

QUEENSLAND TITLES REGISTRY

GENERAL REQUEST

FORM 14 Version 4

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

Duty Imprint

Page 1 of 1

720559232

Lodging Number

EF 470 \$95.00

01/02/2021 12:59:49

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Department's website.

720559232

1. Nature of requestRequest to record a New Community Management
Statement for Surfers Fairways East Community Titles
Scheme 11418**Lodger** (Name, address, E-mail & phone number)JG Settlements on behalf of
Mathews Hunt Legal
Tower One Southport Central Suite 1701, Level 17
7, 56 Scarborough Street, Southport Qld 4215
Tel: 617 5555 8000 Ref: PH:JC:105728
Email: admin@mathewshuntlegal.com.au**Lodger
Code**

EF219

2. Lot on Plan DescriptionCommon Property for Surfers Fairways East Community Titles
Scheme 11418**Title Reference**

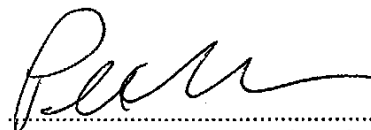
19203753

3. Registered Proprietor/State LesseeBody Corporate for Paradise Palms Community Titles Scheme 7722 SURFERS FAIRWAYS EAST LTS 11418 &**4. Interest**

Not Applicable

5. Applicant

Body Corporate for Surfers Fairways East Community Titles Scheme 11418

6. RequestI hereby request that: the Community Management Statement deposited herewith which amends Schedule C be
recorded as the Community Management Statement for Surfers Fairways East Community Titles Scheme 11418.**7. Execution by applicant**01/02/2021
Execution Date**Peter Anthony Urquhart Hunt
Solicitor's Signature**

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

11418

BE LODGED TOGETHER
AL REQUEST AND IN THE
CASE OF A NEW STATEMENT MUST BE LODGED
WITHIN THREE (3) MONTHS OF THE DATE OF
CONSENT BY THE BODY CORPORATE

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

SURFERS FAIRWAYS EAST COMMUNITY TITLES
SCHEME 11418

2. Regulation module

ACCOMMODATION

3. Name of body corporate

BODY CORPORATE FOR SURFERS FAIRWAYS EAST COMMUNITY TITLES SCHEME 11418

4. Scheme land

Lot on Plan Description

Title Reference

SEE ENLARGED PANEL

5. #Name and address of original owner

N/A

6. Reference to plan lodged with this statement

N/A

first community management statement only

7. Local Government community management statement notation

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

.....signed

.....name and designation

.....name of Local Government

8. Execution by original owner/Consent of body corporate



7 / 1 / 21
Execution Date:

Name: Grant King
Chairperson/~~Secretary~~

Name: Rod McLernach
Committee Member

***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 information from this form is authorised by legislation and is used to maintain publicly searchable records. For more information see the Department's website.

Title Reference [19203753]

4. Scheme Land

Lot on Plan Description	Title Reference
COMMON PROPERTY OF SURFERS FAIRWAYS EAST COMMUNITY TITLES SCHEME 11418	19203753
Lot 1 in BUP 3753	16016040
Lot 2 in BUP 3753	16016041
Lot 3 in BUP 3753	16016042
Lot 4 in BUP 3753	16016043
Lot 5 in BUP 3753	16016044
Lot 6 in BUP 3753	16016045
Lot 7 in BUP 3753	16016046
Lot 8 in BUP 3753	16016047
Lot 9 in BUP 3753	16016048
Lot 10 in BUP 3753	16016049
Lot 11 in BUP 3753	16016050
Lot 12 in BUP 3753	16016051
Lot 13 in BUP 3753	16016052
Lot 14 in BUP 3753	16016053
Lot 15 in BUP 3753	16016054
Lot 16 in BUP 3753	16016055
Lot 17 in BUP 3753	16016056
Lot 18 in BUP 3753	16016057
Lot 19 in BUP 3753	16016058
Lot 20 in BUP 3753	16016059
Lot 21 in BUP 3753	16016060
Lot 22 in BUP 3753	16016061
Lot 23 in BUP 3753	16016062
Lot 24 in BUP 3753	16016063
Lot 25 in BUP 3753	16016064
Lot 26 in BUP 3753	16016065
Lot 27 in BUP 3753	16016066
Lot 28 in BUP 3753	16016067
Lot 29 in BUP 3753	16016068
Lot 30 in BUP 3753	16016069
Lot 31 in BUP 3753	16016070
Lot 32 in BUP 3753	16016071
Lot 33 in BUP 3753	16016072
Lot 34 in BUP 3753	16016073

Title Reference [19203753]

Lot 35 in BUP 3753	16016074
Lot 36 in BUP 3753	16016075
Lot 37 in BUP 3753	16016076
Lot 38 in BUP 3753	16016077
Lot 39 in BUP 3753	16016078
Lot 40 in BUP 3753	16016079
Lot 41 in BUP 3753	16016080
Lot 42 in BUP 3753	16016081
Lot 43 in BUP 3753	16016082
Lot 44 in BUP 3753	16016083
Lot 45 in BUP 3753	16016084
Lot 46 in BUP 3753	16016085
Lot 47 in BUP 3753	16016086
Lot 48 in BUP 3753	16016087
Lot 49 in BUP 3753	16016088
Lot 50 in BUP 3753	16016089
Lot 51 in BUP 3753	16016090
Lot 52 in BUP 3753	16016091
Lot 53 in BUP 3753	16016092
Lot 54 in BUP 3753	16016093
Lot 55 in BUP 3753	16016094
Lot 56 in BUP 3753	16016095
Lot 57 in BUP 3753	16016096
Lot 58 in BUP 3753	16016097
Lot 59 in BUP 3753	16016098
Lot 60 in BUP 3753	16016099

SCHEDULE A	SCHEDULE OF LOT ENTITLEMENTS
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Lot on Plan	Contribution	Interest
Lot 1 in BUP 3753	10	10
Lot 2 in BUP 3753	10	10
Lot 3 in BUP 3753	10	10
Lot 4 in BUP 3753	10	10
Lot 5 in BUP 3753	10	10
Lot 6 in BUP 3753	10	10
Lot 7 in BUP 3753	13	13
Lot 8 in BUP 3753	10	10
Lot 9 in BUP 3753	10	10
Lot 10 in BUP 3753	10	10
Lot 11 in BUP 3753	10	10
Lot 12 in BUP 3753	10	10
Lot 13 in BUP 3753	10	10
Lot 14 in BUP 3753	10	10
Lot 15 in BUP 3753	10	10
Lot 16 in BUP 3753	10	10
Lot 17 in BUP 3753	10	10
Lot 18 in BUP 3753	10	10
Lot 19 in BUP 3753	10	10
Lot 20 in BUP 3753	10	10
Lot 21 in BUP 3753	10	10
Lot 22 in BUP 3753	10	10
Lot 23 in BUP 3753	10	10
Lot 24 in BUP 3753	10	10
Lot 25 in BUP 3753	10	10
Lot 26 in BUP 3753	10	10
Lot 27 in BUP 3753	10	10
Lot 28 in BUP 3753	10	10
Lot 29 in BUP 3753	10	10
Lot 30 in BUP 3753	10	10
Lot 31 in BUP 3753	10	10
Lot 32 in BUP 3753	10	10
Lot 33 in BUP 3753	10	10
Lot 34 in BUP 3753	10	10
Lot 35 in BUP 3753	10	10
Lot 36 in BUP 3753	10	10
Lot 37 in BUP 3753	10	10
Lot 38 in BUP 3753	10	10
Lot 39 in BUP 3753	10	10
Lot 40 in BUP 3753	10	10
Lot 41 in BUP 3753	10	10

Lot 42 in BUP 3753	10	10
Lot 43 in BUP 3753	10	10
Lot 44 in BUP 3753	10	10
Lot 45 in BUP 3753	10	10
Lot 46 in BUP 3753	10	10
Lot 47 in BUP 3753	10	10
Lot 48 in BUP 3753	10	10
Lot 49 in BUP 3753	13	13
Lot 50 in BUP 3753	13	13
Lot 51 in BUP 3753	13	13
Lot 52 in BUP 3753	13	13
Lot 53 in BUP 3753	10	10
Lot 54 in BUP 3753	10	10
Lot 55 in BUP 3753	13	13
Lot 56 in BUP 3753	13	13
Lot 57 in BUP 3753	13	13
Lot 58 in BUP 3753	13	13
Lot 59 in BUP 3753	10	10
Lot 60 in BUP 3753	10	10
TOTALS	627	627

SCHEDULE B	EXPLANATION OF THE DEVELOPMENT OF SCHEME LAND
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Sections 66(1)(f) and (g) of the Body Corporate and Community Management Act 1997 are not applicable

SCHEDULE C	BY-LAWS
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1. Vehicles

- 1.1 Save where a By-law made pursuant to Section 30(7) of the Building Units and Group Titles Act 1980 authorises him to do so a proprietor or occupier of a lot shall not park or stand any motor or other vehicle or any bicycle upon common property except with the consent in writing of the Body Corporate Committee.
- 1.2 The Body Corporate is authorised to enter into a towing agreement with an authorised towing company and to set rules relating to the use of Common Property Car Parking areas, and to remove vehicles at the vehicle owner's cost from such spaces or areas of the Common Property that the vehicle has no right to access or where Common Property is being obstructed.

2. Private Roads and other Common Property

The private roadways, pathways, drives and other common property and any easement giving access to the land shall not be obstructed by an proprietor or tenant's guests, servants, employees, agents, children, invitees, licensees of a proprietor or any of them of use by them for any purpose other than the reasonable ingress and egress to and from their respective lots or the parking areas provided. A proprietor or occupier of a lot shall not drive or permit to drive any motor vehicle in excess 2 tonnes weight onto or over the common property.

3. Noise

- 3.1 A proprietor shall not make or permit any noise likely to interfere in any way with peaceful enjoyment of other proprietors of lots or of any person lawfully using the common property. In particular, no proprietor of a lot shall hold or permit to hold any social gathering in his lot which would cause any noise which could unlawfully interfere with the peace and quiet of any other proprietor of a lot, at any time of the day or night and in particular shall comply in all respect with the Noise Abatement Act 1979 as amended.

- 3.2. In the event of any unavoidable noise in a lot at any time, the proprietors thereof shall take all practical means to minimise annoyance to either proprietors of lots by closing all doors, windows and curtains of his lot and also such further steps as may be within his power for the same purpose: and
- 3.3. Guests leaving after 11.00pm shall be requested by their hosts to leave quietly. Quietness also shall be observed when a proprietor of a lot returns to the dwelling late at night or in early morning hours.
- 4. Obstruction**
A proprietor or occupier of a lot shall not obstruct lawful use of common property by any person.
- 5. Damage to lawns, etc., on common property**
A proprietor or occupier of a lot shall not:-
- 5.1. damage any lawn, garden, tree, shrub, plant or flower being part of or situated upon common property; or
- 5.2. except with the consent in writing of the Body Corporate, use for his own purposes as a garden or any portion of the common property
- 6. Damage to Common Property**
A proprietor or occupier of a lot shall not mark, paint, drive nails or screws or the like into, or otherwise damage or deface, any structure that forms part of the common property except with the consent in writing of the Body Corporate, but this By-law does not prevent a proprietor or person authorised by him from installing:-
- 6.1. any locking or other safety device for protection of his lot against intruders: or
- 6.2. any screen or other device to prevent entry of animals or insects upon his lot provided that the locking or other safety device or, as the case may be, screen or other device is constructed in a workmanlike manner is maintained in a state of good and serviceable repair by the proprietor and does not detract from the amenity of the building: provided that the locking or other safety device or, as the case may be, screen or other device is of such colour and style as approved by the Body Corporate Committee.
- 7. Behaviour of Invitees**
- 7.1. A proprietor of a lot which is the subject of a lease or licence agreement or who has been granted an exclusive licence or special privilege shall take all reasonable steps, including any action available to him to ensure that any lessee or licensee or other occupier of the lot or their invitees comply with the provisions of the By-Laws;
- 7.2. The duties and obligations imposed by these By-Laws on a proprietor of a lot shall be observed not only by the proprietor but also by the occupier of a lot as well as guests, servants, employees, agents, children, invitees, lessees and licensees of such proprietor or occupier.
- 7.3. Where the Body Corporate expends money to make good damage caused by breach of the Act, or these By-Laws, by any proprietor of a lot of the guests, servants, employees, agents, children, invitees, lessees, or licensees or the proprietor of a lot or any of them, the Committee of the Body Corporate ("the Committee") shall be entitled to recover the amount so expended as a debt in any action in any Court of competent jurisdiction.
- 8. Proprietor not to litter**
A proprietor shall not throw or allow to fall or permit or suffer to be thrown or to fall any paper rubbish, refuse, cigarette butts or other substance whatsoever out of the windows or doors or down the staircase, passages or sky lights, from balconies, from the roof or in passage ways of the building or stairways. Any damage or costs for cleaning or repair caused by breach hereof shall be borne by concerned.
- 9. Depositing Rubbish, etc., on common property.**
A proprietor of a lot shall not deposit or throw upon the common property any rubbish, dirt, dust or other material likely to interfere with the peaceful enjoyment of the proprietor or occupier of another lot or of any person lawfully using the common property.
- 10. Appearance of building**
A proprietor of a lot shall not, except with the consent in writing of the Body Corporate, hang any washing, towel, bedding, clothing or other article or display any sign, advertisement, placard, banner, pamphlet or like matter on any part of his lot in such a way as to be visible from the common property or any other lot.
- 11. Storage of flammable liquids, etc.**
- 11.1. A proprietor of a lot shall not, except with the consent in writing of the Body Corporate, use or store upon his lot or

upon the common property any flammable chemical, liquid or gas or other flammable material other than chemicals, liquids, gases or other material used or intended to be used for domestic purposes, or any such chemical, Liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

- 11.2. A proprietor of a lot shall not bring to, do or keep anything in his lot which shall increase the rate of fire insurance on the parcel or which may conflict with the laws and/or regulations relating to fires or any insurance policy upon any property on the parcel or the regulations or ordinances of any public authority for the time being in force.

12. Garbage disposal

A proprietor of a Lot shall:-

- 12.1. save where the Body Corporate provides some other means of disposal of garbage, maintain within his lot or on such part of the common property as may be authorised by the Body Corporate in clean and dry condition and adequately covered. A receptacle for garbage;
- 12.2. comply with all local authority By-laws and ordinances relating to the disposal of garbage;
- 12.3. ensure that the health, hygiene and comfort of the proprietor or occupier of any other lot is not adversely affected by his disposal of garbage;
- 12.4. ensure that any garbage deposited in the garbage chute is securely wrapped;
- 12.5. not place any bottles in the garbage chute and shall ensure that any bottles are placed in the garbage room on each level adjacent to the garbage chute.

13. Keeping of Animals

Subject to section 30(12), a proprietor of a lot shall not without the approval in writing of the Committee keep any animal upon his lot or the common property.

14. Car Parking

- 14.1 Each proprietor to whom exclusive use of a car space or spaces has been given shall use the space or spaces for the purpose of car parking only, and shall not litter the same or so use the same as to create a nuisance but otherwise no such proprietor shall be responsible for the performance of the duty of the Body Corporate under section 38(1) (b) (i).
- 14.2 Neither a car parking space forming part of a lot or any car parking space to which a lot is entitled to have exclusive use shall be enclosed in any way without the prior permission in writing of the Committee, which may be given on such conditions as the Committee may reasonably determine. The Body Corporate Committee shall be entitled to request copies of such plans and specifications as it might consider necessary to enable it to grant its approval and the proprietor of a lot shall comply with all such requests and the Body Corporate may specify in the approval such things as design, size, location, colour, type of material for the enclosing of the area and also that the enclosing of the area cage must be in keeping with the overall appearance of the car park area and the enclosing of any other car parking spaces already installed in that area with the approval of the Body Corporate Committee.

15. Car parking - rights and obligations

Each proprietor who is entitled to the exclusive use and enjoyment of any car parking space shall:-

- 15.1. keep that to which he is entitled to exclusive use tidy and free from litter;
- 15.2. use any of the car parking spaces to which he is entitled for the exclusive use for motor vehicle parking and for no other purpose whatsoever;
- 15.3. ensure that no motor vehicle parking within the car parking space shall spill or drop oil or other fluids on the floor of the building;
- 15.4. ensure that only one motor vehicle at a time is parked within each of the car parking spaces and then only within the demarked confines of each of the car parking spaces;
- 15.5. not sound or permit the horn of any motor vehicle to be sounded in the car park unnecessarily or permit any engine to run for any longer time than is necessary for the purpose of parking a motor vehicle or gaining access to or egress from the car park.

16. Storage for Manager

The Manager shall be allocated such storage area on the common property for the storage of equipment and materials used in the discharge of his caretaking functions as is reasonably necessary for the safe and effective storage of such equipment or materials. The Body Corporate shall from time to time allocate and provide such an

area which shall be lockable. The Manager shall be entitled to the exclusive possession of the keys to such storage area whilst he is Manager.

17. Power of Body Corporate Committee

The Body Corporate Committee may make rules relating to the common property not inconsistent with these By-laws and the same shall be observed by the proprietors of lots unless and until they are disallowed or revoked by a majority resolution at a general meeting of the Body Corporate.

18. Committee may employ

The Committee may employ for and on behalf of the Body Corporate such agents and servants as it thinks fit in connection with the exercise and performance of the powers, authorities, duties and function of the Body Corporate.

19. By-laws

Where any lot or common property is leased or rented otherwise than to a proprietor of a lot the landlord shall cause to be produced to the tenant for his inspection a copy of the By-laws for the time being in force in respect of the Building Units Plan.

20. Window treatments such as curtains/slimline Venetian blinds

A proprietor shall not install, renovate or replace curtains, vertical blinds or other window and door covers visible from outside the lot unless those curtains have white backing or unless such colour and design have been approved by the Committee. A proprietor shall not install, renovate and/or replace a curtain backing or window treatment without having the colour and design of same approved by the Committee. In giving such approvals, the Committee shall ensure so far as practicable that curtain backing and window treatment used in all lots have colours that are sympathetic to the tones of the building and present an aesthetic appearance when viewed from outside the building.

21. To observe By-laws

The duties and obligations imposed by these By-Laws on a proprietor of a lot shall be observed not only by the proprietor but also by the occupier and servants, tenants, lessees, licensees and invitees of such proprietor or occupier.

22. Unlawful use

All lots shall be utilised as private residences and shall not be utilised for any other purpose that may cause a nuisance or hazard or for any illegal or immoral purpose or for any other purpose that may endanger the safety or good reputation of persons within the parcel.

23. Correspondence and requests to the Secretary of the Body Corporate

All complaints, applications or requests to the Body Corporate or its Committee shall be addressed in writing to the Secretary of the Body Corporate.

24. Notices

Proprietors shall observe the terms of any notice displayed in the common area by authority of the Committee or of any statutory authority.

25. External appearance

25.1. An owner or occupier shall not without the consent in writing of the Body Corporate perform any works or erect any structure in, on or to his lot which will in any way alter the external appearance of the building.

25.2. Balcony areas must always be maintained in a clean and tidy state, and under no circumstances may balcony areas be used for storage purposes.

25.3. Unless the prior written consent of the Body Corporate has been obtained, any outdoor blind installed by an owner or occupier (pursuant to by-law 25.1) must:

(a) be of 'Zipscreen' design;

(b) for consistency with the colours of the Scheme building, have a frame:

- (i) in the colour 'Anodised Bronze' if manufactured by Zipscreen; or
 - (ii) in a colour the same as 'Anodised Bronze' from Zipscreen, if manufactured by another company. This colour requires the consent of the Body Corporate prior to installation; and
- (c) for consistency with the colours of the Scheme building, have a screen:
- (i) in the colour 'Anodised Bronze' or 'Black' if manufactured by Zipscreen; or
 - (i) a colour the same as 'Anodised Bronze' or 'Black' from Zipscreen, if manufactured by another company. This colour requires the consent of the Body Corporate prior to installation.

26. Maintenance of lots

Each proprietor shall be responsible for the maintenance of his lot and shall ensure that his lot is so kept and maintained as not to be offensive in appearance to other lot owners through the accumulation of excess rubbish or otherwise

27. Rules

The Body Corporate Committee may, from time to time, make rules relating to the use of swimming pools, toilets, barbecue areas, car wash bays, the garage doors in the basement of the building and any other facilities on, in or about the common property (and areas adjacent thereto), not inconsistent with these By-laws and the same shall be observed by the proprietor unless and until they have been revoked, amended or altered by a majority resolution at a general meeting of the Body Corporate.

28. Aerials

Outside wireless and television aerials and satellite dishes (or similar devices) may not be erected without written permission of the Committee.

29. Structural alterations and renovations

- 29.1. No structural alteration shall be made to any lot (including any alteration to water electrical installations or work for the purpose of enclosing in any manner whatsoever the balcony ((if any) of any lot) without the prior permission in writing of the Committee and if required by Section 37A of the Act a resolution without dissent passed at a general meeting of the Body Corporate. The Body Corporate Committee shall be entitled to request copies of such plans and specifications as it might consider necessary to enable it to grant its approval and the proprietor of a lot shall comply with all such requests.
- 29.2. An Owner or Occupier must not commence or carry out any renovations or refurbishments to any lot ("the Works") unless the Owner has complied with the provisions of this by-law and obtained the prior consent in writing of the Committee.
- 29.3. An application by an Owner or Occupier for the written approval of the Committee under paragraph 29.2 must:
- (a) Comply with the terms and conditions stipulated by the Committee from time to time and be in the form approved by the Committee from time to time for that purpose; and
 - (b) Fully set out and specify the work that is proposed; and
 - (c) Be accompanied by a plan or drawing of the proposed Works.
- 29.4. The Committee may approve an application under paragraph 29.3 subject to such conditions as the Committee reasonably considers necessary in relation to the Works.
- 29.5. Any Owner who either:
- a) carries out any renovation or refurbishment work ("**the Works**") without the prior written approval of the Committee; or
 - b) fails to comply with the conditions attaching to any approval of the Committee, under paragraph 29.4,
- must within a reasonable time of receiving the written notice of the Committee, cause the removal of the Works at the Owner's cost.

30. Signs

The proprietors of lots shall not paint, affix or display any sign, advertisement notices, posters, placards, banners or like materials to or on any part of the building nor do anything to vary the external appearance of their lots without the prior consent of the Committee provided always that proprietors may without the consent of the Committee display "open for inspection" signs in areas designed by the Body Corporate Committee for that purpose and then only during such time as a lot or lots are open for inspection.

31. Instruction of contractors

The proprietors of lots shall not directly instruct any contractors or workmen employed by the Body Corporate unless so authorised, and all requests for consideration of any particular matter to be referred to the Committee or to the Body Corporate shall be directed to the Caretaker (if any) or alternatively to a Committee person of the Body Corporate.

32. Replacement of glass

Windows shall be kept clean and promptly replaced by the proprietor or occupier of the lot at his expense with new glass of the same kind and weight as at present if broken or cracked. This By-Law shall not prohibit a proprietor from making a claim on any applicable Body Corporate insurance.

33. Water wastage

The proprietor of a Lot shall not waste water and shall see that all water taps in his lot are promptly turned off after use.

34. Use of appurtenances

The water closet conveniences and other water apparatus including waste pipes and drains shall not be used for any purposes other than those for which they were constructed and no sweepings or rubbish or other unsuitable substances shall be deposited therein. Any costs or expenses resulting from damage or blockage to such water closet conveniences, water apparatus, waste pipes and drains from misuse or negligence of a proprietor or his tenants, lessees, servants, agents, licensees or invitees shall be borne by such proprietor whether the same is caused by his own actions or those of his tenants, lessees, servants, agents, licensees or invitees.

35. Notice of accident to be given

A proprietor of a lot shall give the Committee or the Caretaker (if any) prompt notice of any accident or defect in 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 it may deem necessary for the safety and preservation of the building as often as may be necessary.

36. Vermin

All lots shall be kept clean and all practicable steps shall be taken to prevent infestation by vermin and/or insects.

37. Storage

All proprietors shall store empty bottles, boxes, used containers and similar items tidily and so far as possible out of sight.

38. Infectious disease

In the event of any infectious disease which may require notification by virtue of any statute, regulation or ordinances happening in any lot the proprietors of such lot shall give written notice thereof and any other information which may be required relative thereto to the Committee and shall pay to the Committee the expenses incurred by the Committee of disinfecting the lot or in replacing any articles or things the destruction of which may be rendered necessary by such disease.

39. Auctions sale

Proprietors shall not permit any auction sale of lots, furniture, furnishings, or chattels to be conducted or to take place upon any lot or the common property without written consent of the Committee.

40. Furniture and trade materials, delivery and removal

Each proprietor of a lot shall ensure that all deliveries of furniture, furnishings and trade materials to and from the building shall be made only through the basement car park and not the main foyer and that notice is given to the Caretaker prior to any moving and the same must be done in the manner and at the time directed by the

Caretaker or the Body Corporate Committee. Removals shall not be permitted at times which are considered unreasonable by the Caretaker or the Body Corporate Committee.

41. Inspection

Upon one (1) days' notice in writing (or without notice in the event of an emergency) the Committee and its servants, agents and contractors shall be permitted to inspect the interior of any lot and to test any electrical or water installations or equipment therein and to trace and repair any leakage or defect in the said installations or equipment at the expense of the proprietor or his servants, tenants, lessees, agents, licensees or invitees). If not so permitted they may effect any entry. The Committee in exercising this power shall ensure that its servants, agents and employees cause as little inconvenience to such proprietor as is reasonable in the circumstances.

42. Locking of doors and windows

All doors and windows of a lot shall be securely fastened on all occasions when the same are left unoccupied and the Committee reserves its right to enter and fasten the same if left insecurely fastened.

43. Swimming Pool

In relation to the use of the swimming pool and adjacent areas a proprietor or occupier of a lot shall ensure:-

- 43.1. that alcoholic beverages are not taken to or consumed in or about the same;
- 43.2. that glass containers or receptacles of any type are not taken to or allowed to remain in or around the same;
- 43.3. that he and his invitees shall exercise caution at all times and shall not run or splash or behave in any manner that is likely to interfere with the use and enjoyment of the same by other person;
- 43.4. that no use is made of the swimming pool and surrounding areas between the hours of 10.00 p.m. and 7.00 a.m. on any day without the approval of the Caretaker.

44. Body Corporate to enter into Letting Agreement

The Body Corporate is empowered to enter into Letting Agreements from time to time with the proprietor or occupier in the building or in the adjoining Surfers Fairways East building on such terms and conditions as the Body Corporate deems fit in order to allow for the conduct of letting activities for those proprietors who so wish to avail themselves of the Letting Agent's services.

45. Maintenance of swimming pool

A proprietor of a lot shall not, without proper authority, operate, adjust or interfere with the operation of any equipment associated with the swimming pool or add any chemical or other substance to the same.

46. Security

The Committee may take all reasonable steps to ensure the security of the parcel and Body Corporate personal property and the observance of these By-Laws and without limiting the generality of the foregoing may:-

- 46.1. close off any part of the common property not required for ingress or egress to a lot or car parking space on either a temporary or permanent basis or otherwise restrict the access to or use by proprietors or occupiers of any such part of the common property;
- 46.2. permit any designated part of the common property to be used by any security person, firm or company (to the exclusion of proprietors generally) as a means of monitoring the security and general safety of the parcel
- 46.3. obtain, install and maintain locks, alarms, communication systems and other security devices.

47. Security keys

- 47.1. If the Body Corporate in the exercise of any of its powers under this By-Law restricts the access of proprietors or occupiers to any part of the common property by means of a lock or similar security device it may make such a number of keys or operating systems as it determines available to proprietors free of charge and thereafter may at its discretion make additional numbers thereof available to proprietors on payment of such reasonable charge therefore as may be determined from time to time by the Body Corporate.
- 47.2. A proprietor of a lot to whom any key or 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 proprietor) to ensure return thereof to the proprietor of the Body Corporate upon the occupier ceasing to be an occupier.

- 47.3. A proprietor of a lot whose possession of any key or operating system referred to in these By-Laws 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 proprietor or occupier and is not disposed of otherwise than by returning it to the Body Corporate.
- 47.4. A proprietor of a lot who is issued with a key or operating system referred to in these By-Laws shall immediately notify the Body Corporate if the same is lost or misplaced.
- 47.5. Any consent or approval given by the Body Corporate pursuant to these By-Laws shall, if practicable, be revocable upon notice to the proprietor or occupier for the time being having the benefit of such consent or approval.
- 48. Recovery of money from proprietors**
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 proprietor or occupier (which expression shall for the purpose of the By-Laws include any former proprietor or occupier of the relevant lot) due to a default by that proprietor or occupier in the payment of any money to the Body Corporate or a breach of the By-Laws applicable to the Building Units Plan such proprietor 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 proprietor or occupier of the Body Corporate.
- 49. Interest**
- 49.1. If a contribution levies under Section 32 of the Building Units and Group Titles Act 1980 is unpaid thirty (30) days after it falls due for payment then the amount of the unpaid contribution will bear interest at an annual rate to be determined by the Body Corporate by ordinary resolution in general meeting from time to time;
- 49.2. If at the time a person becomes a proprietor of a lot another person is liable in respect of the lot to pay interest on a contribution the proprietor is jointly and severally liable with the other person for the payment of the interest;
- 49.3. The amount of any interest is recoverable by the Body Corporate as a liquidated debt.
- 50. Fire regulations**
The fire hoses contained in or abut the common property shall not be used by any proprietor or occupier of a lot other than in the case of an emergency, all stairways including fire stairways shall be kept in a clean and tidy condition at all times. Proprietors or occupiers of lots shall not use fire cupboards for storage of any other periods.
- 51. Storage spaces**
These proprietors who are entitled to storage areas shall keep the said areas tidy and free from litter and shall not use the areas as a repository for proprietors' long term storage requirements.
- 52. Interpretation**
For the purpose of these By-Laws words importing any number or gender or a person shall include any other number or person whether natural or otherwise.
- 53. Exclusive use - car spaces**
The proprietors of 2 bedroom units in the building shall be entitled to the exclusive use for himself and his licensees of the car space or spaces the identifying number or numbers of which shall be notified in writing by Sports City Pty Ltd to the Council of the Body Corporate within twelve months after the date of registration of the Building Units Plan provided that in respect of those car spaces allocated pursuant to this By-Law, the Council is hereby authorised to vary the allocations so made and to transpose car spaces from one unit to another unit at any time and from time to time on the written request of the proprietors of the units involved. (Refer to Plan "A" in Schedule E for identification of areas.)

Conversion to New Legislation

For the purposes of the operation of these By-laws under the Body Corporate and Community Management Act 1997, the following provisions shall apply:-

- a) Any reference to the "proprietor/s" of a lot shall be read as meaning the "owner/s" of the said lot;
- b) Any reference to a section under the Building Units and Titles Act 1980 (as amended) shall include and refer to the section under the Body Corporate and Community Management Act 1997 and the Regulation Module

for the Scheme (as described in item 2 of the Community Management Statement to which these By-laws are annexed) which deal with the same or substantially similar matters; and

- c) A reference to "the Building Units Plan" shall include and refer to Community Titles Scheme 11469.

54. Approval Required for Functions on Common Property

Residents wishing to hold any function involving any area of the Common Property may not hold such function unless formally approved in writing at least two weeks prior to the proposed function date by the Body Corporate Committee, which may provide an approval with conditions as the Committee deems necessary or which may withhold approval at its discretion.

SCHEDULE D	OTHER DETAILS REQUIRED/PERMITTED TO BE INCLUDED
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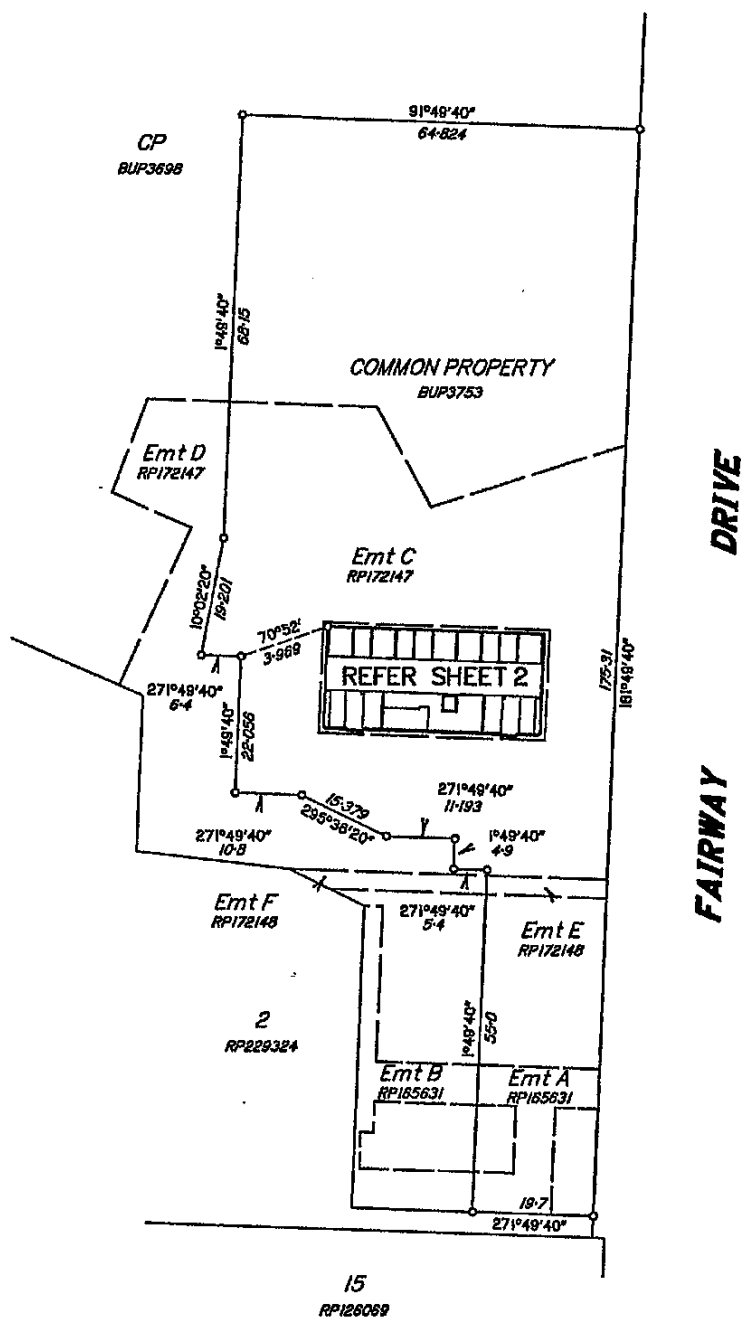
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SCHEDULE E	DESCRIPTION OF LOTS ALLOCATED EXCLUSIVE USE AREAS OF COMMON PROPERTY
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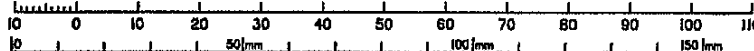
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Lot 29 in BUP 3753	C16
Lot 33 in BUP 3753	C2
Lot 41 in BUP 3753	C4
Lot 43 in BUP 3753	C6
Lot 44 in BUP 3753	C7
Lot 45 in BUP 3753	C5
Lot 49 in BUP 3753	C10
Lot 50 in BUP 3753	C8
Lot 51 in BUP 3753	C9
Lot 52 in BUP 3753	C11
Lot 55 in BUP 3753	C3
Lot 56 in BUP 3753	C12
Lot 57 in BUP 3753	C15
Lot 58 in BUP 3753	C13

(As delineated on Annex Plan "B")

Lot on Plan	Exclusive Use Area
Lot 7 in BUP 3753	Exclusive use area "17" on Annexed Plan "A"

"Surfers Fairways East" C.T.S 11418Sheet
14 of
15LEVEL A

Scale 1:750 - Lengths are in Metres.



We, VISION SURVEYS (QLD) PTY LTD (ABN 64 128 752 947),
cadastral surveyors, certify that the details shown on this sketch
plan are correct.

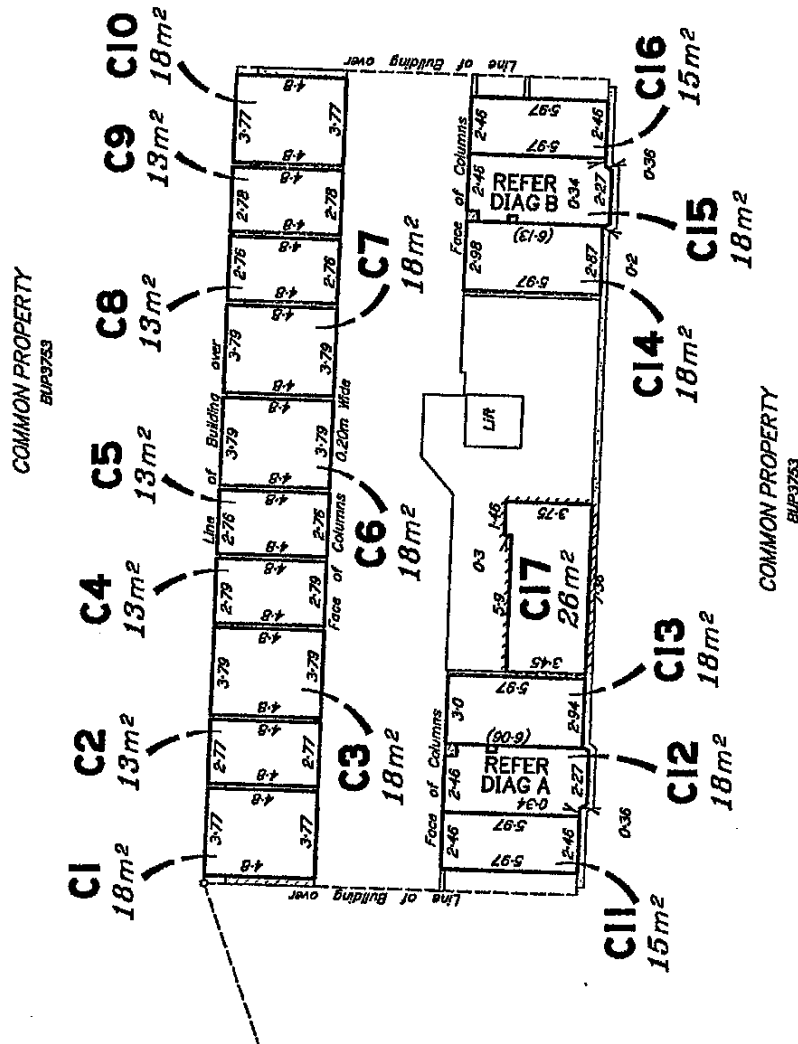
AG
Authorised Delegate

17/01/2020
Date

**Plan of Exclusive Use Areas
within Common Property on BUP3753**

"Surfers Fairways East" C.T.S 11418

Date: 17/01/2020	Meridian: BUP3753	Scale: 1:750 @ A3	Drawn: AG
Locality: CLEAR ISLAND WATERS	Local Authority: GOLD COAST CITY	Dwg Ref: 19763-EU-01 Rev: --	

"Surfers Fairways East" C.T.S 11418LEVEL ALEGEND

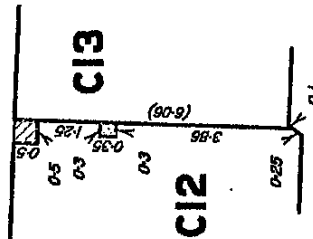
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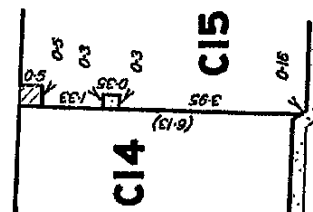
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DIAGRAM A

SCALE 1:100

COMMON PROPERTY  
BUP3753DIAGRAM B

SCALE 1:100

COMMON PROPERTY  
BUP3753

We, VISION SURVEYS (QLD) PTY LTD (ABN 94 128 752 947),  
cadastral surveyors, certify that the details shown on this sketch  
plan are correct.

Authorized Delegate

17/01/2020  
Date

**Plan of Exclusive Use Areas  
within Common Property on BUP3753**

*"Surfers Fairways East" C.T.S 11418*

|                               |                                  |                             |           |
|-------------------------------|----------------------------------|-----------------------------|-----------|
| Date: 17/01/2020              | Meridian: BUP3753                | Scale: 1:200 @ A3           | Drawn: AG |
| Locality: CLEAR ISLAND WATERS | Local Authority: GOLD COAST CITY | Dwg Ref: 19763-EU-02 Rev: — |           |