

FORM B4

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| 0342274 <small>CF AE ONLY</small> |
| 11 Feb 2020 09:14:39 Midland |
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LODGED BY Richardson Strata Management Services

138 Burswood Road
ADDRESS Burswood WA 6100

PHONE No. 08 9472 1833

FAX No. 08 9355 5299

REFERENCE No.

ISSUING BOX No. 888V, Midland


PREPARED BY Richardson Strata Management Services

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ADDRESS Burswood WA 6100

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

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TITLES, LEASES, DECLARATIONS ETC LODGED HEREWITH

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| 1. _____ | Received Items |
| 2. _____ | Nos. 0 |
| 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.

EXAMINED


Landgate



NOTIFICATION

FORM 21

NOTIFICATION OF CHANGE OF BY-LAWS STRATA TITLES ACT 1985 SECTION 42

The Owners of Nicheliving Madeley Survey-Strata Plan 70632 hereby certifies that by Resolution Without Dissent duly passed at a meeting of the Strata Company on 11 December 2019 and which became unconditional on 08 January 2020 the by-laws in Schedule 1 to the Act as they apply to the strata company were repealed and added to as follows:

Schedule 1 By-law 38 is repealed and the following new Schedule 1 By-law 38 is inserted in its place:

38. SECTION 42B BY-LAW – GARDEN AREA

- (1) This by-law supplements existing schedule 1 by-laws 2.1.2 and 31.1.5 and is made, in part, to allow for better enforcement of the obligations in those by-laws in relation to Garden Areas.
- (2) In this by-law,
 - (a) **Garden Area** means those parts of a Lot intended for use as a garden, lawn or external feature but excluding a courtyard;
 - (b) **Garden Area Breach** means a breach of schedule 1 by-law 2.1.2 or schedule 1 by-law 31.1.5 by an owner in relation to a Garden Area;
 - (c) **Garden Area Breach Costs** means all reasonable costs charged to the strata company of and incidental to remedying a Garden Area Breach' and
 - (d) **Garden Area Breach Lot** means a lot the owner of which has committed a Garden Area breach.
- (3) The strata company must not incur any Garden Area Breach Costs in relation to a Garden Area Breach without first giving the owner of the Garden Area Breach Lot 14 days to remedy that breach.
- (4) The strata company must:
 - (a) not levy contributions regarding Garden Area Breach Costs incurred by it concerning a Garden Area Breach in accordance with unit entitlement, but in accordance with sub-by-law (3) and
 - (b) levy contributions regarding Garden Area Beach Costs incurred by it on the owner of the Garden Area Breach Lot concerned.
- (5) The council of the strata company is empowered to exercise the functions in relation to Garden Area Breach Costs currently in sections 36(1)(a), 36(1)(b) and 36(1)(c) of the *Act* and in sections 100(1)(a), 100(1)(b) and 100(1)(c) of the *Act* as amended by the *Strata Titles Amendment Act 2018* (WA) after those sections come into operation.

The common seal of The Owners of Nicheliving Madeley Survey-Strata Plan 70632 was hereunto affixed on...10 FEBRUARY 2020...in the presence of-

.....Signature
.....Print name
RN ✓ JOSHUA Lot 24

.....Signature
.....Print name
RN ✓ JOSHUA Lot 49

Members of the Council

