



The Balmoral Resident's Handbook

As at 16th Sep 2020

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“The Balmoral”

The Balmoral is a contemporary, architecturally designed residence located at 3 Balmoral St, Blacktown. The Balmoral is conveniently situated near Blacktown Train and Bus Station and is on the doorstep of Blacktown’s biggest shopping, dining, and entertainment hub. Car travel is also convenient for residents of The Balmoral. Upon leaving the secure carpark, they drive a short distance to connect with all major traffic arteries.

Residents of the Balmoral sleep peacefully. Balmoral residents know that in the event of an emergency, they only have to cross the road to attend a 24-hour medical centre *and* they are within a few minutes’ walk of Blacktown Hospital.

Residents can relax and/or entertain at the Balmoral rooftop garden recreational area. Enjoy the sun setting over the Blue Mountains while children play happily in the rooftop playground. There is plenty of space for multiple parties to entertain simultaneously.

COVID-19

The Balmoral is committed to keeping our building COVID safe.

All residents are advised to maintain regular hand sanitation and comply with appropriate social distancing measures when in force.

A 24hr medical centre is available to all residents immediately across the road from the Balmoral for those experiencing potential symptoms of COVID-19 .

Blacktown and Surrounding Areas

Blacktown is a modern bustling city of 48 residential suburbs, home to over 395,000 people, making it the largest city by population in NSW. Blacktown City is one of the fastest growing cities in Australia.

New retail, health and education infrastructure is providing a range of employment opportunities. The opening of the new Western Sydney Airport, WestConnex and upgraded bus and rail systems make Blacktown a vibrant epicentre in the emerging Western Sydney area. Blacktown is also conveniently located close to the Blue Mountains National Park.

Blacktown Council

Blacktown Council has a range of services for the entire community, including libraries, aquatic and leisure centres, Blacktown Arts, Pest and animals, kids’ early learning, Justice of the Peace services and community mini-buses. For more information, visit <https://www.blacktown.nsw.gov.au/Home>

New residents are advised to notify the [Electoral Roll](#) and [Roads and Maritime Service](#).

New residents are also reminded to update their details with the following providers:

- Medicare
- Electricity company
- Phone company
- Health fund
- Bank
- Insurance
- Your workplace
- Health Care providers
- Doctors
- Vet
- Roadside assistance provider

Finally, there are range of attractions in the Blacktown area, from raceway to heritage properties. Be sure and visit the visitor information page to discover what the area has to offer:

<https://www.blacktown.nsw.gov.au/About-Council/Our-city/Visitor-information>

The Balmoral Committee

Legislation

The Balmoral operates as a Strata Plan under the NSW Strata Schemes Management Act 2015 and related regulations. The Act outlines the duties of the Strata Committee, and the rights and obligations of the Body Corporate to residents and owners.

Our Strata Plan number is 98607

Strata Committee 2020

Mr Stephen Milgate AM Chairman, Mr Milad Georges, Ms Rhodora Palmer, Mr Salvatore DeLuca, Mr Charlie Georges (Secretary), Mr Matthew Georges, Mr Maurice Bru, Mr Zulf Goren, Mr Eden Espina. All owners have the right to stand for a position on the Strata Committee at the Annual General Meeting. Committee Members serve in a voluntary, unpaid capacity and deal with the day-to-day matters that arise from maintaining a substantial residence.

The Strata Committee is elected at the Strata AGM. The Committee has a maximum of 9 members, and a minimum of 1. The Strata Committee works with the Strata Manager and Building Manager to attend to the day to day needs of The Balmoral. It works within an agreed budget and under the protocols laid out in the NSW Strata Schemes Management Act 2015. There are 3 office bearers on the Committee, namely the Chairperson, the Secretary and the Treasurer. Each member of the Strata Committee has 1 vote, and the Chairperson does not have a casting vote.

Insurance

The Strata Committee maintains strata insurances on The Balmoral in accordance with regulations, including property and liability cover for the building and common areas only.

Strata Manager

The Strata Manager is a licensed management company appointed by the owners of the Strata to advise on the management of The Balmoral in accordance with the requirements of relevant legislation and regulations.

The Strata Managers are paid on a fee-for-service basis and their performance is overseen by the Strata Committee on behalf of the residents.

The current Strata Managers for the Balmoral are:

Strata Manager:

Michael Barsoum

Direct Phone: (02) 8835 4220 Email: mbarsoum@stratachoice.com.au

Assistant Strata Manager:

Yazmin Zammit

Direct Phone: (02) 8835 4270 Email: yzammit@stratachoice.com.au

Strata Choice

Phone: 1300 322 213 Fax: 02 8842 49701

Email: info@stratachoice.com.au Website: www.stratachoice.com.au

Strata Meetings

The Strata Manager will advise all owners of the dates of relevant strata meetings.

Matters that the residents of The Balmoral wish to see addressed by the Strata Committee should be put in writing and sent by email addressed 'To the secretary, Strata Plan 98607'.

Residents may also wish to raise matters with members of the Strata Committee in person, however residents will be advised by Committee members to place any matters of serious concern in writing for consideration by the Committee.

Strata Levies

All lot owners receive quarterly levy notices each year. These levies are set by the Owners' Corporation at each Annual General Meeting in order to establish and maintain a fund that will pay for the ongoing repairs and maintenance of The Balmoral as well as operational costs, capital replacements and upgrades when required. All owners are encouraged to attend the Strata AGM and participate in the ongoing management and maintenance of The Balmoral.

Building Manager

The Building Manager is appointed by the Strata Committee and is responsible for the day to day maintenance decisions of The Balmoral in accordance with the agreed maintenance schedule. The Building Manager works closely with the Strata Manager to ensure that all maintenance issues are attended to in a timely manner. The Building Manager also interacts with residents to inspect and facilitate repairs and maintenance when required. A weekly report is made available to the Strata Committee and all expenses incurred by the Building Manager are documented and recorded in the Strata financial accounts. The current Building Manager for The Balmoral is:

Dwayne Rees (Inside/outside Facility Services)

Phone: 0437 218 802 Email: dwayne@iofs.com.au

Address: L1, 6 Harris Road, Five Dock NSW 2046 | 1300 858 671

Sydney Water

Each owner is issued with a rates notice from Sydney Water which will include any connection fee to Sydney Water as well as cold water usage. The details for Sydney Water are:



Call us

13 20 92 from NSW.

We're here to help from 8 am to 7 pm weekdays and 8 am to 4 pm Saturdays.

- Interstate **1300 143 734**
- Overseas **+61 2 9616 2731**
- Free teletypewriter (TTY) service **13 36 77** and quote the phone number 13 20 90 (24 hours/7 days).

Life at The Balmoral

By-Laws

All residents are entitled to a copy of the By-Laws of The Balmoral. These by-laws set out the general rules of the building and are registered in accordance with the Strata Schemes Management Act 2015.

Physical Accessibility

The Balmoral is an accessible building. Wheelchair access is from Balmoral Street. All carparks have lift access to all floors. A number of car spaces have been designated for drivers with specific needs as required.

Moving In and Out

All move ins and move outs must be notified to the Building Manager to ensure that adequate time is available for the use of lifts and that movements do not impede residents' access and exit of The Balmoral.

Unwanted furniture and household goods and packaging excess to normal requirements must be disposed of by the residents through removal from The Balmoral. The rubbish facilities at The Balmoral are designed for general household waste and normal packaging requirements, and dumping of unwanted furniture and packaging is strictly prohibited and subject to financial penalties.

All residents moving in and out of The Balmoral are advised to carefully plan their arrival and departure, and in particular their transport needs in regard to parking, loading and unloading of trucks and large vans.

Mail

The mailing address of The Balmoral is 3 Balmoral Street, Blacktown, NSW 2148.

Note: the individual apartment number precedes the street number.

e.g. Unit XYZ, 3 Balmoral Street,
Blacktown NSW 2148

Mail for the Secretary should be addressed to:

The Secretary, Strata Plan 98607,
3 Balmoral Street, Blacktown NSW 2148

For the mailing address of the Strata Manager, see details under Strata Manager listed above.

Security

The Balmoral has installed the most up to date security system possible for the protection and safety of residents and their guests. All persons entering The Balmoral are required to use an authorised security tag and relevant keys to access doors, individual units and the security carpark. Residents must organise security access arrangements for their visitors and are responsible for these visitors whilst they are in The Balmoral,

No occupant of The Balmoral is authorised to grant access to any individual who they have not specifically invited into the building. This includes opening doors on request to unidentified and uninvited visitors, sales personnel, letter box fillers, canvassers and hawkers, and other person who from time to time seek to gain access to secure buildings.

The entry of police and emergency services and trade personnel is under the control of the Building Manager and appropriate protocols are in place to ensure access by essential services personnel when and if required.

For the safety and security of all residents, common doors cannot be left propped open at any time. Residents are requested to advise the Building Manager immediately should any common door, garage or vehicle entrance gate fail to close after use so that urgent repairs can be arranged.

Residents are also requested to report any suspicious behaviour or matters of concern immediately to **Blacktown Police Station** on **02 9671 9199**.

For more information see By-Law 27

Replacing security access devices, security tags

In order to maintain the building's security integrity ALL lost, stolen or misplaced security access devices *must be reported to the Strata Manager as soon as possible*. Residents will be advised of replacement procedures. Note, there is a cost for the replacement devices.

Owners or an owner's real estate agent (acting on behalf of tenants) may order security access devices for common doors. Residents wanting additional keys for their front door should make arrangements with a licensed locksmith.

For more information see By-Law 26

Front door locks

All front doors fitted to Balmoral apartments are fire rated and *the door and associated locks and hardware are part of the common property of the building*. For this reason, owners and residents are not permitted to change or remove the locks or associated hardware or to add additional locks or hardware without the approval of the Strata Committee.

Residents are asked to comply with this requirement in the interest of their own safety and that of the building.

It is permissible for a locksmith to change the barrel of a front door lock in accordance with the appropriate fire regulations, with which licensed locksmiths are fully conversant.

Council Rates

The Balmoral is located in the Blacktown City Council rateable area and all owners will receive a quarterly rate notice from Blacktown Council. The Council's details are as follows:

Street address: 62 Flushcombe Road, Blacktown, NSW 2148

Postal address: PO Box 63, Blacktown, NSW 2148

Business hours: Monday to Friday 8.00am – 5.30pm

Phone: +62 2 9839 6000

Email: council@blacktown.nsw.gov.au

Website: www.blacktown.nsw.gov.au

Plumbing & Water service

Each apartment in The Balmoral has a control valve tap that controls the supply of hot and cold water to their individual unit. It is the responsibility of all residents to know where this tap is located (generally under your kitchen or laundry sink or inside the cupboard or wardrobe). Should a water leak occur in your unit, your immediate action of turning off the control valve tap in your unit will prevent further damage from leaking whilst you organise emergency repairs.

Emergency plumbing services can be obtained by individual residents at their own cost. The Strata Building Manager should be informed of any plumbing requirements that involve the building and its plumbing systems.

Energy Supplier

The Balmoral has a written contract with its energy supplier for the use of energy for building and common areas. It is the responsibility of all residents to individually contract with their energy supplier and maintain an up to date payment record for energy use.

Safety at the Balmoral - Fire and emergency

The Balmoral is fitted with up to date fire and emergency equipment. Smoke detectors will activate fire alarms and emergency evacuation procedures when required. The building is also equipped with fire extinguishers and fire sprinklers which can also be used when required.

Garbage

Residents are requested to wrap household waste securely to avoid contamination of disposal areas, floors and facilities. Once securely wrapped, general household waste can be deposited in the garbage chute located on each floor. Only general household waste that fits easily in the chute can be deposited in the chute. Larger bags of general household waste need to be taken to the garbage area located on Lower Ground Floor (LG) near the entrance to the carpark. Recycled material also needs to be taken to the yellow bins (recycling) located in the garbage area.

General household garbage includes food scraps, and related household refuse. It does not include human or animal waste products, disused building products (e.g. bricks, cement, chemical waste), motor vehicle parts and lubricants, unwanted furniture, disused whitegoods (e.g. refrigerators,

washing machines, microwaves), etc. Non-general household garbage items must be disposed of by residents directly to council waste collection depots.

Dumping of any non-household garbage in The Balmoral is considered a serious breach of building safety and hygiene and is therefore subject to breach and penalty notices and any other related sanctions by local, state and federal government regulation.

The Balmoral monitors all garbage areas with security cameras to identify illegal dumping. Residents are encouraged to inform any person intending, or in the process of, illegal dumping that they are acting contrary to the regulations of the Strata and are subject to financial penalties.

Residents can ring Blacktown Council for further advice (02) 9839 6000

For more information see By-Laws 15 and 16

Recycling

The Balmoral encourages residents to recycle acceptable recycling items such as glass, paper and recyclable plastic. Household cardboard boxes can be deposited in the cardboard recycling receptacle on the LG Floor near the garbage collection area. Boxes should be flattened before being deposited in the cardboard cage recycling cubicle. Any related non-cardboard matter should be removed from boxes and deposited in the general garbage area e.g. ties, foam padding & plastic.

Parking

All car spaces are marked with a number corresponding to the unit on whose title they belong. Residents are required to only park in the car space that is designated to their individual unit. A number of spaces are marked 'Visitor' and can be used by casual visitors to The Balmoral. Unauthorised vehicles parking in a resident's designated space without permission, or a visitor's space, are subject to being removed from the building by the Building Manager (towed away together with financial penalties where applicable).

Residents are requested to park their vehicles front to storage cage to avoid hot tail and exhaust pipes coming into contact with storage items.

Residents are asked to exercise courtesy in regard to all parking arrangements and to report to the Building Manager when serious breaches of arrangements occur.

For more information see By-Law 1

Pets

The Balmoral by-laws designate the building as pet-friendly in accordance with by-law 5, Keeping of animals.

- 5.1 An owner or occupier of a lot may keep an animal on the lot, *if the owner or occupier gives the Owners Corporation written notice* that it is being kept on the lot.
- 5.2 The notice must be given *not later than 14 days* after the animal commences to be kept on the lot.
- 5.3 If an owner or occupier of a lot keeps an animal on the lot, the owner or occupier must:
 - (a) Keep the animal within the lot

- (b) Supervise the animal when it is on the common property
 - (c) Take any action that is necessary to clean all areas of the lot or the common property that are soiled by the animal.
- 5.4 With respect to the presence of a dog or a cat, **there can be no more than one dog and one cat being kept in a lot at any one time.**
- 5.5 The maximum weight of a dog being kept in a lot is 20 kilograms.

Nothing in these by-laws prohibits a landlord from restricting the rental of his/her lot to tenants who do not have pets.

For more information see By-Law 5

Carwash

Designated car wash bay areas are located in the carpark. Residents washing cars are asked to use buckets and wash their vehicles within the designated water catchment area. Users are also required to ensure that the carwash area is left clean and ready for others to use and that over-spray does not splash to other vehicles or storage cages. Residents are not permitted to park vehicles in the carwash area for any time longer than is needed to wash their vehicle.

For more information see By-Law 19

Secure storage

A number of car spaces at The Balmoral also have a security storage cage attached to them. These cages are for the exclusive use of residents who are legally entitled to use the designated carpark attached to the storage unit and appropriately marked. All damage to security storage cages is the responsibility of the owner. Security storage cages are for the storage of safe household and domestic related non-flammable and non-perishable items. No items can be stored outside security storage cages, as this also constitutes a fire hazard.

Residents with additional storage needs are advised to contact one of the many storage providers in the Blacktown vicinity.

Shopping Trolleys

Residents are advised that abandoned shopping trolleys are a public health and safety hazard. Your Strata Committee has an obligation to ensure that all hallways, emergency exits, and entrance paths are clear at all times for the safety of all residents. Shopping trolleys may damage property, causing unnecessary cost to owners and residents.

For this reason, leaving shopping trolleys in or around The Balmoral is contrary to the by-laws and subject to financial penalties.

All residents are asked to cooperate to ensure The Balmoral remains safe and convenient for everyone by not leaving shopping trolleys in or around the building.

Cleaning and Hygiene

The contracted cleaning of The Balmoral is the responsibility of the Building Manager. The Balmoral is cleaned regularly and with extra cleans during the COVID-19 pandemic.

Individual hand sanitiser gel dispensers have been installed at the lift doors on all floors of The Balmoral for the use of residents and visitors. These dispensers will be refilled by the Building Manager.

All residents are asked to cooperate to maintain the cleanliness and hygiene of The Balmoral for the comfort and safety of all residents. In particular residents are requested to:

1. Ensure all items are removed from hallways, including shoes and other domestic items.
2. Refrain from leaving cigarette waste in any area where smoking is permitted.
3. Pick up any paper or discarded items in common areas and place in the appropriate garbage chutes.
4. Report any lost and/or found property to the Building Manager.
5. Ensure all shopping trolleys are removed from the building.
6. Comply with the Balmoral's protocols for the removal of household rubbish and recyclable waste.
7. Advise the Building Manager of any significant breaches of hygiene or related hazards.

For more information see By-Laws 6, 12, 13, 14, 15, 16,

Rooftop Gardens rules

In order to ensure the safety and convenience of residents, your Strata Committee has authorised the following rules to ensure all residents enjoy the use of our rooftop facilities.

1. Rooftop facilities are provided for the exclusive use of residents between the hours of 8.00AM and 9.00PM.
2. Residents may invite guests to the rooftop, however no one group is to exceed 6 adults at any one time.
3. All children must be supervised at all times by at least 1 adult and must not be left in any area of the rooftop, including the playground, without direct visual supervision of 1 adult.
4. All rubbish must be placed in containers which are to be emptied at the conclusion of the meal or gathering. All rubbish is to be taken to the rubbish area for disposal.
5. No publicly advertised event can be held on the rooftop without the prior written consent of the Owners Corporation. Such events are not likely to be approved, other than for exceptional circumstances.
6. No private event can be held for more than six people on the rooftop without the prior written consent of the Owners Corporation e.g. birthday parties, family reunions etc. Any written consent comes with a requirement of a \$500 bond to be deposited with the Strata Manager to cover cleaning expenses that may be required during or after the event. The bond will be refunded to those residents who clean the rooftop (after an approved use) to a standard that does not require further cleaning or rubbish removal expense.

7. Owners Corporation meetings may be held on the rooftop at any time, as they consist of meetings of residents and are authorised events under the Strata Act.
8. The Owners Corporation takes no responsibility for any loss of property, damage to individual property or persons incurred in using the rooftop facilities.
9. The Owners Corporation holds those who use the rooftop responsible for any damage, or inconvenience (including failure to remove rubbish), and maintains the right to recover any cost for rectification and cleaning from those responsible.
10. The Owners Corporation reserves the right to use surveillance cameras to ensure the safety, security and proper use of the rooftop.

For more information see By-Law 21

Lawns and Gardens

The Balmoral has contracted landscape gardeners to ensure that all common areas are appropriately maintained.

Residents should expect minor inconvenience when landscape gardeners are working in the building or rooftop and other common areas.

For more information see By-Law 3

Insurance

As stated, the Strata Committee maintains strata insurances on The Balmoral in accordance with regulations including property and liability cover for the building and common areas only.

Owners and residents are responsible for arranging their own insurance policies to cover their personal effects (contents insurance) as well as their own public liability.

Owners leasing their units are advised to arrange a Landlords Insurance policy that will cover their specific obligations and liabilities as landlords.

Our By-Laws

By-Law 1 - Car parking

1.1 All car parking spaces forming part of a lot in the strata scheme situated in the basement of the building must only be used by the owner and occupier of the lot of which the car parking space forms part.

1.2 An owner or occupier of a lot must not park or stand any motor vehicle on any area of the common property designated for the purposes of use of a visitor car parking space.

1.3 An owner or occupier of a lot must not park or stand any motor or other vehicle on any other part of the common property, or permit a motor vehicle to be parked or stood on any other part of the common property, except with the prior written approval of the Owners Corporation or as permitted by a sign authorised by the Owners Corporation.

By-Law 2 - Change to common property

2.1 An owner or person authorised by an owner may install, without the consent of the Owners Corporation:

- 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.
- b. Any screen or other device to prevent entry of animals or insects on the lot.
- c. Any structure or device to prevent harm to children.

2.2 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.

2.3 Clause (2.1) does not apply to the installation of anything that is likely to affect the operation of fire safety devices in the lot or to reduce the level of safety in the lots or common property.

2.4 The owner of a lot must:

- a. Maintain and keep in a state of good and serviceable repair any installation or structure referred to in Clause (2.1) that forms part of the common property and that services the lot.
- b. Repair any damage caused to any part of the common property by the installation or removal of any locking or safety device, screen, other device or structure referred to in Clause (2.1) that forms part of the common property and that services the lot.

By-Law 3 - Damage to lawns and plants on common property

3.1 An owner or occupier of a lot must not, except with the prior written approval of the Owners Corporation:

- a. Damage any lawn, garden, tree, shrub, plant or flower being part of or situated on common property.
- b. Use for his or her own purposes as a garden any portion of the common property.

By-Law 4 - Obstruction of common property

4.1 An owner or occupier of a lot must not obstruct lawful use of common property by any person except on a temporary and non-recurring basis.

By-Law 5 - Keeping of animals

5.1 An owner or occupier of a lot may keep an animal on the lot, if the owner or occupier gives the Owners Corporation written notice that it is being kept on the lot.

5.2 The notice must be given not later than 14 days after the animal commences to be kept on the lot.

5.3 If an owner or occupier of a lot keeps an animal on the lot, the owner or occupier must:

- a. Keep the animal within the lot.
- b. Supervise the animal when it is on the common property.
- c. Take any action that is necessary to clean all areas of the lot or the common property that are soiled by the animal.

5.4 With respect to the presence of a dog or a cat, there can be no more than one dog and one cat being kept in a lot at any one time.

5.5 The maximum weight of a dog being kept in a lot is 20 kilograms.

By-Law 6 - Noise

6.1 An owner or occupier of a lot, or any invitee of an owner or occupier of a lot, must not create any noise on a lot or the common property 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 7 - Behaviour of owners, occupiers and invitees

7.1 An owner or occupier of a lot, or any invitee of 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.

7.2 An owner or occupier of a lot must take all reasonable steps to ensure that invitees of the owner or occupier:

- a. 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.
- b. Without limiting Paragraph (a), that invitees comply with Clause (7.1).

By-Law 8 - Children playing on common property

8.1 Any child for whom an owner or occupier of a lot is responsible may play on any area of the common property that is designated by the Owners Corporation for that purpose but may only use an area designated for swimming while under adult supervision.

8.2 An owner or occupier of a lot must not permit any child for whom the owner or occupier is responsible, unless accompanied by an adult exercising effective control, to be or remain on common property that is a laundry, car parking area or other area of possible danger or hazard to children.

By-Law 9 - Smoke penetration

9.1 An owner or occupier of a lot, and any invitee of the owner or occupier, must not smoke tobacco or any other substance on the common property, except:

- a. In an area designated as a smoking area by the Owners Corporation.
- b. With the written approval of the Owners Corporation.

9.2 A person who is permitted under this by-law to smoke tobacco or any other substance on common property must ensure that the smoke does not penetrate to any other lot.

9.3 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.

By-Law 10 - Preservation of fire safety

10.1 The owner or occupier of a lot must not do anything or permit any invitees of the owner or occupier to do anything 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 the lots or common property.

By-Law 11 - Storage of inflammable liquids and other substances and materials

11.1 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.

11.2 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 12 - Appearance of lot

12.1 The owner or occupier of a lot must not, without 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 rest of the building.

12.2 This by-law does not apply to the hanging of any clothing, towel, bedding or other article of a similar type in accordance with By-law 14.

By-Law 13 - Cleaning windows and doors

13.1 Except in the circumstances referred to in Clause (13.2), an owner or occupier of a lot is responsible for cleaning all interior and exterior surfaces of glass in windows and doors on the boundary of the lot, including so much as is common property.

13.2 The Owners Corporation is responsible for cleaning regularly all exterior surfaces of glass in windows and doors that cannot be accessed by the owner or occupier of the lot safely or at all.

By-Law 14 - Hanging out of washing

14.1 An owner or occupier of a lot may hang any washing on any lines provided by the Owners Corporation in the roof top clothes line area. The washing may only be hung for a reasonable period.

14.2 An owner or occupier of a lot must not hang any washing, clothing, towel, bedding or other article on any part of the parcel in such a way as to be visible from outside the building.

14.3 In this by-law:

" **washing**" includes any clothing, towel, bedding or other article of a similar type.

By-Law 15 - Disposal of waste bins for individual lots (applicable where individual lots have bins)

15.1 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 except with the prior written approval of the Owners Corporation.

15.2 An owner or occupier of a lot must not deposit in a toilet, or otherwise introduce or attempt to introduce into the plumbing system, any item that is not appropriate for any such disposal (for example, a disposable nappy).

15.3 An owner or occupier must:

- a. Comply with all reasonable directions given by the Owners Corporation as to the disposal and storage of waste (including the cleaning up of spilled waste) on common property.
- b. Comply with the local Council's guidelines for the storage, handling, collection and disposal of waste.

15.4 An owner or occupier of a lot must maintain bins for waste within the lot, or on any part of the common property that is authorised by the Owners Corporation, in clean and dry condition and appropriately covered.

15.5 An owner or occupier of a lot must not place anything in the bins of the owner or occupier of any other lot except with the permission of that owner or occupier.

15.6 An owner or occupier of a lot must place the bins within an area designated for collection by the Owners Corporation not more than 12 hours before the time at which waste is normally collected and, when the waste has been collected, must promptly return the bins to the lot or other area authorised for the bins.

15.7 An owner or occupier of a lot must notify the local Council of any loss of, or damage to, bins provided by the local Council for waste.

15.8 The Owners Corporation may give directions for the purposes of this by-law by posting signs on the common property with instructions on the handling of waste that are consistent with the local Council's requirements or giving notices in writing to owners or occupiers of lots.

15.9 In this by-law:

"**bin**" includes any receptacle for waste.

"**waste**" includes garbage and recyclable material.

By-Law 16 - Disposal of waste shared bins (applicable where bins are shared by lots)

16.1 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 except with the prior written approval of the Owners Corporation.

16.2 An owner or occupier of a lot must not deposit in a toilet, or otherwise introduce or attempt to introduce into the plumbing system, any item that is not appropriate for any such disposal (for example, a disposable nappy).

16.3 An owner or occupier must:

- a. Comply with all reasonable directions given by the Owners Corporation as to the disposal and storage of waste (including the cleaning up of spilled waste) on common property.
- b. Comply with the local Council's guidelines for the storage, handling, collection and disposal of waste.

16.4 The Owners Corporation may give directions for the purposes of this by-law by posting signs on the common property with instructions on the handling of waste that are consistent with the local Council's requirements or giving notices in writing to owners or occupiers of lots.

16.5 In this by-law:

"bin" includes any receptacle for waste.

'waste' includes garbage and recyclable material.

By-Law 17 - Change in use or occupation of lot to be notified

17.1 An occupier of a lot must notify the Owners Corporation if the occupier changes the existing use of the lot.

17.2 Without limiting Clause (17.1), the following changes of use must be notified:

- a. A change 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).
- b. A change to the use of a lot for short-term or holiday letting.

17.3 The notice must be given in writing at least 21 days before the change occurs or a lease or sub-lease commences.

By-Law 18 - Compliance with planning and other requirements

18.1 An owner or occupier of a lot must ensure that the lot is not used for any purposes that is prohibited by law.

18.2 The owner or occupier of a lot must ensure that the lot is not occupied by more persons than are allowed by law to occupy the lot.

By-Law 19 - Car wash bay

19.1 Use of car wash bay:

a. Owners may only use the car wash bay for the washing and cleaning of motor cars, motor cycles and bicycles.

b. Owner:

Must not park or stand a vehicle in the car wash bay for an extended, or prolonged periods.

Must not permit their invitees to park or stand a vehicle in the car wash bay.

Must comply with the directions of the Owners Corporation in connection with access to and use of the car wash bay.

Must comply with all rules and code relating to car wash bay.

By-Law 20 - Barbeque on your balcony

20.1 An owner or occupier of a lot may store and operate a portable barbeque on your balcony if:

a. It will not, and is not likely to, cause damage to the building, property of another owner or occupier or neighbouring property.

b. Is not or is not likely to become dangerous (e.g. a light weight portable barbeque likely to be blown away in windy conditions) or create a nuisance (e.g. by excessive smoke).

c. You keep it covered when you are not operating it.

d. You keep it clean and tidy.

20.2 An owner or occupier of a lot may store and operate the following types of portable barbeques on your balcony:

a. A covered kettle style portable barbeque.

b. A covered gas or electric portable barbeque.

c. Any other type approved by the Owners Corporation.

An owner or occupier of a lot may not store or operate a portable barbeque on your balcony if that portable barbeque has no cover.

20.3 You may only operate your barbeque between 9:00am and 10:00pm or during other hours approved by the Owners Corporation.

20.4 When an owner or occupier of a lot uses a barbeque, it may not create smoke, odours or noise which causes a nuisance to or interferes unreasonably with another owner or occupier.

By-Law 21 - Rooftop barbeque area and play equipment

21.1 An owner or occupier acknowledges and agrees that:

- a. The barbeque and play equipment area may only be used between the hours of 8:00am and 9:00pm or other hours nominated from time to time by the strata committee.
- b. Children under the age of 12 years may use the barbeque and play equipment only if accompanied or supervised by an adult.
- c. Glass objects and sharp objects are not permitted in the barbeque and play equipment area.
- d. No excessive noise is permitted in the barbeque and play equipment area.
- e. The barbeque and play equipment must be left in a clean and tidy condition and all rubbish removed after use.
- f. An owner or occupier of a lot may apply in writing to the strata committee for permission to have exclusive use of the barbeque and play equipment area for a child's party or similar function. The strata committee can determine any conditions which would apply to the granting of such a permit.
- g. The strata committee can determine rules which would apply to any matter relating to the granting of permission under sub paragraph f).

By-Law 22 - Rights of owners corporation

22.1 The Owners Corporation may make rules or additional by-laws from time to time regarding the barbeque and play equipment, including with respect of:

- a. Imposing conditions with respect of the barbeque and play equipment including hours of operation, cleaning and maintenance.

By-Law 23 - Air conditioning

23.1 Individual air conditioning systems have been provided to each of the lots.

23.2 The owner or occupier of a lot will be responsible for the repair and maintenance of the air conditioning system that services their lot, notwithstanding the fact that the condenser unit may be

located on the common property. However, any pipework connecting the head unit to the condenser that may form part of the common property will be repaired and maintained by the Owners Corporation at the owner's cost.

23.3 The Owners Corporation will not be responsible for contributing to the renewal, replacement, repair and replacement of any air conditioning system.

23.4 The owner or occupier of each lot must ensure that the air conditioning system servicing their lot is maintained on a regular basis to manufacturer's specifications so as to minimise noise of other disturbance to other owners or occupiers.

23.5 The owner or occupier of a lot will be entitled to the exclusive use of the air conditioning system servicing their lot only if they:

- a. Pay the costs associated with the use of the air conditioning system.
- b. Are responsible for the repair, renewal and replacement of the air conditioning system.
- c. Maintain the air conditioning system to the standard and if renewed or replaced, or the type and colour, as may be prescribed by the Owners Corporation or by any law, regulation or local government requirement.

23.6 The owner or occupier must:

- a. Reimburse the Owners Corporation for any maintenance, repair or replacement of any of the owner's or occupier's air conditioning equipment which has been carried out the Owners Corporation, notwithstanding that Owners Corporation has no obligation in relation to that air conditioning equipment.
- b. Pay the Owners Corporation for the costs of provisions of condenser water to the common property on a unit entitlement basis.
- c. Pay for any damage to the common property caused by the air conditioning equipment of the owner or occupier.

By-Law 24 - Floor coverings

24.1 Floors in the lot must be covered or treated so as to ensure the transmission of noise does not unreasonably disturb any other owner or occupier.

24.2 The requirements of Clause 24.1 do not apply to kitchen, laundry and bathroom areas.

24.3 The removal or interference with any floor or floor coverings is deemed to be work and must be dealt with in accordance with by-law.

By-Law 25 - Window coverings

25.1 Window coverings such as curtains and blinds in the lot which are visible from outside the lot, must be of the colour and design specified by the Owners Corporation so as to comply with the standards of the strata scheme.

By-Law 26 - Security keys and cards

Rights of the Owners Corporation:

26.1 If the Owners Corporation restricts access to common property, then the Owners Corporation may give an owner or occupier a security key or card. The Owners Corporation may charge an owner or occupier a fee or bond if an owner or occupier wants a replacement security key or card.

26.2 The security key or card belongs to the Owners Corporation.

26.3 In addition to the powers under the Act, the Owners Corporation has the power to:

- a. Record a security key or card.
- b. Require an owner or occupier to promptly return their security key or card to the Owners Corporation to be recoded.
- c. Enter into agreements with another person (including the strata manager, building manager or security personnel) to exercise its functions under this by-law and in particular to manage the security key system and to provide a security key or card to owners or occupiers. The agreement may have provisions requiring owners or occupiers to pay an administration fee for the provisions of the security key or card.

By-Law 27 - Security of the building

27.1 The Owners Corporation must take steps to:

- a. Stop intruders coming into the building.
- b. Prevent fires and other hazards with the building and common property.
- c. Operate, maintain and monitor the security system.

27.2 In addition to its powers under the Act, the Owners Corporation may install and operate on common property a security system in the building.

27.3 An owner or occupier or any invitee must not:

- a. Interfere with the security system.
- b. Do anything that might prejudice the security or safety of the building.

27.4 An owner or occupier or any invitee must take reasonable.

By-Law 28 - Erecting a sign

28.1 Obligations:

- a. Owners and occupiers must not erect a sign in their lot or on common property.

28.2 Developer activities:

- a. The developer does not need consent from the Owners Corporation to erect and display "For Sale" or "For Lease" signs on common property or in lot which is owned by the developer.

By-Law 29 - Building works

29.1 Consent:

- a. An owner or occupier must have consent from the Owners Corporation to carry out building works.

- b. The Owners Corporation may give consent under By-law 29.1(a) as follows:

In respect of minor renovations to which Section 110 of the Management Act applies, by resolution at a general meeting of the Owners Corporation.

In respect of building works to which Sections 109 and 110 of the Management Act do not apply, by an approval of the Owners Corporation given by special resolution.

- c. The approval of the Owners Corporation in respect of minor renovations may be subject to reasonable conditions imposed by the Owners Corporation and cannot be unreasonably withheld by the Owners Corporation.

- d. The Owners Corporation may delegate its functions under Section 110 of the Management Act to the Strata Committee.

29.2 Procedures before carrying out building works:

Before carrying out building works, owners and occupiers must:

- a. Give written notice of proposed building works to the Owners Corporation including the following:

Details of the building works, including copies of any plans.

Duration and times of the building works.

Detail of the persons carrying out the work, including qualifications to carry out the building works.

Arrangements to manage any resulting rubbish or debris.

- b. Obtain necessary consents from the Owners Corporation and Government Agencies.
- c. Find out where service lines and pipes are located.
- d. Obtain consent from the Owners Corporation if it proposes to interfere with or interrupt services.
- e. Give the Owners Corporation a written notice at least 14 days before starting the building works.

29.3 Procedures when carrying out building works:

Owners and occupiers carrying out building works or cosmetic works must:

- a. Use qualified, reputable and, where appropriate, licensed contractors approved by the Owners Corporation.
- b. Carry out the building works and cosmetic works in a competent and proper manner and to the reasonable satisfaction of the Owners Corporation and, in respect of the buildings works.
- c. Repair any damage caused to common property or the property of another owner or occupier.

By-Law 30 - Common Property memorandum - Owners Corporation

Owners Corporation responsibilities for repair, maintenance or replacement

1. Ceiling & roof

- a. False ceilings installed at the time of registration of the strata plan (other than painting, which shall be the lot owner's responsibility)
- b. Plastered ceilings and vermiculite ceilings (other than painting, which shall be the lot owner's responsibility)
- c. Guttering
- d. Membranes

2. Electrical

- a. Air conditioning systems serving more than one lot
- b. Automatic garage door opener, other than those installed by an owner after the registration of the strata plan and not including any related remote controller
- c. Fuses and fuse board in meter room
- d. Intercom handset and wiring serving more than one lot
- e. Electrical wiring serving more than one lot
- f. Light fittings serving more than one lot
- g. Power point sockets serving more than one lot
- h. Smoke detectors whether connected to the fire board in the building or not (and other fire safety equipment subject to the regulations made under *Environmental Planning and Assessment Act 1979*)

- i. Telephone, television, internet and cable wiring within common property walls
- j. Television aerial, satellite dish, or cable or internet wiring serving more than one lot, regardless of whether it is contained within any lot or on common property
- k. Lifts and lift operating systems

3. Entrance door

- a. Original door lock or its subsequent replacement
- b. Entrance door to a lot including all door furniture and automatic closer
- c. Security doors, other than those installed by an owner after registration of the strata plan

4. Floor

- a. Original floorboards or parquet flooring affixed to common property floors
- b. Mezzanines and stairs within lots, if shown as a separate level in the strata plan
- c. Original floor tiles and associated waterproofing affixed to common property floors at the time of registration of the strata plan
- d. Sound proofing floor base (e.g. magnesite), but not including any sound proofing installed by an owner after the registration of the strata plan

5. General

- a. Common property walls
- b. Any door in a common property wall (including all original door furniture)
- c. Skirting boards, architraves and cornices on common property walls (other than painting which shall be the lot owner's responsibility)
- d. Original tiles and associated waterproofing affixed to the common property walls at the time of registration of the strata plan
- e. Ducting cover or structure covering a service that serves more than one lot or the common property
- f. Ducting for the purposes of carrying pipes servicing more than one lot
- g. Exhaust fans outside the lot
- h. Hot water service located outside of the boundary of any lot or where that service serves more than one lot
- i. Letter boxes within common property

6. Plumbing

- a. Floor drain or sewer in common property
- b. Pipes within common property wall, floor or ceiling
- c. Main stopcock to unit
- d. Storm water and on-site detention systems below ground

7. Windows

- a. Windows in common property walls, including window furniture, sash cord and window seal
- b. Insect-screens, other than those installed by an owner after the registration of the strata plan
- c. Original lock or other lock if subsequently replacement by the owners corporation

By-Law 31 - Common Property memorandum - Lot owner

Lot Owner responsibilities for repair, maintenance or replacement

1. Ceilings & roof

- a. False ceilings inside the lot installed by an owner after the registration of the strata plan

2. Electrical

- a. Air conditioning systems, whether inside or outside of a lot, which serve only that lot
- b. Fuses and fuse boards within the lot and serving only that lot
- c. In-sink food waste disposal systems and water filtration systems
- d. Electrical wiring in non-common property walls within a lot and serving only that lot
- e. Light fittings, light switches and power point sockets within the lot serving only that lot
- f. Telephone, television, internet and cable wiring within non- common property walls and serving only that lot
- g. Telephone, television, internet and cable service and connection sockets
- h. Intercom handsets serving one lot and associated wiring located within non-common walls

3. Entrance door

- a. Door locks additional to the original lock (or subsequent replacement of the original lock)
- b. Keys, security cards and access passes

4. Floor

- a. Floor tiles and any associated waterproofing affixed by an owner after the registration of the strata plan
- b. Lacquer and staining on surface of floorboards or parquetry flooring
- c. Internal carpeting and floor coverings, unfixed floating floors
- d. Mezzanines and stairs within lots that are not shown or referred to in the strata plan

5. General

- a. Internal (non-common property) walls
- b. Paintwork inside the lot (including ceiling and entrance door)
- c. Dishwasher
- d. Stove
- e. Hot water service exclusive to a single lot (whether inside or outside of the cubic space of that lot)
- f. Internal doors (including door furniture)
- g. Skirting boards and architraves on non-common property walls
- h. Tiles and associated waterproofing affixed to non-common property walls
- i. Letterbox within a lot
- j. Pavers installed within the lot's boundaries
- k. Ducting cover or structure covering a service that serves a single lot

6. Parking & garage

- a. Garage door remote controller
- b. Garage doors, hinge mechanism and lock where the lot boundary is shown as a thin line on the strata plan and the door is inside the lot boundary
- c. Light fittings inside the lot where the light is used exclusively for the lot

7. Plumbing

- a. Pipes, downstream of any stopcock, only serving that lot and not within any common property wall
- b. Pipes and 'S' bend beneath sink, laundry tub or hand basin
- c. Sink, laundry tub and hand basin
- d. Toilet bowl and cistern
- e. Bath
- f. Shower screen
- g. Bathroom cabinet and mirror

- h. Taps and any associated hardware

8.Windows

- a. Window cleaning – interior and exterior surfaces (other than those which cannot safely be accessed by
 - a. the lot Owner or Occupier)
 - b. Locks additional to the original (or any lock replaced by an Owner)
 - c. Window lock keys

By-Law 32 - False fire services call out

32.1 A False Fire Services Call-Out means any attendance by emergency services and / or the security contractor at the Strata Scheme due to an alarm being raised of a potential fire when no fire has occurred.

32.2 The owner of the lot which is the cause of the False Fire Services Call-Out may be required to make a payment to the Owners Corporation of \$500.00 to cover the cost of the fees charged to the Owners Corporation by the emergency services and / or the security contractor as well as the Owners Corporation administrative costs in dealing with the False Fire Services Call-Out.

32.3 The Strata Committee is to decide whether such payment is required and the Strata Committee can decide to increase or decrease the amount to be paid.

32.3 Any monies that are due and payable under this by-law will be shown on the levy notice for the relevant lot.

By-Law 33 - Annual fire safety inspections

33.1 It is a requirement of the Environmental Planning and Assessment Legislation that an annual fire safety statement is prepared for the Strata Scheme. There are significant penalties if an annual fire safety statement is not prepared.

33.2 The lots and the common property must be inspected by an appropriately qualified person as part of preparing a fire safety statement. Such an inspection will be arranged by the Owners Corporation. Every owner will be given at least 14 days written notice of the date of the inspection.

33.3 It is the responsibility of each lot owner to arrange for suitable access to their lot being made available at the time of the inspection.

33.4 The owner of a lot who does not arrange for suitable access to the lot for inspection purposes used may be required to make a payment to the Owners Corporation of \$300.00 which is to cover the Owners Corporation administrative additional costs and the additional costs of the inspector to attend the Strata Scheme at another time.

33.5 The Strata Committee is to decide whether such payment is required and the Strata Committee can decide to increase or decrease the amount to be paid.

33.6 As a result of the inspection referred to in Sub-paragraph 2, and in accordance with Section 122 of the Strata Schemes Management Act 2015, it may be necessary for certain works to be carried out within a lot. The owner of such a lot will be given at least 14 days written notice of the date of when the works are to be carried out.

33.7 If the owner of a lot does not arrange for suitable access to the lot to allow the works to be done, then that owner may be required to make a payment to the Owners Corporation of \$300.00 which is to cover the Owners Corporation administrative additional costs and the additional costs of the person engaged to do the works.

33.8 The Strata Committee is to decide whether such payment is required and the Strata Committee can decide to increase or decrease the amount to be paid.

33.9 Any monies that are due and payable under this by-law will be shown on the levy notice for the relevant lot.

By-Law 34 – Use of roof top

The rooftop common area of The Balmoral shall be used in accordance with the following rules and relevant legislation regarding public gatherings, including Covid 19 regulations:

1. Rooftop facilities are provided for the exclusive use of residents between the hours of 8.00AM and 9.00PM. Pets are not permitted unless authorised as a guide or disability dog.
2. Residents may invite guests to the rooftop, however no one group is to exceed 6 adults at any one time unless approval has been obtained from the Owners Corporation.
3. Children must always be supervised by at least 1 adult and they must not be left in any area of the rooftop, including the playground, without direct visual supervision of 1 adult.
4. All rubbish must be disposed of in containers and all containers are to be emptied at the conclusion of a meal or gathering. They are then to be taken to the rubbish area for disposal.
5. No publicly advertised event can be held on the rooftop without the prior written consent of the Owners Corporation.
6. Owners Corporation meetings may be held on the rooftop at any time as they consist of meetings of residents and are authorised events under the Strata Act.
7. The Owners Corporation takes no responsibility for any loss of property, damage to individual property or persons incurred in using the rooftop facilities.
8. The Owners Corporation hold those who use the rooftop responsible for any damage, inconvenience (including failure to remove rubbish) and maintains the right to recover any cost for rectification and cleaning from those responsible by applying the charges onto the Lot account.
9. The Owners Corporation reserves the right to use surveillance cameras to ensure the safety, security and proper use of the rooftop.

Special By-Law 1 - Compliance with all Laws for Use & Occupation of Residential Lots

1. Definitions

In this by-law, the term “law” includes:

- a. the provisions of a statute, rule, regulation, proclamation, ordinance or instrument (including a statutory rule or an environmental planning instrument) made under a statute, and includes an instrument made under any such instrument, and
- b. a requirement, notice, order, consent or direction received from or given by a statutory, public or other competent authority (for example, the City of Blacktown Council).

2. Compliance with all Laws

- a. The owner or occupier of a residential lot must ensure that the lot is not used for any purpose that is prohibited by law.
- b. The owner or occupier of a residential lot must ensure that the lot is not used for any purpose for which an approval, authorisation or consent is required under any law without that approval, authorisation or consent.

3. Occupancy of Residential Lots

- a. An Owner or Occupier of a Residential Lot must ensure that the Lot is not occupied by more than two adults per bedroom in the Lot.
- b. In this by-law, a “bedroom” is a room approved for use as a bedroom under, or indicated as a bedroom in any plans the subject of, a planning approval for the Building.
- c. The provisions of clause 3 of this by-law are subject to clause 36 of the Strata Schemes Management Regulation 2016.