

INSTRUCTIONS

1. This form may be used only when a "Box Type" form is not provided or is unsuitable. It may be completed in narrative style.
2. If insufficient space hereon Additional Sheet Form B1 should be used.
3. Additional Sheets shall be numbered consecutively and bound to this document by staples along the left margin prior to execution by the parties.
4. No alteration should be made by erasure. The words rejected should be scored through and those substituted typed or written above them, the alteration being initialled by the persons signing this document and their witnesses.

NOTES

1. Insert document type.
2. A separate attestation is required for every person signing this document. Each signature should be separately witnessed by an Adult Person. The address and occupation of the witness must be stated.

1798039
 23 Feb, 2004 11:46:03 Perth
 AE
 REG. \$ 77.00

LODGED BY **Angus Strata & Property Resources**

ADDRESS **119 Paramatta Rd Doubleview WA 6018**

9244 1912

PHONE No.

FAX No. **9244 4948**

REFERENCE No.

ISSUING BOX No. **999**

PREPARED BY **Angus Strata & Property Resources**

ADDRESS **119 Paramatta Rd Doubleview WA 6018**

9244 1912

PHONE No.

9244 4948

FAX No.

INSTRUCT IF ANY DOCUMENTS ARE TO ISSUE TO OTHER THAN LODGING PARTY

TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

1.	_____	Received Items
2.	_____	Nos.
3.	_____	
4.	_____	
5.	_____	Receiving Clerk
6.	_____	

Registered pursuant to the provisions of the TRANSFER OF LAND ACT 1893 as amended on the day and time shown above and particulars entered in the Register.

Change by Laws
R 3K 9/3

EXAMINED



FORM B2

WESTERN AUSTRALIA
TRANSFER OF LAND ACT 1893 AS AMENDED.

BLANK INSTRUMENT FORM

┌

┐

(Note 1)

└

┘

┌

┐

FORM 21

NOTIFICATION OF CHANGE OF BY-LAWS

STRATA TITLE ACT 1985 - SECTION 42

The Owners of 18 Town View Terrace Margaret River Strata Plan 44586 hereby certify that:

By **resolution without dissent** duly passed at a meeting of the strata company on 22 December 2003 and which became unconditional on 20 January 2004 the following by-laws as contained within Schedule 1 of the Strata Titles Act of 1985 and numbered 16 to 26 were adopted as follows:

16. Use of lots

A lot may be used only as a residence but may include use as a home office if first approved in writing by the strata company and with the written approval of the local authority.

17. Reserve fund

The strata company shall agree to implement and cause to be administered at the first annual general meeting of the strata company and thereafter at each and every general meeting, a reserve fund, in accordance with Section 36 (2) of the Strata Titles Act, for the purpose of accumulating funds to meet expenses other than those of a routine nature, but may decide at each annual general meeting on the amount of contributions as it sees fit.

18. Strata insurances

The strata company shall effect insurance cover for the reinstatement value of all building improvements, public liability in accordance with

└

┘

Section 53D(3) and any other risk it considers appropriate and shall continue to ensure such cover is in force at all times.

19. Exemption from certain administrative requirements

The strata company shall, at the discretion of the strata company, remain exempt from all or any of those administrative requirements as permitted under Section 36B of the Act. In particular, the strata company is exempted from the keeping of minutes and therefore the exemption from holding formal annual general meetings beyond the first annual general meeting of the strata company. Where a strata manager is appointed, a fund for administrative purposes may be established for the holding of sufficient monies to meet the insurance requirements of the scheme from time to time, gardening and other common property expenses as may be agreed. The strata company shall open a separate account to receive on-going contributions to a reserve fund.

20. Apportioning expenses for common property water use

Thirty percent of the total cost of water consumption as charged against lot 1 following reading of the meter by the Water Corporation from time to time shall be allocated to common property use and met by the strata company which shall refund such sum to the proprietor of lot 1 within fourteen days of payment of the account by the proprietor of lot 1.

21. Installation of air-conditioning units

A proprietor shall not install or, cause to be installed, any roof or other externally mounted air-conditioning unit or evaporative cooling system unless first the location, sound abatement measures and screening of the unit has been approved in writing by the strata company.

22. Antennae

No television, radio or other electronic antenna or device of any type shall be erected, constructed, placed or permitted to remain on any lot unless approved in writing by the strata company.

23. Painting of and finishes to buildings

A proprietor shall not paint, render or otherwise treat the exterior surfaces of a building in any other colour, surface material or finish including roofing material which differs from the colour, material or finish as originally completed or applied by the original proprietor without first the written approval of the strata company.

ADDITIONAL PAGE TO

Dated

A proprietor of a lot who wishes to install and erect a garage door to his open garage area whether manually or automatically controlled may only do so with the written approval of the strata company the proprietor having first submitted details as to the design, colour and materials of the proposed door to the strata company.

24. Keeping of pets

The strata company shall have the right and authority to give notice to any proprietor, tenant, or other occupier, requiring the removal of any animal or other pet which, at the sole discretion of the strata company is considered to be a nuisance and, failing compliance within 14 days of such notice, may apply to the Strata Titles Referee or any Court of competent jurisdiction to effect same.

25. Strata company to recover legal costs for debt collection

Any costs incurred by the strata company in the pursuit and recovery of monies owing by a proprietor for meeting the cost of the insurance premium or any maintenance or repair item of the common property, including interest chargeable in accordance with the Act and the Regulations of the Act, the cost of engaging a solicitor and debt collector including further any justifiable expenses of the strata manager outside of his normal duties as detailed in his agreement with the strata company shall be payable on demand and if necessary, recoverable as a debt in a Court of competent jurisdiction or by order of the Strata Titles Referee.

26. Strata company may make rules.

The strata company shall be entitled from time to time to make and prescribe rules and regulations relating to the use of the common property (not inconsistent with these by-laws), for the proper management of the survey-strata scheme or any improvement thereon and may display or circularise these rules within the areas to which they apply. Without limiting the generality of this clause the strata company may make regulations in regard to the following matters:

- (a) the use, safety and cleanliness of all parts of the common property and the conduct of the proprietors, other occupiers and their invitees.
- (b) the control of traffic and the parking of vehicles on such parts of the common property as shall be set aside for the same;
- (c) the removal of garbage and other rubbish;

- (d) the security of the strata scheme;
- (e) The keeping of pets and other animals.

27. Penalty

The strata company shall have the right to apply to the Referee to impose a specified sum by way of penalty on any of the proprietors who after notice in writing, continue to breach any by-laws of the Strata Company. Such penalty to be the amount specified within the regulations of the Act and shall include recovery of any costs associated with such application.

By **special resolution** duly passed at a meeting of the strata company on 22 December 2003 and which became unconditional on 20 January 2004 the following by-laws as contained within Schedule 2 of the Strata Titles Act of 1985 and numbered 1 to 14 were repealed and by-laws numbered 1 to 11 were adopted as follows:

1. Vehicles

A proprietor, occupier, or other resident of a lot shall only park or stand any motor or other vehicle upon common property where such parking is clearly marked to do so.

2. Obstruction of common property.

A proprietor, occupier, or other resident of a lot shall not obstruct lawful use of common property by any person.

3. Damage to gardens and lawns, etc., on common property.

Except with approval of the strata company, a proprietor, occupier, or other resident of a lot shall not-

- (a) remove any lawn, garden, trees shrub, plant or flower upon the common property; or
- (b) use any portion of the common property for his own purposes as a garden.

4. Behaviour of Proprietors and Occupiers

- (a) A proprietor, occupier, or other resident of a lot shall be appropriately clothed when upon common property and shall not use language or behave in a manner likely to

ADDITIONAL PAGE TO

Dated

cause offence or embarrassment to the proprietor, occupier, or other resident of another lot or to any person lawfully using common property.

- (b) A proprietor, occupier or other resident of a lot shall not make undue noise in or about any lot or the common property.

5. Children playing upon common property

A proprietor, occupier, or other resident of a lot shall not permit any child of whom he has control to play upon common property or, unless accompanied by an adult exercising effective control, to be or to remain upon common property comprising a laundry, car-parking area or other area of possible danger or hazard to children.

6. Drying of Laundry items

A proprietor, occupier, or other resident of a lot shall not hang any washing, towel, bedding, clothing or other article on any part of the parcel in such a way as to be visible outside the building from the street.

7. Display of signs, items.

A proprietor, occupier, or other resident of a lot shall not, except with consent in writing of the strata company, display any sign, advertisement, placard, banner or pamphlet of like matter on any part of his lot either external or internal to the building or on common property. In the case of a lot being marketed for sale, such approval shall not be unreasonably withheld.

8. Storage of flammable liquids, etc.

A proprietor, occupier, or other resident of a lot shall not, except with the approval in writing of the strata company, use or store upon the lot or upon the common property any flammable chemical, liquid or gas or other flammable material, other than any such chemical, liquid, gas or other material to be used for domestic purposes, or in a fuel tank of a motor vehicle or outboard engine or boat or internal combustion engine.

9. Garbage disposal.

A proprietor, occupier or other resident of a lot shall-

- (a) comply with all local government authority by-laws and ordinances relating to the disposal of garbage;

- (b) ensure that the health, hygiene and comfort of the proprietor, occupier or other visitor of any other lot are not adversely affected by his disposal of garbage;
- (c) not deposit or throw upon his lot or any other lot or the common property any rubbish, dirt, dust or other material likely to interfere with the peaceful enjoyment of the proprietor, occupier, or other resident of another lot or of any person lawfully using the common property.
- (d) Ensure that his rubbish receptacle is kept in a location within the respective lot which is not visible from outside the lot but is placed on the verge or that portion of the common property prior to the date for removal by the appropriate contractor but shall ensure that it is returned to the lot as soon as possible thereafter.

10. Additional duties of proprietors, occupiers, etc.

A proprietor, occupier or other resident shall not use the lot that he owns, occupies or resides in for any purpose that may be illegal or injurious to the reputation of the parcel.

11. Appearance of a lot.

A proprietor, occupier or other resident of a lot shall not, without the written consent of the strata company, maintain within the lot anything visible from outside the lot that, viewed from outside the lot, is not in keeping with rest of the scheme.

The Common Seal of the Owners
18 Town View Terrace Margaret River
Strata Plan 44586 was hereunto
affixed on 22 January 2004
in the presence of



A handwritten signature in black ink, appearing to be "A. H. H.", written over a horizontal line.

Authorised to sign on behalf of
HBM Initiatives Pty Ltd
ACN 100 130 710

A handwritten signature in black ink, appearing to be "L. H. H.", written over a horizontal line.

Council Members