

Taraville CTS. 29487
Body Corporate
By Laws

1. Noise:

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

2. Vehicles:

(1) The occupier of a lot must not, without the body corporate's written approval-

- (a) park a vehicle, or allow a vehicle to stand, on the common property; or
- (b) permit an invitee to park a vehicle, or allow a vehicle to stand on the common property, other than the designated visitor car parking spaces as per the plan.

(2) An approval under subsection (1) must state the period for which it is given.

(3) However, the body corporate may cancel the approval by giving 7 days written notice to the occupier.

3. Obstruction

The occupier of the lot must not obstruct the lawful use of the common property by someone else.

4. Damage to Lawn etc:

(1) The occupier of the lot must not, without the body corporate's written approval-

- (a) damage a lawn, garden, tree, shrub, plant or flower on the common property: or
- (b) use a part of the common property as a garden

(2) An approval under subsection (1) must state the period for which it is given.

(3) However, the body corporate may cancel the approval by giving 7 days written notice to the occupier.

5. Damage to Common Property:

(1) An occupier of the lot must not, without the body corporate's written approval, mark, paint, drive nails, screws or other objects into, or otherwise damage or deface a structure that forms part of the community property.

(2) However, an occupier may install a locking or safety device to protect the lot against intruders, or a screen to prevent entry of animals or insects, if the device is soundly built and is consistent with the colour, style and materials of the building.

(3) The owner of the lot must keep a device installed under subsection (2) in good order and repair.

6. Behaviour of Invitees:

An occupier of a lot must take reasonable steps to ensure that the occupier's invitees do not behave in a way likely to interfere with the enjoyment of another lot or the common property.

7. Leaving of Rubbish etc. on Common Property:

The occupier of a lot must not leave rubbish or other materials on the common property in a way or place likely to interfere with the enjoyment of the common property by someone else.

8. Appearance of Lot:

- (1) The occupier of a lot must not, without the body corporate's written approval-
 - (a) hang washing, bedding, or another cloth article is visible from another lot or the common property, or from outside the scheme land; or
 - (b) display a sign, advertisement, placard, banner, pamphlet or similar article if the article is visible from another lot or the common property, or from outside the scheme land.
- (2) This section does not apply to a lot created under a standard format plan of subdivision.

9. Storage of flammable materials

- (1) The occupier of a lot must not, without the body corporate's written approval, store a flammable substance on the common property.
- (2) The occupier of a lot must not, without the body corporate's written approval, store a flammable substance on the lot unless the substance is used or intended for use for domestic purposes.
- (3) However, this section does not apply to the storage of fuel in-
 - (a) the fuel tank of a vehicle, boat or internal combustion engine: or
 - (b) a tank kept on a vehicle or boat in which the fuel is stored under the requirements of the law regulating the storage of flammable liquid.

10. Garbage Disposal:

- (1) Unless the body corporate provides some other way of garbage disposal, the occupier of a lot must keep a receptacle for garbage in a clean and dry condition adequately covered on the lot, or on part of the common property designated by the body corporate for the purposes.
- (2) The occupier of a lot must-
 - (a) comply with all local government local laws about disposal of garbage: and
 - (b) ensure that the occupier does not, in disposing of garbage, adversely affect the health, hygiene or comfort of the occupiers of other lots.

11. Keeping of Animals:

(1) The occupier of a lot may with the body corporate's written approval-

- (a) bring or keep a cat or small dog on the lot or the common property: or
- (b) permit an invitee to bring or keep a cat or small dog on the lot or common property.

Provided that the said animal does not create any disturbance to the occupiers of the building or any damage to any lot or common property.

(2) The occupier must obtain the body corporate's written approval before bringing, or permitting an invitee to bring, an animal onto the lot or common property.

However, section 143 of the act provides as follows-

Guide Dogs:

143.(1) A person mentioned in the *Guide Dogs Act 1972*, section 5, who is entitled to be on a lot included in a community titles scheme, or on the common property, is entitled to be accompanied by a guide dog while on the lot on common property.

(2) Also, a person mentioned in subsection (1) who is the owner or occupier of a lot in a community title scheme is entitled to keep a guide dog on the lot.

(3) A by-law can not exclude or restrict a right given by this section.

12. Swimming Pool

In relation to the use of the areas a proprietor or lessees of the lot shall ensure:-

- (a) that his invitees and guests do not use the same or any of them unless he or the proprietor accompanies them:-
- (b) that children below the age of 13 years are not in or around the same unless accompanied by an adult proprietor or lessee exercising effective control over them:
- (c) that glass containers or receptacles of any type are not taken to or allowed to remain in or around the same:
- (d) that he and his invites shall exercise caution at all times and shall not run, or splash, or behave in any manner that is likely to interfere with the use and enjoyment of the pool by other persons:
- (e) that no use is made of the areas between the hours of 9pm and 7pm without the consent of the Body Corporate Committee.

13. Maintenance of Swimming Pool

A proprietor of a lot shall not without proper authority operate, adjust or interfere with the operation of any equipment associated with the swimming pool or add any chemical or other substance to the same.

14. Common Room and Gym

The Common Room and Gym shall not be used between the hours of 9pm and 7am without the consent of the Body Corporate Committee.

Children below the age of 16 years are not to be in or use the gym without another proprietor or adult accompanies them.

15. Rules re. Pool, Common Room and Gym

The Body Corporate Committee may make rules relating to the use of the swimming pool, common room and gym not inconsistent with these bylaws and the same shall be observed by the proprietors or lessees unless and until they are disallowed.

16. Recovery of Costs (Levies)

A proprietor shall pay on demand the whole of the Body Corporate costs and expenses (including Solicitor and own client costs) which amount shall be redeemed to be a liquidated debt due, in recovering all and any levies or moneys duly levied upon such proprietor by the Body Corporate Manager pursuant to the Act.

17. Power of Body Corporate Committee

The Body Corporate Committee may make rules relating to the common property not inconsistent with these By-laws and the same shall be observed by the proprietors of lots unless and until they are disallowed or revoked by a majority resolution at a general meeting of the Body Corporate.

18. Tennis Court

The Outdoor Tennis Court is to be limited to day time use only.

The Body Corporate Committee may make rules relating to the use of the Outdoor Tennis Court not inconsistent with these By-Laws and the same shall be observed by the proprietors or lessees unless and until they are disallowed, or revoked by a majority resolution at a general meeting of the proprietors.

19. Use of Lot 1

Lot 1 may with the consent of the Body Corporate be used for the business of management of the scheme and the provision of letting and other associated services.