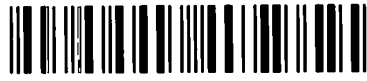




**OFFICE USE ONLY**

**P226977 SB**

25 Jul 2022 08:30:00 Midland



**[SB] Scheme By-laws – First Consolidation**

Lodged by:<sup>13</sup> Allan Green – ALCA Southern Strata

Address: PO Box 243 Como 6952

Phone Number: 08 93134646

Fax Number: strata@alcastrata.com

Reference Number: \_\_\_\_\_

Issuing Box Number: \_\_\_\_\_

Instruct if any documents are to issue to other than Lodging Party

---

Prepared by: Shane White – Strata Title Consult Pty Ltd

Address: PO Box 453 Maylands 6931

Phone Number: 0439724090

Fax Number: Shane.white@stratatitleconsult.com.au

Reference Number: \_\_\_\_\_

Titles, Leases, Evidence, Declarations etc. lodged herewith

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_

**OFFICE USE ONLY**

Landgate Officer

Number of Items Received: 11

Landgate Officer Initial: [Signature]

<sup>13</sup> Lodging Party Name may differ from Applicant Name.

Please note: As stated in the *Strata Titles Act 1985* (Act) section 59 the Registrar of Titles is not obliged to examine scheme by-laws lodged for registration for compliance with the Act, it must not be presumed that because the Registrar of Titles has registered scheme by-laws, the by-laws are valid or enforceable and the State does not guarantee the validity or enforceability of scheme by-laws.







2. No Common Seal

Signed for and on behalf of the Owners of<sup>9</sup> 40 Conochie Crescent Strata Scheme 25668  
in accordance with authority conferred under section 118 of the *Strata Titles Act 1985*<sup>10</sup>.

Member of Council /  Strata Manager<sup>11</sup>:

Member of Council /  Strata Manager<sup>11</sup>:

  
Signature  
IAN GEOFFREY LANE  
Full Name  
Council  
Delegation<sup>12</sup>  
Unit 3 Number 40  
Lot Number

  
Signature  
KERRY LEE HUNTER  
Full Name  
Council  
Delegation<sup>12</sup>  
unit 1 / 40  
Lot Number

21/06/2022

<sup>9</sup> To be completed as "[scheme name + scheme type + scheme number]" under s.14(2) of the Act, e.g. Pretty Ponds Survey-Strata Plan 12345.

<sup>10</sup> Under section 118(2) of the Act, the strata company may, by ordinary resolution, authorise any of the following to execute documents on its behalf subject to any conditions or limitations specified in the resolution:

- (a) a member of the council of the strata company; or
- (b) members of the council of the strata company acting jointly; or
- (c) a strata manager of the strata company.

<sup>11</sup> Select whichever is applicable.

<sup>12</sup> Expand to state whether "Authorised by [name of corporation] under s.136(2) of the Act", if applicable.

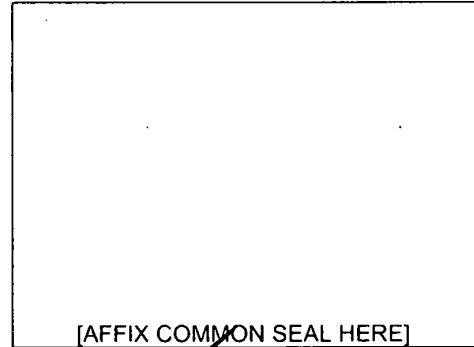


**Part 6 – Execution**

Date of Execution: 20/06/2022

1. Common Seal

The common seal of the Owners of  
40 Conochie Crescent Strata Scheme 25668  
is fixed to this document in accordance with section 118  
of the *Strata Titles Act 1985* in the presence of:



Member of Council:

Member of Council:

Signature

Signature

Full Name

Full Name

Delegation<sup>8</sup>

Delegation<sup>8</sup>

Lot Number

Lot Number

OR

<sup>7</sup> To be completed as “[scheme name + scheme type + scheme number]” under s.14(2) of the Act, e.g. Pretty Ponds Survey-Strata Plan 12345.

<sup>8</sup> Expand to state whether “Authorised by [name of corporation] under s.136(2) of the Act”, if applicable.

Please note: As stated in the *Strata Titles Act 1985* (Act) section 59 the Registrar of Titles is not obliged to examine scheme by-laws lodged for registration for compliance with the Act, it must not be presumed that because the Registrar of Titles has registered scheme by-laws, the by-laws are valid or enforceable and the State does not guarantee the validity or enforceability of scheme by-laws.





**Part 5 – Attachments**

- Consent Statement – Designated Interest<sup>6</sup> Holders for making / amendment / repeal of staged subdivision by-laws**
- Written consent of owner of each lot granted exclusive use (owners of special lots)
- Written consent of Western Australian Planning Commission or Local Government (as relevant) to amendment or repeal of any by-laws created in relation to a planning (scheme by-laws) condition

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<sup>6</sup> Refer to section 3(1) of the Act for the meaning of designated interest.

Please note: As stated in the *Strata Titles Act 1985* (Act) section 59 the Registrar of Titles is not obliged to examine scheme by-laws lodged for registration for compliance with the Act, it must not be presumed that because the Registrar of Titles has registered scheme by-laws, the by-laws are valid or enforceable and the State does not guarantee the validity or enforceability of scheme by-laws.



**Part 4 – By-laws of Significance**

The strata company acknowledges that the following Governance by-laws need consent from a party other than the strata company if they are to be made, amended or repealed. For more information about who these parties are, refer to the *Strata Titles Act 1985* and the *Strata Titles (General) Regulations 2019*:

By-law number(s)

**Staged subdivision by-laws<sup>3</sup>:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**By-law under planning (scheme by-laws) condition<sup>4</sup>:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Exclusive use by-laws<sup>5</sup>:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<sup>3</sup> Refer *Strata Titles Act 1985* section 42.  
<sup>4</sup> Refer *Strata Titles Act 1985* section 22.  
<sup>5</sup> Refer *Strata Titles Act 1985* section 43.

Please note: As stated in the *Strata Titles Act 1985* (Act) section 59 the Registrar of Titles is not obliged to examine scheme by-laws lodged for registration for compliance with the Act, it must not be presumed that because the Registrar of Titles has registered scheme by-laws, the by-laws are valid or enforceable and the State does not guarantee the validity or enforceability of scheme by-laws.





An owner of a lot must ensure that all floor space within the lot (other than that comprising kitchen, laundry, lavatory or bathroom) is covered or otherwise treated to an extent sufficient to prevent the transmission therefrom of noise likely to disturb the peaceful enjoyment of an owner or occupier of another lot.

**11. Garbage disposal**

An owner or occupier of a lot must —

- (a) maintain within their lot, or on such part of the common property as may be authorised by the strata company, in clean and dry condition and adequately covered, a receptacle for garbage;
- (b) comply with all local laws relating to the disposal of garbage;
- (c) ensure that the health, hygiene and comfort of an owner or occupier of any other lot is not adversely affected by their disposal of garbage.

**12. Additional duties of owners and occupiers**

An owner or occupier of a lot must not —

- (a) use the lot for a purpose that may be illegal or injurious to the reputation of the building; or
- (b) make undue noise in or about the lot or common property; or
- (c) REPEALED

**13. Notice of alteration to lot**

An owner of a lot must not alter or permit the alteration of the structure of the lot except as may be permitted and provided for under the Act and the by-laws and in any event must not alter the structure of the lot without giving to the strata company, not later than 14 days before commencement of the alteration, a written notice describing the proposed alteration.

**14. Appearance of lot**

An owner or occupier of a lot must 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 the rest of the building.

**15. Decoration of, and affixing items to, inner surface of lot**

An owner or occupier of a lot must not, without the written consent of the strata company, paint, wallpaper or otherwise decorate a structure which forms the inner surface of the boundary of the lot or affix locking devices, flyscreens, furnishings, furniture, carpets and other similar things to that surface, if that action will unreasonably damage the common property.

16. A proprietor, occupier or other resident shall not use any part of the property for degreasing or the changing of oil of any vehicle or for carrying out any, other than very minor repairs.



(d) not obstruct lawful use of common property by any person.

**3. Damage to lawns etc. on common property**

Except with the approval of the strata company, an owner or occupier of a lot must not —

- (a) damage any lawn, garden, tree, shrub, plant or flower on common property; or
- (b) use any portion of the common property for the owner's or occupier's own purposes as a garden.

**4. Behaviour of owners and occupiers**

An owner or occupier of a lot must be adequately clothed when on common property and must not use language or behave in a manner likely to cause offence or embarrassment to an owner or occupier of another lot or to any person lawfully using common property.

**5. Deleted by Strata Titles Amendment Act 2018**

**6. Depositing rubbish etc. on common property**

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

**7. Drying of laundry items and signage**

An owner or occupier of a lot must not, except with the consent in writing of the strata company —

- (a) 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 for a reasonable period on any lines provided by the strata company for the purpose; or
- (b) display any sign, advertisement, placard, banner, pamphlet or like matter on any part of their lot in such a way as to be visible from outside the building.

**8. Storage of inflammable liquids etc.**

An owner or occupier of a lot must not, except with the written approval of the strata company, use or store on the lot or on the common property any inflammable chemical, liquid or gas or other inflammable material, other than chemicals, liquids, gases or other materials used or intended to be used for domestic purposes, or any such chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

**9. Moving furniture etc. 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 that person has first given to the council sufficient notice of their intention to do so to enable the council to arrange for its nominee to be present at the time when that person does so.

**10. Floor coverings**



11-15. Deleted by Strata Titles Amendment Act 2018

#### 16. Recovery of Expenses

The Strata Company reserves the right to recover from any registered proprietor of any lot within the strata scheme any expenses e.g. debt collection agency fees, strata managing agents costs, solicitors fees etc associated with any contravention of The Strata Titles Act 2018 e.g. breach of By-Laws, debt recovery etc. These expenses shall be levied to the registered proprietor of the lot.

An owner is responsible for the cost of any insurance excess payable as the result of an insurance claim made against the strata company's insurer by the owner, including any claim whether such loss or damage occurs;

16.1 to any part of the building structure within their lot;

16.2 to any part of the common property structure surrounding the owner's lot;

16.3 to the fixtures and improvements of the owner of that lot; and

16.4 to any part of the common property or personal property of the strata company, other than common property referred to in by-law 16.2 where

16.4.1 the owner is directly responsible for the loss of, or damage to, that common property or personal property of the strata company; and

16.4.2 the insurance claim is made by the strata company.

16.5 The responsibility of the owner under by-law 16 extends to, but is not limited to, an insurance claim for damage, breakage or loss, whether accidental or otherwise, to:

16.5.1 glass (windows, doors, shower screens and mirrors); and

16.5.2 porcelain, vitreous china, or similar fixtures (such as vanity basins).

#### 17. Financial Year

The financial year for the strata company is the period of 12 months ending on 31 May.

### Conduct By-Laws

#### 1. Vehicles and parking

(1) An owner or occupier of a lot must take all reasonable steps to ensure that the owner's or occupier's visitors comply with the scheme by-laws relating to the parking of motor vehicles.

(2) 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 strata company.

#### 2. Use of common property

An owner or occupier of a lot must —

(a) use and enjoy the common property in such a manner as not unreasonably to interfere with the use and enjoyment of the common property by other owners or occupiers of lots or of their visitors; and

(b) not use the lot or permit it to be used in such manner or for such purpose as causes a nuisance to an occupier of another lot (whether an owner or not) or the family of such an occupier; and

(c) take all reasonable steps to ensure that the owner's or occupier's visitors do not behave in a manner likely to interfere with the peaceful enjoyment of an owner or occupier of another lot or of a person lawfully using common property; and



(3) A person appointed under sub-bylaw (2) may act until the end of the meeting for which the person was appointed to act.

#### 8. Meetings of council

(1) At meetings of the council, all matters must be determined by a simple majority vote.

(2) The council may —

(a) meet together for the conduct of business and adjourn and otherwise regulate its meetings as it thinks fit, but the council must meet when any member of the council gives to the other members not less than 7 days' notice of a meeting proposed by the member specifying in the notice the reason for calling the meeting; or

(b) employ or engage, on behalf of the strata company, any person as it thinks is necessary to provide any goods, amenity or service to the strata company; or

(c) subject to any restriction imposed or direction given at a general meeting of the strata company, delegate to 1 or more of its members such of its powers and duties as it thinks fit, and at any time revoke the delegation.

(3) A member of a council may appoint an owner of a lot, or an individual authorised under the Strata Titles Act 1985 section 136 by a corporation which is an owner of a lot, to act in the member's place as a member of the council at any meeting of the council.

(4) An owner of a lot or individual may be appointed under sub-bylaw (3) whether or not that person is a member of the council.

(5) If a person appointed under sub-bylaw (3) is a member of the council the person may, at any meeting of the council, separately vote in the person's capacity as a member and on behalf of the member in whose place the person has been appointed to act.

#### 9. Powers and duties of secretary of strata company

The powers and duties of the secretary of a strata company include —

(a) the preparation and distribution of minutes of meetings of the strata company and the submission of a motion for confirmation of the minutes of any meeting of the strata company at the next such meeting; and

(b) the giving on behalf of the strata company and of the council of the notices required to be given under the Act; and

(c) the supply of information on behalf of the strata company in accordance with the Strata Titles Act 1985 sections 108 and 109; and

(d) the answering of communications addressed to the strata company; and

(e) the calling of nominations of candidates for election as members of the council; and

(f) subject to the Strata Titles Act 1985 sections 127, 128, 129, 200(2)(f) and (g) the convening of meetings of the strata company and of the council.

#### 10. Powers and duties of treasurer of strata company

The powers and duties of the treasurer of a strata company include —

(a) the notifying of owners of lots of any contributions levied under the Strata Titles Act 1985; and

(b) the receipt, acknowledgment and banking of and the accounting for any money paid to the strata company; and

(c) the preparation of any certificate applied for under the Strata Titles Act 1985 section 110; and

(d) the keeping of the records of account referred to in the Strata Titles Act 1985 section 101 and the preparation of the statement of accounts referred to in the Strata Titles Act 1985 section 101.



form in respect of each lot in respect of which the person is entitled to vote for use as a ballot form.

(6) A person who is entitled to vote must complete a valid ballot form by —

(a) writing on the form the names of candidates, equal in number to the number of members of the council so that no name is repeated; and

(b) indicating on the form the number of each lot in respect of which the person's vote is cast and whether the person so votes as owner or first mortgagee of each such lot or as proxy of the owner or first mortgagee; and

(c) signing the ballot form; and

(d) returning it to the chairperson.

(7) The chairperson, or a person appointed by the chairperson, must count the votes recorded on valid ballot forms in favour of each candidate.

(8) Subject to sub-by-law (9), candidates, being equal in number to the number of members of the council determined in accordance with by-law 4(3), who receive the highest numbers (in terms of lots or unit entitlements as required under the Strata Titles Act 1985 section 122) of votes are to be declared elected to the council.

(9) If the number (in terms of lots or unit entitlements as required under the Strata Titles Act 1985 section 122) of votes recorded in favour of any candidate is the lowest of the numbers of votes referred to in sub-by-law (8) and —

(a) that number equals the number of votes recorded in favour of any other candidate; and

(b) if each of those candidates were to be declared elected the number of persons elected would exceed the number of persons required to be elected, as between those candidates, the election must be decided by a show of hands of those entitled to vote and present in person or by proxy.

#### 6. Chairperson, secretary and treasurer of council

(1) The members of a council must, at the first meeting of the council after they assume office as such members, appoint a chairperson, a secretary and a treasurer of the council.

(2) A person —

(a) must not be appointed to an office referred to in sub-by-law (1) unless the person is a member of the council; and

(b) may be appointed to 1 or more of those offices.

(3) A person appointed to an office referred to in sub-by-law (1) holds office until the first of the following events happens —

(a) the person ceases to be a member of the council under by-law 4(9);

(b) receipt by the strata company of a written notice of the person's resignation from that office;

(c) another person is appointed by the council to hold that office.

(3A) The remaining members of the council must appoint a member of the council to fill a vacancy in an office referred to in sub-by-law (1), other than a vacancy arising under by-law 4(9)(c) or (d), and any person so appointed holds office, subject to this by-law, for the balance of the predecessor's term of office.

(4) The chairperson is to preside at all meetings of the council but, if the chairperson is absent from, or is unwilling or unable to preside at, a meeting, the members of the council present at that meeting can appoint 1 of their number to preside at that meeting during the absence of the chairperson.

#### 7. Chairperson, secretary and treasurer of strata company

(1) Subject to sub-by-law (2), the chairperson, secretary and treasurer of the council are also respectively the chairperson, secretary and treasurer of the strata company.

(2) A strata company may at a general meeting authorise a person who is not an owner of a lot to act as the chairperson of the strata company for the purposes of that meeting.



special resolution remove any member of the council before the expiration of the member's term of office.

(9) A member of the council vacates office as a member of the council —

- (a) if the member dies or ceases to be an owner or co-owner of a lot; or
- (b) on receipt by the strata company of a written notice of the member's resignation from the office of member; or
- (c) at the conclusion of an annual general meeting of the strata company at which an election of members of the council takes place and at which the member is not elected or re-elected; or
- (d) in a case where the member is a member of the council by reason of there being not more than 3 owners of lots in the scheme, on an election of members of the council (as a result of there being an increase in the number of owners to more than 3) at which the member is not elected; or
- (e) if the member is removed from office under sub-by-law (8); or
- (f) if the Tribunal orders that the member's appointment is revoked and the member is removed from office.

(10) The remaining members of the council may appoint a person eligible for election to the council to fill a vacancy in the office of a member of the council, other than a vacancy arising under sub-by-law (9)(c) or (d), and any person so appointed holds office, subject to this by-law, for the balance of the predecessor's term of office.

(11) Except if 1 person is the owner of all of the lots in the scheme, a quorum of the council is 2 if the council consists of 3 or 4 members; 3, if it consists of 5 or 6 members; and 4, if it consists of 7 members.

(12) The continuing members of the council may act even if there is a vacancy in the council, but so long as the number of members is reduced below the number fixed by these by-laws as the quorum of the council, the continuing members or member of the council may act for the purpose of increasing the number of members of the council or convening a general meeting of the strata company, but for no other purpose.

(13) All acts done in good faith by the council, even if it is afterwards discovered that there was some defect in the appointment or continuance in office of any member of the council, are as valid as if that member had been duly appointed or had duly continued in office.

#### 5. Election of council at general meeting

The procedure for nomination and election of members of a council must be in accordance with the following rules —

- (1) The meeting must determine, in accordance with the requirements of by-law 4(3) the number of persons of whom the council is to consist.
- (2) The chairperson must call on those persons who are present at the meeting in person or by proxy and entitled to nominate candidates to nominate candidates for election to the council.
- (3) A nomination is ineffective unless supported by the consent of the nominee to the nomination, given —
  - (a) in writing, and furnished to the chairperson at the meeting; or
  - (b) orally by a nominee who is present at the meeting in person or by proxy.
- (4) When no further nominations are forthcoming, the chairperson —
  - (a) if the number of candidates equals the number of members of the council determined in accordance with the requirements of by-law 4(3), must declare those candidates to be elected as members of the council;
  - (b) if the number of candidates exceeds the number of members of the council as so determined, must direct that a ballot be held.
- (5) If a ballot is to be held, the chairperson must —
  - (a) announce the names of the candidates; and
  - (b) cause to be furnished to each person entitled to vote and present in person or by proxy, a blank



**Part 3 – Consolidated By-laws of Scheme Number: 25668**

**Governance By-Laws**

**1. Duties of owner**

(1) The owner of a lot must —

(a) immediately carry out all work that may be ordered under a written law in respect of the lot other than such work as may be for the benefit of the building generally and pay all rates, taxes, charges, outgoings and assessments that may be payable in respect of the lot;

(b) maintain and repair the lot, and keep it in a state of good condition, reasonable wear and tear, and damage by fire, storm, tempest or act of God excepted.

(1A) The owner of a lot must —

(a) notify in writing the strata company immediately on becoming the owner of the lot, including in the notice the owner's address for service for the purposes of this Act; and

(b) if required in writing by the strata company, notify the strata company of any mortgage or other dealing in connection with the lot, including in the case of a lease of a lot, the name of the lessee and the term of the lease.

**2. Deleted by Strata Titles Amendment Act 2018**

**3. Power of strata company regarding submeters REPEALED**

**4. Constitution of council**

(1) The powers and duties of the strata company must, subject to any restriction imposed or direction given at a general meeting, be exercised and performed by the council of the strata company and a meeting of the council at which a quorum is present is competent to exercise all or any of the authorities, functions or powers of the council.

(2) Until the first annual general meeting of the strata company, the owners of all the lots constitute the council.

(3) If there are not more than 3 lots in the scheme, the council consists of all of the owners of the lots and, if there are more than 3 lots in the scheme, the council consists of not less than 3 nor more than 7 of the owners of the lots, as is determined by the strata company.

(4) If there are more than 3 lots in the scheme, the members of the council must be elected at each annual general meeting of the strata company or, if the number of lots in the scheme increases to more than 3, at an extraordinary general meeting convened for the purpose.

(5) deleted by Amendment Act.

(6) If there are co-owners of a lot, 1 only of the co-owners is eligible to be, or to be elected to be, a member of the council and the co-owner who is so eligible must be nominated by the co-owners, but, if the co-owners fail to agree on a nominee, the co-owner who owns the largest share of the lot is the nominee or, if there is no co-owner who owns the largest share of the lot, the co-owner whose name appears first in the certificate of title for the lot is the nominee.

(7) deleted by Amendment Act.

(8) Except if the council consists of all the owners of lots in the scheme, the strata company may by



strata scheme any expenses e.g. debt collection agency fees, strata managing agents costs, solicitors fees etc associated with any contravention of The Strata Titles Act 2018 e.g. breach of By-Laws, debt recovery etc. These expenses shall be levied to the registered proprietor of the lot. An owner is responsible for the cost of any insurance excess payable as the result of an insurance claim made against the strata company's insurer by the owner, including any claim whether such loss or damage occurs;

- 16.1 to any part of the building structure within their lot;
- 16.2 to any part of the common property structure surrounding the owner's lot;
- 16.3 to the fixtures and improvements of the owner of that lot; and
- 16.4 to any part of the common property or personal property of the strata company, other than common property referred to in by-law 16.2 where
  - 16.4.1 the owner is directly responsible for the loss of, or damage to, that common property or personal property of the strata company; and
  - 16.4.2 the insurance claim is made by the strata company.
- 16.5 The responsibility of the owner under by-law 16 extends to, but is not limited to, an insurance claim for damage, breakage or loss, whether accidental or otherwise, to:
  - 16.5.1 glass (windows, doors, shower screens and mirrors); and
  - 16.5.2 porcelain, vitreous china, or similar fixtures (such as vanity basins).

17. Financial Year

The financial year for the strata company is the period of 12 months ending on 31 May.

and /  or<sup>2</sup>

By special resolution, the voting period for which opened on 20/6/2022 and closed on 18/6/2022 (and which must be registered within 3 months from closing date) the  additions/  amendments/  repeal<sup>2</sup> to the Conduct by-laws were made as detailed here.

The Former Schedule 2 by-laws are REPEALED

The New Schedule 2 Conduct by-laws are ADOPTED

The following Schedule 2 Conduct by-laws are AMENDED

12.(c)

(c) keep cats on the lot or the common property. One small dog per lot is allowed.

The following Schedule 2 Conduct by-laws are ADDED

16. A proprietor, occupier or other resident shall not use any part of the property for degreasing or the changing of oil of any vehicle or for carrying out any, other than very minor repairs.

The strata company further certifies that the consolidated by-laws provided in Part 3 are all the current by-laws for the scheme.

Please note: As stated in the *Strata Titles Act 1985* (Act) section 59 the Registrar of Titles is not obliged to examine scheme by-laws lodged for registration for compliance with the Act, it must not be presumed that because the Registrar of Titles has registered scheme by-laws, the by-laws are valid or enforceable and the State does not guarantee the validity or enforceability of scheme by-laws.



SB

# Scheme By-laws – First Consolidation

Strata Titles Act 1985  
Part 4 Division 4

Scheme Number: 25668

The Owners of 40 Conochie Crescent Strata Scheme 25668 (strata company):

## Part 1 – First Consolidation

In compliance with the *Strata Titles Act 1985* Section 56 and Schedule 5 clause 4 and the *Strata Titles (General) Regulations 2019* Regulation 180(2), applies to the Registrar of Titles to register an amendment to the strata titles scheme by registration of a consolidated set of scheme by-laws.

[Note that no resolution is required if the strata company is just reflecting the by-law changes set out in the legislation, classifying by-laws as governance or conduct, repealing invalid by-laws and then renumbering as required.]

## Part 2 – Application to Amend

In compliance with the *Strata Titles Act 1985* Section 56 and Schedule 5 clause 4 and the *Strata Titles (General) Regulations 2019* Regulation 180(1), applies to the Registrar of Titles to register an amendment to the strata titles scheme by amending the scheme by-laws and registering a consolidated set of scheme by-laws.

and certifies that:

By resolution without dissent, the voting period for which opened on 20/06/2022 and closed on 18/07/2022 (and which must be registered within 3 months from closing date) the  additions/  amendments/  repeal<sup>2</sup> to the Governance by-laws were made as detailed here.

The Former Schedule 1 by-laws are REPEALED

The New Schedule 1 Governance by-laws are ADOPTED

The following Schedule 1 Governance by-laws are REPEALED

3. Power of strata company regarding submeters

The following Schedule 1 Governance by-laws are ADDED

16. Recovery of Expenses

The Strata Company reserves the right to recover from any registered proprietor of any lot within the

<sup>1</sup> To be completed as “[scheme name + scheme type + scheme number]” under s.14(2) of the Act, e.g. Pretty Ponds Survey-Strata Plan 12345.

<sup>2</sup> Select one.

**Document Notes:**

IMPORTANT: THIS PAGE FORMS PART OF DOCUMENT [P226977] AND MAY CONTAIN REFERENCES TO AMENDMENTS OR CORRECTIONS TO THE DOCUMENT

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9/8/2022 07:07:04

Scheme By-Laws to show as the Owners of 40 Conochie Crescent Manning Strata Scheme 25668 on pages 1 and 13. See letter dated 8/8/2022 from Strata Title Consult Pty Ltd, filed in application P226977.



# Requisition Notice

Section 192 of the Transfer of Land Act

Your Ref: Scheme By-Laws SP25668  
Our Ref: P226977  
Enquiries: Pina  
Telephone: 9273 9841  
Facsimile: 9273 7673

8 August 2022

ALCA SOUTHERN STRATA  
PO BOX 243  
COMO, WA 6952

Facsimile:  
Email:  
Delivered by: Mail

Dear Sir/Madam

## Requisition Notice

Registration of the document(s) referenced cannot be affected until all requisitions listed below are complied with and the fee payable is received. A time limit of **21 days** applies from the date stated above after which all documents may be rejected.

It is generally not necessary to attend Landgate in person to make corrections to requisitioned documents however, if an appointment is necessary, please contact Landgate using the contact details above.

Doc. No	Description	Req. Fee
P226977	Please attend to the following issues:  1. Page 1 "The Owners of...." is showing the incorrect scheme name. Scheme By-Laws document is showing as "40 Conochie Crescent". Strata Plan 25668 is showing "40 Conochie Crescent Manning".  2. Page 13 No common seal is showing the incorrect scheme name. Scheme By-Laws document is showing as "40 Conochie Crescent". Strata Plan 25668 is showing "40 Conochie Crescent Manning".  Please provide a signed letter to amend.	93.80

Requisition Sub Total \$ 93.80  
Additional Fee \$ 0  
TOTAL FEE Payable \$ 93.80

Sincerely,

BRUCE ROBERTS  
REGISTRAR OF TITLES

### Requisitions may be attended to by:

1. Directly using the contact details provided above.
2. The lodging of evidence (by hand) at Landgate's Perth Business Office, QBE Building, 200 St. Georges Terrace, Perth.
3. Post to Landgate, Registrations, P O Box 2222, Midland WA 6936.
4. **For further information regarding this requisition notice please liaise with the Contact Person as shown above and/or refer to Landgate's Land Titles Registration Policy and Procedure Guides.**

Correspondence by representatives of parties to documents **must state** the capacity in which they act and confirm that they are duly authorised to do so. Amendment by letter is at the discretion of the Registrar of Titles. Unless these requisitions are complied with, the documents will be rejected. Documents may be withdrawn from registration, a withdrawal fee is applicable per document. Registration fees returnable in full or in part will be set-off against requisition and withdrawal fees. See payment options on page 2.

\*Proof of payment to be provided at time requisition satisfied by copy of receipted assessment .

## PAYMENT OPTIONS

**BY CREDIT CARD:** Any credit card payments to be made to our customer services team on 92737373

**IN PERSON:** Landgate, 1 Midland Square, Midland.  
or  
Perth Branch Office, QBE Building,  
200 St Georges Terrace, Perth.

**BY POST:** PO Box 2222, Midland WA 6936 or DX 88  
(Cheques or money orders to be made payable to Landgate.)

**BY FAX:** 9273 7673

**DEALING NO:** P226977      **CONTACT PERSON:** Pina

**YOUR REFERENCE:** Scheme By-Laws SP25668

**COMPLETE THIS SECTION IF PAYING BY EBIS ACCOUNT (BY FAX)**

EBIS Account Number

<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
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Western Australian Land Information  
Authority Office Use Only

Order No: \_\_\_\_\_

**EBIS Company Name:** .....

**Amount:**      **Fax Requisition Fee \$** \_\_\_\_\_      **Additional Fees \$** \_\_\_\_\_      **Total \$** \_\_\_\_\_

**I hereby authorise the Western Australian Land Information Authority to debit the above EBIS account:** .....  
(Signature of person authorising payment)

**Name of person authorising payment:** .....  
(Please Print Name)

**Contact Phone No:** .....



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**STRATA TITLE CONSULT PTY LTD**

ACN 162 391 237

STRATA TITLE CONSULT PTY LTD  
ATF QUICKWHIT TRUST  
ABN 67 825 046 001

DATE – 8 AUGUST 2022

To: [Pina.Martin@landgate.wa.gov.au](mailto:Pina.Martin@landgate.wa.gov.au)  
SENIOR REGISTRATION OFFICER

RE: P226977 for SP25668

Thankyou Pina for being so observant examining the document.

Please include the correct name of the Strata Scheme as “40 Conochie Crescent Manning” in Page 1 and Page 13 of the Consolidation Document P226977.

Regards

Shane White

THE INFORMATION EXPRESSED IN THE ATTACHED BRIEF IS AN OPINION AND SHOULD NOT BE RELIED UPON AS LEGAL ADVICE. LEGAL ADVICE SHOULD ONLY BE OBTAINED FROM A LEGAL PRACTITIONER.

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Shane White, Director  
Strata Title Consult Pty Ltd – Mob 0439 72 4090  
PO Box 453, Maylands WA 6931

email – [shane.white@stratatileconsult.com.au](mailto:shane.white@stratatileconsult.com.au) 1 of 1