

STRATA PLAN 76418

Attention is directed to the strata scheme by-laws filed with the strata plan.

Registered dealings

DEALING NO.	DATE OF MEETING	BY LAW NO.	DESCRIPTION
AD208161	14 June 2007	Repeal 5 Add 5	Floor Surface
AH685910	13 Sept 2011	Repeal 19 Special 1	Air-conditioning apparatus Maintenance of air-conditioning

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

CHANGE OF BY-L
New South Wales
Real Property Act 1901



AD208161P

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorise: by this form for the establishment and maintenance of the Real Property Act Register. Section 30B 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/SP76418

(B) **LODGED BY**

Document Collection Box 1W	Name, Address or DX and Telephone Dynamic Property Services DX 11643 SYDNEY DOWNTOWN Reference: _____	CODE CB
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(C) The Owners-Strata Plan No. 76418 certify that pursuant to a resolution passed on 14 June 2007 and in accordance with the provisions of section No. 47 of the Strata Schemes Management Act 1996

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

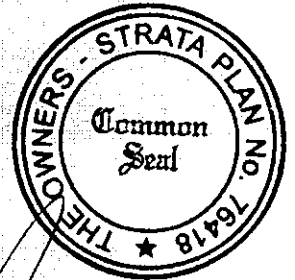
(E) Repealed by-law No. By-Law 5
Added by-law No. By-Law 5
Amended by-law No. NOT APPLICABLE

as fully set out below:

See Annexure
By-Law 5

The Common Seal of the Owners S.P.76418 was hereunto affixed on 21 June 2007 in the presence of Dynamic Property Services P/L being the person(s) authorised by Section 238 of the Strata Schemes Management Act, to attest the affixing of the seal.

SIGNED by DYNAMIC PROPERTY SERVICES PTY LTD (ABN 67 002 006 760) by its attorney LISA BRANSON duly appointed by Power of Attorney dated 4 May 2005 and who hereby states that she has not received any notice of the revocation of such Power of Attorney. (Registered Book 4457 Number 484)



(F) The common seal of the Owners-Strata Plan No. 76418 was affixed on 21 June 2007 in the presence of—

Signature(s): [Signature]

Name(s): Mary McAviney Level 5, 162 Goulburn St SYDNEY NSW 2010

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

STRATA PLAN 76418

REPEAL BY-LAW 5

SPECIALLY RESOLVED that the Owners-Strata Plan No. 76418 pursuant to section 47 of the Strata Schemes Management Act 1996 to repeal by-law 5 of the strata schemes by-laws filed with the Strata Plan.

BY-LAW 5

FLOOR SURFACE

SPECIALLY RESOLVED that the Owners – Strata Plan No. 76418 pursuant to section 47 of the *Strata Schemes Management Act 1996* to make the following new by-law 5 on the following terms:

PART 1

DEFINITIONS & INTERPRETATION

1. In this by-law, unless the context otherwise requires or permits:
 - (a) **Hard Impact Floor Surface** means parquetry, tiles, floating floors, or the like.
 - (b) **Lot** means any lot in Strata Plan 76418.
 - (c) **Owner** means the owner of the Lot.
 - (d) **Owners Corporation** means the owners corporation created by the registration of Strata Plan registration no. 76418.

2. In this by-law, unless the context otherwise requires, a word which denotes:
 - (a) the singular includes plural and vice versa;
 - (b) any gender includes the other genders;
 - (c) any terms in the by-law will have the same meaning as those defined in the Strata Schemes Management Act 1996; and
 - (d) references to legislation includes references to amending and replacing legislation.

3. Where a term of this by-law contradicts the strata schemes by-laws filed with the Strata Plan (which apply to the scheme) then this by-law will prevail to the extent of that contradiction.

PART 2

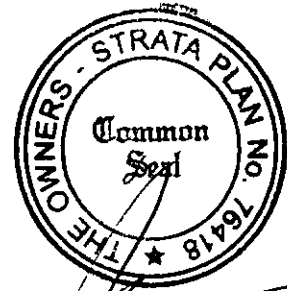
CONDITIONS

1. An Owner or Occupier 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.

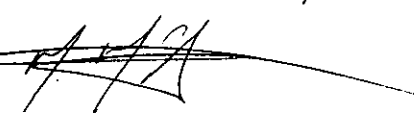
2. Clause 2.1 does not apply to a floor of a laundry, lavatory, kitchen or bathroom (as these floors are common property).

3. An Owner or Occupier is prohibited from installing any Hard Impact Floor Surface within their Lot or attached to the common property.

The Common Seal of the Owners S.P. 76418 was hereunto affixed on 21 June 2007 in the presence of Dynamic Property Services P/L being the person(s) authorised by Section 238 of the Strata Schemes Management Act, to attest the affixing of the seal.



SIGNED by DYNAMIC PROPERTY SERVICES PTY LTD (ABN 67 002 006 760) by its attorney LISA BRANSON duly appointed by Power of Attorney dated 4 May 2005 and who hereby states that she has not received any notice of the revocation of such Power of Attorney. (Registered Book 4457 Number 484)

Signature of witness: 

Name(s): Mary McAviney, Level 5, 162 Goulburn St, Sydney NSW 2010



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

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

AH685910G

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 76418	
(B) LODGED BY	Document Collection Box 1W	Name, Address or DX and Telephone Dynamic Property Services DX 11643 SYDNEY DOWNTOWN Ph: 02 9267 6334 Reference: Lisa Branson
		CODE CB

(C) The Owners-Strata Plan No. 76418 certify that pursuant to a resolution passed on 13 September 2011 and in accordance with the provisions of section No. 47 and 52 of the Strata Schemes Management Act 1996

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

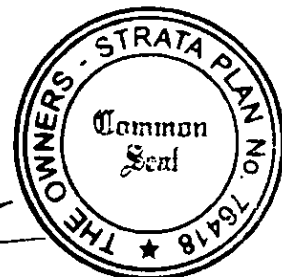
(E) Repealed by-law No. By-law 19
 Added by-law No. Special By-law 1

~~Amended by-law No.~~
 as fully set out below:

SEE ANNEXURE

The Common Seal of the Owners S.P.76418 was hereunto affixed on 19 April 2013 in the presence of Dynamic Property Services P/L being the person(s) authorised by Section 238 of the Strata Schemes Management Act, to attest the affixing of the seal.

SIGNED by DYNAMIC PROPERTY SERVICES PTY LTD (ABN 67 002 006 760) by its attorney LISA BRANSON duly appointed by Power of Attorney dated 11 April 2011 and who hereby states that she has not received any notice of the revocation of such Power of Attorney.
 (Registered Book 4611 Number 45)



[Handwritten signature]

(F) The common seal of the Owners-Strata Plan No. 76418 was affixed on 19 April 2013 in the presence of—

Signature(s):
 (of witness)

[Handwritten signature]

Name(s): Margaret Curtin Level 5, 162 Goulburn St SYDNEY NSW 2010

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

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

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

Signature of authorised officer:

Name of authorised officer:

Position of authorised officer:

STRATA PLAN 76418
ANNEXURE

REPEAL BY-LAW 19 – AIR-CONDITIONING APPARATUS:

Specially resolved that subject to the proceeding motion being passed, The Owners – Strata Plan No. 76418 pursuant to section 52 of the Strata Schemes Management Act 1996 repeal existing by-law 19 (Air Conditioning Apparatus).

SPECIAL BY-LAW NO. 1 - MAINTENANCE OF AIR-CONDITIONING:

Specially resolved that subject to the preceding motion being passed, The Owners – Strata Plan No. 76418 pursuant to section 47 and section 65A of the *Strata Schemes Management Act 1996* add to the common property and make a by-law on the following terms:

SPECIAL BY-LAW NO. 1 Maintenance of Air-Conditioning

PART 1

POWERS AND DUTIES

1.1 The Owners Corporation will have the following powers and duties:

- The power to provide Air-Conditioning Services at the cost of the Owners Corporation to a Lot by entering into an agreement with the Owner for the provision of repairs, replacement and maintenance of a Lot as contemplated by section 111 of the *Strata Schemes Management Act 1996* (NSW).
- The power to enter a Lot to install, repair, replace or maintain the Air-Conditioning Services;
- The power to enter into arrangements with a Contractor to carry out the repairs, replacement and maintenance of a Lot; and
- The duty to keep the Air-Conditioning Services provided to a Lot in good and serviceable repair.

1.2 The purpose of this by-law is to:

- (a) transfer the obligations to arrange repair, replacement and maintenance of Air-Conditioning Services provided to any Lot in the strata scheme to the Owners Corporation; and
- (b) obligate the lot owners to reimburse the Owners Corporation for arranging the services contemplated by clause 1.2(a) as part of the general costs of the Owners Corporation.

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).
- (b) **Agreement** means the agreement between the Owner and the Owners Corporation contained in Part 3 of this by-law.

- (c) **Contractor** means a Contractor engaged by the Owners Corporation for Air-Conditioning Services pursuant to the Agreement.
- (d) **Lot** means a lot from time to time in strata plan 76418.
- (e) **Owner** means the Owner of the Lot.
- (f) **Owners Corporation** means the owners corporation created by the registration of strata plan registration no. 76418.
- (g) **Air-Conditioning Services** means the repairs, replacement and maintenance of all air-conditioning units exclusively servicing lots within the strata scheme.

2.2 In this by-law, unless the context otherwise requires, a word which denotes:

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

PART 3

AGREEMENT

3.1 This by-law serves as an agreement of the kind referred to in section 111 of the *Strata Schemes Management Act 1996* to provide and accept services on the terms and conditions contained in this by-law.

3.2 The Agreement shall have the following terms and conditions:

- (a) it is an agreement of the kind referred to in section 111 of the *Strata Schemes Management Act 1996* for the Owners Corporation to provide Air-Conditioning Services to the Owner,
- (b) the Agreement is for an unlimited term;
- (c) the Owners Corporation will repair and maintain the Air-Conditioning Services provided to the Lot in a state of good and serviceable repair;
- (d) the obligations for repair, maintenance and replacement of the Air-Conditioning Services are equivalent to the obligations imposed on the Owners Corporation under section 62 of the Act in respect of common property or personal property vested in the Owners Corporation;
- (e) the Owners Corporation will provide the Air-Conditioning Services under the Agreement at the cost of the Owner;
- (f) the Owners Corporation may enter into arrangements with a Contractor from time to time;
- (g) the Owner and/or the occupier of the Owner's Lot give consent to the Owners Corporation to enter the Owner's Lot to provide the Air-Conditioning Services;
- (h) the Owner shall reimburse the Owners Corporation for the costs of providing the Air-Conditioning Services; and



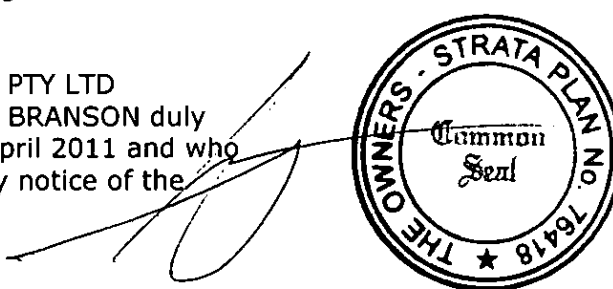
- (i) the Owners Corporation indemnifies the Owner for any losses or damage that a Lot Owner may suffer as a result of the carrying out of any repairs, replacement or maintenance of the Air-Conditioning Services contemplated under this by-law.

3.3 Where an Owner enters into an Agreement under this by-law, the Owner agrees to reimburse the Owners Corporation for the costs in providing the Air-Conditioning Services to the Lot and shall pay such costs within 7 days on receipt of an invoice.

3.4 If an Owner fails to comply with any obligation under clause 3.3 of this by-law, the Owners Corporation may recover any costs from the Owner as a debt due.

The Common Seal of the Owners - **The Owners--Strata Plan 76418**
was hereunto affixed on 19 April 2013 in the presence of
Dynamic Property Services Pty Ltd being the person(s) authorised
by section 238 of the *Strata Schemes Management Act 1996*
to attest the fixing of the seal.

SIGNED by DYNAMIC PROPERTY SERVICES PTY LTD
(ABN 62 002 006 760) by its attorney LISA BRANSON duly
appointed by Power of Attorney dated 11 April 2011 and who
hereby states that she has not received any notice of the
revocation of such Power of Attorney.
(Registered Book 4611 Number 45)



Signature of witness: *M. Curtin*

Name(s): Margaret Curtin, Level 5, 162 Goulburn St, Sydney NSW 2010