

### Lodger Details

Lodger Code 503762  
Name KEMPS PETERSONS LEGAL PTY LTD  
Address PO BOX K372  
HAYMARKET 1240  
Lodger Box 1W  
Email KAVITA.PRASAD@KPLG.COM.AU  
Reference 187357 - FOR -

Land Registry Document Identification

AR16817

STAMP DUTY:

### Consolidation/Change of By-laws

**Jurisdiction** NEW SOUTH WALES

### Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

Land Title Reference	Part Land Affected?	Land Description
CP/SP76752	N	

### Owners Corporation

THE OWNERS - STRATA PLAN NO. SP76752  
Other legal entity

### Meeting Date

07/11/2020

### Repealed by-law No.

**Details** NOT APPLICABLE

### Amended by-law No.

**Details** NOT APPLICABLE

### Added by-law No.

**Details** SPECIAL BY-LAW 2

### Terms and Conditions

The subscriber requests the Registrar-General to make any necessary recording in the Register to give effect to this instrument, in respect of the land or interest described above.

### Attachment

**See attached** Conditions and Provisions

**See attached** Approved forms

### Execution

#### SIGNING FOR APPLICANT PARTY

The Certifier has taken reasonable steps to verify the identity of the applicant or his, her or its administrator or attorney.

The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.

The Certifier has retained the evidence supporting this Registry Instrument or Document.

The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

**Executed on behalf of** THE OWNERS - STRATA PLAN NO. SP76752  
**Signer Name** MICHELLE MONICA KUMAR  
**Signer Organisation** KEMPS PETERSONS LEGAL PTY LTD  
**Signer Role** PRACTITIONER CERTIFIER  
**Execution Date** 04/05/2021

## ANNEXURE A

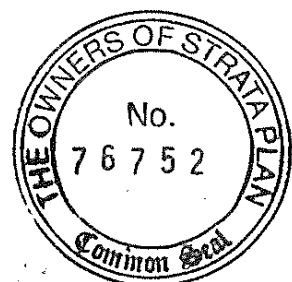
### STRATA PLAN 76752

### BY-LAWS

### THE SHORES APARTMENTS

39 HEAD STREET  
FORSTER NSW 2428

*Allday*



## **STRATA PLAN 76752**

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### **By-law 1 - Noise**

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

### **By-law 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 prior written approval of the owners corporation.

### **By-law 3 - Obstruction of common property**

An owner or occupier of a lot must not obstruct lawful use of common property by any person except on a temporary and non-recurring basis.

### **By-law 4 - Damage to lawns and plants on common property**

An owner or occupier of a lot must not, except with the prior written approval of the owners corporation:

(a) damage any lawn, garden, tree, shrub, plant or flower being part of or situated on common property, or

(b) use for his or her own purposes as a garden any portion of the common property.

### **By-law 5 - Damage to common property**

(1) An owner or occupier of a lot must not mark, paint, drive nails or screws or the like into, or otherwise damage or deface, any structure that forms part of the common property except with the prior written approval of the owners corporation.

(2) An approval given by the owners corporation under clause (1) cannot authorise any additions to the common property.

(3) This by-law does not prevent an owner or person authorised by an owner from installing:

(a) any locking or other safety device for protection of the owner's lot against intruders or to improve safety within the owner's lot, or

(b) any screen or other device to prevent entry of animals or insects on the lot, or

(c) any structure or device to prevent harm to children, or

(d) any device used to affix decorative items to the internal surfaces of walls in the owner's lot.

(4) Any such locking or safety device, screen, other device or structure must be installed in a competent and proper manner and must have an appearance, after it has been installed, in keeping with the appearance of the rest of the building.

(5) Despite section 62 of the Act, the owner of a lot must:

(a) maintain and keep in a state of good and serviceable repair any installation or structure referred to in clause (3) that forms part of the common property and that services the lot, and

(b) repair any damage caused to any part of the common property by the installation or removal of any locking or safety device, screen, other device or structure referred to in clause (3) that forms part of the common property and that services the lot.

### **By-law 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.

### **By-law 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.

### **By-law 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.

### **By-law 9 - Depositing rubbish and other material on common property**

An owner or occupier of a lot must not deposit or throw on the common property any rubbish, dirt, dust or other material or discarded item except with the prior written approval of the owners corporation.

### **By-law 10 - Drying of laundry items**

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

### **By-law 11 - Cleaning windows and doors**

(1) Except in the circumstances referred to in clause (2), an owner or occupier of a lot is responsible for cleaning all interior and exterior surfaces of glass in windows and doors on the boundary of the lot, including so much as is common property.

(2) The owners corporation is responsible for cleaning regularly all exterior surfaces of glass in windows and doors that cannot be accessed by the owner or occupier of the lot safely or at all.

### **By-law 12 - Storage of inflammable liquids and other substances and materials**

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

(2) This by-law does not apply to chemicals, liquids, gases or other material used or intended to be used for domestic purposes, or any chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

### **By-law 13 - Changes to floor coverings and surfaces**

(1) An owner or occupier of a lot must notify the owners corporation at least 21 days before changing any of the floor coverings or surfaces of the lot if the change is likely to result in an increase in noise transmitted from that lot to any other lot. The notice must specify the type of the proposed floor covering or surface.

(2) This by-law does not affect any requirement under any law to obtain a consent to, approval for or any other authorisation for the changing of the floor covering or surface concerned.

#### **By-law 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.

#### **By-law 15 - Garbage disposal**

(1) An owner or occupier of a lot in a strata scheme that does not have shared receptacles for garbage, recyclable material or waste:

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

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

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

(d) when the garbage, recyclable material or waste has been collected, must promptly return the receptacles to the lot or other area referred to in paragraph (a), and

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

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

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

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

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

(3) An owner or occupier of a lot must:

(a) comply with the local council's requirements for the storage, handling and collection of garbage, waste and recyclable material, and

(b) notify the local council of any loss of, or damage to, receptacles provided by the local council for garbage, recyclable material or waste.

(4) The owners corporation may post signs on the common property with instructions on the handling of garbage, waste and recyclable material that are consistent with the local council's requirements.

#### **By-law 16 - Keeping of animals**

Subject to Section 49, an owner or occupier of a residential lot must not keep any animal on the lot or the common property.

#### **By-law 17 - Appearance of lot**

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

(2) This by-law does not apply to the hanging of any washing, towel, bedding, clothing or other article as referred to in by-law 10.

#### **By-law 18 - Change in use of lot to be notified**

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

#### **By-law 19 - Provision of amenities or services**

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

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

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

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

#### **By-law 20 - Compliance with planning and other requirements**

(1) The owner or occupier of a lot must ensure that the lot is not used for any purpose that is prohibited by law.

(2) The owner or occupier of a lot must ensure that the lot is not occupied by more persons than are allowed by law to occupy the lot.

### **Special by-law no. 1 – Air conditioning units**

(1) All air conditioning units installed prior to the registration of this By-Law shall be the responsibility of the Owner of the lot in which the air-conditioning unit is installed and that all repairs, maintenance and replacement of the air-conditioning units shall be at the cost of that Owner.

(2) All air conditioning units installed after the registration date of this By-Law shall be installed in accordance with the following:

- a. Consent must be given in writing from the Owners Corporation or Executive Committee.
- b. Any air conditioning unit so approved must be installed wholly within the lot in a workmanlike manner by suitably qualified and licensed trades people at the cost of the registered proprietor and in this regard the owners corporation shall have the power from time to time to adopt air conditioning specifications in relation to the installation of air conditioning units.
- c. That the cost of ongoing maintenance and replacement of the system be the responsibility of the proprietor of the lot current and future.
- d. That any building problem resulting from the installation be the responsibility of the proprietor of the lot current and future and that the owners corporation be authorised to take steps to carry out all work necessary to perform this obligation if that proprietor fails to comply with this By-Law.
- e. That the noise level be properly and regularly maintained so as not to exceed the manufacturers specifications or council requirements.
- f. That the condensed water be captured and drained into the drainage system.

### **Special by-law no. 2 – Lot 21 (unit 802) past works**

#### **Introduction**

This by-law gives the owner of the lot special privileges to carry out and retain works on the lot and common property and exclusive use and enjoyment of the common property occupied by the works on certain conditions.

#### **Definitions**

In this by-law:

"Lot" means Lot 21

"Owner" means the owner for the time being of the lot (being the current owner and all successors)

"Plans" means the plans attached to this by-law

"Works" means the alterations and additions to the lot and the adjacent common property described in the plans generally being the refurbishment of the main bathroom, ensuite, bathroom and laundry.

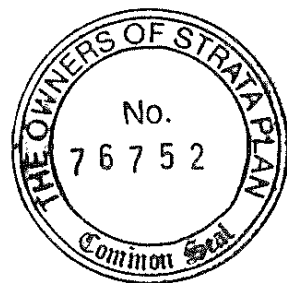


## Works Authorisation, Special Privileges and Exclusive Use Rights

The Owners Corporation:

1. Authorises the works
2. Confers on the owner special privileges in respect of the common property to be occupied by the works to permit the works to remain on that common property, and
3. Grants the owner a right of exclusive use and enjoyment of the common property to be occupied by the works.

The seal of The Owners – Strata Plan No. 76752  
was affixed on 21 April 2021  
in the presence of the following person(s) authorised by  
section 273 Strata Schemes Management Act 2015  
to attest the affixing of the seal.



Signature: 

Name: Matilda Halliday

Authority: Licensed Strata Managing Agent

BCS Strata Management P/L

Form: 15CH  
Release: 2-1

**CONSOLIDATION/  
CHANGE OF BY-LAWS**

Leave this space clear. Affix additional  
pages to the top left-hand corner.

New South Wales

Strata Schemes Management Act 2015

Real Property Act 1900

**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 76752		
(B) LODGED BY	Document Collection Box 6508C	Name, Address or DX, Telephone, and Customer Account Number if any LLPN:136319 KEMPS PETERSON LEGAL PTY LTD DX 11553 SYDNEY DOWNTOWN (02) 8216 0443 registrations@kplg.com.au Reference: FILE NO: 187357 - FOR	CODE  <b>CH</b>

- (C) The Owners-Strata Plan No. 76752 certify that a special resolution was passed on 07/11/2020
- (D) pursuant to the requirements of section 141 of the Strata Schemes Management Act 2015, by which the by-laws were changed as follows—
- (E) Repealed by-law No. NOT APPLICABLE  
Added by-law No. SPECIAL BY-LAW 2  
Amended by-law No. NOT APPLICABLE

as fully set out below:

See annexure

- (F) A consolidated list of by-laws affecting the above mentioned strata scheme and incorporating the change referred to at Note (E) is annexed hereto and marked as Annexure A
- (G) The seal of The Owners-Strata Plan No. 76752 was affixed on 21/04/2021 in the presence of the following person(s) authorised by section 273 Strata Schemes Management Act 2015 to attest the affixing of the seal:

Signature: 

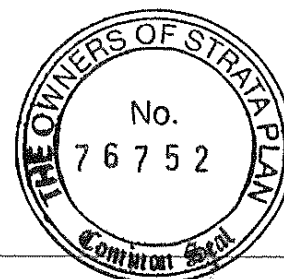
Name: MATILDA HALLIDAY

Authority: Licensed Strata Managing Agent  
BCS Strata Management P/L

Signature:

Name:

Authority:



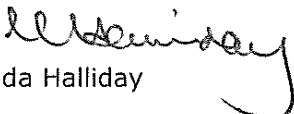
ALL HANDWRITING MUST BE IN BLOCK CAPITALS.

1705

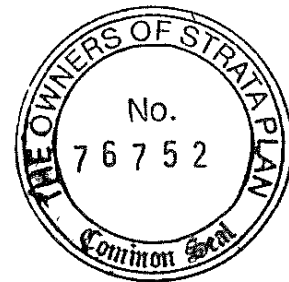
### Approved Form 23

#### Attestation

The common seal of the Owners – Strata Plan No 76752 was affixed on 21 April 2021 in the presence of the following person(s) authorised by section 273 *Strata Schemes Management Act 2015* to attest the affixing of the seal.

Signature:   
Name: Matilda Halliday

Authority: Licensed Strata Managing Agent  
BCS Strata Management Pty Ltd



**Approved Form 10**  
**Certificate re Initial Period**

The owners corporation certifies that in respect of the strata scheme:

that the initial period has expired.

~~the original proprietor owns all of the lots in the strata scheme and any purchaser under an exchanged contract for the purchase of a lot in the scheme has consented to any plan or dealing being lodged with this certificate.~~

The seal of The Owners – Strata Plan No. 76752  
was affixed on 21 April 2021  
in the presence of the following person(s) authorised by  
section 273 Strata Schemes Management Act 2015  
to attest the affixing of the seal.

Signature: 

Name: Matilda Halliday  
Authority: Licensed Strata Managing Agent  
BCS Strata Management P/L

