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



**AF451066X**

**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/SP81718
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(B) **LOGGED BY**

Document Collection Box  w	Name, Address or DX and Telephone Dynamic Property Services DX 11643 SYDNEY DOWNTOWN	CODE  <b>CB</b>
	Reference:	

(C) The Owners-Strata Plan No. 81718 certify that pursuant to a resolution passed on 25 February 2010 and in accordance with the provisions of section No. 52 of the Strata Schemes Management Act 1996

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

(E) Repealed by-law No. NOT APPLICABLE

Added by-law No. By-Law 53

Amended by-law No. NOT APPLICABLE

as fully set out below:

By-Law 53 - COMMON PROPERTY WORKS  
See Annexure

The Common Seal of the Owners S.P. 81718 was hereunto affixed on 22 April 2010 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 RACHEL WATSON duly appointed by Power of Attorney dated 20 July 2009 and who hereby states that she has not received any notice of the revocation of such Power of Attorney. (Registered Book 4573 Number 140)

(F) The common seal of the Owners-Strata Plan No. 81718 was affixed on 22 April 2010 in the presence of—

Signature(s):

Name(s): Jeffrey McWilliams Lvl 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 81718**

### **BY-LAW 53 – COMMON PROPERTY WORKS:**

**SPECIALLY RESOLVED** that the Owners – Strata Plan 81718 pursuant to s52 of the Strata Schemes Management Act 1996 (NSW) (**Act**) the following addition be made to the by-laws applying to the strata scheme and that notification of such be lodged for registration in accordance with s48 of the Act at the Land and Property Management Authority NSW.

"By-Law 53: Common Property Works

#### *53.1 In this by-law:*

Adjacent Common Property means that part of the common property of the strata plan which is affected by reason of the installation of the Common Property Works.

Common Property Works means installation of any or all of:

- (a) a canvas awning by attachment to that part of the Common Property being the pergola located on the balcony of a Lot;
- (b) a pergola covering by attachment to that part of the Common Property being the pergola located on the balcony of a Lot;
- (c) shutters by attachment to that part of the Common Property being identified in the Plans; and
- (d) louvers by attachment to that part of the Common Property being identified in the Plans.

Consent means the Owner's consent to this by-law in the form provided to the Owners Corporation at the meeting at which this by-law was approved;

Owner the owner of a Lot in the Scheme.

Plans means the plans and specifications detailing the location, nature and extent of the proposed Common Property Works together with details of the proposed contractor.

Works means the installation and all or any maintenance, repair, renewal or replacement of the Common Property Works.

- 53.2 An Owner has the special privilege to install the Common Property Works subject to the conditions contained in this by-law.
- 53.3 Prior to carrying out any Works, an Owner must submit the Plans to the executive committee for approval which approval, subject to by-law 53,4, will not be unreasonably withheld.
- 53.4 The executive committee may request further information and/or impose conditions on an Owner prior to or as a condition of providing approval under by-law 53.3.
- 53.5 An Owner of a Lot who installs Common Property Works in accordance with this by-law must:
  - (a) comply with any relevant Authority requirements relating to the installation of the Common Property Works.

- (b) ensure the Works are undertaken by an appropriately qualified and insured tradesman in accordance with any Authority approvals and requirements;
- (c) install the Common Property Works so as to cause minimum disturbance and inconvenience to other residents of the strata scheme;
- (d) be responsible for the proper maintenance, replacement and keeping in a state of good and serviceable repair the Common Property Works;
- (e) be responsible for the proper maintenance and keeping in a state of good and serviceable repair the Adjacent Common Property;
- (f) repair any damage to the common property or Adjacent Common Property caused by the Owner or the Owner's agents or contractors in the course of undertaking any obligations under this by-law;
- (g) keep the Owners Corporation indemnified against:
  - (i) any claims made against or expenses incurred by the Owners Corporation arising out of or caused by the Works, or the use or maintenance of the Common Property Works; and
  - (ii) any liability for damage to the Common Property Works caused by the Owners Corporation in undertaking any work referred to in s65 of the Act or in exercising the power of entry conferred by that section;
- (h) provide the Consent to the Owners Corporation.

53.6 If an Owner fails to carry out its obligations under this by-law, the Owners Corporation or its agents, employees or contractors may carry out any obligations and enter upon any part of the relevant Lot for that purpose at any reasonable time after giving notice to any owner or occupier of that relevant Lot and the costs of carrying out the obligations may be recovered from the Owner of the relevant Lot as a debt.

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SIGNED by DYNAMIC PROPERTY SERVICES PTY LTD (ABN 67 002 006 760) by its attorney RACHEL WATSON duly appointed by Power of Attorney dated 20 July 2009 and who hereby states that she has not received any notice of the revocation of such Power of Attorney. (Registered Book 4573 Number 140)



*R. Watson*

Signature of witness:

*[Handwritten signature]*

Name(s): Jeffrey McWilliams, Level 5, 162 Goulburn St, Sydney NSW 2010