

- (c) not all lots are expected to have the same number of occupants. Larger lots can cater for greater number of occupants and have the potential to place a greater burden on common property and additional entitlements are added to reflect this.

3. THE PURPOSE FOR WHICH THE LOTS ARE USED

Each of the lots in this scheme is used for a residential purpose consequently this factor does not contribute any differences to the lot entitlements.

SCHEDULE B	EXPLANATION OF THE DEVELOPMENT OF SCHEME LAND
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Lots may be amalgamated or subdivided provided there is no change to the common property and lot entitlements are fully allocated amongst the new lots.

SCHEDULE C	BY-LAWS
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1. NOISE

- 1.2 The occupier of a lot must not create or permit in the lot noise likely to interfere with the peaceful enjoyment of a person lawfully on another lot or the common property.
- 1.3 Without limiting by-law 1.1 no security alarm system installed by the owner or occupier of a lot for the protection of the lot may be operated (or allowed to operate) so that, if the system is activated, the alarm noise is audible outside the lot, but the alarm signal must be by direct line to the security provider.

2. USE OF LOTS

A lot may be used only for residential purposes.

3. VEHICLES

- 3.1 The occupier of a lot must not, without the body corporate's written approval:
- (a) park a vehicle, or allow a vehicle to stand, on the common property; or
- (b) 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.
- 3.2 An approval under by-law 3.1 must state the period for which it is given, with the exception of designated visitor parking.
- 3.3 However, the body corporate may cancel the approval by giving 7 days written notice to the occupier with the exception of designated visitor parking.
- 3.4 An owner or occupier of a lot must -
- (a) ensure its invitees' vehicles are parked in parking bays in common property designated as for visitor parking;
- (b) ensure those invitees use such bays only for casual parking;
- (c) not, and not permit its invitees to, ride or use skateboards, roller blades, skates, carts or other similar recreational means of transport on or over common property.
- 3.5 However, by-law 3.4(c) does not apply to bicycles while in use on a part of common property constructed for vehicular use and only convey the rider directly from and to a lot (in respect of which the rider is an occupier or occupier's invitee) to and from a public road adjoining that part of the common property.
- 3.6 An owner or occupier must not drive or permit to be driven into or over the common property a motor vehicle in excess of 2 tonnes weight.

4. OBSTRUCTION

- 4.1 The occupier of a lot must not obstruct the lawful use of the common property by someone else.

5. DAMAGE/ALTERATIONS TO COMMON PROPERTY

- 5.1 An 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 or body corporate asset.

- 5.2 However, an occupier may install a locking or safety device that complies with the Fire Regulations current at the time 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 and approval by the committee.
- 5.3 The owner of a lot must keep a device installed under by-law 5.2 in good order and repair.
- 5.4 Each occupier of a lot must notify the body corporate promptly of any accident to or defect in any water pipes, gas pipes, electric installations, fixtures, fittings, furniture or equipment on the common property which comes to the occupier's knowledge.
- 5.5 Without limiting by-law 5.3, unless a resolution of the body corporate provides to the contrary, any alteration made or fixture or fitting attached to common property by an owner or occupier of a lot (whether or not with the prior approval of the committee) must be repaired and maintained by the owner from time to time of the lot, the owner or occupier of which made the alteration or addition.
- 5.6 An owner or occupier will be responsible respectively at the owner or occupier's cost for making good any damage (excluding fair wear and tear) caused respectively by the owner or occupier or their respective invitees.
- 5.7 The committee may by written notice to an owner or occupier of a lot require compliance with a make good obligation, that must be specified in the notice, under by-law 6.6.
- 5.8 If such a notice is not complied with to the committee's reasonable satisfaction within 14 days after it is given, the committee may in its discretion cause the relevant work to be undertaken to achieve compliance and the owner or occupier (as the case may be) must immediately on demand pay to the body corporate the costs incurred or payable by the body corporate in that respect.
6. BEHAVIOUR OF INVITEES
- 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 another lot or the common property.
7. RUBBISH ON COMMON PROPERTY
- 7.1 The occupier of a lot must not:
- (a) throw out or deposit or leave 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;
 - (b) throw or allow to fall, or permit to be thrown or allowed to fall, from a window, door or balcony any rubbish, refuse or other article.
- 7.2 Any damage or cost of cleaning or repair resulting from a breach of paragraph 7.1 is to be borne by the owner of the lot concerned.
8. STRUCTURAL MATTERS
- 8.1 The manner and style of any structural fit-out or structural alteration to the interior of a lot must have the prior written approval of the committee.
- 8.2 Such an approval may be granted unconditionally or subject to reasonable conditions.
- 8.3 The committee is entitled to request copies of such plans and specifications as it considers necessary to enable it to consider granting its approval, and the owner of a lot must comply with such a request.
- 8.4 All reasonable costs of the body corporate in considering requests for approval of fit-out or alterations under this by-law are payable by the owner of the lot on demand.
- 8.5 An owner or occupier must not do anything to affect the structural integrity of the buildings on the scheme land and in particular must not place items (such as pots and furniture) on a balcony or terrace where the total weight of the items exceeds 250 kilograms without the committee's prior consent.
- 8.6 The committee:
- (a) may require the owner or occupier to obtain an engineer's certificate stating that the relevant proposal, if implemented, will not affect the structural integrity of the building; and
 - (b) must not unreasonably delay or refuse consent, but may give consent subject to reasonable conditions.
9. MAINTENANCE OF LOTS
- 9.1 An owner or occupier of a lot:
- (a) is responsible for proper maintenance and decoration of the lot;

- (b) must maintain in good condition and repair the improvements constructed or installed on the lot (and if necessary renew or replace all or part of them);
- (c) must maintain the interior of the lot in a clean condition and take all practical steps to prevent infestation by vermin or insects.
- 9.2 The committee may by written notice to an owner or occupier of a lot require compliance with an obligation, that must be specified in the notice, under by-law 9.1.
- 9.3 If such a notice is not complied with to the committee's reasonable satisfaction within 14 days after it is given, the committee may in its discretion cause the relevant work to be undertaken to achieve compliance and the owner or occupier (as the case may be) must immediately on demand pay to the body corporate the costs incurred or payable by the body corporate in that respect.
- 9.4 An owner or occupier must allow the committee and servants and contractors of the body corporate access to the lot at all reasonable times after reasonable notice for inspection as to compliance with bylaws 9.1 and 9.2 and works under by-law 9.3 after reasonable notice from the committee of intention to enter onto the lot for such a purpose.
10. WATER APPARATUS
- 10.1 An owner or occupier must see that all water taps on their lot are properly turned off after use.
- 10.2 The water closets, conveniences and other water apparatus (including pipes and drains) in a lot must not be used for a purpose other than those for which they were constructed and no sweepings, rubbish or other unsuitable substances may be deposited in them.
- 10.3 Any cost or expense resulting from damage to or blockage of such water closets, conveniences, water apparatus, pipes and drains from misuse or negligence must be borne by the owner or occupier of the lot, whether caused by an act or omission of the owner or occupier or their servants or other invitees.
11. WINDOWS AND WINDOW COVERINGS
- 11.1 An owner or occupier of a lot must keep the windows of the lot clean and promptly replace with glass of the same kind, colour and weight any that are broken or cracked.
- 11.2 No window may be covered with aluminium foil or other reflective material or tinted and, subject to any other by-law, no shutters, awnings or other window covers may be affixed externally to the building or be visible from the exterior of the building.
- 11.3 By-law 11.2 does not apply to security screens, but they may only be attached to lots with the prior written consent of the committee, which may give consent subject to conditions.
- 11.4 By way of guidance as to the type of security screens that may be approved:
- (a) only those similar in appearance to insect screens (with flat screening material and which to all intents and purposes would be viewed as an insect screen, so as not to detract from the overall appearance of the building while still offering sufficient security) will be approved; and
- (b) screens of diamond mesh, grills and the like will not be approved.
- 11.5 An owner or occupier of a lot must not hang curtains or blinds in the Lot visible from outside the Lot unless those curtains or blinds have a white or charcoal backing facing the external areas (or unless the Committee has otherwise approved in writing).
12. HARD FLOORING
- 12.1 Except for flooring installed at the creation of the Scheme, an owner or occupier of a lot 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 similar material ('flooring') unless the owner or occupier has first obtained the written approval of the committee.
- 12.2 Where the committee grants consent to the installation of the flooring, in addition to any other conditions the committee must impose, the following conditions:
- (a) The flooring impact isolation class ('FIIC') of the flooring when completed must not be less than the following performance specification:
- | Area | FIIC |
|----------------|------|
| Kitchen | 60 |
| Lounge/Bedroom | 60 |
- (b) Following the installation of the flooring 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, and provide a copy of the consultant's report to the committee within 7 days of receiving it.

- (c) Where the FIIC of the completed flooring is less than the level detailed in by-law 12.2(a), the owner or occupier must, within a reasonable time and at its cost, cause the flooring to be removed and/or have any necessary procedures or additional works undertaken in order for the flooring to comply with the requirements in that paragraph and, following any such remedial action, the provisions of by-law 12.2(b) must again be complied with.

13. APPEARANCE OF LOT

13.1 An owner or occupier of a lot must not:

- (a) make any structural alteration to a lot (including any alteration to gas, water or electrical installations, or installation of any air-conditioning system, or work for the purpose of enclosing in any way the balcony, if any, of the lot); or
- (b) in any way alter the external appearance of the lot, or cause to be constructed or put on any party of the lot which can be viewed from outside the lot, any materials or items without the committee's prior written consent.

13.2 The occupier of a lot must not, without the body corporate's written approval:

- (a) hang washing, bedding, or another cloth article if the article is visible from another lot or the common property, or from outside the scheme land; or
- (b) display a sign, advertisement, placard, banner, pamphlet or similar article (whether relating to the sale or letting of the lot or otherwise) if the article is visible from another lot or the common property, or from outside the scheme land.

13.3 By-law 13.2(b) does not apply to the Original Owner while it is owner of a lot.

14. OTHER INSPECTION AND REPAIR OF LOTS

14.1 After reasonable notice from the body corporate, each occupier of a lot must permit the committee or any contractor, sub-contractor, workman or other person authorised by the committee access to the lot to -

- (a) inspect and test installations or equipment for the necessity for; and
- (b) carry out,

work or repairs on mains, wires, or connections of any utility system or service, or for tracing leakages or defects, whether to that lot or an adjoining lot.

14.2 If not so permitted, such a person may effect an entry.

14.3 The committee must ensure that persons entering the lot under the powers in by-laws 14.1 and 14.2 cause as little inconvenience to the occupier of the lot as reasonably is possible in the circumstances.

15. STORAGE OF FLAMMABLE MATERIALS

15.1 The occupier of a lot must not, without the body corporate's written approval, store a flammable substance on the common property.

15.2 The 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 and its use for that purpose is lawful.

15.3 An occupier of a lot must not use any chemicals, burning fluids, acetylene gas or alcohol in lighting or heating the lot nor in any other way cause or increase a risk of fire or explosion in the lot.

15.4 However, this by-law does not apply to the storage of fuel in:

- (a) the fuel tank of a vehicle or internal combustion engine; or
- (b) a tank kept on a vehicle in which the fuel is stored under the requirements of the law regulating the storage of flammable liquid.

16. GARBAGE DISPOSAL

16.1 Unless the body corporate provides some other ways 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.

16.2 The occupier of a lot must:

- (a) comply with all local government local laws about disposal of garbage;
- (b) ensure that the occupier does not, in disposing of garbage, adversely affect the health, hygiene or comfort of the occupiers of other lots and in that regard must make sure all food scraps and putrescibles items are wrapped before disposal;
- (c) ensure all garbage is disposed of only in the allocated waste disposal area on the common property; and

- (d) ensure no furnishings, household goods or white goods are disposed of on common property including in the allocated waste disposal area.
- 16.3 Subject to obtaining any approvals which may be required from any local government, the Body Corporate has the power to devise a rubbish removal system from time to time, covering amongst other things:
- (a) access to and use of any garbage chutes and collection bins;
 - (b) permitted means and times for disposal;
 - (c) location of garbage removal;
 - (d) storage of garbage;
 - (e) containment of garbage;
 - (f) regularity of garbage removal;
 - (g) segregation of garbage;
 - (h) special garbage requirements; and
 - (i) arrangements to ensure compliance with the Building Management Statement that effects the scheme land.
17. KEEPING OF ANIMALS
- 17.1 The occupier of a lot must not, without the body corporate's written approval:
- (a) bring or keep an animal on the lot or the common property; or
 - (b) permit an invitee to bring or keep an animal on the lot or the common property.
- 17.2 Subject to the *Guide Dogs Act 1972*, the Body Corporate must not approve an animal unless the animal:
- (a) is a domestic animal;
 - (b) weighs (or will weigh when mature) not more than 10 kilograms.
- 17.3 The body corporate may impose such terms and conditions as it may reasonably determine in approving an animal.
- 17.4 Any animal that is approved pursuant to this by-law:
- (a) must not in any way cause a nuisance to other lot owners or interfere with the quiet enjoyment of another lot by its owner or occupier;
 - (b) is not permitted on the common property other than for ingress and egress to the relevant lot.
- 17.5 An occupier who has an approved animal is absolutely liable to each other owner and occupier and their respective invitees for any unreasonable nuisance or an injury to any person or damage to property caused by any animal brought or kept upon the scheme land by a lot owner or occupier or by their invitees and is absolutely responsible to clean up after any animal brought onto or kept on the scheme land.
- 17.6 If a committee is satisfied that there is a persistent contravention of this by-law in relation to a particular animal the committee may give a notice in writing to the relevant owner or occupier that the animal must be removed from the scheme and must not return. The owner or occupier must remove the animal within 14 days after the notice is served on the occupier.
18. AUCTION SALES
- 18.1 An owner or occupier of a lot must not permit to be conducted on or in the lot or common property, without the committee's prior written approval, an auction sale of the lot or any chattels.
- 18.2 This by-law does not apply to the Original Owner.
19. EXCLUSIVE USE
- 19.1 The owners and occupiers of lots identified in Schedule E have the exclusive use of the parts of the common property allocated in that schedule and as identified respectively on plans as set out in Schedule E for the respective purposes identified in Schedule E.
- 19.2 The Owners are responsible for maintaining the parts of common property allocated under this by-law for car parking in a clean and tidied condition.
- 19.3 An owner or occupier of a lot is responsible for maintenance of the parts of the common property allocated under this by-law for storage and for installation and maintenance of locking devices securing those parts.

- 19.4 An owner or occupier must not enclose any part of common property allocated under this by-law for car parking.
20. RESTRICTED USE OF CAR SPACES
- 20.1 In this by-law, 'car space' means an area intended for parking a car or other vehicle, whether that area is:
- (a) part of a lot intended for residential use; or
 - (b) part of common property in respect of which a right to exclusive use or special privilege is conferred on an owner or occupier of such a lot.
- 20.2 An owner or occupier must not use or permit the use of a car space (including under a lease or on a separate sale), except by:
- (a) the owner or occupier; or
 - (b) owner or occupier of another lot; or
 - (c) their respective bona fide visitors.
21. BUILDING MANAGEMENT STATEMENT
- 21.1 All owners and occupiers must observe the terms from time to time of the Building Management Statement that affects the scheme land.
- 21.2 The Committee must appoint one or more of its members (or as determined by resolution of the Committee) to act as representative of the Body Corporate on the Management Group established under the Building Management Statement. The Committee may from time to time vary the representatives by committee resolution and must report to the Body Corporate in respect of all matters considered by the Management Group as and when required.
- 21.3 The Body Corporate is empowered:
- (a) by ordinary resolution; or
 - (b) if the Act requires a greater majority in the relevant circumstances, by the resolution required under the Act, to agree with the other parties the subject of the building management statement to:
 - (c) vary or amend the building management statement from time to time;
 - (d) extinguish the building management statement; and
 - (e) grant non-exclusive licences to the other parties the subject of the building management statement and their employees, agents, contractors or invitees over any part of the common property on such terms as the Body Corporate thinks fit including but not limited to access to car parking areas, plant and equipment, lift and any facilities or infrastructure shared with the other party the subject of the building management statement.
- 21.4 If the body corporate has agreed to a variation or amendment of the building management statement each lot owner must at the owner's cost do everything reasonably necessary in order to give effect to the amendment including to facilitate registration of the amended building management statement.
- 21.5 The rights and benefits of and to the body corporate created by execution and registration of the building management statement create a body corporate asset.
22. ORIGINAL OWNERS SELLING RIGHTS
- While the Original Owner remains owner of a lot, it and its officers, employees and agents are entitled to -
- (a) use the lot as a display unit;
 - (b) allow prospective purchasers to inspect the lot;
 - (c) use in or about the lot on common property for sale of the lot (or lots generally of which the Original Owner is still the owner) such signs, advertising and display material as it thinks fit, subject to their being tasteful (having regard to the general appearance of the lot or common property) and not, in number and size, greater than reasonably is necessary.
23. RESTRICTED ACCESS AREAS
- 23.1 Any parts of the common property used for:
- (a) electrical substations, switchrooms or control panels;
 - (b) fire service control panels;
 - (c) telephone exchanges; or
 - (d) other services to the lots or common property,

may be kept locked by the committee (or its appointed representative) unless otherwise required by law, and persons may not enter or open such locked areas without the prior consent of the committee.

- 23.2 The committee may use appropriate areas of the common property to store plant and equipment used for the performance of the body corporate's duties in respect of the common property.
- 23.3 Any such areas may be locked and access is prohibited without the prior consent of the committee.

24. APPLICATIONS ETC TO BODY CORPORATE

All applications or complaints to the body corporate or the committee must be in writing addressed to the secretary or body corporate manager.

25. COMPLIANCE WITH NOTICES

All owners and occupiers of lots and their respective invitees must comply with any notice displayed on common property by authority of the body corporate or any statutory authority.

26. REPAIRS BY BODY CORPORATE

If the body corporate expends money to make good damage caused by a breach of the Act or these by-laws by an owner or occupier of a lot or tenants, servants, employees, agents, children, guests, invitees or licensees of the owner or occupier, the committee is entitled to recover the amount expended as a debt by action in any court of competent jurisdiction from the owner of the lot at the time the breach occurred.

27. FIRE SAFETY

- 27.1 The body corporate will maintain a fire safety management in use plan for the management of the fire safety matters for the scheme land and must keep a copy of the management in use plan and records with the body corporate records.
- 27.2 The body corporate must coordinate and owners and occupiers must participate in any emergency evacuation drills and safety equipment briefings required by law or by a building insurer.

28. SEVERABILITY

If it is held by a court of competent jurisdiction that -

- (a) any part of these by-laws is void, voidable, unenforceable or ultra vires; or
- (b) these by-laws would be void, voidable, unenforceable or ultra vires unless some part of them were severed from the remainder of them,

then that part will be severable and severed from these by-laws but without affecting the continued operation of the remainder.

29. BRISBANE CITY COUNCIL MANDATED CONDITIONS

The following provisions are mandated by the Brisbane City Council pursuant to the relevant development approval conditions (as lawfully amended from time to time) for the scheme and the Building in which the scheme land is located:

- (a) Public access to relevant lobbies, car parks, corridors and walkways (as defined on approved plans) is to be maintained at all times.
- (b) Maintain a suitable system of lighting in a safe and good working order, to operate from dusk to dawn, within all areas where the public will be given access.
- (c) Noise limits are to be in accordance with the following:
 - (i) amplified music of live music must not be played at any outdoor areas, including but not limited to outdoor dining areas;
 - (ii) operation of heavy vehicles and/or waste collection vehicles must only occur between 7.00am to 7.00pm Monday to Saturday;
 - (iii) all noise attenuation measures implemented for mechanical and plant equipment must be maintained for the life of the approved use.
- (d) All balconies shown on the approved drawings and documents are to remain unenclosed except those specifically identified to have moveable screening.
- (e) Maintain secure bicycle parking and associated support facilities consistent with the approved plans and documents, and generally in accordance with the 'Brisbane City Plan 2000 – Transport, Access, Parking and Servicing Code'.

- (f) The use of the car park is to remain ancillary to the development at all times. This development approval does not authorise the car park to be leased independently, or operated as a commercial car park.
- (g) Maintain 54 parking spaces on the site in accordance with the following:
 - (i) 16 parking spaces are to be allocated to units identified as the (at market) component of the residential use;
 - (ii) 8 parking spaces are to be allocated to units identified as the (affordable housing) component of the residential use;
 - (iii) visitor parking spaces (one through to seven) as identified on Level 0 Plan DWG200-00, Issue T, are to remain unobstructed at all times and shall not be included in any exclusive use area in the development.
- (h) All sealed traffic areas must be cleaned as necessary to prevent emissions of particulate matter.
- (i) Maintain parking and manoeuvring areas on site, and for the loading and unloading of the vehicle(s), in accordance with approved plans and conditions, terms of the easement, and the TAPS Policy of Brisbane City Plan 2000.
- (j) Maintain a height clearance sign located at the entrance(s) to undercover car parking areas and a directional visitor parking sign at the vehicle entrance to the site adjacent to or clearly visible from the vehicle entrance to the site.
- (k) Maintain an appropriate area for the storage and collection of refuse, including recyclables, in a position which is accessible to service vehicles on the site.
- (l) Maintain indemnity for Council and its agents in respect of any damage to the pavement and other driving surfaces.
- (m) Maintain the internal paved areas so they are signed and delineated in accordance with the approved plans, Manual of Uniform Traffic Control Devices and Austroads.
- (n) All landscaped areas, communal open space, common access points and thoroughfares shall not form part of any exclusive use area and are to remain in common property at all times.
- (o) All on site landscaping is to be maintained generally in accordance with the approved plans.

30. BALCONIES AND TERRACES TO REMAIN UNENCLOSED

- (a) With the exception of balconies facing the west, all balconies and terraces shown on the approved drawings and documents, are to remain unenclosed with no shutters, glazing, louvers or similar permanent fixtures other than those consistent with the relevant 'Brisbane City Plan 2000 – Residential Code' and clearly depicted on the approved drawings.
- (b) All western balconies to be provided with moveable solar screening.

31. BY-LAWS TO BE EXHIBITED

A copy of these by-laws (or a precis of them approved by the committee) must be exhibited in a prominent place in any lot made available for letting.

32. COSTS RECOVERY

An owner of a lot (which includes a mortgagee in possession) must pay on demand as a liquidated debt all the body corporate's costs (including legal costs on a solicitor and own client basis) and expenses incurred in:

- (a) recovering levies or money payable to the body corporate pursuant to the Act duly levied in respect of a lot, or on an owner or otherwise pursuant to these by-laws;
- (b) all proceedings (including legal proceedings, and including appeals) taken by or against an owner or occupier of a lot, concluded in favour of the body corporate; or
- (c) enforcing these by-laws.

32.2 If an owner of a lot (or the mortgagee in possession of the lot) fails to pay costs and expenses demanded under by-law 32.1, the body corporate may do one or both of:

- (a) treat the demanded amount as a liquidated debt and take action for recovery in a competent court;
- (b) enter the demanded amount against the levy account in respect of the lot.

33. INTERPRETATION

33.1 Words denoting:

- (a) the singular include the plural and vice versa;
- (b) a gender include the other genders;
- (c) persons include corporations and vice versa.

- 33.2 By-law headings are included for ease of reference only and do not form part of nor affect the interpretation of these by-laws.
- 33.3 Reference to a statute includes orders-in-council, proclamations, regulations, rules, by-laws and ordinances made under the statute and any statute amending, consolidating or replacing the statute.
- 33.4 Words or expressions defined in the Act have the same meaning in these by-laws.
- 33.5 In these by-laws:
 - 'Act' means the Body Corporate and Community Management Act 1997.
 - 'Original Owner' means Brisbane Housing Company Limited ACN 101 263 234.

SCHEDULE D	OTHER DETAILS REQUIRED/PERMITTED TO BE INCLUDED
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DETAILS PERMITTED TO BE INCLUDED

1. To facilitate the progressive development of the scheme or the development of other land the subject of the building management statement that affects the scheme, the Original Owner (and those authorised by it) may, at any time, enter onto the scheme land and to undertake works of any kind necessary or incidental to establishing utility infrastructure and utility services and, to facilitate that, the Original Owner may, without limitation, carry out the following work (collectively called 'utility infrastructure works'):
 - (a) excavation and general earth works;
 - (b) construction on the common property of such improvements and facilities as the Original Owner considers necessary to establish utility infrastructure and utility services; and
 - (c) construction of improvements and making connections to an existing improvements on other land the subject of the building management statement that affects the Scheme.
2. The Original Owner (and those authorised by it) may bring on to the scheme land any machinery, tools, equipment, vehicles and workmen to facilitate the carrying out of the utility infrastructure works.
3. The Original Owner will use reasonable endeavours to ensure that the utility infrastructure works will be carried out in a manner that minimises (so far as is practical) inconvenience to owners and occupiers of lots.
4. The body corporate and each owner and occupier of lots agree not to make any objection or any claim against the Original Owner in respect of any noise, dust, traffic or nuisance of any type, which may arise in connection with the utility infrastructure works.
5. Until the end of construction on the scheme land or on other land the subject of the building management statement that affects the scheme, the Original Owner and/or body corporate may:
 - (a) restrict or prohibit access by owners and occupiers of lots to or through all or parts of the scheme land or on other land the subject of the building management statement that affects the Scheme on which that construction is taking place, and permit access to the scheme land only by routes considered safe and practical; and
 - (b) permit the Original Owner (and those authorised by it) to use parts of the scheme land or nearby or adjoining land for support, scaffolding, construction access and construction accommodation and storage, for the purpose of or in connection with such construction, and

the body corporate and each owner and occupier of a lot may not object.
6. Words and expressions defined in the *Body Corporate and Community Management Act 1997* have the same meaning in this schedule D.

DETAILS REQUIRED TO BE INCLUDED

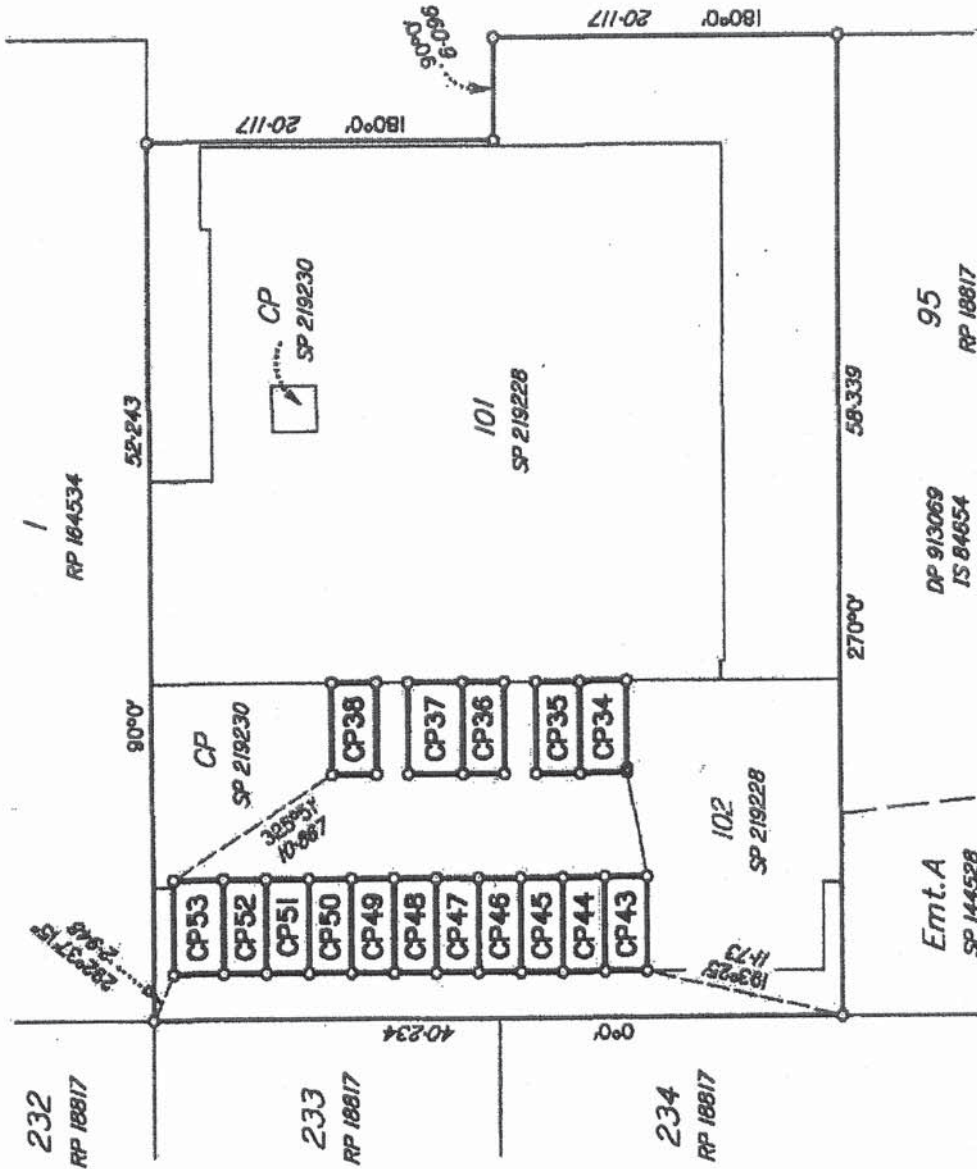
The lots affected, or proposed to be affected, by statutory easements are shown in the following table:

Type of statutory easement	Lots affected
Support	Lots 301 to 315 on SP 219230 and common property of the scheme
Utility services and utility infrastructure	Lots 301 to 315 on SP 219230 and common property of the scheme
Shelter	Lots 301 to 315 on SP 219230 and common property of the scheme
Projections	Lots 301 to 315 on SP 219230 and common property of the scheme
Maintenance of building close to boundary	Lots 301 to 315 on SP 219230 and common property of the scheme

SCHEDULE E DESCRIPTION OF LOTS ALLOCATED EXCLUSIVE USE AREAS OF COMMON PROPERTY		
Lot	Purpose	Exclusive use/Special Privilege area
Lot 301 on SP 219230	Carpark	Exclusive Use Area CP38 on the attached Plan S.6420-02-B
Lot 302 on SP 219230	Carpark	Exclusive Use Area CP43 on the attached Plan S.6420-02-B
Lot 303 on SP 219230	Carpark	Exclusive Use Area CP44 on the attached Plan S.6420-02-B
Lot 304 on SP 219230	Carpark	Exclusive Use Area CP45 on the attached Plan S.6420-02-B
Lot 305 on SP 219230	Carpark	Exclusive Use Area CP46 on the attached Plan S.6420-02-B
Lot 306 on SP 219230	Carpark	Exclusive Use Area CP47 on the attached Plan S.6420-02-B
Lot 307 on SP 219230	Carpark	Exclusive Use Area CP37 on the attached Plan S.6420-02-B
Lot 308 on SP 219230	Carpark	Exclusive Use Area CP36 on the attached Plan S.6420-02-B
Lot 309 on SP 219230	Carpark	Exclusive Use Area CP35 on the attached Plan S.6420-02-B
Lot 310 on SP 219230	Carpark	Exclusive Use Area CP34 on the attached Plan S.6420-02-B
Lot 311 on SP 219230	Carpark	Exclusive Use Area CP53 on the attached Plan S.6420-02-B
Lot 312 on SP 219230	Carpark	Exclusive Use Area CP52 on the attached Plan S.6420-02-B
Lot 313 on SP 219230	Carpark	Exclusive Use Area CP51 on the attached Plan S.6420-02-B
Lot 314 on SP 219230	Carpark	Exclusive Use Area CP50 on the attached Plan S.6420-02-B
Lot 315 on SP 219230	Carpark	Exclusive Use Area CP48 and CP49 on the attached Plan S.6420-02-B



BLACKWOOD STREET



For Details of CP34-CP38,
See Diag C (Sheet 3).

For Details of CP34-CP38,
See Diag B (Sheet 2).

For Details of CP49-CP53,
See Diag A (Sheet 2).

Issue A: Original Issue 10.07.09
Issue B: Additional Info Added 18.08.10

I, David George BURKE, Cadastral Surveyor, certify the details shown on this plan are correct.

D.G. Burke
Cadastral Surveyor

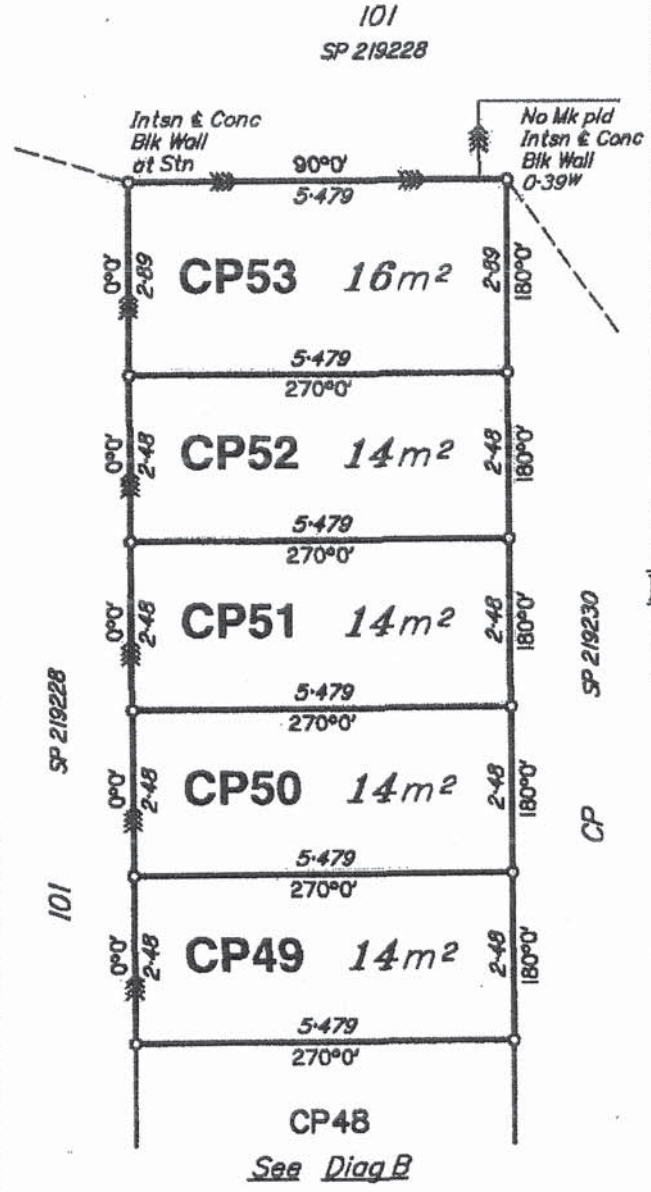
Date 19.8.10

CMS NAME: Syrah Residential
CMS No.:

<p>JensenBowers ...people creating places</p> <p>72 Danden Road, Ferntree Gully, Vic 3102 PO Box 250, Spring Hill, Vic 4204 Telephone (07) 3562 1771 Facsimile (07) 3252 9813 Email jdb@jensenbowers.com.au</p> <p>T.H. Jensen & Bowers Pty Ltd. (Controlling Surveyors) ABN 52 010 872 807 © Copyright reserved to Jensen Bowers Group Contractors Pty Ltd</p>	<p>SKETCH PLAN OF EXCLUSIVE USE AREAS LEVEL B ON SP 219230 BEING PART OF THE COMMON PROPERTY ON C.M.S. No.</p>	<p>SP 219230 Parish - Enoggera County - Stanley Brisbane City Council</p>	<p>Sheet Number 1 of 3</p>	<p>Drawn by SS</p>
			<p>Scale 1:400 at A4</p>	<p>Drawing Number 8.8420-02-B</p>

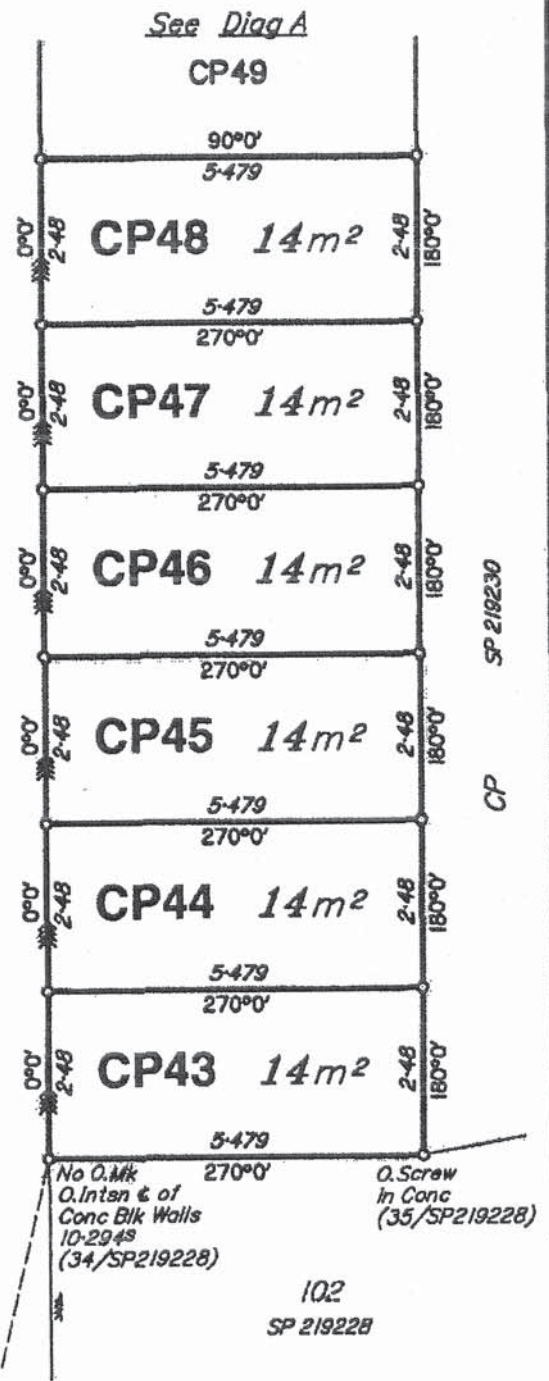
DIAG.A

1:100



DIAG.B

1:100

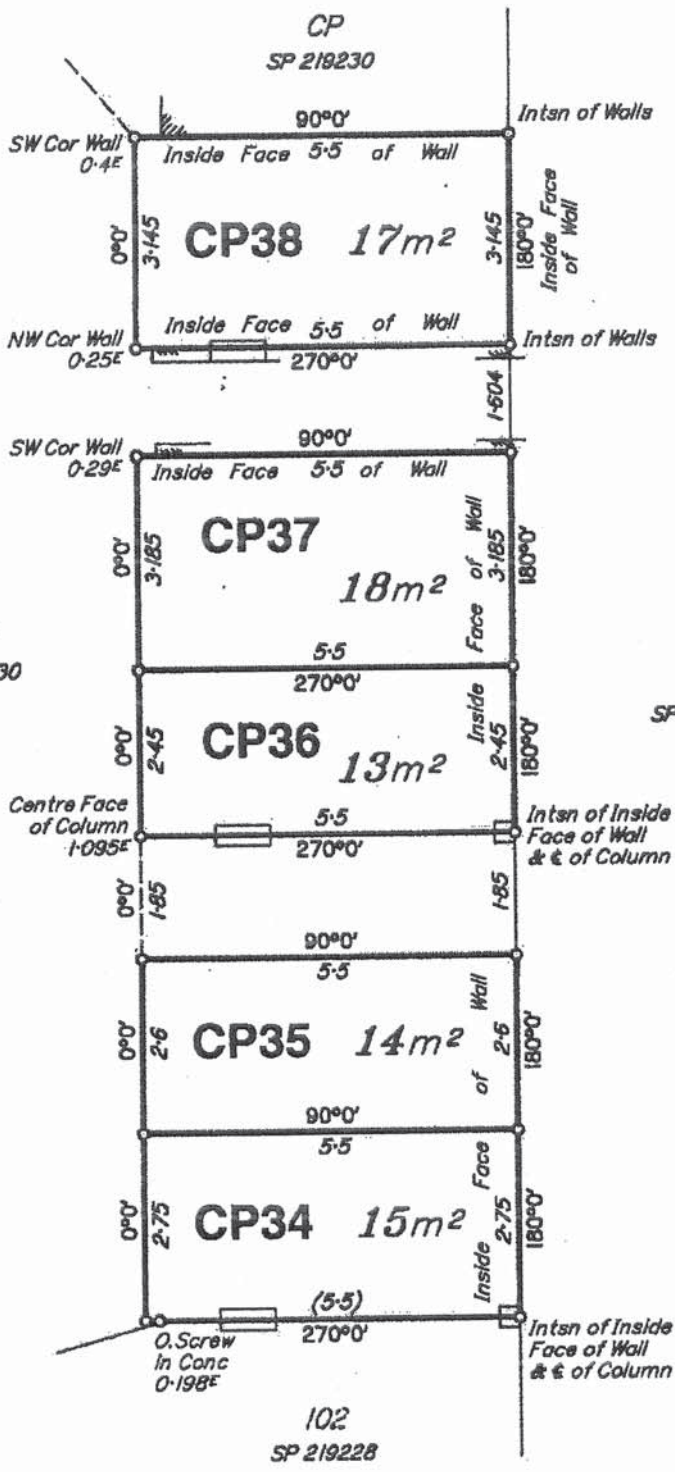


LEGEND
 Denotes & of Concrete Block Wall

CMS NAME: Syrah Residential
CMS No.:

JensenBowers ...people's creating places Email Filmmakers • Urban Outfitters Surveyors • Engineers • Project Managers 7/11 Jensen & Bowers Pty. Ltd. (Consulting Surveyors) ABN 12 010 871 807 <small>Copyright reserved to Jensen Bowers Group Consultants Pty Ltd</small>	72 Cassia Street, Fortitude Valley, Qld. 4004 PO Box 790, Spring Hill, Qld. 4004 Telephone (07) 3032 1771 Facsimile (07) 3032 0010 Email enquiries@jensenbowers.com.au	SKETCH PLAN OF EXCLUSIVE USE AREAS LEVEL B ON SP 219230 BEING PART OF THE COMMON PROPERTY ON C.M.S. No.	SP 219230 Parish - Enoggera County - Stanley Brisbane City Council	Sheet Number 2 of 3	Sheet Size SS
				Scale 1:100 at A4	Drawing Number 5.6420-02-B

DIAG.C
1:100



CMS NAME: Syrah Residential
CMS No.:

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		<p>5.0m 500mm</p> <p>15.0m 1500mm</p>		