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BY-LAWS

1. Interpretation

1.1 In the by-laws referred to in this document, unless a contrary intentions appears:

“Act” means the Strata Schemes Management Act, 1996.

“Building” means the building constructed within the parcel.

“Document” has the meaning attributed to it under section 21(1) of the Interpretation Act, 1987.

“Fire Safety Device” means any device installed in a lot or the common property by the owners corporation from time to time for the purposes of:-

- (i) monitoring the incidence of smoke, heat and fire in the parcel;
- (ii) signalling warnings of danger or other hazards as a result of fire in the parcel;
- (iii) notifying (by audible, telephonic, electronic or other means) any fire protection agencies of the risk or occurrence of fire or other like danger or hazards in the parcel; and/or
- (iv) extinguishing a fire in the parcel,

“Governmental Agency” means any governmental or semi-governmental administrative, fiscal or judicial department, commission, authority, tribunal, agency or entity having jurisdiction over any lot or any part of the common property.

“Rules” means the rules made by the owners corporation pursuant to by-law 41.

“Security Key” means a key, magnetic card or other opening device or information required to open and close doors, gates or locks or to operate alarms, security systems or communication systems, in the parcel.

1.2 In these by-laws, unless the context otherwise requires: -

- (a) headings are for convenience only and do not affect the interpretation of the by-laws;
- (b) words importing the singular include the plural and vice versa;
- (c) words importing a gender include any gender;

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- (d) any expressions importing a natural person includes any company, partnership, joint venture, association, corporation or other owners corporation and any Governmental Agency;
- (e) a reference to any thing includes a part of that thing;

a reference to any statute, regulation, proclamation, ordinance or by-law includes all statutes, regulations, proclamations, ordinances or by-laws varying, consolidating or replacing them, and a reference to a statute includes all regulations, proclamations, ordinances and by-laws issued under that statute.

2. Noise

- (1) An owner or occupier of a lot must not create any noise on a lot or the 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) A proprietor or occupier of a commercial lot must not create or permit the creation of noise from any equipment installed in the lot or installed on common property and servicing the lot or from any commercial activity on the common property that is audible within any residential lot between:
 - (a) 9.30pm to 7.00am on Monday to Friday (except where it is a public holiday); or
 - (b) 9.30pm to 8.00am on Saturday, Sunday or a public holiday.

3. Vehicles

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

4. Obstruction of common property

An owner or occupier of a lot must not obstruct lawful use of common property by any person.

5. Damage to lawns and plants on common property

An owner or occupier of a lot must not:

- (a) damage any lawn, garden, tree, shrub, plant or flower being part of or situated on common property, or

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- (b) use for his or her own purposes as a garden any portion of the common property.

6. 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 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
- (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 62, the owner of a lot must 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.

7. Works in Common Property

- 7.1** A proprietor or occupier of a lot must not undertake any work to, alter or install structures on any part of the common property, or use any part of the common property for commercial purposes without the prior written consent of the owners corporation.
- 7.2** The consent of the owners corporation to any work, alteration, installation or use:
 - (a) can be given by the owners corporation as the owners corporation determine in each instance;
 - (b) will contain conditions that the proprietor or occupier obtains any necessary consent or permit from the relevant Governmental Agency;

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- (c) may contain conditions including, without limitation, specification of the material(s) to be used, colour, dimensions, location, method of affixation, and operation of the work, alteration or installation; and
- (d) may contain conditions including monetary charges (whether one off or recurring).

7.3 The proprietor of the lot in relation to which works, alterations installations and/or use are to be undertaken must pay to the owners corporation an amount to cover its time and costs of considering that work, alteration, installation and/or use being the fee determined from time to time by the owners corporation.

7.4 This by-law does not prevent a proprietor or occupier from making minor alterations to the interior of common property structures enclosing the lot for the purposes of fitting out or refurbishing the lot provided the proprietor or occupier obtains any necessary consent or permit from the relevant Governmental Agency and complies with the requirements of the owners corporation.

7.5 The proprietor of a lot must maintain and keep in a state of good and serviceable repair and renew and replace as may be necessary or otherwise as reasonably required by the owners corporation any work, alteration or installation that services the lot to which the written consent of the owners corporation has been given under these by-laws. For the purposes of this clause, goods and serviceable repair includes the obligation to ensure that works, alterations or installations that service the lot do not emit noxious fumes, odours, pollution or other substances that interfere with the enjoyment of lots and/or common property by persons lawfully using those areas.

7.6 Upon demand from the owners corporation the proprietor of a lot must within seven days remove from the common property any works or installations on the common property which service the lot and which have been installed without the prior written consent of the owners corporation.

7.7 The owners corporation may from time to time decide to clean areas of common property on a one off or recurring basis and/or carry out maintenance where it is judged necessary or reasonably desirable. The owners corporation may recover the cost of this cleaning and/or minor maintenance from the relevant proprietor or proprietors on any basis that the owners corporation considers fair and equitable having regard to the nature of the cleaning and/or minor maintenance.

8. Use of Common Property Toilets & Facilities

A proprietor or occupier of any lot that is used for commercial purposes must not permit;

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- (a) that proprietor's or occupier's patrons, clients or customers to use any common properties facilities, including, without limitation, the toilets, swimming pool, showers, spas, gymnasium and sauna facilities; and
- (b) that proprietor's or occupier's employees and staff do not use any common property facilities, including, without limitation, the swimming pool, showers, spas, gymnasium and sauna facilities.

9. Licences to Use Common Areas

- 9.1 The owners corporation may from time to time, grant licences to proprietors and occupiers of lots to use specified parts of the common property.
- 9.2 Any licences granted by the owners corporation pursuant to by-law 9.1 may be for whatever period the owners corporation determines is appropriate (including periods of less than one day).
- 9.3 Any licences granted by the owners corporation pursuant to by-law 9.1 may include (and without limitation as to the nature and types of conditions which the owners corporation may impose) the following conditions:
 - (a) the permitted uses of the specified parts of the common property;
 - (b) limitations on the number of people permitted in specified parts of the common property;
 - (c) the imposition of monetary charge(s);
 - (d) the requirement for appropriate insurances to be effected; and
 - (e) the requirement for the applicant to pay to the owners corporation amount/s to cover the cleaning of the specified parts of the common property.
- 9.4 The owners corporation may from time to time establish guidelines relating to the licensing of parts of the common property.

10. Parking & Deliveries

A proprietor or occupier of a lot may park a motor vehicle in or use any part of the common property specifically designated by the owners corporation, from time to time, for deliveries:-

- (a) only by prior arrangement with the owners corporation or its strata managing agent; and

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- (b) only in a manner which avoids obstruction or unreasonable interference with use of any such specifically designated area of the common property by other proprietors or occupiers.

11. 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.

12. 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 custody or 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.

13. 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.

14. 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 or other material likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using the common property.

15. 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.

16. Cleaning windows and doors

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

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17. 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.

18. Moving furniture and other objects on or through common property

- (1) An owner or occupier of a lot must not transport any furniture, large object or deliveries to or from the lot 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, large objects or deliveries to and from the lot 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, large objects or deliveries to and from the lot are to be transported, then an owner or occupier of a lot must not transport any furniture, large object or deliveries to and from the lot through or on common property except in accordance with that resolution.

19. 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.

20. Garbage disposal

- 20.1** A proprietor or occupier of a lot must not deposit on the common property any garbage except in a receptacle or area specifically provided for that purpose.

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20.2 A proprietor or occupier of a residential lot must dispose of garbage in the following manner:

- (a) recyclable glass and/or plastic bottles must be completely drained, cleaned and deposited in unbroken condition in the place designated by the owners corporation;
- (b) all other recyclable materials (as may be specified by any Governmental Agency) are to be left in the areas designated by the owners corporation;
- (c) all other garbage must be drained and securely wrapped in small parcels and deposited in the place designated by the owners corporation for such garbage; and
- (d) garbage must be stored in receptacles kept in the areas designated by the owners corporation for storage of garbage from that lot from time to time (whether located in the common property or the lot).

20.3 A proprietor or occupier of a commercial lot must dispose of garbage in the following manner:

- (a) recyclable glass and/or plastic bottles must be completely drained, cleaned and deposited in unbroken condition in suitable receptacles on the lot before collection;
- (b) all other recyclable materials (as may be specified by any Governmental Agency) are to be deposited in suitable receptacles on the lot before collection;
- (c) all other garbage must be deposited in suitable receptacles on the lot or areas designated by the owners corporation, from time to time, for such garbage; and
- (d) the proprietors or occupier of the lot must arrange for the receptacles in which recyclables and garbage are stored to be emptied regularly but not at the following times;
 - (i) between 8.00pm and 7.00am on weekdays; or
 - (ii) between 8.00pm and 8.00am on weekend and public holidays.

20.4 Despite any provision in this by-law, proprietors and occupiers of lots must comply with the requirements from time to time of the owners corporation and any Governmental Agency regarding the separate storage and disposal of putrescible and recyclable waste.

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21. Keeping of animals

- (1) Subject to section 49 (4), an owner or occupier of a residential lot must not, without the prior written approval of the owners corporation, keep any animal on the lot or the common property.
- (2) The owners corporation must not unreasonably withhold its approval of the keeping of an animal on a residential lot.
- (3) The owners corporation approval may be withdrawn if the animal kept on the lot becomes, offensive, vicious, noisy or a nuisance to other owners or occupiers.

22. Appearance of lot

- (1) The owner or occupier of a lot must not, except with 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 aesthetic appearance of 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.

23. 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).

24. Preservation of fire safety

The owner or occupier of a lot must not do any thing or permit any invitees of the owner or occupier to do any thing on the lot or common property that is likely to affect the operation of fire safety devices in the parcel or to reduce the level of fire safety in any of the lots or the common property. An owner or occupier of a lot must not interfere with fire safety equipment or obstruct fire stairs or fire escapes.

25. Fire Safety Devices

25.1 A proprietor or occupier of a lot shall not:

- (a) interfere with the operation of any Fire Safe Device; and/or
- (b) act or omit to act in any manner so as to activate any Fire Safety Device except in the case of the happening of emergencies and/or other events likely to cause a risk, hazard or

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danger to the Building comprised in the strata scheme or any person on the parcel.

- 25.2** If a proprietor or occupier of a lot breaches this by-law, then the owners corporation may:
- (a) (at its sole discretion) carry out all work necessary to comply with the obligation imposed on that proprietor or occupier; and
 - (b) (at its sole discretion) carry out all work necessary to remedy the breach by that proprietor or occupier; and
 - (c) recover the costs that the owners corporation incurs as a result of the breach and/or of exercising its rights under clauses 25.2(a) and 25.2(b) of this by-law from that proprietor or occupier as a debt due and payable.
- 25.3** The owners corporation and proprietors and occupiers of lots agree that for the purposes of this by-law:
- (a) a proprietor or occupier of a lot who acts or omits to act in accordance with clause 25.1 of this by-law will be deemed to be in breach of this by-law; and
 - (b) where the proprietor of a lot is not the occupier of that lot, such proprietor will be liable to the owners corporation under clause 25.2(c) of this by-law in default of the occupier paying the debt constituted by such costs; and
 - (c) any Document issued by a fire protection agency recording:
 - (i) notifications to that agency of the risk or occurrence of fire or other like danger or hazards in the parcel;
 - (ii) the lot from which that notification originated; and/or
 - (iii) the charges made to the owners corporation by that agency for acting in response to that notification;

will be prime facie evidence of such notification, its origin and the amount of those charges.

26. Prevention of hazards

The owner or occupier of a lot must not do any thing or permit any invitees of the owner or occupier to do any thing on the lot or common property that it likely to create a hazard or danger to the owner or occupier of another lot or any person lawfully using the common property.

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27. 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) security services,
 - (b) promotional services,
 - (c) advertising,
 - (d) commercial cleaning,
 - (e) domestic services,
 - (f) garbage disposal and recycling services,
 - (g) electricity, water or gas supply,
 - (h) telecommunication services (for example, cable television),
 - (i) caretaking services
- (2) If the owners corporation makes a resolution referred to in sub-clause (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.

28. Controls on hours of operation and use of facilities

- (1) The owners corporation may, by special resolution, make any of the following determinations if it considers the determination is appropriate for the control, management, administration, use or enjoyment of the lot or the lots and common property of the strata scheme:
 - (a) that commercial or business activities may be conducted on a lot or common property only during certain times; and/or
 - (b) that facilities situated on the common property may be used only during certain times or on certain conditions.
- (2) An owner or occupier of a lot must comply with a determination referred to in sub-clause (1).

29. Notice Board

An owners corporation must cause a notice-board to be affixed to some part of the common property.

30. Swimming Pool

- (1) The owners corporation must make rules relating to the swimming pool and the swimming pool area, in particular, the hours during with

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the swimming pool and swimming pool area may be used by an owner or occupier of a lot.

- (2) The owner or occupier of a lot and their visitors may use the swimming pool on common property.
- (3) The owner or occupier of a lot must accompany their visitors when they are in the swimming pool area.
- (4) The owner or occupier of a lot must exercise effective control and accompany children who are in their custody, care and control when those children are in the swimming pool or the swimming pool area.
- (5) An owner or occupier of a lot or their visitor must not bring food or drink into the swimming pool area, hold parties or other functions in the swimming pool area or interfere with or operate or adjust swimming pool equipment without the prior written consent of the owners corporation.
- (6) An owner or occupier or their visitor must not bring glass objects, drinking glasses and sharp objects into the swimming pool area or run, play or be noisy or do anything which might be dangerous while they are in the swimming pool area.

31. Gymnasium

- (1) The owners corporation must make rules about the use of the gymnasium including the times in which the gymnasium may be used.
- (2) An owner or occupier of a lot or their visitor may use the gymnasium. All visitors to the gymnasium must be accompanied by the owner or occupier of a lot.
- (3) An owner or occupier must ensure that they exercise effective control of children who are in their care when children use the gymnasium.
- (4) An owner or occupier of a lot or their visitor must not bring food or drink into the gymnasium (other than non alcoholic drinks in plastic drinking bottles), hold parties or other functions in the gymnasium, or interfere with health club equipment other than for the day to day operation of the equipment.
- (5) An owner or occupier of a lot or their visitor must not behave in a manner which disturbs other owner occupiers or their visitors in using the gymnasium nor may they bring glass objects, drinking glass or sharp objects into the gymnasium.

32. Security

- (1) An owner or occupier of a lot must not do anything nor permit anything to be done which may prejudice the security or safety of the

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Building and must take all reasonable steps to ensure that the Building's fire and security doors are kept secure and in an operational state.

- (2) The owners corporation must take all reasonable steps to preserve the safety of the Building from fire and other hazards and to ensure the security of the Building from trespassers and if it considers it necessary or desirable may:
 - (j) Restrict access to any part of the common property by means of a security key or other security device.
 - (ii) create any exclusive use right over any part of the common property for security surveillance purposes either solely or in conjunction with security surveillance for any other part of the Building and/or the strata scheme; and
 - (iii) make rules relating to the security of the Building from trespassers, fire or other hazards.
- (3) If the owners corporations restricts access of an owner or occupier of a lot under these by-laws, the owners corporation shall make available to the appropriate parties on its own conditions security keys or other access devices as necessary.
- (4) The owner or occupier of a lot must take reasonable steps to ensure the proper use of a security key or device by persons authorised by them and the safe return of such key or device to that owner or occupier.

33. Closing Doors

The proprietors or occupier of the lot shall keep all doors between the lot and common property hallways and/or passageways closed except when actually in use for ingress and egress.

34. Security Grills, Doors & Window Dressings

- 34.1** A proprietor or occupier of a lot must not install on the exterior of any windows or doors of a lot any bars, screens, grills, locks or other safety devices of a type, colour and design not approved by the owners corporation.
- 34.2** A proprietor or occupier of a lot must not install on any windows or other glazed parts of a lot that are visible from outside the lot any blinds, curtains or shutters of a type, colour and design not approved by the owners corporation.
- 34.3** A proprietor or occupier of a lot must not place outside the external door of the lot (giving access to the internal walkways within the

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Building) any door mats of a type that are not approved by the owners corporation.

- 34.4** A proprietor or occupier of a lot must not affix or install deadlocks, door chimes, peep holes and deadbolts of a type not approved by the owners corporation.

35. Security of Common Property

A proprietor or occupier of a lot must not do or permit anything which may prejudice the security or safety of the strata scheme or the Building and, without limitation, a proprietor or occupier of a lot must take all reasonable steps to ensure that all fire and security doors are kept locked or secure or in an operational state, as the case may be, when not in immediate use.

36. Restricted use of Common Property

36.1 The owners corporation may take all reasonable steps to ensure the security of the Building and the parcel from intruders and to preserve the safety of the Building and the parcel from fire or other hazard and if it considers it necessary or desirable may, without limitation:

- (a) close off or restrict by means of Security Keys access to any part of the common property not required for access to a lot on either a temporary or permanent basis; or
- (b) permit, to the exclusion of proprietors and occupiers, any designated part of the common property to be used by any security person as a means of monitoring the security of the parcel, either solely or in conjunction with any other parcel; or
- (c) restrict by means of Security Key the access of proprietors and occupiers of one level of the Building to any other level of the Building.

36.2 The owners corporation may close off or restrict by means of Security Keys access to parts of the common property for the proper control and administration of those areas.

37. Security Keys

37.1 If the owners corporation restricts the access of proprietors and occupiers under By-Law 36.1, the owners corporation may make available to proprietors of lots the number of Security Keys the owners corporation considers necessary and the owners corporation may charge proprietors a reasonable fee or bond for any Security Key.

37.2 If the owners corporation restricts the access of proprietors and occupiers under By-Law 36.2, the owners corporation may make

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available to proprietors of lots the number of Security Keys the owners corporation considers necessary and the owners corporation may charge proprietors a reasonable fee or bond for any Security Key.

- 37.3** A proprietor of a lot must exercise a high degree of caution and responsibility in making a Security Key available for use by any occupier of a lot and must take all reasonable steps, including without limitation, an appropriate agreement in any lease or licence of the lot to ensure returns of the Security Key to the proprietor or the council of the owners corporation.
- 37.4** A proprietor or occupier of a lot in possession of a Security Key must not duplicate or permit the Security Key to be duplicated and must take all reasonable steps to ensure that the Security Key is not lost or handed to any person others than another proprietor or occupier and is not disposed of otherwise than by returning it to the proprietor or the owners corporation.
- 37.5** A proprietor or occupier of a lot must promptly notify the owners corporation if a Security Key is lost or destroyed.
- 37.6** A proprietor or occupier of a lot must promptly notify the owners corporation in the manner specified when directed to do so by the owners corporation.
- 37.7** The owners corporation may render inoperable any Security Key which is lost or any Security Key in the possession of a proprietor or occupier who fails to comply with the terms of these by-laws or the Rules.

38. Compliance with Planning Laws & Approvals

- 38.1** A proprietor or occupier of a lot must not use the lot for any purpose that is unlawful;
- 38.2** A proprietor or occupier of a lot must at the proprietor's or occupier's own expense promptly comply with all laws relating to the;
- (a) lot;
 - (b) proprietor's or occupier's use of the lot;
 - (c) proprietor's or occupier's use of any area of common property to which a licence or a right of exclusive use has been given,

including, without limitation, all planning laws, development, building and other approvals, consents, requirements, notices and orders of any Governmental Agency.

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38.3 In the event that compliance with this by-law requires the submission of an application for development and/or building approval to any Governmental Agency, then the proprietor of the relevant lot must:

- (a) submit that application to the owners corporation for consideration;
- (b) amend that application to comply with the requirements of the owners corporation; and
- (c) pay to the owners corporation an amount to cover its time and costs of considering the application being the fee determined from time to time by the body corporate.

39. Signs

39.1 A proprietor or occupier of a lot must not affix or exhibit any sign, lighted advertisement, name or notice to or on any part of the common property, without the prior written consent of the owners corporation.

39.2 The approval of the owners corporation referred to in by-law 39.1 may be given conditionally and without limitation as to the nature and extent of those conditions which may include:

- (a) limitations on the style, nature, size, materials, design and location
- (b) the imposition of a monetary charge (whether one off or recurring)
- (c) the requirement for the applicant to pay to the owners corporation amount/s to cover considering the application being the fee determined from time to time by the owners corporation.
- (d) the requirement for the applicant to pay to the owners corporation amount/s to cover professional architectural costs incurred pursuant to by-law 32.

39.3 The owners corporation may from time to time establish guidelines relating to the style, nature, size, materials, design and location of sign, lighted advertisement, name or notices.

39.4 The owners corporation may from time to time engage architects to advise in relation to the guidelines established under by-law 39.3 and/or considering applications for approval of a sign, lighted advertisement, name or notice under by-law 39.1.

40. Smoking

A proprietor or occupier of a lot must not smoke cigarettes, cigars or pipes or any other substance while on any parts of the secured common property or

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permit any of the proprietor's or occupier's visitors, guests, patrons, clients or customers to do so.

41. Rules

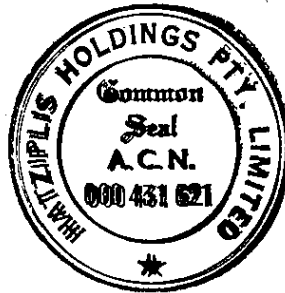
41.1 The owners corporation may make rules relating to the control, management, operation, use and enjoyment of the parcel and the common property.

41.2 The owners corporation may add to alter the rules at any time.

41.3 The rules bind each proprietor, occupier and mortgagee in possession of a lot and those persons must comply with the rules in force from time to time.

42. Copies of By-laws

An owner or occupier of a lot who leases or sub-lets a lot must give to the tenant or sub-tenant as the case may be a copy of the By-laws.



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H Hatfield

SIGNED, SEALED AND DELIVERED)
For and on behalf of)
ST GEORGE BANK LIMITED)
(A.C.N. 055 513 070) by its)
attorneys under power of)
attorney registered No. 125)
Book 4182)

David Matheson

ATTORNEY David Malcolm Matheson
Print Name: Credit Administration Manager
Position Held:

B Fynn

ATTORNEY Bronwyn Ann Fynn
Print Name: Credit Analyst / Officer
Position Held:

J Roberts

WITNESS SHARELLE JAN ROBERTS
Print Name:

