

Orig.

LF 9748755



11:45 15-Dec-2003

6 of 7

Fees: \$0.00

SERIES NO.	PREFIX
6	LF

BELOW THIS LINE FOR OFFICE USE ONLY

Date:	Time:
FEES	
R.G.O.	POSTAGE
94	

22048

Lands 11:11 13:55 18/12/03 179832
REGISTRATION FEE \$94.00

CORRECTION Ex 14
29.12.03

PASSED

FILED 12-1-04

pro

REGISTRAR-GENERAL
SOUTH AUSTRALIA

LANDS TITLES REGISTRATION
OFFICE
SOUTH AUSTRALIA

LODGEMENT FOR FILING UNDER THE
COMMUNITY TITLES ACT 1996

FORM APPROVED BY THE REGISTRAR-GENERAL

BELOW THIS LINE FOR AGENT USE ONLY

AGENT CODE

Lodged by:
Jeff Stevens & Associates

Correction to:
STEV 320

TITLES, CROWN LEASES, DECLARATIONS ETC. LODGED WITH
INSTRUMENT (TO BE FILLED IN BY PERSON LODGING)

- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

Assessor

PICK-UP NO.	
CP	
DEV. NO.	

DELIVERY INSTRUCTIONS (Agent to complete)
PLEASE DELIVER THE FOLLOWING ITEM(S) TO THE
UNDERMENTIONED AGENT(S)

ITEM	AGENT CODE

22. Interpretation

In these By-Laws:-

- 22.1 **"Act"** means the Community Titles Act 1996.
- 22.2 **"Community Corporation"** means the Community Corporation created by the deposit of the Plan of Community Division in respect of which these By-Laws are lodged.
- 22.3 **"Community Parcel"** means the whole of the land comprised in the Plan of Community Division referred to above excluding any land thereby vested in a Council, the Crown or a prescribed authority.
- 22.4 **"Occupier"** of a lot includes, if the lot is unoccupied, the owner of the lot.
- 22.5 **"Lot"** means a tertiary lot.
- 22.6 **"Site"** includes any area on the property comprising the Community Parcel.
- 22.7 **"Tertiary lot"** means a tertiary lot created by Plan of Community Division referred to above.
- 22.8 Except where otherwise appears words shall have the same meanings as are set out in the act

SIGNED BY THE APPLICANTS

THE COMMON SEAL OF
BREKEDO PTY LTD
WAS HEREUNTO AFFIXED
IN THE PRESENCE OF:

.....
Director

.....
Secretary



BY - LAWS

COMMUNITY PLAN NO. 22048
INCORPORATED

9/11 SYDNEY STREET
GLENSIDE SA 5065

INDEX

BY-LAWS COMMUNITY PLAN NO. 22046 INCORPORATED

	Page
1. Administration, Management and Control of Common Property	2
2. Use and Enjoyment of Common Property	
3. Use and Enjoyment of Community Lots	
4. Structural Alterations	3
5. Maintenance and Repair	
6. Occupier's Obligation to maintain the lot in good condition	
7. Disturbances	4
8. Insurance by Community Corporation	
9. Building Insurance	5
10. Public Liability Insurance	
11. Water Consumption Charges	
12. Pets	
13. Scope of Common Property	6
14. Internal Fencing DELETED	
15. Deleted	
16. Display of advertisements	
17. The owner of a lot must immediately notify the Corporation of:	
18. Offence	
19. Community Corporation's Right to Recover Money	7
20. Occupiers duties to be carried out by owner in certain cases	
21. Deleted	
22. Interpretation	8

COMMUNITY TITLES ACT, 1996

**STRATA SCHEME BY-LAWS
9/11 SYDNEY STREET GLENSIDE SA 5065**

[The terms of these By-Laws are binding on the Community Corporation, the owners and occupiers of the community lots comprising the scheme and persons entering the community parcel. These By-Laws may only be amended or revoked by special resolution of the Community Corporation in accordance with Section 39 of the Community Titles Act.]

1. Administration, Management and Control of Common Property

The Community Corporation is responsible for the administration, management and control of the common property *in the tertiary plan namely CP 22048*

The Community Strata Plan is a tertiary scheme to Community Corporation No. 21447 and the Common Property is as shown on Sheet 1 marked C1 of the Primary Plan and as shown on Sheet 1 marked C1 on the Secondary Plan and comprises the private access way.

2. Use and Enjoyment of the Common Property

Pursuant to Section 29(2) of the Act the Common Property defined in the Primary Community Plan and Secondary Community Plan are vested in fee simple as tenants in common in the owners for the time being of tertiary lots in shares proportionate to the lot entitlements of their respective lots.

The Common Property is, subject to the Act and these By-Laws, for the common use and enjoyment of residents in the Community Scheme and their visitors.

3. Use and Enjoyment of the Tertiary lots

A person may use a lot for residential purposes and for other purposes that are normally incidental or ancillary to the use of land for residential purposes but must not use the lot for any other purpose unless the use has been approved by the corporation.

4. Structural Alterations

- 4.1 A person must not make a structural addition or alteration to a lot or carry out other building work on a lot without the approval of the corporation given by special resolution.
- 4.2 This By-Law is in addition to the requirement of section 102 of the Act.

5. Maintenance and Repair

- 5.1 The owner of a lot must maintain and keep in good repair buildings, fences and other structural improvements to the lot (including paintwork and external finishes).
- 5.2 If the corporation is of the opinion that a tree growing on a lot may cause a nuisance or hazard to any person, or may cause structural damage to any building or structure on the lot, the corporation may, by notice in writing given personally or by post to the owner, require the owner to have the tree removed.
- 5.3 The owner must comply with a requirement under By-Law 5.2.

6. Occupier's obligation to maintain the lot in good condition

- 6.1 The occupier of a lot must keep the lot in a clean and tidy condition.
- 6.2 The occupier must properly maintain lawns and gardens in the lot.
- 6.3 The occupier of a lot must-
 - 6.3.1 store garbage in an appropriate container that prevents the escape of unpleasant odours; and
 - 6.3.2 comply with any requirements of a council, health or environment authority for the disposal of garbage
- 6.4 The occupier of a lot must not-
 - 6.4.1 bring or accept objects or materials on to the site of a kind that are likely to cause justified offence to the other members of the corporation community.
 - 6.4.2 allow refuse to accumulate so as to cause justified offence to others.

- 6.5 The occupier of a lot used for residential purposes must not without the consent of the Corporation use or store on the lot any explosive, noxious or other dangerous substances.

7. Disturbances

- 7.1 The owner of a tertiary lot must not engage in conduct that unreasonably disturbs the occupier of another tertiary lot or others who are lawfully on a tertiary lot or the Common Property.
- 7.2 The owner of a tertiary lot must ensure, as far as practicable, that persons who are brought or allowed on to the tertiary lot or the Common Property by the owner do not engage in conduct that unreasonably disturbs the occupier of another tertiary lot or others who are lawfully on a tertiary lot or the Common Property.
- 7.3 In particular the occupier of a lot must ensure that noise emission from the lot, or from the area adjacent to the lot where invitees of the occupier are gathered for a party or other social occasion, is kept to a level where it will not disturb the occupants of other lots between the hours of 12pm at night and 7am the following morning.

8. Insurance by Community Corporation

- 8.1 The Community Corporation shall effect such insurance as is required by Sections 103 and 104 of the Act.
- 8.2 An owner or occupier of a tertiary lot must not, except with the approval of the Community corporation, do anything that might:-
- 8.2.1 void or prejudice insurance effected by the Community Corporation:

or

- 8.2.2 increase any insurance premium payable by the Community Corporation

9. Building Insurance

The owner of a tertiary lot shall pursuant to Section 108 of the Act be entitled to inspect policies of insurance taken out by or on behalf of the Primary Community Corporation.

10. Public Liability Insurance

The owner of each tertiary lot shall effect and keep current in respect of their tertiary lot a Public Risk Policy in a sum not less than the amount prescribed by law and must provide the Community Corporation as requested by the Community Corporation from time to time, evidence of a current policy of insurance effected by the proprietor in terms of this By-Law.

11. Water Consumption Charges

11.1 Where there are not separate meters to each lot, the Corporation may by special resolution determine -

11.1.1 to transfer the responsibility back to each lot owner for payment of water consumption charges, and

11.1.1 the basis of the division of water cost between each lot owner.

12. Pets

12.1 Unless otherwise resolved by Ordinary Resolution of the Corporation an owner of a tertiary lot is entitled:-

12.1.1 to keep a maximum of one cat and or dog on a tertiary lot but only at the pleasure of the Corporation: and

12.1.2 if the occupier is a person who suffers from a disability - to keep a dog trained to assist the occupier in respect of that disability.

12.2 An owner of a tertiary lot must not keep an animal on a tertiary lot except as authorised by this section or by the Corporation.

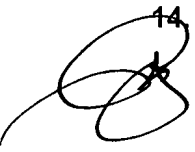
12.3 Any animal kept on a lot by an owner or tenant must be removed and kept removed on the demand of the Corporation pursuant to an Ordinary Resolution.

12.4 The keeping of any animal or bird must comply with any conditions set by the Corporation.

13. Scope of Common Property

The Corporation may resolve by Special Resolution to include as Common Property any item of property or part thereof comprising the Community Scheme and require it to be maintained by the Corporation at its expense in particular any fence or fences on the Community Parcel.

14. Internal Fencing

 ~~The provision of *The Fencing Act 1975* (as amended) shall apply as between the owners of adjoining tertiary lots.~~ *deleted*

15. Deleted

16. Display of advertisements

16.1.1 A person must not display any sign, advertisement, placard or banner on a lot or the Common Property without the approval of the Corporation.

16.1.2 However, this section does not prevent the display of an advertisement associated with the sale or letting of a lot which display shall comply with such conditions as may be determined by the Corporation.

17. The owner of a lot must immediately notify the Corporation of:-

17.1.2 Any change in the ownership of the lot or any change in the address of a owner, or

17.1.2 Any change in the occupancy of the lot.

18. Offence

A person who contravenes or fails to comply with a provision of these By-Laws is guilty of an offence.

Maximum Penalty: \$500.00

Any penalty imposed by the Corporation is payable within one month of the service of notice of the penalty or within such extended time as shall be allowed by the Corporation.

19. Community Corporation's Right to Recover Money

- 19.1 The Community Corporation may recover any money owing to it under the By-Laws as a debt.
- 19.2 An owner of a tertiary lot must pay or reimburse the Community Corporation on demand the costs charges and expenses of the Community Corporation in connection with contemplated or actual enforcement, or preservation of any rights under the By-Laws in relation to the proprietor or occupier.
- 19.3 The costs, charges and expenses recoverable by the Community Corporation shall include without limitation, those expenses incurred in retaining any independent consultant or other person to evaluate any matter of concern and its administration costs in connection with those events.
- 19.4 The Community Corporation may charge interest on any overdue monies owed by a proprietor or occupier of a lot to the Community Corporation at the rate of 12% per annum.

20. Occupiers duties to be carried out by owner in certain cases

If a lot is unoccupied, any duties imposed on the occupier by these By-Laws are to be carried out by the owner.

21. Deleted