

**PROPRIETORS OF UNITS PLAN NO. 2009/12
AT 12 DASHWOOD PLACE, DARWIN**

SCHEDULE 1 - Section 76

ARTICLES

1. In these articles, unless the contrary intention appears:

Act means the *Unit Titles Act*.

authorised agent means a person authorised by the corporation.
2. (1) Subject to this article, an authorised agent may, at all reasonable times:
 - (a) inspect a unit for the purpose of ascertaining whether or not the Act and these articles are being observed;
 - (b) carry out in, on or to a unit any maintenance, repairs or work that the corporation is, by the Act or these articles, required to carry out in, on or to the unit;
 - (c) carry out in, on or to a unit the functions imposed, exercise the powers conferred and perform the duties imposed, by the Act and these articles on the corporation in so far as they relate to the unit, and may, for any of those purposes, enter and remain in or on the unit for such period as is reasonably necessary for the purposes of doing any act referred to in this article.
(2) An authorised agent shall not do any act referred to in this article unless:
 - (a) the corporation or the authorised agent has given to the proprietor of the unit or to the occupier or user of the unit reasonable notice of his intention to enter in or on the unit or to do the act; or
 - (b) by reason of an emergency, it is essential that the act be done without notice having been so given.
(3) Each member of the corporation shall:
 - (a) pay all rates, taxes, charges, outgoings and assessments payable in respect of his unit;
 - (b) repair and maintain his unit and keep his unit in a state of good repair;
 - (c) if he agrees to transfer his unit to another person, forthwith give notice of the fact to the corporation;
 - (d) comply with any requirement made by or under any law in force in the Territory to carry out repairs or to do any work or thing in relation to his unit;
 - (e) if his unit is to be unoccupied for a continuous period exceeding 30 days, give notice of the fact to the corporation;
 - (f) if a change occurs in the occupancy of his unit, notify the corporation of that fact and of the name of the person who will occupy the unit.

(4) A member of the corporation shall not:

- (a) subject to sections 42B and 44, use the common property or permit it to be used so as unreasonably to interfere with the use and enjoyment of the common property by another member of the corporation, by the occupier or user of another unit or by an invitee or licensee of such a member or person;
 - (b) use his unit or permit it to be used in such a manner as to cause a nuisance, hazard or substantial annoyance to another member of the corporation or an occupier or user of another unit or to an invitee or licensee of such a member or person;
 - (c) make within his unit or on the common property such a noise as might reasonably, in the circumstances, cause substantial annoyance to another member of the corporation or to the occupier or user of another unit;
 - (d) use his unit, or permit it to be used, in a manner that results in there being a contravention of a law in force in the Territory;
 - (e) except in accordance with the permission given by a majority resolution of the corporation and in accordance with the provisions of any law in force in the Territory applicable in the circumstances, erect or alter any structure in or on his unit; and
 - (f) except in accordance with the permission given by a majority resolution of the corporation, keep any animals or birds in or on his unit or the common property.
- (5) A person who becomes the proprietor of a unit shall, within 7 days after lodging with the Registrar-General for registration the instrument under which he has become the proprietor of the unit, give to the corporation notice that he has become the proprietor of the unit.

2A. A permission mentioned in clause (2)(4)(f) may be withdrawn at any times by a majority resolution of the corporation and notice given to the member of the corporation concerned.

3. DAMAGE TO LAWNS, &c., ON COMMON PROPERTY

The proprietor or occupier of a unit shall not:

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

4. DAMAGE TO COMMON PROPERTY

The proprietor or occupier of a unit shall not mark, paint, drive nails or screws or the like into, or otherwise damage or deface, a structure that forms part of the common property without the permission given by a majority resolution of the corporation, but this by-law does not prevent a proprietor or person authorised by him from installing:

- (a) a locking or other safety device for protection of his unit against intruders; or
- (b) a screen or other device to prevent entry of animals or insects into his unit.