QUEENSLAND LAND REGISTRY
Land Title Act 1994, Land Act 1994 and Water Act 2000

GENERAL REQUEST

Duty Imprint

FORM 14 Version 4
Page 1 of 1

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$115.00
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CE 460

1. Nature of request

REQUEST TO RECORD FIRST COMMUNITY MANAGEMENT STATEMENT FOR 13 OSTERLEY AVENUE COMMUNITY TITLE SCHEME.

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

PAUL EVERINGHAM & CO
PO Box 1234
CABOOLTURE QLD 4510
Phone: (07) 5495 8888

Lodger Code
009

2. Lot on Plan Description	County	Parish	Title Reference
LOT 423 ON RP43588	CANNING	BRIBIE	12362074

3. Registered Proprietor/State Lessee

MCLACHLAN SPECIAL PROJECTS PTY LTD ACN: 116 510 064

4. Interest

NOT APPLICABLE

5. Applicant

MCLACHLAN SPECIAL PROJECTS PTY LTD ACN: 116 510 064

6. Request

I hereby request that: THE FIRST CMS DEPOSITED HEREWITH BE RECORDED AS THE CMS FOR THE BODY CORPORATE FOR 13 OSTERLEY AVENUE COMMUNITY TITLE SCHEME AND THAT PO BOX 948, NOOSA HEADS QLD 4567 BE RECORDED AS THE ADDRESS FOR SERVICE OF THE BODY CORPORATE FOR THIS SCHEME.

7. Execution by applicant

4/7/2007
Execution Date

PAUL EVERINGHAM
SOLICITOR
Applicant's or Solicitor's Signature

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

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QUEENSLAND LAND REGISTRY **FIRST/NEW COMMUNITY MANAGEMENT STATEMENT** **CMS** Version 3
Body Corporate and Community Management Act 1997

37512

Office use only
CMS LABEL NUMBER

This statement incorporates and must include the following:

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

1. Name of community titles scheme

BODY CORPORATE FOR 13 OSTERLEY AVENUE COMMUNITY TITLE SCHEME # ~~13 OSTERLEY AVENUE~~

2. Regulation module

STANDARD

3. Name of body corporate

BODY CORPORATE FOR 13 OSTERLEY AVENUE COMMUNITY TITLE SCHEME # ~~13 OSTERLEY AVENUE~~

4. Scheme land

Lot on Plan Description	County	Parish	Title Reference
COMMON PROPERTY OF BODY CORPORATE FOR 13 OSTERLEY AVENUE COMMUNITY TITLE SCHEME # ~~13 OSTERLEY AVENUE~~	Canning	Bribie	
Lot 1 on SP189329	Canning	Bribie	
Lot 2 on SP189329	Canning	Bribie	
Lot 3 on SP189329	Canning	Bribie	
Lot 4 on SP189329	Canning	Bribie	
Lot 5 on SP189329			

5. #Name and address of original owner

McLachlan Special Projects Pty Ltd ACN: 116 510 064,
PO Box 210, Burpengary QLD 4505

6. Reference to plan lodged with this statement

SP189329

7. Local Government community management statement notation

.....signed

CHERYL SIGSON / TEAM LEADER .....name and designation

COUNCIL OF THE CITY OF CALOUNDRA .....name of Local Government

8. Execution by original owner/Consent of body corporate

3/10/07
Execution Date

DIRECTOR
MCLACHLAN SPECIAL PROJECTS PTY LTD ACN 116 510 064 ***Execution**

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

Privacy Statement
Collection of this information is authorised by the Body Corporate and Community Management Act 1997 and is used to maintain the publicly searchable registers in the land registry. For more information about privacy in NR&W see the Department's website.

SCHEDULE A SCHEDULE OF LOT ENTITLEMENTS

Lot on Plan	Contribution	Interest
Lot 1 on SP189329	1	1
Lot 2 on SP189329	1	1
Lot 3 on SP189329	1	1
Lot 4 on SP189329	1	1
Lot 5 on SP189329	1	1
TOTALS	5	5

SCHEDULE B EXPLANATION OF THE DEVELOPMENT OF SCHEME LAND

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

SCHEDULE C BY-LAWS

1. **Noise**

   (a) An occupier of a lot must not create noise likely to interfere with the peaceful enjoyment of a person lawfully on another lot or the common property.
   (b) Occupiers leaving or returning to lots late at night or early in the morning must do so with minimum noise.
   (c) Occupiers must request invitees leaving after 11pm to leave quietly.

2. **Vehicles**

   (a) An 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
      ii. permit an invitee to park a vehicle, or allow a vehicle to stand, on the common property;
      except for the designated visitor parking, which must remain available at all times for the sole use of visitors' vehicles.
   (b) Approval under subsection (a) must state the period for which it is given, with the exception of designated visitor parking.
   (c) However, the Body Corporate may cancel the approval by giving seven days written notice to the occupier, with the exception of designated visitor parking.

3. **Obstruction/Nuisance**

   (a) An occupier of a lot must not obstruct the lawful use of the common property by any other person.
   (b) An occupier must not cause a nuisance or act in such a way so as to interfere with the peaceful enjoyment of a person lawfully on another lot or using the common property.

4. **Depositing of Rubbish etc, on the Common Property**

   The occupier of a lot must not leave, deposit or throw rubbish or other materials on the common property in a way or place likely to interfere with the enjoyment of the common property by someone else.

5. **Garbage Disposal**

(a) Unless the Body Corporate provides some other way of garbage disposal, the occupier of a lot must keep a receptacle for garbage in a clean and dry condition and adequately covered on the lot, or on a part of the common property designated by the Body Corporate for the purpose.

(b) The occupiers of a lot must –
   i. comply with all local government local laws about disposal of garbage; and
   ii. ensure that the occupier does not, in disposing of garbage, adversely affect the health, hygiene or comfort of the occupiers of other lots.

6. **Damage to Lawns etc.**

(a) The 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) An approval under subsection (a) must state the period for which it is given.

(c) However, the Body Corporate may cancel the approval by giving 7 days written notice to the occupier.

7. **Damage to Common Property**

(a) An occupier of a lot must not mark, paint, drive nails, screws or other objects into, or otherwise damage or deface a structure that forms part of the common property, except with the consent in writing of the Body Corporate Committee.

(b) However, an occupier may install a locking or safety device to protect the lot against intruders, or a screen to prevent entry of animals or insects, if the device or screen is soundly built and is consistent with the colour, style and materials of the building.

(c) The owner of a lot must keep a device installed under subsection (b) in good order and repair.

8. **Alterations to Lot**

An occupier of a lot must not make a change to the external appearance of a lot or make any structural alternations to a lot, except with the consent in writing of the Body Corporate Committee.

9. **Appearance of Lot**

The occupier of a lot must not, without the Body Corporate's written approval –

(a) hang washing, bedding, or other cloth article if the article is visible from another lot of the common property or from outside the scheme land; or

(b) display a sign, advertisement, placard, banner, pamphlet or similar article if the article is visible from another lot or the common property, or from outside the scheme land.

10. **Storage of Flammable Materials**

(a) The occupier of a lot must not bring to, do or keep on a lot anything which increases the rate of fire insurance on the scheme land, or which may conflict with any insurance policy upon the scheme land.

(b) The occupier of a lot must not, without the Body Corporate's written approval, store flammable substance on the common property.

(c) The occupier of a lot must not, without the Body Corporate's written approval, store flammable substance on the lot unless the substance is used or intended for use for domestic purposes.

(d) However, this section does not apply to the storage of fuel in –
   i. the fuel tank of a vehicle, boats or internal combustion engine; or
   ii. a tank kept on a vehicle or boats in which the fuel is stored under the requirements of the law regulating the storage of flammable liquid.

11. **Maintenance of Lots**

The occupier of a lot must ensure his lot is kept and maintained so as not to allow infestations by vermin or insects or be offensive in appearance to other occupiers.

12. **Keeping of Animals**

(a) Subject to Section 181 of the Act (guide dogs) the occupier of a lot must not, without the Body Corporate's written approval –
   i. bring or keep an animal on the lot or the common property; or
   ii. permit an invitee to bring or keep an animal on the lot or the common property.

(b) The occupier must obtain the Body Corporate's written approval before bringing, or permitting an invitee to bring, an animal onto the lot or the common property.

13. **Behaviour of Invitees**

(a) An occupier of a lot must take reasonable steps to ensure that the occupier's invitees do not behave in a way likely to interfere with the peaceful enjoyment of a person lawfully on another lot or using the common property.

(b) Owners will be liable to compensate the Body Corporate for all damage to the common property caused by their occupiers and invitees.

14. **Use of Lots**

Each lot must be used for residential purposes only and not for any illegal, unlawful or immoral purpose.

15. **Recovery by Body Corporate**

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 Occupier of a Lot or the servants, employees, agents, invitees or licensees of the Owner or Occupier of a Lot or any of them the Committee shall be entitled to recover the amount so expended as a debt in action in any court of competent jurisdiction from the Owner of the Lot at the time when the breach occurred.

16. **Recovery of Costs**

An owner must pay on demand the whole of the Body Corporate's costs and expenses (including Solicitors and own client costs) such amount deemed to be a liquidated debt, incurred in:

(a) recovering levies duly levied or any other money that the Body Corporate is entitled to receive from the owner; and

(b) all proceedings, including legal proceedings, taken against the owner concluded in favour of the Body Corporate including, but not limited to, application for an order by the Commissioner.

17. **Exclusive Use**

The owner and occupiers of Lots 1-5 shall have the special privilege of the exclusive use and enjoyment of that part of the common property as identified in Schedule E on the attached sketch plan marked "A" which the said owner being responsible at his own cost and expense to keep that part of the common property in a neat and tidy condition and otherwise being responsible for the performance of the duty of the Body Corporate concerning repair, maintenance and upkeep.

SCHEDULE D OTHER DETAILS REQUIRED/PERMITTED TO BE INCLUDED

Statutory Easements and Service Locations Diagrams

The lots affected, or proposed to be affected, by a Statutory Easement, and the type of Statutory Easement are set out in the table hereunder and plan "B" attached hereto.

Lot	Statutory Easement
Common Property	Electricity, Sewer, Stormwater, Telephone, Water

SCHEDULE E DESCRIPTION OF LOTS ALLOCATED EXCLUSIVE USE AREAS OF COMMON PROPERTY

Exclusive Use of Courtyard Areas

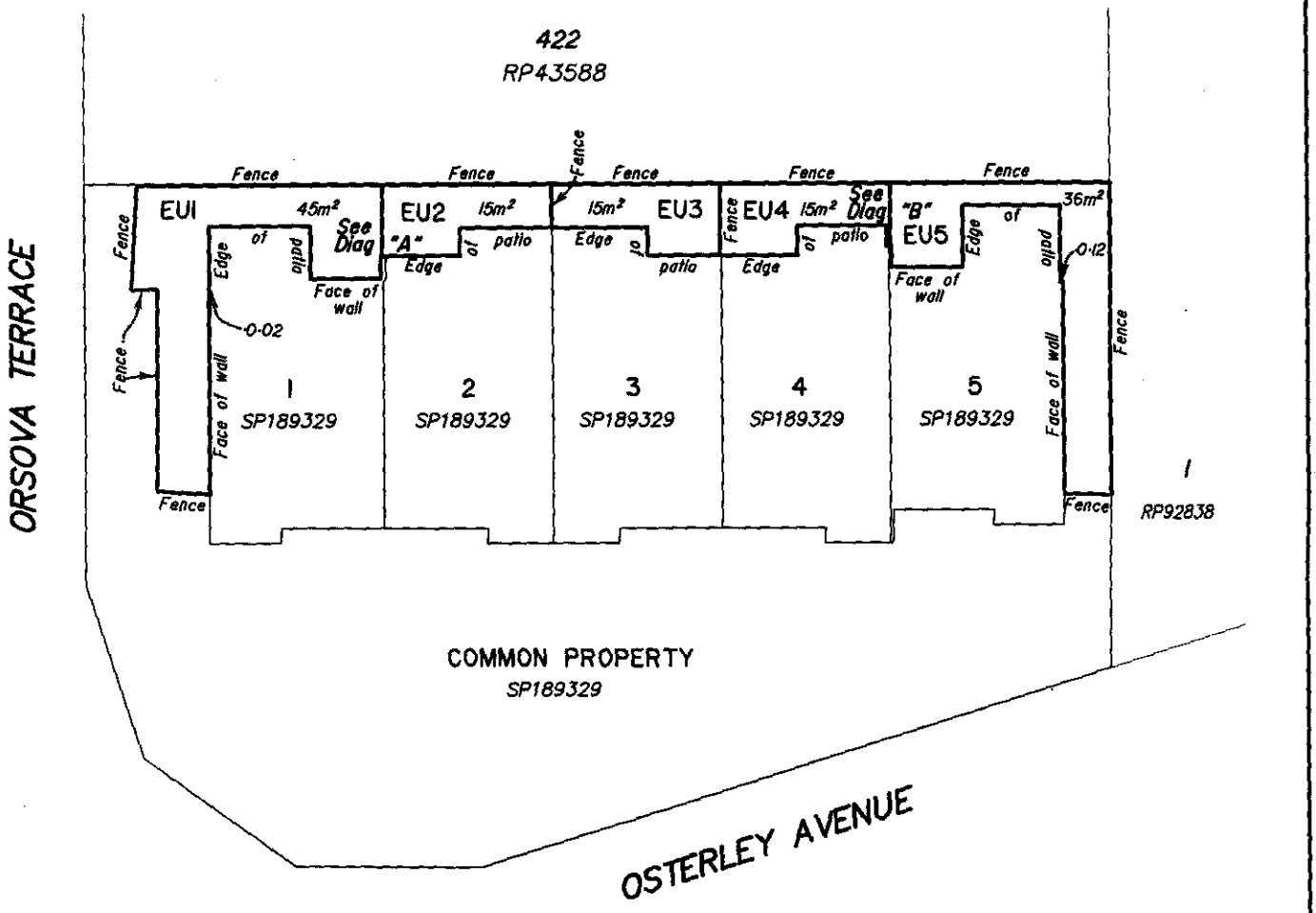
Lots affected

Lot	Exclusive Use
Lot 1 on SP189329	Area "EU1" on sketch plan marked "A"
Lot 2 on SP189329	Area "EU2" on sketch plan marked "A"
Lot 3 on SP189329	Area "EU3" on sketch plan marked "A"
Lot 4 on SP189329	Area "EU4" on sketch plan marked "A"
Lot 5 on SP189329	Area "EU5" on sketch plan marked "A"

PLAN OF EXCLUSIVE USE

"A"

LEVEL A



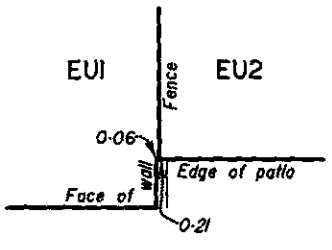


DIAGRAM "A"

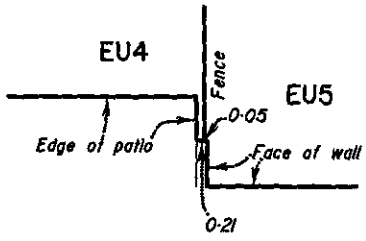


DIAGRAM "B"

Scale 1:200 – Lengths are in Metres.

2 1 0 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30

SURVTECH PTY LTD
ABN 84 108 565 242 hereby certify that the details shown on this sketch plan are correct.

Jolmand Wilson – Director

Bryan McLenagan
Cadastral Surveyor & Director
Date

CMS NAME
13 OSTERLEY AVENUE

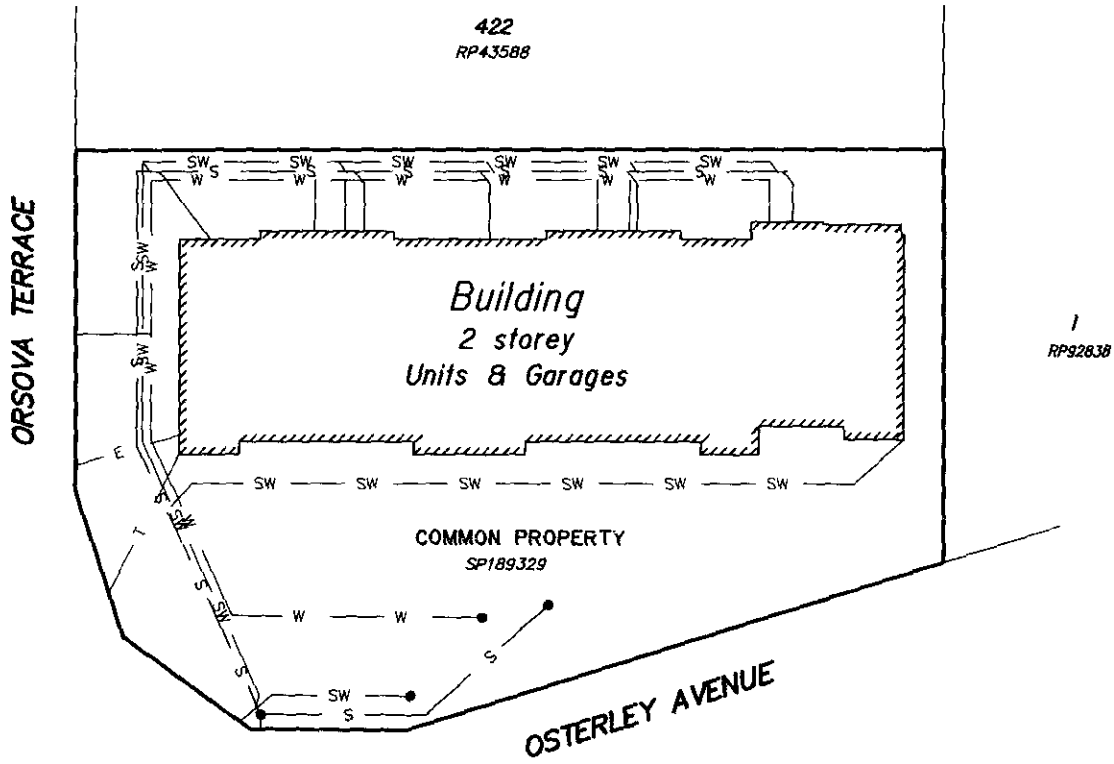
PLAN OF EXCLUSIVE USE
FOR LOTS 1 – 5 IN THE COMMON PROPERTY ON SP189329

Survtech Pty Ltd
ABN 84 108 565 242
incorporating
Cottage & Engineering Surveys (QLD)
Units 6 & 7, 3368 Pacific Highway, Springwood
PO Box 350, Springwood QLD 4127
Phone: (07) 3808 7244
Fax: (07) 3808 7249
http://www.survtech.net.au

MAP REF	PARISH	COUNTY	LOCALITY	LOCAL GOVT	DATE	JOB NO
9544–31433	BRIBIE	CANNING	CALOUNDRA	CALOUNDRA	30/05/07	O056316

PLAN OF SERVICES LOCATION AREAS

"B"



LEGEND

Building	
Electricity	E
Sewer	S
Stormwater	SW
Telephone	T
Water	W

Scale 1:250 – Lengths are in Metres.

2 0 10 20 30 40

IMPORTANT NOTES

Information shown on this plan has not been surveyed and has being compiled from design drawings. Prior to any demolition, excavation or construction on the site, the relevant authority should be contacted for possible location of further underground services and detailed location of all services.

CMS NAME: 13 OSTERLEY AVENUE

PLAN OF SERVICES LOCATION
FOR LOTS 1 - 5
IN THE COMMON PROPERTY
ON SP189329

Survtech Pty Ltd
ABN 54 108 565 242
incorporating
Cottage & Engineering Surveys (QLD)
Units 6 & 7, 3368 Pacific Highway, Springwood
PO Box 550, Springwood QLD 4127
Phone: (07) 3808 7244
Fax: (07) 3808 7349
http://www.survtech.net.au
SURVTECH

MERIDIAN	PARISH	COUNTY	LOCALITY	LOCAL GOVT	DATE	JOB NO
RP43588	BRIBIE	CANNING	CALOUNDRA	CALOUNDRA	30/05/07	O056316