

FORM 2

REG. 220 SUBDIVISION (BODY CORPORATE) REGULATIONS 2001
SUBDIVISION ACT 1988

NOTIFICATION OF MAKING, AMENDMENT OR REVOCATION OF RULES

To the Registrar

Body Corporate Plan of Subdivision No. 509339 (No. 1 Unlimited)

Attached is a copy of

1. The rules of the body corporate currently in force.
2. The special resolution passed on the Twenty-third day of February, 2005 under regulation 220 of the Subdivision (Body Corporate) Regulations 2001 authorising the making amendment or revocation of the additional rules of the body corporate.

Dated this Twenty-third day of February, 2005

THE COMMON SEAL of BODY CORPORATE

PLAN OF SUBDIVISION NO. 509339 (No. 1

Unlimited) was hereto affixed in accordance with Regulation

311 of the Subdivision (Body Corporate) Regulations 2001.

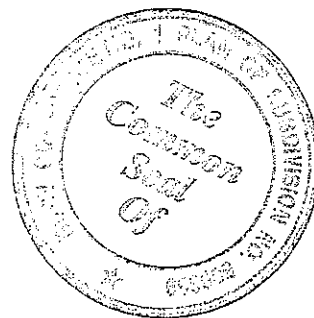
Pursuant to a special resolution dated Twenty-third day of February, 2005


M. LO GIUDICE - DIRECTOR

BATTONA PTY. LTD

333 DRUMMOND ST

CARLTON



Sole Member of Body Corporate

FORM 1

Reg 220 Subdivision (Body Corporate) Regulations 2001

SUBDIVISION ACT 1988

140-164 PEEL STREET AND 11-35 LITTLE COBDEN STREET, NORTH MELBOURNE

ADDITIONAL RULES

Use of common property and lots

1. A member must not, and must ensure that the occupier of a member's lot does not -
 - (a) use the common property or permit the common property to be used in such a manner as to unreasonably interfere with or prevent its use by other members or occupants of lots or their customers; or
 - (b) park or leave a vehicle or permit a vehicle to be parked on the common property so as to obstruct a driveway or entrance to a lot or in any place other than in a parking area specified for such purposes by the body corporate; or
 - (c) use or permit a lot effected by the body corporate to be used for any purpose which may be illegal or injurious to the reputation of the development or may cause a nuisance or hazard to any other member or occupier of any lot or the customers or visitors of any such member or occupier; or
 - (d) make or permit to be made any undue noise in or about the common property or any lot affected by the body corporate; or
 - (e) make or permit to be made noise from music or machinery which may be heard outside the owner's lot between the hours of midnight and 8.00 a.m.; or
 - (f) keep any animal on the common property after being given notice by the body corporate to remove the animal after the body corporate has resolved that the animal is causing a nuisance; or
 - (g) do in the member's unit and/or accessory unit, carspace or carport any act or thing which may be or become an annoyance or nuisance to the body corporate or to any occupier of any other unit; or
 - (h) unless the body corporate first grants consent in writing to such use and then only in accordance with the terms and conditions specified in such consent -
 - (1) Store any goods on the common property; or
 - (i) make any alterations or additions to the exterior of the unit/and or accessory unit without the written consent of the body corporate or the painting or decorating otherwise of the same or the erection (without the like consent) of any television or radio antenna or any canvas blind or other awning on the outside of any window nor make any structural alterations or additions to the interior of the unit or any part thereof and which may diminish the support and shelter of any unit on the subdivision without the written consent of the body corporate having the right to appoint an architect, structural engineer or building contractor at the expense of the member requiring the consent to approve such alterations which consent shall not be unreasonably refused; or

- (j) damage, deface or obstruct any entrances, passages, stairways, landings, pathways or any part of the common property or the use of the same for any purpose other than the purpose for which they are provided or properly available; or
- (k) hang any garment or article of clothing, sheet, blanket, towel or other article from the outside of a unit and/or accessory unit, balcony, landing, or stairway forming part of a unit or on the common property except in places expressly provided for the purpose; or
- (l) display any placard, advertisement or sign in or upon the member's unit and/or accessory unit or in or upon the common property unless the body corporate first grants consent in writing thereto and then only in accordance with the terms and conditions specified in such consent; or
- (m) breach the regulations from time to time made by the body corporate relating to the disposal of garbage; or
- (n) use any accessory unit being a garage carport or car space otherwise than for the purpose of parking a vehicle thereon and then only in such a manner as may be fair and reasonable and to maintain the area in a clean and tidy condition; or
- (o) breach the regulations from time to time made by the body corporate relating to the use of any part of the common property; or
- (p) breach the regulations from time to time made by the body corporate relating to the parking of motor cars or other vehicles on the common property; or
- (q) fail to clear and keep clear on each and every day any mail receiving box and/or newspaper receiving receptacle of all mail, leaflets, circulars, pamphlets, newspapers, advertising and promotional literature or material and all and any other objects whatsoever whether solicited or unsolicited or to arrange for all such required clearances by other persons should a member or members be absent for any reason whatsoever and therefore be unable so to do for any period which shall include one night notwithstanding that this requirement may be waived entirely or otherwise amended by the body corporate provided that any such waiver or amendment is obtained from the body corporate in writing not less than seven days prior to the date or dates for which such waiver is required.
- (r) modify the fencing in any store enclosure in any way whatsoever or arrange any storage shelving in such a way that any items stored on any shelves completely or partially block any ventilator.
- (s) Install a refrigeration or air conditioning condensor to serve their unit in any position except in the common property over motor vehicle parking spaces shown as part of Lot S2.

2. A member, and the occupier of or a visitor to a members ground floor commercial or retail lot, shall have the right to use the lift between the two basement motor vehicle parking areas and the ground floor provided that the lift is not used for the transportation of any goods whatsoever used, stocked or sold in conjunction with the business being conducted in the said lot.

3. A member or the occupier of or visitor to a members unit shall not have the right to object to any application made to the responsible authority for the use of a commercial or retail lot which use would usually be approved by the authority.
4. A member or the occupier of or visitor to a members unit shall not have the right to object to the motor vehicle parking spaces included in Lot S2 being used as a commercial motor vehicle park or vehicle wash.
5. An application by a member or the occupier of a members unit to install blinds to any external windows shall not be unreasonably withheld by the body corporate provided that the blinds which are the subject of the application are Slimline venetian or Holland type and be either beige or charcoal grey in colour or be plantation shutters of those colours.