QUEENSLAND TITLES REGISTRY

GENERAL REQUEST

FORM 14 Version 4

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

Duty Imprint

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721050014

ing Number

EL 470 \$96.00 30/08/2021 09:23:47 FICE USE ONLY

m is authorised by legislation and is used to maintain publicly searchable records. For more information see

the Department's website.

Nature of request 1.

> REQUEST TO RECORD A NEW COMMUNITY MANAGEMENT STATEMENT FOR SAPPHIRE AT THE BROADWATER COMMUNITY TITLES **SCHEME 45405**

Lodger (Name, address, E-mail & phone number) Short Punch and Greatorix Lawyers Po Box 5164, GCMC QLD 9726 Matthew.brook@spglawyers.com.au (07) 5570 9331

Lodger Code GC30

Lot on Plan Description

COMMON PROPERTY OF SAPPHIRE AT THE BROADWATER COMMUNITY **TITLES SCHEME 45405**

Title Reference 50933381

Registered Proprietor/State Lessee

BODY CORPORATE FOR SAPPHIRE AT THE BROADWATER COMMUNITY TITLES SCHEME 45405

4. Interest

FEE SIMPLE

5. Applicant

BODY CORPORATE FOR SAPPHIRE AT THE BROADWATER COMMUNITY TITLES SCHEME 45405

Request

I hereby request that: the New Community Management Stated deposited herewith which amends Schedule E of the existing Community Management Statement be recorded as the new Community Management Statement for Sapphire on the Broadwater Community Titles Scheme 45405

Execution by applicant

MATTHEW IAN BROOK, Solicitor

26,8,2021

Execution Date

Applicant's or Solicitor's Signature

Note: A Solicitor is required to print full name if signing on behalf of the Applicant

QUEENSLAND LAND REGISTRY

FIRST/NEW COMMUNITY MANAGEMENT STATEMENT

CMS Version 4 Page 1 of 38

Body Corporate and Community Management Act 1997

45405

POSITED WITH:

A FORM 18C (IF NO EXEMPTION TO THE PLANNING BODY CMS NOTATION APPLIES).

A NEW CMS MUST BE LODGED WITHIN THREE (3) MONTHS OF THE DATE OF CONSENT BY THE BODY CORPORATE

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

This statement incorporates and must

include the following:

Office use only

CMS LABEL NUMBER

 Name of community titles scheme SAPPHIRE AT THE BROADWATER COMMUNITY TITLES SCHEME 45405

2. Regulation module
ACCOMMODATION MODULE

3. Name of body corporate

BODY CORPORATE FOR SAPPHIRE AT THE BROADWATER COMMUNITY TITLES SCHEME 45405

4. Scheme land

Lot on Plan Description SEE ENLARGED PANEL

Title Reference

5. Name and address of original owner

Not Applicable

first community management statement only

6. Reference to plan lodged with this statement N/A

7. New CMS exemption to planning body community management statement notation (if applicable*) Insert exemption clause (if no exemption – insert 'N/A' or 'not applicable')

Not applicable pursuant to s.60(6) of the Body Corporate and Community Management Act 1997

*If there is no exemption or for a first community management statement (CMS), a Form 18C must be deposited with the Request to record the CMS.

Execution by original owner/Consent of body corporate

Che Common Seal Colors of Colors of

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Chairman *Execution

*Original owner to execute for a <u>first</u> community management statement *Body corporate to execute for a <u>new</u> 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.

ENLARGED PANEL

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Title Reference 50933381

4. Scheme Land

Lot on Pl	an Description	Mysridge beautiful and a second
		Title Reference
CTS 45405	Property of Sapphire at the Broadwater	50933381
LOT 101	SP 217740	
LOT 101		50933382
LOT 102	SP 267477	50973194
LOT 103	SP 217740	50933384
LOT 104	SP 217740	50933385
LOT 105	SP 217740	50933386
	SP 217740	50933387
LOT 107	SP 217740	50933388
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ENLARGED PANEL

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LOT 711	SP 267477	50973243
LOT 712	SP 267477	50973244
LOT 713	SP 267477	50973245
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LOT 718	SP 267477	50973250
LOT 719	SP 267477	50973251
LOT 720	SP 267477	50973252
LOT 811	SP 267477	50973253
LOT 812	SP 267477	50973254
LOT 813	SP 267477	50973255
LOT 814	SP 267477	50973256
LOT 815	SP 267477	50973257
LOT 816	SP 267477	50973258
LOT 817	SP 267477	50973259
LOT 818	SP 267477	50973260
LOT 819	SP 267477	50973261
LOT 820	SP 267477	50973262
LOT 911	SP 267477	50973263
LOT 912	SP 267477	50973264
LOT 913	SP 267477	50973265
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LOT 915	SP 267477	50973267
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LOT 917	SP 267477	50973269
LOT 918	SP 267477	50973270
LOT 919	SP 267477	50973271
LOT 920	SP 267477	50973272
LOT 1011	SP 267477	50973273
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LOT 1015	SP 267477	50973277
LOT 1016	SP 267477	50973278
LOT 1017	SP 267477	50973279
LOT 1018	SP 267477	50973280
LOT 1019	SP 267477	50973281
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SCHEDULE A SCHEDULE OF LOT ENTITLEMENTS

Lot on Plan	Contribution	Interest
Lot 101 on SP 217740	1	
Lot 102 on SP 267477	1	100
Lot 103 on SP 217740	1	80
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LOT ON PLAN	Contribution Entitlement	Interest Entitlement
Lot 406 on SP 217740	1	00
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Lot 807 on SP 217740 Lot 808 on SP 217740 Lot 809 on SP 217740 Lot 809 on SP 217740 Lot 810 on SP 217740 Lot 810 on SP 217740 Lot 811 on SP 267477 Lot 211 on SP 267477 Lot 213 on SP 267477 Lot 213 on SP 267477 Lot 216 on SP 267477 Lot 216 on SP 267477 Lot 217 on SP 267477 Lot 218 on SP 267477 Lot 219 on SP 267477 Lot 219 on SP 267477 Lot 210 on SP 267477 Lot 211 on SP 267477 Lot 212 on SP 267477 Lot 213 on SP 267477 Lot 313 on SP 267477 Lot 314 on SP 267477 Lot 315 on SP 267477 Lot 315 on SP 267477 Lot 316 on SP 267477 Lot 317 on SP 267477 Lot 318 on SP 267477 Lot 319 on SP 267477 Lot 411 o	Lot 806 on SP 217740	1	
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Lot 212 on SP 267477 Lot 213 on SP 267477 1 93 Lot 214 on SP 267477 1 93 Lot 215 on SP 267477 1 10 Lot 215 on SP 267477 1 10 Lot 216 on SP 267477 1 105 Lot 218 on SP 267477 1 105 Lot 218 on SP 267477 1 105 Lot 219 on SP 267477 1 119 Lot 312 on SP 267477 1 193 Lot 313 on SP 267477 1 193 Lot 314 on SP 267477 1 105 Lot 315 on SP 267477 1 105 Lot 316 on SP 267477 1 105 Lot 318 on SP 267477 1 105 Lot 319 on SP 267477 1 105 Lot 310 SP 267477 1 105 Lot 411 on SP 267477 1 105 Lot 411 on SP 267477 1 105 Lot 412 on SP 267477 1 105 Lot 414 on SP 267477 1 105 Lot 415 on SP 267477 1 105 Lot 414 on SP 267477	Lot 211 on SP 267477	1	
Lot 213 on SP 267477 Lot 214 on SP 267477 lot 215 on SP 267477 lot 216 on SP 267477 lot 216 on SP 267477 lot 217 on SP 267477 lot 218 on SP 267477 lot 311 on SP 267477 lot 312 on SP 267477 lot 313 on SP 267477 lot 315 on SP 267477 lot 316 on SP 267477 lot 319 on SP 267477 lot 310 on SP 267477 lot 411 on SP 267477 lot 412 on SP 267477 lot 414 on SP 267477 lot 415 on SP 267477	Lot 212 on SP 267477	1	
Lot 214 on SP 267477 Lot 215 on SP 267477 1 93 Lot 216 on SP 267477 1 100 Lot 217 on SP 267477 1 105 Lot 218 on SP 267477 1 105 Lot 219 on SP 267477 1 119 Lot 312 on SP 267477 1 93 Lot 314 on SP 267477 1 105 Lot 315 on SP 267477 1 105 Lot 316 on SP 267477 1 105 Lot 319 on SP 267477 1 105 Lot 310 on SP 267477 1 105 Lot 411 on SP 267477 1 109 Lot 412 on SP 267477 1 109 Lot 415 on SP 267477 1 109 Lot 416 on SP 267477 1 105	Lot 213 on SP 267477	1	
Lot 215 on SP 267477 Lot 216 on SP 267477 1 110 Lot 217 on SP 267477 1 105 Lot 218 on SP 267477 1 83 Lot 311 on SP 267477 1 93 Lot 312 on SP 267477 1 93 Lot 313 on SP 267477 1 93 Lot 314 on SP 267477 1 100 Lot 315 on SP 267477 1 100 Lot 317 on SP 267477 1 100 Lot 318 on SP 267477 1 100 Lot 319 on SP 267477 1 100 Lot 319 on SP 267477 1 105 Lot 310 on SP 267477 1 105 Lot 411 on SP 267477 1 105 Lot 412 on SP 267477 1 103 Lot 415 on SP 267477	Lot 214 on SP 267477	1	
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Lot 217 on SP 267477 Lot 218 on SP 267477 1 1 83 Lot 219 on SP 267477 1 1 83 Lot 311 on SP 267477 1 1 83 Lot 312 on SP 267477 1 1 93 Lot 313 on SP 267477 1 1 93 Lot 314 on SP 267477 1 1 93 Lot 315 on SP 267477 1 1 105 Lot 316 on SP 267477 1 1 105 Lot 318 on SP 267477 1 1 83 Lot 319 on SP 267477 1 1 83 Lot 319 on SP 267477 1 1 105 Lot 411 on SP 267477 1 1 105 Lot 411 on SP 267477 1 105 Lot 412 on SP 267477 1 1093 Lot 413 on SP 267477 1 1093 Lot 415 on SP 267477 1 193 Lot 415 on SP 267477 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Lot 216 on SP 267477	1	
Lot 218 on SP 267477 1 83 Lot 219 on SP 267477 1 193 Lot 311 on SP 267477 1 193 Lot 312 on SP 267477 1 193 Lot 313 on SP 267477 1 193 Lot 314 on SP 267477 1 193 Lot 315 on SP 267477 1 100 Lot 316 on SP 267477 1 105 Lot 318 on SP 267477 1 105 Lot 319 on SP 267477 1 105 Lot 319 on SP 267477 1 105 Lot 411 on SP 267477 1 119 Lot 412 on SP 267477 1 193 Lot 413 on SP 267477 1 193 Lot 414 on SP 267477 1 193 Lot 415 on SP 267477 1 193	Lot 217 on SP 267477	1	
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Lot 313 on SP 267477 Lot 314 on SP 267477 1 93 Lot 315 on SP 267477 1 93 Lot 316 on SP 267477 1 100 Lot 317 on SP 267477 1 105 Lot 318 on SP 267477 1 105 Lot 319 on SP 267477 1 105 Lot 320 on SP 267477 1 105 Lot 411 on SP 267477 1 119 Lot 412 on SP 267477 1 193 Lot 413 on SP 267477 1 193 Lot 414 on SP 267477 1 193 Lot 415 on SP 267477 1 193	Lot 312 on SP 267477	1	
Lot 314 on SP 267477 Lot 315 on SP 267477 1 93 Lot 316 on SP 267477 1 110 Lot 317 on SP 267477 1 105 Lot 318 on SP 267477 1 83 Lot 319 on SP 267477 1 105 Lot 320 on SP 267477 1 105 Lot 411 on SP 267477 1 19 Lot 412 on SP 267477 1 93 Lot 413 on SP 267477 1 93 Lot 414 on SP 267477 1 93 Lot 415 on SP 267477 1 93 Lot 415 on SP 267477 1 93	Lot 313 on SP 267477	1	
Lot 315 on SP 267477 Lot 316 on SP 267477 1 110 Lot 317 on SP 267477 1 105 Lot 318 on SP 267477 1 105 Lot 319 on SP 267477 1 105 Lot 320 on SP 267477 1 105 Lot 411 on SP 267477 1 19 Lot 412 on SP 267477 1 93 Lot 413 on SP 267477 1 93 Lot 414 on SP 267477 1 93 Lot 415 on SP 267477 1 93 Lot 415 on SP 267477 1 93	Lot 314 on SP 267477	1	
Lot 316 on SP 267477 Lot 317 on SP 267477 1 105 Lot 318 on SP 267477 1 83 Lot 319 on SP 267477 1 105 Lot 320 on SP 267477 1 105 Lot 411 on SP 267477 1 119 Lot 412 on SP 267477 1 93 Lot 413 on SP 267477 1 93 Lot 414 on SP 267477 1 93 Lot 415 on SP 267477 1 93 Lot 415 on SP 267477 1 93	Lot 315 on SP 267477	1	
Lot 317 on SP 267477 Lot 318 on SP 267477 1 83 Lot 319 on SP 267477 1 105 Lot 320 on SP 267477 1 105 Lot 411 on SP 267477 1 119 Lot 412 on SP 267477 1 193 Lot 413 on SP 267477 1 193 Lot 414 on SP 267477 1 193 Lot 415 on SP 267477 1 193	Lot 316 on SP 267477	1	
Lot 318 on SP 267477 Lot 319 on SP 267477 1 83 Lot 320 on SP 267477 1 105 Lot 411 on SP 267477 1 193 Lot 413 on SP 267477 1 93 Lot 414 on SP 267477 1 93 Lot 415 on SP 267477 1 93 Lot 416 on SP 267477	Lot 317 on SP 267477	1	
Lot 319 on SP 267477 1 105 Lot 320 on SP 267477 1 105 Lot 411 on SP 267477 1 119 Lot 412 on SP 267477 1 93 Lot 413 on SP 267477 1 93 Lot 414 on SP 267477 1 93 Lot 415 on SP 267477 1 93	Lot 318 on SP 267477	1	
Lot 320 on SP 267477 Lot 411 on SP 267477 Lot 412 on SP 267477 1 93 Lot 413 on SP 267477 1 93 Lot 414 on SP 267477 1 93 Lot 415 on SP 267477 1 93	Lot 319 on SP 267477	1	•
Lot 411 on SP 267477 Lot 412 on SP 267477 1 93 Lot 413 on SP 267477 1 93 Lot 414 on SP 267477 1 93 Lot 415 on SP 267477 1 93	Lot 320 on SP 267477	1	
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Lot 413 on SP 267477 1 93 Lot 414 on SP 267477 1 93 Lot 415 on SP 267477 1 93	Lot 412 on SP 267477	1	
Lot 414 on SP 267477 1 93 Lot 415 on SP 267477 1 93	Lot 413 on SP 267477	1	
Lot 415 on SP 267477 1 93	Lot 414 on SP 267477	1	
Let 446 on SD 067477	Lot 415 on SP 267477	1	
110	Lot 416 on SP 267477	1	110

LOT ON PLAN	Contribution Entitlement	Interest Entitlement
Lot 417 on SP 267477	1	105
Lot 418 on SP 267477	1	83
Lot 419 on SP 267477	1	83 83
Lot 420 on SP 267477	1	
Lot 511 on SP 267477	1	105
Lot 512 on SP 267477	1	119
Lot 513 on SP 267477	1	93
Lot 514 on SP 267477	1	93
Lot 515 on SP 267477	1	93
Lot 516 on SP 267477	1	93
Lot 517 on SP 267477	1	110
Lot 518 on SP 267477	1	105
Lot 519 on SP 267477	1	83
Lot 520 on SP 267477	'	83
Lot 611 on SP 267477	1	105
Lot 612 on SP 267477	'	119
Lot 613 on SP 267477	'	93
Lot 614 on SP 267477	,	93
Lot 615 on SP 267477		93
Lot 616 on SP 267477	1	93
Lot 617 on SP 267477		110
Lot 618 on SP 267477		105
Lot 619 on SP 267477	1	83
Lot 620 on SP 267477		83
Lot 711 on SP 267477		105
Lot 712 on SP 267477	1	119
Lot 713 on SP 267477	1	93
Lot 714 on SP 267477	1	93
Lot 715 on SP 267477	1	93
Lot 716 on SP 267477	1	93
Lot 717 on SP 267477	1	110
Lot 718 on SP 267477	1	105
	1	83
Lot 719 on SP 267477	1	83
Lot 720 on SP 267477	1	105
Lot 811 on SP 267477	1	119

LOT ON PLAN	Contribution Entitlement	Interest Entitlement
L + 040 OD 007 (
Lot 812 on SP 267477	1	93
Lot 813 on SP 267477	1	93
Lot 814 on SP 267477	1	93
Lot 815 on SP 267477	1	93
Lot 816 on SP 267477	1	110
Lot 817 on SP 267477	1	105
Lot 818 on SP 267477	1	83
Lot 819 on SP 267477	1	83
Lot 820 on SP 267477	1	105
Lot 911 on SP 267477	1	119
Lot 912 on SP 267477	1	93
Lot 913 on SP 267477	1	93
Lot 914 on SP 267477	1	93
Lot 915 on SP 267477	1	93
Lot 916 on SP 267477	1	110
Lot 917 on SP 267477	1	105
Lot 918 on SP 267477	1	83
Lot 919 on SP 267477	1	83
Lot 920 on SP 267477	1	105
Lot 1011 on SP 267477	1	119
Lot 1012 on SP 267477	1	93
Lot 1013 on SP 267477	1	93
Lot 1014 on SP 267477	1	93
Lot 1015 on SP 267477	1	93
Lot 1016 on SP 267477	1	110
Lot 1017 on SP 267477	1	105
Lot 1018 on SP 267477	1	83
Lot 1019 on SP 267477	1	83
Lot 1020 on SP 267477	1	105
Lot 1111 on SP 267477	1	144
Lot 1112 on SP 267477	1	130
AGGREGATE	168	14982

The contribution schedule principle under s46 (7) of the Body Corporate and Community Management Act 1997 ("Act") on which the contribution schedule entitlements have been decided is the Equality Principle. The interest schedule lot entitlements reflect the respective market values of the lots.

SCHEDULE B SCHEDULE OF DEVELOPMENT OF SCHEME LAND

There is to be no further development of the Scheme Land.

SCHEDULE C SCHEDULE OF BY-LAWS

1 NOISE:

An owner or occupier of a Lot must not within the scheme land create any noise likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using common property.

2 VEHICLES:

- (a) The owner or occupier of a lot must not without the Body Corporate's written approval:
 - (i) park a vehicle or allow a vehicle to stand on the common property or any easement area to which the body corporate has use; or
 - (ii) permit an invitee to park a vehicle, or allow a vehicle to stand, on the common property other than in a designated visitor car park, or other parking area to which the body corporate has use.
- (b) Approval under 2(a) must state the period for which it is given.
- (c) However the Body Corporate may cancel an approval under 2(a) by giving seven (7) days written notice to the owner or occupier.
- (d) An owner or occupier shall only allow bona fide visitors to lots to occupy an area designated as a visitor car parking space. The maximum time allowed at any one instance for parking in a visitor car parking space is six (6) hours, unless the Committee's prior written approval is obtained (and the Committee must act reasonably in this regard).
- (e) Commercial vehicle facilities (if any) must only be used for short term loading and unloading of vehicles.
- (f) In the event that an owner, occupier or invitee breaches this By-law, the Body Corporate may, at its discretion, authorise and appoint a company to carry out the removal of such vehicle from the Scheme land. In the event the Body Corporate will not be responsible for any further actions associated with the removal or retrieval of such vehicle. Any dispute will be a matter exclusively between the Owner or Occupier and the company exclusively. For the avoidance of doubt:
 - (i) The Body Corporate will not be held liable for any charges, costs or invoices associated with the company's service;
 - (ii) The Body Corporate will not be held liable for any action performed pursuant to the abovementioned By-laws.
- (g) The Body Corporate must display adequate signage in the areas designated as visitor parking whereby the vehicle removal will be in effect.
- (h) The Body Corporate must provide sufficient notice to the Owner of the vehicle prior to any action taking place.

3 OBSTRUCTION:

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

4 DAMAGE TO LAWNS, ETC., ON COMMON PROPERTY:

- (a) The owner or occupier of a lot must not, without the Body Corporate's written approval:
 - (i) damage a lawn, garden, tree, shrub, plant or flower on the common property; or
 - (ii) use a part of the Common Property as a garden.
- (b) Approval under 4(a) must state the period for which it is given.
- (c) However the Body Corporate may cancel an approval under 4(a) by giving seven (7) days written notice to the owner or occupier.

5 DAMAGE TO COMMON PROPERTY:

- (a) An owner or occupier of a lot must not, without the Body Corporate's written approval mark, paint, drive nails, screws or other objects into, or otherwise damage or deface, a structure that forms part of the common property.
- (b) 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 owner or occupier has obtained the Committee's prior written approval. The Committee must act reasonably in relation to any request for approval, and must provide consent if the proposed device or screen is to be soundly built and is consistent with the colour, style and materials of the building.
- (c) The owner or occupier of the lot must keep a device installed under 5(b) in good order and repair.

6 BEHAVIOUR OF INVITEES:

An owner or occupier of a lot must take all reasonable steps to ensure that their invitees do not behave in a way likely to interfere with the peaceful enjoyment of the owner or occupier of another lot or of any person lawfully using common property.

7 DEPOSITING RUBBISH, ETC., ON COMMON PROPERTY:

Subject to the requirements for garbage disposal under By-law 10, an owner or occupier of a lot must not deposit or throw upon 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.

8 APPEARANCE OF LOT:

- (a) The owner or occupier of a lot must not, without the Body Corporate's written approval, make a change to the exterior parts of the lot, including without limitation a change to the colour of the exterior of the lot.
- (b) Buildings and structures must not be painted in highly reflective, bright or obtrusive colours.
- (c) The owner or occupier of a lot must not, without the Body Corporate's written approval:

- (i) hang washing, bedding, or another article if the article is visible from another lot or the common property or from outside the scheme land; or
- (ii) display a sign, advertisement, placard, banner, pamphlet, flag or similar article if the article is visible from another lot or the common property or from outside the scheme land; or
- (iii) under no circumstances are balconies to be washed in such a way as to allow any liquid or debris to flow through a spitter pipe onto another lot or common property. The only exception to this is due to natural precipitation of rain water.

Any Owner or Occupier breaking this By-Law will be responsible for all costs associated with cleaning up the affected lots/common property.

- (d) An owner or occupier shall not install, renovate, and/or replace curtains visible from outside any lot or tine windows (or replace that tinting) visible from outside the lot unless:
 - (i) in respect of curtains, such curtains have a white or cream backing and are ultra-violet protected. Otherwise no curtains, blinds or other window coverings may be installed unless the colour and design of same are approved by the Committee. In giving such approvals the Committee shall ensure so far as practicable that window coverings used in all lots present a uniform appearance when viewed from outside the building.
- (e) An owner or occupier shall not place on external balconies of the lot (or the roof of the Scheme if the part of the lot is the roof) outdoor furniture in a colour other than white unless the colour is approved by the Committee. In giving such approval the Committee shall ensure so far as practical that outdoor furniture used in all lots presents a uniform appearance when viewed from outside the building. Any furniture placed must be located in a way, or installed in a way, so as not to pose a safety concern.
- (f) No external blinds shall be erected without the previous consent in writing of the Body Corporate.
- (g) Outside wireless and television aerials may not be erected without written permission of the Body Corporate.
- (h) No shutters shall be erected without the previous consent in writing of the Body Corporate and subject to the following conditions:-
 - (i) Owner to be responsible for the cost of the installation;
 - (ii) Owner to ensure the work is carried out in a workmanlike and professional manner by a licensed tradesman;
 - Owner to ensure that all components of the installation are <u>colour Duratec Zeus White</u> in keeping with the general colour scheme of the building exterior as a whole;
 - (iv) Shutters to be stackable and not fixed to the external structure of the building;
 - Shutters not to be attached to the top of the concrete hob as this forms part of the external structure;
 - (vi) Shutters are to be made full length and positioned just behind the hob and be stackable;
 - (vii) Blades are to be 85 mm Elipse blades;
 - (viii) Panels are to be a width of 750mm;
 - (ix) Owner to obtain any necessary local Council approvals, if required;

- (x) Owner to ensure the installation covers no more than 75% of the balcony in accordance with current Council regulations;
- (xi) Shutters are to be cyclone grade;
- (xii) To conform to current Australian Safety standards the bottom blades are to be fixed so as not to allow a child a foothold;
- (xiii) Owner to keep the installation in good order and repair;
- (xiv) Owner to indemnify the Body Corporate against any loss, damage, injury or similar event which may arise.
- (i) Tinting of windows is not permitted due to the thermal properties of the glass installed.

9 STORAGE OF FLAMMABLE LIQUIDS / FIRE RISK:

- (a) The owner or occupier of a lot must not, without the Body Corporate's written approval, store a flammable substance on the common property.
- (b) The owner or occupier of a lot must not, without the Body Corporate's written approval, store a flammable substance on the lot unless the substance is used or intended for use for domestic purposes.
- (c) However, this section does not apply to the storage of fuel in:
 - (i) the fuel tank of a vehicle, boat or internal combustion engine; or
 - (ii) a tank kept on a vehicle or boat in which the fuel is stored under the requirements of the law regulating the storage of flammable liquid.

10 GARBAGE DISPOSAL:

The owner or occupier of a lot must -

- (i) dispose of all garbage by the garbage chute provided on each level of the building or otherwise use any other receptacle or facility provided by the Body Corporate for the disposal of garbage;
- (ii) comply with all house rules approved by the Committee from time to time with respect to disposal of garbage, in particular with respect to the use of the garbage chutes and the use of any garbage bins/receptacles including those on the common property or those to which the body corporate has use;
- (iii) comply with all government local laws about the disposal of garbage;
- (iv) ensure that the owner or occupier does not, in disposing of garbage, adversely affect the health, hygiene or comfort of the owners or occupiers of other lots;
- (v) ensure that empty bottles, boxes, used containers and similar contains are stored tidily and, so far as possible, out of sight.

All owners and occupiers are to be aware that waste collection from the Scheme may only occur between 7am and 6pm.

11 PATHWAYS AND DRIVEWAYS AND SHARED ARRANGEMENTS:

The pathways, boardwalks and drives on the land (and any facilities allowing for the parking of cars) and any easement giving access to the land shall only be used for a proper purpose and shall not be obstructed

by any of the owners or occupiers or used by them for any other purpose than the reasonable ingress and egress to and from their respective lots and no owner or occupier shall park or permit to be parked any vehicle or water craft so as to prevent the passage of other vehicles over the said pathways, drives, facilities and easement.

If the scheme has the benefit of any easement area/s or facility sharing agreement/s, then these by-laws shall apply to each owner and occupier, as far as practicable, to the areas the subject of the easement area/s and facility sharing agreement/s.

12 KEEPING OF ANIMALS:

- (a) Subject to section 181 of the Act, the owner of a lot shall not without prior approval in writing from the Committee, keep any animal upon the lot or the Common Property. An animal without written prior approval will be required to be removed immediately.
- (b) The Committee shall not unreasonably withhold its consent for the keeping on a lot of either a small domestic dog or cat, which shall not grow to a weight greater than 10kgs, and which shall not be likely to cause a nuisance to other owners and occupiers.
- (c) Any such consent may be withdrawn:
 - (i) by the Committee, if it is found that the animal is dangerous or causes a risk to other occupiers;
 - (ii) on receipt of at least 3 written complaints to the Body Corporate from other owners or occupiers.
- (d) If the Committee does approve a pet, the Committee must impose the following conditions where it would be practicable and reasonable to do so:
 - the pet must be kept in the lot the subject of the approval (and any exclusive use areas of the lot that are suitably enclosed) while the pet is present on the scheme land;
 - (ii) the pet is not permitted to roam on common property or into other lots;
 - (iii) the pet must enter or traverse common property only for the purpose of being brought directly onto or taken directly off scheme land, at which time the pet must be carried, placed in a trolley or similarly restrained;
 - (iv) the pet is not permitted to make noise, or otherwise cause a nuisance, that unreasonably interferes with a person's use or enjoyment of another lot or common property;
 - (v) the pet is not permitted to defecate or urinate on common property;
 - (vi) all animal waste must be promptly and effectively disposed of to avoid spillage or odour;
 - (vii) all applicable local council regulations regarding keeping of the pet must be complied with;
 - (viii) all reasonable steps must be taken to keep the pet well-groomed, in good health, free from fleas and parasites, and vaccinated;
 - (ix) no additional, replacement or substitute pet may be brought onto the lot or common property without the prior written approval of the Body Corporate.

13 NOTICE OF ACCIDENT:

An owner or occupier of a lot shall give the Committee prompt notice of any accident to or defect in the water pipes, gas pipes, electric installations or fixtures which comes to his knowledge and the Committee shall have authority by its agents or servants in the circumstances having regard to the urgency involved

to examine or make such repairs or renovations as they may deem necessary for the safety and preservation of the said building as often as may be necessary.

14 NO FIRE RISKS:

An owner or occupier of a lot shall not bring to, do or keep anything in his lot which shall increase the rate of fire insurance on the building or any property on the subject land, or which may conflict with the laws and/or regulations relating to fires or any insurance policy upon the building or any property on the said land, or the regulations or ordinances of any public authority for the time being in force.

15 USE OF LOTS:

- (a) All lots shall be used for residential purposes only except for Lot 420 (the "Manager's Lot") which may be used for the conduct of the caretaking and management of the building and for the business of the letting of lots and ancillary services.
- (b) The owner or occupier of the Manager's Lot may conduct the business of letting of lots and the provision of ancillary services and may be licensed by any government department or authority for that purpose.
- (c) The Body Corporate is authorised to enter into Agreements from time to time with the owner or occupier of the Manager's Lot as to the conduct of the letting activities and any ancillary services on such terms and conditions as the Body Corporate deems fit by ordinary resolution in general meeting, in accordance with any legislation applying to Module for the Scheme.

16 ALTERATIONS TO LOTS:

- (a) No structural alteration shall be made to any lot (including any alteration to gas, water, electrical installations or work for the purpose of enclosing in any manner whatsoever the balcony of any unit) without the prior permission in writing of the Committee.
- (b) An Owner or Occupier must not install or cause to be installed or place in or upon any part of a Lot hard flooring such as timber, tiles, marble or any similar material (Works) unless the Owner or Occupier has first obtained the written approval of the committee.
- (c) Where the Committee grants consent to the installation of the Works, in addition to any other conditions the Committee may impose, the following conditions may also apply:
 - (i) The Floor Impact Isolation Class (FIIC) of the Works when completed must not be less than the following performance specification:

Area	FIIC	
Kitchen	55	-
Lounge/bedroom	55	·

- (ii) Following the installation of the Works, if requested in writing by the Body Corporate, the Owner or Occupier must at its cost have the FIIC determined by a field test conducted by an accredited acoustic consultant approved by the Committee. The Owner or Occupier will provide a copy of the consultant's report to the Committee within seven (7) days of receiving it.
- (iii) Where the FIIC of the completed Works is less than the level detailed in paragraph (c)(i), the Owner or Occupier must, within a reasonable time and at its cost, cause the removal of the Works and/or have any necessary procedures or additional works undertaken in order for the

Works to comply with the requirements in that paragraph. Following any such remedial action being taken, the provisions of paragraph (c)(ii) must again be complied with by the Owner or Occupier.

- (iv) Where the Works are installed and the FIIC complies with the requirements of paragraph (b)(i) and any other conditions imposed by the Committee, the Body Corporate or it's representative must notify the Body Corporate's insurers of the installation of the Works and the Owner or Occupier will be liable for any increase in premium as a result of the installation of the Works.
- (d) An Owner or Occupier must comply with any conditions imposed by the Committee when granting its consent, including any conditions which are imposed by the Committee to prevent any noise arising in any way out of the installation or use of the Works from being transmitted from the Lot to another Lot.
- (e) The granting of any approval by the Committee of the Body Corporate does not in any way relieve an Owner or Occupier of his or her responsibility under any other By-Laws.
- (f) If an Owner or Occupier fails to comply with the terms of this by-law, then an Owner or Occupier will, at his or her expense, remove the Works from the Lot upon receiving written notice from the Committee.
- (g) No alterations covered by this By-law shall be made to a lot without the Owner or Occupier first providing evidence of compliance with this By-law to the Body Corporate.

17 COMMITTEE MAY MAKE RULES:

The Committee may make rules relating to the Common Property and in particular as to security and for the swimming pool and recreational facilities (including barbeque area) unless and until they are disallowed or revoked by a majority resolution at a General Meeting of the owners.

18 USE OF SWIMMING POOL, RECREATIONAL AREA AND RECREATIONAL FACILITIES:

(a) The swimming pool, spa and barbeque area shall not be used between the hours of 9.00p.m. and 7.00a.m.

The residents lounge shall not be used between the hours of 10.00p.m. and 7.00a.m.

The gym shall not be used between the hours of 10.00p.m. and 6.00a.m.

- (b) Invitees and guests of an owner or occupier may not use any of the recreation facilities unless an owner or occupier accompanies them at all times.
- (c) Children aged 12 years or younger must be accompanied by an adult owner or occupier exercising effective control over them.
- (d) No children under the age of 14 years old are permitted to use the gym without prior consent of the Committee.
- (e) Alcoholic beverages or food must not be consumed within 1.5 metres of the pool or spa.
- (f) No glass or other breakable items are permitted within the pool or spa fenced area.

(g) The Committee may make, amend, repeal and re-introduce reasonable policies and procedures regarding bookings of the recreational facilities, which must be complied with by the owners and occupiers in the Scheme provided that the Committee keep owners and occupiers informed of such policies and procedures.

19 OBLIGATIONS APPLY TO TENANTS AND INVITEES:

The duties and obligations imposed by these By-Laws on an owner or occupier of a lot must be observed by the owner or occupier and by the tenants, guests, servants, employees, agents, children, invitees and licensees of the owner or occupier.

20 SECURITY:

- (a) The Committee may take all reasonable steps to ensure security activity within the Scheme and the observance of these by-laws and without limiting the generality of the foregoing may:
 - close off any part of the common property not required for ingress or egress to a lot, storage area or carparking space on either a temporary basis or otherwise restrict the access to or use by owners or occupiers of any such part of the common property;
 - (ii) permit any designated part of the common property to be used by any security person, firm or company (to the exclusion of owners and occupiers generally) as a means of monitoring the security and general safety of the parcel;
 - (iii) obtain, install and maintain locks, alarms, communication systems and other security devices.
- (b) All security equipment installed on common property and used in connection with the provision of security for the Scheme shall be and remain the property of the Body Corporate. All security equipment (with the exception of that equipment installed upon any lot which shall be maintained at the cost and expense of the lot) the property of the Body Corporate shall be repaired and maintained at the cost and expense of the Body Corporate.
- (c) The Body Corporate shall not be responsible to an owner (and the owner shall not be entitled to make any claim for compensation or damages) in the event of a failure of all or any of the security systems put in place by the Body Corporate to operate in the manner in which they are intended. Where the failure to operate arises from a malfunction of the security equipment in a lot, then the owner shall allow the Body Corporate by its servants, agents or contractors to enter upon the lot (upon one (1) days notice except in the case where the circumstances require immediate entry, when immediate entry may be effected) and attend to the repair (which term shall include replacement where required) or maintenance of the security equipment. The costs and expenses of the repair and maintenance of the security equipment within a lot shall be at the cost and expense of the owner of a lot.

21 SECURITY KEYS:

(a) If the Committee in the exercise of any of its powers under these by-laws restricts the access of owners or occupiers to any part of the common property by means of any lock or similar security device, or the access to any lot or common property is otherwise restricted, the Committee may make such a number of keys, fobs or operating systems as it determines available to owners free of charge and thereafter may at its discretion make additional numbers thereof available to owners upon payment of such reasonable charge therefor as may be determined from time to time by the Committee.

- (b) An owner of a lot to whom any key, fob or any operating system is given pursuant to these by-laws shall exercise a high degree of caution and responsibility in making the same available for use by any occupier of a lot and shall take reasonable precautions (which shall include an appropriate covenant in any lease or licence of a lot to such occupier) to ensure the return to the owner or to the Body Corporate upon the occupier ceasing to be an occupier;
- (c) An owner of a lot into whose possession any key, fob or operating system referred to in these bylaws has come shall not without the prior approval in writing of the Body Corporate duplicate the same or cause or permit the same to be duplicated and shall take all reasonable precautions to ensure that the same is not lost or handed to any other person other than another owner or occupier and is not disposed of otherwise than by returning it to the Body Corporate;
- (d) An owner or occupier of a lot who is issued with a key, fob or operating system referred to in these by-laws shall immediately notify the Body Corporate if the same is lost or misplaced.
- (e) An owner or occupier of a lot shall exercise a high degree of caution and responsibility in using the intercom system to allow access to occupiers and visitors. An owner of occupier of a lot must make reasonable enquiries to ascertain the identity of the visitor/occupier requesting access before allowing same.

22 RECOVERY OF MONEY FOR DAMAGE:

Where the Body Corporate expends money to make good damage caused by a breach of the Act or of these By-Laws by any owner or the tenants, guests, servants, employees, agents, children, invitees or licensees of the owner or any of them, the Body Corporate shall be entitled to recover the amount so expended as a debt in an action in any Court of competent jurisdiction from the owner of the lot at the time when the breach occurred.

23 RECOVERY OF MONEY FROM OWNERS:

- (a) If the Body Corporate incurs or is required to pay any costs or expenses (including legal costs calculated on a solicitor and own client basis) in respect of any action taken against any owner or occupier (which expression shall for the purposes of the By-Law include any former owner or occupier of the relevant Lot) due to a default by that owner or occupier in the payment of any moneys to the Body Corporate or a breach of these By-Laws or for any other reasons whatsoever such owner or occupier shall forthwith pay on demand to the Body Corporate such costs and expenses which shall be a liquidated debt due and payable by the owner or occupier to the Body Corporate.
- (b) An owner (which expression shall extend to a mortgagee in possession) shall pay on demand the whole of the Body Corporate's costs and expenses (including Solicitor and own client costs), such amount to be deemed a liquidated debt, incurred in:-
 - (i) recovering levies or moneys payable to the Body Corporate pursuant to the Act duly levied upon that owner by the Body Corporate or otherwise or pursuant to the By-laws of the Body Corporate;
 - (ii) all proceedings including legal proceedings concluded in favour of the Body Corporate taken by or against the owner or the lessee or occupier of the owner's Lot, including but not limited to, applications for an Order by the Referee, appeals to the Tribunal and appeals to the Court.
- (c) In the event that the owner (or his mortgagee in possession) fails to attend to the payment of such costs and expenses after demand is made for the payment of same, the Body Corporate may:-

- (i) treat such costs and expenses as a liquidated debt and take action for the recovery of same in any Court of competent jurisdiction; and
- (ii) enter such costs and expenses against the levy account of such owner in which case the amount of same shall be paid to the Body Corporate upon a subsequent sale or disposal of the owner's Lot failing which the purchaser of such Lot shall be liable to the Body Corporate for the payment of same.

24 [INTENTIONALLY DELETED]

25 RIGHT OF ACCESS:

Where any utility infrastructure crosses through or over any part of a lot in the scheme or the common property any party benefiting from the utility infrastructure shall at all times be entitled to have access to such areas necessary to access the utility infrastructure as may be necessary to ensure the continuation of services via the utility infrastructure. The right to access must be actioned in a reasonable manner by any such party and so as not to deprive any other party of services from the utility infrastructure and to cause as little disruption as possible to any other party. The party accessing the utility infrastructure must immediately make good any damage caused to any property as a result of such access or activity involving the utility infrastructure.

26 [INTENTIONALLY DELETED]

27 CAR PARKING AREAS - CLEANING AND MAINTENANCE:

- (a) The owners and occupiers must keep the car parking levels of the scheme in a clean and tidy condition at all times. Any parts of the car parking areas which are allocated as common property for exclusive use or as part of the title of a lot in the scheme must be kept clean and tidy by the associated owner ("the entitled owner"). That entitled owner must not directly cause any rubbish in their allocated area of common property to be blown, swept or otherwise moved to another area in the Scheme, other than to a suitable rubbish receptacle.
- (b) If the Body Corporate expends any money on the cleaning and maintenance of any part of the car parking area (which it shall be entitled to so do if this By-law is not complied with by the entitled owner), the entitled owner must pay a proportion of the cleaning and maintenance expenses incurred by the Body Corporate relevant to the particular car park or car parks, as a debt due and owing by the entitled owner and By-law 22 shall apply to such moneys. The owner or occupier shall allow the Body Corporate access to the area of common property to which they are granted exclusive use to allow the Body Corporate to carry out any cleaning and maintenance.
- (c) The Body Corporate may, but is not obliged to, from time to time authorise a service contractor/caretaker to clean and/or maintain areas of common property which have been granted by way of exclusive use to an occupier or owner. In respect of all areas of exclusive use granted to an owner or occupier, that owner or occupier must act reasonably to allow the service contractor/caretaker access to the specific area of common property for the purposes of maintenance and/or cleaning as per the contract with the Body Corporate.
- (d) Owners and occupiers shall ensure that if they, or their guests, use any bicycle parking facilities, same is used in a proper manner and for its intended purpose, and no rubbish or graffiti is left in that area following use.

28 RESTRICTED ACCESS TO CAR PARKS:

So as to regulate the proper use of car parking areas within the building by those persons entitled to their use, the Body Corporate may install and maintain gates and similar devices across the driveway on the common property or any access driveways which restrict access provided that those persons entitled to the use of the car parks are given a means of reasonable access to such areas by key, key card, or similar devices. Such gates may also be subject to an intercom system.

29 EXCLUSIVE USE AREAS - Car Spaces and Storage Spaces:

- (a) The Original Owner is authorised to allocate the exclusive use of that part of the Common Property (Car Spaces and Storage Spaces) to the Occupiers of Lots specified in a written notice to the Body Corporate. When the allocations are made they will be identified in Schedule E under the heading by-law 29, and the owner and occupier of the lot in the Scheme identified in the first column of Schedule E hereto shall be entitled to the exclusive use and enjoyment of the area of common property identified in the second column and/or fourth column of Schedule E adjacent to their lot number and shown on the plan/s attached hereto and marked with the letter as specified in Schedule E, for the use as specified in Schedule E.
- (b) The following conditions apply to use of an area specified for use as a car space:-
 - (i) the Car Space must only used for the purpose referred to in Schedule E;
 - the Owner and Occupier are jointly and severally liable to keep the relevant Car Space clean and tidy. Where any repairs or cleaning are required to the Car Space due to its use by the Owner or Occupier or persons authorised by them (for example, oil stains), the Owners and Occupiers are jointly and severally liable to pay for the cost of them. Subject to those obligations and by law 29 (a) (iii), the Body Corporate must carry out its duties in relation to the Car Space;
 - (iii) an over the bonnet cabinet storage may be installed by the Occupier or Owner in the relevant Car Space but only in accordance with the approval and rules specified by the Committee and any applicable law (including requirements of the local authority). Approval conditions applicable as follows:
 - (A) Owner to be responsible for the cost of the installation;
 - Owner to ensure the installation is carried out in a workmanlike and professional manner by a licensed tradesman;
 - (C) Owner to ensure that the colour of the cabinet is cream and of metal construction;
 - (D) Owner to ensure the installation is located wholly within the owner's car space and of such a size that the owner is still able to park a vehicle in their car space once the cabinet is installed;
 - (E) Owner to ensure the installation is free standing, ie not attached to the wall or ceiling;
 - (F) Owner to ensure the installation does not impede drainage;
 - (G) Owner to ensure the installation does not impede access to ceiling mounted sprinklers, pipes and ducts;
 - (H) Owner to keep the installation in good order and repair now and in the future;
 - (I) Owner to indemnity the Body Corporate now and in the future against any loss, damage, injury or similar event which may arise;

- (iv) the relevant Owner and Occupier allowing the Body Corporate, the Committee and its properly appointed agents, access at all reasonable times to the Car Space for any proper purpose.
- (c) An Occupier of a Lot must not park any motor vehicle, motor bike, trailer, boat or similar thing upon the Common Property unless the exclusive use of that part of the Common Property has been allocated to that Lot for that purpose.
- (d) The following conditions apply to use of an area specified for use as a Storage Space:
 - (i) the Storage Space must only be used as a storage space;
 - (ii) the Owner and Occupier are jointly and severally liable to keep the relevant Storage Space clean and tidy. Where any repairs or cleaning are required to the Storage Space due to its use by the Owner or Occupier or persons authorised by them, the Owners and Occupiers are jointly and severally liable to pay for the cost of them. The Body Corporate must carry out its duties in relation to the Storage Space;
 - (iii) the relevant Owner and Occupier must allow the Body Corporate, the Committee and its properly appointed agents, access at all reasonable times to the Storage Space for any proper purpose.
- (e) If an Owner or Occupier of a Lot does not carry out its responsibilities in accordance with this by-law 29 then the Body Corporate, and persons authorised by it, may enter upon the Car Space or the Storage Space as the case may be for the purpose of carrying out such responsibilities and the Owner will be liable for the costs incurred by the Body Corporate in that regard. Such costs must be paid on demand.
- (f) The Body Corporate may, but is not obliged to, from time to time authorise a service contractor/caretaker to clean and/or maintain areas of common property which have been granted by way of exclusive use to an occupier or owner. In respect of all areas of exclusive use granted to an owner or occupier, that owner or occupier must act reasonably to allow the service contractor/caretaker access to the specific area of common property for the purposes of maintenance and/or cleaning as per the contract with the Body Corporate.

30 SUPPLY OF ELECTRICITY, GAS OR HOT WATER:

The Body Corporate may purchase, rent, lease or otherwise acquire title to and the use of and to have installed, used, run and maintain a supply system for the scheme for electricity, gas and/or hot water to the lots in the Scheme, (hereinafter called "energy products") and in such case the following shall apply:-

- each owner shall purchase and use all energy products consumed in the lot direct from the Body Corporate and shall not purchase energy products from any other source, and must provide to the Body Corporate with a bond or security deposit for such usage if the same is requested from the Committee;
- (b) the Body Corporate shall arrange for the installation of separate energy product meters for each lot;
- the Body Corporate shall not be required to supply to any owner energy products requirements beyond those requirements which the relevant authority could supply at any particular time;
- (d) the Body Corporate shall not, under any circumstances whatsoever, be responsible or liable for any failure of the supply of energy products due to breakdowns, repairs, maintenance, strikes, accidents or causes of any class or description;

- (e) To the extent allowed under the Regulation Modules, the Body Corporate may charge owners for the supply of reticulated energy products, including the cost of purchasing reticulated energy products, the installation, maintenance and operation of utility infrastructure associated with the services, the cost associated with the reading of meters and the administration costs of the Body Corporate arising from the collection of readings and the rendering of accounts.
- (f) the Body Corporate shall render accounts to each owner and such accounts shall be payable to the Body Corporate within fourteen (14) days of the delivery of such accounts;
- (g) liability to pay an account rendered in relation to a lot pursuant to this By-law is enforceable jointly and severally against the owner of the lot when the account became payable and the person (including a mortgagee in possession) who becomes the owner of the lot before the account is paid;
- (h) in the event that a proper account for the supply of reticulated energy products is not paid by its due date for payment, then the Body Corporate shall be entitled to:
 - (i) recover the amount of the unpaid amount or amounts (whether or not a normal demand has been made) as a liquidated debt due to it in any Court of competent jurisdiction; and/or
 - (ii) disconnect the supply of reticulated energy products to the relevant lot; and/or
 - (iii) if a bond/security deposit has been paid, draw on such amount needed to cover any payment required, or if there is insufficient draw on the entire bond/security deposit, provided the Body Corporate reserves the right to require that the bond/security deposit is reinstated to its original amount.
- (i) An owner or occupier shall ensure that any energy product installation is maintained free of any defect which is likely to cause a fire or electrical shock. Subject to the Act, the Body Corporate shall be entitled to enter a lot to inspect any energy products installations.
- (j) For the purposes of ensuring the efficient and constant supply of electricity to the lots due to limitations in the supply of electricity, the Body Corporate may impose restrictions, in such a manner and to such an extent as it considers necessary, upon the use of electrical articles (as defined in the Electricity Act 1994), including the prohibition of the use of specified articles.

31 FLOOD MANAGEMENT PLAN AND STORMWATER MANAGEMENT PLAN:

(a) The Body Corporate must comply in all respects with the requirements and recommendations of the Stormwater Management Plan dated 5 December 2013, prepared by Hyder Consulting Pty Ltd and titled "Sapphire at the Broadwater, Stormwater Management Plan" and Flood Management Plan dated 8 February 2012, prepared by Hyder Consulting Pty Ltd and titled "Frank Street- Imperial Parade, Labrador, Flood Management Plan". Such Stormwater Management Plan and Flood Management Plan shall be deemed to form part of this Community Management Statement. A copy is available from the Body Corporate on request.

32 USE OF STUDY/MEDIA ROOMS AND CAR SPACES:

- (a) Study rooms/media rooms must not be used as a bedroom. Owners must ensure that any occupiers of their Lot are aware of this restriction, by including such restriction in the tenancy agreement.
- (b) The development approval in respect of the Scheme states that owners and occupiers are to be made aware that each Lot will only have one allocated car parking space for the life of the development. Each owner must ensure that any occupiers of their Lot are aware of this restriction, by including advice of the same in any Tenancy Agreement.

33 [INTENTIONALLY DELETED]

34 INTERPRETATION:

- (a) For the purposes of these By-laws words importing any number or gender or a person shall include any other number or person whether natural or otherwise.
- (b) In these By-laws, except where inconsistent with the context, the following terms have the following meanings:-

"the Act" means the Body Corporate and Community Management Act 1997 and all Regulations thereunder, as amended from time to time;

"Committee" means the Committee of the Body Corporate elected or otherwise appointed from time to time as provided for in the Regulation Module;

"Original Owner" has the same meaning as given to it under the Act.

"Regulation Module" or "Module" means the Regulation Module identified in Item 2 of the Community Management Statement to which these By-laws are annexed.

35 EXCLUSIVE USE OF BALCONY AREA:

The owner or occupier in the Scheme identified in the first column of Schedule E hereto under the heading by-law 35 shall be entitled to the exclusive use and enjoyment of the area of common property identified in the second column of Schedule E adjacent to their lot and shown on the plan/s attached hereto and marked with the letter as specified in Schedule E for the use of a balcony. The owner and occupier are jointly and severally liable to keep the relevant balcony clean and tidy and maintained, and must pay the operating costs associated with the balcony.

If an Owner or Occupier of a Lot does not carry out its responsibilities in accordance with this by-law 35 then the Body Corporate, and persons authorised by it, may enter upon the balcony for the purpose of carrying out such responsibilities and the Owner will be liable for the costs incurred by the Body Corporate in that regard. Such costs must be paid on demand.

36 SMOKING:

An owner or occupier must not smoke, or permit any visitors to smoke:

- (a) on the common property; or
- (b) in their lot such that it unreasonably interferes with the use or enjoyment of another person in a lot or the common property.

37 USE OF LIFTS - MOVING OF FURNITURE:

An Owner or Occupier must give the Caretaker at least 48 hours notice if they wish to reserve a lift for the purpose of moving in, moving out or shifting heavy furniture.

(a) When professional removalists are used, then the lifts will only be available between the hours of 8.30a.m. and 4.30p.m. Monday to Friday and 7.00a.m. to 3.00p.m. Saturday. No Sunday reservations are available, without the prior approval of the Body Corporate Committee.

- (b) The lift can be reserved for a maximum time limit of 4 hours only.
- (c) Lift protective covers must be used at all times when shifting furniture.
- (d) The allocated lift for use in Stage 2, is Lift number 2.
- (e) Any damage caused to the Scheme, whilst moving furniture, is the responsibility of the Owner or Occupier who has reserved the lift.
- (f) Any Owner or Occupier moving furniture in or out of the building, must abide by the reasonable conditions set by the Committee.

38 CONTRACTORS:

An Owner or Occupier shall not directly instruct any contractor or workman engaged by the Body Corporate, unless so authorised by the Body Corporate Committee.

39 COMMUNICATION:

Owners and Occupiers must only communicate and interact with the Body Corporate, Caretaker and other owners or Occupiers in a reasonable manner and not in any way which may be:

- (a) an annoyance;
- (b) a nuisance;
- (c) threatening or intimidating;
- (d) defamatory;
- (e) anti-social.

SCHEDULE D OTHER DETAILS REQUIRED/PERMITTED TO BE INCLUDED

SERVICES LOCATION DIAGRAM:

Services Location Diagram over all lots in SP 217740 and SP 267477 and that part of Common Property in SAPPHIRE AT THE BROADWATER Community Titles Scheme in the forms annexed marked 'Plan C'.

Lots on Plan or CP	Statutory Easement	Service Location Diagram
Common Property of SAPPHIRE AT THE BROADWATER CTS 45405	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan C
Lots 101 and 103 to 107 on SP 217740	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan C
Lot 102 on SP 267477	Support, Water, Electricity, Sewer, Stormwater,	

QUEENSLAND LAND REGISTRY Land Title Act 1994, Land Act 1994

SCHEDULE

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	Communications, Gas	Plan	С
Lots 201 to 210 on SP 217740	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan	С
Lots 301 to 310 on SP 217740	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan	С
Lots 401 to 410 on SP 217740	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan	С
Lots 501 to 510 on SP 217740	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan	
Lots 601 to 610 on SP 217740	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan	
Lots 701 to 710 on SP 217740	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan	С
Lots 801 to 810 on SP 217740	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan	С

SCHEDULE

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Lots on Plan or CP	Statutory Easement	Service Location Diagram
Lots 211 to 219 on SP 267477	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan C
Lots 311 to 320 on SP 267477	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan C
Lots 411 to 420 on SP 267477	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan C
Lots 511 to 520 on SP 267477	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan C
Lots 611 to 620 on SP 267477	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan C
Lots 711 to 720 on SP 267477	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan C
Lots 811 to 820 on SP 267477	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan C
Lots 911 to 920 on SP 267477	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan C
Lots 1011 to 1018 on SP 267477	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan C
Lots 1011 to 1020 on SP 267477	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan C
Lots 1111 to 1112 on SP 267477	Support, Water, Electricity, Sewer, Stormwater, Communications, Gas	Plan C

SCHEDULE E ALLOCATION OF EXCLUSIVE USE AREAS

Car Space Allocations and Storage Space Allocations

Exclusive Use Areas

By-law 29 - Car Space Allocations and Storage Space Allocations:

Lot Number	Car space	Sketch Plan	Storage Space	Sketch Plan
Lot 101 on SP 217740	64	Plan B		
Lot 102 on SP 267477	10	Plan A		
Lot 103 on SP 217740	11	Plan A		
Lot 104 on SP 217740	12	Plan A		
Lot 105 on SP 217740	13	Plan A		
Lot 106 on SP 217740	14	Plan A		
Lot 107 on SP 217740	8	Plan A		
Lot 201 on SP 217740	60	Plan B		
Lot 202 on SP 217740	61	Plan B		
Lot 203 on SP 217740	21	Plan A		
Lot 204 on SP 217740	6	Plan A		
Lot 205 on SP 217740	7	Plan A		
Lot 206 on SP 217740	29	Plan A		
Lot 207 on SP 217740	4	Plan A		
Lot 208 on SP 217740	77	Plan A		
Lot 209 on SP 217740	76	Plan A		
Lot 210 on SP 217740	1	Plan A		
Lot 301 on SP 217740	58	Plan B		
Lot 302 on SP 217740	51	Plan B		
Lot 303 on SP 217740	34	Plan A		
Lot 304 on SP 217740	33	Plan A		
Lot 305 on SP 217740	32	Plan A		
Lot 306 on SP 217740	31	Plan A		
Lot 307 on SP 217740	30	Plan A		
Lot 308 on SP 217740	75	Plan A		
Lot 309 on SP 217740	3	Plan A		
Lot 310 on SP 217740	5	Plan A		
Lot 401 on SP 217740	59	Plan B		
Lot 402 on SP 217740	52	Plan B		
Lot 403 on SP 217740	19	Plan A		

Lot Number	Car space	Sketch Plan	Storage Space	Sketch Plan
Lot 404 on SP 217740	20	Plan A		<u> </u>
Lot 405 on SP 217740	22	Plan A		
Lot 406 on SP 217740	23	Plan A	:	
Lot 407 on SP 217740	15	Plan A		
Lot 408 on SP 217740	9	Plan A		
Lot 409 on SP 217740	65	Plan B		
Lot 410 on SP 217740	2	Plan A		
Lot 501 on SP 217740	28	Plan A		
Lot 502 on SP 217740	68	Plan B		
Lot 503 on SP 217740	48	Plan B		
Lot 504 on SP 217740	49	Plan B		
Lot 505 on SP 217740	44	Plan B		
Lot 506 on SP 217740	45	Plan B		
Lot 507 on SP 217740	50	Plan B		
Lot 508 on SP 217740	37	Plan A		
Lot 509 on SP 217740	36	Plan A		
Lot 510 on SP 217740	35	Plan A		
Lot 601 on SP 217740	24	Plan A	S1	Plan A
Lot 602 on SP 217740	67	Plan B		
Lot 603 on SP 217740	71	Plan B		
Lot 604 on SP 217740	70	Plan B		
Lot 605 on SP 217740	69	Plan B		
Lot 606 on SP 217740	46	Plan B		
Lot 607 on SP 217740	47	Plan B		
Lot 608 on SP 217740	16	Plan A		
Lot 609 on SP 217740	17	Plan A		
Lot 610 on SP 217740	18	Plan A		1
Lot 701 on SP 217740	55	Plan B	S9	Plan B
Lot 702 on SP 217740	66	Plan B		
Lot 703 on SP 217740	62	Plan B		
Lot 704 on SP 217740	63	Plan B		
Lot 705 on SP 217740	72	Pìan B		
Lot 706 on SP 217740	73	Plan B		
Lot 707 on SP 217740	74	Plan B		
Lot 708 on SP 217740	38	Plan A		
Lot 709 on SP 217740	39	Plan A		

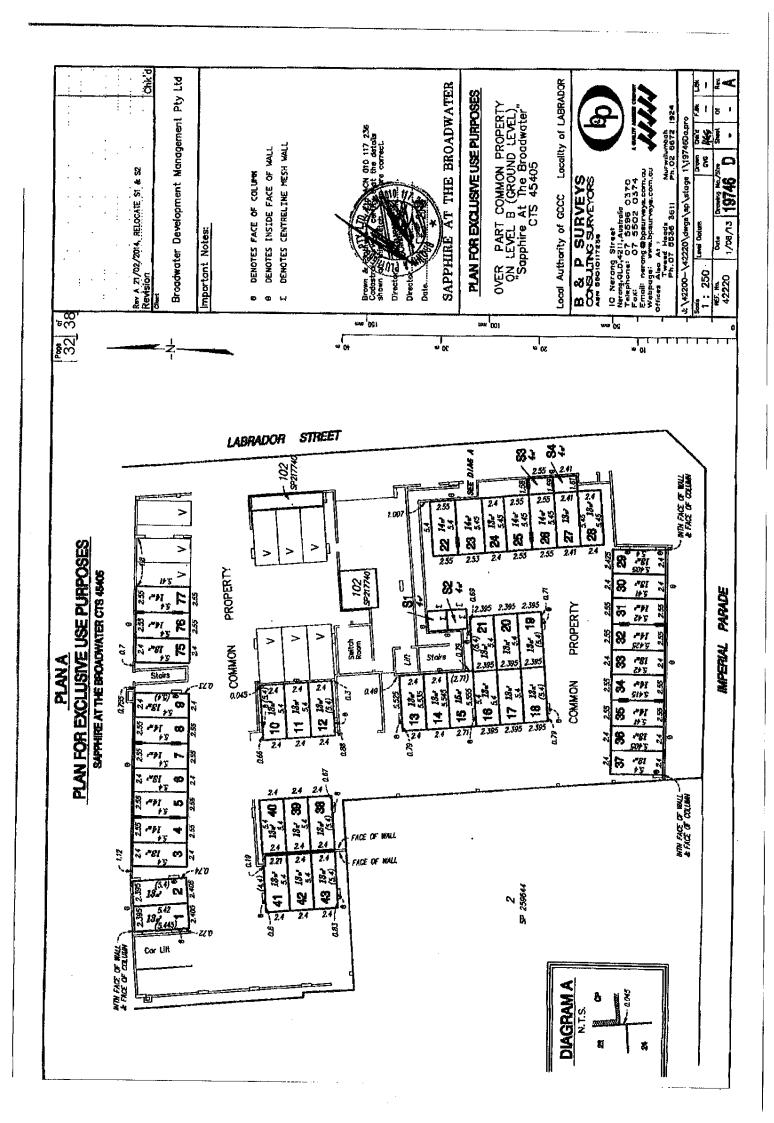
Lot Number	Car space	Sketch Plan	Storage Space	Sketch Plan
Lot 710 on SP 217740	40	Plan A		<u> </u>
Lot 801 on SP 217740	53	Plan B	S7	Plan B
Lot 802 on SP 217740	54	Plan B	S8	Plan B
Lot 803 on SP 217740	27	Plan A	S4	Plan A
Lot 804 on SP 217740	25	Plan A	S2	Plan A
Lot 805 on SP 217740	26	Plan A	S3	Plan A
Lot 806 on SP 217740	57	Plan B	S11	Plan B
Lot 807 on SP 217740	5 6	Plan B	S10	Plan B
Lot 808 on SP 217740	41	Plan A		
Lot 809 on SP 217740	42	Plan A		
Lot 810 on SP 217740	43	Plan A		
Lot 211 on SP 267477	112 & 82	Plan D		
Lot 212 on SP 267477	121	Plan E		
Lot 213 on SP 267477	122	Plan E		
Lot 214 on SP 267477	123	Plan E		
Lot 215 on SP 267477	124	Plan E		
Lot 216 on SP 267477	87	Plan D		
Lot 217 on SP 267477	149	Plan E		
Lot 218 on SP 267477	80	Plan D		
Lot 219 on SP 267477	81	Plan D		
Lot 311 on SP 267477	111	Plan D		
Lot 312 on SP 267477	120	Plan E		
Lot 313 on SP 267477	173	Plan E		
Lot 314 on SP 267477	172	Plan E		
Lot 315 on SP 267477	171	Plan E		
Lot 316 on SP 267477	106	Plan D		
Lot 317 on SP 267477	148	Plan E		
Lot 318 on SP 267477	89	Plan D		
Lot 319 on SP 267477	88	Plan D		i
Lot 320 on SP 267477	114	Plan D		
Lot 411 on SP 267477	110	Plan D		
Lot 412 on SP 267477	170	Pian E		
Lot 413 on SP 267477	169	Plan E		
Lot 414 on SP 267477	168	Plan E		
Lot 415 on SP 267477	167	Plan E		
Lot 416 on SP 267477	90	Plan D	•	

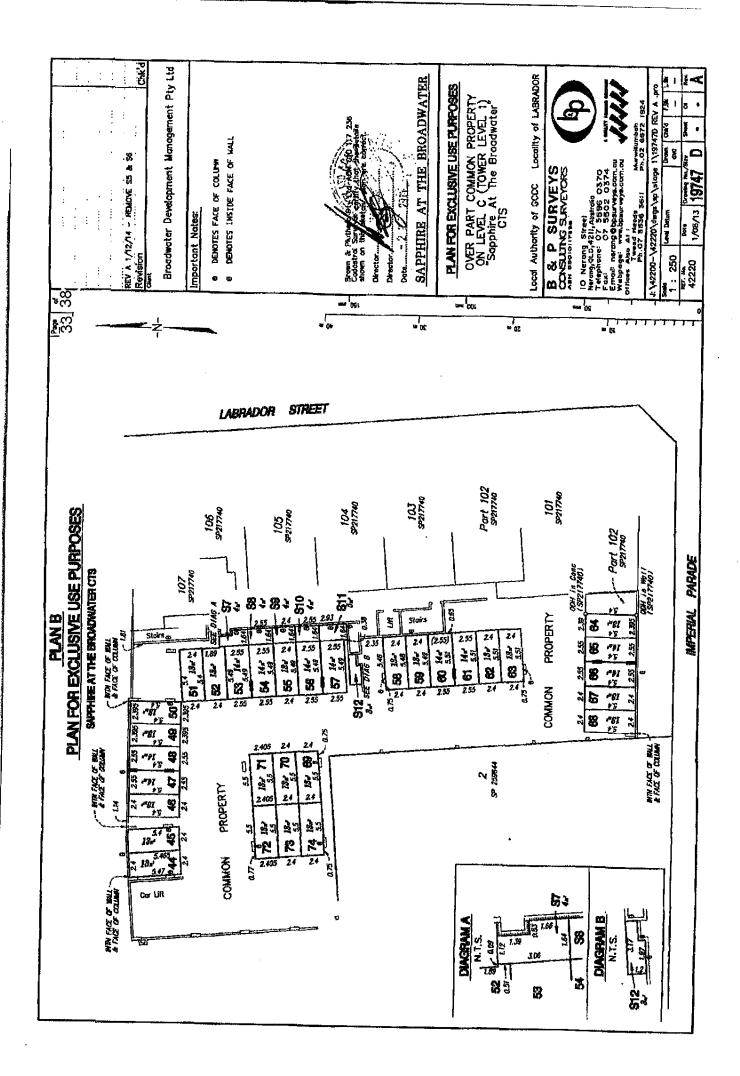
Lot Number	Car space	Sketch Plan	Storage Space	Sketch Plan
Lot 417 on SP 267477	140	Plan E		· · · · · · · · · · · · · · · · · · ·
Lot 418 on SP 267477	126	Plan E		
Lot 419 on SP 267477	127	Plan E		
Lot 420 on SP 267477	84, 177, 178	Plan D	S12	Plan B
Lot 511 on SP 267477	113	Plan D		
Lot 512 on SP 267477	137	Plan E		
Lot 513 on SP 267477	166	Plan E		
Lot 514 on SP 267477	165 & 176	Plan E		
Lot 515 on SP 267477	164	Plan E		
Lot 516 on SP 267477	96	Plan D		
Lot 517 on SP 267477	139	Plan E		
Lot 518 on SP 267477	118	Plan E	-	
Lot 519 on SP 267477	119	Plan E		
Lot 520 on SP 267477	95	Plan D		
Lot 611 on SP 267477	83	Plan D		
Lot 612 on SP 267477	163	Plan E		
Lot 613 on SP 267477	162	Plan E		
Lot 614 on SP 267477	161	Plan E		
Lot 615 on SP 267477	160	Plan E		
Lot 616 on SP 267477	97	Plan D		
Lot 617 on SP 267477	138 & 179	Plan E & D		
Lot 618 on SP 267477	175	Plan E		
Lot 619 on SP 267477	174	Plan E		
Lot 620 on SP 267477	94	Plan D		
Lot 711 on SP 267477	102	Plan D		
Lot 712 on SP 267477	136	Plan E		
Lot 713 on SP 267477	134	Plan E		
Lot 714 on SP 267477	133	Plan E		
Lot 715 on SP 267477	132	Plan E		
Lot 716 on SP 267477	98	Plan D		
Lot 717 on SP 267477	79	Plan D		
Lot 718 on SP 267477	158	Plan E		
Lot 719 on SP 267477	159	Plan E		
Lot 720 on SP 267477	93	Plan D		
Lot 811 on SP 267477	130 & 131	Plan E		
Lot 812 on SP 267477	135	Plan E		

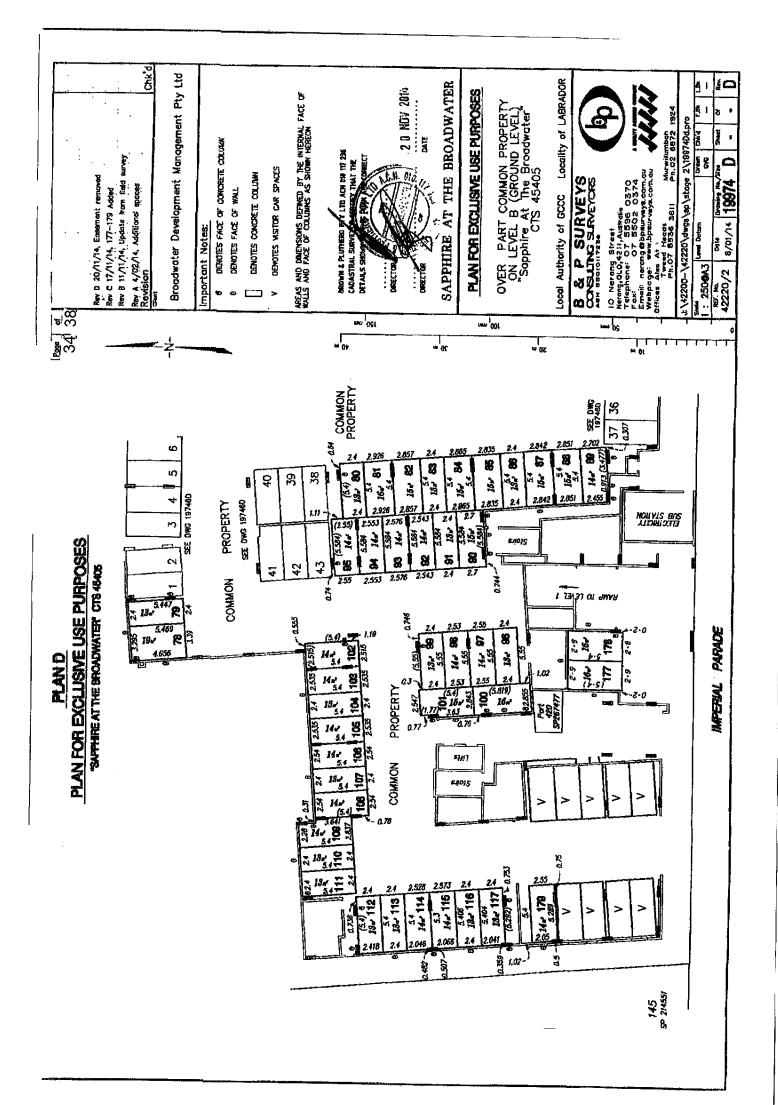
Lot Number	Car space	Sketch Plan	Storage Space	Sketch Plan
Lot 813 on SP 267477	141	Plan E		
Lot 814 on SP 267477	142	Plan E		
Lot 815 on SP 267477	143	Plan E		
Lot 816 on SP 267477	99	Plan D		
Lot 817 on SP 267477	78, 117	Plan D		
Lot 818 on SP 267477	144	Plan E		
Lot 819 on SP 267477	145	Plan E		
Lot 820 on SP 267477	92	Plan D		
Lot 911 on SP 267477	128 & 129	Plan E		
Lot 912 on SP 267477	157	Plan E		
Lot 913 on SP 267477	156	Plan E		
Lot 914 on SP 267477	155	Plan E		
Lot 915 on SP 267477	154	Plan E		
Lot 916 on SP 267477	125	Plan E		
Lot 917 on SP 267477	116	Plan D		
Lot 918 on SP 267477	146	Plan E		
Lot 919 on SP 267477	147	Plan E		
Lot 920 on SP 267477	91	Plan D		
Lot 1011 on SP 267477	100,101	Plan D		
Lot 1012 on SP 267477	153	Plan E		
Lot 1013 on SP 267477	152	Plan E		
Lot 1014 on SP 267477	151	Plan E		
Lot 1015 on SP 267477	150	Plan E		
Lot 1016 on SP 267477	103	Plan D		
Lot 1017 on SP 267477	115	Plan D		ļ
Lot 1018 on SP 267477	86	Plan D		
Lot 1019 on SP 267477	85	Plan D		ļ
Lot 1020 on SP 267477	107	Plan D		
Lot 1111 on SP 267477	108 & 109	Plan D		
Lot 1112 on SP 267477	104 & 105	Plan D		

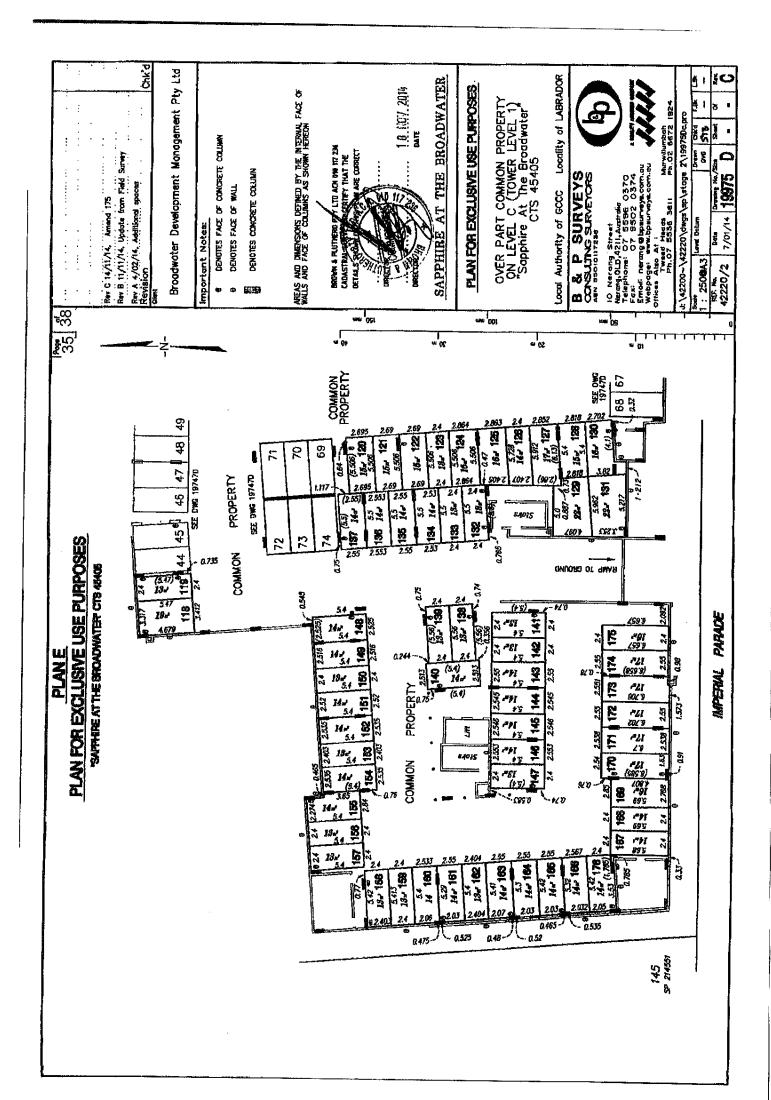
Exclusive Use Areas By-law 35 (Balcony)

Lot Number	Balcony Area	Sketch Plan
Lot 201 on SP 217740	Z	Plan F
Lot 211 on SP 267477	X	Plan G
Lot 219 on SP 267477	Y	Plan G









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PLAN F PLAN FOR EXCLUSIVE USE PURPOSES

SAPPHIRE AT THE BROADWATER CTS 45405

201 SP217740 COMMON **PROPERTY** 2.52 BALCONY Z <u>0</u>0 5 m2

... DENOTES CENTRE OF GLASS BALUSTRADE PANELS DATE OF SURVEY 11.02.2014

ACN 010 117 236 that the details Cadasti shown are correct. Direc Direc Date.

10 mm 100 m

150 m

PLAN FOR EXCLUSIVE USE PURPOSES

OVER PART COMMON PROPERTY ON LEVEL D (TOWER LEVEL 2) "Sapphire At The Broadwater" CT\$ 45405

Local Authority of GCCC Locality of LABRADOR

J: \42200-\42220\dwgs\sp\stage 1\20031E.pro

Level Datum Drawn GVG LBk 1:100 CIK

B & P SURVEYS

CONSULTING SURVEYORS ABN 55010117236

10 Nerong Street Nerong,QLD,4211,Australia Telephone: 07 5596 0370 Fax: 07 5502 0374 Email: nerang@bpsurveys.com.au Webpage: www.bpsurveys.com.au

Webpage Offices Also At Tweed Heads
Ph.07 5538 3611



Murwillumbah Ph.02 6672 1924

Ref. No. Dote Drawing No./Size Rev. 42220 12/02/14 20031

