

# ATTACHMENT NO. 1

## FORM 29

*Strata Titles Act 1985*

Section 69A (f)

### BUYING AND SELLING A STRATA TITLED LOT

This information applies to lots in a strata scheme and a survey-strata scheme.

If you are uncertain about any matter mentioned below you should obtain independent advice from a lawyer or other expert **BEFORE** signing an offer to purchase or sell or entering into a contract to purchase a strata titled lot.

If you intend **BUYING A STRATA TITLED LOT**, you should note that as owner of the lot you will be subject to the following obligations and restrictions.

1. You will be buying the strata titled lot AND a share in the common property in the strata titled scheme.

The lot number on the strata or survey-strata plan may not correspond with the unit/apartment number used for postal purposes.

2. The strata titled scheme consists of all of the lots and the common property which are shown on the strata or survey-strata plan.

On a strata plan, the common property may comprise parts of a building or buildings (eg. walls, floors, roof) in which the lots may be situated and any land not part of a lot.

On a survey-strata plan, the common property is those lots shown as "CP lots" on the plan and will include any building, which is situated on a common property lot.

3. As an owner of a strata titled lot, you will be a member of the strata company and entitled to participate in its management.

A strata company automatically comes into existence on registration of the strata or survey-strata plan.

4. Your right to deal with the lot and to use the common property is restricted because it is subject to the *Strata Titles Act 1985*, the by-laws of the strata company, any resolutions which the strata company may have passed, and management by the strata company.

A copy of the standard by-laws for strata companies which is contained in the *Strata Titles Act 1985*, is printed at the end of or is attached to this brochure.

The standard by-laws may be repealed, changed or added to by the strata company.

The standard by-laws may be changed by a Management Statement registered at the same time the strata or survey-strata plan is registered.

Later changes to the by-laws by the strata company will be recorded in its records and must be registered on the strata or survey-strata plan within 3 months.

Restrictions on the use of the lot may also be shown on the strata or survey-strata plan. The strata company may have passed resolutions, which affect the lots and common property, e.g. approving a plan of re-subdivision or a transfer or lease of common property. These resolutions are recorded in the minutes of meetings of the strata company.

5. You will be liable to pay a strata levy to the strata company for administrative expenses, including maintenance, upkeep and repair of buildings forming part of or on the common property, and insurance of the common property, unless you are in a scheme of 2 to 5 lots which may be exempt from these requirements.

Your contribution will be calculated in proportion to the unit entitlement of the lot to the aggregate unit entitlement of all of the lots on the strata or survey-strata plan, unless the strata company has passed a by-law to change the basis on which the contributions are proportioned.

The unit entitlement is found on the strata or survey-strata plan.

You may also be liable to contribute to a reserve fund for contingent expenses, which will be calculated in proportion to the unit entitlement of the lot.

The amount of contributions to a strata levy and reserve fund can be obtained in a certificate from the strata company. The strata company will also be able to advise of any outstanding contributions owing by the vendor and of any contributions which have been approved but are not yet due.

6. Except in certain circumstances, you will not be able to build on the lot or make any alterations to (including removal of) a building on the lot without the approval of the strata company.

**BEFORE ENTERING INTO A CONTRACT** or an offer to purchase or sell a strata titled lot, the vendor must provide to the purchaser a completed and signed Disclosure Statement (Form 28 in the *Strata Titles General Regulations 1996*).

Alternatively, the information required to be included in the Disclosure Statement may be incorporated into the contract.

The Disclosure Statement (or contract) must have attached to it:-

- a copy of the registered or proposed strata or survey-strata plan, which clearly identifies the lot being sold and any information which relates specifically to the lot;
- a copy of this document ("Buying and Selling a Strata Titled Lot") (including the standard by-laws);
- a copy of all non standard by-laws of the strata company, including any which have been passed by the strata company but not yet registered or any by-laws which are proposed to apply to the scheme;
- the unit entitlement of all of the lots in the scheme.

If the vendor is the original proprietor of the lot, then the additional information which is listed in Part 2 of the Disclosure Statement must also be given.

The purchaser may have the **RIGHT TO TERMINATE A CONTRACT** to purchase a strata titled lot if:-

- I. a signed and completed Disclosure Statement was not provided by the vendor before the purchaser entered into the contract or the information required to be included in the Disclosure Statement was not included in the contract; or
- II. certain changes occur in relation to the strata company, the strata or survey-strata plan or the common property (as set out in section 69C (3) of the *Strata Titles Act 1985*) before settlement and the vendor has not given notice in writing to the purchaser of those changes.

The purchaser's right to terminate the contract is restricted if the Disclosure Statement or notification of any changes was given after entering into the contract but before settlement.

## **STANDARD BY-LAWS contained in the STRATA TITLES ACT 1985**

### **Schedule 1 By-laws**

#### **1. DUTIES OF PROPRIETORS, OCCUPIERS, ETC.**

(1) A proprietor shall -

- a) forthwith carry out all work that may be ordered by any competent public authority or local government in respect of his lot other than such work as may be for the benefit of the building generally and pay all rates, taxes, charges, outgoings and assessments that may be payable in respect of his lot;
- b) repair and maintain his lot and keep it in a state of good repair, reasonable wear and tear, and damage by fire, storm, tempest or act of God excepted.

(1a) A proprietor shall –

- a) notify the strata company forthwith upon any change of ownership, including in the notice an address of the proprietor for services of notices and other documents under this Act; and
- b) if required in writing by the Strata Company, notify the Strata Company of any mortgage or other dealing in connection with his lot, including in the case of a lease of a lot, the name of the lease and the term of the lessee.

(2) A proprietor, occupier or other resident of a lot shall -

- a) use and enjoy the common property in such a manner as not unreasonably to interfere with the use and enjoyment thereof by other proprietors, occupiers or residents, or of their visitors; and
- b) not use the lot or permit it to be used in such a manner, or for such purpose as causes a nuisance to any occupier of another lot (whether a proprietor or not) or the family of such an occupier;
- c) take all reasonable steps to ensure that his visitors do not behave in a manner likely to interfere with the peaceful enjoyment of the proprietor, occupier or other resident of another lot or of any person lawfully using common property; and
- d) take all reasonable steps to ensure that his visitors comply with the by-laws of the strata company relating to the parking of motor vehicles

#### **2. POWER OF PROPRIETOR TO DECORATE ETC.**

A proprietor may, without obtaining the consent of the strata company, paint, wallpaper or otherwise decorate the structure which forms the inner surface of the boundary of his lot or affix locking devices, flyscreens, furnishings, furniture, carpets and other similar things to that surface, if and so long as such action does not unreasonably damage the common property.

#### **3. POWER OF STRATA COMPANY REGARDING SUBMETERS**

(1) Where the supply of gas, or electricity to a lot is regulated by means of a sub-meter, the strata company may require the proprietor or other 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 by-law (2), 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 shall lodge every sum received under this by-law to the credit of an interest bearing account with a savings bank or building society and all interest accruing in respect of the amounts so received shall, subject to this by-law, be held on trust for the proprietor or occupier who made the payment.

(3) If the proprietor 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 proprietor or occupier under this by-law, including any interest that may have accrued in respect of that amount.

- (4) Where a person who has paid an amount under this by-law to a strata company satisfies the strata company that he is no longer the proprietor 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 a proprietor or occupier of the lot, the strata company shall refund to that person the amount then held on his behalf under this by-law.

#### **4. CONSTITUTION OF THE COUNCIL**

- (1) The powers and duties of the strata company shall 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 shall be 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 proprietors of all the lots shall constitute the council.
- (3) Where there are not more than 3 proprietors the council shall consist of all proprietors and where there are more than 3 proprietors the council shall consist of not less than 3 nor more than 7 proprietors as determined by the strata company.
- (4) Where there are more than 3 proprietors the members of the council shall be elected at each annual general meeting of the strata company or, if the number of proprietors increase to more than 3, at an extraordinary general meeting convened for the purpose.
- (5) In determining the number of proprietors for the purpose of this by-law, co-proprietors of a lot or more than one lot shall be deemed to be one proprietor and a person who owns more than one lot shall also be deemed to be one proprietor.
- (6) If there are co-proprietors of a lot, one only of the co-proprietors shall be eligible to be, or to be elected to be a member of the council and the co-proprietor who is so eligible shall be nominated by his co-proprietors, but, if the co-proprietors fail to agree on a nominee, the co-proprietor who owns the largest share of the lot shall be the nominee or if there is no co-proprietor who owns the largest share of the lot, the co-proprietor whose name appears first in the certificate of title for the lot shall be the nominee.
- (7) On an election of members of the council, a proprietor shall have one vote in respect of each lot owned by him.
- (8) Except where the council consists of all the proprietors, the strata company may by special resolution remove any member of the council before the expiration of his term of office.
- (9) A member of the council vacates his office as member of the council -
  - a) if he dies or ceases to be a proprietor or a co-proprietor of a lot;
  - b) upon receipt by the strata company of a notice in writing of his resignation from the office of member;
  - 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 he is not elected or re-elected;
  - d) in a case where he is a member of the council by reason of there being not more than 3 proprietors, upon an election of members of the council (as a result of there being an increase in the number of proprietors to more than 3) at which he is not elected; or
  - e) where he is removed from office under sub-by-law (8) of this by-law.
- (10) Any casual vacancy on the council may be filled by the remaining members of the council except that, in a case where a casual vacancy arises because of the removal from office of a member under sub-by-law (8) the strata company may resolve that the casual vacancy shall be filled by the strata company at a general meeting.
- (11) Except where there is only one proprietor, a quorum of the council shall be 2 where the council consists of 3 or 4 members; 3, where it consists of 5 or 6 members and 4, where it consists of 7 members.

- (12) The continuing members of the council may act notwithstanding any 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 shall, notwithstanding that it is afterwards discovered that there were some defect in the appointment or continuance in office of any member of the council, be as valid as if that member had been duly appointed or had duly continued in office.

## **5. ELECTION OF COUNCIL**

The procedure for nomination and election of a member of a council shall be in accordance with the following rules -

- (1) The meeting shall determine in accordance with the requirements of by-law 4(3) the number of persons of whom the council shall consist.
- (2) the chairman shall call upon those persons present 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 his nomination, given-
  - a) in writing, and furnished to the chairman at the meeting; or
  - b) orally by a nominee who is present at the meeting.
- (4) When no further nominations are forthcoming the chairman -
  - a) where the number of candidates equals the number of members of the council determined in accordance with the requirements of by-law 4(3), shall declare those candidates to be elected as members of the council;
  - b) where the number of candidates exceeds the number of the members of the council as so determined, shall direct that a ballot be held.
- (5) If a ballot is to be held, the chairman shall -
  - a) announce the names of the candidates; and
  - b) cause to be furnished to each person present and entitled to vote a blank paper in respect of each lot in respect of which he is entitled to vote for use as a ballot paper.
- (6) A person who is entitled to vote shall complete a valid ballot paper by-
  - a) writing thereon the names of candidates, equal in number to the number of members of the council so that no name is repeated;
  - b) indicating thereon the number of each lot in respect of which his vote is cast and whether he so votes as proprietor or first mortgagee of each such lot or as proxy of the proprietor or first mortgagee;
  - c) signing the ballot paper; and
  - d) returning it to the chairman.
- (7) The chairman, or a person appointed by him, shall count the votes recorded on valid ballot papers in favour of each candidate.
- (8) Subject to rule (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 number of votes shall be declared elected to the council.
- (9) Where the number of votes recorded in favour of any candidate is the lowest of the numbers of votes referred to in rule (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 shall be decided by a show of hands of those present and entitled to vote.

**6. CHAIRMAN SECRETARY AND TREASURER OF COUNCIL**

- (1) The members of a council shall, at the first meeting of the council after they assume office as such members, appoint a chairman, a secretary and a treasurer of the council.
- (2) A person-
  - a) shall not be appointed to an office referred to in sub by-law (1) of this by-law unless he is a member of the council; and
  - b) may be appointed to one or more of those offices.
- (3) A person appointed to an office referred to in sub-by-law (1) of this by-law shall hold office until-
  - a) he ceases to be a member of the council;
  - b) receipt by the strata company of notice in writing of his resignation from that office; or
  - c) another person is appointed by the council to hold that office,

whichever first happens.
- (4) The chairman shall preside at all meetings of the council at which he is present and, if he is absent from any meeting, the members of council present at that meeting shall appoint one of their number to preside at that meeting during the absence of the chairman.

**7. CHAIRMAN, SECRETARY AND TREASURER OF STRATA COMPANY**

- (1) Subject to sub-by-law (2), the chairman, secretary, and treasurer of the council are also respectively the chairman, secretary and treasurer of the strata company.
- (2) A strata company may at a general meeting authorise a person who is not a proprietor to act as the chairman of the strata company for the purpose of that meeting.
- (3) A person appointed under sub-by-law (2) may act until the end of the meeting for which he was appointed to act.

**8. MEETINGS OF COUNCIL**

- (1) At meetings of the council, all matters shall 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 shall meet when any member of the council gives to the other members not less than 7 days notice of a meeting proposed by him, specifying in the notice the reason for calling the meeting;
  - b) employ on behalf of the strata company such agents and employees as it thinks fit in connection with the control and management of the common property and the exercise and performance of the powers and duties of the strata company;
  - c) subject to any restriction imposed or direction given at a general meeting of the strata company, delegate to one or more of its members such of its powers and duties as it thinks fit and at any time revoke the delegation.

- (3) A member of a council may appoint a proprietor, or an individual authorised under section 45 of the Act by a corporation which is a proprietor, to act in his place as a member of the council at any meeting of the council and any proprietor or individual so appointed shall, when so acting, be deemed to be a member of the council.
- (4) A proprietor or individual may be appointed under sub-by-law (3) of this by-law whether or not he is a member of the council.
- (5) If a person appointed under sub-by-law (3) of this by-law is a member of the council he may, at any meeting of the council, separately vote in his capacity as a member and on behalf of the member in whose place he has been appointed to act.
- (6) The council shall keep minutes of its proceedings.

**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 meetings of the strata company at the next such meeting;
- b) the giving on behalf of the strata company and of the council of the notices required to be given under the Act;
- c) the supply of information on behalf of the strata company in accordance with section 43 (1) (a) and (b) of the Act;
- d) the answering of communications addressed to the strata company;
- e) the calling of nominations of candidates for election as members of the council; and
- f) subject to sections 49 and 103 of the Act 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 includes -

- a) the notifying of proprietors of any contributions levied pursuant to the Act;
- b) the receipt, acknowledgment and banking of and the accounting for any money paid to the strata company;
- c) the preparation of any certificate applied for under section 43 of the Act; and
- d) the keeping of the books of account referred to in section 35(1) (f) of the Act and the preparation of the statement of accounts referred to in section 35(1)(g) of the Act.

**11. GENERAL MEETINGS OF STRATA COMPANY**

- (1) General meetings of the strata company shall be held once in each year and so that not more than 15 months shall elapse between the date of one annual general meeting and that of the next.
- (2) All general meetings other than the annual general meeting shall be called extraordinary general meetings.
- (3) The council may when ever it thinks fit and shall upon a requisition in writing made by proprietors entitled to a quarter or more of the aggregate unit entitlement of the lots convene an extraordinary general meeting.
- (4) If the council does not within 21 days after the date of the making of a requisition under this by-law proceed to convene an extraordinary general meeting, the requisitionists, or any of them representing more than one-half of the aggregate unit entitlement of all of them, may themselves, in the same manner as nearly as possible as that in which meetings are to be

convened by the council, convene an extraordinary general meeting, but any meeting so convened shall not be held after the expiration of 3 months from the date on which the requisition was made.

- (5) Not less than 14 days notice of every general meeting specifying the place, the date and the hour of meeting and in the case of special business the general nature of that business, shall be given to all proprietors and registered first mortgagees who have notified their interests to the strata company, but accidental omission to give the notice to any proprietor or to any registered first mortgagee or non-receipt of the notice by any proprietor or by any registered first mortgagee does not invalidate any proceedings at any such meeting.
- (6) If a proprietor gives notice in writing to the secretary of an item of business that the proprietor requires to be included on the agenda for the next general meeting of the strata company, the secretary shall include that item on the agenda accordingly and shall give notice of that item as an item of special business in accordance with sub-bylaw (5) of this by-law.

## **12. PROCEEDINGS AT GENERAL MEETINGS**

- (1) All business shall be deemed special that is transacted at an annual general meeting, with the exception of the consideration of accounts and election of members to the council, or at an extraordinary general meeting.
- (2) Except as otherwise provided in these by-laws, no business may be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business.
- (3) One half of the persons entitled to vote present in person or by duly appointed proxy constitutes a quorum.
- (4) If within half an hour from the time appointed for a general meeting, a quorum is not present the meeting if convened upon the requisition of proprietors, shall be dissolved and in any other case it shall stand adjourned to the same day in the next week at the same place and time and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the persons entitled to vote and present constitute a quorum.
- (4a) Sub-bylaws (3) and (4) do not apply to a general meeting of a strata company referred to in section 50B.
- (5) The chairman, may with the consent of the meeting, adjourn any general meeting from time to time and from place to place but no business may be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- (6) Except where otherwise required by or under the Act, resolutions may be passed at a general meeting by a simple majority vote.
- (7) At any general meeting a resolution by the vote of the meeting shall be decided on a show of hands unless a poll is demanded by any proprietor present in person or by proxy.
- (8) Unless a poll be so demanded a declaration by the chairman that a resolution has on a show of hands been carried is conclusive evidence of the fact without proof of the number or proportion of votes recorded in favour or against such resolution.
- (9) A demand for a poll may be withdrawn.
- (10) A poll if demanded, shall be taken in the same manner as the chairman thinks fit and the result of that poll shall be deemed to be the resolution of the meeting at which such a poll was demanded.
- (11) In the case of equality in the votes whether on a show of hands or on a poll, the question is determined in the negative.

## **13. RESTRICTIONS ON MOVING MOTIONS OR NOMINATING CANDIDATE**

A person is not entitled to move a motion at a general meeting or to nominate a candidate for election as a member of the council unless the [person is entitled to vote on the motion or at the election.



#### **14. VOTES OF PROPRIETORS**

- (1) On a show of hands each proprietor has one vote.
- (2) On a poll the proprietors have the same number of votes as the unit entitlements of their respective lots.
- (3) On a show of hands or on a poll votes may be given either personally or by a duly appointed proxy.
- (4) An instrument appointing a proxy shall be in writing under the hand of the appointer or his attorney and may be either general or for a particular meeting.
- (5) A proxy need not be a proprietor.
- (6) Except in cases where under the Act a unanimous resolution is required, no proprietor is entitled to vote at any general meeting unless all contributions payable in respect of his lot have been duly paid and any other monies recoverable under the Act by the Strata Company from him at the date of the notice given to proprietors of the meeting have been duly paid before the commencement of the meeting.
- (7) Co-proprietors may vote by proxy jointly appointed by them and in the absence of such a proxy are not entitled to vote on a show of hands, except when the unanimous resolution of proprietors is required by the Act.
- (8) On any poll each co-proprietor is entitled to such part of the vote applicable to a lot as is proportionate to his interest in the lot.
- (9) The joint proxy (if any) on a poll has a vote proportionate to the interests in the lot of such of the joint proprietors as do not vote personally or by individual proxy.

#### **15. COMMON SEAL**

- (1) The common seal of the strata company shall at no time be used except by authority of the council previously given and in the presence of the members of the council or at least 2 members of the council, who shall sign every instrument to which the seal is affixed, but where there is only one member of the strata company his signature will be sufficient for the purpose of this by-law.
- (2) The council shall make safe provision for the safe custody of the common seal.

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### **SCHEDULE 2 BY-LAWS**

#### **1. VEHICLES**

A proprietor, occupier, or other resident of a lot shall not park or stand any motor or other vehicle upon common property except with the written approval of the strata company.

#### **2. OBSTRUCTION OF COMMON PROPERTY**

A proprietor, occupier or other resident of a lot shall 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, a proprietor, occupier or other resident of a lot shall not -

- a) damage any lawn, garden, tree, shrub, plant, or flower upon common property: or
- b) use any portion of the common property for his own purposes as a garden.

#### **4. BEHAVIOUR OF PROPRIETORS AND OCCUPIERS**

A proprietor, occupier, or other resident of a lot shall be adequately clothed when upon common property and shall not use language or behave in a manner likely to cause offence or embarrassment to the proprietor, occupier, or other resident of another lot or to any person lawfully using common property.

**5. CHILDREN PLAYING UPON COMMON PROPERTY IN BUILDING**

A proprietor, occupier or other resident of a lot shall not 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.

**6. DEPOSITING RUBBISH ETC., ON COMMON PROPERTY**

A proprietor, occupier or other resident of a lot shall not deposit or throw upon 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 another proprietor, occupier or resident or of any person lawfully using the common property.

**7. DRYING OF LAUNDRY ITEMS**

A proprietor, occupier, or other resident of a lot shall 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 his lot in such a way as to be visible from outside the building.

**8. STORAGE OF INFLAMMABLE LIQUIDS ETC.,**

A proprietor, occupier or other resident of a lot shall not, except with the approval in writing of the strata company, use or store upon the lot or upon the common property any flammable 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**

A proprietor occupier, or other resident of a lot shall not transport any furniture or large object through or upon common property within the building unless he has first given to the council sufficient notice of his intention to do so to enable the council to arrange for its nominee to be present at the time when he does so.

**10. FLOOR COVERINGS**

A proprietor of a lot shall ensure that all floor space within the lot (other than that comprising the 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 the proprietor, occupier or other resident of another lot.

**11. GARBAGE DISPOSAL**

A proprietor or occupier of a lot -

- a) shall maintain within his 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 government authority by-laws and ordinances relating to the disposal of garbage;
- c) ensure that the health, hygiene and comfort of the proprietor occupier or other resident of any other lot is not adversely affected by his disposal of garbage.

**12. ADDITIONAL DUTIES OF PROPRIETORS, OCCUPIERS, ETC.,**

A proprietor, occupier or other resident shall not –

- a) use the lot he owns, occupies or resides in for any purpose that may be illegal or injurious to the reputation of the building;

- b) make undue noise in or about any lot or common property; or
- c) keep any animals on the lot that he owns, occupies or resides in or the common property after notice in that behalf given to him by the council.

**13. NOTICE OF ALTERATION TO LOT**

A proprietor of a lot shall not alter the structure of the lot except as may be permitted and provided for under the Act and the by-laws and in any event shall not alter the structure of the lot without giving to the strata company, not later than 14 days before the commencement of the alteration, a written notice describing the proposed alteration.

**14. APPEARANCE OF LOT**

A proprietor, occupier or other resident of a lot shall 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.

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