



BY LAWS

The Milepost, 94/96 Alison Road, Randwick 2031



New South Wales Consolidated Acts

[\[Index\]](#) [\[Table\]](#) [\[Search\]](#) [\[Search this Act\]](#) [\[Notes\]](#) [\[Noteup\]](#) [\[Previous\]](#) [\[Next\]](#) [\[Download\]](#) [\[Help\]](#)

STRATA SCHEMES MANAGEMENT ACT 1996 - SCHEDULE 1

SCHEDULE 1 – By-laws

(Section 42)

Note : The matters that were previously contained in By-laws 1-11 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986* have been included as provisions of this Act and are therefore no longer by-laws.

1 Noise

An owner or occupier of a lot must not create any noise on the parcel likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using common property.

Note : This by-law was previously by-law 12 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 13 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

2 Vehicles

An owner or occupier of a lot must not park or stand any motor or other vehicle on common property except with the written approval of the owners corporation.

Note : This by-law was previously by-law 13 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 14 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

3 Obstruction of common property

An owner or occupier of a lot must not obstruct lawful use of common property by any person.

Note : This by-law was previously by-law 14 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 15 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

4 Damage to lawns and plants on common property

An owner or occupier of a lot must not:

- (a) damage any lawn, garden, tree, shrub, plant or flower being part of or situated on common property, or
- (b) use for his or her own purposes as a garden any portion of the common property.

Note : This by-law was previously by-law 15 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 16 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

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 without the approval in writing 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

(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.

(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 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.

Note : This by-law was previously by-law 16 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 17 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

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.

Note : This by-law was previously by-law 17 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 18 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

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.

Note : This by-law was previously by-law 18 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 19 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

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.

Note : This by-law was previously by-law 19 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 20 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

9 Depositing rubbish and other material on common property

An owner or occupier of a lot must not deposit or throw on the common property any rubbish, dirt, dust or other material likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using the common property.

Note : This by-law was previously by-law 20 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 21 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

10 Drying of laundry items

An owner or occupier of a lot must not, except with the consent in writing of the owners corporation, hang any washing, towel, bedding, clothing or other article on any part of the parcel in such a way as to be visible from outside the building other than on any lines provided by the owners corporation for the purpose and there only for a reasonable period.

Note : This by-law was previously by-law 21 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 22 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

11 Cleaning windows and doors

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

Note : This by-law was previously by-law 22 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 23 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

12 Storage of inflammable liquids and other substances and materials

(1) An owner or occupier of a lot must not, except with the approval in writing of the owners corporation, use or store on the lot or on the common property any inflammable chemical, liquid or gas or other inflammable material.

(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.

Note : This by-law was previously by-law 23 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 24 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

13 Moving furniture and other objects on or through common property

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

Note : This by-law was previously by-law 24 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 25 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

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.

Note : This by-law was previously by-law 25 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 26 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

15 Garbage disposal

An owner or occupier of a lot:

(a) must maintain within the lot, or on such part of the common property as may be authorised by the owners corporation, in clean and dry condition and adequately covered a receptacle for garbage, and

(b) must ensure that before refuse is placed in the receptacle it is securely wrapped or, in the case of tins or other containers, completely drained, and

(c) for the purpose of having the garbage collected, must place the receptacle within an area designated for that purpose by the owners corporation and at a time not more than 12 hours before the time at which garbage is normally collected, and

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

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

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

Note : This by-law was previously by-law 26 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 27 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

16 Keeping of animals

(1) Subject to section 49 (4), an owner or occupier of a lot must not, without the approval in writing of the owners corporation, keep any animal on the lot or the common property.

(2) The owners corporation must not unreasonably withhold its approval of the keeping of an animal on a lot or the common property.

Note : This by-law was previously by-law 27 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 28 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

17 Appearance of lot

(1) The owner or occupier of a lot must not, without the written consent of the owners corporation, maintain within the lot anything visible from outside the lot that, viewed from outside the lot, is not in keeping with the rest of the building.

(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.

Note : This by-law was previously by-law 29 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 30 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

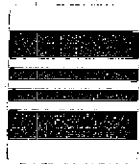
18 Notice-board

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

Note : This by-law was previously by-law 3 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 3 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

19 Change in use of lot to be notified

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



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#14

STRATA TITLES ACT, 1973

NOTIFICATION OF CHANGE OF BY-LAWS

FOR RECORDING ON VOLUME 9511 FOLIO 4 OF THE REGISTER

Sheet 1 of 2 Sheets

In pursuance of the Strata Titles Act, 1973 (Clause 15 of Schedule 4) the Proprietors - Strata Plan No. 3254 hereby certifies that by a majority resolution duly passed on the 21st January, 1975 it changed its by-laws as follows:-

By adding the undermentioned by-law

28. The Proprietors for the time being of each lot shall have the right to the exclusive use and enjoyment of that part of the common property as corresponds to the Lot Number as shown on the Schedule hereto and as identified on the plan lodged with Change of By-Law No. L24624 and now filed with Strata Plan 3254 for the purpose of parking a motor vehicle or boat:

SCHEDULE

<u>Lot</u>	<u>Designator on Plan</u>
1	37
2	39
3	33
4	16
5	43
6	13
7	11
8	46
9	25
10	7
11	6
12	19
13	12
14	40
15	5
16	38
18	4
19	28
20	2
21	31
22	42
23	22
24	41
25	29
26	27
27	32
28	3
29	48
30	21
31	20
32	8
33	17
34	34
35	23
36	36

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STRATA TITLES ACT, 1973

NOTIFICATION OF CHANGE OF BY-LAWS

FOR RECORDING ON VOLUME 8511 FOLIO 4 OF THE REGISTER

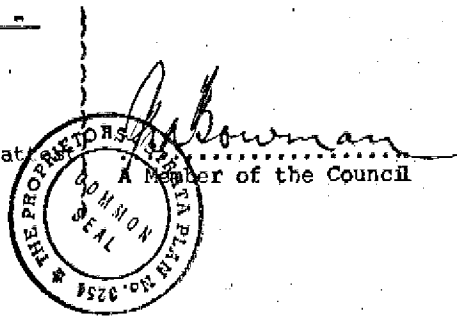
Sheet 2 of 2 Sheets

37	9 & 10
38	47
39	30
40	15
41	18
42	26
43	44
44	1
45	24
46	45
47	35
48	14

This By-Law shall not be added to, amended or repealed except by the unanimous resolution of the Body Corporate which has the written consent of every proprietor of any lot affected.

THE COMMON SEAL of THE PROPRIETORS -

STRATA PLAN 3254 was hereunto affixed on 31/11/75 in the presence of the Secretary and a Member of the Council being the persons authorised by Section 55 of the Strata Titles Act, 1973 to at the affixing of the seal.



J. Crowther
.....
Secretary

4

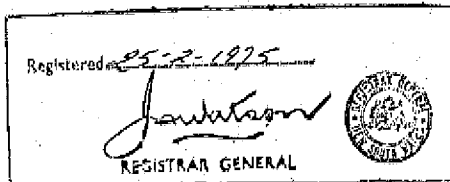
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S \$14

ANTHONY B. BRADFIELD & CO.
SOLICITORS
PAXTON HOUSE
60 PITT STREET, SYDNEY
PHONE No. 232-8711

*Notification of Change of
By-laws*

G10094



New Certificate of Title Issued

Vol. 8511 Fol. 4
WK 26/3/75

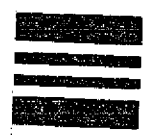
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NEW SOUTH WALES
CHANGE OF BY-LAWS
SECTIONS 58 (2), 58 (11), OR CLAUSE 15 OF SCHEDULE 4
STRATA TITLES ACT, 1973
REAL PROPERTY ACT, 1900.

OFFICE USE ONLY
A 7
91

- (a) Number of Strata Plan.
- (b) Reference to title of common property.
- (c) Date resolution was passed.
- (d) Appropriate provision of the Strata Titles Act.
- (e) Indicate by number the by-laws affected.
- (f) Set out inserted/added by-law in full. See notes 8 & 9.

THE PROPRIETORS - STRATA PLAN NO. (a) ... 3254 the common property of which is comprised in Certificate of Title VOLUME (b) .. 8511 FOLIO 4

certifies that, by a resolution duly passed on (c) 22nd February, 1978 in accordance with the provisions of (d) ... Sections 58 (2) of the Strata Titles Act, 1973 it changed its by-laws as follows:-

(e) REPEALED BY-LAW NO. ... 8
ADDED BY-LAW NO. ... 29 to 52 and amended by-law 8
..... as fully set out below.

A. NEW BY-LAWS

Sheet 1 of 5 Sheets

29. Use of Lot

A proprietor or occupier of a lot shall not use his lot for any purpose other than as a residential dwelling.

30. Lavatories and Other Water Apparatus

A proprietor or occupier of a lot shall not use the lavatories and other water apparatus for any purpose other than those for which they were constructed or designed and no sweepings, rubbish or other unsuitable substance shall be placed therein for disposal. The cost of rectifying any damage or blockage occasioned thereto by the foregoing or by careless use shall be borne by the proprietor of the lot affected.

31. Defects

A proprietor or occupier of a lot shall immediately report to the managing agents, or, if there be no managing agent, the secretary of the body corporate, any structural or other defects in the building, glass breakage, pipes, taps, wires, cables, ducts, antennae, ventilating systems or the parcel generally.

32. Complaints

A proprietor or occupier of a lot shall lodge any matter or complaint for consideration by the council in writing to the managing agents or , if there be no managing agent, the secretary of the body corporate. Verbal communications will not be entered into other than those of an urgent nature requiring immediate attention.

33. Erection of Signs

A proprietor or occupier of a lot shall not, without the consent in writing of the body corporate, cause any sign advertising a trade, business, profession or other activity to be displayed within his lot or exposed upon the common property nor carry

The common seal of The Proprietors - Strata Plan No.
was hereunto affixed on in the presence of
.....
being the person(s) authorised by section 55 of the Strata Titles Act, 1973 to attest the affixing of the seal.

Frankman

X

DEPARTMENTAL USE ONLY CHANGE OF BY-LAWS		TO BE COMPLETED BY LODGING PARTY Lodged by: BRADFIELD & CO. SOLICITORS, Address: PAXTON HOUSE, 90 PITT STREET, SYDNEY, Phone No.: 232-8911 GDE: 206 Box 140 G Documents lodged herewith	
Checked	REGISTERED	1. _____	
Passed	24-8-1979 Registrar General	2. _____	
Signed AC RW.		3. _____	
		4. _____	
		5. <i>OT/DA 24/8/79</i>	
		Received Documents	Receiving Clerk

S.M.

NOTES

This form is appropriate to a change of by-laws pursuant to sections 58 (2), 58 (11) or clause 15 of Schedule 4 of the Strata Titles Act, 1973.

1. A change of by-laws pursuant to section 58 (2) of the Act is one which does not create rights of exclusive use and enjoyment of, or special privileges in respect of, common property.
2. A change of by-laws pursuant to section 58 (11) of the Act is one which changes the terms of an order of a Strata Titles Board having the effect of a by-law.
3. A change of by-laws pursuant to clause 15 of Schedule 4 of the Act is one which confirms rights of exclusive use and enjoyment of, or special privileges in respect of, common property where such rights were in existence (either pursuant to a resolution of the body corporate or a former by-law) prior to 1st July, 1974. The new by-law must indicate how it may be amended, added to or repealed.
4. The Registrar General does not require the lodgment of a plan for the purpose of the allocation of rights of exclusive use and enjoyment of, or special privileges in respect of, common property unless it is referred to as an annexure in the by-law; in which case the plan must comply with regulation 37 (2) (d), (e) and (f) of the Real Property Act Regulations, 1970.
5. In cases referred to in note 3 the Registrar General will provide (on payment of a service charge) a copy of any plan which accompanied a notification of change of by-laws registered under the Conveyancing (Strata Titles) Act, 1961 for identification as an annexure to this instrument.
6. Failure to comply with regulation 25 of the Strata Titles Act Regulations, 1974 as to size of margins, use of black ink, freedom from creasing, method of alteration and form of annexures will lead to rejection.
7. By-laws additional to those already operating should be numbered consecutively and commence at the number next after the present last number.
8. Amendment of a by-law should be effected by fully repealing the existing by-law, and by then substituting a new by-law in the terms required. For example, in order to implement a special resolution by a body corporate that a notice-board should not be affixed in accordance with by-law 3 but should be maintained in the secretary's office, and should be available for inspection between 9 a.m. and 5 p.m., the following would be appropriate:

REPEALED BY-LAW NO. 3.....

INSERTED/ADDED BY-LAW NO. 3..... as fully set out below.

BY-LAW 3. A council shall cause a notice-board to be affixed to some part of the building occupied by the secretary and there to be available for inspection by authorised persons between the hours of nine in the forenoon and five in the afternoon.

9. If space is insufficient to record full terms of inserted/added by-laws on the face of this form, additional sheets should be annexed in the manner prescribed by regulation 25 of the Strata Titles Act Regulations, 1974.
10. This instrument and the certificate of title for the common property should be lodged by hand at the lodgment counter in the Office of the Registrar General located on the second floor of the Centrepoint Building, Market Street, Sydney and the prescribed fee paid.

STRATA TITLES ACT, 1973

NOTIFICATION OF CHANGE OF BY-LAWS

FOR RECORDING ON VOLUME 8511 FOLIO 4 OF THE REGISTER

Sheet 2 of 5 Sheets

on any trade, business or profession within the parcel.

34. Use of Alternate Heating

A proprietor or occupier of a lot shall not use or permit to be used any method of heating other than electricity except with the written consent of the body corporate.

35. Television Aerial Outlet

A proprietor or occupier of a lot shall not interfere with or permit interference with the television aerial outlet or use the outlet in such a way as to cause interference to other television sets.

36. Incinerator

A proprietor or occupier of a lot shall ensure that garbage is wrapped before placing in the incinerator chute. Pressure paks and bottles must not be placed in the incinerator.

37. Curtains and Blinds

A proprietor or occupier of a lot shall keep clean and in good condition curtains and blinds within his lot. Should the curtains or blinds be not repairable, the proprietor or occupier of the lot shall take reasonable steps for their replacement.

38. Maintenance of Windows and Door Fittings

A proprietor or occupier of a lot shall be responsible for the maintenance of:-
(a) window fittings;
(b) door fittings on the entrance door to his lot; and
(c) any movable or fixed component necessary for the proper opening of windows.

39. Barbecues on Balconies

A proprietor or occupier of a lot shall not carry out any barbecue cooking on any balcony or on part of the common property except within the area provided.

40. Damage to Common Property

A proprietor or occupier of a lot shall be responsible for any repairs caused to the common property by his wilful act, carelessness, accident or by his invitees or contractors.

B

41. Speed Limit

A proprietor or occupier of a lot shall not exceed the speed limit of 10 k.p.h. whilst driving a motor or other vehicle upon the common property and shall ensure that his invitees do not exceed the limit.

Faulman

STRATA TITLES ACT, 1973

NOTIFICATION OF CHANGE OF BY-LAWS

FOR RECORDING ON VOLUME 8511 FOLIO 4 OF THE REGISTER

Sheet 3 of 5 Sheets

42. Hawking or Canvassing

A proprietor or occupier of a lot shall not use or permit to be used any portion of the common property for hawking or canvassing or as a public place.

43. Air Conditioning

A proprietor or occupier of a lot shall not install or permit to be installed any air conditioning device within his lot or upon the common property without the prior written approval of the body corporate, and the body corporate may as a condition to any such approval, specify the type, location and manner of installation of such device.

44. Water Beds

A proprietor or occupier of a lot shall not install or permit to be installed a water bed or similar device in that lot without approval in writing of the body corporate.

45. Playing of Musical Instrument, Radio, etc.

A proprietor or occupier of a lot shall not play upon or suffer to be played upon any musical instrument, or permit to be operated a radio, radiogram or other electronic device in such proprietor's lot between the hours of midnight and the following 7 o'clock a.m. if the same disturbs or annoys other occupants of the building and in no event shall practice for more than two hours in any day or between the hours of 6 o'clock p.m. and the following 9 o'clock a.m.

46. Installation of Shades, Awnings, Blinds, Window Guards, Screens, etc.

A proprietor or occupier of a lot shall not hang from or affix to or permit to be hung from or affixed to the common property, any shade, blind, awnings, window guard, wire or other screen or ventilator or enclose or permit to be enclosed either wholly or in part the balcony of such lot except in each case with the prior written approval of the body corporate.

47. Storage on Common Property

A proprietor or occupier of a lot shall not store articles on the common property without approval in writing of the body corporate.

B

48. Social Gatherings

A proprietor or occupier of a lot shall not hold any social or other type of gathering comprising an excessive number of non-residents on any part of the common property, without the prior written approval of the body corporate and such approval shall only be granted on the basis that such function shall comply with By-Law 12 relating to noise and that the proprietor or occupier receiving the approval undertakes to clear the common property of any debris left by such gathering and to make good any damage caused to the common property by the said gathering.

F. Friedman

STRATA TITLES ACT, 1973

NOTIFICATION OF CHANGE OF BY-LAWS

FOR RECORDING ON VOLUME 8511 FOLIO 4 OF THE REGISTER

Sheet 4 of 5 Sheets

49. Use of Swimming Pool

(a) Times of Usage

A proprietor or occupier of a lot shall adhere to the hours of usage of the swimming pool which are 6 a.m. to 10 p.m.

(b) Visitors

Resident hosts shall at all times be held accountable for the conduct of their visitors at the swimming pool and the resident host must be in the precincts of the premises at these times.

(c) Children

Children must be accompanied and supervised by adults at all times in the pool surrounds.

(d) Conduct

Ball games, sky-larking and any other conduct likely to interfere with the peaceful enjoyment of any other user of the swimming pool is not permitted.

(e) Refuse

The leaving of refuse in the swimming pool area is not permitted.

(f) Attire

Persons using the pool must be suitably attired.

(g) Wet Costumes

Very wet bathing costumes must not be worn whilst in the foyers or lifts.

50. Roof

A proprietor or occupier of a lot shall not enter upon the roof of the building without the express permission of the body corporate.

51. Parking of Motor Vehicles

(a) A proprietor or occupier of a lot shall not park a motor vehicle anywhere on the common property except in the space allocated to that unit.

(b) A proprietor or occupier of a lot shall not allow a visitor to park a motor vehicle on the common property unless the allocated space is available.

B

52. Fire Doors

A proprietor or occupier of a lot shall ensure that the fire doors are kept closed at all times in accordance with the fire regulations.

B. AMENDED BY-LAW

8. Display of Minutes

A council shall cause -

- (a) a copy of the minutes of a meeting of the council to be displayed on the noticeboard within seven days after that meeting; and

Frankman

STRATA TITLES ACT, 1973

NOTIFICATION OF CHANGE OF BY-LAWS

FOR RECORDING ON VOLUME 9511 FOLIO 4 OF THE REGISTER

Sheet 5 of 5 Sheets

(b) a copy of a minute of any resolution passed pursuant to by-law 5 to be so displayed within seven days after the passing thereof, and to be kept so displayed for a period of not less than fourteen days.

THE COMMON SEAL of THE PROPRIETORS STRATA PLAN 3254 was hereunto affixed on 10.4.79 in the presence of The Secretary and a Member of the Council being the persons authorised by the provisions of Section 55 of the Strata Titles Act, 1973, to attest the affixing of the seal.

A.M. Renna
Secretary



[Signature]
.....
Member of the Council

B

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S #21

BRADFIELD & Co.
90 PITT ST
SYDNEY
BOX 1406

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CHANGE OF BY-LAWS
SECTION 58 (7), STRATA TITLES ACT, 1973
REAL PROPERTY ACT, 1900
(See Instructions for Completion on back of form)

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Riff

REFERENCE TO
TITLE OF
COMMON
PROPERTY
Note (a)

Torrens Title Reference	
VOLUME: 8511	FOLIO: 4
NOW BEING WITH OF LAND COMPRIS	
IN FOLIO CP/SP 3254	

NUMBER OF
STRATA PLAN
Note (b)

THE PROPRIETORS—STRATA PLAN No.3254..... the registered proprietor of the common property comprised in the Certificate of Title above referred to, certifies that, by a resolution duly passed in accordance with the provisions of the Strata Titles Act, 1973, on 17th March 1987..... after the expiration of the initial period, it changed the by-laws as follows:

Note (c)

Note (b)

REMOVED/ADDED BY-LAW No.29, 53..... as fully set out below.	OFFICE USE ONLY ON CB.
--	-------------------------------

Note (a)

SEE ANNEXURE HERETO

The common seal of The Proprietors—Strata Plan No.3254.....

was herewith affixed on In the presence of
W. H. Hale
(BLOCK LETTERS)

being the person(s) authorised by section 55 of the Strata Titles Act, 1973, to assess the affixing of the seal.

TO BE COMPLETED
BY LODGING PARTY
Notes (f)
and 829

OFFICE USE ONLY

LODGED BY		BRADFIELD & SCOTT SOLICITORS 175 MACQUARIE STREET SYDNEY NSW 2000 DX 206 SYDNEY		LOCATION OF DOCUMENTS	
Delivery Box Number 140G		CT	OTHER	Herewith	
Checked	Passed	REGISTERED - -19		In R.G.O. with	
Signed	Extra Fee	- 01/01/1987		Produced by	
Secondary Directions		Delivery Directions		OT/CP	
Registrar General					

S 37

X186468.

STRATA TITLES ACT, 1973

NOTIFICATION OF CHANGE OF BY-LAWS

FOR RECORDING ON VOLUME 8511 FOLIO 4 OF THE REGISTRY

SHEET 2 of 2 SHEETS

53.
29.

CARPARK SECURITY

The Proprietors for the time being of any lot shall have a special privilege in that the Proprietors may carry out certain work on the common property in accordance with the plans and specifications approved by the Body Corporate and if applicable the Local Municipal Council which said work is the installation of a security garage enclosure to the said lot (hereinafter referred to as "the alterations") provided that:

- (1) The Proprietors shall:
 - (a) Cause the alterations to be done in a proper and workmanlike manner and to be completed to the satisfaction of the Body Corporate.
 - (b) Make good any damage caused to the common property by the alterations.
 - (c) Maintain the alterations at all times to the satisfaction of the Body Corporate.
- (2) In the event that the Proprietors fail to perform their obligation under this By-Law within fourteen (14) days of receipt of notice from the Body Corporate or such other time as the Body Corporate may agree the Body Corporate may at its expense carry out all works that the Body Corporate may consider necessary to the alterations or any part thereof any ancillary equipment and/or the common property to make good any damage and/or maintain the same and the Proprietor shall forthwith refund to the Body Corporate all moneys expended by the Body Corporate in relation thereto including administrative costs and should such moneys not be paid as aforesaid then same shall be deemed to be a levy within the meaning of Section 59 of the Strata Titles Act, and shall for all purposes be treated as same.
- (3) The Proprietors shall indemnify the Body Corporate in relation to any claim made against the Body Corporate arising in any way relating to the alterations both during the course of construction and there afterwards.
- (4) Insofar as it may be necessary to gain entry into the lot to permit the Body Corporate to carry out any of the works referred to in Clause 2 the Proprietor agrees that he will grant access to the Body Corporate on not less than twenty four (24) hours notice except no such notice shall be required in relation to any emergency.

THE COMMON SEAL of THE PROPRIETORS - }
STRATA PLAN NO. 3254 was hereunto
affixed on
in the presence of:-

J. Meeke X
.....
Secretary

X. W. H. Naam
.....
Chairman

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

FP 00



75/8.



E
665997 D

DEPARTMENTAL DEALING



THIS DOCUMENT IS DESIGNED TO RECORD THE EFFECT OF DEPARTMENTAL ACTIONS AND AMENDMENTS ON COMPUTER FOLIOS

DD

Note (1)	
of	
\$ NO FEE	

FOLIO IDENTIFIER	FOLIO IDENTIFIER	FOLIO IDENTIFIER	Location
CP/SP 3254			RANDWICK

REASON FOR PREPARATION: ^{Note (2)} TO PLACE PLAN OF CAR PARKING SPACES ON ACCESSIBLE PUBLIC RECORD - FILE 1992M7700(54)

FIRST SCHEDULE DIRECTIONS

(A) FOLIO IDENTIFIER	(B) DIRECTION	(C) NAME

SECOND SCHEDULE AND OTHER DIRECTIONS

(D) FOLIO IDENTIFIER	(E) DIRECTION	(F) NOTFN TYPE	(G) DEALING NUMBER	(H) DETAILS
CP/SP 3254	ON	AA		MEMORANDUM WITH PLAN OF CAR PARKING SPACES REFERRED TO IN CHANGE OF BY-LAWS (FORMERLY WITH L24024)

PREPARED BY <i>McKeone</i>	TABLE NO. 69523	LODGED BY LAND TITLES OFFICE	REGISTERED - -19	Delivery Directions	
DIRECTED BY				NOCT	
AUTHORIZED BY <i>McKeone</i>	69523				

Note (3)

122

L 246 24

"A" This is the annexure marked "A" referred to in the Notification of Change of Name

STRATA PLAN NO.

PLAN

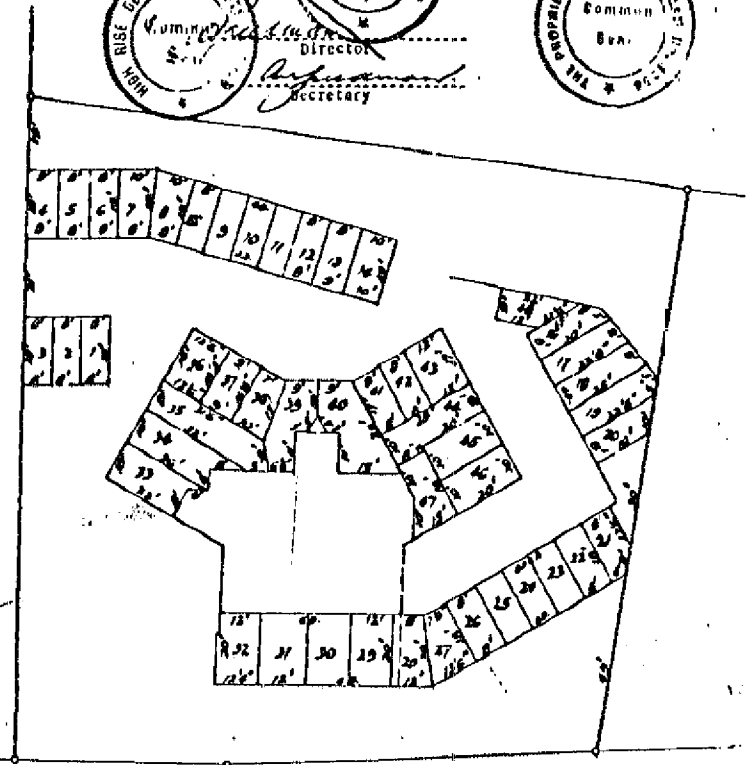
showing details of parking spaces referred to in First Schedule By-Law No. 37
in respect of Home Units contained in Strata Plan No. 3254, Annex A
Nos. 24-26 Alison Road, Randwick, N.S.W. 2231
Scale: 30 Met to an inch

THE COMMON SEAL OF THE PROPRIETORS - STRATA PLAN NO. 3254 was
hereunto affixed on the 27th day of April, 1968 in the presence
of **MILAPOST PTY. LIMITED** whose common seal was hereinto affixed
by authority of the Directors and in the presence of and in the
presence of **NICHRISE DEVELOPMENTS PTY. LIMITED** whose common seal
was hereunto affixed by authority of the Directors and in the
presence of:

Sole member of the Council of the
Body Corporate



[Signature]
Director
[Signature]
Secretary



ALISON

ROAD

This is the ~~ANNEXURE~~ referred to in By-Law No. 11 of the
First Schedule By-Laws of the Proprietors - Strata Plan No. 3254

[Signature]

Council Clerk

97-15CB



CHANGE OF BY-LAW

Strata Titles Act 1973
Real Property Act 1900



0
709100 S

B

(A) COMMON PROPERTY
REFERENCE TO TITLE

CP/SP 3254

(B) LODGED BY

L.T.O. Box 40	Name, Address of DX and Telephone Jamesons Group PO Box 41 Cremorne Junction 2090 REFERENCE (max. 15 characters): 909 8300	CB
----------------------	--	-----------

(C) THE PROPRIETORS of STRATA PLAN 3254 certify that pursuant to a resolution passed on 18.4.94 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 No.1
..... as fully set out below.

SPECIAL BY-LAW

The proprietor of a lot shall maintain in a state of good and serviceable repair and where necessary renew or replace the window units which form part of the balcony enclosure to the lot. Nothing in this By-Law negates the Body Corporate's duty to insure the window units in accordance with the Strata Titles Act, 1973.

(E) The Common Seal of The Proprietors - Strata Plan No. 3254 was affixed on the 20th Nov 1995 in the presence of

* Joseph GANTMAN
NAME IN FULL Signature of Witness

* Dorothy Macdonald & Macdonald
NAME IN FULL Name of Witness - BLOCK LETTERS SIGNATURE



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

9/20/95

(F)

COUNCIL'S CERTIFICATE (s. 66(5))

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

DATE

APPLICATION No.

Authorised Officer

INSTRUCTIONS FOR COMPLETION

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

(A) COMMON PROPERTY REFERENCE TO TITLE

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

(B) LODGED BY

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

(C) STRATA PLAN

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

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

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

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

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

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

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

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

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

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

(E) EXECUTION

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

(F) COUNCIL'S CERTIFICATE

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

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

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

Ref:3254 - BY-LAWS /Src:B
 Licence: 10V/0779/97
 Edition: 9907

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

7760722Q



(A) **TORRENS TITLE**

For the common property
 CP/SP 3254

(B) **LOGGED BY**

LTO Box	Name, Address or DX and Telephone	LEGAL LIAISON FOR L-JAMESONS	CODE
	JAMESONS GROUP PO BOX 2001 SPIT JUNCTION 2088 Reference (optional): SP3254		CB

(C) The Owners-Strata Plan No 3254 certify that pursuant to a resolution passed on 23 April 2001 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 By-Law No 16
 Added by-law No Special By-Law No 16
 Amended by-law No
 as fully set out below.

REFER ANNEXURE "A"

(F) The common seal of the Owners-Strata Plan No 3254 was affixed on 21 June 2001 in the presence of—

Signature(s):

Name(s): NUNZIATO GEORGE VUMBACA

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

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 "A" TO NOTIFICATION OF CHANGE OF BY-LAWS

SPECIAL BY-LAWS

THE MILEPOST - STRATA PLAN 3254
94 Alison Road, Randwick 2031

By-Law 16 Keeping of Animals

Subject to Section 49(4), an owner or occupier of a lot must not without the approval in writing of the owners corporation keep any animal on the lot or the common property, except any animal for which the Owners Corporation has given its approval before the making of this By-law."

THIS is page 2 of a total of 2 pages and is the annexure to notification of Change of By-Laws Form by THE OWNERS - STRATA PLAN 3254

THE COMMON SEAL of THE OWNERS - STRATA PLAN NO 3254 was hereunto affixed on the day of 2/10/01 2001 in the presence of

Names: NUNZIATO GEORGE VUMBACA

Signatures : _____

being the person(s) authorised by Section 238 of the Strata Schemes Management Act 1996 to attest the affixing of a seal



Form: 97-15CB
Licence: 1034A/404/96

CHANGE OF

New South
Strata Schemes Manag
Real Property



8752772U

only

re:

at the left hand corner

(A) TORRENS TITLE CP/SP 3254

(B) LODGED BY	LPI NSW Box 662Y	Name, Address or DX and Telephone Andreones, Lawyers DX 718 SYDNEY Tel: 8267 6100 - Fax: 8267 6101 REFERENCE: 25688	CB
---------------	---------------------	---	-----------

(C) The Owners-Strata Plan No. 3254 certify that pursuant to a resolution passed on 15 April 2002 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 NO. 2

Amended by law No as fully set out below.

(See Annexure)



(F) The common seal of the Owners-Strata Plan No. 3254 was affixed on 30-06-02 in the presence of

Signature(s) *[Handwritten Signature]*
Name(s) [use block letters] JEFFREY CLIFFORD SUTTON
Strata Managing Agent

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

INDEPENDENT UNIT MANAGEMENT
1st Floor 227-229 George Street
LIVERPOOL 2170
Ph 9822 7300 Fax 9822 7300

Checked by (LPI NSW use)

[Handwritten initials/signature]

ANNEXURE TO CHANGE OF BY-LAWS

SPECIAL BY-LAW NO. 2

Except in the case of an emergency, an owner or occupier of a lot shall not perform or allow the following works to be undertaken within a lot or within areas designated as common areas:

The hammering or the operation of power tools to the walls, ceilings or floors of a lot or within common areas on any Sunday or public holiday or outside the following hours:

- Monday to Friday 7.30 am to 5.30 pm
- Saturday 8.30 am to 5.30 pm.

The common seal of the Owners-Strata Plan No. 3254
was affixed on 30-06-02 in the presence of

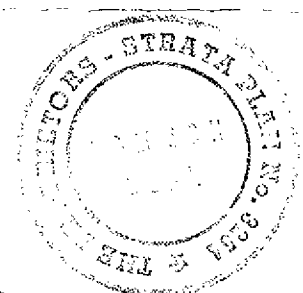
Signature(s)

[Handwritten Signature] Strata Managing Agent

Name(s) [use block letters]

JEFFREY CLIFFORD SUTTON

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



INDEPENDENT UNIT MANAGEMENT
1st Floor 227-229 George Street
LIVERPOOL L1 700
Ph 0322 7300 Fax 0322 7300



AE743134F

Form: 15CB
Licence: 1034A/404/96

CHANGE OF BY-LAWS

LPI NSW use only

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


Do not affix additional pages here:
use the left hand corner

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

(A) TORRENS TITLE

CP/SP 3254

(B) LODGED BY

Delivery Box 662Y	Name, Address or DX and Telephone  Andreones, Lawyers DX 718 SYDNEY Tel: 8267 6100 - Fax: 8267 6101 REFERENCE: 90343	LLPN:123485H CB
---------------------------------	--	--------------------------------------

(C) The Owners-Strata Plan No. 3254 certify that pursuant to a resolution passed on 7 April 2009 and in accordance with the provisions of –

- (D)
 - ~~section 54 of the Community Land Management Act 1989~~
 - ~~section 111 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 NO's 53 and 54

Amended by-law No as fully set out below.

(See Annexure)

(F) The common seal of The Owners-Strata Plan No. 3254 was affixed on 19-05-2009 in the presence of

Signature(s) 

Name(s) [use block letters] JEFFREY CLIFFORD SUTTON

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



Department of Lands
Land and Property Information Division

ANNEXURE TO CHANGE OF BY-LAWS

The Owners - Strata Plan No. 3254 SPECIALLY RESOLVE under section 52 of the Strata Schemes Management Act 1996 to make an additional by-law in the following terms.

By-law No. 53 **Notice and Security deposit for Moving Furniture & other objects on or through common property**

Each owner and/or occupier of a lot is required to provide at least one weeks notice in writing to the Owners Corporation whenever the owner and/or occupier of a lot moves in or out of that lot. The notice must specify the time and date of a such move and must not coincide with high traffic usage of the lift. The written notice shall be accompanied with a deposit of \$500.00 towards potential damage to the common property. The deposit will be refunded subject to deduction to make good any damage caused. If a deposit is not paid the amount of the deposit will be levied against the Owner's account and become due and payable immediately.

The common seal of The Owners-Strata Plan No. 3254 was affixed on 19-05-09 in the presence of

Signature(s) [Handwritten Signature]

Name(s) (use block letters) JERREY CLIFFORD SUTTON

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



The Owners - Strata Plan No. 3254 SPECIALLY RESOLVE under section 52 of the Strata Schemes Management Act 1996 to make an additional by-law in the following terms.

By-law No. 54 **Individual Fire Doors**

Each owner shall be directly responsible for the cost of repair/s and/or replacement of any hardware of their unit's fire door. The work will be carried out by the Owners Corporation, who bill the owner against their Lot Account, so as to ensure consistency and compliance with the Randwick City Council and Fire Regulation requirements.

The common seal of The Owners-Strata Plan No. 3254 was affixed on 19-05-09 in the presence of

Signature(s) [Handwritten Signature]
Name(s) [use block letters] JEREMY CLIFORD SUTTON

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

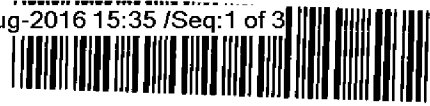


Ref:3254 - BY-LAWS /Src:B

Licence: 05-11-692
Licenses: Softdocs
Makinson & d'Apice Lawyers

CHANGE OF BY-LAW

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



AF663526G

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/SP3254

(B) LOGGED BY	Delivery Box	Name, Address or DX and Telephone	number if any	CODE CB
	124E	LLPN: 123820V	Legalink Pty Ltd Sydney Office Level 3, 175 Castlereagh Street, Sydney PO Box A250 Sydney South NSW 1217 Ph: 02 9230 6900	
MAK:202272				

(C) The Owners-Strata Plan No. **3254** certify that pursuant to a resolution passed on **30 March 2010** and in accordance with the provisions of -

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

(E) Repealed by-law No **N/A**
Added by-law No **Special By-Laws 55 and 56**
Amended by-law No **N/A**
as fully set out below.
SEE ANNEXURE "A"



(F) The common seal of the Owners-Strata Plan No **3254** was affixed on **28 / 7 / 10** in the presence of -

Signature(s):

Name(s) **JEFFREY CLIFFORD SUTTON**

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

Handwritten initials/signature

ANNEXURE "A"

SPECIAL BY LAW: 55 SMOKE ALARM MAINTENANCE

55.1 Owners shall:

- (a) at their cost maintain and test as required the *Smoke Alarm/s* in their lot in accordance with the manufacturer's instructions;
- (b) immediately notify the Owners Corporation (by its strata managing agent or Executive Committee) of any fault or defect in the said *Smoke Alarm/s*;
- (c) permit the Owners Corporation to enter Lots from time to time with reasonable notice to occupiers (where possible), in order to carry out repairs to *Smoke Alarm/s* to a standard requirements to achieve compliance with legislative requirements and to satisfy the requirements of the *Annual Fire Safety Statement*;
- (d) pay for the repair or replacement of any part of *Smoke Alarm/s* which is in need to repair or replacement in order to satisfactorily operate and/or to satisfy the requirements of the *Annual Fire Safety Statement*, and
- (e) indemnify the Owners Corporation against any loss or damage the Owners Corporation suffers (including legal costs) as a result of:
 - (i) the performance, maintenance, repair or replacement of the *Smoke Alarm/s*;
 - (ii) the owners failure to immediately notify the Owners Corporation of any fault or defect in their *Smoke Alarm/s*;
 - (iii) the exercise of its powers under this by-law, and the enforcement of this by-law; and
 - (iv) the enforcement of this by-law and will pay those costs to the Owners Corporation on demand.

55.2 The Owners Corporation shall have the power to carry out any obligation of an owner under the by-law which an owner had failed to carry out and failure by an owner to comply with this by-law shall constitute an "emergency" within the meaning of section 65 of the *Strata Schemes Management Act 1996 (the Act)*; and

55.3 Where any owner does not comply with this by-law, any costs incurred in ensuring compliance with the *Annual Fire Safety Statement* shall be paid by the owner and shall become a debt, due and payable at the Owners Corporation's directions and as a contribution according to section 80(1) of the Act, which if unpaid within one (1) month of being due will bear simple interest at the rate of 10 percent each year until paid.



SPECIAL BY LAW: 56 FOR SALE OR TO LET SIGNS

No sign may be erected on common property without prior written consent of the Executive Committee or the strata managing agent. Any owner of a lot wishing to erect a sign will be required to pay a security deposit of **\$500** and to indemnify the owners from any damage caused by the erection or removal of the sign. The security deposit will be automatically billed against the said owner's lot account. The deposit will be returned once the sign has been removed and no damage has been caused.

A handwritten signature in black ink, consisting of a stylized capital letter 'A' with a long horizontal stroke extending to the right.

Form: 15CB
Release: 2.2
www.lands.nsw.gov.au

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



AH862688T

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 3254	
(B) LODGED BY	Document Collection Box	Name, Address or DX, Telephone, and LLPN if any
	573X	Network Strata services Pty Limited 123421L P.O. BOX 265 Hurstville BC NSW Reference: 3254
		CODE CB

- (C) The Owners-Strata Plan No. 3254 certify that pursuant to a resolution passed on 09 April 2013 and
- (D) in accordance with the provisions of section No. 47 of the Strata Schemes Management Act 1996 the by-laws are changed as follows—
- (E) Repealed by-law No. NOT APPLICABLE
Added by-law No. SPECIAL 57, 58
Amended by-law No. NOT APPLICABLE
as fully set out below:

As set out in Annexure A



- (F) The common seal of the Owners-Strata Plan No. 3254 was affixed on 12 April 2013
- Signature(s): *D McKinsty*
- Name(s): Derek McKinstry
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: _____

Annexure A Change of By-Laws

Parties: SP3254

Dated: 12/04/2013

Special By-Law 57 - New Balcony Window Installations

Any new window/s which encloses the balcony installed after 1 January 2013 must comply with the following specifications:-

1. Comply with the Building Code of Australia
2. Be constructed of anodized aluminum.
3. Be of commercial quality.
4. Contain laminated glass which is 6.3mm thick and UV inhibited.
5. Be similar or the same as B & W Windows & Doors Pty Ltd window model 1000B.
6. If the width of the opening is greater than 1.3 metres, the window will be designed with a single fixed centre panel which is 50% of the size of the opening and 2 horizontally sliding windows on either side of the fixed panel.
7. If the width of the opening is less than 1.3 metres the window will be of 2 equal sized windows which slide horizontally.
8. Have header and sub sill.

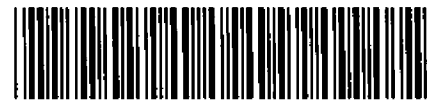
Special By-law 58 - Child Safety

The owner/resident of any unit who permits a child to be present in that unit shall, at their expense, fit locks to the lower section of all windows within the unit so that the window can be locked in an open position with an opening of not greater than 12.5 centimeters



Form: 15CB
 Release: 2.2
 www.lands.nsw.gov.au

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



AH862689R

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 3254	
(B) LODGED BY	Document Collection Box	Name, Address or DX, Telephone, and LLPN if any
	573X	Network Strata services Pty Limited 123421L P.O. BOX 265 Hurstville BC NSW Reference: 3254
		CODE CB

- (C) The Owners-Strata Plan No. 3254 certify that pursuant to a resolution passed on 03 April 2012 and
 (D) in accordance with the provisions of section No. 47 of the Strata Schemes Management Act 1996, the by-laws are changed as follows—
 (E) Repealed by-law No. NOT APPLICABLE
 Added by-law No. SPECIAL 59, 60
 Amended by-law No. NOT APPLICABLE
 as fully set out below:

As set out in Annexure A



- (F) The common seal of the Owners-Strata Plan No. 3254 was affixed on 15 April 2013
 Signature(s): D McKinstrey
 Name(s): Derek McKinstrey
 being the person(s) authorised by section 238 of the Strata Schemes Management Act 1996 to attest the affixing of the seal.

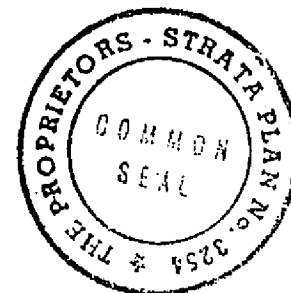
- (G) **COUNCILS CERTIFICATE UNDER SECTION 56(4) OF THE STRATA SCHEMES MANAGEMENT ACT 1996**
 I certify that _____ has approved the change of by-laws set out herein.
 Signature of authorised officer:
 Name of authorised officer: _____ Position of authorised officer: _____

Annexure A Change of By-Laws

Parties: SP3254

Dated: 16/04/2013

O M K U



Special By-law 59 - Service of Documents by Owners Corporation

PART 1 - Preamble

- (i) The intention of this By-law is to provide the Owners Corporation with alternative means of serving notices, minutes, levies and other general correspondence on the owners within the strata scheme, other than those already specified in the Strata Schemes Management Act 1996 (NSW).
- (ii) The method of delivery of notices referred to in this By-law may be issued by the Owners Corporation, where appropriate by electronic means including email, facsimile transmission, via the internet, website/s, electronic noticeboards or mobile telephone short message service (SMS).

PART 2 - Definitions & Interpretation

2.1 In this by-law, unless the context otherwise requires or permits:

- (a) **Act** means the Strata Schemes Management Act 1996 (NSW) or any amendment
- (b) **Email** means the commonly recognised system for sending and receiving messages electronically over a computer network, as between personal computers, including any attachments to the email
- (c) **Facsimile** means any electronic communication device that transmits information in a form from which written material is capable of being reproduced
- (d) **Lot** means any lot in the strata plan
- (e) **Notices** means any correspondence issued by the Owners Corporation, including but not limited to notices and minutes of general meetings or executive committee meetings, levy contribution notices and levy contribution arrears notices, notices issued pursuant to section 45 of the Act (Notice to Comply) and all general correspondence
- (f) **Non-Statutory Notice** means any notice that the Owners Corporation is not obliged to issue under the Act, such as levy contribution reminder letters and levy contribution arrears notices, By-law warning letters, or general correspondence
- (g) **Owner** means the owner of the Lot
- (h) **Owners Corporation** means the owners corporation created by the registration of strata plan 3254
- (i) **SMS** means Short Message Service, the common text messaging service available on mobile phones and other handheld devices

2.2 In this by-law, unless the context otherwise requires:

- (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 Act; and
- (d) references to legislation includes references to amending and replacing legislation.

PART 3 - Powers, Duties and Obligations of the Owners Corporation

3.1 Pursuant to section 236(4)(e) of the Act, the Owners Corporation, in addition to the functions conferred upon it by or under the Act and the other By-Laws applying to the strata scheme (and without limiting the generality thereof) shall have the power and authority to serve notices on the owners of the lots within the scheme by any of the following methods:

- (a) The address for services of notices specified in the section 118 provided by the lot owner to the Owners Corporation, or;
- (b) Where a lot owner has provided the secretary, strata managing agent or Owners Corporation with an Email address, via the Email address supplied, or;
- (c) Where a lot owner has provided the secretary, strata managing agent or Owners Corporation with a Facsimile number, via the Facsimile number provided, or;
- (d) In addition to subclauses 3.1(a) to (c), for levy contribution payment notice, levy contribution arrears notices and general reminder notices, where an owner has provided the secretary, strata managing agent or Owners Corporation with a mobile telephone number, the Owners Corporation may issue reminder and payment details via an SMS message via the mobile number supplied.

3.2 Where a notice is issued to the owner of a lot by Email or Facsimile transmission, the secretary, strata managing agent or Owners Corporation must ensure a confirmation receipt is received verifying delivery of the notice to the email address or facsimile number.

3.3 In the event the secretary, strata managing agent or Owners Corporation receives a delivery error message when attempting to issue a notice via Email or Facsimile to a lot owner, they must immediately cause the notice to be issued by post to the address specified for the lot notified under section 118 of the Act.

3.4 In the event an error message is received pursuant to clause 3.3 of this By-law, the secretary, strata managing agent or Owners Corporation must ensure that sufficient period of notice is provided, as required by the Act for the delivery of the notice/s by post.

PART 4 - Responsibilities and Obligations of Owners

4.1 Where an owner has supplied the Owners Corporation with an address or addresses for the delivery of service of notices, whether it be a postal address, email address, mobile telephone or facsimile number, the owner must within 14 days notify and supply the Owners Corporation with any changes to the information they have previously supplied;

4.2 Any information provided by a lot owner pursuant to this by-law shall be relied upon by the Owners Corporation and any errors or omissions in the information provided is at the responsibility of the respective lot owner providing the information.

4.3 Where the Owners Corporation has complied with the terms and conditions of this By-law and the owner of a lot fails to receive any notices due to a failure to supply the Owners Corporation with updated information pursuant to clause 4.1, then the Owners Corporation cannot be held liable for the failure to receive the notice.

4.4 In the event an owner of a lot receives a notice from the Owners Corporation via email or facsimile and is unable to open or read the attachments contained within the notice they must immediately contact the person or entity that supplied the notice so an alternative notice may be issued.

Annexure A Change of By-Laws

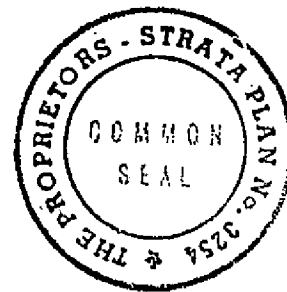
Parties: SP3254

Dated: 16/04/2013

Special By-law 60 - Delivery of Executive Committee Notices & Minutes

When issuing notices and minutes of Executive Committee Meetings, the Strata Managing agent shall be obliged to distribute the meeting notices and minutes by;

- (1)(a) Affixing a copy of the notice or minutes on the common noticeboard in accordance with the provisions of the Act, or;
- (a) By emailing a copy of the notices or minutes to all owners that have provided the Owners Corporation with an email address for the delivery of notices by the Owners Corporation.
- (2) The Owners Corporation must cause a notice-board to be affixed to some part of the common property.



D McK...

Form: 15CB
 Release: 2.2
 www.lands.nsw.gov.au

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



AI1799P

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 3254	
(B) LODGED BY	Document Collection Box	Name, Address or DX, Telephone, and LLPN if any
	573X	Network Strata services Pty Limited 123421L P.O. BOX 265 Hurstville BC NSW Reference: 3254
		CODE CB

- (C) The Owners-Strata Plan No. 3254 certify that pursuant to a resolution passed on 03 April 2012 and
 (D) in accordance with the provisions of section No. 47 of the Strata Schemes Management Act 1996 the by-laws are changed as follows—
 (E) Repealed by-law No. NOT APPLICABLE
 Added by-law No. SPECIAL 59, 60
 Amended by-law No. NOT APPLICABLE
 as fully set out below:

As set out in Annexure A



- (F) The common seal of the Owners-Strata Plan No. 3254 was affixed on 15 April 2013
 Signature(s): *D McKinsry*
 Name(s): Derek McKinsry
 being the person(s) authorised by section 238 of the Strata Schemes Management Act 1996 to attest the affixing of the seal.

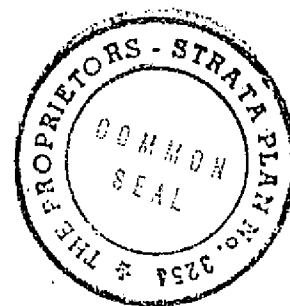
- (G) COUNCILS CERTIFICATE UNDER SECTION 56(4) OF THE STRATA SCHEMES MANAGEMENT ACT 1996
 I certify that _____ has approved the change of by-laws set out herein.
 Signature of authorised officer: _____
 Name of authorised officer: _____ Position of authorised officer: _____

Annexure A Change of By-Laws

Parties: SP3254

Dated: 16/04/2013

D McK...



Special By-law 59 - Service of Documents by Owners Corporation

PART 1 - Preamble

- (i) The intention of this By-law is to provide the Owners Corporation with alternative means of serving notices, minutes, levies and other general correspondence on the owners within the strata scheme, other than those already specified in the Strata Schemes Management Act 1996 (NSW).
- (ii) The method of delivery of notices referred to in this By-law may be issued by the Owners Corporation, where appropriate by electronic means including email, facsimile transmission, via the internet, website/s, electronic noticeboards or mobile telephone short message service (SMS).

PART 2 - Definitions & Interpretation

2.1 In this by-law, unless the context otherwise requires or permits:

- (a) **Act** means the Strata Schemes Management Act 1996 (NSW) or any amendment
- (b) **Email** means the commonly recognised system for sending and receiving messages electronically over a computer network, as between personal computers, including any attachments to the email
- (c) **Facsimile** means any electronic communication device that transmits information in a form from which written material is capable of being reproduced
- (d) **Lot** means any lot in the strata plan
- (e) **Notices** means any correspondence issued by the Owners Corporation, including but not limited to notices and minutes of general meetings or executive committee meetings, levy contribution notices and levy contribution arrears notices, notices issued pursuant to section 45 of the Act (Notice to Comply) and all general correspondence
- (f) **Non-Statutory Notice** means any notice that the Owners Corporation is not obliged to issue under the Act, such as levy contribution reminder letters and levy contribution arrears notices, By-law warning letters, or general correspondence
- (g) **Owner** means the owner of the Lot
- (h) **Owners Corporation** means the owners corporation created by the registration of strata plan 3254
- (i) **SMS** means Short Message Service, the common text messaging service available on mobile phones and other handheld devices

2.2 In this by-law, unless the context otherwise requires:

- (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 Act; and
- (d) references to legislation includes references to amending and replacing legislation.

PART 3 - Powers, Duties and Obligations of the Owners Corporation

3.1 Pursuant to section 236(4)(e) of the Act, the Owners Corporation, in addition to the functions conferred upon it by or under the Act and the other By-Laws applying to the strata scheme (and without limiting the generality thereof) shall have the power and authority to serve notices on the owners of the lots within the scheme by any of the following methods:

- (a) The address for services of notices specified in the section 118 provided by the lot owner to the Owners Corporation, or;
- (b) Where a lot owner has provided the secretary, strata managing agent or Owners Corporation with an Email address, via the Email address supplied, or;
- (c) Where a lot owner has provided the secretary, strata managing agent or Owners Corporation with a Facsimile number, via the Facsimile number provided, or;
- (d) In addition to subclauses 3.1(a) to (c), for levy contribution payment notice, levy contribution arrears notices and general reminder notices, where an owner has provided the secretary, strata managing agent or Owners Corporation with a mobile telephone number, the Owners Corporation may issue reminder and payment details via an SMS message via the mobile number supplied.

3.2 Where a notice is issued to the owner of a lot by Email or Facsimile transmission, the secretary, strata managing agent or Owners Corporation must ensure a confirmation receipt is received verifying delivery of the notice to the email address or facsimile number.

3.3 In the event the secretary, strata managing agent or Owners Corporation receives a delivery error message when attempting to issue a notice via Email or Facsimile to a lot owner, they must immediately cause the notice to be issued by post to the address specified for the lot notified under section 118 of the Act.

3.4 In the event an error message is received pursuant to clause 3.3 of this By-law, the secretary, strata managing agent or Owners Corporation must ensure that sufficient period of notice is provided, as required by the Act for the delivery of the notice/s by post.

PART 4 - Responsibilities and Obligations of Owners

4.1 Where an owner has supplied the Owners Corporation with an address or addresses for the delivery of service of notices, whether it be a postal address, email address, mobile telephone or facsimile number, the owner must within 14 days notify and supply the Owners Corporation with any changes to the information they have previously supplied;

4.2 Any information provided by a lot owner pursuant to this by-law shall be relied upon by the Owners Corporation and any errors or omissions in the information provided is at the responsibility of the respective lot owner providing the information.

4.3 Where the Owners Corporation has complied with the terms and conditions of this By-law and the owner of a lot fails to receive any notices due to a failure to supply the Owners Corporation with updated information pursuant to clause 4.1, then the Owners Corporation cannot be held liable for the failure to receive the notice.

4.4 In the event an owner of a lot receives a notice from the Owners Corporation via email or facsimile and is unable to open or read the attachments contained within the notice they must immediately contact the person or entity that supplied the notice so an alternative notice may be issued.

Annexure A Change of By-Laws

Parties: SP3254

Dated: 16/04/2013

Special By-law 60 - Delivery of Executive Committee Notices & Minutes

When issuing notices and minutes of Executive Committee Meetings, the Strata Managing agent shall be obliged to distribute the meeting notices and minutes by;

- (1)(a) Affixing a copy of the notice or minutes on the common noticeboard in accordance with the provisions of the Act, or;
- (a) By emailing a copy of the notices or minutes to all owners that have provided the Owners Corporation with an email address for the delivery of notices by the Owners Corporation.
- (2) The Owners Corporation must cause a notice-board to be affixed to some part of the common property.

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Release: 3.2

CHANGE OF BY-LAWS
New South Wales
Strata Schemes Management Act 1996
Real Property Act 1900



AJ658362Q

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar to publish information by this form for the establishment and maintenance of the Real Property Act Register. Section 96B of the 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/SP3254

(B) **LODGED BY**

Document Collection Box 	Name, Address or DX, Telephone, and Customer Account Number if any JLawyers Pty Limited 74 - 76 Campbell Street SURRY HILLS NSW 2010 TEL: 9212 6399	CODE CB
	Reference: MJ:20150093	

(C) The Owners-Strata Plan No. 3254 certify that pursuant to a resolution passed on 11 June 2015 and
 (D) in accordance with the provisions of Sections 47, 52 & 65A Strata Schemes Management Act, 1996
 the by-laws are changed as follows—

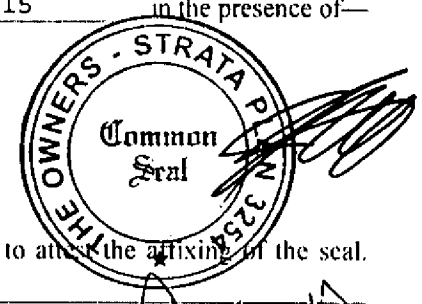
(E) Repealed by-law No. NOT APPLICABLE
 Added by-law No. SPECIAL BY-LAWS NO 61 - 64 INCL.
 Amended by-law No. NOT APPLICABLE
 as fully set out below:

SEE ANNEXURE "A"

(F) The common seal of the Owners-Strata Plan No. 3254 was affixed on 13 July 2015 in the presence of—

Signature(s): _____

Name(s): INGER BRETTE



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

**ANNEXURE "A" TO CHANGE OF BY-LAWS
THE OWNERS – STRATA PLAN NO 3254**

The Owners – Strata Plan No 3254 **SPECIALLY RESOLVED** pursuant to Section 65A of the *Strata Schemes Management Act, 1996* (NSW) for the purposes of improving or enhancing the common property, to specifically authorise Lot 43's works to the common property set out in the by-law the subject of the next succeeding motion.

The Owners – Strata Plan No 3254 **SPECIALLY RESOLVED** pursuant to Section 52 of the *Strata Schemes Management Act, 1996* (NSW) to make an additional by-law in the following terms:

SPECIAL BY-LAW NO 61 **By-law for Works (Lot 43)**

1. Introduction

1.1 This is a by-law made under Division 4 of Part 5 of Chapter 2 of the Act.

1.2 The purpose of this by-law is to:

- (a) GRANT the Owner special privileges in respect of the common property to carry out and to keep the Works;
- (b) CONFER on the Owner, the ongoing responsibility to repair and maintain (and, if necessary, replace) the Works and any affected common property;
- (c) REGULATE the repair, maintenance and replacement obligations under this by-law; and
- (d) INDEMNIFY the Owners Corporation.

2. Definitions & Interpretation

2.1 Definitions

In this by-law:

- (a) **"Act"** means the *Strata Schemes Management Act, 1996* (NSW).
- (b) **"Authority"** means any statutory, governmental or other body having authority over the Lot or the Building including Council.
- (c) **"Building"** means the building(s) situated at 94-96 Alison Road, RANDWICK NSW 2031.
- (d) **"Claims"** means any and all claims, demands, causes of action (whether based in contract, equity, tort or statute and including loss or abatement of rent), suits, arbitration, mediation and all losses (including loss of income and other consequential losses), liabilities, costs, compensation, damages or expenses (including legal expenses) whatsoever arising out of or in any way connected with the Works which may be claimed against the Owners Corporation.
- (e) **"Conditions"** means the conditions specified in Clause 4.

THE COMMON SEAL of THE OWNERS – STRATA PLAN NO 3254 was affixed on 13th July 2015 in the presence of:

Signature(s)

Name(s): **INGER BRETTE**



being the person(s) authorised under Section 238 of the *Strata Schemes Management Act, 1996* (NSW) to attest the affixing of the seal.

ANNEXURE "A" TO CHANGE OF BY-LAWS

THE OWNERS – STRATA PLAN NO 3254

- (f) **"Council"** means Randwick City Council.
- (g) **"Insurances"** means:
 - (i) Contractors' All Risks insurance cover taken out with a reputable insurer on terms approved by the Owners Corporation incorporating cover against public risk in respect of claims for death, injury accident and damage occurring in the course of or by reason of the Works or their repair, maintenance or replacement;
 - (ii) Workers' compensation insurance; and
 - (iii) Public liability insurance.
- (h) **"Lot"** means lot 43 in the Strata Scheme.
- (i) **"Owner"** means the owner of the Lot.
- (j) **"Owners Corporation"** means the owners corporation created on registration of the Strata Scheme.
- (k) **"Strata Scheme"** means the strata scheme created upon registration of strata plan no 3254.
- (l) **"Timber Flooring"** means the Tarkett brand reinforced multi-layer laminate t-lock engineered flooring and sound reduction acoustic system.
- (m) **"WH & S Law"** means any work, health and safety law including the *Work Health and Safety Act, 2011 (NSW)* and the *Work Health and Safety Regulation, 2011 (NSW)*.
- (n) **"Works"** means the works to be carried out by the Owner to Lot and common property for and in connection with the modifications and improvements to the Lot including the installation of the Timber Flooring in the bedrooms, the living area and hallways of the Lot together with the repair, maintenance and replacement, if necessary, and/or removal of the above works together with the reinstatement of lot and common property (including the Lot) affected or damaged by any of the above works, all such works to be carried out strictly in accordance with the provisions of this by-law.

2.2 Interpretation

In this by-law:

- (a) headings are for reference only;
- (b) the singular includes the plural and vice versa;
- (c) words denoting any gender include all genders;
- (d) where a word or phrase is defined its other grammatical forms have a corresponding meaning;
- (e) any reference to an Owner or the Owners Corporation in this by-law includes their successors and permitted assigns;
- (f) the use of the word "includes" or "including" is not to be taken as limiting the meaning of the words preceding it;

THE COMMON SEAL of THE OWNERS – STRATA PLAN NO 3254 was affixed on 13th July 2015 in the presence of:

Signature(s)

Name(s): INGER BRETTE



being the person(s) authorised under Section 238 of the *Strata Schemes Management Act, 1996 (NSW)* to attest the affixing of the seal.

ANNEXURE "A" TO CHANGE OF BY-LAWS

THE OWNERS – STRATA PLAN NO 3254

- (g) reference to any statute includes all regulations and amendments to that statute and any statute passed in substitution for that statute or incorporating any of its provisions to the extent that they are incorporated;
- (h) any terms in this by-law which are not defined will have the same meaning as those defined in Act or the *Strata Schemes (Freehold Development) Act, 1973* (NSW) respectively;
- (i) if any one or more of the provisions contained in this by-law shall be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions of this by-law will not be affected or impaired thereby and the invalid, illegal or unenforceable provision(s) shall be deemed severed or modified to the extent which is necessary to make the remainder of the provisions of this by-law enforceable;
- (j) if there is any inconsistency between any by-laws applicable to the Strata Scheme and this by-law, the provisions of this by-law shall prevail to the extent of the inconsistency;
- (k) where a specific number of a Lot is identified, reference is made to that specific Lot and corresponding Owner in the Strata Scheme; and
- (l) reference to Works includes, where relevant, any ancillary equipment (including transformers), fittings, conduits and other componentry of the Works whatsoever and any obligation under this by-law in respect of the Works applies to such ancillary equipment, fittings, conduits and componentry.

3. Grant of special privileges

Subject to the Owner's compliance with the Conditions, the Owner shall have the special privilege in respect of the common property to carry out and to keep the Works carried out by the Owner. For clarity, the Owner has the special privilege and the responsibility to repair and maintain (and, if necessary, replace) the Works and any affected common property.

4. Conditions

4.1 Before commencement of the Works

Before commencing the Works, the Owner shall, at its own cost:

- (a) **(give consent)** give its written consent to the making of this by-law and to the repair and maintenance responsibilities imposed or conferred by this by-law in terms of the document attached at **Annexure "A"**;
- (b) **(approvals from Authorities)** obtain all necessary approvals/consents/permits from any Authority and provide a copy to the Owners Corporation;
- (c) **(Insurances)** effect and maintain Insurances and provide a certificate of currency for the duration of the Works to the Owners Corporation;

THE COMMON SEAL of THE OWNERS – STRATA PLAN NO 3254 was affixed on 13th July 2015 in the presence of:

Signature(s)

Name(s): **INGER BRETTE**



being the person(s) authorised under Section 238 of the *Strata Schemes Management Act, 1996* (NSW) to attest the affixing of the seal.

ANNEXURE "A" TO CHANGE OF BY-LAWS

THE OWNERS – STRATA PLAN NO 3254

- (d) **(notification)** notify the Owners Corporation in writing at least ten (10) days before he/she commences the Works and give notice to all occupiers at the Strata Scheme of the dates and times of its intended Works approved under this by-law; and
- (e) **(Owners Corporation's costs)** pay the Owners Corporation's reasonable costs in preparing, considering, making and registering this by-law (including legal and strata management costs).

4.2 Compliant Works

The Works must:

- (a) **(no nuisance)** not cause any nuisance or other disturbance to an Owner or occupier of another lot in the Strata Scheme (including the Lot) and take all reasonable daily measures to inhibit the transmission of noise to another lot and neighbouring properties;
- (b) **(sound-rating etc)** without derogating from the generality of the foregoing, have acoustic insulation to ensure that no nuisance is caused to any other Owner or occupier of the Strata Scheme or neighbouring property; and
- (c) **(Authority's requirements)** have any approval, certification or other requisite documentation of any Authority and the Owner must strictly comply with the requirements, conditions and restrictions of any such approval, certification or other requisite documentation.

4.3 Installation, repairs & maintenance

The Owner, when carrying out or effecting the Works, shall:

- (a) ensure the Works are carried out to "best practice" standards;
- (b) use duly licensed and insured employees, contractors and/or agents;
- (c) ensure compliance with the requirements of any Authority and/or the Owners Corporation;
- (d) ensure compliance with the current Australian Building Codes and Standards and WH & S Law;
- (e) ensure they are conducted expeditiously with a minimum of disruption;
- (f) ensure they are conducted in a proper and workmanlike manner;
- (g) effect and maintain the Insurances;
- (h) preserve the structural, fire and waterproofing integrity of the Building and provide certification as to same if requested by the Owners Corporation;
- (i) protect all affected areas of the Building from damage;
- (j) not store any items on or otherwise use any area of the common property except as may be permitted by this by-law or in writing by the Owners Corporation;

THE COMMON SEAL of THE OWNERS – STRATA PLAN NO 3254 was affixed on 13th July 2015 in the presence of:

Signature(s)

Name(s): INGER BRETTELE



being the person(s) authorised under Section 238 of the *Strata Schemes Management Act, 1996* (NSW) to attest the affixing of the seal.

ANNEXURE "A" TO CHANGE OF BY-LAWS

THE OWNERS – STRATA PLAN NO 3254

- (k) ensure that the Works are carried out between the hours of 8:00am and 4:00pm, Mondays – Fridays (public holidays excepted); and
- (l) be responsible for the Owner's employees, contractors and/or agents compliance with the requirements of this by-law.

4.4 Access

The Owner shall provide to the Owners Corporation or its nominated representative(s) and any Authority access to inspect the Lot within twenty-four (24) hours of any request from time to time to assess compliance with this by-law and/or for the purposes of carrying out repair, maintenance, certification or registration of the common property that may adjoin the Works.

4.5 Owner liable & Ownership

- (a) The Owner remains liable for any loss or damage to any lot or common property (including the Lot) arising howsoever out of or in connection with the Works including their use.
- (b) The Works remain the property of the Owner exclusively serviced by them. For the avoidance of doubt, the Owner shall be responsible to effect and maintain proper insurances in respect of its property.

4.6 Indemnity

The Owner indemnifies and shall keep indemnified and save harmless the Owners Corporation against any Claims whatsoever and whether in respect of property or personal injury or death arising out of or in connection with the Works or their use, maintenance, repair or replacement or the requirements of any Authority for or in respect of them;

5. Breach of this by-law

If the Owner breaches any term or condition of this by-law or if the Works contravene the requirements of any Authority, the Owners Corporation may, without prejudice to its other rights and remedies enter upon the Lot and have any necessary work carried out and recover the cost of such work from the Owner (such costs to bear simple interest at an annual rate of 10% if unpaid within one (1) month of demand by the Owners Corporation) and recover as a debt those costs together with any interest payable and the expenses of the Owners Corporation incurred in recovering those amounts.

THE COMMON SEAL of THE OWNERS – STRATA PLAN NO 3254 was affixed on 13th July 2015 in the presence of:

Signature(s)

Name(s): INGER BRETTE



being the person(s) authorised under Section 238 of the *Strata Schemes Management Act, 1996* (NSW) to attest the affixing of the seal.

**ANNEXURE "A" TO CHANGE OF BY-LAWS
THE OWNERS – STRATA PLAN NO 3254**

6. Applicability

This by-law binds and enures to the benefit of any and all future owners of the Lot.

**Annexure "A"
FORM OF CONSENT**

The Registrar General
Land & Property Management Authority
Land & Property Information
1 Prince Albert Road
SYDNEY NSW 2000

Dear Registrar

**SPECIAL BY-LAW NO 61 | BY-LAW FOR WORKS (LOT 43)
STRATA SCHEME SP3254
94-96 Alison Road, RANDWICK NSW 2031
CONSENT PURSUANT TO SECTIONS 52 & 65A(4) of the *Strata Schemes Management Act, 1996 (NSW)***

I, **LEE EMMANUEL DELIS**, the Owner of Lot 43/SP3254 hereby consent to the making of Special By-law No 61 proposed to be made at the annual/extraordinary general meeting on2015 or at any adjournment of that meeting and the conferring or imposition on me of the ongoing responsibility to repair and maintain my proposed works for the installation of engineered timber flooring and sound reduction acoustic system to my lot as more particularly described and on the specific terms and conditions set out in Special By-law No 61.

I also undertake to pay all the costs of the Owners Corporation including reasonable professional fees required to properly consider or approve the proposal including legal and strata management fees and the professional costs and registration fees incurred to register the By-law.

Dated:

.....
Signature of **LEE EMMANUEL DELIS** Owner of Lot 43

Cc: *The Secretary
The Owners – Strata Plan No 3254
c/- Premium Strata*

THE COMMON SEAL of THE OWNERS – STRATA PLAN NO 3254 was affixed on 13th July 2015 in the presence of:

Signature(s)

Name(s): **INGER BRETTE**



being the person(s) authorised under Section 238 of the *Strata Schemes Management Act, 1996 (NSW)* to attest the affixing of the seal.

**ANNEXURE "A" TO CHANGE OF BY-LAWS
THE OWNERS – STRATA PLAN NO 3254**

The Registrar General
Land & Property Management Authority
Land & Property Information
1 Prince Albert Road
SYDNEY NSW 2000

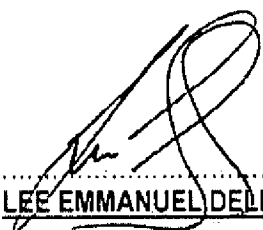
Dear Registrar

**SPECIAL BY-LAW NO 61 | BY-LAW FOR WORKS (LOT 43)
STRATA SCHEME SP3254
94-96 Alison Road, RANDWICK NSW 2031
CONSENT PURSUANT TO SECTIONS 52 & 65A(4) of the *Strata Schemes Management Act, 1996 (NSW)***

I, **LEE EMMANUEL DELIS**, the Owner of Lot 43/SP3254 hereby consent to the making of Special By-law No 61 proposed to be made at the annual/extraordinary general meeting on~~TBA~~.....2015 or at any adjournment of that meeting and the conferring or imposition on me of the ongoing responsibility to repair and maintain my proposed works for the installation of engineered timber flooring and sound reduction acoustic system to my lot as more particularly described and on the specific terms and conditions set out in Special By-law No 61.

I also undertake to pay all the costs of the Owners Corporation including reasonable professional fees required to properly consider or approve the proposal including legal and strata management fees and the professional costs and registration fees incurred to register the By-law.

Dated:



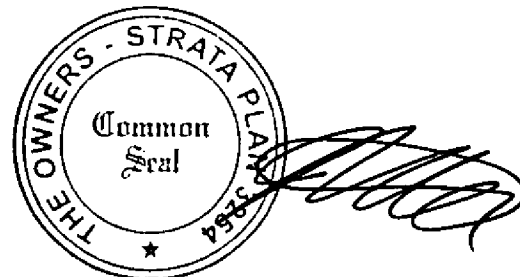
.....
Signature of **LEE EMMANUEL DELIS** Owner of Lot 43

*The Secretary
The Owners – Strata Plan No 3254
c/- Premium Strata*

**THE COMMON SEAL of THE OWNERS – STRATA PLAN NO 3254 was
affixed on 13th July 2015 in the presence of:**

Signature(s)

Name(s): **INGER BRETTE**



being the person(s) authorised under Section 238 of the *Strata Schemes Management Act, 1996 (NSW)* to attest the affixing of the seal.

**ANNEXURE "A" TO CHANGE OF BY-LAWS
THE OWNERS – STRATA PLAN NO 3254**

SPECIAL BY-LAW NO 62 Enforcement Action

RESOLVED to decide by Special Resolution, pursuant to Section 47 of the Strata Schemes Management Act 1996, the Owners Corporation should pass a By-law in the following form:-
Definitions;

In this by-law, the following terms are defined to mean:

"Commencement date" means 1 January 2015;

"Enforcement action" includes but is not limited to taking action under Section 45 of the Act;

"Covering" means any flooring system other than a flooring system in a bathroom in respect of which a waterproofing certificate has been provided to the Owners Corporation;

"Works" include all works which are not "Excluded works" and require the approval of the Owners Corporation;

"Excluded Works" are:-

1. Any work which affects the structural integrity of the Milepost.
2. Any work which was required to be carried out by a licensed tradesperson and was not.
3. Any work connected or concerned with the placing of any covering on the floor of a lot.
4. Any work which imposes any additional costs on the Owners Corporation to implement the Window Replacement Plan.
5. Any work which could render fire services compliance certification invalid.
6. Any work which did not comply with the Building Code of Australia at the time it was carried out.

The Owners Corporation agrees not to take any enforcement action in respect of the absence or otherwise of any approval or by-law for any works carried out prior to the commencement date.

SPECIAL BY-LAW NO 63 Flooring Systems

RESOLVED to decide by Special Resolution, pursuant to Section 47 of the Strata Schemes Management Act 1996, the Owners Corporation should pass a By-Law in the following form:-

Special By-Law Flooring

Definitions

"Acoustic Consultant" means an appropriately qualified acoustic engineer/consultant who is a member of or eligible for membership of the Association of Australian Acoustical Consultants;

"the Act" means the Strata Schemes Management Act 1996

"Lot" means a lot in Strata Plan No. 3254.

"Owner" has the same meaning as defined in the Act.

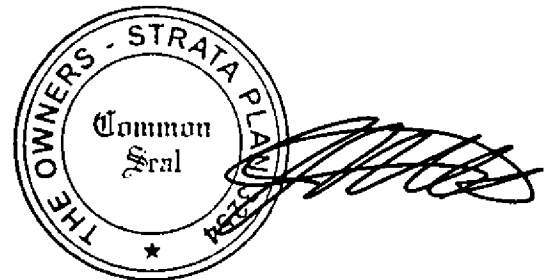
Headings are included for convenience only and do not affect the meaning of the clauses to which they can relate.

Without limiting an Owner's obligation to comply with the Act and all other by-laws, this By-Law does not apply to a flooring system in a laundry, kitchen, bathroom or balcony of a Lot.

THE COMMON SEAL of THE OWNERS – STRATA PLAN NO 3254 was affixed on 13th July 2015 in the presence of:

Signature(s)

Name(s): **INGER BRETTE**



being the person(s) authorised under Section 238 of the *Strata Schemes Management Act, 1996* (NSW) to attest the affixing of the seal.

**ANNEXURE "A" TO CHANGE OF BY-LAWS
THE OWNERS – STRATA PLAN NO 3254**

RIGHTS

Subject to the requirements of the Act and this By-Law, an owner may replace the flooring system within their Lot.

CONDITIONS

- A. Before installing a flooring system, other than good quality carpet over heavy duty underlay in a Lot, the relevant Owner must:
1. Obtain the prior written approval of the Owners Corporation and
 2. Provide proof to the Owners Corporation (by way of plans, specifications, scope of works or any other document/s considered necessary by the Owners Corporation) that the flooring system including insulation will not be attached or affixed to common property in any way that would constitute a significant alteration of the common property.
- B. The application to the Owners Corporation must be made prior to commencement of any work in connection with removal of existing flooring or installation of a new flooring system and must:
1. Include the material required by Condition A 2
 2. Establish that the performance level of impact isolation between floors to be achieved by the flooring system is at a level not greater than LnTw 50 calculated according to the requirements of ISO 16283-1:2014
 3. Include a certificate of acoustic performance of all critical elements of the proposed flooring system which establishes that the installed flooring system will satisfy Condition B 2;
 4. Include a report by an Acoustic Consultant on the results of impact noise testing conducted on a representative sample of the proposed flooring system on top of the bare concrete floor of the subject area of the Lot;
- C. During the installation of an approved flooring system, the relevant Owner at their cost must obtain written certification from an Acoustic Consultant:
1. Stating he or she has inspected the proposed sound-proofing material whilst being installed in the Lot; and
 2. Certifying that the sound-proofing material as inspected is being installed in a manner that will meet the sound proofing specifications and the requirements contemplated in this By-Law once the flooring system installation is complete;
- and the owner shall produce that certification to the Owners Corporation within 60 days of completion of the installation of the sound-proofing material
- D. If there is a complaint regarding noise transmission through the floor of a Lot, the Owners Corporation may and shall if there are two or more complainants from the different Lots require the Owner of the Lot to provide within three months of the request a certificate addressed to the Owners Corporation from an Acoustic Consultant certifying that the flooring system in that Owners Lot has been tested and the flooring system meets the standards required by Condition B 2. Failure to provide

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ANNEXURE "A" TO CHANGE OF BY-LAWS

THE OWNERS – STRATA PLAN NO 3254

the certificate under the terms of this condition shall be conclusive proof that the flooring system does not meet the standards required by Condition B 2.

- E. If the certificate requested pursuant to Condition D. does not state that the flooring system meets the standard required by Condition B 2. Or if the certificate is not provided within 3 months of the request then the Owner of the subject Lot in which the flooring system is installed acknowledges and agrees that the Owners Corporation:-
 - 1. Has the authority to require, at the relevant Lot Owners cost, that the flooring system be replaced with good quality carpet over heavy duty underlay within 3 months of notification to do so; and
 - 2. May grant the Owner addition time up to a maximum of 3 months to achieve certifiable compliance with Condition B2; and
 - 3. Is authorised to enter the subject Lot on reasonable notice and if necessary more than on one occasion to ensure compliance with the By-Law

- F. Without limiting its legal rights, the Owners Corporation is not entitled to require the flooring system to be replaced with good quality and heavy duty underlay pursuant to Condition E 1 if it is satisfied:
 - 1. That the Owner of the subject Lot in which the flooring stem is installed has made reasonable efforts to gain access to the Lot or Lots beneath or adjacent to it for testing purposes; and
 - 2. That the required certification has been delayed because the Owner or occupier of the Lot or Lots beneath or adjacent to the subject Lot in which the flooring system is installed have refused access to their Lot for the purpose of testing.

- G. The Owners Corporation shall:
 - 1. Consider applications for proposed flooring systems only where the application complies with the requirements of the By-Law; and
 - 2. Deal promptly with a complying application

GENERAL

If the Owners Corporation approves a flooring system it must not unreasonably withhold approval from the relevant Owner to adjust the height of the Lot's entry fire door from its base, in order to accommodate the installation of the approved sound proofing material. In any such application, the Owners Corporation must be provided with evidence from the Mileposts fire safety certifiers or other authorised person confirming that the fire safety requirements are not compromised by the adjusted height of the Lot's entry fire door.

REMEDY

If any Owner fails to comply with any obligation under this By-Law such a breach shall be deemed to be an "emergency" within the meaning of Section 65 of the Act. The Owners Corporation may recover any costs incurred as a result of ensuring compliance with this By-Law from the respective Owner as a debt, due and payable at the Owners Corporation direction and as a contribution pursuant to section 80(1) of the Act.

THE COMMON SEAL of THE OWNERS – STRATA PLAN NO 3254 was affixed on 13th July 2015 in the presence of:

Signature(s)

Name(s): **INGER BRETTE**



being the person(s) authorised under Section 238 of the *Strata Schemes Management Act, 1996* (NSW) to attest the affixing of the seal.

**ANNEXURE "A" TO CHANGE OF BY-LAWS
THE OWNERS – STRATA PLAN NO 3254**

**SPECIAL BY-LAW NO 64 - GRANTING OF EXCLUSIVE USE AND SPECIAL PRIVILEGES
TO LOT 37 IN RELATION TO ALTERATION TO COMMON PROPERTY CAUSED BY
RENOVATIONS TO THE KITCHEN AND LIVING ROOM OF LOT 37**

The Owners - Strata Plan No. 3254 SPECIALLY RESOLVED pursuant to Section 52 of the Strata Schemes Management Act 1996 to make an additional by-law in the following terms:

1.1 Preamble

This by-law is made pursuant to section 52 of the Strata Schemes Management Act 1996. The effect of the by-law is to grant the Owner of Lot 37 exclusive use and special privileges in respect of the common property to perform work, to the floor of the kitchen and living room of Lot 37 subject to the conditions specified in this by-law.

1.2 DEFINITIONS

In this bylaw, the following terms are defined to mean:

"Approval" means any approval the Owner is required to obtain for the Works from any relevant statutory bodies, including Council.

"Council" means the state or local government body or planning authority with authority to determine applications under the Environmental Planning & Assessment Act 1979;

"Lot" means a lot in the strata scheme.

"Owner" means the respective owner of lot 37..

1.3 RIGHTS

Subject to the conditions in paragraph 1.4, the Owner is given special privileges to remove all floor coverings, cupboards and supplementary plumbing from the kitchen and living room of Lot 37. The Owner is further authorised to install floating floor boards and install cupboards in the kitchen area and affix such floor coverings and cupboards in a workmanlike manner to the common property.

1.4 OWNERS' OBLIGATIONS

1. (Conditions required before the renovated commence) Before commencing the renovation Works, the Owner must provide the Owners Corporation with:

a) A copy of any requisite approval of Council, including all drawings, specifications, conditions and notes.

b) A copy of any requisite construction certificate for the works, under Part 4A of the Environmental Planning and Assessment Act 1979.

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Signature(s)

Name(s): INGER BRETTELE



being the person(s) authorised under Section 238 of the *Strata Schemes Management Act, 1996* (NSW) to attest the affixing of the seal.

ANNEXURE "A" TO CHANGE OF BY-LAWS

THE OWNERS – STRATA PLAN NO 3254

- c) A copy of any requisite certificate of insurance relating to the performance of the works under Section 92(2) of the Home Building Act 1989.
- d) A Certificate of Currency for the duration of, and for a period of no less than 12 months following completion of, the Works, of Contractors' All Risks insurance cover taken out with a reputable insurer (incorporating cover against public risk in respect of claims for death, injury, accident and damage occurring in the course of or by reason of the Works), to which the Owners Corporation is named as an insured party.

2. (Performing the renovations) In carrying out the Works, the Owner undertakes that the Owner will, and the Owner must ensure that the Contractor also undertakes to the Owners Corporation that it will:-

- a) Comply with all conditions and requirements of any requisite approval of Council;
- b) Comply with the terms of approval given by the Owners Corporation under this by-law.
- c) Comply with the Building Code of Australia and relevant Australian Standards.
- d) Maintain the structural integrity, the integrity of waterproofing and the integrity of fire safety of the building.

1.5 DAMAGE CAUSED BY RENOVATIONS

The Owner must repair promptly any damage caused or contributed to by the renovations , including damage to the property of the Owners Corporation and the property of the owner or occupier of another lot in the strata scheme.

1.6 REQUIREMENTS FOLLOWING COMPLETION

After completion of the Works, the Owner must provide the Owners Corporation with a copy of any requisite compliance certificate for the Works under Part 4A of the Environmental Planning & Assessment Act 1979.

1.7 LIABILITY AND INDEMNITY

- 1. The Owner will be liable for any damage caused to any part of the common property as a result of the undertaking, erection or attachment of the Renovation Works and will make good that damage immediately after it has occurred.
- 2. The Owner must indemnify the Owners Corporation for all of the costs of considering and making this by-law or obtaining further certification of the Renovation Works incurred by the Owners Corporation (including legal costs) and will pay those amounts to the Owners Corporation when requested or otherwise directed by it.
- 3. The Owner must indemnify the Owners Corporation against any loss or damage the Owners Corporation suffers as a result of the performance, maintenance or replacement of the Renovation Works including liability under section 65(6) of the Act in respect of any property of the Owner.

THE COMMON SEAL of THE OWNERS – STRATA PLAN NO 3254 was affixed on 13th July 2015 in the presence of:

Signature(s)

Name(s): **INGER BRETTE**



being the person(s) authorised under Section 238 of the *Strata Schemes Management Act, 1996* (NSW) to attest the affixing of the seal.

**ANNEXURE "A" TO CHANGE OF BY-LAWS
THE OWNERS - STRATA PLAN NO 3254**

1.8 RIGHT TO REMEDY DEFAULT

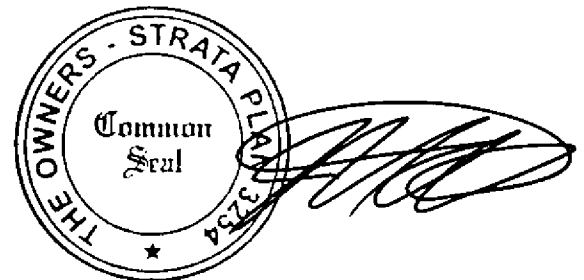
If the Owner fails to comply with any obligation under this by-law, THEN the Owners Corporation may:

- A. carry out all work necessary to perform that obligation;
- B. enter upon any part of the parcel to carry out that work;
- C. recover the additional costs of carrying out that work from the defaulting Owner as a debt.

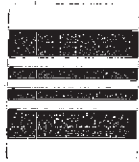
**THE COMMON SEAL of THE OWNERS - STRATA PLAN NO 3254 was
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Name(s): **INGER BRETTELE**



being the person(s) authorised under Section 238 of the *Strata Schemes Management Act, 1996* (NSW) to attest the affixing of the seal.



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STRATA TITLES ACT, 1973

NOTIFICATION OF CHANGE OF BY-LAWS

FOR RECORDING ON VOLUME 9511 FOLIO 4 OF THE REGISTER

Sheet 1 of 2 Sheets

In pursuance of the Strata Titles Act, 1973 (Clause 15 of Schedule 4) the Proprietors - Strata Plan No. 3254 hereby certifies that by a majority resolution duly passed on the 21st January, 1975 it changed its by-laws as follows:-

By adding the undermentioned by-law

28. The Proprietors for the time being of each lot shall have the right to the exclusive use and enjoyment of that part of the common property as corresponds to the Lot Number as shown on the Schedule hereto and as identified on the plan lodged with Change of By-Law No. L24624 and now filed with Strata Plan 3254 for the purpose of parking a motor vehicle or boat:

SCHEDULE

<u>Lot</u>	<u>Designator on Plan</u>
1	37
2	39
3	33
4	16
5	43
6	13
7	11
8	46
9	25
10	7
11	6
12	19
13	12
14	40
15	5
16	38
18	4
19	28
20	2
21	31
22	42
23	22
24	41
25	29
26	27
27	32
28	3
29	48
30	21
31	20
32	8
33	17
34	34
35	23
36	36

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STRATA TITLES ACT, 1973

NOTIFICATION OF CHANGE OF BY-LAWS

FOR RECCRDIING ON VOLUME 8511 FOLIO 4 OF THE REGISTER

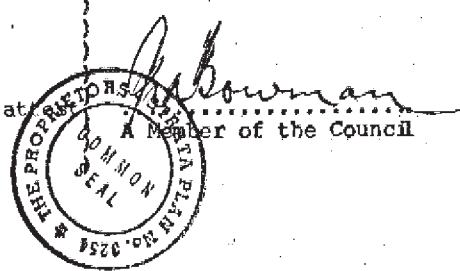
Sheet 2 of 2 Sheets

37	9 & 10
38	47
39	30
40	15
41	18
42	26
43	44
44	1
45	24
46	45
47	35
48	14

This By-Law shall not be added to, amended or repealed except by the unanimous resolution of the Body Corporate which has the written consent of every proprietor of any lot affected.

THE COMMON SEAL of THE PROPRIETORS -

STRATA PLAN 3254 was hereunto affixed on 31/11/75 in the presence of the Secretary and a Member of the Council being the persons authorised by Section 55 of the Strata Titles Act, 1973 to at the affixing of the seal.



J. Bowman
.....
Secretary