

QUEENSLAND LAND REGISTRY

BODY CORPORATE FOR SCENIC POINT CTS 12031
(EXTRACT OF NEW COMMUNITY MANAGEMENT STATEMENT
REGISTERED 14 JANUARY 2013)

BY-LAWS	SCHEDULE C
---------	------------

1. NOISE

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

2. VEHICLES

The occupier of a lot must not, without the body corporate's written approval — (a) park a vehicle, or allow a vehicle to stand, on the common property; or (b) permit an invitee to park a vehicle, or allow a vehicle to stand, on the common property.

The approval must state the period for which it is given. However, the body corporate may cancel the approval by giving 7 days written notice to the occupier.

The body corporate shall have the authority to remove any vehicle from common property that has been parked on such property without the written approval of the body corporate. In the event that a vehicle is removed from the common property and the body corporate expends money in such removal, then the body corporate shall be entitled to recover the amount so expended as a debt in an action in a court of competent jurisdiction from the occupier or invitee who owns or is responsible for the vehicle.

3. OBSTRUCTION

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

4. DAMAGE TO LAWNS ETC.

The occupier of a lot must not, without the body corporate's written approval —

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

The approval must state the period for which it is given. However, the body corporate may cancel the approval by giving 7 days written notice to the occupier.

5. DAMAGE TO COMMON PROPERTY

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

- (b) However, an occupier may install a locking or safety device to protect the lot against intruders, or a screen to prevent entry of animals or insects, if the device or screen is soundly built and is consistent with the colour, style and materials of the building.
- (c) The owner of a lot must keep a device installed under 5(b) in good order and repair.

6. BEHAVIOUR OF INVITEES

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

7. LEAVING OF RUBBISH ETC. ON THE COMMON PROPERTY

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

8. APPEARANCE OF LOT

- (a) The occupier of a lot must not, without the body corporate's written approval, make a change to the external appearance of the lot unless the change is minor and does not detract from the amenity of the lot and its surrounds.
- (b) The occupier of a lot must not, without the body corporate's written approval —
 - (i) hang any washing, bedding, or another cloth article if the article is visible from another lot or the common property, or from outside the scheme land; or
 - (ii) display a sign, advertisement, placard, banner, pamphlet or similar article if the article is visible from another lot or the common property, or from outside the scheme land;
 - (iii) store rubbish or other materials on the lot if the rubbish or other material is/are visible from another lot or the common property, or from outside the scheme land.

9. STORAGE OF FLAMMABLE MATERIALS

- (a) The occupier of a lot must not, without the body corporate's written approval, store a flammable substance on the common property.
- (b) The occupier of a lot must not, without the body corporate's written approval, store a flammable substance on the lot unless the substance is used or intended for use for domestic purposes.
- (c) However, this by-law does not apply to the storage of fuel in —
 - (I) the fuel tank of a vehicle, boat or internal combustion engine; or
 - (II) a tank kept on a vehicle or boat in which the fuel is stored under the requirements of the law regulating the storage of flammable liquid.
- (d) The occupier of a lot must not, without the body corporate's written approval, park or store more than one vehicle on the lot.

10. GARBAGE DISPOSAL

- (a) Unless the body corporate provides some other way of garbage disposal, the occupier of a lot must keep a receptacle for garbage in a clean and good condition and adequately covered on the lot, or on a part of the common property designated by the body corporate for the purpose.

- (b) The occupier of a lot must —
- comply with all local government local laws about disposal of garbage;
 - and ensure that the occupier does not, in disposing of garbage, adversely affect the health, hygiene or comfort of the occupiers of other lots.

11. KEEPING OF ANIMALS

The occupier of a lot must not, without the body corporate's written approval —

- (a) bring or keep any animal on the lot or the common property; or
- (b) permit an invitee to bring or keep an animal on the lot or the common property.

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

12. DEBTS

A person (which expression shall extend to corporations) shall pay on demand the whole of the body corporate's costs and expenses (including solicitor and own client costs) such an amount deemed to be a liquidated debt due in recovering such levies or monies duly levied upon that person by the body corporate pursuant to the Body Corporate and Community Management Act 1997.

13. PAY TELEVISION

The body corporate may allow a person to install all cabling, wiring, conduits, amplifiers and any other necessary equipment to the unit parcel to enable unit owners to connect to cable television. The body corporate is authorised to enter into agreements about the subject matter of this by-Law.

14. BUILDING CONTROL

Approval of works.

Insofar as it may affect other owners or common property:

- (a) An owner or occupier must not carry out any construction, improvements, renovations, alterations or landscaping on the lot (any one, or combination of more than one, referred to as "the Works") other than those to which the body corporate committee ("the Committee") or the agent as may be nominated from time to time by the Committee ("the Committee's Agent") has given approval in writing as hereinafter provided. For avoidance of doubt, the Committee has the right, but is not bound, to appoint an agent under this by-law.
- (b) The owner or occupier must submit information to the Committee to enable the Committee to give written approval or otherwise. The Committee is not obliged to give written approval or otherwise until the expiration of 60 days after receipt of such information.
- (c) The written approval of the works by the Committee or the Committee's Agent must be processed within a reasonable time and must not be unreasonably withheld provided -

- (i) that the Works are in harmony with the architectural design, quality, style, colours, materials, aesthetics and landscaping of the then existing improvements on other lots and the common property in the scheme;
 - (ii) that the Works comply in all respects with the requirements set out in these by-laws;
 - (iii) that the proposed building and site access is designed to cause as little disturbance as reasonably possible to the body corporate or occupiers of other lots in the scheme.
- (d) If the owner or occupier has not received a formal reply from the Committee or the Committee's Agent within 60 days from the later of the date on which the Committee receives the application and the date the Committee receives all information provided for in this by-law then the application is deemed to be approved.

15. USE OF LOTS

The lot owner must not use or permit any occupier to use the lot in this purely residential building, for any illegal or home based business or commercial purposes.