

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).

Form: 15CB
Release: 2.0
www.lands.nsw.gov.au

CHANGE OF BY-LAW
New South Wales
Real Property Act 1900



AE146812Q

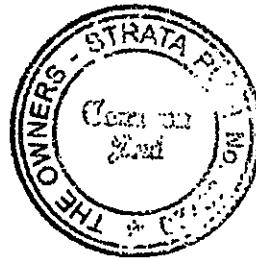
PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for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

(A) **TORRENS TITLE** For the common property
CP/SP50720

(B) **LODGED BY**

| | | |
|--|---|-------------------|
| Document Collection Box 204G | Name, Address or DX and Telephone Jomador Pty Limited 123127 ✓ Reference: A D Batterby | CODE CB |
|--|---|-------------------|

- (C) The Owners-Strata Plan No. 50720 certify that pursuant to a resolution passed on 18 December 2007 and in accordance with the provisions of No. 52 of the Strata Schemes Management Act 1996
- (D) the by-laws are changed as follows—
- (E) Repealed by-law No. NOT APPLICABLE
Added by-law No. Special By-Law 38
Amended by-law No. NOT APPLICABLE
as fully set out below:
See Annexure A



(F) The common seal of the Owners-Strata Plan No. 50720 was affixed on 11/7/2008 in the presence of—
Signature(s): Eva Malone
Name(s): EVA MALONE
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: _____

"A"

STRATA PLAN No 50720

This and the following 5 pages is the annexure to the Change of By-Laws form in respect of the change of the By-Laws of Strata Plan 50720 made by special resolution on 18 December 2007

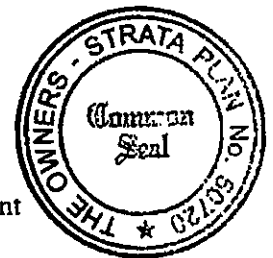
SPECIAL BY-LAW 38: Lot 20

Air conditioning and kitchen exhaust stack

Responsibility to maintain and repair

1. The registered proprietor from time to time of lot 20 in Strata Plan 50720 (that lot being known as Penthouse 701) ("the Owner") must maintain in a state of good and serviceable repair:
 - 1.1. the air-conditioning equipment servicing that lot ("the air-conditioning equipment") and
 - 1.2. the kitchen exhaust serving that lot ("the kitchen exhaust equipment"),in each case including ancillary equipment, such as pipes and ducting, and regardless of whether the equipment is located within the lot or on the common property ("common property") of The Owners – Strata Plan 50720 ("the Owners Corporation").
2. The Owner must ensure that the air-conditioning equipment and the kitchen exhaust equipment (together, and separately, referred to below as "the equipment") do not disturb by noise or vibration or escape of water or in any other manner the peaceful enjoyment of any other owner or occupier of their lot.
3. Without limiting the preceding clause or any other clause in this Special By-law, the Owner must comply with any requirement or order of the Owners Corporation or the local Council or other statutory authority, tribunal or Court concerning the equipment.

The common seal of the Owners- Strata Plan No 50720 was affixed on11/07/2008.....in the presence of-
Signature(s) *Eva Malone*.....
Name(s).....*EVA MALONE*.....



being the person(s) authorised by section 238 of the Strata Schemes Management Act to attest the affixing of the seal.

4. Any work carried out on or in relation to the equipment must be carried out by a suitably qualified serviceman in a proper and workmanlike manner. Without limiting that condition, work must be carried out using appropriate, new, premium quality materials and in accordance with the manufacturer's specifications.

Removal and replacement

5. The Owner must ensure that when the equipment is removed and/or replaced it is removed and or replaced in a proper and workmanlike manner by a suitably qualified serviceman.
6. The Owner must ensure that the removal and or replacement of the equipment does not affect the structural integrity of any part of the building owned by the Owners Corporation ("the building") and does not disturb by noise or vibration or escape of water or in any other manner the peaceful enjoyment of any other owner or occupier of their lot.
7. In the case of replacement of the equipment:
 - 7.1. The replacement equipment and its proposed location must be approved in writing by the Owners Corporation before installation. That approval must not be unreasonably withheld.
 - 7.2. Without limiting the preceding condition the Owner must first lodge with the Executive Committee of the Owners Corporation details of the equipment proposed to be installed and must at that time lodge a report of a suitably qualified engineer confirming the structural integrity of the proposed installation.
 - 7.3. The Owner must comply with the requirements of any relevant Australian Standard and any standard imposed from time to time by the local Council.
 - 7.4. The equipment when installed must not disturb by noise or vibration or escape of water or otherwise the peaceful enjoyment of any other owner or occupier of their lot.
 - 7.5. The equipment must comply with the requirements of any relevant Australian Standard and any standard imposed from time to time by the local Council.
 - 7.6. The equipment must be installed in a proper and workmanlike manner by a suitably qualified serviceman. Without limiting that condition, installation must be carried out using appropriate, new, premium quality materials and in accordance with the manufacturer's specifications.
 - 7.7. The equipment must be installed in accordance with any applicable direction, order or requirement of the local Council.

7.8. The installation of the equipment must not affect the structural integrity of any part of the building.

7.9. The other terms of this Special By-Law under the heading "Air conditioning and kitchen exhaust stack" apply in respect of the equipment.

Make good

8. The Owner must promptly:

8.1. remove all debris resulting from the installation, operation, maintenance, repair, removal or replacement of the equipment; and

8.2. make good any damage to the common property caused by, or as a result of, the installation, operation, maintenance, repair, removal or replacement of the equipment.

Liability

9. The Owner is liable for any damage, including and not limited to water damage, caused to any part of the common property during or arising from the installation, operation, maintenance, repair, removal or replacement of the equipment.

10. The Owner is liable for any damage caused to any other lot or the contents of any other lot arising from the installation, operation, maintenance, repair, removal or replacement of the equipment.

Indemnity

11. The Owner indemnifies the Owners Corporation against any cost, expense, loss or damage the Owners Corporation suffers in relation to the installation, operation, maintenance, repair, removal or replacement of the equipment.

Costs

12. The Owner is to bear the cost of complying with the above conditions.

Ratification

13. Subject to compliance by the Owner with the above conditions of this Special By-law, the Owners Corporation ratifies the installation of the equipment installed prior to the passing of this Special By-law.

Exclusive use of common property

14. The Owner is entitled, on the above conditions of this Special By-Law, to the exclusive use and enjoyment of so much of the common property as is required for the installation, operation, maintenance, repair, removal or replacement of the equipment.
15. Without limiting the preceding clause, the owner must consent in writing, addressed to the Owners Corporation, to being bound by the above terms of this Special By-Law.

Renovation of Lot 20

16. The Owners Corporation consents to renovation work ("the work") to Lot 20 of Strata Plan 50720 subject to the following conditions.

Design

17. The work is in accordance with the **attached** drawings of Horizon Design Studio, numbers 01 and 02, Revision C dated 18 April 2007 ("**the drawings**").
18. The work as designed complies with the requirements of the Building Code of Australia and any relevant Australian Standard.

Certification as to structural integrity

19. An appropriately qualified structural engineer certifies in writing that the work will not reduce the structural integrity of the building.
20. An appropriately qualified structural engineer also certifies in writing that the work as executed has not and will not reduce the structural integrity of the building or any part of it.

Execution of the work

21. Execution of the work does not affect the structural integrity of any part of the building.
22. The work is carried out by a duly qualified, licensed builder.
23. The work is executed in a proper and workmanlike manner using appropriate materials and is in accordance with the drawings and the requirements of an appropriately qualified structural engineer.
24. The work as executed complies with the requirements of the Building Code of Australia and any relevant Australian Standard.

33. The Owner must promptly make good any damage to the common property or to any other lot or the contents of any other lot caused by or as a result of the execution of the work.

Maintenance and repair

34. Without limiting the obligations of the Owner for maintenance and repair, the Owner must maintain so much of the work as is common property in a state of good and serviceable repair.

Costs

35. The Owner is to bear the cost of complying with the above conditions under the heading "Renovation of Lot 20".

36. Without limiting the preceding clause, the legal costs incurred in relation to the making and registration of this Special By-Law are the responsibility of the Owner.

Rights of the Owners Corporation

37. In the event of a failure by the Owner to comply with an obligation under this Special By-Law, the Owners Corporation may take reasonable steps to remedy the failure.

38. Without limiting the preceding clause or the rights of the Owners Corporation under any applicable legislation, the steps the Owners Corporation may take include:

- 38.1. entry upon Lot 20 with reasonable notice to the owner or occupier of Lot 20 or without notice in the case of an emergency,
- 38.2. execution of any work necessary to fulfil the obligation, and
- 38.3. recovery from the owner of Lot 20 of the cost of remedying the failure as a debt.

The common seal of the Owners- Strata Plan No 50720 was affixed on 11/7/2008 in the presence of
Signature(s).....EVA MALONEY.....
Name(s).....EVA MALONEY.....



being the person(s) authorised by section 238 of the Strata Schemes Management Act to attest the affixing of the seal.

Req: R518803 / Doc: DL 9396595 / Rev: 21-Jul-2003 / Sts: NO.OK / Prt: 18-Jan-2006 10:34 / Pgs: A
Ref: VC / Src: B



Form: 15CB
Release: 1
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CHANGE OF BY-LAW

9396595X

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
16.1.2003
(B) LODGED BY

| | | | |
|--|--------------------------------------|------------------|--|
| For the common property | | Folio Identifier | |
| Folio Identifier CP/SP50270 | | CP/SP50720 | |
| Delivery Box | Name and Address of DX and Telephone | CODE | |
| 481 | REF CS: PWT: PENN | CB | |
| Reference (optional): PWJ: JST (TU) | | | |

(C) The Owners-Strata Plan No 50720 certify that pursuant to a resolution passed on 17 December 2002 and in accordance with the provisions of

(D) section 47 Strata Schemes Management Act 1996 the by-laws are changed as follows—

(E) Repealed by-law No _____
Added by-law No 36
Amended by-law No _____
as fully set out below.

Special By-Law 36

Balcony - Unit 702 (Lot 21)

36 The proprietor of Lot 21 being Unit 702 ("the Unit") is authorised to carry out work ("the Work") to replace the existing masonry balustrade with a steel framed glass infill balustrade as set forth in the plans which are attached "A", "B", "C" and "D" to the minutes of the Annual General Meeting of the owners of SP50720 held on 11 December 2001 subject to the following conditions:

- (a) That the owners of the Unit are responsible for all costs relating to the Work including registration of this special by-law and the cost of repair to any damage caused to the building or other units in the building as a result of the Work.
- (b) That the owners from time to time of the Unit are responsible for the future repair and maintenance of the Work.

(F) The common seal of the Owners-Strata Plan No 50720 was affixed on 17th DECEMBER 2002 in the presence of—

Signature(s):

Name(s):

SMYRN TAYLOR

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 and position of authorised officer:

All handwriting must be in block capitals.

9745CB



B

CHANGE OF BY-LAW

Strata Titles Act 1973
Real Property Act 1900



0
617826 E

(A) COMMON PROPERTY
REFERENCE TO TITLE

CP/SP50720

(B) LODGED BY

| | | |
|--|--|----|
| L.T.O. Box 1185C | Name, Address or DX and Telephone Neville ALLEN + ASS | CB |
| REFERENCE (max. 15 characters): NA Greendiffe 9510 | | |

(C) THE PROPRIETORS of STRATA PLAN 50720 certify that pursuant to a resolution passed on 18 September 1995 and in accordance with the provisions of section 58(2) of the Strata Titles Act 1973 / Order No. of the Supreme Court of New South Wales / Order No. of the Strata Titles Board, the by-laws are changed as follows:

(D) REPEALED BY-LAW No. 12 - 29 (inclusive)
INSERTED/ADDED BY-LAW No. Special By-Laws 5 - 33 (inclusive)
as fully set out below.

in Annexure "A" hereto

(E) The Common Seal of The Proprietors - Strata Plan No. 50720 was affixed on 17 October 1995 in the presence of

[Signature]
Signature of Witness

G.W. DEOSTANA
Name of Witness - BLOCK LETTERS



being the person authorised by section 55 of the Strata Titles Act 1973 to attest the affixing of the seal.

0694LTO

CHECKED BY (Office use only)

[Signature]

| | |
|--|---|
| (F) | COUNCIL'S CERTIFICATE (s. 66(5)) |
| I certify that the Council of has approved the change of by-laws set out herein. | |
| DATE | |
| APPLICATION No. | |
| Authorized Officer | |

INSTRUCTIONS FOR COMPLETION

1. This form must be completed clearly and legibly in permanent, dense, black or dark blue non-copying ink. If using a dot-matrix printer the print must be letter-quality.
2. Do not use an eraser or correction fluid to make alterations: rule through rejected material. Initial each alteration in the left-hand margin.
3. If the space provided at any point is insufficient you may annex additional pages. These must be the same size as the form; paper quality, colour, etc, should conform to the requirements set out in Land Titles Office Information Bulletin No. 19. The first and last pages must be signed by the person witnessing the affixing of the seal of the body corporate.
4. The following instructions relate to the marginal letters on the form.

(A) COMMON PROPERTY REFERENCE TO TITLE

Show the Reference to Title of the common property, for example "CP/SP12345" or "Volume 12345 Folio 111".

(B) LODGED BY

This section is to be completed by the person or firm lodging the dealing at the Land Titles Office.

(C) STRATA PLAN

Show the number of the Strata Plan, the date on which the resolution was passed, the relevant section of the Strata Titles Act 1973 and if appropriate the Supreme Court Order number. The following may be used as a guide:

A change of by-laws pursuant to section 58 (2) of the Act is one which does not create rights of exclusive use and enjoyment of, or special privileges in respect of, common property.

A change of by-laws pursuant to section 58 (11) of the Act is one which changes the terms of an order of a Strata Titles Board having the effect of a by-law and must accordingly be made pursuant to a unanimous resolution.

A change of by-laws pursuant to clause 15 of Schedule 4 of the Act is one which confirms rights of exclusive use and enjoyment of, or special privileges in respect of, common property where such rights were in existence (either pursuant to a resolution of the body corporate or a former by-law) prior to 1st July, 1974. The new by-law must indicate how it may be amended, added to or repealed.

Where the initial period has expired, a change of by-laws pursuant to section 58 (7) of the Strata Titles Act 1973 allows a body corporate, with the consent in writing of a proprietor and pursuant to a special resolution, to make a by-law conferring on that proprietor the exclusive use and enjoyment of, or special privileges in respect to, common property, or by special resolution to make a by-law amending, adding to or repealing any by-law previously made under the subsection.

Where the initial period has not expired, a change of by-laws pursuant to section 58 (7) of the Strata Titles Act 1973 must be authorised by the Supreme Court of New South Wales or the Strata Titles Board; see section 66 (1). The Supreme Court or Strata Titles Board Order number must be shown at note (C).

A by-law made pursuant to sections 66(3) and 58(7) of the Strata Titles Act 1973, before the initial period has expired, confers a right to park a vehicle on part of the common property. This section only allows the addition of a by-law and the Council's Certificate must be completed.

The Registrar General does not require the lodgment of a plan for the purpose of the allocation of rights of exclusive enjoyment of, or special privileges in respect of, common property unless it is referred to as an annexure in the by-law, in which case the plan must comply with the appropriate Real Property Act Regulations.

(D) REPEALED/INSERTED/ADDED BY-LAW NUMBER

By-laws additional to those already operating should be numbered consecutively commencing with the number next after the number allotted to the last by-law. Amendment of a by-law is effected by fully repealing the existing by-law and substituting the new by-law in the terms required.

(E) EXECUTION

The common seal of the body corporate must be affixed in the presence of the person(s) authorised by section 55 of the Strata Titles Act 1973 to attest the affixing of the seal. Show the number of the Strata Plan and the date on which the common seal was affixed. The appropriate section should be completed by the attesting witness.

(F) COUNCIL'S CERTIFICATE

The Certificate must be completed when a by-law is made pursuant to sections 66(3) and 58(7) before the initial period has expired.

The completed dealing must be lodged by hand at the Land Titles Office, Queen's Square, Sydney (adjacent to the Hyde Park Barracks) and must be accompanied by the relevant Certificate of Title for the Common Property.

If you have any questions about filling out this form, please call (02) 228-6666 and ask for Customer Services Branch.



"A"

**Special by-law 5
Interpretation**

5(1) In special by-laws 5 to 33, unless a contrary intention appears:

Act means the Strata Titles Act 1973.

Building means the building constructed within the parcel.

Building Manager means the person with whom the body corporate enters into an agreement under special by-law 32.

Governmental Agency means any governmental or semi-governmental administrative, fiscal or judicial department, commission, authority, tribunal, agency or entity.

Managing Agent means the person appointed by the body corporate as its managing agent and, if no person is for the time being so appointed, the secretary of the body corporate.

Security Key means a key, magnetic card or other device used to open and close doors, gates or locks or to operate alarms, security systems or communication systems in the parcel.

Swimming Pool Area means the part of the common property designated "A" on the plan which is exhibit A to the minutes of the meeting of the body corporate at which it was resolved to add this by-law.

5(2) In special by-laws 5 to 33 unless the context otherwise requires:

- (a) headings are for convenience only and do not affect the interpretation of the by-laws; and
- (b) words importing the singular include the plural and vice versa; and
- (c) words importing a gender include any gender; and
- (d) an expression importing a natural person includes any company, partnership, joint venture, association, corporation or other body corporate and any Governmental Agency; and
- (e) a reference to any thing includes a part of that thing; and

This and the succeeding 11 pages comprise Annexure "A" in Change of By-Laws by The Proprietors of Strata Plan 50720 dated 9th October 1995

X



- (f) a reference to any statute, regulation, proclamation, ordinance or by-law includes all statutes, regulations, proclamations, ordinances or by-laws varying, consolidating or replacing them and a reference to a statute includes all regulations, proclamations, ordinances and by-laws issued under that statute; and
- (g) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and assigns.

Special by-law 6
Behaviour by proprietors and occupiers

- 6(1) A proprietor or occupier of a lot must not:
 - (a) create any noise or behave in a manner likely to interfere with the peaceful enjoyment of the proprietor or occupier of another lot or of any person lawfully using common property; or
 - (b) obstruct lawful use of common property by any person.
- 6(2) A proprietor or occupier of a lot when on common property or on any part of a lot so as to be visible or audible from another lot or from common property must be adequately clothed and must not use language or behave in a manner likely to cause offence or embarrassment to the proprietor or occupier of another lot or to any person lawfully using common property.
- 6(3) A proprietor or occupier of a lot must not permit any child under the control of that proprietor or occupier to play on any area of common property or unless accompanied by an adult to be on any area of common property comprising a car parking area or other area of possible danger or hazard to children.

Special by-law 7
Compliance with by-laws

- 7(1) A proprietor or occupier of a lot must take all reasonable steps to ensure that invitees of the proprietor or occupier comply with these by-laws. If an invitee does not comply with these by-laws the proprietor or occupier must take all reasonable steps to ensure that the invitee immediately leaves the parcel.
- 7(2) A proprietor of a lot which is the subject of a lease or licence agreement must take all reasonable steps, including any action available under the lease or licence agreement, to ensure that any lessee or licensee or other

occupier of the lot and any invitee of that lessee or occupier comply with these by-laws.

- 7(3) A proprietor or occupier of a lot must use reasonable care when admitting invitees to the parcel and must not allow them to remain on the common property unsupervised except to the extent reasonably necessary for the ingress and egress of the invitee.

**Special by-law 8
Compliance with laws**

- 8(1) A proprietor or occupier of a lot must at the proprietor's or occupier's own expense promptly comply with all laws relating to the lot including, without limitation, any requirements, notices and orders of any Governmental Agency.
- 8(2) A proprietor or occupier of a lot must not use the lot for any purpose that may impugn the good reputation of the strata scheme.

**Special by-law 9
Condition of a lot**

- 9 A proprietor or occupier of a lot must keep the lot, including all glass in windows and all doors on the boundary of a lot and so much of such windows and doors as is common property, clean and in good repair.

**Special by-law 10
Appearance of a lot**

- 10(1) A proprietor or occupier of a lot must not, without prior written consent of the body corporate, maintain inside the lot anything visible from outside the lot that when viewed from outside the lot is not in keeping with the rest of the Building.
- 10(2) A proprietor or occupier of a lot must not, without the prior written consent of the body corporate, install bars, screens or grilles or other safety devices to the exterior of any windows or doors of a lot.
- 10(3) A proprietor or occupier of a lot must not:
- (a) operate or permit to be operated on the parcel any device or electronic equipment which interferes with any domestic appliance lawfully in use on the common property or another lot; or
 - (b) without the prior written consent of the body corporate attach to or hang from the exterior of the parcel any aerial or any security device or any wires.

Special by-law 11
Damage to common property

- 11(1) A proprietor or occupier of a lot must not do or permit anything including, without limitation, bring or permit to be brought into the parcel any heavy article, which might cause structural damage to the Building.
- 11(2) A proprietor or occupier of a lot must not, without the prior written consent of the body corporate, do anything to interfere with, damage or deface common property.
- 11(3) A proprietor or occupier of a lot must not damage any lawn, plant, tree or garden forming part of common property or use for the proprietor's or occupier's purpose as a garden any part of the common property.
- 11(4) Notwithstanding sections 68(1)(b) and 68(1)(c) of the Act, the proprietor of a lot must maintain and keep in a state of good and serviceable repair and renew and replace as may be necessary or otherwise as reasonably required by the body corporate, any installation that services the lot to which the consent of the body corporate has been given under special by-laws 10(2) or 11(2).

Special by-law 12
Moving of certain articles

- 12(1) A proprietor or occupier of a lot must not move any article likely to cause damage or obstruction through common property without first notifying the Managing Agent. The notice to the Managing Agent must be given in sufficient time to enable the Managing Agent to arrange for a representative of the body corporate to be present if it is considered necessary.
- 12(2) A proprietor or occupier of a lot may only move an article likely to cause damage or obstruction through common property in accordance with directions of the Managing Agent.

Special by-law 13
Prevention of damage to common property

- 13(1) A proprietor or occupier of a lot must not, without the prior written consent of the body corporate, interfere with common property or remove any article from the common property placed there by direction or authority of the body corporate and must use all reasonable endeavours to ensure that such items are used only for their intended use and not damaged.

13(2) A proprietor or occupier of a lot must not, without the authority of the Managing Agent, interfere with the operation of any equipment installed in the common property.

13(3) A proprietor or occupier of a lot must not modify any existing air conditioning unit, ventilation system or associated ducting (whether or not such air conditioning unit, ventilation system or associated ducting is contained wholly within a lot), without the prior written consent of the body corporate, which consent must not be unreasonably withheld.

Special By-law 14
Security of common property

14 A proprietor or occupier of a lot must not do or permit anything which may prejudice the security or safety of the parcel or the Building and, without limitation, a proprietor or occupier of a lot must take all reasonable steps to ensure that all fire and security doors are kept locked or secure or in an operational state, as the case may be, when not in immediate use.

Special by-law 15
Notification of defects

15 A proprietor or occupier of a lot must promptly notify the Managing Agent of any damage to or defect in the common property or any personal property vested in the body corporate.

Special by-law 16
Compensation to body corporate

16 The proprietor or occupier of a lot is liable to compensate the body corporate for any damage to the common property or personal property vested in the body corporate caused by that proprietor or occupier or any lessee, licensee or invitee of that proprietor or occupier.

Special by-law 17
Restricted use of common property

- 17(1) The council of the body corporate must take all reasonable steps to ensure the security of the parcel from intruders and to preserve the safety of the parcel from fire or other hazard and if it considers it necessary or desirable must, without limitation:
- (a) close off or restrict by means of Security Keys access to any part of the common property not required for access to a lot on either a temporary or a permanent basis; or
 - (b) permit, to the exclusion of proprietors and occupiers, any designated part of the common property to be used by any

security person as a means of monitoring the security of the parcel, either solely or in conjunction with any other parcel; or

- (c) restrict by means of Security Keys the access of proprietors and occupiers of one level of the Building to any other level of the Building.

- 17(2) The council of the body corporate may make rules and regulations relating to ensuring the security of the parcel from intruders.

Special by-law 18 Security Keys

- 18(1) If the council of the body corporate restricts the access of proprietors and occupiers under special by-law 17 the council may make available to proprietors free of charge the number of Security Keys the council of the body corporate considers necessary. The council of the body corporate may charge a reasonable fee for any additional Security Key required by a proprietor.

- 18(2) A proprietor of a lot must exercise a high degree of caution and responsibility in making a Security Key available for use by any occupier of a lot and must take all reasonable steps including, without limitation, an appropriate agreement in any lease or licence of the lot to ensure return of the Security Key to the proprietor or the council of the body corporate.

- 18(3) A proprietor or occupier of a lot in possession of a Security Key must not duplicate or permit the Security Key to be duplicated and must take all reasonable steps to ensure that the Security Key is not lost or handed to any person other than another proprietor or occupier and is not disposed of otherwise than by returning it to the proprietor or the council of the body corporate.

- 18(4) A proprietor or occupier of a lot must promptly notify the body corporate if a Security Key is lost or destroyed.

Special by-law 19 Garbage

- 19(1) A proprietor or occupier of a lot must not deposit on the common property any garbage except in a receptacle or area specifically provided for that purpose.

- 19(2) A proprietor or occupier of a lot must dispose of garbage in the area designated for storage of garbage from that lot in the following manner:

- (a) bottles must be completely drained, cleaned and deposited in unbroken condition in the place designated for bottles; and

- (b) paper products must be deposited in the place designated for recycling of paper products; and
- (c) all other garbage must be drained and securely wrapped in small parcels and deposited (via the garbage chute, when appropriate) in the place designated for such garbage.

Special by-law 20
Storage of flammable liquids

- 20 A proprietor or occupier of a lot must not use or store on a lot or on common property any flammable chemical, liquid, gas or other material other than chemicals, liquids or gases or other material used or intended to be used in connection with domestic purposes.

Special by-law 21
Insurance premiums

- 21 A proprietor or occupier of a lot must not, without the prior written consent of the body corporate, do or permit anything which may invalidate, suspend or increase the premium for any insurance policy effected by the body corporate.

Special by-law 22
Signs

- 22 A proprietor or occupier of a lot must not, without the prior written consent of the body corporate, affix or exhibit any sign, lighted advertisement, name or notice to or on any part of the parcel unless it will be inside the lot and not visible from outside the lot.

Special by-law 23
Animals

- 23 Subject to section 58(12) of the Act, a proprietor or occupier must not permit any animal on a lot or on the common property.

Special by-law 24
Fire control

- 24(1) A proprietor or occupier of a lot must not use or interfere with any fire safety equipment except in the case of an emergency and must not obstruct any fire stairs or fire escape.
- 24(2) The body corporate or the proprietor or occupier of a lot must, in respect of the parcel or the lot, as appropriate:

- (a) consult with any relevant Governmental Agencies as to the appropriate fire alarm and fire sprinkler system for the parcel or the lot; and
- (b) ensure the provision of all adequate equipment to prevent fire or the spread of fire in or from the parcel or the lot to the satisfaction of all relevant Government Agencies; and
- (c) take all reasonable steps to ensure compliance with fire laws in respect of the parcel or the lot.

Special by-law 25
Consent of body corporate

- 25 A consent given by the body corporate under these by-laws will, if practicable, be revocable and may be given subject to conditions including, without limitation, a condition evidenced by a minute of a resolution that the proprietor or occupier of the lot to which the consent or approval relates is responsible for compliance with the conditions of the consent.

Special by-law 26
Complaints and applications

- 26 Any complaint or application to the body corporate or its council must be addressed in writing to the Managing Agent.

Special by-law 27
Parking

- 27 A proprietor or occupier of a lot must not, without the prior written consent of the body corporate, park or stand any vehicle on any part of the common property.

Special by-law 28
Swimming Pool Area

28(1) The following conditions apply to the Swimming Pool Area:

- (a) the Swimming Pool Area may only be used by a proprietor or occupier of a lot, an invitee of a proprietor or occupier of a lot or any person entitled to use it between the hours nominated from time to time by the council of the body corporate; and
- (b) children under the age of 12 years may use the Swimming Pool Area only if accompanied and supervised by an adult; and
- (c) running, ball playing, noisy or hazardous activities are not permitted in the Swimming Pool Area.

- 28(2) The council of the body corporate may make rules and regulations relating to the Swimming Pool Area.

Special by-law 29
Drying of laundry items

- 29 A proprietor or occupier of a lot must not, without the prior written consent of the body corporate, 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 for a reasonable period on lines provided by the body corporate for that purpose.

Special by-law 30
Notice of alteration to lot

- 30 The proprietor or occupier of a lot must not alter the structure of the lot without giving to the body corporate a written notice describing the proposed alteration at least 14 days before the commencement of the alteration.

Special by-law 31
Floor coverings

- 31 A proprietor of a lot must ensure that floor space within the proprietor's lot (other than that comprising a kitchen, laundry, lavatory or bathroom) is covered or otherwise treated to an extent sufficient to prevent the transmission from such floor space of noise likely to disturb the peaceful enjoyment of the proprietor or occupier of another lot.

Special by-law 32
Management Agreement

- 32(1) The body corporate, in addition to the powers and authorities conferred on it by or under the Act and any other by-law, has the power and authority to enter into an agreement with a person to provide for the management, control and administration of the parcel which agreement may provide for:
- (a) a term of 5 years with rights for early determination by either the body corporate or the Building Manager, and
 - (b) the provision of services consistent with use of lots in the scheme as first class residential apartments including, without limitation, the provision of the services of a caretaker, and
 - (c) the cleaning and the repair, maintenance, renewal or replacement of the common property and any personal property vested in the body corporate, and



- (d) the provision of services to proprietors or occupiers; and
- (e) the supervision of any employees or contractors of the body corporate; and
- (f) the control and supervision of the common property; and
- (g) the arbitration of disputes between the body corporate and the Building Manager; and
- (h) anything else which the body corporate considers is necessary or desirable having regard to the operational and management requirements of the body corporate.

32(2) At the expiration of an agreement entered into under this by-law the body corporate may enter into a further agreement under this by-law.

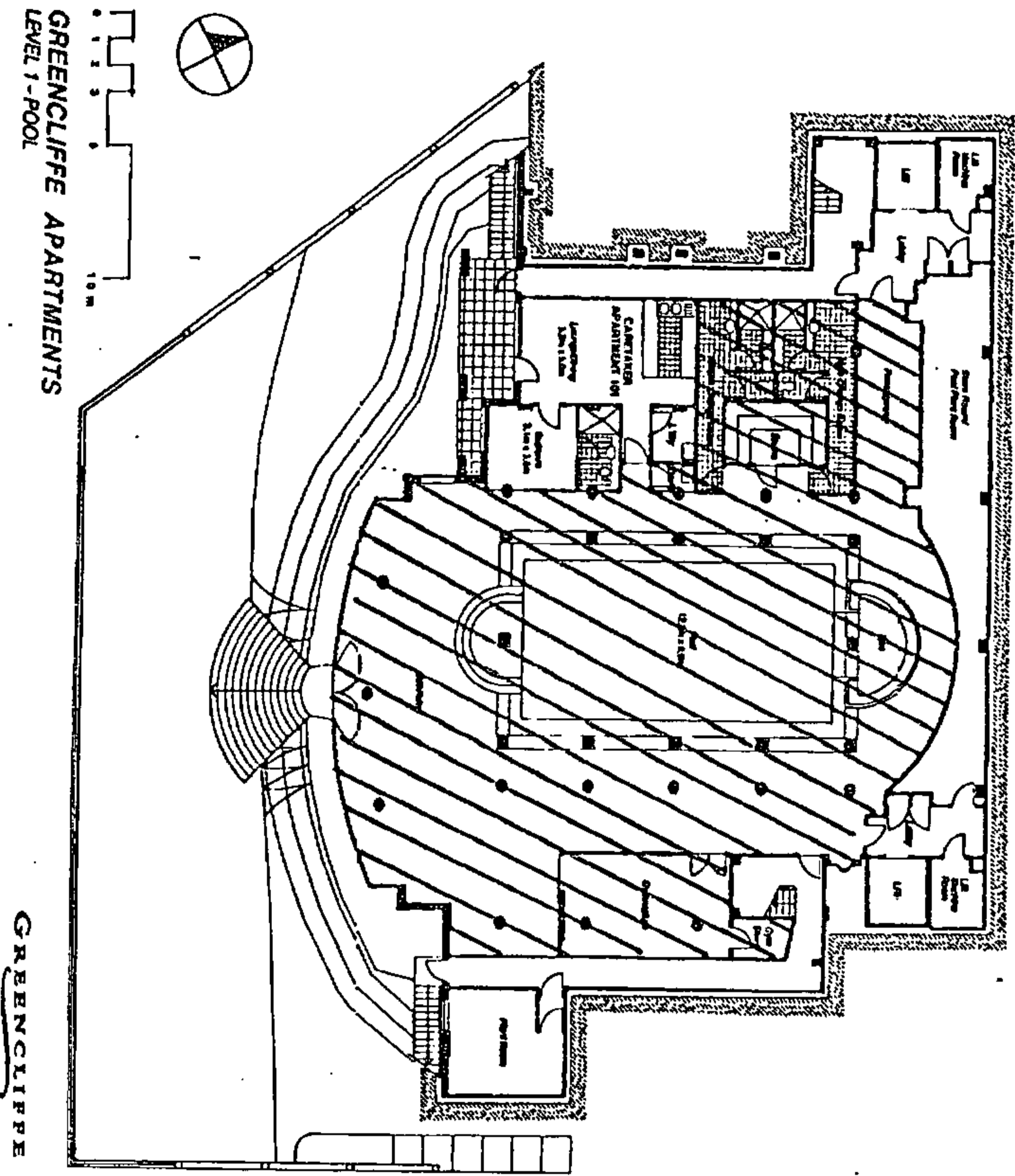
32(3) The body corporate may not, without the written consent of the Building Manager, enter into more than one agreement under this by-law at any one time.

**Special By-law 33
Obstruction of Building Manager**

33 A proprietor or occupier of a lot must not:

- (a) interfere with or obstruct the Building Manager in the performance of the Building Manager's duties under an agreement entered into under special by-law 32; or
- (b) interfere with or obstruct the Building Manager in the use of any part of the common property designated by the body corporate for use by the Building Manager.

Exhibit A

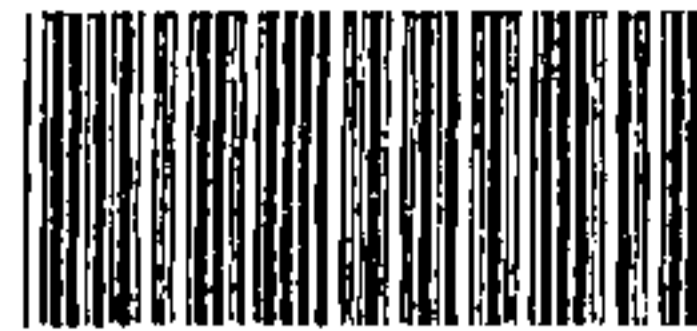


97-15CB



CHANGE OF BY-LA

Strata Titles Act 1973
Real Property Act 1900



0
773127 H

(A) COMMON PROPERTY
REFERENCE TO TITLE

CP/SP50720

(B) LODGED BY

| | | |
|--|--|----|
| L.T.O. Box 1185C | Name, Address or DX and Telephone BRYDON + CO | CB |
| REFERENCE (max. 15 characters): N.A-GARRAHLIFFE. | | |

(C) THE PROPRIETORS of STRATA PLAN ... 50720 ... certify that pursuant to a resolution passed on 24 November 1995 and in accordance with the provisions of section ... 58(2) ... of the Strata Titles Act 1973 / Order No: ... of the Supreme Court of New South Wales / Order No: ... of the Strata Titles Board, the by-laws are changed as follows:

(D) ~~REPEALED BY LAW No.~~ ...
INSERTED / ADDED BY-LAW No. Special by-law 34 ... as fully set out below.

Special by-law 34 Plants on the Earth Bank

34(1) Earth Bank has the meaning given to it in the instrument pursuant to section 88B of the Conveyancing Act 1919 and section 7(3) of the Strata Titles Act 1973 registered with Strata Plan 50720.

34(2) The Body Corporate must ensure that no plant on the Earth Bank grows to a height above RL 9.25 AHD.

(E) The Common Seal of The Proprietors - Strata Plan No. 50720 was affixed on 11th December 1995 in the presence of

[Signature]
Signature of Witness
G.W. DEGORANDI
Name of Witness - BLOCK LETTERS



being the person authorised by section 55 of the Strata Titles Act 1973 to attest the affixing of the seal.

0694LTO

CHECKED BY (Office use only) *[Signature]*

(F)

| | |
|---|--------------------|
| COUNCIL'S CERTIFICATE (s. 66(5)) | |
| I certify that the Council of has approved the change of by-laws set out herein | |
| DATE | Authorised Officer |
| APPLICATION No. | |

INSTRUCTIONS FOR COMPLETION

1. This form must be completed clearly and legibly in permanent, dense, black or dark blue non-copying ink. If using a dot-matrix printer the print must be letter-quality.
2. Do not use an eraser or correction fluid to make alterations; rule through rejected material. Initial each alteration in the left-hand margin.
3. If the space provided at any point is insufficient you may annex additional pages. These must be the same size as the form; paper quality, colour, etc, should conform to the requirements set out in Land Titles Office Information Bulletin No. 19. The first and last pages must be signed by the person witnessing the affixing of the seal of the body corporate.
4. The following instructions relate to the marginal letters on the form.

(A) COMMON PROPERTY REFERENCE TO TITLE

Show the Reference to Title of the common property, for example "CP/SP12345" or "Volume 12345 Folio 111".

(B) LODGED BY

This section is to be completed by the person or firm lodging the dealing at the Land Titles Office.

(C) STRATA PLAN

Show the number of the Strata Plan, the date on which the resolution was passed, the relevant section of the Strata Titles Act 1973 and if appropriate the Supreme Court Order number. The following may be used as a guide:

A change of by-laws pursuant to section 58 (2) of the Act is one which does not create rights of exclusive use and enjoyment of, or special privileges in respect of, common property.

A change of by-laws pursuant to section 58 (11) of the Act is one which changes the terms of an order of a Strata Titles Board having the effect of a by-law and must accordingly be made pursuant to a unanimous resolution.

A change of by-laws pursuant to clause 15 of Schedule 4 of the Act is one which confirms rights of exclusive use and enjoyment of, or special privileges in respect of, common property where such rights were in existence (either pursuant to a resolution of the body corporate or a former by-law) prior to 1st July, 1974. The new by-law must indicate how it may be amended, added to or repealed.

Where the initial period has expired, a change of by-laws pursuant to section 58 (7) of the Strata Titles Act 1973 allows a body corporate, with the consent in writing of a proprietor and pursuant to a special resolution, to make a by-law conferring on that proprietor the exclusive use and enjoyment of, or special privileges in respect to, common property, or by special resolution to make a by-law amending, adding to or repealing any by-law previously made under the subsection.

Where the initial period has not expired, a change of by-laws pursuant to section 58 (7) of the Strata Titles Act 1973 must be authorised by the Supreme Court of New South Wales or the Strata Titles Board; see section 66 (1). The Supreme Court or Strata Titles Board Order number must be shown at note (C).

A by-law made pursuant to sections 66(3) and 58(7) of the Strata Titles Act 1973, before the initial period has expired, confers a right to park a vehicle on part of the common property. This section only allows the addition of a by-law and the Council's Certificate must be completed.

The Registrar General does not require the lodgment of a plan for the purpose of the allocation of rights of exclusive enjoyment of, or special privileges in respect of, common property unless it is referred to as an annexure in the by-law, in which case the plan must comply with the appropriate Real Property Act Regulations.

(D) REPEALED/INSERTED/ADDED BY-LAW NUMBER

By-laws additional to those already operating should be numbered consecutively commencing with the number next after the number allotted to the last by-law. Amendment of a by-law is effected by fully repealing the existing by-law and substituting the new by-law in the terms required.

(E) EXECUTION

The common seal of the body corporate must be affixed in the presence of the person(s) authorised by section 55 of the Strata Titles Act 1973 to attest the affixing of the seal. Show the number of the Strata Plan and the date on which the common seal was affixed. The appropriate section should be completed by the attesting witness.

(F) COUNCIL'S CERTIFICATE

The Certificate must be completed when a by-law is made pursuant to sections 66(3) and 58(7) before the initial period has expired.

The completed dealing must be lodged by hand at the Land Titles Office, Queen's Square, Sydney (adjacent to the Hyde Park Barracks) and must be accompanied by the relevant Certificate of Title for the Common Property.

If you have any questions about filling out this form, please call (02) 228-6666 and ask for Customer Services Branch.

Req: R518804 / Doc: DL AA343815 / Rev: 21-Jan-2004 / Sts: NO.OK / Prt: 18-Jan-2006 10:34 / Pgs: ALL / Seq: 1 of 1
Ref: VC / Src: B

~~ATTACHMENT A TO AGM 11/11~~



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

CHANGE OF BY-LAW

AA343815K

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

| |
|---|
| For the common property <i>CP/SP 50720</i> |
|---|

(B) LODGED BY

| Delivery Box | Name, Address or DX and Telephone | CODE |
|--------------|---|-----------|
| <i>570E</i> | <i>MARSDENS DX 5107 CAMPBELLTOWN Reference (optional): 11 13 9352</i> | CB |

(C) The Owners-Strata Plan No 50720 certify that pursuant to a resolution passed on _____ 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 _____
Added by-law No _____
Amended by-law No _____
as fully set out below.

- (a) The owners of Strata Plan No. 50720 hereby consent to the owner of Lot 4 within the building "Greencliffe" to extend the verandah into an area which is common property. In effect this is an extension into air space. It is noted that a single pylon or support structure will be erected to support the proposed floor extension. The area of this pylon will be less than 1sqm extension onto the actual common property.
- (b) Lot 4 will receive the benefit of the proposed By-Law.
- (c) It is agreed that the owner of Lot 4 is responsible for all costs relating to such changes and extensions including the registration of this application. This also includes the cost of repair to any damages caused to the building or other apartments in the building as a result of the proposed extensions.
- (d) Any extensions to be commissioned by the owner of Lot 4 must be done in a workmanlike and professional manner and must accord with the look and use materials that accord with the colour scheme of the building "Greencliffe".
- (e) The owner of Lot 4 from time to time will be responsible for the future maintenance and repair of the extension.
- (f) The owner of Lot 4 will be responsible for all costs of the Owners Corporation and individual lot owners resulting from legal action taken against any of them relating to the approval of this By-Law.

(F) The common seal of the Owners-Strata Plan No 50720 was affixed on *18/12/03* in the presence of—

Signature(s): *Debbie Richards*

Name(s): *DEBBIE RICHARDS*

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 and position of authorised officer: _____

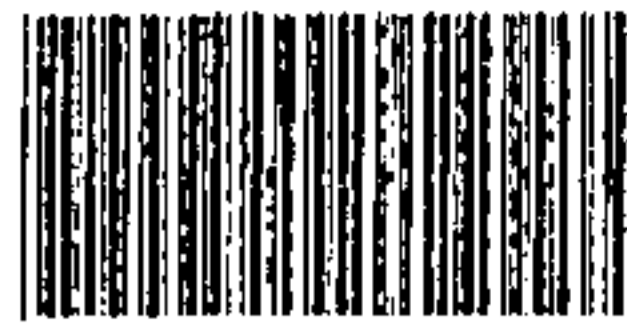
All handwriting must be in block capitals.

97-15CB



CHANGE OF BY-LAW

Strata Titles Act 1973
Real Property Act 1900



0
889303 S

B

(A) COMMON PROPERTY
REFERENCE TO TITLE

CP/SP50720

(B) LODGED BY

| | | |
|--|--|----|
| L.T.O. Box 1185C | Name, Address or DX and Telephone BRYDON + CO | CB |
| REFERENCE (max. 15 characters): N/A, Greencliffe | | |

(C) THE PROPRIETORS of STRATA PLAN 50720 certify that pursuant to a resolution passed on
and in accordance with the provisions of section 58(2) of the Strata Titles Act 1973 / Order No.
of the Supreme Court of New South Wales / Order No. of the Strata Titles Board, the by-laws are changed as follows:

(D) REPEALED BY-LAW No. 34
INSERTED / ADDED BY-LAW No. 35
..... as fully set out below.

Special by-law 35 Plants on the Earth Bank

- 35(1) Earth Bank has the meaning given to it in the instrument pursuant to section 88B of the Conveyancing Act 1919 and section 7(3) of the Strata Titles Act 1973 registered with Strata Plan 50720.
- 35(2) The Body Corporate must ensure that no plant on the Earth Bank grows to a height above RL 9,25 AHD.
- 35(3) The Body Corporate must ensure that no building or other structure is erected on the Earth Bank.
- 35(4) This By-Law may not be repealed or amended except by a unanimous resolution of the Body Corporate.

(E) The Common Seal of The Proprietors - Strata Plan No. 50720
was affixed on 15th January 1996 in the presence of

[Handwritten Signature]
Signature of Witness

G.W. Deconardi
Name of Witness - H.H. G.W. DECONARDI



being the person authorised by section 55 of the Strata Titles Act 1973 to attest the affixing of the seal.

06941.TU

CHECKED BY (Office use only)

[Handwritten Signature]

(F)

| | |
|--|--------------------|
| COUNCIL'S CERTIFICATE (s. 66(5)) | |
| I certify that the Council of has approved the change of by-laws set out hereof. | |
| DATE | |
| APPLICATION No. | Authorised Officer |

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A change of by-laws pursuant to clause 15 of Schedule 4 of the Act is one which confirms rights of exclusive use and enjoyment of, or special privileges in respect of, common property where such rights were in existence (either pursuant to a resolution of the body corporate or a former by-law) prior to 1st July, 1974. The new by-law must indicate how it may be amended, added to or repealed.

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A by-law made pursuant to sections 66(3) and 58(7) of the Strata Titles Act 1973, before the initial period has expired, confers a right to park a vehicle on part of the common property. This section only allows the addition of a by-law and the Council's Certificate must be completed.

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(D) REPEALED/INSERTED/ADDED BY-LAW NUMBER

By-laws additional to those already operating should be numbered consecutively commencing with the number next after the number allowed to the last by-law. Amendment of a by-law is effected by fully repealing the existing by-law and substituting the new by-law in the terms required.

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(F) COUNCIL'S CERTIFICATE

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The completed dealing must be lodged by hand at the Land Titles Office, Queen's Square, Sydney (adjacent to the Hyde Park Barracks) and must be accompanied by the relevant Certificate of Title for the Common Property.

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