

SCHEDULE 1

BYLAWS FOR STRATA PLAN 67042

Chairman, secretary and treasurer of body corporate.

1. The chairman, secretary and treasurer of the council shall also be respectively the chairman, secretary and treasurer of the body corporate.

Council's power to employ agents and servants.

2. A council may employ for and on behalf of the body corporate such agents and servants as it thinks fit in connection with the exercise and performance of the powers, authorities, duties and functions of the body corporate.

Noticeboard.

3. A council shall cause a notice-board to be affixed to some part of the common property.

Notice of council meetings.

4. For not less than 72 hours ending immediately before a council holds a meeting it shall cause a notice of its intention to hold the meeting, containing a detailed agenda for the meeting, to be displayed on the notice board

Council meetings may be required to be convened.

- 4a. The secretary of the body corporate or, in his absence, any member of the council shall convene a meeting of the council if he is requested so to do by not less than one-third of the members of the council, within the period of time, if any, specified in the request, and, where a member of the council other than the secretary is requested to convene a meeting of the council under this bylaw, he may give, on behalf of the council, the notice required to be given under bylaw 4.

Voting in writing by members of council.

5. Where-

- (a) bylaw 4 has been complied with in relation to any meeting;
- (b) the council has caused to be served on each member of the council a copy of any motion for a proposed resolution to be submitted at that meeting; and
- (c) any such resolution has been approved in writing by a majority of the members of the council.

The resolution shall, subject to section 74(3), be as valid as if it had been duly passed at a duly convened meeting of the council, notwithstanding that the meeting was not held.

Proprietors' attendance at council meetings.

6. A proprietor or, where that person is a corporation, any company nominee of the corporation is entitled to attend a meeting of the council but may not address the meeting unless authorised by resolution of the council.

Minute of certain resolutions to be included in a council's minutes.

7. The council shall cause to be included in its minutes a minute of all resolutions passed pursuant to bylaw 5.

Display of minutes.

8. Unless each proprietor under the strata scheme has previously been provided with copies of the minutes referred to in paragraphs (a) and (b), a council shall cause-
 - (a) a copy of the minutes of a meeting of the council to be displayed on the notice-board within 7 days after that meeting; and
 - (b) a copy of a minute of resolution passed pursuant to bylaw 5 to be so displayed within 7 days after the passing thereof,and to be kept so displayed for a period of not less than fourteen days.

Acts, etc., of council valid notwithstanding vacancy, etc.

9. Any act or proceeding of a council done in a good faith is, notwithstanding that at the time when the act or proceeding was done, taken or commenced there was-
 - (a) a vacancy in the office of a member of the council; or
 - (b) any defect in the appointment, or any disqualification of any such member,as valid as if the vacancy, defect or disqualification did not exist and the council were fully and properly constituted.

Powers and duties of secretary of body corporate.

10. The powers and duties of a secretary of a body corporate include-
- (a) the preparation and distribution of minutes of the body corporate and the submission of a motion for confirmation of the minutes of any meeting of the body corporate at the next such meeting;
 - (b) the giving on behalf of the body corporate and of the council of the notices required to be given under this Act;
 - (c) The maintenance of the strata roll;
 - (d) The supply of information on behalf of the body corporate in accordance with section 70(1)(a) and (b);
 - (e) The answering of communications addressed to the body corporate;
 - (f) the calling of nominations of candidates for election as members of the council; and
 - (g) subject to section 57(1), (6) and (6a), the convening of meetings of the body corporate and of the council.

Powers and duties of treasurer of body corporate.

11. The powers and duties of a treasurer of a body corporate include-
- (a) the notifying of proprietors of any contributions levied pursuant to this Act;
 - (b) the receipt, acknowledgment and banking of and the accounting for any money paid to the body corporate;
 - (c) the preparation of any certificate applied for under section 70(1)(a); and
 - (d) the keeping of the accounting records referred to in section 68(1)(g) and the preparation of the financial statements referred to in section 68(1)(h).

Noise.

12. A proprietor or occupier of a lot shall not upon the parcel create any noise likely to interfere with the peaceful enjoyment of the proprietor or occupier of another lot or of any person lawfully using common property.

Vehicles.

13. A proprietor or occupier of a lot shall not park or stand any motor or other vehicle upon common property except with the written approval of the body corporate.

Obstruction of common property.

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

Damage to lawns, etc., on common property.

15. A proprietor or occupier of a lot shall not-
- (a) damage any lawn, garden, tree, shrub, plant or flower being part of or situated upon common property; or
 - (b) use for his own purposes as a garden any portion of the common property.

Damage to common property.

16. (1) A proprietor or occupier of a lot shall not mark, paint, drive nails or screws or the like into, or otherwise damage or deface, any structure that forms part of the common property without the approval in writing of the body corporate, but this bylaw does not prevent a proprietor or person authorised by him from installing-
- (a) any locking or other safety device for protection of his lot against intruders; or
 - (b) any screen or other device to prevent entry of animals or insects upon his lot,
- subject to the locking or safety device or the screen or other device, as the case may be, being installed in a workman like manner and subject to its appearance, after it has been installed, being in keeping with the appearance of the rest of the building.
- (2) Notwithstanding section 68(1)(b), the proprietor of a lot shall maintain and keep in a state of good and serviceable repair any installation referred to in subclause (1) that services the lot.

Behaviour of proprietors and occupiers

17. A proprietor or occupier of a lot when upon common property shall be adequately clothed and shall not use language or behave in a manner likely to cause offence or embarrassment to the proprietor or occupier of another lot or to any person lawfully using common property.

Children playing on common property in building.

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

Behaviour of invitees

19. A proprietor or occupier of a lot shall take all reasonable steps to ensure that his invitees do not behave in manner likely to interfere with the peaceful enjoyment of the proprietor or occupier of another lot or any person lawfully using common property.

Depositing rubbish, etc., on common property.

20. The proprietor or occupier of a lot shall not deposit or throw upon the common property any rubbish, dirt, dust, or other material likely to interfere with the peaceful enjoyment of the proprietor or occupier of another lot or of any person lawfully using common property.

Drying of laundry items.

21. A proprietor or occupier of a lot shall not, except with the consent in writing of the body corporate, hang any washing, towel, bedding, clothing or other article on any part of the parcel in such a way as to be visible from outside the building other than on any lines provided by the body corporate for the purpose and there only for a reasonable period.

Cleaning windows, etc.

22. A proprietor or occupier of a lot shall keep clean all glass in windows and all doors on the boundary of his lot, including so much thereof as is common property.

Storage of inflammable liquids, etc.

23. A proprietor or occupier of a lot shall not, except with the approval in writing of the body corporate, use or store upon his lot or upon the common property any flammable chemical, liquid or gas or other inflammable material, other than chemicals, liquids, gases or other material 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.

Moving furniture, etc., on or through common property

24. A proprietor or occupier of a lot shall not transport any furniture or large object through or upon common property within the building unless he has first given to the council notice of his intention to do so sufficient in the circumstances to enable the council to arrange for its nominee to be present at the time when he does so.

Floor coverings.

25. A proprietor of a lot shall ensure that all floor space within his lot (other than that comprising a 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 the proprietor or occupier of another lot.

Garbage disposal

26. A proprietor or occupier of a lot –

- (a) shall maintain within his lot, or on any such part of the common property as may be authorised by the body corporate, in clean and dry condition and adequately covered a receptacle for garbage;
- (b) shall ensure that before refuse is placed in the receptacle it is securely wrapped or, in the case of tins or other containers, completely drained;
- (c) for the purpose of having the garbage collected shall, not more than twelve hours before the time at which garbage is normally collected, place the receptacle within an area designated for that purpose by the body corporate;
- (d) when the garbage has been collected shall promptly return the receptacle to his lot or other area referred to in paragraph (a);
- (e) shall not place anything in the receptacle of the proprietor or occupier of any other lot except with the permission of that proprietor or occupier; and
- (f) shall promptly remove anything which he or the garbage collector may have spilled from the receptacle and shall take such action as may be necessary to clean the area within which that was so spilled.

Keeping of animals.

27. (1). Subject to section 58(12), a proprietor or occupier of a lot shall not, without the approval in writing of the body corporate, keep any animals upon his lot or the common property.
- (2). The body corporate shall not unreasonably withhold its approval of the keeping of an animal upon the lot or the common property.
- (3) The body corporate does allow the owner of any lot to keep a pet on his lot during his occupancy.

Notice of alteration to lot.

28. The proprietor of a lot shall not alter the structure of the lot without giving to the body corporate, not later than 14 days before commencement of the alteration, a written notice describing the proposed alteration.

(4)

Appearance of lot.

29. The proprietor or occupier of a lot shall not, without the written consent of the body corporate, 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.

Speed limits.

30. The Proprietor or occupier of a lot shall restrict the speed of any vehicle leaving or entering a lot, or common property area, to 5 kilometres per hour.