

WESTERN



AUSTRALIA

TITLE NUMBER

Volume

Folio

1455

279

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893 AND THE
STRATA TITLES ACT OF 1985

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BG Roberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 79 ON STRATA PLAN 4469

TOGETHER WITH A SHARE IN COMMON PROPERTY (IF ANY) AS SET OUT ON THE STRATA PLAN

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

WEIWEI MI OF 7/269 MAIN STREET, OSBORNE PARK

(T M514333) REGISTERED 8/1/2014

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. INTERESTS NOTIFIED ON THE STRATA PLAN AND ANY AMENDMENTS TO LOTS OR COMMON PROPERTY NOTIFIED THEREON BY VIRTUE OF THE PROVISIONS OF THE STRATA TITLES ACT OF 1985 AS AMENDED.
2. M514334 MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA REGISTERED 8/1/2014.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND:

SP4469

PREVIOUS TITLE:

SP4469

PROPERTY STREET ADDRESS:

JACARANDA GARDENS, UNIT 79, FLOOR 1 99 HERDSMAN PDE,
WEMBLEY.

LOCAL GOVERNMENT AUTHORITY:

CITY OF STIRLING

11. Budget of Estimated Expenditure – Administrative Fund

On a motion moved by Mr J D Roderick and seconded by Mr M Rimmer it was resolved by the meeting that the Budget of Estimated Expenditure from the Administrative Fund for the period 1st July 2023 to 30th June 2024 amounting to \$223,441.90 (excluding GST) be adopted as presented.

Lots in favour:

1, 2, 4, 8, 11, 17, 20, 21, 27, 29, 32, 33, 35, 36, 37, 38, 40, 41, 43, 45, 46, 47, 48, 50, 51, 53, 54, 55, 56, 60, 61, 63, 67, 68, 76, 77, 78, 79, 80, 83, 85, 86, 89, 94, 95, 97, 99, 100.

12. Budget of Estimated Expenditure - Reserve Fund

On a motion moved by Mr J D Rodrick and seconded by Mr R Smirk it was resolved by the meeting that the Budget of Estimated Expenditure from the Reserve Fund for the period 1st July 2023 to 30th June 2024 amounting to \$40,000.00 (excluding GST) be adopted as presented.

Lots in favour:

1, 2, 4, 8, 11, 17, 20, 21, 27, 29, 32, 33, 35, 36, 37, 38, 40, 41, 43, 45, 46, 47, 48, 50, 51, 53, 54, 55, 56, 60, 61, 63, 67, 68, 76, 77, 78, 79, 80, 83, 85, 86, 89, 94, 95, 97, 99, 100.

13. Determination of Levies – Administrative Fund

On a motion moved by Mr J D Roderick and seconded by Mr M Rimmer it was resolved by the meeting that the Levy of contributions in the financial year to raise a total of \$240,739.65 (inclusive of GST), on proprietors for the Administrative Fund be payable in advance, by instalments due and payable in the amounts and on the dates as shown below;

\$139.35 per unit of entitlement due 1st July, 2023

\$190.26 per unit of entitlement due 1st October, 2023

\$190.26 per unit of entitlement due 1st January, 2024

\$190.26 per unit of entitlement due 1st April, 2024

With the amount to remain at \$190.26 per unit of entitlement per quarter until otherwise determined by a future General Meeting of the Strata Company.

Lots in favour:

1, 2, 4, 8, 11, 17, 20, 21, 27, 29, 32, 35, 36, 37, 38, 40, 41, 43, 45, 46, 47, 48, 50, 51, 53, 54, 55, 56, 60, 61, 63, 67, 68, 76, 77, 78, 79, 80, 83, 85, 86, 89, 94, 95, 97, 99, 100.

Lots Against: 33

14. Determination of Levies – Reserve Fund

On a motion moved by Mr J D Roderick and seconded by Mr M Rimmer it was resolved by the meeting that the Levy of contributions in the financial year to raise a total of \$51,528.00 (inclusive of GST) for the Reserve Fund, be payable in advance, by instalments due and payable in the amounts and on the dates as shown below;

\$38.00 per unit of entitlement due 1st July, 2023

\$38.00 per unit of entitlement due 1st October, 2023

\$38.00 per unit of entitlement due 1st January, 2024

\$38.00 per unit of entitlement due 1st April, 2024

With the amount to remain at \$38.00 per unit of entitlement per quarter until otherwise determined by a future General Meeting of the Strata Company.

Lots in favour:

1, 2, 4, 8, 11, 17, 20, 21, 27, 29, 32, 35, 36, 37, 38, 40, 41, 43, 45, 46, 47, 48, 50, 51, 53, 54, 55, 56, 60, 61, 63, 67, 68, 76, 77, 78, 79, 80, 83, 85, 86, 89, 94, 95, 97, 99, 100.

Lots Against: 33

15. Matters without notice for discussion/referral to the Council

Soak Well:

Richardson Strata Management Services were requested to follow-up on the requested soak well cleaning quotations.

16. Close of Meeting

There being no further business the Chairman declared the meeting closed at 5:47 pm.

ANNEXURE B OF STRATA PLAN No. 4469

SCHEDULE OF UNIT ENTITLEMENT			OFFICE USE ONLY	SCHEDULE OF UNIT ENTITLEMENT			OFFICE USE ONLY
			CURRENT Cs. of TITLE				CURRENT Cs. of TITLE
LOT No.	UNIT ENTITLEMENT	VOL.	FOL.	LOT No.	UNIT ENTITLEMENT	VOL.	FOL.
61	3	1455-261		91	3	1455-291	
62	3	1455-262		92	3	1455-292	
63	3	1455-263		93	3	1455-293	
64	3	1455-264		94	3	1455-294	
65	3	1455-265		95	3	1455-295	
66	3	1455-266		96	3	1455-296	
67	3	1455-267		97	3	1455-297	
68	3	1455-268		98	3	1455-298	
69	3	1455-269		99	3	1455-299	
70	3	1455-270		100	3	1455-300	
71	3	1455-271		101	3	1455-301	
72	3	1455-272		102	3	1455-302	
73	3	1455-273		AGGREGATE 339			
74	3	1455-274					
75	3	1455-275					
76	3	1455-276, 1996-684					
77	3	1455-277					
78	3	1455-278					
79	3	1455-279					
80	3	1455-280					
81	3	1455-281					
82	3	1455-282					
83	3	1455-283					
84	3	1455-284					
85	3	1455-285					
86	3	1455-286					
87	3	1455-287, 1852-728					
88	3	1455-288					
89	3	1455-289					
90	3	1455-290					

APPROVED

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966



LOCAL AUTHORITY CITY OF STIRLING

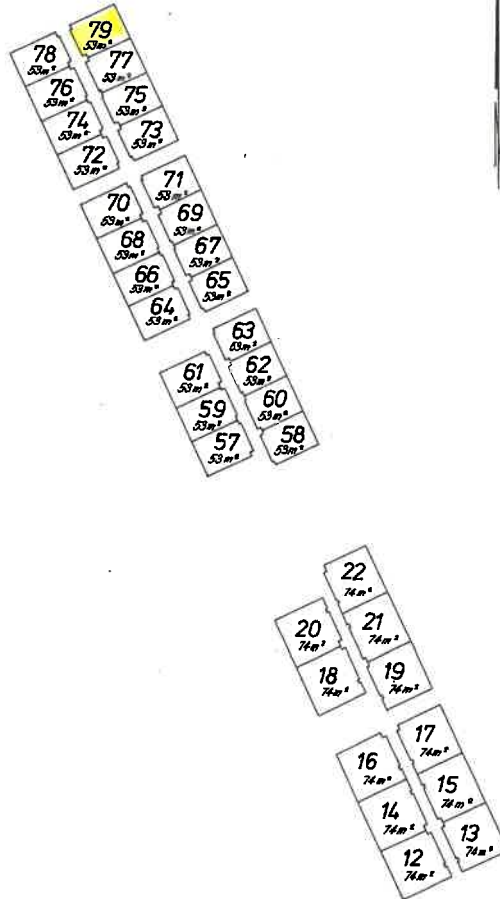
Date 22.9.1976



SHIRE/TOWN CLERK.

63203/8/89-200-G/

FIRST FLOOR



SCALE 1:750 FEET TO AN INCH

APPROVED

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966 AS AMENDED.

TOWN PLANNING BOARD

LOCAL AUTHORITY CITY OF STIRLING

DATE 12 OCT 1976

CHAIRMAN

DATE 22.9.1976 SHIRETOWN CLERK

83370/11/70-214-C197



OFFICE USE ONLY

0699643 SB

13 Apr 2021 09:14:39 Midland



SB Scheme By-laws – First Consolidation

Lodged by: ¹³	<i>Richardson Strata Management Services</i>	Instruct if any documents are to issue to other than Lodging Party _____
Address:	<i>138 BURSWOOD RD, BURSWOOD WA 6100</i>	
Phone Number:	<i>9472 1833</i>	
Fax Number:	<i>9355 5299</i>	
Reference Number:	<i>SP 4469</i>	
Issuing Box Number:	<i>888 v, Midland</i>	

Prepared by:	<u>Lavan</u>
Address:	<u>Level 18, 1 William Street Perth</u> <u>WA 6000</u>
Phone Number:	<u>+ 61 8 9288 6000</u>
Fax Number:	<u>+ 61 8 9288 6001</u>
Reference Number:	<u>1167595</u>

Titles, Leases, Evidence, Declarations etc. lodged herewith	
1.	_____
2.	_____
3.	_____
4.	_____
5.	_____

OFFICE USE ONLY

Landgate Officer

Number of Items Received: _____

Landgate Officer Initial: _____

¹³ Lodging Party Name may differ from Applicant Name.



SB

Scheme By-laws – First Consolidation

Strata Titles Act 1985
Part 4 Division 4

Scheme Number: **4469**

The Owners of **Jacaranda Gardens Strata Scheme 4469** (strata company):

Part 1 – First Consolidation

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

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

Part 2 – Application to Amend

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

and certifies that:

By resolution without dissent, the voting period for which opened on _____ and closed on _____ (and which must be registered within 3 months from closing date) the

☐ additions/ ☐ amendments/ ☐ repeal² to the Governance by-laws were made as detailed here.

☐ and / ☐ or²

By special resolution, the voting period for which opened on _____ and closed on _____ (and which must be registered within 3 months from closing date) the

☐ additions/ ☐ amendments/ ☐ repeal² to the Conduct by-laws were made as detailed here.

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

² Select one.



Approved Form 2020-43914
Effective for use from: 15/07/2020

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

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

Part 3 – Consolidated By-laws of Scheme Number: 4469

Governance By-Laws

1. Duties of proprietors

1.1. A proprietor shall:

- 1.1.1. forthwith carry out all work that may be ordered by any competent public authority or local government in respect of their lot and pay all rates, taxes, charges, outgoings and assessments that may be payable in respect of their lot;
- 1.1.2. keep their lot in a state of good and serviceable repair and properly maintained and, where necessary, renew and replace any parts of the lot and do so whether damage or deterioration arises from fair wear and tear, inherent defect or any other cause;
- 1.1.3. if they breach sub-bylaw 1.1.2 remedy that breach within 1 month of being given written notice to do so by the strata company;
- 1.1.4. reimburse the strata company on demand for its reasonable costs of carrying out all remedial work necessary if they fail to comply with a notice given pursuant to sub-bylaw 1.1.3;
- 1.1.5. notify the strata company forthwith upon any change of ownership, including in the notice an address of the proprietor for service of notices and other documents under the Act; and
- 1.1.6. if required in writing by the strata company, notify the strata company of any mortgage or other dealing in connection with their lot, including in the case of a lease of a lot, the name of the lessee and the term of the lease.

2 [Deleted by Amending Act].

3 Power of strata company regarding submeters

- (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.
- (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].
- (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 —

- (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-bylaw (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-bylaw (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-bylaw (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-bylaw (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-bylaw (1), other than a vacancy arising under by-law 4(9)(c) or (d), and any person so appointed holds office, subject to this by-law, for the balance of the predecessor's term of office.
- (4) The chairperson is to preside at all meetings of the council but, if the chairperson is absent from, or is unwilling or unable to preside at, a meeting, the members of the council present at that meeting can appoint 1 of their number to preside at that meeting during the absence of the chairperson.

7 Chairperson, secretary and treasurer of strata company

- (1) Subject to sub-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.
 - (d) The Council may, by agreement of an absolute majority of its members, conduct a meeting of the Council by telephone, audio-visual or other agreed electronic means or any combination of these by which continuous communication is maintained between such of its members as constitutes a quorum under the by-laws.
- (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 [Deleted by Amending Act].

12 [Deleted by Amending Act].

13 [Deleted by Amending Act].

14 [Deleted by Amending Act].

15 [Deleted by Amending Act].

16. Service of notices and documents

- 16.1** Pursuant to section 125 and the *Electronic Transactions Act 2003* (WA) notices and documents, including but not limited to notices and minutes of general meetings, notices of infringement of by-laws and invoices, may be served by the strata company by email or by

other electronic means on any proprietor who has given written consent to that method of service.

- 16.2 The proprietors acknowledge that the Act obliges the strata company to allow any qualified applicant to inspect and obtain copies of all records relating to those notices and documents and their service on any proprietor.

17. Consent or approval of strata company or council

- 17.1 If the consent or approval of the strata company or council is requested pursuant to the Act or the by-laws, the strata company or the council, as the case may be, may refuse that request, grant that request or grant that request on such terms as it shall reasonably determine.
- 17.2 If the consent or approval of the strata company or council is required pursuant to the Act or the by-laws, that consent or approval shall only be taken to have been given if it is given in writing.

18. Sub-metered utilities

- 18.1 In this by-law, **Utilities** means such of electricity, water and gas as are supplied to lots in the parcel and are metered by sub-meters.
- 18.2 Pursuant to section 42B of the Act, the strata company shall levy contributions in respect of the supply of Utilities based on the consumption of Utilities as determined by information obtained from sub-meters.
- 18.3 The proprietors, occupiers or other residents shall not interfere with the sub-meters and shall only obtain the Utilities through the sub-meters.

19. Security

- 19.1 Each proprietor is provided with a maximum of two vehicle entry gate remotes and four pedestrian gate fobs (**Devices**) as will activate the pedestrian and vehicle entry gate to the parcel (**Entry System**).
- 19.2 The Devices remain the personal property of the proprietor.
- 19.3 The proprietor is responsible for the safe keeping and safe custody of each Device issued to them.
- 19.4 The strata company will only issue a replacement or additional Device upon pre-payment of the cost of the replacement or additional Device.
- 19.5 If a Device is lost or stolen, the proprietor concerned is responsible for any costs incurred by the strata company in any reprogramming of the Entry System, as well as the cost of the replacement Device and any such cost will be reimbursed to the strata company by the proprietor on demand.
- 19.6 The strata company will enter into an agreement for the repair and maintenance of the Entry System and no other person is authorised to attempt to remedy any fault or interfere with the operation of the Entry System.

20. Penalty for breach of by-law

Pursuant to Section 42A(1) and subject to section 42A(2) of the Act, the penalty for a breach of any provision of any Schedule 1 by-law or any Schedule 2 by-law shall be \$500 or such greater amount as may from time to time be prescribed as the maximum amount for the purposes of section 42A or section 103I.

21. A LOT PROPRIETOR OR HIS TENANT SHALL NOT: -

- (a) Use his lot for any purpose which may be illegal or injurious to the reputation of the building.
- (b) 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.
- (c) Deposit, throw or allow to fall or permit to be deposited thrown or to fall upon the common property any rubbish, dirt material or substance likely to interfere with the peaceful enjoyment of the proprietor or occupier of another lot or of any person lawfully using the common property.
- (d) Allow any portion of the common property under his control or the allocated property used by him for car parking purposes to become dirty or untidy.
- (e) Do or permit to be done anything whereby any obstruction restriction or hindrance may be caused to the entrances exits halls passageways stairways vestibules or other parts of the common property or to persons lawfully using the same.
- (f) Except with the prior 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.
- (g) Erect or permit to be erected or to remain any fixture or fitting of any kind whatsoever external to any part of the lot or common property except a blind which shall conform with the regulations for the time being of the Council of the Company as to nature size or design.
- (h) 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.
- (i) Pick or damage flowers or damage the lawns, paths or any other improvements forming part of the common property.
- (j) At any time to go upon any part of the common property inadequately clothed.
- (k) Use language or behave in such a manner as may cause nuisance or embarrassment to others.
- (l) Allow excess water from potplants to overflow on to other balconies or other parts of the building.

- (m) Without the prior consent in writing of the Council of the Company make any alterations or additions to the lot visible externally or likely to interfere with the use or the enjoyment of adjoining lots.
- (n) Sublet or lease his lot to any person or persons without taking adequate safeguards to see that such person or persons refrain from making undue noise or refrain from any immoral or illegal conduct or otherwise cause nuisance to others.
- (o) Keep any animal or bird on his lot or the common property without the prior written permission of the body corporate.
- (p) Keep any dog on his lot or the common property.
- (q) Park or stand any motor or other vehicle upon the common property except with the approval of the body corporate.
- (r) Park commercial vehicles, trucks, caravans, boats or trailers on the common property.
- (s) Use any part of the parcel for degreasing any vehicle or for carrying out any other than very minor repairs.
- (t) Exceed a speed limit of 8 k.p.h on the complex.
- (u) Instal any airconditioner nor erect any TV antenna or radio aerial without obtaining prior written permission of the Council.
- (v) Encourage any animal onto the parcel by way of feeding or befriending or by any other means whatsoever.
- (w) Except with the approval in writing of the body corporate, use or store upon his lot or upon the common property any inflammable 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.
- (x) Mark, paint, drive nails or screws or the like into, or otherwise damage or deface, any structure that forms part of the common property with-out the approval in writing of the body corporate, but this bylaw does not prevent a proprietor or person authorised by him from installing:-
 - (i) any locking or other safety device for protection of his lot against intruders; or
 - (ii) any screen or other device to prevent entry of animals or insects upon his lot.

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 by Amending Act].

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

16 A LOT PROPRIETOR OR HIS TENANT SHALL: -

- (a) Take all reasonable steps to ensure that his invitees do not behave in a manner likely to interfere with the peaceful enjoyment of the proprietor or occupier of another lot or of any person lawfully using common property.
- (b) In respect to garbage disposal: -
 - (i) maintain with his lot, or on such part of the common property as may be authorised by the body corporate, in a clean and dry condition and have adequately covered a receptacle for garbage;
 - (ii) ensure that before refuse is placed in the receptacle it is securely wrapped, and in the case of tins or other containers, completely drained;