

Form: 15CB
Release: 1.1
www.lpi.nsw.gov.au

CHANGE OF BY-LAW

New South Wales
Strata Schemes Management Act 1996
Real Property Act 1900



PRIVACY NOTE: this information is legally required and will become part of the public record

(A) TORRENS TITLE

RELODGED

(B) LODGED BY

-3 MAR 2006

TIME: 3.45

For the common property
CP/SP52186

Delivery
Box

487Q

Name, Address or DX and Telephone

Harris Hyde Page

Reference (optional): J:
STR. LG: 991135

CODE

CB

(C) The Owners-Strata Plan No 52186 certify that pursuant to a resolution passed on 17/05/2006
and in accordance with the provisions of

(D) section 52 Strata Schemes Management Act 1996
the by-laws are changed as follows—

(E) Repealed by-law No NOT APPLICABLE

Added by-law No NOT APPLICABLE

Amended by-law No Change of By-Laws Dealing No. 7776861

as fully set out below.

That all references to "Lot 3" be changed to "Lot 6" so that the By-Law now reads:

"The Owners for the time being of Lot 6 shall be entitled to the exclusive use and enjoyment of the common property comprising the south-western wall of their unit for the purpose of attaching a pergola and storeroom to the wall ~~subject to the following conditions:~~"

- (1) That the consent of Great Lakes Council be obtained;
- (2) That the pergola and storeroom be constructed in a workmanlike manner by a suitably qualified tradesperson;
- (3) That the ongoing maintenance of the pergola and storeroom be the responsibility of the owners of Lot 6; and
- (4) That the ongoing maintenance and upkeep of the common property referred to in this by-law be the responsibility of the owners corporation except to the extent that any damage results directly from the erection of the pergola and storeroom."

(F) The common seal of the Owners-Strata Plan No 52186
was affixed on 2.8.03 in the presence of—

Signature(s):

Wheeler

Name(s): IRENE WHEELER - STRATA MANAGING AGENT
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 N/A

has approved the change of by-laws set out

herein.

Signature of authorised officer:

Name and position of authorised officer:

All handwriting must be in block capitals.

Page 1 of 1

LAND AND PROPERTY INFORMATION NSW

Sm13
20.73

Licence: 10V/0779/97
Edition: 9804

CHANGE OF BY-LAW
New South Wales
Strata Schemes Management Act 1
Real Property Act 1900

7776861L



(A) **TORRENS TITLE**

For the common property
CP/SP52186

(B) **LODGED BY**

| | | |
|------------------------|---|-------------------|
| LTO Box 4870 | Name, Address or DX and Telephone Morris Hyde Page Reference (optional): J-991135 | CODE CB |
|------------------------|---|-------------------|

(C) The Owners-Strata Plan No **52186**

certify that pursuant to a resolution passed on
and in accordance with the provisions of—

(D) • section 54 of the Community Land Management Act 1994

- section of the Strata Schemes (Freehold Development) Act 1973
- section **52** of the Strata Schemes Management Act 1996
- order No of the Strata Schemes Adjudicator
- order No of the Strata Schemes Board

the by-laws are changed as follows—

(E) Repealed by-law No

Added by-law No

Amended by-law No

as fully set out below.

"THE OWNERS FOR THE TIME BEING OF LOT 3 SHALL BE ENTITLED TO THE EXCLUSIVE USE AND ENJOYMENT OF THE COMMON PROPERTY COMPRISING THE SOUTH WESTERN WALL OF THEIR UNIT FOR THE PURPOSE OF ATTACHING A PERGOLA AND STOREROOM TO THE WALL AS PER THE ATTACHED PLAN, SUBJECT TO THE FOLLOWING CONDITIONS:

- (1) THAT CONSENT OF GREAT LAKES COUNCIL BE OBTAINED;
- (2) THAT THE PERGOLA AND STOREROOM BE CONSTRUCTED IN A WORKMANLIKE MANNER BY SUITABLY QUALIFIED TRADESPERSON;
- (3) THAT THE ONGOING MAINTENANCE OF THE PERGOLA AND STOREROOM BE THE RESPONSIBILITY OF THE OWNERS OF LOT 3; AND
- (4) THAT ONGOING MAINTENANCE AND UPKEEP OF THE COMMON PROPERTY REFERRED TO IN THIS BY-LAW BE THE RESPONSIBILITY OF THE OWNERS CORPORATION EXCEPT TO THE EXTENT THAT ANY DAMAGE RESULTS DIRECTLY FROM THE ERECTION OF THE PERGOLA AND STOREROOM."

(F) The common seal of the Owners-Strata Plan No

was affixed on **8th March 2000** in the presence of—

Names: **Diane Elizabeth Johnstone**

Signatures:



being the person(s) authorised by section 238 of the Strata Schemes Management Act 1996.

(G) **COUNCILS CERTIFICATE UNDER SECTION 56(4) OF THE STRATA SCHEMES MANAGEMENT ACT 1996**

I certify that

Council has approved the change of by-laws set out herein.

Signature of authorised officer:

All handwriting must be in block capitals.
A set of notes on this form (97-15CB-2)
is available from the Land Titles Office.

Page 1 of 1

Checked by (LTO use):

STRATA SCHEMES MANAGEMENT ACT BY-LAWS – FOR SCHEMES REGISTERED PRIOR TO 1ST JULY 1997

- 1 Noise**
An owner or occupier of a lot must not create any noise on the parcel likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using common property.
- 2 Vehicles**
An owner or occupier of a lot must not park or stand any motor or other vehicle on common property except with the prior written approval of the owners corporation.
- 3 Obstruction of common property**
An owner or occupier of a lot must not obstruct lawful use of common property by any person.
- 4 Damage to lawns and plants on common property**
An owner or occupier of a lot must not:
 - (a) damage any lawn, garden, tree, shrub, plant or flower being part of or situated on common property, or
 - (b) use for his or her own purposes as a garden any portion of the common property.
- 5 Damage to common property**
 - (i) An owner or occupier of a lot must not mark, paint, drive nails or screws or the like into, or otherwise damage or deface, any structure that forms part of the common property except with the approval in writing of the owners corporation.
 - (ii) An approval given by the owners corporation under subclause (1) cannot authorise any additions to the common property.
 - (iii) This by-law does not prevent an owner or person authorised by an owner from installing:
 - (a) any locking or other safety device for protection of the owner's lot against intruders, or
 - (b) any screen or other device to prevent entry of animals or insects on the lot, or
 - (c) any structure or device to prevent harm to children.
- (iv) Any such locking or safety device, screen, other device or structure must be installed in a competent and proper manner and must have an appearance, after it has been installed, in keeping with the appearance of the rest of the building.
 - (v) Despite section 62, the owner of a lot must maintain and keep in a state of good and serviceable repair any installation or structure referred to in subclause (3) that forms part of the common property and that services the lot, and
- 6 Behaviour of owners and occupiers**
An owner or occupier of a lot when on common property must be adequately clothed and must not use language or behave in a manner likely to cause offence or embarrassment to the owner or occupier of another lot or to any person lawfully using common property.
- 7 Children playing on common property in building**
An owner or occupier of a lot must not permit any child of whom the owner or occupier has control to play on common property within the building or, unless accompanied by an adult exercising effective control, to be or to remain on common property comprising a laundry, car parking area or other area of possible danger or hazard to children.
- 8 Behaviour of invitees**
An owner or occupier of a lot must take all reasonable steps to ensure that invitees of the owner or occupier do not behave in a manner likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or any person lawfully using common property.
- 9 Depositing rubbish and other material on common property**
An owner or occupier of a lot must not deposit or throw on the common property any rubbish, dirt, dust or other material likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using the common property.
- 10 Drying of laundry items**
An owner or occupier of a lot must not, except with the consent in writing of the owners corporation, hang any washing, towel, bedding, clothing or other article on any part of the parcel in such a way as to be visible from outside the building other than on any lines provided by the owners corporation for the purpose and there only for a reasonable period.

11 Cleaning windows and doors

An owner or occupier of a lot must keep clean all glass in windows and doors on the boundary of the lot, including so much as is common property.

12 Storage of inflammable liquids and other substances and materials

- (i) An owner or occupier of a lot must not, except with the approval in writing of the owners corporation, use or store on the lot or on the common property any inflammable chemical, liquid or gas or other inflammable material.
- (ii) This by-law does not apply to chemicals, liquids, gases or other material used or intended to be used for domestic purposes, or any chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

13 Moving furniture and other objects on or through common property

An owner or occupier of a lot must not transport any furniture or large object through or on common property within the building unless sufficient notice has first been given to the executive committee so as to enable the executive committee to arrange for its nominee to be present at the time when the owner or occupier does so.

14 Floor coverings

- (i) An owner of a lot must ensure that all floor space within the lot is covered or otherwise treated to an extent sufficient to prevent the transmission from the floor space of noise likely to disturb the peaceful enjoyment of the owner or occupier of another lot.
- (ii) This by-law does not apply to floor space comprising a kitchen, laundry, lavatory or bathroom.

15 Garbage disposal

An owner or occupier of a lot:

- (a) must maintain within the lot, or on such part of the common property as may be authorised by the owners corporation, in clean and dry condition and adequately covered a receptacle for garbage, and
- (b) must ensure that before refuse is placed in the receptacle it is securely wrapped or, in the case of tins or other containers, completely drained, and
- (c) for the purpose of having the garbage collected, must place the receptacle within an area designated for that purpose by the owners corporation and at a time not more than 12 hours before the time at which garbage, recyclable material or waste is normally collected, and

(d) when the garbage has been collected, must promptly return the receptacles to the lot or other area referred to in paragraph (a),

(e) must not place any thing in the receptacle of the owner or occupier of any other lot except with the permission of that owner or occupier, and

(f) must promptly remove any thing which the owner, occupier or garbage collector may have spilled from the receptacle and must take such action as may be necessary to clean the area within which that thing was spilled.

16 Keeping of animals

- (i) Subject to section 49 (4), an owner or occupier of a lot must not, without the approval in writing of the owners corporation, keep any animal on the lot or the common property.
- (ii) The owners corporation must not unreasonably withhold its approval of the keeping of an animal on a lot or the common property.

17 Appearance of lot

- (i) The owner or occupier of a lot must not, without the written consent of the owners corporation, maintain within the lot anything visible from outside the lot that, viewed from outside the lot, is not in keeping with the rest of the building.
- (ii) This by-law does not apply to the hanging of any washing, towel, bedding, clothing or other article as referred to in By-law 10.

18 Notice-board

An owners corporation must cause a notice-board to be affixed to some part of the common property.

19 Change in use of lot to be notified

An occupier of a lot must notify the owners corporation if the occupier changes the existing use of the lot in a way that may affect the insurance premiums for the strata scheme (for example, if the change of use results in a hazardous activity being carried out on the lot, or results in the lot being used for commercial or industrial purposes rather than residential purposes).

SP 52186

Special By-Law 1

The Owners for the time being on Lot 3 shall be entitled to the exclusive use and enjoyment of the common property comprising the south western wall of their unit for the purpose of attaching a pergola and storeroom to the wall as per the attached plan, subject to the following conditions;

1. That consent of Great Lakes Council be obtained;
2. That the pergola and storeroom be constructed in a workmanlike manner by suitably qualified tradesperson;
3. That the ongoing maintenance of the pergola and storeroom be the responsibility of the Owners of Lot 3; and
4. That ongoing maintenance and upkeep of the common property referred to in this by-law by the responsibility of the Owner Corporation except to the extent that any damage results directly from the erection of the pergola and storeroom.

Special By-Law 2

That all references to "Lot 3" be changed to "Lot 6" so that By-Law now reads:

The Owners for the time being of Lot 6 shall be entitled to the exclusive use and enjoyment of the common property comprising the south-western wall of their unit for the purpose of attached attaching a pergola and storeroom to the wall subject to the following conditions;

1. That the consent of Great Lakes Council be obtained;
2. That the pergola and storeroom be constructed in a workmanlike manner by a suitably qualified tradesperson;
3. That the ongoing maintenance of the pergola and storeroom be the responsibility of the owners of Lot 6; and
4. That the ongoing maintenance and upkeep of the common property referred to in the by-law be the responsibility of the Owners Corporation except to the extent that any damage results directly from the erection of the pergola and storeroom