

**CAR STACKER RULES
OWNERS CORPORATION NO. 2 PS700858F
229 - 231 BRIDGE ROAD, RICHMOND**

Application

- 1) These rules only apply to Common Property No. 2.
- 2) Common Property No. 2 may only be used for car parking and for ingress and egress to the car parking spaces.

Carpark rights

- 3) Each Owner who has been allocated the use of a Car Space has the right to use the allocated platform in Common Property No. 2. The Owner may allow an Occupier or Guest to use the allocated platform.

Owners Corporation's obligations

- 4) The Owners Corporation must maintain, repair and replace the Car Stacker when the Owners Corporation decides the Car Stacker is at the end of its economical or practical life or it is otherwise appropriate to replace it.
- 5) The Owners Corporation must do all things reasonably required to ensure that the Car Stacker operates in the ordinary course as designed except during times of schedule maintenance, repair or replacement.
- 6) The Car Stacker will be allocated as follows (noting that the Owner (Occupier or Guest) of the respective lot will be entitled to use the platform delegated to it):

Lot 2	Platform 11
Lot 3	Platform 13
Lot 4	Platform 5
Lot 5	Platform 3 & 4
Lot 102	Platform 14
Lot 103	Platform 16
Lot 104	Platform 7
Lot 202	Platform 1
Lot 203	Platform 2
Lot 205	Platform 23
Lot 302	Platform 6
Lot 303	Platform 8
Lot 305	Platform 24
Lot 401	Platform 10
Lot 402	Platform 18
Lot 403	Platform 19

Lot 404	Platform 9
Lot 405	Platform 22
Lot 502	Platform 17
Lot 503	Platform 15
Lot 504	Platform 12
Lot 505	Platform 21
Lot 601	Platform 20

- 7) The Owners Corporation has the right to alter the location of the Car Space with the consent of the Owner.
- 8) The Owners Corporation must obtain and maintain insurance to the extent that there are reasonable insurance risks in addition to the Owners Corporation's insurance for Common Property No. 1.

Use

- 9) An Owner's right to use a car space is subject to unavailability of the car space for maintenance, repair and replacement of a Car Stacker in the ordinary course and due to unexpected circumstances or emergency events.
- 10) The Owners Corporation is not liable for and the Owner releases and indemnifies the Owners Corporation from and against, the failure of the Car Stacker due to maintenance, repair or replacement in the ordinary course or due to unexpected circumstances or emergency events.

Obligations

- 11) Each Owner must ensure that it and any Occupiers or Guests:
 - (a) Complies with the Owner's obligations.
 - (b) Do not allow or permit any person to use the Car Stacker who is not an Owner or Occupier of the Owner's lot.
 - (c) Only use the Car Stacker for the parking of cars which meet the Car Stacker manufacturer's specifications and the requirements of the Owners Corporation.
 - (d) Do not use a Car Space when the Car Stacker is being maintained, replaced or repaired.
 - (e) Remove from the Car Stacker the Owner or Occupier's cars as and when requested by the Owners Corporation or its authorised repairer for any scheduled, unexpected or emergency maintenance, repair or replacement.
 - (f) Indemnify and release the Owners Corporation from and against any loss or cost due to the Owner's failure to observe any of these rules.

- (g) Do not allow or permit any other person to use the Car Stacker if they have not undertaken an induction and training course on the Car Stacker's use.
- (h) Provide particulars of the Occupier's car or cars including registration numbers and advise the Owners Corporation of any change.
- (i) Do not do anything to damage or misuse the Car Stacker equipment.
- (j) Do not do anything which interferes with the use of the Car Stacker by other Owners entitled to use it.
- (k) Only use the Car Space for cars that are owned or used by the Owner or Occupier of a Lot.
- (l) Comply with any rules, requirements or directions about any security device which activates or operates the Car Stacker.
- (m) Promptly report any damage, malfunction or failure of the Car Stacker to operate.
- (n) Reimburse the Owners Corporation for all loss, damage or cost incurred by the Owners Corporation because of any damage caused to the Car Stacker by the Owner or the Owner's lot Occupier.
- (o) Not delegate, assign or sublet any of its rights under this rule to anyone other than the Occupier of a Lot on the plan.
- (p) If required by the Owners Corporation, enter into an agreement about the use of the Car Stacker and the Common Property.

Payment

12. Each Owner must pay the Owners Corporation the Owner's proportion according to the Owners Corporation schedule for Owners Corporation No 2 of:
 - (a) The costs of operating, maintaining, repairing and replacing each Car Stacker at the end of its economic life;
 - (b) Insuring against damage and destruction of the Car Stacker, against third party personal injury and third party property damage;
 - (c) Contribution to a sinking fund for the replacement of the Car Stacker at the end of its economic life. The Owners Corporation must maintain the fund if established;
 - (d) Any other costs, expenses and liabilities of the Owners Corporation in fulfilling its obligation under this rule; and

- (e) The Owner must pay the Owner's proportion of the costs even if the Owner does not use a Car Space.

Definitions

In these rules unless the context otherwise requires the following definitions apply:

"Car Space" means a car platform in a Car Stacker;

"Car Stacker" means the car stacking machinery and associated equipment located in Common Property;

"Common Property" means any common property as shown and described on the Plan of Subdivision as Common Property No. 2;

"Guest" means a person who is a guest, visitor, invitee, family member or friend of an Owner or Occupier of a lot;

"Lot" means the lot on the Plan of Subdivision owned or occupied by that Owner or Occupier;

"Occupier" means a person who occupies a lot on the Plan of Subdivision;

"Owner" means an owner of a lot on the Plan of Subdivision;

"Owners Corporation" means Owners Corporations 1 & 2;

"Plan of Subdivision" means Plan of Subdivision No. 700858F;

"Rules" means the rules in this document.