



Scheme By-laws

Strata Titles Act 1985 (STA)

Part 4 Division 4

Scheme Number: **8032**

Part 1 – Applicant

(a) For existing schemes:

The Owners of **201 Royal Street, Yokine Strata Scheme 8032** (strata company); or

(b) For new schemes:

The owner(s)² _____ of land the subject of the plan described as³

Part 2 – Select Option

☐ Option 1 – Voluntary Consolidation⁴

[This option is to be selected by schemes registered prior to 1/5/2020 that choose to lodge a consolidated set of by-laws updated solely to take account of changes to by-laws made by *Strata Titles Act 1985* Schedule 5 clause 4]

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), the Applicant applies to the Registrar of Titles for registration of an amendment to the strata titles scheme by registration of a consolidated set of scheme by-laws at Part 4.

☐ Option 2 – New Scheme

[This option is to be selected if this form is being lodged together with the **Application to register strata titles scheme** and the governance by-laws in Schedule 1 and conduct by-laws in Schedule 2 of the *Strata Titles Act 1985* are being added to, amended or repealed.]

The Applicant applies to the Registrar of Titles to have the consolidated set of scheme by-laws as set out in Part 4 registered with the **Application to register strata titles scheme** in respect of the above land.

☒ Option 3 – Application to Amend

[This option is to be selected by schemes registered under the *Strata Titles Act 1985* that are making additions, amendments or repeals to the existing scheme by-laws.]

In compliance with the *Strata Titles Act 1985* section 56 and *Strata Titles (General) Regulations 2019* regulation 56 and if *Strata Titles Act 1985* Schedule 5 clause 4 and the *Strata Titles (General) Regulations 2019* regulation 56 and 180(1) apply to the by-laws of the strata company, the

¹ To be completed as "[scheme name + scheme type + scheme number]" under s.14(2) of the Act, e.g. Pretty Ponds Survey-Strata Scheme 12345.

² Insert the full name(s) of the owners of land the subject of the plan as shown on the certificate of title.

³ Insert the description of parcel, e.g. Lot 1 on Deposited Plan 12345.

⁴ No resolution is required for by-law changes set out in the *Strata Titles Act 1985* Schedule 5 clause 4 and renumbering consequential on those changes.



Applicant applies to the Registrar of Titles for registration of an amendment to the strata titles scheme by amending the scheme by-laws at Part 3 and including a consolidated set of scheme by-laws at Part 4.

Part 3 – Application to Amend

[In this part specify additions, amendments and repeals of by-laws]

The Applicant certifies that:

By resolution without dissent, the voting period for which opened on **2/10/2025** and closed on **30/10/2025** (and which must be registered within 3 months after the closing date) the

☒ **additions**/ ☐ **amendments**/ ☐ **repeal**⁵ to the Governance by-laws were made as detailed here.

17. Costs Recovery

- (1) For the purposes of these by-laws:
 - (a) Act means the Strata Titles Act 1985.
 - (b) Costs include, without limitation:
 - (i) the strata manager's costs;
 - (ii) debt recovery costs;
 - (iii) legal costs and disbursements on a solicitor and own client indemnity basis;
 - (iv) costs of any consultants and experts;
 - (v) costs of any security guards or contractors engaged by the strata company to:
 - (A) respond to any breach of the by-laws or the Act; or
 - (B) attempt to prevent any further breaches of the by-laws or the Act; and
 - (vi) costs of any employees of and contractors to the strata company preparing for or being involved in the Legal Proceedings.
 - (c) Legal Proceedings include, without limitation:
 - (i) the issuing of a notice alleging a breach of the Act or by-laws that could lead to an application to the State Administrative Tribunal (SAT), a tribunal or any court;
 - (ii) an application to a court, or any other tribunal;

⁵ Select one.

- (I) to recover any amount of money owing to the strata company by an owner; or
 - (II) for any other matter;
 - (iii) an application to SAT for relief under the Act, which includes without limitation any order, interim order or declaration made by SAT; and
 - (iv) an application for leave to appeal to the Supreme Court or the Court of Appeal from an order of SAT or another court order and any further appeals related to that appeal.
- (2) An owner will indemnify the strata company and each of its employees, agents, contractors, sub-contractors and authorised representatives against any injury, harm, loss or damage suffered or incurred by them as a result of any breach of these by-laws or the Act by the owner or any of the occupiers of the owner's lot (Owner Indemnity).
- (3) Without limiting the Owner Indemnity, an owner (Specified Owner) will pay on demand the whole of the strata company's Costs incurred in relation to any or all of the following:
- (a) recovering outstanding contributions levied by the strata company on that Specified Owner pursuant to either or both section 43 or 100 of the Act;
 - (b) recovering any outstanding amounts otherwise owing from the Specified Owner to the strata company under either or both the Act or these by-laws;
 - (c) making good any damage to the common property or personal property of the strata company caused by:
 - (i) the Specified Owner or an occupier of the Specified Owner's lot;
 - (ii) an invitee of the Specified Owner; or
 - (iii) an invitee of the occupier of the Specified Owner's lot;
 - (d) remedying a breach of the by-laws or the Act committed by:
 - (i) the Specified Owner; or
 - (ii) an occupier of the Specified Owner's lot;
 - (e) rectifying any unauthorised works on common property undertaken as a result of an instruction or action of the Specified Owner or occupier of the Specified Owner's lot;
 - (f) all Legal Proceedings taken by the strata company against the Specified Owner or an occupier of the Specified Owner's lot;
 - (g) all Legal Proceedings taken by the Specified Owner against the strata company or in which the strata company becomes involved and the Specified Owner is not successful or is only partly successful in those Legal Proceedings; and

- (h) all Legal Proceedings taken by:
 - (i) an occupier of the Specified Owner's lot; or
 - (ii) a mortgagee of the Specified Owner's lot,against the strata company or in which the strata company becomes involved and that occupier or mortgagee (as the case may be) is not successful or is only partly successful in those Legal Proceedings.
- (4) The council of the strata company is empowered:
 - (a) to include the amount of the Costs in the amounts to be raised for the purposes of section 100(1)(a) of the Act; and
 - (b) raise the amount of the Costs by levying a contribution for those Costs solely on that Specified Owner in accordance with section 100(1)(c)(ii) of the Act.
- (5) The Costs are also recoverable by the strata company against the Specified Owner as a liquidated debt and the strata company may take action for the recovery of those amounts in any court of competent jurisdiction.

18. Insurance Excess

- (1) In this by-law:
 - (a) Act means the Strata Titles Act 1985 (WA).
 - (b) Lot means a lot within the strata scheme.
 - (c) Owner or Occupier have the meanings given to them in the Act.
 - (d) Strata Company means the strata company established on registration of the scheme.
- (2) An Owner (Designated Owner) is responsible for the cost of any insurance excess payable by the Strata Company in relation to or arising from any insurance claim made against the Strata Company's insurance policy (Excess Costs), where that insurance claim arises from any loss or damage to any:
 - (a) part of the building structure within that Designated Owner's Lot;
 - (b) part of the common property structure surrounding the Designated Owner's Lot (Adjacent Common Property);
 - (c) of the fixtures and improvements made to that Designated Owner's Lot; or
 - (d) part of the common property or personal property of the Strata Company, other than the Adjacent Common Property,

that was caused or contributed to by the Designated Owner, any Occupier of their Lot or any employee, agent, contractor, sub-contractor, licensee or invitees of the Designated Owner or the Occupier.

- (3) The responsibility to pay Excess Costs under this by-law includes, but is not limited to, any insurance claim for damage, breakage or loss, whether accidental or otherwise to:
 - (a) glass (including windows, doors, shower screens and mirrors); and
 - (b) porcelain, vitreous china, stone, granite, wood or similar fixtures (such as vanity basins, benchtops and flooring).
 - (c) any structure within or forming part of the Designated Owner's Lot
- (4) The council of the Strata Company is empowered and authorised in accordance with section 100(3) of the Act to:
 - (a) include the amount of the Excess Costs in the amounts to be raised for the purposes of section 100(1)(a) of the Act; and
 - (b) raise the amount of the Excess Costs by levying a contribution for those Excess Costs solely on the Designated Owner in accordance with section 100(1)(c)(ii) of the Act.
- (5) If any Excess Costs remain outstanding for more than fourteen (14) days, the Strata Company may recover that Excess Costs from the Designated Owner as a liquidated debt in a court of competent jurisdiction, together with the expenses incurred in recovering the Excess Costs, including but not limited to legal expenses on a solicitor and own client full indemnity basis.

19. Seeking Approval – Owner Applications to Strata Company

- (1) In this by-law:
 - (a) **Act** means the Strata Titles Act 1985 (WA).
 - (b) **Council** means the council of the strata company.
- (2) An owner (**Applicant**) must submit any application requiring strata company approval (**Application**) to the Council:
 - (a) using any approved form required by the Council from time to time; and
 - (b) with all of the necessary supporting information required by the approved form, otherwise requested by the Council or as might otherwise be reasonably required in order for the Council to properly consider the Application annexed to it.
- (3) An Applicant is responsible for all costs incurred by the strata company arising from that owner submitting an Application, the Council reviewing that Application, the arrangements for and conduct of any vote in relation to the Application and confirming

the outcome of that vote (**Application Costs**), including but not limited to applications for approval to:

- (a) alter common property;
 - (b) install a utility or sustainability conduit or infrastructure in accordance with the Act; or
 - (c) alter a structure within a lot in accordance with the Act.
- (4) After receiving an Application, the Council must review and properly consider that Application (**Review**).
- (5) For the purpose of a Review the Council is empowered to:
- (a) request further information from the Applicant;
 - (b) where appropriate, make the necessary arrangements for the Application to be put to a vote of the strata company either at a general meeting or by a resolution outside of a general meeting;
 - (c) include the amount of any Application Costs in the amounts to be raised for the administrative fund; and
 - (d) raise the amount of these Application Costs by levying a contribution for those Costs solely on the Applicant in accordance with this by-law.
- (6) If any Application Costs levied to an Owner in accordance with this by-law remain outstanding for more than fourteen (14) days after the date on which they are due, the strata company may recover those Application Costs from the Applicant as a liquidated debt in a court of competent jurisdiction, together with the expenses incurred in recovering the Application Costs, including but not limited to legal expenses on a solicitor and own client full indemnity basis.

20. Strata Company Financial Year

The Financial Year of the strata company is the period of 12 months ending September 30.

☐ and / ☐ or⁵

By special resolution, the voting period for which opened on _____ and closed on _____ (and which must be registered within 3 months after the closing date) the ☐ **additions**/ ☐ **amendments**/ ☐ **repeal**⁵ to the Conduct by-laws were made as detailed here.

[Insert Conduct by-law(s) additions, amendments or repeal and their by-law number here]

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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 – Consolidated set of by-laws

[In this part provide the full text of the current set of scheme by-laws for the scheme classified as governance or conduct and with the relevant by-law number. This should incorporate the addition of new by-laws, amendments to existing by-laws and the removal of repealed by-laws as set out in Part 3.]

The strata company certifies that the consolidated set of by-laws set out below is the current full set of by-laws for the scheme with the scheme number specified on page 1.

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]

2. [Deleted]

3. Power of strata company regarding sub-meters

- (1) If the supply of gas or electricity to a lot is regulated by means of a submeter, the strata company may require the owner or occupier of the lot to pay the strata company by way of security for the payment of charges arising through the submeter an amount not exceeding \$200 and, if any amount so paid is applied by the strata company under sub-bylaw (3), to pay such further amount or amounts by way of such security as may be necessary to maintain the amount of the security as, subject to this sub-bylaw, the strata company may require.

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- (2) The strata company must lodge every sum received under this by-law to the credit of an interest-bearing ADI account and all interest accruing in respect of amounts so received must, subject to this by-law, be held on trust for the owner or occupier who made the payment.
- (3) If the owner or occupier of a lot in respect of which a submeter is used for the supply of gas or electricity refuses or fails to pay any charges due for the supply of gas or electricity to that lot, the strata company may apply in payment of those charges all, or such part as is necessary, of any amount paid to the strata company by that owner or occupier under this by-law, including any interest that may have accrued in respect of that amount.
- (4) If a person who has paid an amount under this by-law to a strata company satisfies the strata company that the person is no longer the owner or occupier of a lot and that the strata company no longer has any liability or contingent liability for the supply of gas or electricity to that lot during the period when that person was an owner or occupier of the lot, the strata company must refund to that person the amount then held on the person's behalf under this by-law.

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]
- (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]

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

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- (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 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

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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.

- (1) Subject to sub-bylaw (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.
- (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.

11-15. [Deleted]

16. Exclusive Use

The common area as marked on the attached surveyor diagram grants exclusive use of courtyards, garden beds and carports to their respective lot owners.

A proprietor shall be responsible for the proper maintenance and keeping in a state of good and reasonable care any portion of the common property in respect of which the proprietor has the exclusive use and enjoyment under this by-law, excepting the building structure and fences which will be maintained by the strata company.

No proprietor shall alter, modify or in any way change the usual appearance or colour scheme of the improvements without first having obtained the approval of the strata company. The proprietor of each lot shall not erect or carry out any improvements on the common property for which exclusive use has been granted that are visible from any other lot, without first receiving the written approval of the strata company.

17. Costs Recovery

- (1) For the purposes of these by-laws:
 - (a) Act means the Strata Titles Act 1985.
 - (b) Costs include, without limitation:
 - (i) the strata manager's costs;
 - (ii) debt recovery costs;
 - (iii) legal costs and disbursements on a solicitor and own client indemnity basis;
 - (iv) costs of any consultants and experts;
 - (v) costs of any security guards or contractors engaged by the strata company to:
 - (A) respond to any breach of the by-laws or the Act; or
 - (B) attempt to prevent any further breaches of the by-laws or the Act; and
 - (vi) costs of any employees of and contractors to the strata company preparing for or being involved in the Legal Proceedings.
 - (c) Legal Proceedings include, without limitation:
 - (i) the issuing of a notice alleging a breach of the Act or by-laws that could lead to an application to the State Administrative Tribunal (SAT), a tribunal or any court;
 - (ii) an application to a court, or any other tribunal:
 - (I) to recover any amount of money owing to the strata company by an owner; or
 - (II) for any other matter;
 - (iii) an application to SAT for relief under the Act, which includes without limitation any order, interim order or declaration made by SAT; and
 - (iv) an application for leave to appeal to the Supreme Court or the Court of Appeal from an order of SAT or another court order and any further appeals related to that appeal.

- (2) An owner will indemnify the strata company and each of its employees, agents, contractors, sub-contractors and authorised representatives against any injury, harm, loss or damage suffered or incurred by them as a result of any breach of these by-laws or the Act by the owner or any of the occupiers of the owner's lot (Owner Indemnity).
- (3) Without limiting the Owner Indemnity, an owner (Specified Owner) will pay on demand the whole of the strata company's Costs incurred in relation to any or all of the following:
- (a) recovering outstanding contributions levied by the strata company on that Specified Owner pursuant to either or both section 43 or 100 of the Act;
 - (b) recovering any outstanding amounts otherwise owing from the Specified Owner to the strata company under either or both the Act or these by-laws;
 - (c) making good any damage to the common property or personal property of the strata company caused by:
 - (i) the Specified Owner or an occupier of the Specified Owner's lot;
 - (ii) an invitee of the Specified Owner; or
 - (iii) an invitee of the occupier of the Specified Owner's lot;
 - (d) remedying a breach of the by-laws or the Act committed by:
 - (i) the Specified Owner; or
 - (ii) an occupier of the Specified Owner's lot;
 - (e) rectifying any unauthorised works on common property undertaken as a result of an instruction or action of the Specified Owner or occupier of the Specified Owner's lot;
 - (f) all Legal Proceedings taken by the strata company against the Specified Owner or an occupier of the Specified Owner's lot;
 - (g) all Legal Proceedings taken by the Specified Owner against the strata company or in which the strata company becomes involved and the Specified Owner is not successful or is only partly successful in those Legal Proceedings; and
 - (h) all Legal Proceedings taken by:
 - (i) an occupier of the Specified Owner's lot; or
 - (ii) a mortgagee of the Specified Owner's lot,against the strata company or in which the strata company becomes involved and that occupier or mortgagee (as the case may be) is not successful or is only partly successful in those Legal Proceedings.
- (4) The council of the strata company is empowered:

- (a) to include the amount of the Costs in the amounts to be raised for the purposes of section 100(1)(a) of the Act; and
 - (b) raise the amount of the Costs by levying a contribution for those Costs solely on that Specified Owner in accordance with section 100(1)(c)(ii) of the Act.
- (5) The Costs are also recoverable by the strata company against the Specified Owner as a liquidated debt and the strata company may take action for the recovery of those amounts in any court of competent jurisdiction.

18. Insurance Excess

- (1) In this by-law:
- (a) Act means the Strata Titles Act 1985 (WA).
 - (b) Lot means a lot within the strata scheme.
 - (c) Owner or Occupier have the meanings given to them in the Act.
 - (d) Strata Company means the strata company established on registration of the scheme.
- (2) An Owner (Designated Owner) is responsible for the cost of any insurance excess payable by the Strata Company in relation to or arising from any insurance claim made against the Strata Company's insurance policy (Excess Costs), where that insurance claim arises from any loss or damage to any:
- (a) part of the building structure within that Designated Owner's Lot;
 - (b) part of the common property structure surrounding the Designated Owner's Lot (Adjacent Common Property);
 - (c) of the fixtures and improvements made to that Designated Owner's Lot; or
 - (d) part of the common property or personal property of the Strata Company, other than the Adjacent Common Property,
- that was caused or contributed to by the Designated Owner, any Occupier of their Lot or any employee, agent, contractor, sub-contractor, licensee or invitees of the Designated Owner or the Occupier.
- (3) The responsibility to pay Excess Costs under this by-law includes, but is not limited to, any insurance claim for damage, breakage or loss, whether accidental or otherwise to:
- (a) glass (including windows, doors, shower screens and mirrors); and
 - (b) porcelain, vitreous china, stone, granite, wood or similar fixtures (such as vanity basins, benchtops and flooring).
 - (c) any structure within or forming part of the Designated Owner's Lot

- (4) The council of the Strata Company is empowered and authorised in accordance with section 100(3) of the Act to:
- (a) include the amount of the Excess Costs in the amounts to be raised for the purposes of section 100(1)(a) of the Act; and
 - (b) raise the amount of the Excess Costs by levying a contribution for those Excess Costs solely on the Designated Owner in accordance with section 100(1)(c)(ii) of the Act.
- (5) If any Excess Costs remain outstanding for more than fourteen (14) days, the Strata Company may recover that Excess Costs from the Designated Owner as a liquidated debt in a court of competent jurisdiction, together with the expenses incurred in recovering the Excess Costs, including but not limited to legal expenses on a solicitor and own client full indemnity basis.

19. Seeking Approval – Owner Applications to Strata Company

- (1) In this by-law:
- (a) **Act** means the Strata Titles Act 1985 (WA).
 - (b) **Council** means the council of the strata company.
- (2) An owner (**Applicant**) must submit any application requiring strata company approval (**Application**) to the Council:
- (a) using any approved form required by the Council from time to time; and
 - (b) with all of the necessary supporting information required by the approved form, otherwise requested by the Council or as might otherwise be reasonably required in order for the Council to properly consider the Application annexed to it.
- (3) An Applicant is responsible for all costs incurred by the strata company arising from that owner submitting an Application, the Council reviewing that Application, the arrangements for and conduct of any vote in relation to the Application and confirming the outcome of that vote (**Application Costs**), including but not limited to applications for approval to:
- (a) alter common property;
 - (b) install a utility or sustainability conduit or infrastructure in accordance with the Act; or
 - (c) alter a structure within a lot in accordance with the Act.
- (4) After receiving an Application, the Council must review and properly consider that Application (**Review**).
- (5) For the purpose of a Review the Council is empowered to:

- (a) request further information from the Applicant;
 - (b) where appropriate, make the necessary arrangements for the Application to be put to a vote of the strata company either at a general meeting or by a resolution outside of a general meeting;
 - (c) include the amount of any Application Costs in the amounts to be raised for the administrative fund; and
 - (d) raise the amount of these Application Costs by levying a contribution for those Costs solely on the Applicant in accordance with this by-law.
- (6) If any Application Costs levied to an Owner in accordance with this by-law remain outstanding for more than fourteen (14) days after the date on which they are due, the strata company may recover those Application Costs from the Applicant as a liquidated debt in a court of competent jurisdiction, together with the expenses incurred in recovering the Application Costs, including but not limited to legal expenses on a solicitor and own client full indemnity basis.

20. Strata Company Financial Year

The Financial Year of the strata company is the period of 12 months ending September 30.

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
- (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]

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

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) keep animals on the lot or the common property after notice in that behalf given to that person by the council.

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



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SB

other similar things to that surface, if that action will unreasonably damage the common property.

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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.



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Part 5 – By-laws of significance

[Please complete this part where the by-laws are shown in Part 4. Please complete Part 6 if making, amending or repealing a governance by-law of the kind described in Part 5 and ensure that relevant consents/approvals accompany the Scheme by-laws form.]

The Applicant 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-laws⁶: _____

By-law under planning (scheme by-laws) condition⁷: _____

Exclusive use by-laws⁸: **Schedule 1 By-law 16**
(existing and new)

Western Australian Planning
Commission (WAPC) approval
number (if applicable)⁹:

Leasehold by-laws¹⁰: _____

⁶ Refer *Strata Titles Act 1985* section 42.

⁷ Refer *Strata Titles Act 1985* section 22.

⁸ Refer *Strata Titles Act 1985* section 43.

⁹ Refer *Strata Titles Act 1985* section 20. Will not be applicable for schemes registered prior to 1/5/2020.

¹⁰ Refer *Strata Titles Act 1985* section 40. Will not be applicable for schemes registered prior to 1/5/2020.



Part 6 – Accompanying documents

[Select those documents to be lodged as evidence]

- ☐ **Consent Statement – Designated Interest¹¹ 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 (WAPC) or Local Government (as relevant) to amendment or repeal of any by-laws created in relation to a planning (scheme by-laws) condition
- ☐ **Consent of the Owner of the Leasehold Scheme¹² to leasehold by-laws or staged subdivision by-laws**
- ☐ Approval of WAPC to making, amendment or repeal of leasehold by-laws providing for postponement of the expiry day for the scheme

¹¹ Refer to section 3(1) of the *Strata Titles Act 1985* for the meaning of designated interest.

¹² Owner of the leasehold scheme has the meaning in section 3(1) of the *Strata Titles Act 1985*.

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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 7 – Execution

1. For new schemes, owners to sign here:

Date of Execution: _____

(To be signed by each Applicant)

[Insert corporation clause here, if applicable]

Signature

Full Name

In the presence of:

Witness Signature

Full Name

Address

Occupation

Signature

Full Name

In the presence of:

Witness Signature

Full Name

Address

Occupation

Version 1

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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.



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2. For existing schemes, strata company to execute here:

Common Seal¹³

Date of Execution: _____

The common seal of¹⁴

_____ is fixed to this document in accordance with the *Strata Titles Act 1985* section 118(1) in the presence of:

[AFFIX COMMON SEAL HERE]

Member of Council¹⁵:

Member of Council¹⁵:

Signature

Signature

Full Name

Full Name

OR

Not executed under Common Seal¹³

Date of Execution: **31/10/2025**

Signed for and on behalf of¹⁴ **201 Royal Street, Yokine Strata Scheme 8032** in accordance with the *Strata Titles Act 1985* section 118(2):

☐ Member of Council / ☒ Strata Manager of strata company¹⁶:

☐ Member of Council / ☐ Strata Manager of strata company¹⁶:

Signature

Signature

Matthew Bird
Full Name

Full Name

¹³ See SIG-14 for execution of documents by a strata company.

¹⁴ Insert the name of the strata company (i.e. The Owners of + scheme name + scheme type + scheme number), e.g. The Owners of Pretty Ponds Survey-Strata Scheme 12345.

¹⁵ The common seal must be witnessed by 2 members of council.

¹⁶ Select whichever is applicable.





OFFICE USE ONLY

Q647989 SB

06 Nov 2025 14:25:55 Perth



SB Scheme By-laws

Lodged by:¹⁷ **Dominion Strata Management**

Address: **PO Box 8119 Subiaco East WA 6008**

Phone Number: **(08) 6285 8183**

Email Address: **admin@dominionsstrata.com.au**

Reference Number: _____

Issuing Box Number: **888V**

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

Prepared by: **Dominion Strata Management**

Address: **PO Box 8119 Subiaco East WA 6008**

Phone Number: **(08) 6285 8183**

Email Address: **admin@dominionsstrata.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: 0

Landgate Officer Initial: DS

¹⁷ Lodging Party Name may differ from Applicant Name.

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.

G 751424 AE

30 Mar, 1998 11:32:46 Perth



REG. \$ 60.00

LODGED BY *TORRENS R/E*

ADDRESS *P O Box 515*
MORLEY 6943

PHONE No. *92752444*

FAX No. *92752491*

REFERENCE No.

ISSUING BOX No.

PREPARED BY *TORRENS REAL ESTATE*

ADDRESS *P O Box 515*
MORLEY 6943

PHONE No. *92752444* FAX No. *92752491*

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

2/3

TITLES, LEASES, DECLARATIONS ETC LODGED HERewith

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

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

B/LAWS
ggy



BLANK INSTRUMENT FORM

Form 21

(Note 1)

Notification of Change of By-Laws
Strata Titles Act 1985
Section 42

The Owners of 201 Royal Street, Yokine - Strata Plan 8032 hereby certifies -

that by Resolution Without Dissent duly passed at a meeting of the strata company on March 6, 1998 which became unconditional on March 6, 1998 the by-laws in Schedule 1 to the Act as they applied to the strata company were added to as follows-

BY-LAW 16
EXCLUSIVE USE

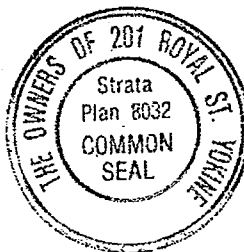
The common area as marked on the attached surveyor diagram grants exclusive use of courtyards, garden beds and carports to their respective lot owners.

A proprietor shall be responsible for the proper maintenance and keeping in a state of good and reasonable care any portion of the common property in respect of which the proprietor has the exclusive use and enjoyment under this by-law, excepting the building structure and fences which will be maintained by the strata company.

No proprietor shall alter, modify or in any way change the usual appearance or colour scheme of the improvements without first having obtained the approval of the strata company. The proprietor of each lot shall not erect or carry out any improvements on the common property for which exclusive use has been granted that are visible from any other lot, without first receiving the written approval of the strata company.

THE COMMON SEAL OF
THE OWNERS OF 201 ROYAL ST, YOKINE
STRATA PLAN 8032 WAS HERETO
AFFIXED ON March 6, 1998
IN THE PRESENCE OF:

X M. Williams
X M. Davis
Members of the Council



EXCLUSIVE USE FOR STRATA PLAN 8032, LOT 120 ON DIAGRAM 58002 ROYAL STREET, YOKINE

ALL THE AREAS NUMBERED ON THE SKETCH ARE FOR THE
EXCLUSIVE USE OF THE CORRESPONDING NUMBERED STRATA LOT

ALL ANGLES 90° UNLESS OTHERWISE NOTED

Ex is "for exclusive use"

SCALE 1:300
J/N 9705511
"L DRIVE"

