

STRATA PLAN 13186

BY-LAWS

CHRISTIE COURT

**80 HEAD STREET
FORSTER NSW 2428**

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By-law 1 - Noise

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

By-law 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 written approval of the owners corporation.

By-law 3 - Obstruction of common property

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

By-law 4 - 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
- (b) use for his or her own purposes as a garden any portion of the common property.

By-law 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 without the approval in writing of the owners corporation.

Note: This by-law is subject to sections 109 and 110 of the *Strata Schemes Management Act 2015*.

2. An approval given by the owners corporation under clause (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
- (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.

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 of the *Strata Schemes Management Act 2015*, the owner of a lot must maintain and keep in a state of good and serviceable repair any installation or structure referred to in clause (3) that forms part of the common property and that services the lot.

By-law 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.

By-law 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.

By-law 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.

By-law 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 likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using the common property.

By-law 10 - Drying of laundry items

An owner or occupier of a lot must not, except with the consent in writing 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.

By-law 11 - Cleaning windows and doors

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

By-law 12 - Storage of inflammable liquids and other substances and materials

1. An owner or occupier of a lot must not, except with the approval in writing 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.

By-law 13 - Moving furniture and other objects 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 sufficient notice has first been given to the strata committee so as to enable the strata committee to arrange for its nominee to be present at the time when the owner or occupier does so.

By-law 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.

By-law 15 - Garbage disposal

An owner or occupier of a lot:

- (a) must maintain 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 adequately covered a receptacle for garbage, and
- (b) must ensure that before refuse is placed in the receptacle it is securely wrapped or, in the case of tins or other containers, completely drained, and
- (c) for the purpose of having the garbage collected, must place the receptacle 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 is normally collected, and
- (d) when the garbage has been collected, must promptly return the receptacle to the lot or other area referred to in paragraph (a), and
- (e) must not place any thing in the receptacle 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 collector may have spilled from the receptacle and must take such action as may be necessary to clean the area within which that thing was spilled.

By-law 16 - Keeping of animals

1. Subject to section 157 of the *Strata Schemes Management Act 2015*, an owner or occupier of a lot must not, without the approval in writing 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 lot or the common property.

By-law 17 - Appearance of lot

1. The owner or occupier of a lot must not, without the written consent 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.

By-law 18 - Notice board

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

By-law 19 - 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).

Special by-law no. 1 – Air conditioning

(1) All air conditioning units installed prior to the registration of this By-Law shall be the responsibility of the proprietor of the lot in which the air-conditioning unit is installed and that all repairs and maintenance of the air-conditioning units shall be at the cost of that proprietor current and future.

(2) All air conditioning units installed after the registration date of this By-Law shall be installed in accordance with the following:

(a) Consent for installation must be given in writing from the Owners Corporation.

(b) Any air conditioning unit so approved must be installed wholly within the lot (as far as practicable) in a workmanlike manner by suitably qualified and licensed trades people at the cost of the registered proprietor.

(c) That the cost of ongoing maintenance of the system be the responsibility of the proprietor of the lot current and future.

(d) That any building problem resulting from the installation of the air conditioning unit be the responsibility of the proprietor of the lot current and future and that the Owners Corporation be authorized to take steps to carry out all work necessary to perform this obligation if that proprietor fails to comply with this By-Law and that any relevant costs be recovered from the proprietor of the concerned lot.

(e) That the noise level be properly and regularly maintained by the proprietor of the lot current and future so it is not to exceed the manufacturers specifications or council requirements.

(f) That the condensed water be captured and drained into the drainage system accordingly.

Special by-law no. 2 – Verandah awning

(1) All verandah awnings installed prior to the registration of this By-Law shall be the responsibility of the proprietor of the lot in which the verandah awning is installed and that all repairs and maintenance of the verandah awning shall be at the cost of that proprietor current and future.

(2) All verandah awnings installed after the registration date of this By-Law shall be installed in accordance with the following:

(a) Any verandah awning installed must be installed by a qualified and insured installer at the cost of the registered proprietor.

(b) The material used for the verandah awning must be of a material that is suitable for external use.

(c) The verandah awning must be erected on the fascia of Lots 1, 3 and 4 with suitable fixings and held to the patio railing with stainless steel hooks. The verandah awning on Lot 2 must be erected on the lower surface of the patio of Lot 4 with suitable fixings and held to the patio railing with stainless steel hooks.

(d) The verandah awning is to be installed in two (2) sections and not one (1) large awning.

(e) The colour and material of the verandah awning is to be in keeping with the current colour of the building and be subject to the written approval of the Owners Corporation.

(f) The cost of repair and maintenance of the verandah awning be the responsibility of the proprietor of the lot current and future.

(g) That the verandah awning does not extend beyond the limits of the current patio area.

(3) That any building problem resulting from the installation of the verandah awning be the responsibility of the proprietor of the lot current and future and that the Owners Corporation be authorised to take steps to carry out all work necessary to perform this obligation if that proprietor fails to comply with this By-Law and that any relevant costs be recovered from the proprietor of the concerned lot.

(4) That each proprietor of the lot concerned indemnify the Owners Corporation against any damages or claims that may arise from the installation of the verandah awning.

Special by-law no. 3 – 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.