

Form: 15CH
Release: 2.0

**CONSOLIDATION/
CHANGE OF BY-LAWS**



New South Wales
Strata Schemes Management Act
Real Property Act 1900

AN985487S

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) **TORRENS TITLE** For the common property
CP/SP75214

(B) **LODGED BY**

Document Collection Box 1W	Name, Address or DX, Telephone, and Customer Account Number if any Le Page Lawyers PO Box 6338, Wetherill Park BC NSW 2164 Tel: 02 9264 0052 Fax: 02 9264 0050 Reference: PAL: 20181103	CODE CH
--------------------------------------	---	-------------------

- (C) The Owners-Strata Plan No. 75214 certify that a special resolution was passed on 19/11/2018
- (D) pursuant to the requirements of section 141 of the Strata Schemes Management Act 2015, by which the by-laws were changed as follows—
- (E) Repealed by-law No. all by-laws
Added by-law No. 1 to 24 (inclusive)
Amended by-law No. NOT APPLICABLE
as fully set out below:
Refer By-Laws 1 to 24 (inclusive) in Annexure "A" hereto.

- (F) A consolidated list of by-laws affecting the above mentioned strata scheme and incorporating the change referred to at Note (E) is annexed hereto and marked as Annexure "A"
- (G) The seal of The Owners-Strata Plan No. 75214 was affixed on 10/12/2018 in the presence of the following person(s) authorised by section 273 Strata Management Act 2015 to attest the affixing of the seal:

Signature: [Signature]
Name: MICHAEL GILDAY
Authority: STRATA MANAGER

Signature: _____
Name: _____
Authority: _____



Annexure "A" to Consolidation/Change of By-Laws
Strata Plan No 75214

Table of Contents

A Explanatory Notes 3

B Summary of By-Laws 3

C Wording of By-Laws 3

 1 Noise 3

 2 Vehicles 3

 3 Obstruction of common property 3

 4 Damage to lawns and plants on common property 3

 5 Damage to common property 3

 6 Behaviour of owners and occupiers 4

 7 Children playing on common property in building 4

 8 Behaviour of invitees 4

 9 Depositing rubbish and other material on common property 4

 10 Drying of laundry items 4

 11 Cleaning windows and doors 5

 12 Storage of inflammable liquids and other substances and materials 5

 13 Moving furniture and other objects on or through common property 5

 14 Floor coverings 5

 15 Garbage disposal 5

 16 Keeping of animals 6

 17 Appearance of lot 6

 18 Change in use of lot to be notified 6

 19 Provision of amenities or services 6

 20 Fixtures 7

 21 Air conditioning 7

 22 Service of documents on owner of lot by owners corporation 8

 23 Minor renovations 8

 24 Smoke penetration 8

THIS is page 2 of a total of 9 and is the annexure to the Consolidation/Change of By-Laws form by The Owners – Strata Plan No 75214.

THE SEAL of THE OWNERS – STRATA PLAN NO 75214 was affixed on the 10th day of DECEMBER 2018 in the presence of the following person(s) authorised by Section 273 of the *Strata Schemes Management Act 2015* to attest the affixing of the seal.

Signature: *[Handwritten Signature]*

Name(s): MICHAEL GILDAY

Authority: STRATA MANAGER

[ALL HANDWRITING MUST BE IN BLOCK CAPITALS]



A Explanatory Notes

1. This list sets out the by-laws which have effect at the date of its registration.
2. The list omits by-laws which have been repealed, and includes in their amended terms by-laws which have been amended.
3. The list omits by-laws which repeal or amend other by-laws, except when the repealing or amending provision forms part only of the by-law. In this case, the provision is italicized.

B Summary of By-Laws

1. By-Laws 1 to 15 (inclusive) and 17 to 19 (inclusive) of the Residential Schemes Model By-Laws contained in the *Strata Schemes Management Regulation 1997*, being the by-laws adopted by the strata scheme and which took effect pursuant to s.134(2) of the *Strata Schemes Management Act 2015*, repealed on 19 November 2018.
2. Special By-Laws 1 and 2 made 28 November 2007, and registered as AD748380, repealed on 19 November 2018.
3. Special By-Law 3 made 16 November 2010, and registered as AG569473, repealed on 19 November 2018.
4. By-Law 16 repealed on 19 November 2015. Special By-Law 4 made 19 November 2015, and registered as AK103869, repealed on 19 November 2018.
5. By-Laws 1 to 24 (inclusive) made 19 November 2018.

C Wording of By-Laws

1 Noise

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

2 Vehicles

An owner or occupier of a lot must not park or stand any motor or other vehicle on common property except with the prior written approval of the owners corporation.

3 Obstruction of common property

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

4 Damage to lawns and plants on common property

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

- (a) damage any lawn, garden, tree, shrub, plant or flower being part of or situated on common property, or
- (b) use for his or her own purposes as a garden any portion of the common property.

5 Damage to common property

- (1) An owner or occupier of a lot must not mark, paint, drive nails or screws or the like into, or otherwise damage or deface, any structure that forms part of the common property except with the prior written approval of the owners corporation.
- (2) An approval given by the owners corporation under subclause (1) cannot authorise any additions to the common property.
- (3) This by-law does not prevent an owner or person authorised by an owner from installing:
 - (a) any locking or other safety device for protection of the owner's lot against intruders or to improve safety within the owner's lot, or
 - (b) any screen or other device to prevent entry of animals or insects on the lot, or
 - (c) any structure or device to prevent harm to children, or
 - (d) any device used to affix decorative items to the internal surfaces of walls in the owner's lot.
- (4) Any such locking or safety device, screen, other device or structure must be installed in a competent and proper manner and must have an appearance, after it has been installed, in keeping with the appearance of the rest of the building.
- (5) Despite section 106, the owner of a lot must:
 - (a) maintain and keep in a state of good and serviceable repair any installation or structure referred to in subclause (3) that forms part of the common property and that services the lot, and
 - (b) repair any damage caused to any part of the common property by the installation or removal of any locking or safety device, screen, other device or structure referred to in subclause (3) that forms part of the common property and that services the lot.

6 Behaviour of owners and occupiers

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

7 Children playing on common property in building

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

8 Behaviour of invitees

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

9 Depositing rubbish and other material on common property

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

10 Drying of laundry items

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

corporation, hang any washing, towel, bedding, clothing or other article on any part of the parcel in such a way as to be visible from outside the building other than on any lines provided by the owners corporation for the purpose and there only for a reasonable period.

11 Cleaning windows and doors

An owner or occupier of a lot must keep clean all exterior surfaces of glass in windows and doors on the boundary of the lot, including so much as is common property, unless:

- (a) the owners corporation resolves that it will keep the glass or specified part of the glass clean, or
- (b) that glass or part of the glass cannot be accessed by the owner or occupier of the lot safely or at all.

12 Storage of inflammable liquids and other substances and materials

- (1) An owner or occupier of a lot must not, except with the prior written approval of the owners corporation, use or store on the lot or on the common property any inflammable chemical, liquid or gas or other inflammable material.
- (2) This by-law does not apply to chemicals, liquids, gases or other material used or intended to be used for domestic purposes, or any chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

13 Moving furniture and other objects on or through common property

- (1) An owner or occupier of a lot must not transport any furniture or large object through or on common property within the building unless sufficient notice has first been given to the executive committee so as to enable the executive committee to arrange for its nominee to be present at the time when the owner or occupier does so.
- (2) An owners corporation may resolve that furniture or large objects are to be transported through or on the common property (whether in the building or not) in a specified manner.
- (3) If the owners corporation has specified, by resolution, the manner in which furniture or large objects are to be transported, an owner or occupier of a lot must not transport any furniture or large object through or on common property except in accordance with that resolution.

14 Floor coverings

- (1) An owner of a lot must ensure that all floor space within the lot is covered or otherwise treated to an extent sufficient to prevent the transmission from the floor space of noise likely to disturb the peaceful enjoyment of the owner or occupier of another lot.
- (2) This by-law does not apply to floor space comprising a kitchen, laundry, lavatory or bathroom.

15 Garbage disposal

- (1) An owner or occupier of a lot in a strata scheme that does not have shared receptacles for garbage, recyclable material or waste:
 - (a) must maintain such receptacles within the lot, or on such part of the common property as may be authorised by the owners corporation, in clean and dry condition and (except in the case of receptacles for recyclable material) adequately covered, and
 - (b) must ensure that before refuse, recyclable material or waste is placed in the receptacles it is, in the case of refuse, securely wrapped or, in the case of tins or other containers, completely drained, or, in the case of recyclable material or waste, separated and prepared in accordance with the applicable recycling guidelines, and

- (c) for the purpose of having the garbage, recyclable material or waste collected, must place the receptacles within an area designated for that purpose by the owners corporation and at a time not more than 12 hours before the time at which garbage, recyclable material or waste is normally collected, and
 - (d) when the garbage, recyclable material or waste has been collected, must promptly return the receptacles to the lot or other area referred to in paragraph (a),
 - (e) must not place any thing in the receptacles of the owner or occupier of any other lot except with the permission of that owner or occupier, and
 - (f) must promptly remove any thing which the owner, occupier or garbage or recycling collector may have spilled from the receptacles and must take such action as may be necessary to clean the area within which that thing was spilled.
- (2) An owner or occupier of a lot in a strata scheme that has shared receptacles for garbage, recyclable material or waste:
- (a) must ensure that before refuse, recyclable material or waste is placed in the receptacles it is, in the case of refuse, securely wrapped or, in the case of tins or other containers, completely drained, or, in the case of recyclable material or waste, separated and prepared in accordance with the applicable recycling guidelines, and
 - (b) must promptly remove any thing which the owner, occupier or garbage or recycling collector may have spilled in the area of the receptacles and must take such action as may be necessary to clean the area within which that thing was spilled.

16 Keeping of animals

Subject to section 139 (5), an owner or occupier of a residential lot must not keep any animal on the lot or the common property.

17 Appearance of lot

- (1) The owner or occupier of a lot must not, without the prior written approval of the owners corporation, maintain within the lot anything visible from outside the lot that, viewed from outside the lot, is not in keeping with the rest of the building.
- (2) This by-law does not apply to the hanging of any washing, towel, bedding, clothing or other article as referred to in by-law 10.

18 Change in use of lot to be notified

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

19 Provision of amenities or services

- (1) The owners corporation may, by special resolution, determine to enter into arrangements for the provision of the following amenities or services to one or more of the lots, or to the owners or occupiers of one or more of the lots:
 - (a) window cleaning,
 - (b) garbage disposal and recycling services,
 - (c) electricity, water or gas supply,
 - (d) telecommunication services (for example, cable television).

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

20 Fixtures

- (1) An owner or occupier of a lot may not construct or install a fixture within the common property without the prior approval in writing of the owners corporation.
- (2) An approval will be of no effect for the purposes of clause 1 unless it is given by the owners corporation by way of a by-law made pursuant to Section 106 or Section 108 of the Strata Schemes Management Act 2015, or the owners corporation resolves at the time of approval of the proposed fixture that it is "minor work", for the purposes of this by-law.
- (3) For the purposes of clauses 4-8 (inclusive) of this by-law, "fixture" means a fixture, equipment or building work made or installed by an owner or occupier of a lot within the lot.
- (4) Unless it is a fixture removable by a lessee or sub-lessee at the expiration of a tenancy, a fixture that serves a lot is an owner's fixture.
- (5) The owner of a lot must maintain in a state of good and serviceable repair a fixture that serves his lot, and must renew or replace it when necessary.
- (6) The owner of a lot must ensure that any maintenance, renewal or replacement of a fixture serving his lot and visible from outside his lot, is done so that the fixture is in keeping with the appearance of the rest of the building.
- (7) The owner of a lot must indemnify the owners corporation against any liability or expense incurred by reason of the existence or use of a fixture that serves his lot, being a liability or expense that would not have been incurred if the fixture had not been made or installed.
- (8) This by-law shall not create any obligation on the part of the lessor or sub-lessor of a lot in favour of his lessee or sub-lessee.
- (9) Insofar as this by-law is contrary to the terms of the consent of the owners corporation to the making or installation of a fixture, this by-law has effect in relation to that fixture subject to those terms.

21 Air conditioning

That for the purposes of the 'Fixtures' by-law, the owners corporation will issue written permission for the installation of an air conditioner and ancillary wiring, ducting and plumbing ("The Service") provided always that:

- (1) "The Service" is to be located within the lot.
- (2) The installation will be considered "minor work" in terms of 'Fixtures' by-law, clause 2 if the impact on common property will be limited to allowing connection of ancillary services (wiring, ducting and plumbing) between the internal and external units.
- (3) That in accordance with the 'Damage to Common Property' by-law, the owner of the lot must maintain the air conditioner ("the service") in a state of good and serviceable repair all at the cost of the owner of the lot.
- (4) The owner of the lot must renew and replace the service when necessary, or when reasonably required by the owners corporation.
- (5) All costs associated with the installation and future maintenance of the service to be the responsibility of the owner of the lot. Any damage caused to common property during

Installation to be repaired by the owner of the lot.

- (6) The owner of the lot at his/her own expense must make good any damage to any property of the owners corporation or of the owner or occupier of another lot caused by the malfunction or disrepair of or escape of water from the service.
- (7) That the installation is undertaken by a suitably qualified, licensed and insured tradesperson at the cost of the owner of the lot.
- (8) That the service comply with the by-laws of the Strata Schemes Management Act and with all relevant legislation or any requirements of Local Council (including noise control), relating to the service at the time of installation and at all times in the future;
- (9) That the condensate be adequately drained from the lot into the existing stormwater drains.
- (10) That stainless steel fasteners be utilised where possible for brackets and mounting points.
- (11) All costs associated with the removal of the service and restoration of the common property following removal, will be borne by the owners of that lot.
- (12) The owner of the lot shall indemnify the owners corporation against all claims for damages or injury which may arise from the installation and use of the service.
- (13) The owner of the lot shall ensure the service is insured and kept insured for public liability in an amount no less than ten million dollars (\$10,000,000).
- (14) The owner of the lot must pay any expenses incurred by the owners corporation in the preparation, registration and enforcement of this by-law.
- (15) The service is to comply with 'Appearance of Lot' by-law.

22 Service of documents on owner of lot by owners corporation

A document may be served on the owner of a lot by electronic means if the person has given the owners corporation an email address for the service of notices and the document is sent to that address.

23 Minor renovations

- (1) The owners corporation by resolution in general meeting may delegate to the strata committee, generally or in a particular case or cases, its functions of giving and withholding approval of minor renovations (for the purposes of Section 110 of the Strata Schemes Management Act 2015) and of imposing conditions on such approval.
- (2) The owners corporation in like manner may revoke any such delegation.
- (3) The owners corporation may continue to exercise its functions under Section 110 of the Act, despite any such delegation.

24 Smoke penetration

- (1) An owner or occupier, and any invitee of the owner or occupier, must not smoke tobacco or any other substance on the common property.
- (2) An owner or occupier of a Lot must ensure that smoke caused by the smoking of tobacco or any other substance by the owner or occupier, or any invitee of the owner or occupier, on the Lot does not penetrate to the common property or any other Lot.

THIS is page 9 of a total of 9 and is the annexure to the Consolidation/Change of By-Laws form by The Owners – Strata Plan No 75214.

THE SEAL of THE OWNERS – STRATA PLAN NO 75214 was affixed on the 10th day of DECEMBER 2018 in the presence of the following person(s) authorised by Section 273 of the *Strata Schemes Management Act 2015* to attest the affixing of the seal.

Signature: _____

Name(s): MICHAEL GILDAY

Authority: STRATA MANAGER

[ALL HANDWRITING MUST BE IN BLOCK CAPITALS]



The Owners – Strata Plan No 75214

Consolidated List of By-Laws

Prepared by Le Page Lawyers

The Owners - Strata Plan No 75214

Consolidated List of By-Laws

Table of Contents

A	Explanatory Notes	3
B	Summary of By-Laws	3
C	Wording of By-Laws	3
1	Noise	3
2	Vehicles.....	3
3	Obstruction of common property.....	3
4	Damage to lawns and plants on common property	3
5	Damage to common property	3
6	Behaviour of owners and occupiers.....	4
7	Children playing on common property in building.....	4
8	Behaviour of invitees.....	4
9	Depositing rubbish and other material on common property	4
10	Drying of laundry items	4
11	Cleaning windows and doors.....	5
12	Storage of inflammable liquids and other substances and materials	5
13	Moving furniture and other objects on or through common property.....	5
14	Floor coverings	5
15	Garbage disposal.....	5
16	Keeping of animals	6
17	Appearance of lot.....	6
18	Change in use of lot to be notified	6
19	Provision of amenities or services	6
20	Fixtures	7
21	Air conditioning	7
22	Service of documents on owner of lot by owners corporation	8
23	Minor renovations	8
24	Smoke penetration.....	9

A Explanatory Notes

1. This list sets out the by-laws which have effect at the date of its registration.
2. The list omits by-laws which have been repealed, and includes in their amended terms by-laws which have been amended.
3. The list omits by-laws which repeal or amend other by-laws, except when the repealing or amending provision forms part only of the by-law. In this case, the provision is italicized.

B Summary of By-Laws

1. By-Laws 1 to 15 (inclusive) and 17 to 19 (inclusive) of the Residential Schemes Model By-Laws contained in the *Strata Schemes Management Regulation 1997*, being the by-laws adopted by the strata scheme and which took effect pursuant to s.134(2) of the *Strata Schemes Management Act 2015*, repealed on 19 November 2018.
2. Special By-Laws 1 and 2 made 28 November 2007, and registered as AD748380, repealed on 19 November 2018.
3. Special By-Law 3 made 16 November 2010, and registered as AG569473, repealed on 19 November 2018.
4. By-Law 16 repealed on 19 November 2015. Special By-Law 4 made 19 November 2015, and registered as AK103869, repealed on 19 November 2018.
5. By-Laws 1 to 24 (inclusive) made 19 November 2018, and registered as AN985487.

C Wording of By-Laws

1 Noise

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

2 Vehicles

An owner or occupier of a lot must not park or stand any motor or other vehicle on common property except with the prior written approval of the owners corporation.

3 Obstruction of common property

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

4 Damage to lawns and plants on common property

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

- (a) damage any lawn, garden, tree, shrub, plant or flower being part of or situated on common property, or
- (b) use for his or her own purposes as a garden any portion of the common property.

5 Damage to common property

- (1) An owner or occupier of a lot must not mark, paint, drive nails or screws or the like into, or otherwise damage or deface, any structure that forms part of the common property except with the prior written approval of the owners corporation.
- (2) An approval given by the owners corporation under subclause (1) cannot authorise any additions to the common property.
- (3) This by-law does not prevent an owner or person authorised by an owner from installing:
 - (a) any locking or other safety device for protection of the owner's lot against intruders or to improve safety within the owner's lot, or
 - (b) any screen or other device to prevent entry of animals or insects on the lot, or
 - (c) any structure or device to prevent harm to children, or
 - (d) any device used to affix decorative items to the internal surfaces of walls in the owner's lot.
- (4) Any such locking or safety device, screen, other device or structure must be installed in a competent and proper manner and must have an appearance, after it has been installed, in keeping with the appearance of the rest of the building.
- (5) Despite section 106, the owner of a lot must:
 - (a) maintain and keep in a state of good and serviceable repair any installation or structure referred to in subclause (3) that forms part of the common property and that services the lot, and
 - (b) repair any damage caused to any part of the common property by the installation or removal of any locking or safety device, screen, other device or structure referred to in subclause (3) that forms part of the common property and that services the lot.

6 Behaviour of owners and occupiers

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

7 Children playing on common property in building

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

8 Behaviour of invitees

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

9 Depositing rubbish and other material on common property

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

10 Drying of laundry items

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

11 Cleaning windows and doors

An owner or occupier of a lot must keep clean all exterior surfaces of glass in windows and doors on the boundary of the lot, including so much as is common property, unless:

- (a) the owners corporation resolves that it will keep the glass or specified part of the glass clean, or
- (b) that glass or part of the glass cannot be accessed by the owner or occupier of the lot safely or at all.

12 Storage of inflammable liquids and other substances and materials

- (1) An owner or occupier of a lot must not, except with the prior written approval of the owners corporation, use or store on the lot or on the common property any inflammable chemical, liquid or gas or other inflammable material.
- (2) This by-law does not apply to chemicals, liquids, gases or other material used or intended to be used for domestic purposes, or any chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

13 Moving furniture and other objects on or through common property

- (1) An owner or occupier of a lot must not transport any furniture or large object through or on common property within the building unless sufficient notice has first been given to the executive committee so as to enable the executive committee to arrange for its nominee to be present at the time when the owner or occupier does so.
- (2) An owners corporation may resolve that furniture or large objects are to be transported through or on the common property (whether in the building or not) in a specified manner.
- (3) If the owners corporation has specified, by resolution, the manner in which furniture or large objects are to be transported, an owner or occupier of a lot must not transport any furniture or large object through or on common property except in accordance with that resolution.

14 Floor coverings

- (1) An owner of a lot must ensure that all floor space within the lot is covered or otherwise treated to an extent sufficient to prevent the transmission from the floor space of noise likely to disturb the peaceful enjoyment of the owner or occupier of another lot.
- (2) This by-law does not apply to floor space comprising a kitchen, laundry, lavatory or bathroom.

15 Garbage disposal

- (1) An owner or occupier of a lot in a strata scheme that does not have shared receptacles for garbage, recyclable material or waste:
 - (a) must maintain such receptacles within the lot, or on such part of the common property as may be authorised by the owners corporation, in clean and dry condition and (except in the case of receptacles for recyclable material)

adequately covered, and

- (b) must ensure that before refuse, recyclable material or waste is placed in the receptacles it is, in the case of refuse, securely wrapped or, in the case of tins or other containers, completely drained, or, in the case of recyclable material or waste, separated and prepared in accordance with the applicable recycling guidelines, and
 - (c) for the purpose of having the garbage, recyclable material or waste collected, must place the receptacles within an area designated for that purpose by the owners corporation and at a time not more than 12 hours before the time at which garbage, recyclable material or waste is normally collected, and
 - (d) when the garbage, recyclable material or waste has been collected, must promptly return the receptacles to the lot or other area referred to in paragraph (a),
 - (e) must not place any thing in the receptacles of the owner or occupier of any other lot except with the permission of that owner or occupier, and
 - (f) must promptly remove any thing which the owner, occupier or garbage or recycling collector may have spilled from the receptacles and must take such action as may be necessary to clean the area within which that thing was spilled.
- (2) An owner or occupier of a lot in a strata scheme that has shared receptacles for garbage, recyclable material or waste:
- (a) must ensure that before refuse, recyclable material or waste is placed in the receptacles it is, in the case of refuse, securely wrapped or, in the case of tins or other containers, completely drained, or, in the case of recyclable material or waste, separated and prepared in accordance with the applicable recycling guidelines, and
 - (b) must promptly remove any thing which the owner, occupier or garbage or recycling collector may have spilled in the area of the receptacles and must take such action as may be necessary to clean the area within which that thing was spilled.

16 Keeping of animals

Subject to section 139 (5), an owner or occupier of a residential lot must not keep any animal on the lot or the common property.

17 Appearance of lot

- (1) The owner or occupier of a lot must not, without the prior written approval of the owners corporation, maintain within the lot anything visible from outside the lot that, viewed from outside the lot, is not in keeping with the rest of the building.
- (2) This by-law does not apply to the hanging of any washing, towel, bedding, clothing or other article as referred to in by-law 10.

18 Change in use of lot to be notified

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

19 Provision of amenities or services

- (1) The owners corporation may, by special resolution, determine to enter into arrangements

for the provision of the following amenities or services to one or more of the lots, or to the owners or occupiers of one or more of the lots:

- (a) window cleaning,
 - (b) garbage disposal and recycling services,
 - (c) electricity, water or gas supply,
 - (d) telecommunication services (for example, cable television).
- (2) If the owners corporation makes a resolution referred to in subclause (1) to provide an amenity or service to a lot or to the owner or occupier of a lot, it must indicate in the resolution the amount for which, or the conditions on which, it will provide the amenity or service.

20 Fixtures

- (1) An owner or occupier of a lot may not construct or install a fixture within the common property without the prior approval in writing of the owners corporation.
- (2) An approval will be of no effect for the purposes of clause 1 unless it is given by the owners corporation by way of a by-law made pursuant to Section 106 or Section 108 of the Strata Schemes Management Act 2015, or the owners corporation resolves at the time of approval of the proposed fixture that it is "minor work", for the purposes of this by-law.
- (3) For the purposes of clauses 4-8 (inclusive) of this by-law, "fixture" means a fixture, equipment or building work made or installed by an owner or occupier of a lot within the lot.
- (4) Unless it is a fixture removable by a lessee or sub-lessee at the expiration of a tenancy, a fixture that serves a lot is an owner's fixture.
- (5) The owner of a lot must maintain in a state of good and serviceable repair a fixture that serves his lot, and must renew or replace it when necessary.
- (6) The owner of a lot must ensure that any maintenance, renewal or replacement of a fixture serving his lot and visible from outside his lot, is done so that the fixture is in keeping with the appearance of the rest of the building.
- (7) The owner of a lot must indemnify the owners corporation against any liability or expense incurred by reason of the existence or use of a fixture that serves his lot, being a liability or expense that would not have been incurred if the fixture had not been made or installed.
- (8) This by-law shall not create any obligation on the part of the lessor or sub-lessor of a lot in favour of his lessee or sub-lessee.
- (9) Insofar as this by-law is contrary to the terms of the consent of the owners corporation to the making or installation of a fixture, this by-law has effect in relation to that fixture subject to those terms.

21 Air conditioning

That for the purposes of the 'Fixtures' by-law, the owners corporation will issue written permission for the installation of an air conditioner and ancillary wiring, ducting and plumbing ("The Service") provided always that:

- (1) "The Service" is to be located within the lot.

- (2) The installation will be considered "minor work" in terms of 'Fixtures' by-law, clause 2 if the impact on common property will be limited to allowing connection of ancillary services (wiring, ducting and plumbing) between the internal and external units.
- (3) That in accordance with the 'Damage to Common Property' by-law, the owner of the lot must maintain the air conditioner ("the service") in a state of good and serviceable repair all at the cost of the owner of the lot.
- (4) The owner of the lot must renew and replace the service when necessary, or when reasonably required by the owners corporation.
- (5) All costs associated with the installation and future maintenance of the service to be the responsibility of the owner of the lot. Any damage caused to common property during installation to be repaired by the owner of the lot.
- (6) The owner of the lot at his/her own expense must make good any damage to any property of the owners corporation or of the owner or occupier of another lot caused by the malfunction or disrepair of or escape of water from the service.
- (7) That the installation is undertaken by a suitably qualified, licensed and insured tradesperson at the cost of the owner of the lot.
- (8) That the service comply with the by-laws of the Strata Schemes Management Act and with all relevant legislation or any requirements of Local Council (including noise control), relating to the service at the time of installation and at all times in the future;
- (9) That the condensate be adequately drained from the lot into the existing stormwater drains.
- (10) That stainless steel fasteners be utilised where possible for brackets and mounting points.
- (11) All costs associated with the removal of the service and restoration of the common property following removal, will be borne by the owners of that lot.
- (12) The owner of the lot shall indemnify the owners corporation against all claims for damages or injury which may arise from the installation and use of the service.
- (13) The owner of the lot shall ensure the service is insured and kept insured for public liability in an amount no less than ten million dollars (\$10,000,000).
- (14) The owner of the lot must pay any expenses incurred by the owners corporation in the preparation, registration and enforcement of this by-law.
- (15) The service is to comply with 'Appearance of Lot' by-law.

22 Service of documents on owner of lot by owners corporation

A document may be served on the owner of a lot by electronic means if the person has given the owners corporation an email address for the service of notices and the document is sent to that address.

23 Minor renovations

- (1) The owners corporation by resolution in general meeting may delegate to the strata committee, generally or in a particular case or cases, its functions of giving and withholding approval of minor renovations (for the purposes of Section 110 of the Strata Schemes Management Act 2015) and of imposing conditions on such approval.

- (2) The owners corporation in like manner may revoke any such delegation.
- (3) The owners corporation may continue to exercise its functions under Section 110 of the Act, despite any such delegation.

24 Smoke penetration

- (1) An owner or occupier, and any invitee of the owner or occupier, must not smoke tobacco or any other substance on the common property.
- (2) An owner or occupier of a Lot must ensure that smoke caused by the smoking of tobacco or any other substance by the owner or occupier, or any invitee of the owner or occupier, on the Lot does not penetrate to the common property or any other Lot.