STRATA SCHEMES MANAGEMENT REGULATION 2016 - SCHEDULE 2
SCHEDULE 2 – By-laws for pre-1996 strata schemes
(Clause 35)

1. Noise
An owner or occupier of a lot must not create any noise on the parcel likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using common property.

Note: This by-law was previously by-law 12 in Schedule 1 to the Strata Schemes (Freehold Development) Act 1973 and by-law 13 in Schedule 3 to the Strata Schemes (Leasehold Development) Act 1986.

2. Vehicles
An owner or occupier of a lot must not park or stand any motor or other vehicle on common property except with the written approval of the owners corporation.

Note: This by-law was previously by-law 13 in Schedule 1 to the Strata Schemes (Freehold Development) Act 1973 and by-law 14 in Schedule 3 to the Strata Schemes (Leasehold Development) Act 1986.

3. Obstruction of common property
An owner or occupier of a lot must not obstruct lawful use of common property by any person.

Note: This by-law was previously by-law 14 in Schedule 1 to the Strata Schemes (Freehold Development) Act 1973 and by-law 15 in Schedule 3 to the Strata Schemes (Leasehold Development) Act 1986.

4. Damage to lawns and plants on common property
An owner or occupier of a lot must not:
   a) damage any lawn, garden, tree, shrub, plant or flower being part of or situated on common property, or
   b) use for his or her own purposes as a garden any portion of the common property.

Note: This by-law was previously by-law 15 in Schedule 1 to the Strata Schemes (Freehold Development) Act 1973 and by-law 16 in Schedule 3 to the Strata Schemes (Leasehold Development) Act 1986.

5. Damage to common property
   1) An owner or occupier of a lot must not mark, paint, drive nails or screws or the like into, or otherwise damage or deface, any structure that forms part of the common property without the approval in writing of the owners corporation.

Note: This by-law is subject to sections 109 and 110 of the Strata Schemes Management Act 2015.
   2) An approval given by the owners corporation under clause (1) cannot authorise any additions to the common property.
   3) This by-law does not prevent an owner or person authorised by an owner from installing:
      a) any locking or other safety device for protection of the owner's lot against intruders, or
      b) any screen or other device to prevent entry of animals or insects on the lot, or
c) any structure or device to prevent harm to children.

4) 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.

5) Despite section 106 of the *Strata Schemes Management Act 2015*, the owner of a lot must maintain and keep in a state of good and serviceable repair any installation or structure referred to in clause (3) that forms part of the common property and that services the lot.

**Note:** This by-law was previously by-law 16 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 17 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

6. Behaviour of owners and occupiers
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.

**Note:** This by-law was previously by-law 17 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 18 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

7. Children playing on common property in building
An owner or occupier of a lot must not permit any child of whom the owner or occupier has control to play on common property within the building or, unless accompanied by an adult exercising effective control, to be or to remain on common property comprising a laundry, car parking area or other area of possible danger or hazard to children.

**Note:** This by-law was previously by-law 18 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 19 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

8. Behaviour of invitees
An owner or occupier of a lot must take all reasonable steps to ensure that invitees of the owner or occupier 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.

**Note:** This by-law was previously by-law 19 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 20 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.

9. Depositing rubbish and other material on common property
An owner or occupier of a lot must not deposit or throw on the common property any rubbish, dirt, dust or other material likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using the common property.

**Note:** This by-law was previously by-law 20 in Schedule 1 to the *Strata Schemes (Freehold Development) Act 1973* and by-law 21 in Schedule 3 to the *Strata Schemes (Leasehold Development) Act 1986*.
10. Drying of laundry items
An owner or occupier of a lot must not, except with the consent in writing of the
owners corporation, hang any washing, towel, bedding, clothing or other article on
any part of the parcel in such a way as to be visible from outside the building other
than on any lines provided by the owners corporation for the purpose and there only
for a reasonable period.
**Note:** This by-law was previously by-law 21 in Schedule 1 to the *Strata Schemes*
(*Freehold Development*) Act 1973 and by-law 22 in Schedule 3 to the *Strata Schemes*

11. Cleaning windows and doors
An owner or occupier of a lot must keep clean all glass in windows and all doors on
the boundary of the lot, including so much as is common property.
**Note:** This by-law was previously by-law 22 in Schedule 1 to the *Strata Schemes*
(*Freehold Development*) Act 1973 and by-law 23 in Schedule 3 to the *Strata Schemes*

12. Storage of inflammable liquids and other substances and materials
1) An owner or occupier of a lot must not, except with the approval in writing 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.
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.
**Note:** This by-law was previously by-law 23 in Schedule 1 to the *Strata Schemes*
(*Freehold Development*) Act 1973 and by-law 24 in Schedule 3 to the *Strata Schemes*

13. Moving furniture and other objects on or through common property
An owner or occupier of a lot must not transport any furniture or large object through
or on common property within the building unless sufficient notice has first been
given to the strata committee so as to enable the strata committee to arrange for its
nominee to be present at the time when the owner or occupier does so.
**Note:** This by-law was previously by-law 24 in Schedule 1 to the *Strata Schemes*
(*Freehold Development*) Act 1973 and by-law 25 in Schedule 3 to the *Strata Schemes*

14. Floor coverings
1) An owner of a lot must ensure that all floor space within the lot is covered or
otherwise treated to an extent sufficient to prevent the transmission from the
floor space of noise likely to disturb the peaceful enjoyment of the owner or
occupier of another lot.
2) This by-law does not apply to floor space comprising a kitchen, laundry,
lavatory or bathroom.
**Note:** This by-law was previously by-law 25 in Schedule 1 to the *Strata Schemes*
(*Freehold Development*) Act 1973 and by-law 26 in Schedule 3 to the *Strata Schemes*
15. Garbage disposal
An owner or occupier of a lot:
   a) must maintain within the lot, or on such part of the common property as may be authorised by the owners corporation, in clean and dry condition and adequately covered a receptacle for garbage, and
   b) must ensure that before refuse is placed in the receptacle it is securely wrapped or, in the case of tins or other containers, completely drained, and
   c) for the purpose of having the garbage collected, must place the receptacle within an area designated for that purpose by the owners corporation and at a time not more than 12 hours before the time at which garbage is normally collected, and
   d) when the garbage has been collected, must promptly return the receptacle to the lot or other area referred to in paragraph (a), and
   e) must not place any thing in the receptacle of the owner or occupier of any other lot except with the permission of that owner or occupier, and
   f) must promptly remove any thing which the owner, occupier or garbage collector may have spilled from the receptacle and must take such action as may be necessary to clean the area within which that thing was spilled.

Note: This by-law was previously by-law 26 in Schedule 1 to the Strata Schemes (Freehold Development) Act 1973 and by-law 27 in Schedule 3 to the Strata Schemes (Leasehold Development) Act 1986.

16. Keeping of animals
1) Subject to section 157 of the Strata Schemes Management Act 2015, an owner or occupier of a lot must not, without the approval in writing of the owners corporation, keep any animal on the lot or the common property.
2) The owners corporation must not unreasonably withhold its approval of the keeping of an animal on a lot or the common property.

Note: This by-law was previously by-law 27 in Schedule 1 to the Strata Schemes (Freehold Development) Act 1973 and by-law 28 in Schedule 3 to the Strata Schemes (Leasehold Development) Act 1986.

17. Appearance of lot
1) The owner or occupier of a lot must not, without the written consent 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.
2) This by-law does not apply to the hanging of any washing, towel, bedding, clothing or other article as referred to in by-law 10.

Note: This by-law was previously by-law 29 in Schedule 1 to the Strata Schemes (Freehold Development) Act 1973 and by-law 30 in Schedule 3 to the Strata Schemes (Leasehold Development) Act 1986.

18. Notice board
An owners corporation must cause a notice board to be affixed to some part of the common property.

Note: This by-law was previously by-law 3 in Schedule 1 to the Strata Schemes (Freehold Development) Act 1973 and by-law 3 in Schedule 3 to the Strata Schemes (Leasehold Development) Act 1986.
19. Change in use of lot to be notified
An occupier of a lot must notify the owners corporation if the occupier changes the existing use of the lot in a way 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).

STRATA SCHEMES MANAGEMENT REGULATION 2016 - SCHEDULE 3
SCHEDULE 3 – Model by-laws for residential strata schemes
(Clauses 37)

Note: These by-laws do not apply to a strata scheme unless they are adopted by the owners corporation for the strata scheme or lodged with the strata plan.

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

2. Changes to common property
   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, or
      b) any screen or other device to prevent entry of animals or insects on the lot, or
      c) any structure or device to prevent harm to children.
   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.
   3) Clause (1) does not apply to the installation of any thing 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.
   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 (1) that forms part of the common property and that services the lot, and
      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 (1) that forms part of the common property and that services the lot.
3. Damage to lawns and plants on common property
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, or
   b) use for his or her own purposes as a garden any portion of the common property.

4. Obstruction of common property
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.

5. Keeping of animals
   **Note:** Select option A or B. If no option is selected, option A will apply.

   **Option A**
   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.
   2) The notice must be given not later than 14 days after the animal commences to be kept on the lot.
   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, and
      b) supervise the animal when it is on the common property, and
      c) take any action that is necessary to clean all areas of the lot or the common property that are soiled by the animal.

   **Option B**
   1) An owner or occupier of a lot may keep an animal on the lot or the common property with the written approval of the owners corporation.
   2) The owners corporation must not unreasonably withhold its approval of the keeping of an animal on a lot or the common property and must give an owner or occupier written reasons for any refusal to grant approval.
   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, and
      b) supervise the animal when it is on the common property, and
      c) take any action that is necessary to clean all areas of the lot or the common property that are soiled by the animal.
   4) An owner or occupier of a lot who keeps an assistance animal on the lot must, if required to do so by the owners corporation, provide evidence to the owners corporation demonstrating that the animal is an assistance animal as referred to in section 9 of the *Disability Discrimination Act 1992* of the Commonwealth.

6. Noise
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.

7. Behaviour of owners, occupiers and invitees
   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.
   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, and
      b) without limiting paragraph (a), that invitees comply with clause (1).

8. Children playing on common property
   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.
   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.

9. Smoke penetration
   **Note:** Select option A or B. If no option is selected, option A will apply.
   **Option A**
   1) An owner or occupier, and any invitee of the owner or occupier, must not smoke tobacco or any other substance on the common property.
   2) 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.
   **Option B**
   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, or
      b) with the written approval of the owners corporation.
   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.
   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.
10. Preservation of fire safety
The owner or occupier of a lot must not do any thing or permit any invitees of the owner or occupier to do any thing 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.

11. Storage of inflammable liquids and other substances and materials
   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.
   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.

12. Appearance of lot
   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.
   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.

13. Cleaning windows and doors
   1) Except in the circumstances referred to in clause (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.
   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.

14. Hanging out of washing
   1) An owner or occupier of a lot may hang any washing on any lines provided by the owners corporation for that purpose. The washing may only be hung for a reasonable period.
   2) An owner or occupier of a lot may hang washing on any part of the lot other than over the balcony railings. The washing may only be hung for a reasonable period.
   3) In this by-law: "washing" includes any clothing, towel, bedding or other article of a similar type.

15. Disposal of waste-bins for individual lots [applicable where individual lots have bins]
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.

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).

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, and
   b) comply with the local council’s guidelines for the storage, handling, collection and disposal of waste.

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.

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

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.

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.

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.

9) In this by-law:
   "bin" includes any receptacle for waste.
   "waste" includes garbage and recyclable material.

16. Disposal of waste-shared bins [applicable where bins are shared by lots]
   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.

   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).

   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, and
      b) comply with the local council’s guidelines for the storage, handling, collection and disposal of waste.

   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.

5) In this by-law:
   "bin" includes any receptacle for waste.
   "waste" includes garbage and recyclable material.

17. Change in use or occupation of lot to be notified
   1) An occupier of a lot must notify the owners corporation if the occupier changes the existing use of the lot.
   2) Without limiting clause (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.
   3) The notice must be given in writing at least 21 days before the change occurs or a lease or sublease commences.

18. Compliance with planning and other requirements
   1) The owner or occupier of a lot must ensure that the lot is not used for any purpose that is prohibited by law.
   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.