



Waterville

ON MACQUARIE

WELCOME TO THE WATERVILLE COMMUNITY



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WELCOME TO WATERVILLE

We hope you will enjoy living here as much as we do. Our community is a very friendly and harmonious one and we hope to keep it that way.

We do not have an on-site manager at Waterville. A maintenance team is employed part time for the garden, maintenance of the grounds, cleaning in public areas of the building and maintaining the pool. For the rest, we rely on our Body Corporate Committee (BCC) who all generously donate their time to our community.

The Committee is made up of volunteers who work hard to facilitate trouble-free day-to-day living. Members are elected annually at the Annual General Meeting (AGM) in January and the committee has regular monthly meetings. A list of current members is posted in the lift noticeboard. We try not to impinge upon the private lives of committee members too much, hence the need for operating procedures in the building to be respected and followed.

Please remember we are all sharing common property.

1. How Things Work

Internal Communications

Residents are informed through notices placed in the lift and sometimes in individual mailboxes.

Non-resident owners are usually informed by email. Any maintenance concerns or requests should be left in the Body Corporate Mailbox (No 28).

There is also now a generic email address for communication with the committee and you are asked to use this rather than the personal email addresses of members if it is in connection with Waterville business.

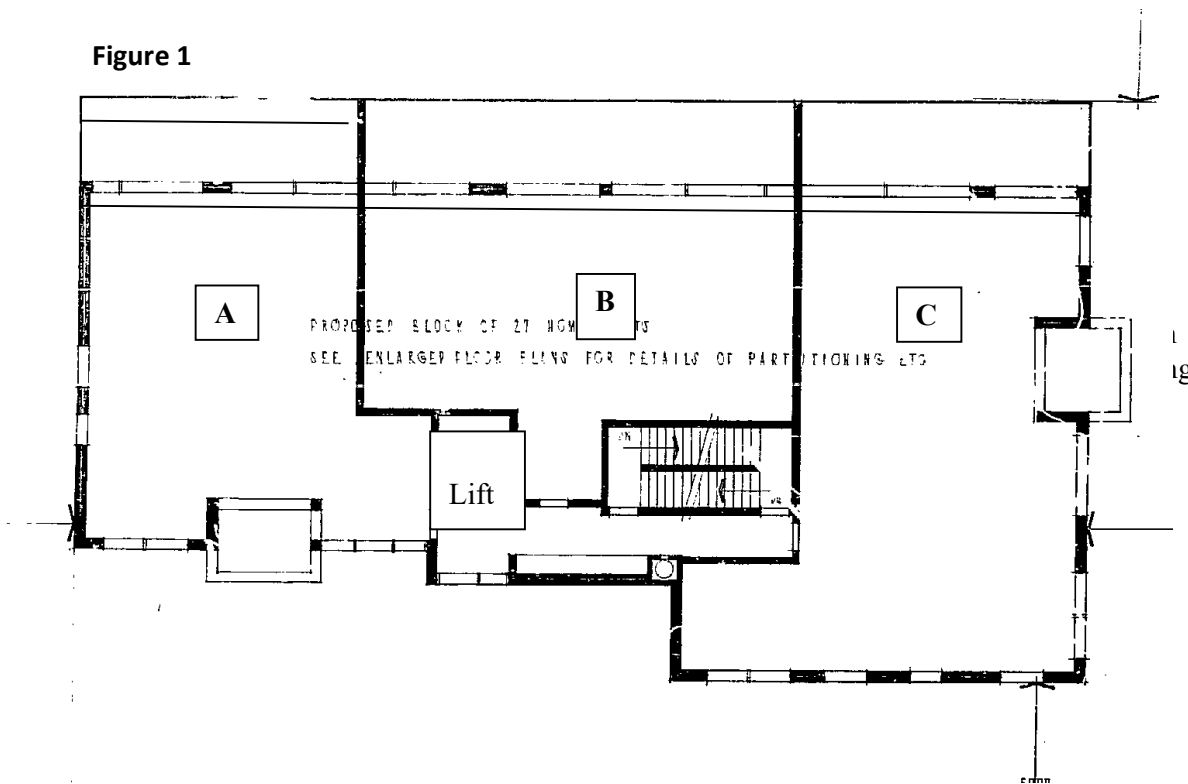
BodyCorporate@Waterville.net.au

Waterville Floor Plan

There are three apartment configurations in the building (A, B, C) with one of each configuration per floor. These are shown in the table and figure below:

	L1	L2	L3	L4	L5	L6	L7	L8	L9
Apartment A	1	4	7	10	13	16	19	22	25
Apartment B	2	5	8	11	14	17	20	23	26
Apartment C	3	6	9	12	15	18	21	24	27

Figure 1



Residents' Emergency Contact Details

The committee maintains a list of residents and their contact details. This is needed in case of emergency such as water leaks, smoke alarms etc. In order that this list remains current, can you please ensure that your details are provided in the form of Attachment A and place it in the Body Corporate Mailbox.

Security

Grey fobs provide access to the building through the front door and the doors from the garage areas. Remote controls open the security gates. These may be purchased by owners from a BCC member. Tenants must go through their agent.

Security cameras cover the front entrance and driveways. Recordings are kept for 30 days then automatically deleted. Only designated committee members have access to the recordings. Residents may request a review of the recordings if they believe security has been breached.

Uninvited visitors should not be allowed in at any time. We ask that you keep your garage doors closed when not in use so that intruders cannot hide in them.

2. Fire Prevention and Evacuation Procedures

Fire Stairs

On each residential floor there are two sets of fire stairs with access doors located between Apartments B and C. These doors should be kept closed when not in use in line with fire requirements. Fire door inspections occur on an annual basis but please report any door that does not close automatically so that it can be remedied. The stairs may be used by residents for access between floors and to exit the building. Please ensure the external doors close and lock after exiting.

Fire Alarm System

Smoke alarms in apartments do not call the Fire Brigade. Break the glass on the alarm call point next to the lift if the corridor alarm has not gone off and you need the Fire Brigade. Fire alarms in common areas do call the Fire Brigade automatically. However, you should also dial 000 if the fire is serious and confirm that the Fire Brigade is required.

You may use the fire extinguishers in the hall cupboards to extinguish a fire in your apartment. However, you should leave the building if the fire is getting beyond your control.

When the fire alarm in the common areas sounds, you should take the following actions:

- Check your floor for fire - if a fire is found, extinguish it if safe to do so using the extinguisher located in the fire cupboard in the lobby opposite Apartment B
- Check that all other occupants on your floor leave their apartments
- Exit the building by the nearest fire escape and assemble across the road in Macquarie Street.
- Further details on evacuation procedure are posted beside the lifts on each floor
- A facsimile of the procedure notice is included in Attachment 4.

A fire drill is carried out once per year and is required by law. All residents are asked to evacuate the building during the fire drill.

Smoke Detectors

All apartment owners should ensure they have smoke alarms installed inside their apartments to comply with Qld. Government regulations.

Owners are advised to visit

[Smoke alarms | Queensland Fire and Emergency Services \(qfes.qld.gov.au\)](https://qfes.qld.gov.au)

Smoke detectors should be checked annually.

There are smoke detectors installed in the internal garages and common areas outside the garages and near the lifts in the lobby areas on each floor. These detectors are tested and maintained by the Body Corporate.

Fine dust can also set off alarms which will also signal the local fire brigade.

Precautions should be taken when renovating apartments to prevent excessive dust.

3. Responsibilities Of Owner And / Or Tenant

Refer By-Law 13

Damage to Building and Facilities

Owners and tenants are responsible for any guest, removalist, or contractor you invite into the building, and for any damage to the fabric of the building caused by them or yourselves. Guidelines for contractors and/or removalists can be found at Attachment 3.

Compliance with By-Laws

By-Laws attached as attachment 6

The Waterville By-Laws are a set of rules that regulate the use of common property and lots within the community scheme. By-laws regulate matters such as the keeping of animals, noise, parking, and the appearance of lots. Each owner has been issued with a copy of the By-Laws and further copies can be obtained from a member of the BCC. or the Body Corporate Managers. Owners and residents should be familiar with the By-Laws as well as the Waterville Manual.

Approval for Any Alterations

Refer By-Law 12

Approval from the Body Corporate Committee is required for alterations to the common property, which may affect the following:

- the appearance of the building e.g. awning blinds, burglar proof bars and screens, air conditioners, alterations to balconies
- changes to existing services e.g. plumbing, wiring
- the neighbours e.g. carpets replaced by hard floor coverings causing noise in the unit below

No structural changes are allowed inside a unit either without body corporate approval e.g. a request to remove or change a wall requires an independent structural engineer report at the owner's expense as part of the submission to the body corporate.

Prior to commencement of any alterations or building works, owners should refer to the By-Laws and complete and submit the form included in Attachment 2.

Permission must be sought for the placement of skips and these must be on site for a limited period decided by the committee.

Asbestos

A report is available from Strata Dynamics in relation to the vermiculite ceiling render. A statement is required saying there is no asbestos in the apartment.

Preparation for Contractors and Removalists

Owners should take the following actions before commencing any renovations or removalist activities:

- Provide your contractor with a copy of the guideline at Attachment 3.
- Provide the BCC with times and dates of removalists so that a courtesy notice can be put in the lift to inform other residents of possible delays in accessing the lift as well as when mini skips will be in the tradesmen parking bays.

Noise

Refer By-Laws 6 and 7

When living in a community environment, there is greater need to be aware of your own noise and a requirement for increased tolerance of outside noise, compared to living in a free-standing dwelling. Please respect other residents when setting the volume of your music, radio, and TV. Also be mindful of loud voices, especially on balconies. No loud noise is permitted from apartments, car park areas, pool, or garden areas after 10.00pm.

Noisy maintenance or repair work is only to be undertaken from Monday to Friday, 7.30am – 5.30pm. Saturday 8am – 12 noon.

Balconies

Do not hang washing over the balcony balustrades.

Residents should take care when watering balcony plants or washing the balcony floor to ensure that excess water does not run over the edge of the balcony onto the levels below. Use saucers under pot plants and do not overwater them.

Smoking

Refer By-Laws 7 and 8

Smoking cigarettes and cigars on balconies can cause offensive smells in other apartments. Residents are asked to be considerate of neighbours when they or their visitors are smoking on balconies. Cigarette butts must never be thrown over balcony rails. By-Law 8 specifically states smoking should not unreasonably interfere with the use or enjoyment of another lot or common property or create a hazard to a person on another lot or the common property.

Insurance

The Body Corporate insurance policy has a \$2,000.00 excess in order to keep the premium as low as possible.

- For an insurable event that a lot has caused, e.g. a burst pipe within their unit, the owner of the lot would usually be the party responsible for paying the excess for repairs to their and/or other lots.
- For an insurable event that is caused by common property, e.g. a crack in the roof or a cracked pipe within the slab allowing water to leak into the lot and/ or other lots, the Body Corporate would usually pay the excess.

N.B. Owners should always consult the Body Corporate Committee before beginning repairs if they have any doubt if the cost of damage is their responsibility or that of the Body Corporate.

4. Building Services and Facilities

Lift

The lift should not be monopolised by contractors or removalists. In the event of a power failure, there is an emergency phone in the lift.

Ventilation

Exhaust fans installed on the roof draw air from the bathrooms, toilets, and laundries in the apartments and from the garbage chute. Fire stairs have air pressurisation systems that operate when the fire alarm system is triggered.

Water Supply

Cold water to individual units is fed from common cold water rising mains in service ducts accessed from the kitchens, laundries, and bathrooms.

Common areas are serviced separately from a number of off-takes from the building supply mains. Cold water isolation valves are located under the sink in the kitchen in each unit plus at the following locations:

- Apartment A: In the main bathroom
- Apartment B: Under the kitchen sink
- Apartment C: 1. Under the kitchen sink 2. In the main bathroom

N.B. Some units may have undergone alterations and changed these locations.

There is no individual metering on the cold-water system. It was designed so that supply charges would be calculated by sharing the bulk supply charges across all units.

Hot water is heated by gas boilers located in the upper car park area. It is distributed to individual units via metered off-takes from the hot water rising main in the fire stairs next to Apartments C. This enables hot water charges to be levied to individual units. The hot water isolating valve is located in the fire stair next to the numbered meter.

Electrical

Electrical switchboards incorporating lighting and power circuit breakers and earth leakage protection are located in each apartment.

The main building switchboard is located in a locked cupboard in the upper garage area. This is a high voltage area and may only be accessed by authorised persons.

Individual apartment electricity meters are located in the hall cupboards as follows:

- Units 1,2, and 3 in the cupboard next to the main switchboard in the upper garage area.
- Units 4-12 In the hall cupboard on Level 3
- Units 13-21 in the hall cupboard on Level 6
- Units 22-27 in the hall cupboard on Level 8

Gas

Gas meters for apartments and the BBQ are located in the lower garage area.

External Parking

Refer By-Law 10

Waterville has NO VISITOR PARKING AREAS. Residents and visitors may only park on site in garages.

Contractors and removalists may park in the allocated spaces at the bottom of the Eastern driveway and should access the building through the basement entrance.

Parking permits for Macquarie Street and the surrounding streets are available from Brisbane City Council, enabling residents and guests to park on the street for more than the two-hour limit. In order to obtain parking permits, visit a Brisbane City Council office with your rates or rental agreement, your vehicle registration papers, and some ID. The closest facility is in Indooroopilly Shopping Centre, opposite JB HiFi, or permits can be obtained on-line. There is a small fee.

Garbage Disposal

Non-Recyclable Garbage

Industrial size bins with RED tops are located at the back of the garbage room which is to the right of the front entrance. The roller door is opened by the keypad to the right of the door. Press 1 to open and close.

Bins are emptied each Tuesday, Thursday, and Saturday regardless of Public Holidays.

Residents can use the garbage chutes located in the lobbies on each level.

IT IS ESSENTIAL THAT ALL GARBAGE IS SECURELY WRAPPED AND THAT IT IS NOT WET. FOOD ITEMS LIKELY TO SMELL SUCH AS FISH, CHICKEN AND PRAWN SHELLS SHOULD BE FROZEN BY YOU AND PUT IN THE GARBAGE THE NIGHT BEFORE IT IS COLLECTED.

No bottles or liquids should be put down the chute.

Use the chutes only between 8am and 9pm.

Recyclable Garbage

An industrial size bin with a YELLOW lid is located in the garbage room.

Flatten all cardboard boxes before placing them in the bin.

Acceptable items include paper, cardboard, metal, glass and hard plastic, but **NO PLASTIC BAGS PLEASE.**

Bulky Unwanted Items

The Brisbane City Council will not take bulky household items such as furniture, TV sets, dryers. Keep these in your garage until St Lucia has a Kerbside Collection. You will be given notice of this by the Brisbane City Council or you can check it out on their website. Do not put these items in the garbage room and hope they will go away. It is not the business of the Body Corporate Committee to arrange for the removal of residents' rubbish. This is especially relevant when you are moving out of the building. Call a contractor e.g. 1800GOTJUNK or take the items to the tip yourself.

Mailboxes

Boxes for regular mail are located in the foyer. Parcels and larger mail items are usually left in the shelves below the mailboxes.

Please do not leave incorrectly addressed items on top of the mailboxes. Mark RETURN TO SENDER and post in a red P.O. mailbox. We do not have a building manager to do this job.

Newspapers

Newspaper deliveries can be arranged by contacting St Lucia News, Hawken Drive, St Lucia. The newspaper box is located on the wall opposite the front door. Contact a member of the Body Corporate Committee to arrange a key.

Car Wash

A car wash area with hose is located at the bottom of the Eastern driveway. This is in one of the commercial vehicle parking bays. A power point is also available for use if you wish to use a vacuum.

Swimming Pool

Refer By-Law 11

Swimming pool hours are from 6am to 10pm for residents and their guests. Children under 12 must be accompanied by an adult. Please remove all pool toys when you leave the area and store them in your garage.

No food or drink may be taken into the pool enclosure.

Ensure that the gates close behind you when you enter and leave and do not prop them open even if you are nearby.

Please ensure no water is walked back into the tiled lift foyers or the lift.

Barbeque

Refer By-Law 11

A gas BBQ, fridge, sink, and microwave are available in the area next to the pool. The light switch is located above the wooden bench. A reservation can be made for up to four hours if you wish to have exclusive use. You may use the area at any time without a booking if it is not in use. Cleaning equipment has been provided to scrape and wash clean the plate when you are finished.

The pool remains available to all residents during BBQ booking times.

The gas meter for the BBQ is located in the lower garage area, near the entrance to the building. It is clearly marked BBQ and it's on/off arm is yellow. Please turn off the gas after use.

When leaving the BBQ area, please ensure that the BBQ plate is thoroughly cleaned, the lid is closed, the garbage bins are emptied and washed if necessary, and that the whole area is left clean, and the lights are turned off.

Gardens

Refer By-Law 11

Our garden is managed by the committee and professional gardeners to provide a relaxing environment for all residents to enjoy. If you are green fingered and would like to be involved, please let one of the committee members know.

Animals

Refer By-Law 18

Animals are permitted in the building, subject to written body corporate prior approval. Neither resident nor visiting animals are permitted in the garden and pool area.

National Broadband Network (NBN)

The NBN for our building is Hybrid Fibre Coaxial (HFC) and is connected via the Foxtel cabling.

<https://www.nbnco.com.au/learn/network-technology/hybrid-fibre-coaxial-explained-hfc-3>

All required NBN cabling in the common areas has been installed from the central MDF panel to above the front door of each unit. Beyond this point, each unit is responsible for cabling into their unit and connecting to their chosen NBN provider.

Where cabling has not been connected inside of your unit, please confirm with your NBN provider what their technician requires. For renters, ensure you co-ordinate this via your rental agency who will contact the Body Corporate where necessary.

If your NBN technician requires access to the MDF panel, contact the Body Corporate to co-ordinate as the MDF panel is locked.

St Lucia has been advised they have up until June 2021 to connect to the NBN before non-NBN internet options are expected to cease working. This timeframe may be extended due to COVID-19 issues so check with your provider to check your available internet options.

If you have any concerns or questions that are not covered by the By-Laws or this document, please contact a member of the Body Corporate Committee.

Attachment 1 – Resident Information Form

Dear Residents,

The Body Corporate Committee is currently updating contact details for residents of Waterville.

Occasionally we have water leakage or fire emergencies and we then need to contact residents immediately.

Would you please let us know the names and contact details of the residents in your apartment? Only the members of the Body Corporate Committee (names in the lift) can access this information.

Please put the completed form in the Body Corporate mailbox number 28.

Queries: Secretary

Many thanks for your co-operation.

PLEASE PRINT:

Names	Mobile phones	Emails

Also: What name/s would you like to appear on the doorbell panel at the ground floor front door? (There is limited space)

Attachment 2 – Request for Approval for Renovation

Form to be returned to the Body Corporate Committee secretary one month prior to commencement of works

Applicant details

Lot number to be renovated: _____

Names of Owner/s:

Phone: _____

Email address:

Proposed commencement date:

Proposed completion date:

Outline the nature of the renovations proposed to be carried out. **Attach additional descriptions, drawings and sketches, engineers report if required etc**

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Attachment 3 – Guidelines for Contractors & Removalists

Parking & access to the Building

Access to the building should be via the basement.
Contractors and removalists should not use the building main entrance.
Limited parking is available at the bottom of the Eastern driveway.

Lift

Ensure that lift access for other residents is maintained.

Noise

Noise making activities should only be undertaken during the hours from 7.30 am to 5.30 pm on Monday to Friday. 8am to 12noon on Saturday.

Fire Alarms

The building has a fire alarm system which is sensitive to dust and gases produced from welding, grinding, sanding and the like. Contractors should take precautions to prevent the alarm system being initiated. Contractors shall be liable for any costs incurred by their setting off the alarm system.

Rubbish

All rubbish must be removed by the contractor/removalist or owner. No rubbish is to be left in the garbage room, common areas, entrance, hallways, lift, gardens or grounds. Contractors are to ensure that lifts and lobby areas are cleaned at the completion of work each day. **Skips** may be left for a limited time at the bottom of the Eastern driveway. Please seek permission from the Body Corporate Committee first.

Protection of common areas

Drop sheets should be used to cover the corridor carpets and the lift floor when removing rubbish that might cause staining e.g. oil, paint. The corridor and the lift must be vacuumed at the end of each day.

Attachment 4 - Covenant by Applicant:

I hereby acknowledge and undertake that in carrying out any renovations to my lot I will abide by the relevant by-laws and I understand that the Body Corporate and Community Management Act 1997 binds me to comply with these by-laws as if I had signed them personally.

Signature of applicant 1: _____

Where applicable,
Signature of applicant 2: _____

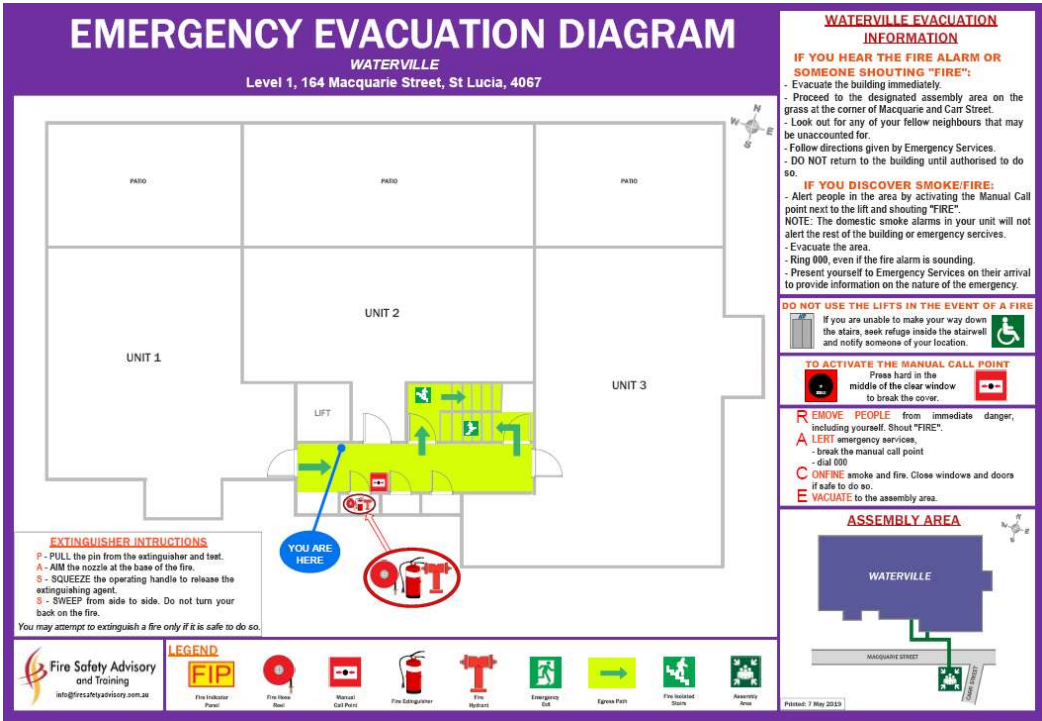
When the committee has assessed the application, a decision will be made as to whether a bond of up to \$2,000.00 is required.

The amount will be refunded to the applicant within 21 days of the Body Corporate Committee receiving notice that the renovations have been completed, all conditions met, and all relevant certificates obtained. Should damage have occurred, the Body Corporate Committee has the right to apply the bond, or part thereof, towards cost incurred by the Body Corporate for damage to, or cleaning of, common property in consequence of the renovations.

This application must be accompanied by:

- 1. A copy of the certificates of currency of the insurance policies of the tradesperson/s engaged in carrying out the proposed renovations.**
- 2. Any plans and drawings in respect of the proposed renovations.**
- 3. A copy of all relevant local authority approvals in respect of the proposed renovations.**
- 4. A report from a structural engineer if any changes are being requested to internal walls**

Attachment 5 - Evacuation & Fire Plan



QUEENSLAND TITLES REGISTRY

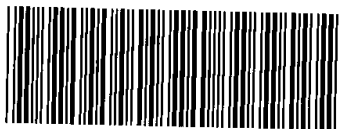
Land Title Act 1994, Land Act 1994 and Water Act 2000

GENERAL REQUEST

FORM 14 Version 4

Duty Imprint

Page 1 of 1



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records. For more information see the Department's website.

1. Nature of request

Request to record a New Community Management Statement for Waterville Community Titles Scheme 10825

Lodger (Name, address, E-mail & phone number)

Grace Lawyers

PO Box 12962

George Street QLD 4003

brenton.schoch@gracelawyers.com.au

07 3102 4120

Lodger
Code

2437

2. Lot on Plan Description

Common Property of Waterville
Community Titles Scheme 10825

Title Reference

19204361

3. Registered Proprietor/State Lessee

Body Corporate for Waterville Community Titles Scheme 10825

4. Interest

Not Applicable

5. Applicant

Body Corporate for Waterville Community Titles Scheme 10825

6. Request

I hereby request that the New Community Management Statement deposited herewith amends Schedule C of the existing Community Management Statement be recorded as the New Community Management Statement for Waterville Community Titles Scheme 10825.

7. Execution by applicant

12/15/2023
Execution DateBrenton Schoch – Solicitor
Applicant's Solicitor's Signature

THIS CMS MUST BE DEPOSITED WITH:

- A
- A
PL
A NEW C
MONTHS
CORPOR/

10825

THE
S),
EE (3)
BODY

This statement incorporates and must
include the following:

Schedule A - Schedule of lot entitlements
Schedule B - Explanation of development of scheme land
Schedule C - By-laws
Schedule D - Any other details
Schedule E - Allocation of exclusive use areas

CMS LABEL NUMBER

1. Name of community titles scheme Waterville Community Titles Scheme 10825	2. Regulation module Standard Module
3. Name of body corporate Body Corporate for Waterville Community Titles Scheme 10825	
4. Scheme land Lot on Plan Description Common Property of Waterville Community Titles Scheme 10825 Lots 1 – 27 on BUP 4361	
Title Reference 19204361 16171027 – 16171053 (inclusive)	
5. *Name and address of original owner Not Applicable	6. Reference to plan lodged with this statement Not Applicable
# first community management statement only	
7. Local Government community management statement Insert exemption clause (if no exemption – insert 'N/A' or 'not applicable') Not applicable pursuant to Section 60(6) of the Body Corporate and Community Management Act 1997	
8. Execution by original owner/Consent of body corporate	



21512023
Execution Date

Name:

Chairperson/Secretary Noela Belle Teakle

Name:

Committee Member GREGORY JOHN BAHKANN

*Execution

*Original owner to execute for a first community management statement
*Body corporate to execute for a new community management statement

Privacy Statement

Collection of information from this form is authorised by legislation and is used to maintain publicly searchable records. For more information see the Department's website.

SCHEDULE A SCHEDULE OF ENTITLEMENTS

Lot on Plan	Contribution	Interest
Lot 1 on BUP4361	4	4
Lot 2 on BUP4361	4	4
Lot 3 on BUP4361	5	5
Lot 4 on BUP4361	4	4
Lot 5 on BUP4361	4	4
Lot 6 on BUP4361	5	5
Lot 7 on BUP4361	4	4
Lot 8 on BUP4361	4	4
Lot 9 on BUP4361	5	5
Lot 10 on BUP4361	4	4
Lot 11 on BUP4361	4	4
Lot 12 on BUP4361	5	5
Lot 13 on BUP4361	4	4
Lot 14 on BUP4361	4	4
Lot 15 on BUP4361	5	5
Lot 16 on BUP4361	4	4
Lot 17 on BUP4361	4	4
Lot 18 on BUP4361	5	5
Lot 19 on BUP4361	4	4
Lot 20 on BUP4361	4	4
Lot 21 on BUP4361	5	5
Lot 22 on BUP4361	4	4
Lot 23 on BUP4361	4	4
Lot 24 on BUP4361	5	5
Lot 25 on BUP4361	4	4
Lot 26 on BUP4361	4	4
Lot 27 on BUP4361	5	5
TOTALS	117	117

SCHEDULE B EXPLANATION OF THE DEVELOPMENT OF SCHEME LAND

Sections 66(1)(f) & (g) of the *Body Corporate and Community Management Act 1997* are not applicable.

SCHEDULE C BY-LAWS**1. DEFINITIONS AND INTERPRETATION**

1.1 In these By-laws, the following words have these meanings unless the contrary intention appears:

BCCM Act means the *Body Corporate and Community Management Act 1997* (Qld) and the Regulation Module applying to the Scheme.

Body Corporate means the body corporate created on establishment of the Scheme.

By-laws means these by-laws or any specified part of them.

CMS means this community management statement.

Committee means the committee of the Body Corporate appointed pursuant to the Act.

Common Property means the common property of the Scheme.

Electric Vehicles means all types of automobiles with motors that are powered by electricity rather than liquid fuels, including electric cars, electric motor cycles, electric scooters, electric bicycles, electric skateboards, electric Hoover boards and any other equivalent means of electric transportation

Electric Vehicle Charging Equipment means equipment that connects an Electric Vehicle to a source of electricity to recharge the batteries.

Improvement means the erection of a building, a structural change or a non-structural change of any kind.

Invitee means any person on the Scheme Land with the permission of an Owner or Occupier.

Lot means an individual lot in the Scheme, including garages.

Owner or Occupier means the owner and/or occupier from time to time of a Lot.

Recreation Facilities means the recreational facilities on the Common Property including the swimming pool, barbeque and associated changerooms and showers.

Scheme means Waterville Community Titles Scheme 10825.

Scheme Land means all of the land contained in the Scheme.

Utility Infrastructure means cables, wires, pipes, sewers, drains, ducts, plant and equipment by which Lots or Common Property are supplied with utility services, and a device for measuring the reticulation or supply of a utility service.

Vehicle includes all types of automobiles, motor cycles, scooters, trucks, bicycles, boats, trailers, caravans, camper vans, mobile homes, golf buggies or any other equivalent means of transportation.

1.2 In these By-laws unless the contrary intention appears:

- (a) headings are for guidance only and are not to be used as an aid in interpretation;
- (b) terms not defined in this CMS but defined in the BCCM Act have the meanings given to them in the BCCM Act;
- (c) a reference to a By-law includes any variation or replacement of it;
- (d) a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
- (e) the singular includes the plural and vice versa;
- (f) reference to either gender includes a reference to any and all genders including undefined or gender neutral pronouns;
- (g) a reference to any thing is a reference to the whole and each part of it;
- (h) reference to a person includes a firm, body corporate, an unincorporated association or an authority;
- (i) for the purpose of by-law 1.1, any definition that is subsequently changed in the Act will have the meaning given to it by the Act; and
- (j) "including" when introducing a list of items does not limit the meaning of the words to which the list relates to those items or to items of a similar kind.

- 1.3 Where these By-laws say that something can or must be done by the Body Corporate, then that thing may be done by the Committee unless it amounts to a decision on a restricted issue.
- 1.4 All By-laws must be construed so as to be valid, legal or enforceable in all respects. If any By-law is illegal, invalid or unenforceable, it is to be read down to such extent as may be necessary to ensure that it is legal, valid or enforceable as may be reasonable in the circumstances so as to give a valid operation of a partial character. If any such By-law cannot be read down, it is deemed void and is severed and the remaining By-laws are not in any way affected or impaired.
- 1.5 These By-laws must be read in conjunction with the obligations of the Body Corporate, Owners and Occupiers under the BCCM Act.

2. APPLICABILITY

- 2.1 If the Owner of a Lot is not its Occupier, that Owner must ensure that any Occupiers of the Lot (i.e. the tenants) are given notice of:
 - (a) these By-laws at the time any tenancy, letting or lease arrangement is entered into; and
 - (b) any amendments to these By-laws within one month of those amendments taking effect.
- 2.2 An Occupier must take all reasonable steps to ensure their invitees comply with these By-laws.

3. COMMUNICATIONS

Owners and Occupiers must communicate with the Committee and the body corporate manager in a reasonable and courteous manner, and not in any way which constitutes a nuisance.

4. APPLICATION AND APPROVAL PROCESS

- 4.1 When deciding whether to approve an application made by an Owner or Occupier (the **Applicant**) under these By-laws, the Body Corporate may:
 - (a) request the Applicant to provide all information reasonably required to make a decision;
 - (b) grant its approval on relevant conditions;
 - (c) refuse an application if the Applicant fails to provide any information reasonably necessary for the Body Corporate to make a decision within 28 days of a written request being made for specific information; or
 - (d) refuse any application which does not adhere to the By-laws or any relevant legislation.
- 4.2 An Owner or Occupier of a Lot granted approval under these By-laws must comply with any conditions of that approval, failing which, the Body Corporate may withdraw that approval.
- 4.3 Any approval under these By-laws by the Body Corporate is invalid to the extent it is inconsistent with the BCCM Act or Regulation Module.

5. TENANCIES

- 5.1 If an Owner lets their Lot for a term of one month or more, the Owner must, as soon as possible, give the Body Corporate notice of:
 - (a) the name of the tenant and all other Occupiers;
 - (b) the service address of the tenant;
 - (c) the term of the tenancy; and
 - (d) the name and service address of the Owner's letting agent for the tenancy.

- 5.2 An Owner must take reasonable steps under any lease or tenancy agreement that applies to their Lot to ensure the Occupier/s of their Lot abide by these By-laws, and to address any breach of these By-laws by their Occupier/s.

6. NOISE

- 6.1 An Occupier must not create and must ensure their invitees do not create any noise likely to interfere unreasonably with the use and enjoyment of a person on another Lot or the Common Property.
- 6.2 Occupiers leaving or returning to Lots late at night or early in the morning must do so with minimum noise.
- 6.3 The Occupier must request invitees leaving after 10:00pm leave quietly.
- 6.4 An Occupier must not permit –
- (i) any musical instrument to be practised or played; or
 - (ii) any avoidable noise to be made
- so as to be audible to any person lawfully on another Lot or the Common Property, between the hours of 10:00pm and 8:00am.
- 6.5 In the event of any unavoidable noise in a lot at any time the Occupier must take all practical means to minimise noise and disturbance to any person lawfully on another Lot or Common Property.

7. NUISANCES

- 7.1 The Occupier must not use, or permit the use of, the Lot or the Common Property in a way that:
- (a) causes a nuisance or hazard; or
 - (b) interferes unreasonably with the use or enjoyment of another Lot; or
 - (c) interferes unreasonably with the use or enjoyment of the Common Property by a person who is lawfully on the Common Property.

8. SMOKING

An Occupier must not smoke or permit any invitees to smoke on the common property or from a lot such that it unreasonably interferes with the use or enjoyment of another Lot or common property or creates a hazard to a person on another Lot or the common property.

9. OBSTRUCTION

An Occupier must not obstruct, or permit the obstruction of, the lawful use of the Common Property by someone else.

10. VEHICLES

- 10.1 An Occupier must not, without the Body Corporate's written approval:
- (a) park a Vehicle, or allow a Vehicle to stand, on Common Property, or
 - (b) permit an Invitee to park a Vehicle, or allow a Vehicle to stand, on Common Property.
- 10.2 An Occupier must not, without the Body Corporate's prior written approval, drive or permit to be driven any Vehicle in excess of two (2) tonnes weight onto or over the Common Property (other than vehicle(s) entitled by statute, ordinance, code or other law).

- 10.3 An approval under by-law 10.1 and by-law 10.2 must state the period for which it is given and any conditions on which the approval is given. The Committee may withdraw the approval at any time by giving seven (7) days written notice to the Occupier.
- 10.4 An Occupier must not drive a Vehicle over the Common Property at a speed greater than 10kph.
- 10.5 The Body Corporate may from time to time designate an area of Common Property to be used for the washing of Vehicles. If an area is designated by the Body Corporate an Occupier must not wash a Vehicle anywhere else on the Common Property.

11. RECREATIONAL FACILITIES

- 11.1 An Occupier must not use any Recreational Facilities on the Common Property between 10:00pm and 6:00am, except with the Body Corporate's prior written approval.
- 11.2 An Occupier must ensure that –
- (a) their Invitees do not use the Recreational Facilities unless accompanied by the Occupier;
 - (b) children below the age of twelve (12) years do not use the Recreational Facilities unless accompanied by an adult Occupier exercising effective control over them;
 - (c) glass containers or receptacles are not taken to or allowed to remain in or around the swimming pool;
 - (d) food and drink are not consumed in the swimming pool;
 - (e) the Occupier and their invitees exercise caution at all times when using the Recreational Facilities and do not behave in any manner (including but not limited to running or splashing) which is likely to interfere with the peaceful enjoyment of any person lawfully using the Recreational Facilities;
 - (f) the Occupier and their Invitees do not place any soap, bubble bath or shampoo in the swimming pool;
 - (g) the barbecue is used in a proper manner and turned off and cleaned after use;
 - (h) after the Recreational Facilities are used, the area is left in a clean and tidy state; and
 - (i) the Occupier or their Invitees do not use the Recreational Facilities if the Recreational Facilities are damaged, in which case they must ensure that any damage is reported to the Committee.
- 11.3 The Body Corporate may operate a booking system to enable Occupiers to reserve the barbecue and its associated facilities from time to time. The swimming pool and its associated facilities (including but not limited to change rooms and showers) shall remain accessible for the use of other Occupiers even if the barbecue and its associated facilities are booked in accordance with the booking system.

12. IMPROVEMENTS

- 12.1 An Owner or Occupier must not make any Improvement to the Common Property without the written approval of the Body Corporate.

Examples –

- (a) *building a balcony out of a Lot into Common Property air space;*
- (b) *installing a clothesline on the Common Property;*
- (c) *making alterations to a garden on the Common Property; and/or*
- (d) *erecting a sign on the Common Property.*

- 12.2 An Occupier must not make any:

- (a) Improvements to:
 - (i) railings, parapets and balustrades on (whether precisely, or for all practical purposes) the boundary of a Lot and Common Property;
 - (ii) doors, windows and associated fittings situated in a boundary wall separating a Lot from Common Property; or
 - (iii) roofing membranes that are not Common Property but that provide protection for Lots or Common Property; or
- (b) structural alterations to:
 - (i) foundation structures;
 - (ii) roofing structures providing protection; or
 - (iii) essential supporting framework, including load-bearing walls; or
- (c) alterations to utility infrastructure (including gas, water and electrical installations) within a Lot or the common property;

without the written approval of the Body Corporate.

- 12.3 An Owner or Occupier must not make any Improvement to, renovate or refurbish a Lot without the written approval of the Body Corporate.

Examples –

- (a) *adding or changing internals walls;*
- (b) *re-painting the Lot;*
- (c) *laying any floor covering;*
- (d) *enclosing balconies; and*
- (e) *installing air-conditioning units.*

13. DAMAGE

- 13.1 An Occupier must not damage, deface or alter any part of the Common Property without the written approval of the Body Corporate.
- 13.2 If an owner or occupier or their invitee causes damage or makes unauthorised improvements to the common property, they must cause repairs to be carried out so that the common property is restored to its original condition.
- 13.3 However, an owner or 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.
- 13.4 The Owner or Occupier of the lot must keep a device installed under 13.3 in good order and repair.

14. ALIENATION

- 14.1 An Occupier must not:
- (a) take any part of the Common Property for their exclusive use; or
 - (b) alienate in any way any part of the Common Property; or

- (c) otherwise interfere with the lawful use and enjoyment of Common Property by other Occupiers, without the written approval of the Body Corporate.

15. DEPOSITING RUBBISH ON COMMON PROPERTY

- 15.1 An Occupier must not deposit or throw upon the Common Property any rubbish, dirt, dust, paper, refuse, cigarette butts or other material likely to interfere unreasonably with the enjoyment of a person lawfully on another Lot or using Common Property.
- 15.2 An Occupier must not, without the Body Corporate's prior written approval, leave or place any item in any hallway, passageway, fire exit, cupboard, storage room or storage area on the Common Property.

16. GARBAGE DISPOSAL

- 16.1 The Occupier must keep the receptacle for garbage in a clean and dry condition and adequately covered on the Lot, or on a part of the Common Property designated by the Body Corporate for that purpose, unless the Body Corporate provides for some other way of garbage disposal.
- 16.2 An Occupier must:
 - (a) comply with any local council by-laws or government laws about the disposal of garbage that apply to the Scheme;
 - (b) keep their Lot free of pests and vermin;
 - (c) ensure that all garbage is securely bagged prior to disposal;
 - (d) ensure that the Occupier does not, in disposing of garbage, adversely affect the health, hygiene or comfort of other Occupiers; and
 - (e) separate where necessary any garbage and items capable of recycling so full use is made of any recycle bins or receptacles provided by the Body Corporate or the local council.

17. INTERFERENCE WITH SUPPORT, SHELTER, UTILITY INFRASTRUCTURE

- 17.1 An Occupier must not interfere, or permit interference, with:
 - (a) support or shelter provided for a Lot or the Common Property; or
 - (b) utility infrastructure or utility services in a way that may affect the supply of utility services to another Lot or the Common Property,without the written approval of the Body Corporate.
- 17.2 If a Lot is to be unoccupied for a period of more than one month, then any stopcock on the hot water system must be turned off.

18. KEEPING ANIMALS

- 18.1 An Occupier must not:
 - (a) bring or keep an animal on the Lot or the Common Property; or
 - (b) permit an invitee to bring or keep an animal on the Lot or Common Property,without the Body Corporate's formal written approval provided by the Body Corporate's nominated external body corporate manager.

- 18.2 This By-law does not apply to a person who has the right to be accompanied by a guide dog under *The Guide, Hearing and Assistance Dogs Act 2009*.
- 18.3 An occupier requesting approval under this by-law must submit all relevant documentation in support of their request demonstrating why the animal should be kept on scheme land, including but not limited to:
- (a) registration documentation;
 - (b) a photograph of the animal; and
 - (c) any other information requested by the Body Corporate, that is reasonably required to make a decision.
- 18.4 An Occupier granted approval under this By-law must comply with any conditions of that approval, failing which the Body Corporate may withdraw that approval.
- 18.5 If the Body Corporate withdraws an approval, the Occupier must immediately remove the animal from the Scheme Land.

19. CONDITION OF LOTS

- 19.1 An Occupier of a Lot must keep the parts of the Lot readily observable from another Lot or Common Property in a clean and tidy condition.
- 19.2 The Owner of a Lot must maintain the Lot in good condition, except for any part of the Lot the Body Corporate is required to maintain in good condition.
- 19.3 The Owner of a Lot must maintain the utility infrastructure within the boundaries of the Lot, and not part of Common Property, in good condition.
- 19.4 An Occupier must maintain any vegetation on their Lot in good condition.
- 19.5 An Occupier must maintain in good condition any air conditioning equipment.

20. USE OF LOTS

- 20.1 Unless otherwise provided for in these By-laws, an Owner or Occupier may not use their Lot for anything other than residential purposes without written approval of the Body Corporate.
- 20.2 An Owner or Occupier of a Lot shall not use, or permit the use of, their Lot for any purpose which may be illegal, immoral or which may bring the Scheme into disrepute.
- 20.3 Where a Lot includes an area designed for the parking of cars, the Occupier must only use that part of the Lot for car parking or storage purposes.

21. Garages

- 21.1 Unless otherwise provided for in these By-laws, an Owner or Occupier must not use their garage for anything other than private carparking or for storage purposes.
- 21.2 An Owner or Occupier of a Lot must not, without the Body Corporate's prior written approval, commercially lease out their garage.
- 21.3 An Owner or Occupier granted approval under this by-law must comply with any conditions of that approval, failing which the Body Corporate may withdraw that approval.

22. DANGEROUS SUBSTANCES

- 22.1 An Occupier must not, without the Body Corporate's written approval, store a flammable or dangerous substance on the Common Property.

- 22.2 An Occupier must not, without the Body Corporate's written approval, store a flammable or dangerous substance on a Lot unless the substance is used or intended for use for domestic purposes.

23. EXTERNAL APPEARANCE OF A LOT

- 23.1 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.
- 23.2 The Occupier of a Lot must not, without the Body Corporate's written approval:
- (a) hang washing, bedding, or another cloth article; or
 - (b) 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.

24. ELECTRIC VEHICLE CHARGING

- 24.1 An Owner or Occupier of a lot shall not install any Electric Vehicle Charging Equipment or permit the use of common property electricity, within scheme land for the purpose of charging an Electric Vehicle, without the Body Corporate's prior written approval.
- 24.2 An Owner or Occupier granted approval under this by-law must comply with any conditions of that approval, failing which the Body Corporate may withdraw that approval.
- 24.3 If the Body Corporate withdraws an approval, the Occupier must remove any Electric Vehicle Charging Equipment from the Scheme Land and restore the Scheme Land to its original condition.

25. POST BOXES

- 25.1 An Occupier must regularly clear their Lot's post box.
- 25.2 Any items removed from a post box must not be left on the Common Property.

26. AUCTION SALES

- 26.1 An owner or Occupier must not permit any auction sale or garage sale to be conducted on or to take place upon any Lot or the Common Property without the Body Corporate's prior written consent.

27. SECURITY

An Occupier must ensure that all doors and windows to their Lot that are reasonably accessible are securely fastened when the Lot is left unoccupied.

28. NO INTERFERENCE

- 28.1 An Owner or Occupier must not interfere with, hinder, harass or obstruct contractors or employees on the Scheme Land engaged by the Body Corporate.
- 28.2 An Owner or Occupier must not purport to give instructions to contractors or employees on the Scheme Land engaged by the Body Corporate unless they are authorised to do so by the Body Corporate.

Note – any queries or concerns with the performance of any contractors engaged by the body corporate should be directed to the committee for consideration and, if appropriate, action.

SCHEDULE D	OTHER DETAILS REQUIRED/PERMITTED TO BE INCLUDED
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NOT APPLICABLE

SCHEDULE E	DESCRIPTION OF LOTS ALLOCATED EXCLUSIVE USE AREAS OF COMMON PROPERTY
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NOT APPLICABLE