68	P14
67	P15
53	P16
51	P17
31	P18
37	P19

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SPECIAL BY-LAW 18

AMENDMENT OF SPECIAL BY-LAW 4

Special By-law 4 in Dealing 34421974 is amended by substitution of the following schedule to Special By-law 4:

The Schedule

Lot Number	Storage Area
53	S1
58	S2
51	S3
28	S4
64	S5
68	S6
68	S7
35	S8
57	S9
36	S10
32	S11
23	S12
43	S13
67	S14

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