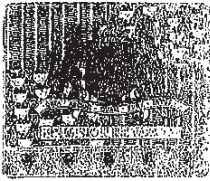


BOX 1W  
(A1575207)



NEW SOUTH WALES  
**CERTIFICATE OF TITLE**  
REAL PROPERTY ACT, 1900



TORRENS TITLE REFERENCE	
CP/SP45891	
EDITION	DATE OF ISSUE
18	13/5/2014
CERTIFICATE AUTHENTICATION CODE	
KLSC-ML-Z6PQ	

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.

REGISTRAR GENERAL



ANY ATTEMPT TO ALTER THIS CERTIFICATE COULD RESULT IN HEAVY FINES OR IMPRISONMENT (S.141 REAL PROPERTY ACT).

LAND

THE COMMON PROPERTY IN THE STRATA SCHEME BASED ON STRATA PLAN 45891  
WITHIN THE PARCEL SHOWN IN THE TITLE DIAGRAM

AT SURRY HILLS.  
LOCAL GOVERNMENT AREA: SYDNEY.  
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND  
TITLE DIAGRAM: SHEET 1 SP45891

FIRST SCHEDULE

THE OWNERS - STRATA PLAN NO. 45891  
ADDRESS FOR SERVICE OF NOTICES:  
C/- GK STRATA MANAGEMENT PTY LTD, SUITE 401, LEVEL  
4, 55 MOUNTAIN STREET, BROADWAY 2007

SECOND SCHEDULE

1. RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2. ATTENTION IS DIRECTED TO BY-LAWS SET OUT IN SCHEDULE 1 STRATA SCHEMES MANAGEMENT ACT 1996
3. F361933 CROSS EASEMENTS (S.181B CONVEYANCING ACT, 1919) AFFECTING THE PARTY WALL(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
4. A385615 COVENANT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM.
5. I973622 POSITIVE COVENANT
6. U849844 CHANGE OF BY-LAWS
7. O347767 CHANGE OF BY-LAWS
8. 3154322 LEASE TO SYDNEY ELECTRICITY OF SUBSTATION PREMISES NO. 7295 AS SHOWN IN PLAN WITH 3154322 TOG WITH RIGHT OF WAY & EASEMENT FOR ELECTRICITY PURPOSES OVER ANOTHER PART OF THE LAND ABOVE DESCRIBED: EXPIRES 30-4-2094
9. 7952072 CHANGE OF BY-LAWS
10. 8165140 CHANGE OF BY-LAWS
11. 9331931 CHANGE OF BY-LAWS
12. 9724980 CHANGE OF BY-LAWS
13. AA712502 CHANGE OF BY-LAWS
14. AC349086 CHANGE OF BY-LAWS
15. AD960126 CHANGE OF BY-LAWS
16. AE648955 CHANGE OF BY-LAWS
17. AE648956 CHANGE OF BY-LAWS
18. AF547742 CHANGE OF BY-LAWS
19. AH909794 CHANGE OF BY-LAWS

END OF PAGE 1 CONTINUED OVER

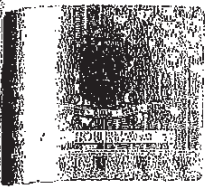
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REGISTRAR GENERAL



SECOND SCHEDULE (CONTINUED)

20. A1575207 CHANGE OF BY-LAWS

SCHEDULE OF UNIT ENTITLEMENT (AGGREGATE: 10000)

STRATA PLAN 45891

LOT	ENT	LOT	ENT	LOT	ENT	LOT	ENT
1	- 89	2	- 91	3	- 79	4	- 75
5	- 77	6	- 87	7	- 77	8	- 79
9	- 77	10	- 87	11	- 87	12	- 73
13	- 89	14	- 77	15	- 77	16	- 87
17	- 87	18	- 75	19	- 85	20	- 85
21	- 104	22	- 110	23	- 87	24	- 71
25	- 85	26	- 85	27	- 102	28	- 100
29	- 71	30	- 84	31	- 85	32	- 89
33	- 102	34	- 71	35	- 84	36	- 87
37	- 87	38	- 95	39	- 81	40	- 81
41	- 95	42	- 71	43	- 84	44	- 87
45	- 87	46	- 95	47	- 81	48	- 81
49	- 95	50	- 71	51	- 84	52	- 87
53	- 87	54	- 95	55	- 81	56	- 81
57	- 95	58	- 71	59	- 81	60	- 85
61	- 84	62	- 95	63	- 80	64	- 79
65	- 95	66	- 91	67	- 75	68	- 93
69	- 93	70	- 100	71	- 87	72	- 85
73	- 98	74	- 89	75	- 75	76	- 93
77	- 93	78	- 98	79	- 85	80	- 85
81	- 98	82	- 89	83	- 75	84	- 93
85	- 93	86	- 98	87	- 85	88	- 85
89	- 94	90	- 85	91	- 73	92	- 93
93	- 93	94	- 94	95	- 85	96	- 85
97	- 95	98	- 104	99	- 104	100	- 85
101	- 100	102	- 100	103	- 85	104	- 86
105	- 89	106	- 96	107	- 83	108	- 73
109	- 86	110	- 89	111	- 81	112	- 96
113	- 83	114	- 83	115	- 96		

\*\*\*\* END OF CERTIFICATE \*\*\*\*

Certificate of Title

**"Annexure A" Residential Model By-Laws Strata Schemes Management Act 1996 Page 1****Strata Scheme 45891**

- 1 Noise** An owner or occupier of a lot must not create any noise on a lot or the common property likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using common property.
- 2 Parking:**
- 2.1** 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.
- 2.2** The Owners Corporation shall have the following powers and authorities, in addition to those conferred upon it by the Strata Schemes Management Act 1996 and the by-laws:-
- a) The power to do one or more of the following in respect of a vehicle, the property of an owner or occupier of a lot, parked upon common property contrary to the by-laws;
- (i) the power to remove the vehicle from the parcel;
- (ii) the power to move the vehicle within the parcel;
- (iii) the power to distraint the vehicle by such reasonable means as the Owners Corporation determines; and
- (iv) the power to affix a sign to the vehicle.
- b) the power to recover the costs of exercising any power pursuant to this by-law from that owner or occupier as debt in any court of competent jurisdiction
- 3 Obstruction of common property** An owner or occupier of a lot must not obstruct lawful use of common property by any person except on a temporary and non-recurring basis.
- 4 Damage to lawns and plants on common property** An owner or occupier of a lot must not, except with the prior written approval of the owners corporation:
- (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**
- (1) 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 prior written approval of the owners corporation.
- (2) An approval given by the owners corporation under subclause (1) cannot authorise any additions to the common property.
- (3) 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 to improve safety within the owner's lot, 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, or
- (d) any device used to affix decorative items to the internal surfaces of walls in the owner's lot.
- (4) 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.
- (5) Despite section 62, the owner of a lot must:
- (a) 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
- (b) repair any damage caused to any part of the common property by the installation or removal of any locking or safety device, screen, other device or structure referred to in subclause (3) that forms part of the common property and that services the lot.
- 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 or discarded item except with the prior written approval of the owners corporation.
- 10 Drying of laundry items** An owner or occupier of a lot must not, except with the prior written approval 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 exterior surfaces of glass in windows and doors on the boundary of the lot, including so much as is common property, unless:
- (a) the owners corporation resolves that it will keep the glass or specified part of the glass clean, or
- (b) that glass or part of the glass cannot be accessed by the owner or occupier of the lot safely or at all.
- 12 Storage of inflammable liquids and other substances and materials**
- (1) An owner or occupier of a lot must not, except with the prior written approval 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.
- (2) 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**
- (1) An owner or occupier of a lot must not transport

**"Annexure A" Residential Model By-Laws Strata Schemes Management Act 1996**

Page 2

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.

- (2) An owners corporation may resolve that furniture or large objects are to be transported through or on the common property (whether in the building or not) in a specified manner.
- (3) If the owners corporation has specified, by resolution, the manner in which furniture or large objects are to be transported, an owner or occupier of a lot must not transport any furniture or large object through or on common property except in accordance with that resolution.

**14 Floor coverings**

- (1) 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 any degradation of acoustic performance and the transmission from the floor space of noise likely to disturb the peaceful enjoyment of the owner or occupier of another lot.
- (2) Without limitation to the generality of (1) above, the owner of a lot must ensure that, as a minimum, the impact and airborne noise transmission performance of the floor covering meets the sound transmission class (STC) and impact isolation rating (IIR) standards prescribed at the relevant time by the Building Code of Australia or by any enactment, regulation, by-law, standard or guideline amending, replacing or adding to that code. If no IIR is prescribed, then an IIR of at least IIC65 is required.
- (3) This by-law does not apply to the floor space comprising a kitchen, laundry, lavatory or bathroom.

**15 Garbage disposal**

- (1) An owner or occupier of a lot in a strata scheme that does not have shared receptacles for garbage, recyclable material or waste:
  - (a) must maintain such receptacles 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 (except in the case of receptacles for recyclable material) adequately covered, and
  - (b) must ensure that before refuse, recyclable material or waste is placed in the receptacles it is, in the case of refuse, securely wrapped or, in the case of tins or other containers, completely drained, or, in the case of recyclable material or waste, separated and prepared in accordance with the applicable recycling guidelines, and
  - (c) for the purpose of having the garbage, recyclable material or waste collected, must place the receptacles 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, recyclable material or waste 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 receptacles 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 or recycling collector may have spilled from the receptacles and must take such action as may be necessary to clean the area within which that thing was spilled.
- (2) An owner or occupier of a lot in a strata scheme that has shared receptacles for garbage, recyclable material or waste:
  - (a) must ensure that before refuse, recyclable material or waste is placed in the receptacles it is, in the case of refuse, securely wrapped or, in the case of tins or other containers, completely drained, or, in the case of recyclable material or waste, separated and prepared in accordance with the applicable recycling guidelines, and
  - (b) must promptly remove any thing which the owner, occupier or garbage or recycling collector may have spilled in the area of the receptacles and must take such action as may be necessary to clean the area within which that thing was spilled.

**16 Keeping of animals** Subject to section 49 (4), an owner or occupier of a residential lot must not keep any animal on the lot or the common property.

**17 Appearance of Lot**

- (1) The owner or occupier of a lot must not, without the prior written approval 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.
- (2) 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.
- (3) All security doors and window grills must be in wrought iron in "Cambridge" design and powder coated in "mist green". The Framework of all fly-screens must be powder coated in "mist green".

**18 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).

**19 Provision of amenities or services**

- (1) The owners corporation may, by special resolution, determine to enter into arrangements for the provision of the following amenities or services to one or more of the lots, or to the owners or occupiers of one or more of the lots:
  - (a) window cleaning,
  - (b) garbage disposal and recycling services,
  - (c) electricity, water or gas supply,
  - (d) telecommunication services (for example, cable television).
- (2) If the owners corporation makes a resolution referred to in subclause (1) to provide an amenity or service to a lot or to the owner or occupier of a lot, it must indicate in the resolution the amount for which, or the conditions on which, it will provide the amenity or service.

**Note.** Section 111 of the Act provides that an owners corporation may enter into an agreement with an owner or occupier of a lot for the provision of amenities or services by it to the lot or to the owner or occupier.

**20 Common Property Locks:** The Owners Corporation pursuant to Section 62(3)(a)

**"Annexure A" Residential Model By-Laws Strata Schemes Management Act 1996 Page 3**

determine that repair of locks to unit mail boxes and unit external doors be the responsibility of the individual owner.

**21 Name of Occupier:** That pursuant to Sec 119, Owners are required to advise the Owners Corporation of the full name of occupiers of a lot immediately that they take possession of the lot.

**22 Access to lot:** Pursuant to Sec 65, an owner or occupier must allow access to a unit to investigate and/or repair common property (a) in an emergency, without notice, (b) on reasonable notice at other times.

**23 Alterations to lot:** The owner of a lot must not alter the structure of the lot without giving to the owners corporation, not later than 14 days before commencement of the alteration, a written notice describing the proposed alteration

**24 Nuisance:** Pursuant to Sec 117(1), an owner or occupier must not use that lot or permit it to be used in such a manner or for such a purpose as to cause a nuisance to the occupier of any other lot

**25 Compensation to Owners Corporation:** Without in any way limiting the generality of his or her liability otherwise howsoever occurring,

- a) each owner of a lot in the strata scheme shall:
- I. be responsible for,
  - II. bear the cost of; and
  - III. pay upon demand to the Owners Corporation, the reasonable and proper cost of the Owners Corporation repairing, replacing or renewing all disrepair of, or damage to the common property caused by
- A) His or her wilful act or carelessness; or
  - B) The wilful act or carelessness of any of his or her lessees, licensees, invitees or contractors, (in the event of such last mentioned person or persons not paying such cost within 14 days of written demand; or
  - C) the wilful act or carelessness of any guest or invitee whether the details of whom are known or unknown) of his or her lessees or licensees (in the event of such guest or invitee [whether known or unknown] not paying such cost within 14 days of written demand);
- b) For the purpose of paragraph (a) above, the Owners Corporation may recover the cost of such disrepair or damage from the owner as liquidated damages in a court of competent jurisdiction without first being required to take any court proceedings or steps (other than the letter referred to in paragraph (a) above) to receive such moneys from the said lessee, licensee, guest invitee or contractor.

**26 Real Estate Signs:-**

That "Auction", "For Sale" (but not "For Lease") signs and the like, be permitted on the Common Property, subject to:-

- a) Approval must be obtained in advance and in writing to the Managing Agent.
- b) One sign only will be permitted, and this to be erected in the garden only (not in the grass) and not obscuring the view from any unit.
- c) The maximum size of a sign to be 1.3 x 1 metres
- d) Approval to be only for a maximum of six weeks (regardless if the property remains unsold.

e) Signs are to be removed the same day that contracts are exchanged and is not to remain with a "Sold" sticker thereon.

- f) Signs are not to be affixed to Common Property.
- g) Owners are fully responsible for the actions of their estate agents and contractors, including the cost to the Owners Corporation in removing any sign in breach of these conditions.

**NOTE:** No consents to be issued for Real Estate signs other than by a meeting of the Executive Committee.

**27. Security in the Strata Scheme**

- a) An owner 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, an owner 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.
- b) The owners corporation may take all reasonable steps to:
- (i) To ensure the security of the parcel from intruders,
  - (ii) To preserve the safety of the parcel and persons on the parcel from fire, violence, theft or other hazards; and
  - (iii) For the proper control and administration of those areas
- c) And if it considers it necessary or desirable may, without limitation:
- (i) Close off or restrict by means of Security Devices access (on either a temporary or a permanent basis) to any part of the common property not required for access to a lot; or
  - (ii) Permit, to the exclusion of owners and occupiers of lots, 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
  - (iii) Restrict by means of Security Key the access of owners and occupier of lots on one level of the building to any other level of the building
  - (iv) If the owners corporation restricts the access of owners and occupiers of lots under this by law, the owners corporation may make available to owners of lots the number of Security Devices the owners corporation considers necessary and the owners corporation may charge the owners a refundable fee or bond for any Security Device (as determined from time to time by the executive committee).
- (v) An owner or occupier of a lot must promptly notify the owners corporation if a Security Device is lost or destroyed.

**Special by-law 1**

- a) Subject to 58(12) and (b) below, a proprietor or occupier of a lot shall not keep any animal upon the lot or the common property
- b) A proprietor or occupier of a lot with the approval in writing of the body corporate may keep a small bird or fish upon the said

**"Annexure A" Residential Model By-Laws Strata Schemes Management Act 1996 Page 4**

- lot PROVIDED THAT the peace and quiet of adjoining lots are not disturbed
- c) An animal allowed on a lot pursuant to (b) above shall be kept wholly within the apartment area of the lot and not on or in the balcony, courtyard or car accommodation.

**Special by-law 2**

The proprietor of a lot shall:

- a) Maintain in a state of good and serviceable repair any structure enclosing the car space forming part of his lot or installed within the lot, or any part of it, including its ancillary mechanisms and additions ("the enclosure");
- b) Renew or replace the enclosure whenever necessary
- c) Indemnify the body corporate against any liability or expense caused or contributed to by the illustration, maintenance, or use of the enclosure, including by the body corporate in undertaking any work referred to in section 64 of the Strata Titles Act 1973 or in exercising the power of entry conferred by that section;
- d) Comply, at his own expense, with any requirement of South Sydney Council or any other authority relating to the enclosures, whether the requirement is addressed to himself or the body corporate is required to do so by order of the Strata Titles Commissioner or Strata Titles Board, whether the enclosure was installed by him, his predecessor in title or an occupier of his lot.



RP55A

STAMP DUTY

OFFICE USE ONLY



B



973622 G

POSITIVE COVENANT

PURSUANT TO SECTION 88E(3), CONVEYANCING ACT, 1919  
REAL PROPERTY ACT, 1900

PC

(See Instructions for Completion on back of form)

DESCRIPTION OF LAND  
Note (a)

Torrens Title Reference	If part only, delete Whole and give details
CP/SP 45891 FOLIO IDENTIFIER 100/817692	WHOLE

Note (b) *JM* THE COUNCIL OF THE CITY OF SOUTH SYDNEY of 140 Joynton Avenue, Zetland  
THE COUNCIL OF THE CITY OF SOUTH SYDNEY of 140 Joynton Avenue, Zetland

a PRESCRIBED AUTHORITY within the meaning of Section 88E(1) of the Conveyancing Act, 1919, hereby imposes on the land above described the positive covenant which is set out overleaf, and applies to have such covenant recorded in the Register.

OFFICE USE ONLY

Note (c) The Registered Proprietor of the land above described is MERITON APARTMENTS PTY LIMITED (A.C.N. 000 644 888) of  
267-277 Castlereagh Street, Sydney

Note (d) ~~The mortgagee/lessee/chargee/covenant chargee of the land above described is~~

DATE 10 JAN 1994

EXECUTION  
Note (e)

We hereby certify this dealing to be correct for the purposes of the Real Property Act, 1900

Signed in my presence by an authorized officer of the Prescribed Authority

Executed by the Council of the City of South Sydney by its Attorney JOHN ALBERT HILTON pursuant to Power of Attorney registered Book 3829 No. 359

*John Albert Hilton*  
Signature of Witness  
*John Albert Hilton*  
Name of Witness (BLOCK LETTERS)  
c/o 140 Joynton Ave, Zetland, Secretary  
Address and occupation of Witness

Signed in my presence by the registered proprietor of the land who is personally known to me.

THE COMMON SEAL OF MERITON APARTMENTS

PTY. LIMITED was hereunto affixed in  
Name of Proprietor (BLOCK LETTERS)  
John Albert Hilton, Secretary  
Address and occupation of Witness



*John Albert Hilton*  
Signature of authorized officer

*John Albert Hilton*  
Signature of registered proprietor

DIRECTOR

who is personally known to me

Notes (a) and (f)

Signed in my presence by the registered proprietor

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address and occupation of Witness

TO BE COMPLETED BY LODGING PARTY  
Notes (g) and (h)

LODGED BY <i>Meriton Apartments</i> <i>1056P</i>	LOCATION OF DOCUMENTS	
	CT	OTHER
Delivery Box Number		Herewith
Checked <i>ASB</i>	Passed	In L.T.O. with
Signed	Extra Fee	Produced by
REGISTERED -18	Secondary Directions	
	Delivery Directions	<i>CT</i> <i>KSE/P</i>

OFFICE USE ONLY

WFSUPSER 904.2

**B**

**ANNEXURE TO POSITIVE COVENANT BETWEEN THE COUNCIL OF THE CITY OF SOUTH SYDNEY AND MERITON APARTMENTS PTY. LIMITED**

- (1) Not to do, permit or suffer the use of the two private connections to Council's drainage system for the purpose of discharging anything other than stormwater and subsoil water and in particular, without limiting the generality of the foregoing not to use, permit or suffer trade wastes to be discharged through the system.
- (2) The registered proprietor covenants with the prescribed Authority as follows:-
  - (a) If the registered proprietor uses, permits or suffers trade wastes to be discharged through the system the Prescribed Authority may disconnect the private connections at the registered proprietor's expense.
  - (b) The registered proprietor will not make any claim arising out of:-
    - (i) the inadequacy, blockage or surcharging of the Prescribed Authority's drainage system.
    - (ii) any decision of the Prescribed Authority to abandon or relocate the culvert at any time in the future.
  - (c) To accept full responsibility and to indemnify and keep indemnified the Prescribed Authority against all claims, costs, demands and suits arising out of the construction of the private connections to the Council's drainage system.

*Marked*





**B**

- 2 -

Signed in my presence by an  
authorised officer of the  
Prescribed Authority

Executed by the Council of the  
City of South Sydney by Its  
Attorney JOHN ALBERT HILTON  
pursuant to Power of Attorney  
registered Book 3829 No. 339

.....*Mark*.....  
Signature of Witness

.....*MERISE PARKER*.....  
Name of Witness (BLOCK LETTERS)

.....*c/- 140 Jaydon Ave. Zetland*.....  
.....*Secretary*.....  
Address and occupation  
of Witness

.....*J. A. Hilton*.....  
Signature of Authorised Officer

THE COMMON SEAL of MERITON  
APARTMENTS PTY. LIMITED was  
hereunto affixed in the  
presence of:

.....  
Secretary

.....  
Director

97-15CB



# CHANGE OF BY-LAW

Strata Titles Act 1973  
Real Property Act 1900



U  
849844 G

(A) COMMON PROPERTY  
REFERENCE TO TITLE

**B**

CP/SP45891
------------

(B) LODGED BY

L.T.O. Box 120N	Name, Address or DX and Telephone BLACKSHAW LINDSAY & LE PAGE SOLICITORS 36A BAY STREET DOUBLE BAY 2028 REFERENCE (max. 15 characters): J. 94.9750	CB
--------------------	--	----

(C) THE PROPRIETORS of STRATA PLAN ....45891..... certify that pursuant to a resolution passed on .20. October. 1994., 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 1.....  
 ..... as fully set out below.

**SPECIAL BY-LAW 1.**

- 27. (a) Subject to 58(12) and (b) below, a proprietor or occupier of a lot shall not keep any animal upon the lot or the common property.
- (b) A Proprietor or occupier of a lot with the approval in writing of the Body Corporate may keep a small bird or fish upon the said lot PROVIDED THAT the peace and quiet of adjoining lots are not disturbed.
- (c) An animal allowed on a lot pursuant to (b) above shall be kept wholly within the apartment area of the lot and not on or in the balcony, courtyard or car accommodation.

(E) The Common Seal of The Proprietors - Strata Plan No. ....45891..... was affixed on 30 NOVEMBER 1994 in the presence of

*[Signature]*  
 Signature of Witness  
 DENNIS PHILIP TRICKETT  
 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.

*[Handwritten signature]*  
 10/30

97-15CB



CHANGE OF BY-LAW

Strata Titles Act 1973  
Real Property Act 1900



0  
347767 W

(A) COMMON PROPERTY  
REFERENCE TO TITLE

CF/SR45891

(B) LODGED BY

B

LTO Box 120N	Name, Address or DX and Telephone BLACKSHAW LINDSAY & LE PAGE SOLICITORS 36A BAY STREET DOUBLE BAY NSW 2028	CB
REFERENCE (max. 15 characters): 94.9713		

(C) THE PROPRIETORS of STRATA PLAN ...45891... certify that pursuant to a resolution passed on .20. October..1994, 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, 2..... as fully set out below.

SPECIAL BY-LAW 2.

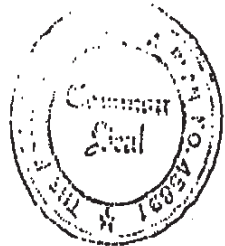
The proprietor of a lot shall:

- Maintain in a state of good and serviceable repair any structure enclosing the car space forming part of his lot or installed within the lot, or any part of it, including its ancillary mechanisms and additions ("the enclosure");
- Renew or replace the enclosure whenever necessary;

(See annexure hereto)

(E) The Common Seal of The Proprietors - Strata Plan No. ...45891... was affixed on 16TH JUNE 95 in the presence of

TREVOR DARRYL BRIGHT  
Signature of Witness  
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,

Under Power of Attorney Book 4099..No...565

**STRATA SCHEME NO 45891**

**ANNEXURE TO NOTIFICATION OF CHANGE OF BY-LAWS**

3. Indemnify the Body Corporate against any liability or expense caused or contributed to by the installation, maintenance, or use of the enclosure, including any damage caused to the enclosure by the Body Corporate in undertaking any work referred to in Section 64 of the Strata Titles Act 1973 or in exercising the power of entry conferred by that Section;
4. Comply, at his own expense, with any requirement of South Sydney City Council or any other authority relating to the enclosures, whether the requirement is addressed to himself or the Body Corporate, including a requirement to remove the enclosure;
5. Remove, at his own expense, the enclosure if the Body Corporate is required to do so by order of the Strata Titles Commissioner or Strata Titles Board,

whether the enclosure was installed by him, his predecessor in title or an occupier of his lot.

THIS is page 2 of a total of 2 and is the annexure to notification of Change of By-Laws by THE PROPRIETORS - STRATA PLAN NO 45891 dated the 14<sup>TH</sup> day of JUNE 1995

THE COMMON SEAL of THE PROPRIETORS - STRATA PLAN NO 45891 was hereunto affixed on the 16<sup>TH</sup> day of JUNE 1995 in the presence of

TREVOR DARRELL BRIGHT

being the person(s) authorised by Section 55 of the Strata Titles Act 1973 to attest the affixing of the seal.



Licence: 10V/0779/97  
Edition: 9804

# CHANGE OF BY-LAW

New South Wales  
Strata Schemes Management Act 19  
Real Property Act 1900



7952072K

(A) TORRENS TITLE

For the common property

## Certificate of Title Volume CP/SP 45891

(B) LODGED BY

LTO Box	Name, Address or DX and Telephone	CODE
1095D	Hind & Associates DX 1313 Sydney	CB
	Reference (optional):	

(C) The Owners-Strata Plan No **45891** certify that pursuant to a resolution passed on **20 August 2001** 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 **47** 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

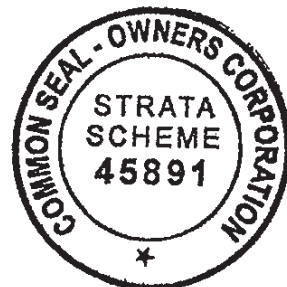
Amended by-law No

as fully set out below.

### As Per attached Annexure

(F) The common seal of the Owners-Strata Plan No  was affixed on August 28, 2001 in the presence of—  
Names: Peter Andrew Bryant, Public Officer for the Owners Corporation  
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 herei  
Signature of authorised officer:

**By Law to Register:**

**17 Appearance of Lot**

- (1) The owner or occupier of a lot must not, without the prior written approval 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.
- (2) 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.
- (3) All security doors and window grills must be in wrought iron in "Cambridge" design and powder coated in "mist green". The Framework of all fly-screens must be powder coated in "mist green".

**CHANGE OF BY-LAWS**



Licence: 10V/0779/97  
Edition: 9804

New South Wales  
Strata Schemes Management,  
Real Property Act 1901

(A) TORRENS TITLE

For the common property

**8165140H**

**Certificate of Title Volume CP/SP 45891**

(B) LODGED BY

LTO Box	Name, Address or DX and Telephone	CODE
<b>1095D</b>	<b>Hind &amp; Associates DX 1313 Sydney</b>	<b>CB</b>
	Reference (optional):	

(C) The Owners-Strata Plan No **45891**

certify that pursuant to a resolution passed on

**22 October  
2001**

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 **47** 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	14
Added by-law No	14
Amended by-law No	

as fully set out below.

**As Per attached Annexure**

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

**45891**

was affixed on October 26, 2001 in the presence of—

Names: Peter Andrew Bryant, Public Officer for the Owners Corporation

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.

## Annexure

### 14 Floor Coverings:

- (1) ~~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.~~
- (2) ~~This by-law does not apply to floor space comprising a kitchen, laundry, lavatory or bathroom.~~

and replace with the following:

### 14 Floor Coverings:

- (1) 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 any degradation of acoustic performance and the transmission from the floor space of noise likely to disturb the peaceful enjoyment of the owner or occupier of another lot.
- (2) Without limitation to the generality of (1) above, the owner of a lot must ensure that, as a minimum, the impact and airborne noise transmission performance of the floor covering meets the sound transmission class (STC) and impact isolation rating (IIR) standards prescribed at the relevant time by the Building Code of Australia or by any enactment, regulation, by-law, standard or guideline amending, replacing or adding to that code. If no IIR is prescribed, then an IIR of at least IIC65 is required.
- (3) This by-law does not apply to the floor space comprising a kitchen, laundry, lavatory or bathroom.

A handwritten signature in black ink, consisting of a large, stylized initial 'L' followed by a long horizontal stroke that loops back to the right.



Licence: 10V/0779/97  
Edition: 9804

**CHANGE OF BY-LAW**  
New South Wales  
Strata Schemes Management Act 19  
Real Property Act 1900



**9331931A**

(A) TORRENS TITLE

For the common property

**Certificate of Title Volume CP/SP 45891**

(B) LODGED BY

LTO Box	Name, Address or DX and Telephone	CODE
1095D	Hind & Associates DX 1313 Sydney	CB
	Reference (optional):	

(C) The Owners-Strata Plan No **45891** certify that pursuant to a resolution passed on **21<sup>st</sup> April 2001** 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 47 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 1-19

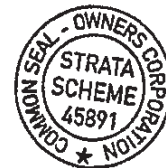
Added by-law No 1-27 and Special By-law 1 and Special By-law 2

Amended by-law No \_\_\_\_\_

as fully set out below.

**As per attached Annexure**

(F) The common seal of the Owners-Strata Plan No **45891** was affixed on January 28, 2003 in the presence of—  
Names: Peter Andrew Bryant, Public Officer for the Owners Corporation  
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:

**Strata Scheme 45891**

- 1 **Noise** An owner or occupier of a lot must not create any noise on a lot or the common property likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using common property.
- 2 **Parking:**
- 2.1 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.
- 2.2 The Owners Corporation shall have the following powers and authorities, in addition to those conferred upon it by the Strata Schemes Management Act 1996 and the by-laws:-
- a) The power to do one or more of the following in respect of a vehicle, the property of an owner or occupier of a lot, parked upon common property contrary to the by-laws;
- the power to remove the vehicle from the parcel;
  - the power to move the vehicle within the parcel;
  - the power to detain the vehicle by such reasonable means as the Owners Corporation determines; and
  - the power to affix a sign to the vehicle.
- b) the power to recover the costs of exercising any power pursuant to this by-law from that owner or occupier as debt in any court of competent jurisdiction
- 3 **Obstruction of common property** An owner or occupier of a lot must not obstruct lawful use of common property by any person except on a temporary and non-recurring basis.
- 4 **Damage to lawns and plants on common property** An owner or occupier of a lot must not, except with the prior written approval of the owners corporation:
- damage any lawn, garden, tree, shrub, plant or flower being part of or situated on common property, or
  - use for his or her own purposes as a garden any portion of the common property.
- 5 **Damage to common property**
- 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 prior written approval of the owners corporation.
  - An approval given by the owners corporation under subclause (1) cannot authorise any additions to the common property.
  - This by-law does not prevent an owner or person authorised by an owner from installing:
    - any locking or other safety device for protection of the owner's lot against intruders or to improve safety within the owner's lot, or
    - any screen or other device to prevent entry of animals or insects on the lot, or
    - any structure or device to prevent harm to children, or
    - any device used to affix decorative items to the internal surfaces of walls in the owner's lot.
  - 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.
  - 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
    - repair any damage caused to any part of the common property by the installation or removal of any locking or safety device, screen, other device or structure referred to in subclause (3) that forms part of the common property and that services the lot.
- 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 or discarded item except with the prior written approval of the owners corporation.
- 10 **Drying of laundry items** An owner or occupier of a lot must not, except with the prior written approval 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 exterior surfaces of glass in windows and doors on the boundary of the lot, including so much as is common property, unless:
- the owners corporation resolves that it will keep the glass or specified part of the glass clean, or
  - that glass or part of the glass cannot be accessed by the owner or occupier of the lot safely or at all.
- 12 **Storage of inflammable liquids and other substances and materials**
- An owner or occupier of a lot must not, except with the prior written approval 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.
  - 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

**"Annexure A" Residential Model By-Laws Strata Schemes Management Act 1996 Page 2**

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.

- (2) An owners corporation may resolve that furniture or large objects are to be transported through or on the common property (whether in the building or not) in a specified manner.
- (3) If the owners corporation has specified, by resolution, the manner in which furniture or large objects are to be transported, an owner or occupier of a lot must not transport any furniture or large object through or on common property except in accordance with that resolution.

**14 Floor coverings**

- (1) 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 any degradation of acoustic performance and the transmission from the floor space of noise likely to disturb the peaceful enjoyment of the owner or occupier of another lot.
- (2) Without limitation to the generality of (1) above, the owner of a lot must ensure that, as a minimum, the impact and airborne noise transmission performance of the floor covering meets the sound transmission class (STC) and impact isolation rating (IIR) standards prescribed at the relevant time by the Building Code of Australia or by any enactment, regulation, by-law, standard or guideline amending, replacing or adding to that code. If no IIR is prescribed, then an IIR of at least IIC65 is required.
- (3) This by-law does not apply to the floor space comprising a kitchen, laundry, lavatory or bathroom.

**15 Garbage disposal**

- (1) An owner or occupier of a lot in a strata scheme that does not have shared receptacles for garbage, recyclable material or waste:
  - (a) must maintain such receptacles 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 (except in the case of receptacles for recyclable material) adequately covered, and
  - (b) must ensure that before refuse, recyclable material or waste is placed in the receptacles it is, in the case of refuse, securely wrapped or, in the case of tins or other containers, completely drained, or, in the case of recyclable material or waste, separated and prepared in accordance with the applicable recycling guidelines, and
  - (c) for the purpose of having the garbage, recyclable material or waste collected, must place the receptacles 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, recyclable material or waste 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 receptacles 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 or recycling collector may have spilled from the receptacles and must take such action as may be necessary to clean the area within which that thing was spilled.

- (2) An owner or occupier of a lot in a strata scheme that has shared receptacles for garbage, recyclable material or waste:

- (a) must ensure that before refuse, recyclable material or waste is placed in the receptacles it is, in the case of refuse, securely wrapped or, in the case of tins or other containers, completely drained, or, in the case of recyclable material or waste, separated and prepared in accordance with the applicable recycling guidelines, and

- (b) must promptly remove any thing which the owner, occupier or garbage or recycling collector may have spilled in the area of the receptacles and must take such action as may be necessary to clean the area within which that thing was spilled.

**16 Keeping of animals** Subject to section 49 (4), an owner or occupier of a residential lot must not keep any animal on the lot or the common property.

**17 Appearance of Lot**

- (1) The owner or occupier of a lot must not, without the prior written approval 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.
- (2) 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.
- (3) All security doors and window grills must be in wrought iron in "Cambridge" design and powder coated in "mist green". The Framework of all fly-screens must be powder coated in "mist green".

**18 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).

**19 Provision of amenities or services**

- (1) The owners corporation may, by special resolution, determine to enter into arrangements for the provision of the following amenities or services to one or more of the lots, or to the owners or occupiers of one or more of the lots:

- (a) window cleaning,
- (b) garbage disposal and recycling services,
- (c) electricity, water or gas supply,
- (d) telecommunication services (for example, cable television).

- (2) If the owners corporation makes a resolution referred to in subclause (1) to provide an amenity or service to a lot or to the owner or occupier of a lot, it must indicate in the resolution the amount for which, or the conditions on which, it will provide the amenity or service.

**Note.** Section 111 of the Act provides that an owners corporation may enter into an agreement with an owner or occupier of a lot for the provision of amenities or services by it to the lot or to the owner or occupier.

**20 Common Property Locks:** The Owners Corporation pursuant to Section 62(3)(a)

**"Annexure A" Residential Model By-Laws Strata Schemes Management Act 1996 Page 3**

determine that repair of locks to unit mail boxes and unit external doors be the responsibility of the individual owner.

**21 Name of Occupier:** That pursuant to Sec 119, Owners are required to advise the Owners Corporation of the full name of occupiers of a lot immediately that they take possession of the lot.

**22 Access to lot:** Pursuant to Sec 65, an owner or occupier must allow access to a unit to investigate and/or repair common property (a) in an emergency, without notice, (b) on reasonable notice at other times.

**23 Alterations to lot:** The owner of a lot must not alter the structure of the lot without giving to the owners corporation, not later than 14 days before commencement of the alteration, a written notice describing the proposed alteration

**24 Nuisance:** Pursuant to Sec 117(1), an owner or occupier must not use that lot or permit it to be used in such a manner or for such a purpose as to cause a nuisance to the occupier of any other lot

**25 Compensation to Owners Corporation:** Without in any way limiting the generality of his or her liability otherwise howsoever occurring,

- a) each owner of a lot in the strata scheme shall:
  - i. be responsible for,
  - ii. bear the cost of; and
  - iii. pay upon demand to the Owners Corporation, the reasonable and proper cost of the Owners Corporation repairing, replacing or renewing all disrepair of, or damage to the common property caused by
    - A) His or her wilful act or carelessness; or
    - B) The wilful act or carelessness of any of his or her lessees, licensees, invitees or contractors, (in the event of such last mentioned person or persons not paying such cost within 14 days of written demand; or
    - C) the wilful act or carelessness of any guest or invitee whether the details of whom are known or unknown) of his or her lessees or licensees (in the event of such guest or invitee [whether known or unknown] not paying such cost within 14 days of written demand);
- b) For the purpose of paragraph (a) above, the Owners Corporation may recover the cost of such disrepair or damage from the owner as liquidated damages in a court of competent jurisdiction without first being required to take any court proceedings or steps (other than the letter referred to in paragraph (a) above) to receive such moneys from the said lessee, licensee, guest invitee or contractor.

**26 Real Estate Signs:-** That "Auction", "For Sale" (but not "For Lease") signs and the like, be permitted on the Common Property, subject to:-

- a) Approval must be obtained in advance and in writing to the Managing Agent.
- b) One sign only will be permitted, and this to be erected in the garden only (not in the grass) and not obscuring the view from any unit.
- c) The maximum size of a sign to be 1.3 x 1 metres
- d) Approval to be only for a maximum of six weeks (regardless if the property remains unsold.

- e) Signs are to be removed the same day that contracts are exchanged and is not to remain with a "Sold" sticker thereon.
- f) Signs are not to be affixed to Common Property.
- g) Owners are fully responsible for the actions of their estate agents and contractors, including the cost to the Owners Corporation in removing any sign in breach of these conditions.

**NOTE:** No consents to be issued for Real Estate signs other than by a meeting of the Executive Committee.

**27. Security in the Strata Scheme**

- a) An owner 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, an owner 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.
- b) The owners corporation may take all reasonable steps to:
  - (i) To ensure the security of the parcel from intruders,
  - (ii) To preserve the safety of the parcel and persons on the parcel from fire, violence, theft or other hazards: and
  - (iii) For the proper control and administration of those areas
- c) And if it considers it necessary or desirable may, without limitation:
  - (i) Close off or restrict by means of Security Devices access (on either a temporary or a permanent basis) to any part of the common property not required for access to a lot: or
  - (ii) Permit, to the exclusion of owners and occupiers of lots, 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
  - (iii) Restrict by means of Security Key the access of owners and occupier of lots on one level of the building to any other level of the building
  - (iv) If the owners corporation restricts the access of owners and occupiers of lots under this by law, the owners corporation may make available to owners of lots the number of Security Devices the owners corporation considers necessary and the owners corporation may charge the owners a refundable fee or bond for any Security Device (as determined from time to time by the executive committee).
  - (v) An owner or occupier of a lot must promptly notify the owners corporation if a Security Device is lost or destroyed.

**Special by-law 1**

- a) Subject to 58(12) and (b) below, a proprietor or occupier of a lot shall not keep any animal upon the lot or the common property
- b) A proprietor or occupier of a lot with the approval in writing of the body corporate may keep a small bird or fish upon the said



**"Annexure A" Residential Model By-Laws Strata Schemes Management Act 1996**

Page 4

lot PROVIDED THAT the peace and quiet of adjoining lots are not disturbed

- c) An animal allowed on a lot pursuant to (b) above shall be kept wholly within the apartment area of the lot and not on or in the balcony, courtyard or car accommodation.

**Special by-law 2**

The proprietor of a lot shall:

- a) Maintain in a state of good and serviceable repair any structure enclosing the car space forming part of his lot or installed within the lot, or any part of it, including its ancillary mechanisms and additions ("the enclosure");
- b) Renew or replace the enclosure whenever necessary
- c) Indemnify the body corporate against any liability or expense caused or contributed to by the illustration, maintenance, or use of the enclosure, including by the body corporate in undertaking any work referred to in section 64 of the Strata Titles Act 1973 or in exercising the power of entry conferred by that section;
- d) Comply, at his own expense, with any requirement of South Sydney Council or any other authority relating to the enclosures, whether the requirement is addressed to himself or the body corporate is required to do so by order of the Strata Titles Commissioner or Strata Titles Board, whether the enclosure was installed by him, his predecessor in title or an occupier of his lot.



# CHANGE OF BY-LAW

New South Wales  
Strata Schemes Management Act 1  
Real Property Act 1900



9724980V

PRIVACY NOTE: this information is legally required and will be

(A) TORRENS TITLE

For the common property <i>CP/sp45891</i>
--

(B) LODGED BY

Delivery Box	Name, Address or DX and Telephone	CODE
<i>1W</i>	<i>David Terry P.O. Box 250 Madrawille NSW 2036</i>	<b>CB</b>
Reference (optional): <i>sp45891</i>		

(C) The Owners-Strata Plan No 45891 certify that pursuant to a resolution passed on 5th May 2003 and in accordance with the provisions of

(D) the by-laws are changed as follows—

(E) ~~Repealed by law No~~  
Added by-law No 28  
~~Amended by law No~~  
as fully set out below.

An owner or Occupier of a lot must not use or permit any person to use the lot for a purpose which may bring the Scheme and or the Owner into disrepute.

An owner or Occupier of a lot must obtain the written consent of the Owners Corporation for any commercial use of their lot, such consent not to be unreasonably withheld.

(F) The common seal of the Owners-Strata Plan No 45891 was affixed on 29 May 2003 in the presence of—



Signature(s): *[Signature]*

Name(s): David Terry (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 \_\_\_\_\_ has approved the change of by-laws set out herein.

Signature of authorised officer:

Name and position of authorised officer:

*[Signature]*

Press Print Copy

Form: 15CB  
Licence: 98M111  
Edition: 0106

### CHANGE OF BY-LAWS

New South Wales  
Strata Schemes Management Act  
Real Property Act 1900



AA712502C

PRIVACY NOTE: this information is legally required and will be on the public record

(A) TORRENS TITLE	For the common property		C/P/SP 45891
(B) LODGED BY	Delivery Box	Name, Address or DX and Telephone	CODE
	IW	GK Strata Management Pty Ltd PO Box 250 MATRIVILLE NSW 2036 Reference (optional): SP 45891	CB

- (C) The Owners-Strata Plan No 45891 certify that pursuant to a resolution passed on 19 April 2004 and in accordance with the provisions of—
- (D) ~~section 54 of the Community Land Management Act 1989~~
- ~~section of the Strata Schemes (Freehold Development) Act 1973~~
  - section 47 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 Special Bylaw 3
- ~~Amended by law No~~

as fully set out below:

Specially RESOLVED that the Owners Corporation be empowered to:  
 To install an access control system to the garage entry, front intercom door and rear gate to assist in preserving the security of lots and the common property.



- (F) The common seal of the Owners-Strata Plan No 45891 was affixed on 20th April 04 in the presence of—
- Signature(s) [Signature]
- Name(s) David Terry (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 ..... has approved the change of by-laws set out herein.
- Signature of authorised officer .....
- Name and position of authorised officer .....

Form: 15CB  
Licence: 98M111  
Edition: 0308

**CHANGE OF BY-LAWS**  
New South Wales  
Strata Schemes Management Act 199  
Real Property Act 1900



**AC349086M**

**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**

CP/SP 45891
-------------

(B) **LODGED BY**

Delivery Box	Strata Plan 45891 C/- GK Strata Management Pty Ltd PO Box 250 MATRAVILLE NSW 2036	CODE
IW	SP45891	CB

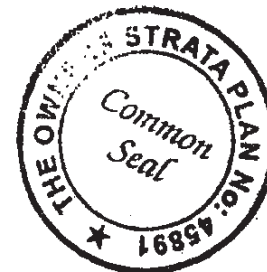
(C) The Owners-Strata Plan No **45891** certify that pursuant to a resolution passed on **1 May 2006** and in accordance with the provisions of—

- (D) • section 54 of the Community Land Management Act 1989
- section ..... of the Strata Schemes (Freehold Development) Act 1973
  - section **47** 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 **Special By-Law 4**
- Amended by-law No .....
- as fully set out below:

*AS SET OUT ON PAGE 2*



(F) The common seal of the Owners-Strata Plan No **45891** was affixed on **Tuesday 16 May 2006** in the presence of—

Signature(s) ..... *[Signature]* .....

Name(s) **David Terry**

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 set of instructions for completing this form is available from the Department of Lands, Land and Property Information Division.

*[Handwritten mark]*



### Special By-Law 4

The owner or occupier of a lot may make application to the Owners Corporation for permission to attach an air conditioner to the common property adjoining their lot. The application must include a diagram showing the proposed location of the condenser unit.

The Owners Corporation or its Executive Committee can consider the proposal and may determine a list of conditions including but not limited by the following:

- a. motor capacity, unit dimensions and position of installed unit;
- b. excepting approved balcony or courtyard installation, no construction, piping or installation is to be made on any external wall, roof or surface;
- c. installation must not be made on a balcony adjoining a neighbouring bedroom (i.e., installation is to be made on the living room side);
- d. sound emitted by the external unit to not exceed a noise level of 45dB(A) when measured on any adjoining residential property;
- e. sound emitted by the external unit must not be able to be heard in a neighbour's home from 10 pm to 7 am on weekdays and from 10 pm to 8 am on weekends and public holidays;
- f. installation of an acoustic enclosure to sound proof the external unit, if required to comply with (d) and (e);
- g. installation is conducted according to Australian Standards (inc AS4508);
- h. provisions for the run off of water;
- i. the system must be a split type design;
- j. the system must employ inverter technology;
- k. the system should have a high energy star rating (minimum 4);
- l. damage, repair and liability in regards to common property or other owners' property shall be the lot owner's responsibility – all costs associated with remediation shall be solely born by the lot owner;
- m. standards of repair and remediation in the case of damage to property shall be determined by the Owners Corporation or its Executive Committee;
- n. repair and maintenance of the air conditioning system shall be the sole responsibility of the lot owner;
- o. an undertaking to repair and maintain the system evidenced by a written maintenance agreement;
- p. that the Owners Corporation or its appointed representative has the right to enter onto the lot giving 7 days notice to inspect the works after installation and to ensure compliance with safety regulations;
- q. impose conditions.

The Owners Corporation at its absolute discretion can withhold permission should it consider that a lot owner has not satisfactorily complied with any of the above conditions or any other conditions as determined from time to time.

#### **Notes:**

The NSW Protection of the Environment Operations (Noise Control) Regulation 2000 sets out restricted times of operation for domestic activities that should not be heard in a neighbour's home. For air conditioners, this is from 10 pm to 7 am on weekdays and from 10 pm to 8 am on weekends and public holidays.

A level of 35dB(A) at night might be an appropriate level to use as a guide for calculation purposes.

Over time, air conditioners, like any machines, deteriorate in their performance. This is accompanied by an increase in noise from worn bearings, cabinet rattles, dirty or rusty fan blades, worn rubber mountings and compressor wear. Some of this increased noise can be reduced by regular maintenance, however consideration should be made at installation for a slight increase in noise over time.



A handwritten signature or set of initials, possibly "JL", written in dark ink.



Form: 15CB  
 Licence: 98M111  
 Edition: 0308

**CHANGE OF BY-LAWS**  
 New South Wales  
 Strata Schemes Management Act 1986  
 Real Property Act 1900

**AD960126S**

**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 45891

**(B) LODGED BY**

Delivery Box	Name, Address or DX and Telephone	CODE
IW	Strata Plan 45891 c/- GK Strata Management Pty Ltd PO Box 655 BROADWAY NSW 2007 Reference (optional): SP45891	CB

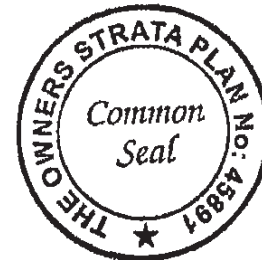
(C) The Owners-Strata Plan No. **45891** certify that pursuant to a resolution passed on **Wednesday 23 April 2008** and in accordance with the provisions of—

- (D) • section 54 of the Community Land Management Act 1989
- section ..... of the Strata Schemes (Freehold Development) Act 1973
- section **47** 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. **Special By Law 5**
  - Amended by-law No .....
- as fully set out below:

**AS ATTACHED ON PAGES**



(F) The common seal of the Owners-Strata Plan No. **45891** was affixed on **Wednesday 30 April 2008** in the presence of—

Signature(s) .....

Name(s) **David Terry**

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 1998**

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.....

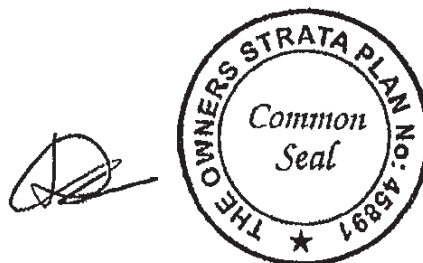
A set of instructions for completing this form is available from the Department of Lands, Land and Property Information Division.

That the Owners - Strata Plan No. 45891 SPECIALLY RESOLVE under section 47 of the Strata Schemes Management Act (1996) to make an additional by-law as follows (including the explanatory notes):  
**Special By-law No. 5:**

An owner or occupier of a lot must not store or keep any goods or equipment within any designated parking space except within a storage cage or shed as approved by the Executive Committee."

"A storage cage or shed shall not be installed within the basement area, unless prior written approval is obtained from the Executive Committee, and the cage or shed is to conform to the following requirements:

- It is not to extend beyond the boundaries of the carparking lot associated with any unit;
- It is not to include doors or other openings which are accessed from or can obstruct any other lot, or which would obstruct access on any common property;
- It must maintain at least one carparking space for each unit with the minimum dimensions of 2.4 metres width and 5.4 metres length, as required by Australian Standard AS 2904:1;
- It is to maintain necessary access to all services such as pipes and electrical cables. A minimum separation distance of 300 mm will usually be sufficient but is to be determined by the Executive Committee on a case by case basis;
- Any structure is to be built of durable materials, generally consistent with existing storage cages and sheds, and appropriately fixed to the basement floor and/or columns; and
- The storage of goods within cages is to be kept in a tidy manner, and is not to include any flammable material or material that may attract vermin.
- It may not be used for the storage of material for or running of any commercial enterprise.



Form: 15CB  
 Licence: 98M111  
 Edition: 0308

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



**AE648955S**

**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 45891

(B) **LODGED BY**

Delivery Box	Name, Address or DX and Telephone	CODE
IW	Strata Plan 45891 c/- GK Strata Management Pty Ltd PO Box 655 BROADWAY NSW 2007  Reference (optional): SP 45891	<b>CB</b>

(C) The Owners-Strata Plan No **45891** certify that pursuant to a resolution passed on **Wednesday 22 April 2009** and in accordance with the provisions of—

- (D) • section 54 of the Community Land Management Act 1989
- 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 **Special By Law 7**  
 Amended by-law No .....  
 as fully set out below:

**AS ATTACHED ON PAGES**

(F) The common seal of the Owners-Strata Plan No **45891** was affixed on **Friday 24 April 2009** in the presence of—

Signature(s)

Name(s) **David Terry**

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 set of instructions for completing this form is available from the Department of Lands, Land and Property Information Division.

That the Owners Strata Plan 45891 SPECIALLY RESOLVE pursuant to section 52 of the Strata Schemes Management Act (1996) to make an additional By-Law in the following terms:

### Special By Law 7

#### A DEFINITIONS

- (i) "Lot 66" means 66/30 Nobbs St, Surry Hills, NSW (sp45891).  
"Owner" means the current owner of Lot 66.  
"Wall" means an external load-bearing wall located in part to the cubic air space of Lot 66, located on the ground floor of the 30 Nobbs St, Surry Hills (SP45891). The external wall adjoins the living room with the personal courtyard of lot 66, located on the ground floor, and supports a concrete slab.  
"Works" means the partial removal of the wall for the purpose of installing a window Lot 66 for the purpose of allowing more natural light into the living space.
- the removal of part of the Wall,
  - the installation of a window;
- (ii) Where any terms used in this by-law are defined in the Strata Schemes Management Act (1996), they will have the same meaning as those words are attributed under the Act.

#### B RIGHTS

Subject to the conditions in Section C of this by-law, the Owner will have:

- (a) a special privilege in respect of the Common Property Lot 66 to undertake the Works(as outlined in the tabled structural engineers report); and
- (b) the exclusive use of the Area occupied by the Works.

#### C CONDITIONS

##### Maintenance

- (i) The Owner must at all times and from time to time properly maintain and keep the Area to which the Works have been effected, created or attached in a state of good and serviceable repair.
- (ii) The Owner must at the Owner's expense properly maintain and keep the Works in a state of good and serviceable repair and as reasonably required must replace the Works from time to time to preserve the integrity of the building.

##### Documentation

- (iii) Before commencing the Works the Owner must submit to the Owners Corporation the following documents relating to the Works:
- (a) plans and drawings;
  - (b) specifications;
  - (c) structural diagrams;
  - (d) engineers details; and
  - (e) any other document reasonably required by the Owners Corporation
- (iv) After completing the Works the Owner must deliver to the Owners Corporation the following documents relating to the Works:
- (a) certification by an engineer as to the structural integrity of the Works; and
  - (b) any other document reasonably required by the Owners Corporation.

##### Approvals

- (v) Before commencing the Works the Owner must obtain approval for the performance of the Works from:



- (a) a structural engineer;
- (b) the relevant consent authority under the Environmental Planning and Assessment act; and
- (c) any other relevant statutory authority whose requirements apply to the Works.
- (d) The Owners Corporation at General Meeting.

Insurance

- (vi) Before commencing the Works the Owner must effect the following insurances in the joint names of the Owner and Owners Corporation:
  - (a) contractors all works insurance;
  - (b) insurance required under the Home Building Act 1989;
  - (c) workers compensation insurance; and
  - (d) public liability insurance in the amount of \$10,000,000

Licensed Contractor

- (vii) The Works shall be done:
  - (a) by duly licensed contractors; and
  - (b) in accordance with the drawings and specifications (if any) approved by the local council such drawings plans and specifications being identical with the drawings plans and specifications as served on the Owners Corporation pursuant to Section 2 - Documentation above.

Statutory Directions

- (vii) In performing the Works the Owner must comply with all directions, orders and requirements of all relevant statutory authorities and shall ensure and be responsible for compliance with such directions, orders and requirements by the Owner's servants, agents and contractors.

Owners Fixtures

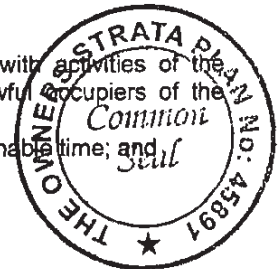
- (ix) The Works shall remain the Owner's fixtures.

Right to Remedy Default

- (x) If the Owner fails to comply with any obligation under this by-law, THEN the Owners Corporation must advise the Owner of that failure and, if such failure is not remedied by the Owner within 20 business days, may:
  - (a) carry out all work necessary to remedy that failure;
  - (b) enter upon any part of Lot 66 to carry out that work; and
  - (c) recover the costs of carrying out that work from the Owner.

Performance of Works

- (xi) In performing the Works, the Owner must;
  - (a) transport all construction materials, equipment, debris and other material in the manner reasonably directed by the Owners Corporation;
  - (b) protect the building and all areas of the Common Property from damage by the works or by the transportation of construction materials, equipment & debris in a manner reasonably acceptable to the Owners Corporation;
  - (c) keep all areas of the building and Common Property clean and tidy throughout the performance of the Works;
  - (d) only perform the Works at the time approved by the Owners Corporation;
  - (e) not create noise that causes discomfort, disturbance or interference with activities of the registered owners of all the other lots in the Strata Scheme or other lawful occupiers of the building;
  - (f) remove all debris resulting from the Works from the building within a reasonable time; and



(g) observe the requirements of the Owners Corporation arising under any by-laws and any relevant statutory authority concerning the performance of the Works.

Liability

- (xii) The Owner will be liable for any damage caused to any part of the building or Common Property other than "the wall" as a result of the Works to the Common Property and will make good that damage at the Owner's expense within a reasonable period after the Owner is advised that the damage has occurred.

Cost of Works

- (xiii) The Works must be undertaken at the cost of the Owner and
- (xiv) The Owners Corporation's cost and fees (including legal fees, engineers costs, government stamp duty and GST) associated with the penetration and registration of this by-law must also be met by the Owner being granted exclusive use rights.



A handwritten signature in black ink, consisting of a large, stylized initial 'A' followed by a horizontal line extending to the right.

Form: 15CB  
 Licence: 98M111  
 Edition: 0308

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



**AE648956Q**

**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 45891

**(B) LODGED BY**

Delivery Box	Name, Address or DX and Telephone Strata Plan 45891 c/- GK Strata Management Pty Ltd PO Box 655 BROADWAY NSW 2007	CODE
IW	Reference (optional): SP 45891	CB

(C) The Owners-Strata Plan No **45891** certify that pursuant to a resolution passed on **Wednesday 22 April 2009** and in accordance with the provisions of—

- (D) • section 54 of the Community Land Management Act 1989
- 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 **Special By Law 6**  
 Amended by-law No .....  
 as fully set out below:

**AS ATTACHED ON PAGES**

(F) The common seal of the Owners-Strata Plan No **45891** was affixed on **Friday 24 April 2009** in the presence of—

Signature(s)

Name(s) **David Terry**

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 set of instructions for completing this form is available from the Department of Lands, Land and Property Information Division.



That the Owners Strata Plan 45891 SPECIALLY RESOLVE pursuant to section 52 of the Strata Schemes Management Act (1996) to make an additional By-Law in the following terms:

### Special By Law 6

#### A DEFINITIONS

- (i) "Lot 66" means 66/30 Nobbs St, Surry Hills, NSW (sp45891).  
"Owner" means the current owner of Lot 66.  
"Wall" means an internal load-bearing wall located within the cubic air space of Lot 66, located on the ground floor of the 30 Nobbs St, Surry Hills (SP45891). The internal wall adjoins the kitchen and living room, located on the ground floor, and supports a concrete slab.  
"Works" means the alterations, deletions and additions made to the wall within Lot 66 for the purpose of creating a partially opened kitchen/living area and including
- the removal of part of the Wall,
  - the installation of a structural metal support beam;
- (ii) Where any terms used in this by-law are defined in the Strata Schemes Management Act (1996), they will have the same meaning as those words are attributed under the Act.

#### B RIGHTS

Subject to the conditions in Section C of this by-law, the Owner will have:

- (a) a special privilege in respect of the Common Property Lot 66 to undertake the Works(as outlined in the tabled structural engineers report); and
- (b) the exclusive use of the Area occupied by the Works.

#### C CONDITIONS

##### Maintenance

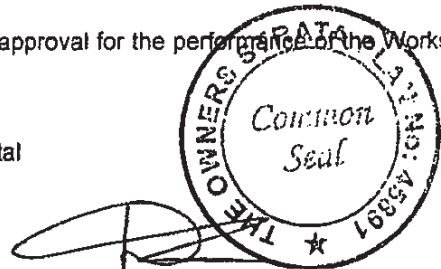
- (i) The Owner must at all times and from time to time properly maintain and keep the Area to which the Works have been effected, created or attached in a state of good and serviceable repair.
- (ii) The Owner must at the Owner's expense properly maintain and keep the Works in a state of good and serviceable repair and as reasonably required must replace the Works from time to time to preserve the integrity of the building.

##### Documentation

- (iii) Before commencing the Works the Owner must submit to the Owners Corporation the following documents relating to the Works:
- (a) plans and drawings;
  - (b) specifications;
  - (c) structural diagrams;
  - (d) engineers details; and
  - (e) any other document reasonably required by the Owners Corporation
- (iv) After completing the Works the Owner must deliver to the Owners Corporation the following documents relating to the Works:
- (a) certification by an engineer as to the structural integrity of the Works; and
  - (b) any other document reasonably required by the Owners Corporation.

##### Approvals

- (v) Before commencing the Works the Owner must obtain approval for the performance of the Works from:
- (a) a structural engineer;
  - (b) the relevant consent authority under the Environmental Planning and Assessment act; and



- (c) any other relevant statutory authority whose requirements apply to the Works.
- (d) The Owners Corporation at General Meeting.

**Insurance**

- (vi) Before commencing the Works the Owner must effect the following insurances in the joint names of the Owner and Owners Corporation:
  - (a) contractors all works insurance;
  - (b) insurance required under the Home Building Act 1989;
  - (c) workers compensation insurance; and
  - (d) public liability insurance in the amount of \$10,000,000

**Licensed Contractor**

- (vii) The Works shall be done:
  - (a) by duly licensed contractors; and
  - (b) in accordance with the drawings and specifications (if any) approved by the local council such drawings plans and specifications being identical with the drawings plans and specifications as served on the Owners Corporation pursuant to Section 2 - Documentation above.

**Statutory Directions**

- (vii) In performing the Works the Owner must comply with all directions, orders and requirements of all relevant statutory authorities and shall ensure and be responsible for compliance with such directions, orders and requirements by the Owner's servants, agents and contractors.

**Owners Fixtures**

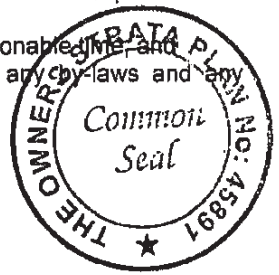
- (ix) The Works shall remain the Owner's fixtures.

**Right to Remedy Default**

- (x) If the Owner fails to comply with any obligation under this by-law, THEN the Owners Corporation must advise the Owner of that failure and, if such failure is not remedied by the Owner within 20 business days, may:
  - (a) carry out all work necessary to remedy that failure;
  - (b) enter upon any part of Lot 66 to carry out that work; and
  - (c) recover the costs of carrying out that work from the Owner.

**Performance of Works**

- (xi) In performing the Works, the Owner must;
  - (a) transport all construction materials, equipment, debris and other material in the manner reasonably directed by the Owners Corporation;
  - (b) protect the building and all areas of the Common Property from damage by the works or by the transportation of construction materials, equipment & debris in a manner reasonably acceptable to the Owners Corporation;
  - (c) keep all areas of the building and Common Property clean and tidy throughout the performance of the Works;
  - (d) only perform the Works at the time approved by the Owners Corporation;
  - (e) not create noise that causes discomfort, disturbance or interference with activities of the registered owners of all the other lots in the Strata Scheme or other lawful occupiers of the building;
  - (f) remove all debris resulting from the Works from the building within a reasonable time; and
  - (g) observe the requirements of the Owners Corporation arising under any by-laws and any relevant statutory authority concerning the performance of the Works.



A handwritten signature or scribble, possibly initials, located at the bottom center of the page.

Liability

- (xii) The Owner will be liable for any damage caused to any part of the building or Common Property other than "the wall" as a result of the Works to the Common Property and will make good that damage at the Owner's expense within a reasonable period after the Owner is advised that the damage has occurred.

Cost of Works

- (xiii) The Works must be undertaken at the cost of the Owner and
- (xiv) The Owners Corporation's cost and fees (including legal fees, engineers costs, government stamp duty and GST) associated with the penetration and registration of this by-law must also be met by the Owner being granted exclusive use rights.



A handwritten signature or scribble consisting of several overlapping loops and lines, located below the seal.

Form: 15CB  
Licence: 98M111  
Edition: 0308

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



**AF547742Y**

**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 45891

Delivery Box  <b>1W</b>	Name, Address or DX and Telephone Strata Plan 45891 c/- GK Strata Management Pty Ltd PO Box 655 BROADWAY NSW 2007	CODE
	Reference (optional): <b>SP45891</b>	<b>CB</b>

(C) The Owners-Strata Plan No **45891** certify that pursuant to a resolution passed on **Monday 24 May 2010** and in accordance with the provisions of—

- (D) • section 54 of the Community Land Management Act 1989
- section ..... of the Strata Schemes (Freehold Development) Act 1973
- section **47** 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 **Special By Law 8**  
Amended by-law No .....  
as fully set out below:

AS ATACHED ON PAGES



(F) The common seal of the Owners-Strata Plan No **45891** was affixed on **26 May 2010** in the presence of—

Signature(s)

Name(s) **David Terry**

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 set of instructions for completing this form is available from the Department of Lands, Land and Property Information Division.

*Handwritten mark* 1/6

That the Owners Corporation specially resolve pursuant to Section 47 of the *Strata Schemes Management Act (1996)* to adopt special by-law 8 in the following terms:

**Special By Law 8 - Internal Renovations not requiring specific By-Laws**

**Before Work**

1 The owner of a lot must not alter the structure of the lot without giving to the owners corporation, not later than 14 days before commencement of the alteration, a written notice describing the proposed alteration.

**During Works**

2 Whilst the Works are in progress the Owner must:

- (a) use duly licensed employees, contractors or agents to conduct the Works, unless the Owner is conducting the Works himself
- (b) ensure the Works are conducted in a proper and workmanlike manner and comply with the current Australian Building Codes and Standards;
- (c) use reasonable endeavours to cause as little disruption as possible;
- (d) perform the Works during the standard hours for work specified in the NSW Housing Internal Alterations code.
- (e) perform the Works within a period of one (1) month from their commencement or such other period as reasonably approved by the Owners Corporation;
- (f) transport any construction materials, equipment and debris (if any) in the manner reasonably directed by the Owners Corporation;
- (g) protect all affected areas of the Building outside the Owner's Lot (including common property and other Lots) from damage relating to the Works or the transportation of construction materials, equipment and debris;
- (h) ensure that the Works do not interfere with or damage the common property or the property of any other owner other than as approved in this by-law and if this occurs, the Owner must rectify that interference or damage within a reasonable period of time at the Owner's own cost;
- (i) not use general waste bins or bin areas for storage of or removal of works waste, all waste should be stored within the lot or removed from site at the end of each day .



Form: 15CB  
Licence: 98M111  
Edition: 0308

### CHANGE OF BY-LAWS

New South Wales  
Strata Schemes Management Act 19  
Real Property Act 1900



# AH909794N

**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 45891

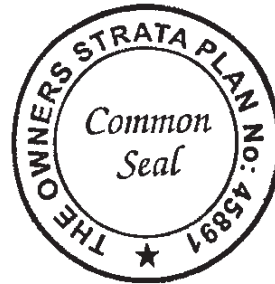
(B) LODGED BY	Delivery Box	Name, Address or DX and Telephone	CODE
	IW	<del>Strata Plan 45891</del> GK Strata Management Pty Ltd PO Box 655 BROADWAY NSW 2007  SP 45891.	CB

(C) The Owners-Strata Plan No 45891 certify that pursuant to a resolution passed on Tuesday 30 April 2013 and in accordance with the provisions of—

- (D) • section 54 of the Community Land Management Act 1989
- section ..... of the Strata Schemes (Freehold Development) Act 1973
- section 47 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 Special By-Law 9
- Amended by-law No .....
- as fully set out below:



**AS ATTACHED ON PAGES**

(F) The common seal of the Owners-Strata Plan No 45891 was affixed on 30 May 2013 in the presence of—

Signature(s)  .....

Name(s) David Terry .

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 set of instructions for completing this form is available from the Department of Lands, Land and Property Information Division.

ALL HANDWRITING MUST BE IN BLOCK CAPITALS.

**Annexure A**

**By-law regarding Security Swipe**

**PART 1**

**DEFINITIONS & INTERPRETATION**

**1.1 In this by-law:**

- (a) **Building Manager** means the person or corporation appointed as a caretaker under section 40B of the *Strata Schemes Management Act 1996* or the onsite manager or some other person appointed for the purpose by the owners corporation
- (b) **Common Property** means the common property in strata scheme 45891.
- (c) **Invitee** means a person on the Common Property with the consent, express or implied, of an Owner, Occupier or the Owners Corporation.
- (d) **Lot** means a lot in strata scheme 45891.
- (e) **Occupier** means the occupier of a Lot from time to time.
- (f) **Owner** means the owner of a Lot from time to time.
- (g) **Owners Corporation** means the owners corporation created by the registration of strata plan registration no. 45891.
- (h) **Premises** means included but not limited to any and all parts of;
  - i. a Lot;
  - ii. other lots in the building; and
  - iii. the Common Property.
- (i) **Security Swipes** means keys, magnetic cards or other automatic or mechanical devices used to open, close, lock and unlock gates and doors and activate and operate lifts, alarms and security systems on the common property.
- (j) **Visitor** means any person, invitee, guest, and lodger invited, allowed to, assisted to or otherwise by an Owner or Occupier, to enter the Premises at any time.

**1.2 In this by-law a word which denotes:**

- (a) the singular includes plural and vice versa;
- (b) any gender includes the other genders;
- (c) any terms in the by-law will have the same meaning as those defined in the *Strata Schemes Management Act 1996*; and
- (d) references to legislation includes references to amending and replacing legislation.

**PART 2**

**RIGHTS**

**2.1 Common Property will be available for use by:**

- (a) Owners and Occupiers; and
- (b) Invitees.

**2.2 An Owner or Occupier must not allow access to the common property to persons unknown to them by either the front entry door or by the intercom.**



- 2.3 An Owner or Occupier must close the common property doors, including but not limited to the front entry door and the fire exit doors, after use.
- 2.4 The Owners Corporation may restrict access to Common Property, including but not limited to, by way of gates or fencing, to any part of the Common Property by means of Security Swipes.
- 2.5 The Owners Corporation must make Security Swipes available to Owners, Occupiers and other persons authorised by the Owners Corporation including but not limited to emergency services.
- 2.6 The Owners Corporation will issue Security Swipes to either the Owner or Occupier of a Lot.
- 2.7 A maximum of:
- (a) 3 Security Swipes will be issued to Lots which contain one (1) bedroom;
  - (b) 4 Security Swipes will be issued to Lots which contain two (2) bedrooms; and
  - (c) 5 Security Swipes will be issued to Lots which contain three (3) bedrooms.
- 2.8 Additional Security Swipes can be obtained by:
- (a) an Owner or Occupier providing a written request to the Owners Corporation and if that request is approved by the Owners Corporation,
  - (b) by payment to the Building Manager of the sum of \$110.00 as a refundable deposit.
- 2.8 The \$110.00 deposit will be returned the Owner or Occupier following return of the additional Security Swipe to the Building Manager. Return of the deposit will be made by post to the address provided by the Owner or Occupier.
- 2.9 Owners, Occupiers and authorised persons to whom a Security Swipe has been made available must:
- (a) not duplicate or copy the Security Swipe;
  - (b) take all reasonable measures to safeguard the Security Swipe against loss, theft or damage;
  - (c) not give a Security Swipe to someone who is not an Owner or an Occupier;
  - (d) immediately notify the Building Manager if a Security Swipe is lost, stolen or damaged; and
  - (e) immediately return the Security Swipe to the Owners Corporation when requested by the Owners Corporation.
- 2.11 If an Owner or Occupier loses or has a Security Swipe stolen, they must immediately notify the Building Manager who will arrange for a new Security Swipe to be issued upon receipt of a \$110.00 deposit from the Owner or Occupier.



A handwritten signature or scribble, possibly representing the Building Manager, located below the circular seal.