

Seller disclosure statement



Queensland
Government

Property Law Act 2023 section 99

Form 2, Version 1 | Effective from: 1 August 2025

WARNING TO BUYER – This statement contains important legal and other information about the property offered for sale. You should read and satisfy yourself of the information in this statement before signing a contract. You are advised to seek legal advice before signing this form. You should not assume you can terminate the contract after signing if you are not satisfied with the information in this statement.

WARNING – You must be given this statement before you sign the contract for the sale of the property.

This statement does not include information about:

- » flooding or other natural hazard history
- » structural soundness of the building or pest infestation
- » current or historical use of the property
- » current or past building or development approvals for the property
- » limits imposed by planning laws on the use of the land
- » services that are or may be connected to the property
- » the presence of asbestos within buildings or improvements on the property.

You are encouraged to make your own inquiries about these matters before signing a contract. You may not be able to terminate the contract if these matters are discovered after you sign.

Part 1 – Seller and property details

Seller **Matthew Francis Mason, Camille Walklate**

Property address
(referred to as the
“property” in this
statement)

305/38 GREGORY ST, CONDON QLD 4815

Lot on plan description

305/SP217027

Community titles scheme
or BUGTA scheme:

Is the property part of a community titles scheme or a BUGTA scheme:

☒ **Yes**

☐ **No**

*If Yes, refer to Part 6 of this statement
for additional information*

*If No, please disregard Part 6 of this statement
as it does not need to be completed*

Part 2 – Title details, encumbrances and residential tenancy or rooming accommodation agreement

Title details

The seller gives or has given the buyer the following—

A title search for the property issued under the *Land Title Act 1994*
showing interests registered under that Act for the property.

☒ **Yes**

A copy of the plan of survey registered for the property.

☒ **Yes**

Registered encumbrances	Registered encumbrances, if any, are recorded on the title search, and may affect your use of the property. Examples include easements, statutory covenants, leases and mortgages. You should seek legal advice about your rights and obligations before signing the contract.
Unregistered encumbrances (excluding statutory encumbrances)	There are encumbrances not registered on the title that will continue to affect the property after settlement. ☐ Yes ☒ No Note—If the property is part of a community titles scheme or a BUGTA scheme it may be subject to and have the benefit of statutory easements that are NOT required to be disclosed. Unregistered lease (if applicable) If the unregistered encumbrance is an unregistered lease, the details of the agreement are as follows: » the start and end day of the term of the lease: » the amount of rent and bond payable: » whether the lease has an option to renew: Other unregistered agreement in writing (if applicable) If the unregistered encumbrance is created by an agreement in writing, and is not an unregistered lease, a copy of the agreement is given, together with relevant plans, if any. ☐ Yes Unregistered oral agreement (if applicable) If the unregistered encumbrance is created by an oral agreement, and is not an unregistered lease, the details of the agreement are as follows:
Statutory encumbrances	There are statutory encumbrances that affect the property. ☐ Yes ☒ No <i>If Yes, the details of any statutory encumbrances are as follows:</i>
Residential tenancy or rooming accommodation agreement	The property has been subject to a residential tenancy agreement or a rooming accommodation agreement under the <i>Residential Tenancies and Rooming Accommodation Act 2008</i> during the last 12 months. ☐ Yes ☒ No If Yes, when was the rent for the premises or each of the residents' rooms last increased? (<i>Insert date of the most recent rent increase for the premises or rooms</i>) Note—Under the <i>Residential Tenancies and Rooming Accommodation Act 2008</i> the rent for a residential premises may not be increased earlier than 12 months after the last rent increase for the premises. As the owner of the property, you may need to provide evidence of the day of the last rent increase. You should ask the seller to provide this evidence to you prior to settlement.

Part 3 – Land use, planning and environment

WARNING TO BUYER – You may not have any rights if the current or proposed use of the property is not lawful under the local planning scheme. You can obtain further information about any planning and development restrictions applicable to the lot, including in relation to short-term letting, from the relevant local government.

Zoning	The zoning of the property is <i>(Insert zoning under the planning scheme, the Economic Development Act 2012; the Integrated Resort Development Act 1987; the Mixed Use Development Act 1993; the State Development and Public Works Organisation Act 1971 or the Sanctuary Cove Resort Act 1985, as applicable)</i>: Medium Density Residential	
Transport proposals and resumptions	The lot is affected by a notice issued by a Commonwealth, State or local government entity and given to the seller about a transport infrastructure proposal* to: locate transport infrastructure on the property; or alter the dimensions of the property. ☐ Yes ☒ No The lot is affected by a notice of intention to resume the property or any part of the property. ☐ Yes ☒ No <i>If Yes, a copy of the notice, order, proposal or correspondence must be given by the seller.</i>	
Contamination and environmental protection	The property is recorded on the Environmental Management Register or the Contaminated Land Register under the <i>Environmental Protection Act 1994</i>. ☐ Yes ☒ No The following notices are, or have been, given: A notice under section 408(2) of the <i>Environmental Protection Act 1994</i> (for example, land is contaminated, show cause notice, requirement for site investigation, clean up notice or site management plan). ☐ Yes ☒ No A notice under section 369C(2) of the <i>Environmental Protection Act 1994</i> (the property is a place or business to which an environmental enforcement order applies). ☐ Yes ☒ No A notice under section 347(2) of the <i>Environmental Protection Act 1994</i> (the property is a place or business to which a prescribed transitional environmental program applies). ☐ Yes ☒ No	
Trees	There is a tree order or application under the <i>Neighbourhood Disputes (Dividing Fences and Trees) Act 2011</i> affecting the property. ☐ Yes ☒ No <i>If Yes, a copy of the order or application must be given by the seller.</i>	
Heritage	The property is affected by the <i>Queensland Heritage Act 1992</i> or is included in the World Heritage List under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cwlth). ☐ Yes ☒ No	
Flooding	Information about whether the property is affected by flooding or another natural hazard or within a natural hazard overlay can be obtained from the relevant local government and you should make your own enquires. Flood information for the property may also be available at the FloodCheck Queensland portal or the Australian Flood Risk Information portal.	
Vegetation, habitats and protected plants	Information about vegetation clearing, koala habitats and other restrictions on development of the land that may apply can be obtained from the relevant State government agency.	

Part 4 – Buildings and structures

WARNING TO BUYER – The seller does not warrant the structural soundness of the buildings or improvements on the property, or that the buildings on the property have the required approval, or that there is no pest infestation affecting the property. You should engage a licensed building inspector or an appropriately qualified engineer, builder or pest inspector to inspect the property and provide a report and also undertake searches to determine whether buildings and improvements on the property have the required approvals.

Swimming pool	There is a relevant pool for the property. If a community titles scheme or a BUGTA scheme – a shared pool is located in the scheme. Pool compliance certificate is given. OR Notice of no pool safety certificate is given.	☒ Yes ☐ No ☒ Yes ☐ No ☒ Yes ☐ No ☐ Yes ☒ No
Unlicensed building work under owner builder permit	Building work was carried out on the property under an owner builder permit in the last 6 years. <i>A notice under section 47 of the Queensland Building and Construction Commission Act 1991 must be given by the seller and you may be required to sign the notice and return it to the seller prior to signing the contract.</i>	☐ Yes ☒ No
Notices and orders	There is an unsatisfied show cause notice or enforcement notice under the <i>Building Act 1975</i>, section 246AG, 247 or 248 or under the <i>Planning Act 2016</i>, section 167 or 168. The seller has been given a notice or order, that remains in effect, from a local, State or Commonwealth government, a court or tribunal, or other competent authority, requiring work to be done or money to be spent in relation to the property. <i>If Yes, a copy of the notice or order must be given by the seller.</i>	☐ Yes ☒ No ☐ Yes ☒ No
Building Energy Efficiency Certificate	If the property is a commercial office building of more than 1,000m², a Building Energy Efficiency Certificate is available on the Building Energy Efficiency Register.	
Asbestos	The seller does not warrant whether asbestos is present within buildings or improvements on the property. Buildings or improvements built before 1990 may contain asbestos. Asbestos containing materials (ACM) may have been used up until the early 2000s. Asbestos or ACM may become dangerous when damaged, disturbed, or deteriorating. Information about asbestos is available at the Queensland Government Asbestos Website (asbestos.qld.gov.au) including common locations of asbestos and other practical guidance for homeowners.	

Part 5 – Rates and services

WARNING TO BUYER – The amount of charges imposed on you may be different to the amount imposed on the seller.

Rates

Whichever of the following applies—

The total amount payable* for all rates and charges (without any discount) for the property as stated in the most recent rate notice is:

Amount: Date Range:

OR

The property is currently a rates exempt lot.** ☐

OR

The property is not rates exempt but no separate assessment of rates ☐
is issued by a local government for the property.

*Concessions: A local government may grant a concession for rates. The concession will not pass to you as buyer unless you meet the criteria in section 120 of the *Local Government Regulation 2012* or section 112 of the *City of Brisbane Regulation 2012*.

** An exemption for rates applies to particular entities. The exemption will not pass to you as buyer unless you meet the criteria in section 93 of the *Local Government Act 2009* or section 95 of the *City of Brisbane Act 2010*.

Water

Whichever of the following applies—

The total amount payable as charges for water services for the property as indicated in the most recent water services notice* is:

Amount: Date Range:

OR

There is no separate water services notice issued for the lot; however, an estimate of the total amount payable for water services is:

Amount: Date Range:

* A water services notices means a notice of water charges issued by a water service provider under the *Water Supply (Safety and Reliability) Act 2008*.

Part 6 – Community titles schemes and BUGTA schemes

(If the property is part of a community titles scheme or a BUGTA scheme this Part must be completed)

WARNING TO BUYER – If the property is part of a community titles scheme or a BUGTA scheme and you purchase the property, you will become a member of the body corporate for the scheme with the right to participate in significant decisions about the scheme and you will be required to pay contributions towards the body corporate's expenses in managing the scheme. You will also be required to comply with the by-laws. By-laws will regulate your use of common property and the lot.

For more information about living in a body corporate and your rights and obligations, contact the Office of the Commissioner for Body Corporate and Community Management.

Body Corporate and Community Management Act 1997	The property is included in a community titles scheme. ☒ Yes ☐ No (If Yes, complete the information below)
Community Management Statement	A copy of the most recent community management statement for the scheme as recorded under the <i>Land Title Act 1994</i> or another Act is given to the buyer. ☒ Yes Note—If the property is part of a community titles scheme, the community management statement for the scheme contains important information about the rights and obligations of owners of lots in the scheme including matters such as lot entitlements, by-laws and exclusive use areas.
Body Corporate Certificate	A copy of a body corporate certificate for the lot under the <i>Body Corporate and Community Management Act 1997</i>, section 205(4) is given to the buyer. ☒ Yes ☐ No If No— An explanatory statement is given to the buyer that states: ☐ Yes » a copy of a body corporate certificate for the lot is not attached; and » the reasons under section 6 of the <i>Property Law Regulation 2024</i> why the seller has not been able to obtain a copy of the body corporate certificate for the lot.
Statutory Warranties	Statutory Warranties—If you enter into a contract, you will have implied warranties under the <i>Body Corporate and Community Management Act 1997</i> relating to matters such as latent or patent defects in common property or body corporate assets; any actual, expected or contingent financial liabilities that are not part of the normal operating costs; and any circumstances in relation to the affairs of the body corporate that will materially prejudice you as owner of the property. There will be further disclosure about warranties in the contract.

Building Units and Group Titles Act 1980	The property is included in a BUGTA scheme ☐ Yes ☒ No (If Yes, complete the information below)
Body Corporate Certificate	A copy of a body corporate certificate for the lot under the <i>Building Units and Group Titles Act 1980</i>, section 40AA(1) is given to the buyer. ☐ Yes ☐ No If No— An explanatory statement is given to the buyer that states: ☐ Yes » a copy of a body corporate certificate for the lot is not attached; and » the reasons under section 7 of the <i>Property Law Regulation 2024</i> why the seller has not been able to obtain a copy of the body corporate certificate for the lot. Note—If the property is part of a BUGTA scheme, you will be subject to by-laws approved by the body corporate and other by-laws that regulate your use of the property and common property.

Signatures – SELLER

Signature of seller

Matthew Francis Mason

Name of Seller

Date

Signature of seller

Camille Walklate

Name of Seller

Date

Signatures – BUYER

By signing this disclosure statement the buyer acknowledges receipt of this disclosure statement before entering into a contract with the seller for the sale of the lot.

Signature of buyer

Name of buyer

Date

Signature of buyer

Name of buyer

Date

CURRENT TITLE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD



Request No: 56050333
Search Date: 07/05/2026 15:35

Title Reference: 50871111
Date Created: 01/02/2012

Previous Title: 21029096

REGISTERED OWNER

Dealing No: 721982604 19/09/2022

CAMILLE WALKLATE
MATTHEW FRANCIS MASON JOINT TENANTS

ESTATE AND LAND

Estate in Fee Simple

LOT 305 SURVEY PLAN 217027
Local Government: TOWNSVILLE
COMMUNITY MANAGEMENT STATEMENT 43320

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10425172 (POR 115)
2. MORTGAGE No 724723656 27/02/2026 at 14:14
ING BANK (AUSTRALIA) LIMITED A.C.N. 000 893 292

ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current Title Search **

COPYRIGHT QUEENSLAND TITLES REGISTRY PTY LTD [2026]
Requested By: D-ENQ INFOTRACK PTY LIMITED

Land Title Act 1994; Land Act 1994
Form 21 Version 2

SURVEY PLAN

Sheet
1 of
7

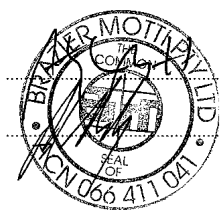
STN	TO	ORIGIN	BEARING	DIST
1	OIP	RP731760	185°22'	1-006
2	I.P.in		234°21'	2-22
3	OIP	11/11/1760	185°22'	1-018
5	OIP gone	3/11/1760	185°22'	1-006
7	Ramsset in M/H	14/11/1760	185°24'30"	0-955
7	OIP	7/11/1760	89°01'	20-3
7	Ramsset in M/H		305°23'20"	1-006
7	Screw in Kb		14°44'	12-85
9b	Screw in Kb		286°38'	16-055
9b	ODHill Hole		191°30'	18-12
11	OIP gone	15/11/17	151°17'	5-083
12	OIP gone	20/11/1760	95°22'45"	1-025
12	OIP gone	RP730110	59°22'	1-006
12	Onail in Conc		275°22'45"	2-01
13	Manhole Surround	SP247131	336°45'	4-555
14	OIP	2/11/1760	at Station	
15	OIP	3/11/1760	at Station	
16	OIP	4/11/1760	at Station	
17	ORamsset in Kb	5/11/1760	336°25'45"	6-785

LINE	BEARING	DIST
12-12a	9°45'	20-185
13-14	95°22'45"	20-13
15-16	95°22'45"	20-11
17-17a	59°22'45"	5-799

LINE	BEARING	DISTANCE
12-12a	9°45'	20-185
13-14	95°22'45"	20-13
15-16	95°22'45"	20-11
17-17a	59°22'45"	5-799

DIAGRAM A
Scale 1:200

BRAZIER MOTTI PTY LTD (ACN 066 411 041) hereby certify that the land comprised in this plan was surveyed by the corporation, by Stephen JESS, Surveying Graduate, for whose work the corporation accepts responsibility, under the supervision of Graham Peter WARD, Cadastral Surveyor, and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 1st November, 2011.



Director

Director

Date 2/11/11

Metres
0 50m 100m 150m

Plan of Lots 101-108, 201-212, 301-312,
401, 402, 405, 406, 501-512, 601-618,
701-704 and Common Property

Cancelling Lot 1 on RP730110

PARISH: COONAMBELAH COUNTY: Elphinstone

Meridian: MGA (Zone 55) vide SP247131

F/N's: No

Scale: 1:1000

Format: BUILDING



SP217027

Plan Status:

PERMANENT MARKS

PM	ORIGIN	BEARING	DIST	NO
12a-OPM	SP100818	at Station		130631
17a-OPM	RP735084	at Station		56763

Note : Buildings A, B, C, E & F are 3 Storey Concrete and Steel Buildings.
Buildings D & G are 2 Storey Concrete and Steel Buildings.
Buildings H-Z, AA & AB are Single Storey Steel Carports.
Building AC is a Single Storey Steel Shelter.
Building AD is a Single Storey Masonry Block Plant Room.

LINE	BEARING	DIST
18-am	252°17'	23-13
5-an	126°57'30"	56-43
18-aa	261°41'	38-245
5-aa	137°55'	43-68
5-aa	160°13'	36-48
2-ar	23°18'30"	50-37
5-as	167°22'30"	50-21
2-at	30°25'30"	36-63
5-au	171°27'30"	64-55
2-av	45°42'	23-98
2-aw	72°42'30"	50-195
1-ax	284°52'30"	21-57
2-ay	82°12'	36-335
1-az	289°07'	34-9
2-ba	86°14'	52-2
1-bb	300°20'	19-64
2-bc	88°17'	67-13
1-bd	347°08'	8-73
18-be	0°29'	34-54
12-bf	189°47'30"	34-54
8-bg	116°13'	6-955
9-bh	208°30'	9-23

LINE	BEARING	DIST
5-t	147°45'	4-92
5-u	171°23'	11-92
2-v	7°45'	69-425
5-w	181°25'	41-465
2-x	9°31'	39-685
5-y	182°27'	50-29
2-z	11°41'	27-29
6-aa	120°35'30"	14-925
5-ab	101°22'	15-625
6-ac	152°57'	25-165
5-ad	142°07'30"	22-67
18-ae	129°11'30"	39-365
5-af	273°10'30"	36-665
18-ag	119°54'30"	52-73
5-ah	271°34'30"	21-4
18-ai	113°31'	67-06
18-aj	271°08'	5-62
18-ak	220°55'	9-95
5-al	119°33'	69-715

LINE	BEARING	DIST
12-a	223°11'30"	6-38
10-b	185°17'	5-215
9-c	156°53'	14-835
6-d	105°57'30"	18-145
5-e	96°36'30"	23-04
2-f	21°46'30"	80-83
12-g	188°33'30"	58-405
1-h	3°02'	78-78
5-i	156°02'	43-345
2-j	32°07'	47-375
2-k	61°54'	29-975
1-l	339°43'	18-32
12-m	187°36'40"	97-65
1-n	0°11'30"	42-5
8-o	150°35'	2-615
7-p	82°20'	5-315
7-q	11°17'	3-87
6-r	47°01'	5-91
6-s	178°00'	7-49

Area of Base Parcel

(1-2-5-6-7-8-9-10-11-12-1) 1.135 ha

27862/008 577

714275501

BE 400 NT

\$5746.00
20/01/2012 15:43

WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.

Registered

5. Lodged by

Gadens Lawyers
240 Queen Street
BRISBANE QLD 4000
Phone: (07) 3231 1666

162A

(Include address, phone number, reference, and Lodger Code)

1. Certificate of Registered Owners or Lessees.

I/We MILKY WAY DEVELOPMENT 2 PTY LTD A.C.N. 124 730 221
TRUSTEE UNDER INSTRUMENT 711149475

(Names in full)

* as Registered Owners of this land agree to this plan and dedicate the Public Use
Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

Milky Way Development 2 Pty Ltd ACN 124 730 221

* as Lessees of this land agree to this plan.

Director D. H. H. Director
Signature of *Registered Owners *Lessees

* Rule out whichever is inapplicable

2. Local Government Approval.

* Townsville City Council

hereby approves this plan in accordance with the:

% Sustainable Planning Act 2009

Dated this 18th day of January, 2012

[Signature] # as duly authorised
Director, Planning and representative of the
Development Townsville City Council.

* Insert the name of the Local Government. % Insert Integrated Planning Act 1997 or
Insert designation of signatory or delegation Local Government (Planning & Environment) Act 1990

3. Plans with Community Management Statement:

CMS Number: 43320
Name: RIVERWAY POINT

4. References:

Dept File:
Local Govt:
Surveyor: 27862-003-10 STJ
27862_008A 11/11

6. Existing		Created				
Title Reference	Description	New Lots	Road	Emts	Cov.	Profit a prendre
21029096	Lot 1 on RP730110	101-108, 201-212, 301-312, 401, 402, 405, 406, 501-512, 601-618, 701-704 and Common Property				

MORTGAGE ALLOCATIONS

Mortgage	Lots Fully Encumbered	Lots Partially Encumbered
713712544	101-108, 201-212, 301-312, 401, 402, 405, 406, 501-512, 601-618 and 701-704	

ENCUMBRANCE EASEMENT ALLOCATIONS

Easement	Lots to be Encumbered
713957397	Common Property

101-108, 201-212, 301-312, 401, 402, 405, 406, 501-512, 601-618, 701-704 & Common Property

Por 115

Development Approval Date: 31/5/2010

12. Building Format Plans only.

I certify that:

* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road;

~~* Part of the building shown on this plan encroaches onto adjoining lots and road~~

7. Portion Allocation:

8. Map Reference:
8259-31214

[Signature] 2/11/11
Coastal Surveyor/Director * Date
* delete words not required

9. Locality:

CONDON

10. Local Government:

TOWNSVILLE CITY COUNCIL

11. Passed & Endorsed:

By: BRAZIER MOTTI PTY LTD
Date: 2/11/11
Signed: *[Signature]*
Designation: Liaison Officer

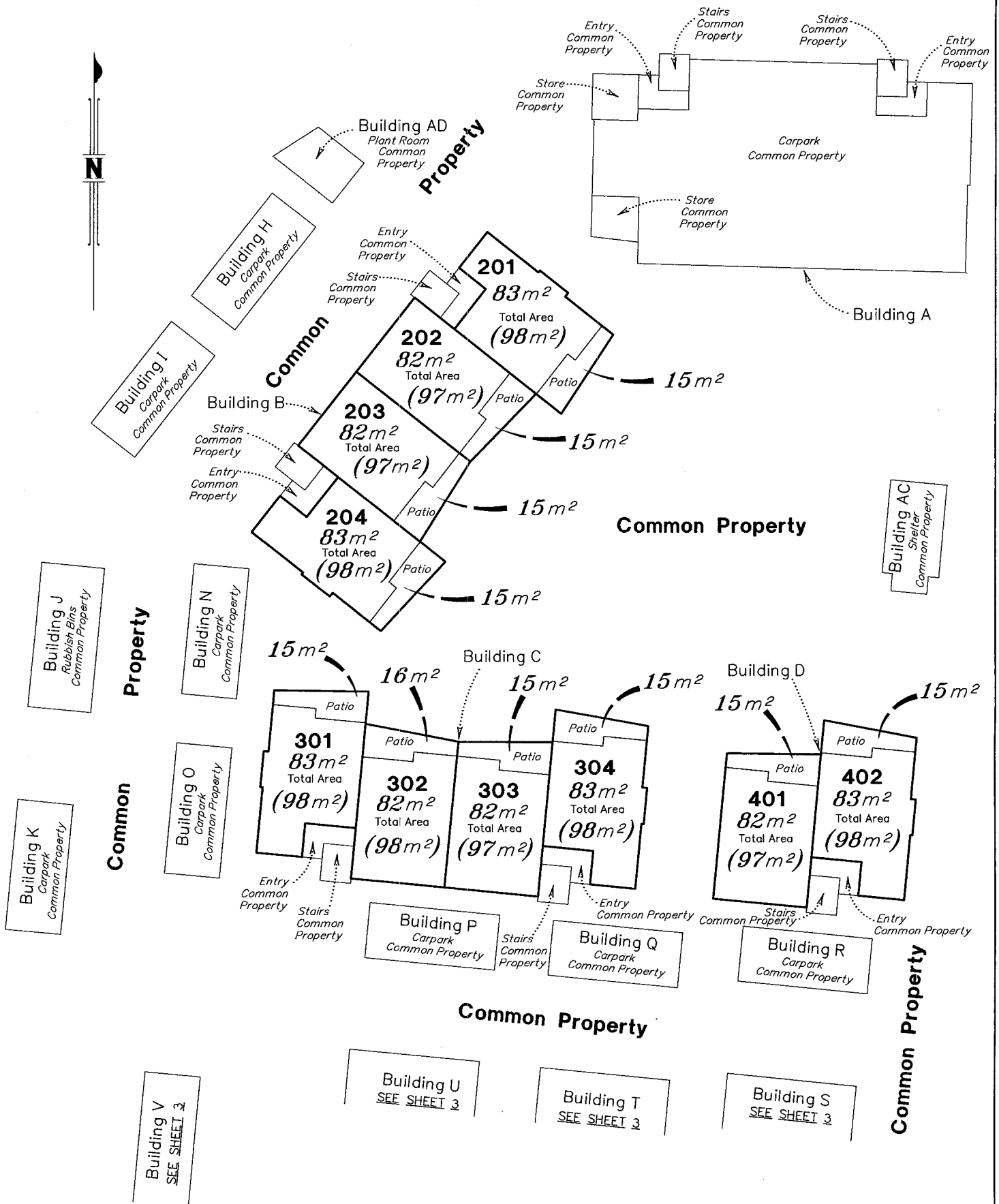
13. Lodgement Fees:

Survey Deposit \$
Lodgement \$
.....New Titles \$
Photocopy \$
Postage \$
TOTAL \$

14. Insert
Plan
Number

SP217027

Buildings A–D, H–K, N–R, AC and AD



Scale 1:300

State copyright reserved.

Metres 15m 30m 45m

0 50mm 100mm 150mm

Insert
Plan
Number **SP217027**

27862/008 575

Buildings E–G, L, M, S–Z, AA and AB



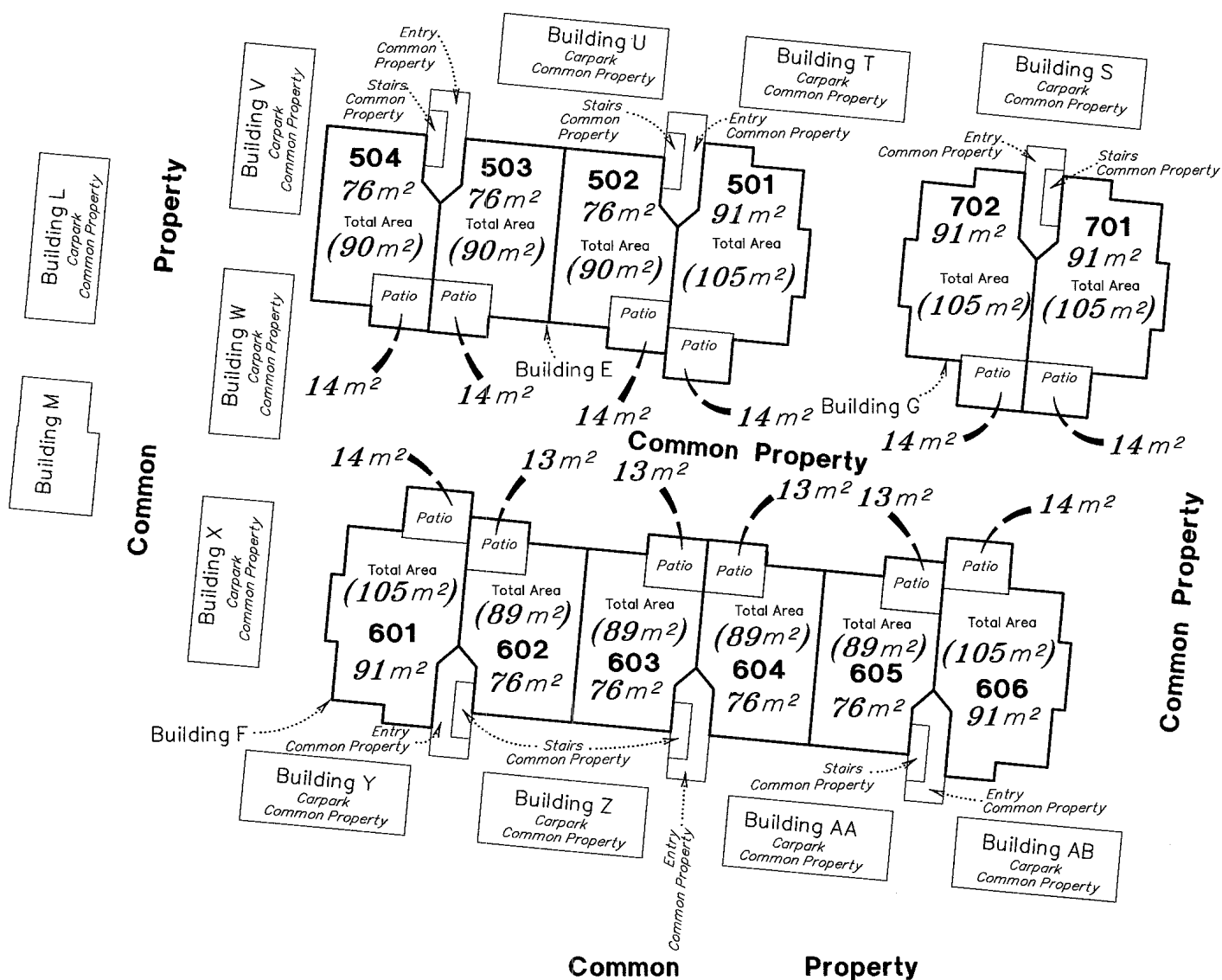
Building K
SEE SHEET 2

Building P
SEE SHEET 2

Building Q
SEE SHEET 2

Building R
SEE SHEET 2

Common Property

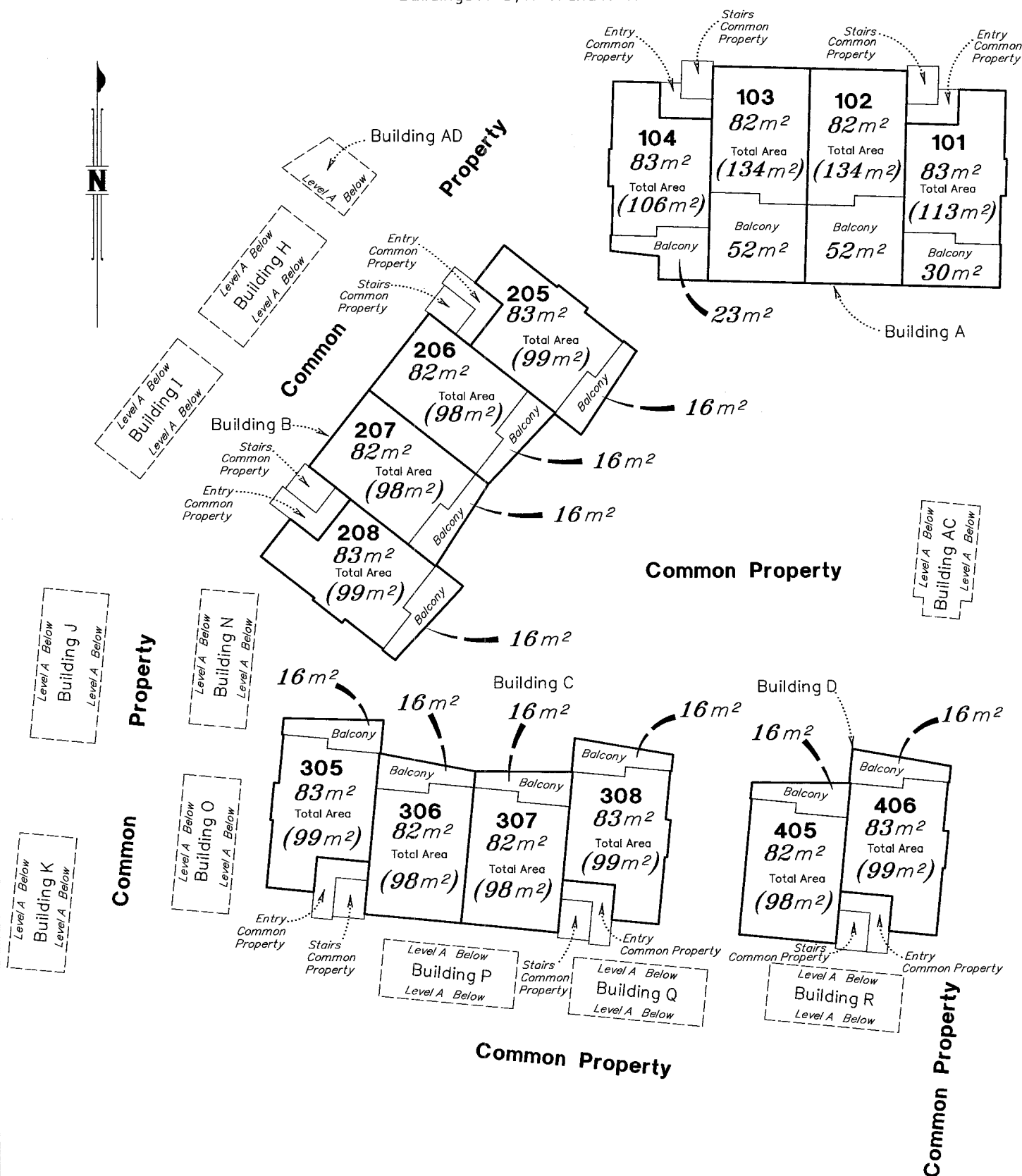


Scale 1:300

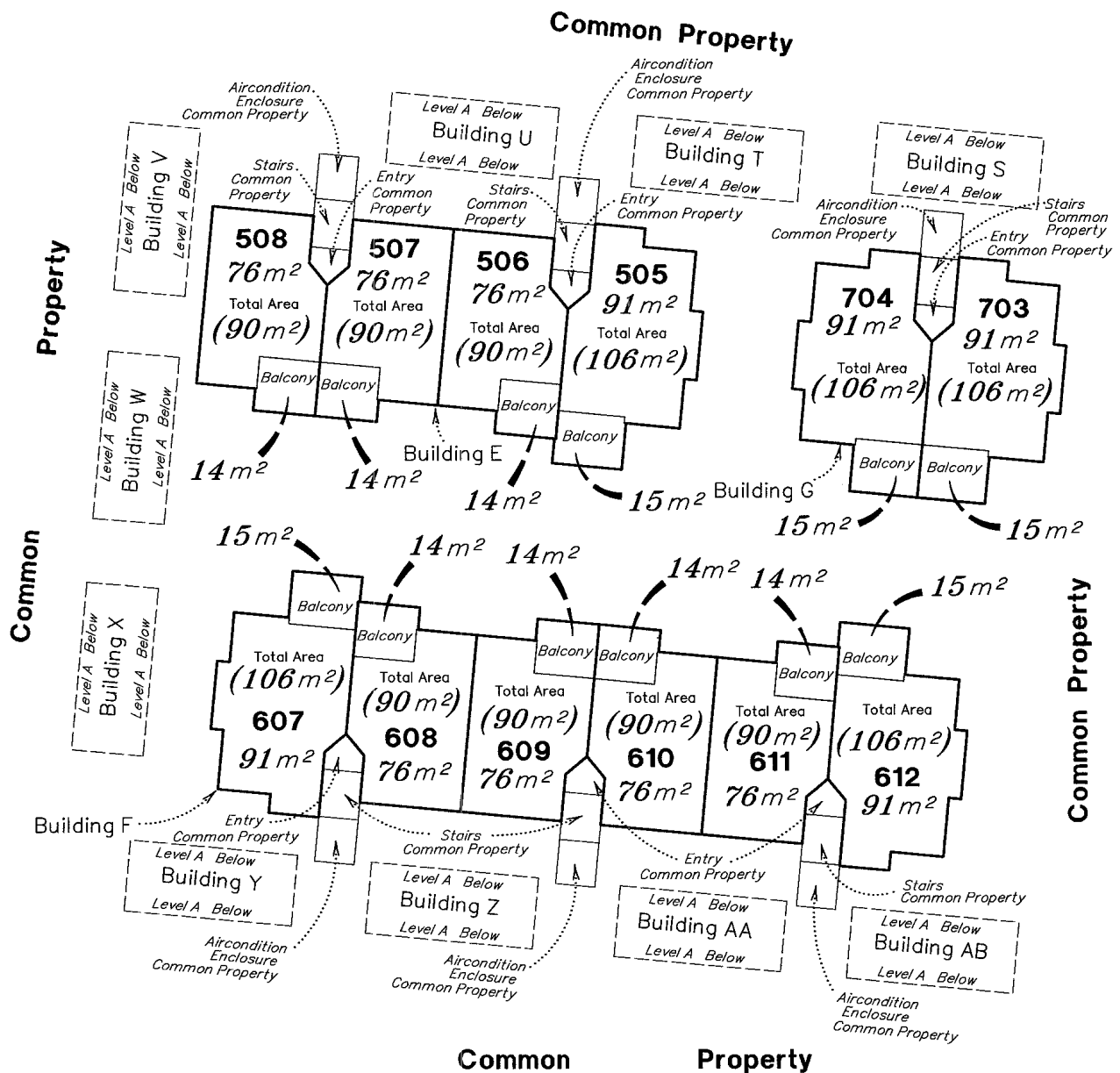
State copyright reserved.

Insert
Plan
Number **SP217027**

27862/008 575



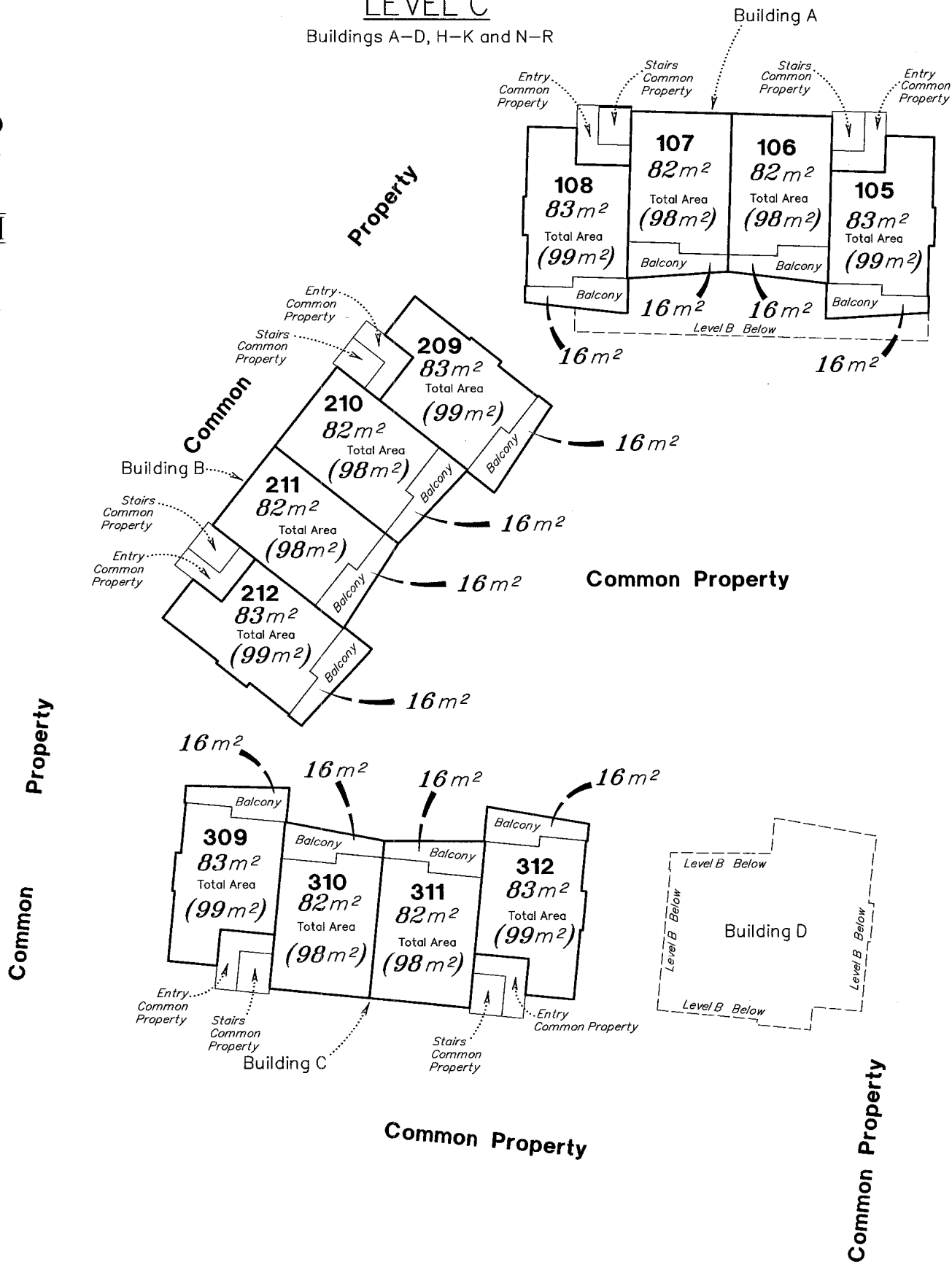
Buildings E–G, L, M, S–Z, AA and AB



Insert
Plan
Number **SP217027**

27862/009

Buildings A-D, H-K and N-R



Scale 1:300

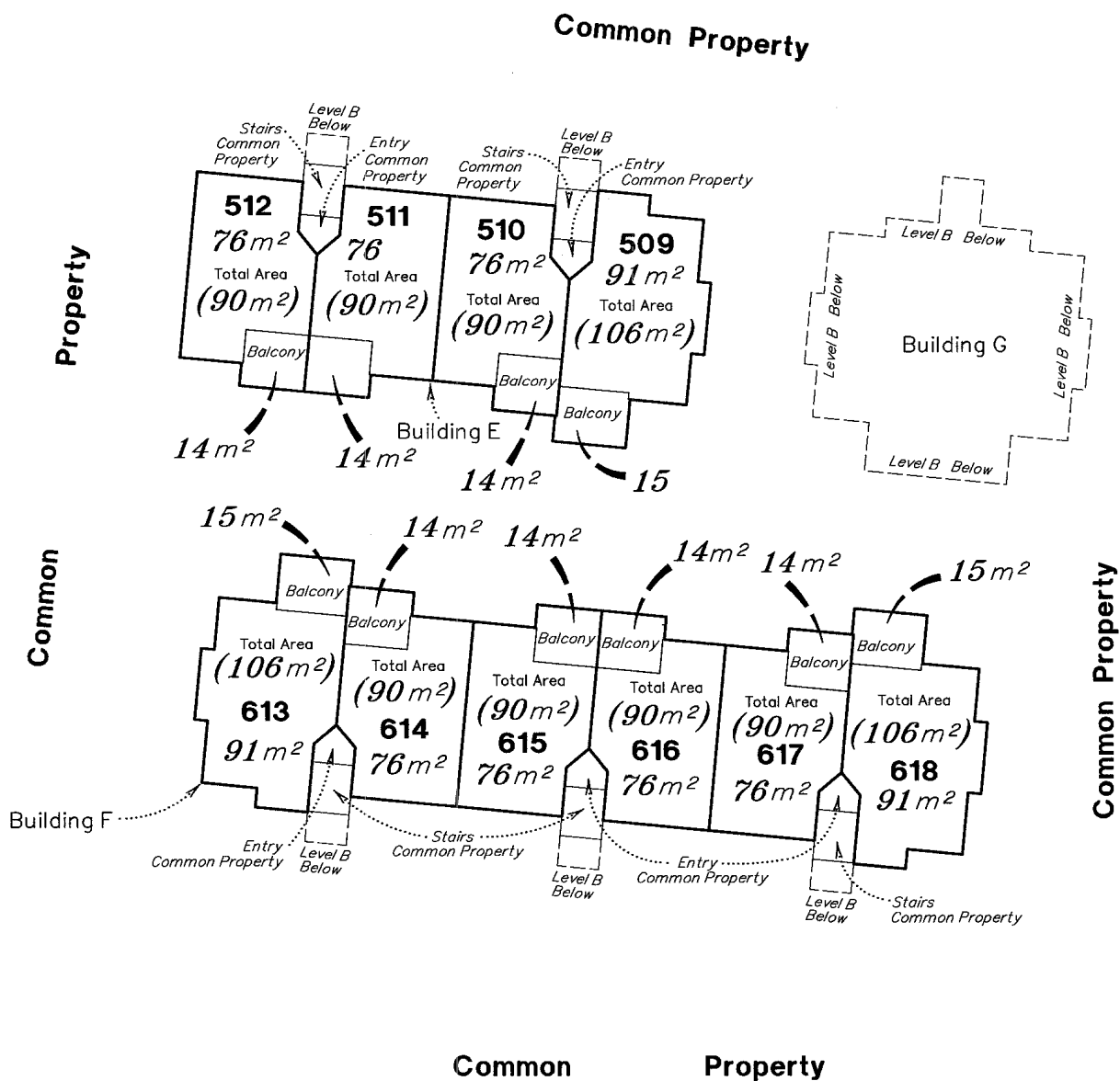
Metres 0 15m 50mm 30m 100mm 45m 150mm

State copyright reserved.

Insert Plan Number SP217027

27862/008 STJ

N



Scale 1:300

State copyright reserved.

Insert Plan Number SP217027

278621008 572

A pool safety certificate is required in Queensland when selling or leasing a property with a regulated pool.
This form is to be used for the purposes of sections 246AA and 246AK of the *Building Act 1975*.

1. Pool safety certificate number

Identification number: PSC0290861

2. Location of the swimming pool

Property details are usually shown on the title documents and rates notices

Street address:

38 GREGORY ST

CONDON QLD

Postcode

4

8

1

5

Lot and plan details:

9999/SP/217027

Local government area:

TOWNSVILLE CITY

3. Exemptions, Performance solutions, or Special conditions for the swimming pool (If applicable)

If an exemption or performance solution is applicable to the swimming pool please state this. This will help provide pool owners with a concise and practical explanation of the exemption or performance solution. It will also help to ensure the ongoing use of the pool and any future modifications do not compromise compliance with the pool safety standard.

No disability exemption applies; No impracticality exemption applies

No performance solution applies

4. Pool properties

Shared pool



Non-shared pool



Number of pools

1

5. Pool safety certificate validity

Effective date:

0

8

/

0

4

/

2

0

2

6

Expiry date:

0

8

/

0

4

/

2

0

2

7

6. Certification

I certify that I have inspected the swimming pool and I am reasonably satisfied that, under the *Building Act 1975*, the pool is a complying pool.

Name:

CRAIG PROMNITZ

Pool safety inspector
licence number:

PS100475

Signature:

Other important information that could help save a young child's life

It is the pool owner's responsibility to ensure that the pool (including the barriers for the pool) is properly maintained at all times to comply with the pool safety standard under the *Building Act 1975*. High penalties apply for non-compliance. Parents should also consider beginning swimming lessons for their young children from an early age. Please visit

<https://www.qbcc.qld.gov.au/your-property/swimming-pools/pool-safety-standard> for further information about swimming pool safety. This pool safety certificate does not certify that a building development approval has been given for the pool or the barriers for the pool. You can contact your local government to ensure this approval is in place.

Privacy statement

The Queensland Building and Construction Commission is collecting personal information as required under the *Building Act 1975*. This information may be stored by the QBCC, and will be used for administration, compliance, statistical research and evaluation of pool safety laws. Your personal information will be disclosed to other government agencies, local government authorities and third parties for purposes relating to administering and monitoring compliance with the Building Act 1975. Personal information will otherwise only be disclosed to third parties with your consent or unless authorised or required by law.

RTI: The information collected on this form will be retained as required by the *Public Records Act 2002* and other relevant Acts and regulations, and is subject to the Right to Information regime established by the *Right to Information Act 2009*.

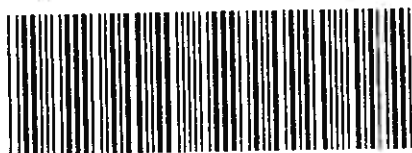
This is a public document and the information in this form will be made available to the public.

 Pending

This page is a temporary placeholder for the Body corporate Information Certificate (BCCM Form 33) which will be removed and replaced with the certificate once available from the authority.

Ordered: 07/05/2026 03:35:28 PM

Order ID: 193851694



716378954

Duty Imprint

\$78.80

19/03/2015 12:13

TE 470

1. Nature of request

Request to record new community management statement for Riverway Point Community Titles Scheme 43320

Lodger (Name, address, email & phone number)

BLUESKY for RIVERWAY POINT
C/- NORTHERN BODY CORPORATE MANAGEMENT
PO BOX 1595
THURINGOWA CENTRAL QLD 4817
Phone: 07 4723 8217/nbcm@bigpond.net.au

Lodger Code

2. Lot on Plan Description

Common Property of Riverway Point Community Titles Scheme 43320

County

Elphinstone

Parish

Coonambelah

Title Reference

50871086

3. Registered Proprietor/State Lessee

Body Corporate for Riverway Point Community Titles Scheme 43320

4. Interest

Fee Simple

5. Applicant

Body Corporate for Riverway Point Community Titles Scheme 43320

6. Request

I hereby request that the new community management statement deposited herewith which amends Item 2 and Item 4 be recorded as the community management statement for Riverway Point Community Titles Scheme 43320

7. Execution by applicant



Execution Date

Priscilla de Ville
Body Corporate Manager Name and designation

Name and designation

Applicant's Signature

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

43320

This statement incorporates and must include the following:

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

Office use only
CMS LABEL NUMBER

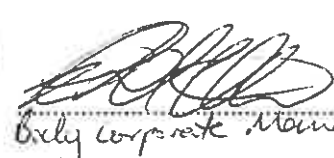
1. Name of community titles scheme Riverway Point Community Titles Scheme 43320	2. Regulation module Accommodation Module
3. Name of body corporate Body corporate for Riverway Point Community Titles Scheme 43320	
4. Scheme land Lot on Plan Description County Parish Title Reference SEE ENLARGED PANEL	
5. *Name and address of original owner Not applicable	6. Reference to plan lodged with this statement Not applicable

first community management statement only

7. Local Government community management statement notation
Not applicable pursuant to s60(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

Execution Date 19/03/15		*Execution  Insalle de Ville Body Corporate Manager
----------------------------	---	--

*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 the publicly searchable records. For more information see the Department's website.

Title Reference 50871086

4. Scheme land

Lot on Plan Description	County	Parish	Title Reference
Common Property of the Riverway Point Community Titles Scheme 43320	Elphinstone	Coonambelah	50871086
Lot 101 on SP 217027	Elphinstone	Coonambelah	50871087
Lot 102 on SP 217027	Elphinstone	Coonambelah	50871088
Lot 103 on SP 217027	Elphinstone	Coonambelah	50871089
Lot 104 on SP 217027	Elphinstone	Coonambelah	50871090
Lot 105 on SP 217027	Elphinstone	Coonambelah	50871091
Lot 106 on SP 217027	Elphinstone	Coonambelah	50871092
Lot 107 on SP 217027	Elphinstone	Coonambelah	50871093
Lot 108 on SP 217027	Elphinstone	Coonambelah	50871094
Lot 201 on SP 217027	Elphinstone	Coonambelah	50871095
Lot 202 on SP 217027	Elphinstone	Coonambelah	50871096
Lot 203 on SP 217027	Elphinstone	Coonambelah	50871097
Lot 204 on SP 217027	Elphinstone	Coonambelah	50871098
Lot 205 on SP 217027	Elphinstone	Coonambelah	50871099
Lot 206 on SP 217027	Elphinstone	Coonambelah	50871100
Lot 207 on SP 217027	Elphinstone	Coonambelah	50871101
Lot 208 on SP 217027	Elphinstone	Coonambelah	50871102
Lot 209 on SP 217027	Elphinstone	Coonambelah	50871103
Lot 210 on SP 217027	Elphinstone	Coonambelah	50871104
Lot 211 on SP 217027	Elphinstone	Coonambelah	50871105
Lot 212 on SP 217027	Elphinstone	Coonambelah	50871106
Lot 301 on SP 217027	Elphinstone	Coonambelah	50871107
Lot 302 on SP 217027	Elphinstone	Coonambelah	50871108
Lot 303 on SP 217027	Elphinstone	Coonambelah	50871109
Lot 304 on SP 217027	Elphinstone	Coonambelah	50871110
Lot 305 on SP 217027	Elphinstone	Coonambelah	50871111

Title Reference 50871086

Lot 306 on SP 217027	Elphinstone	Coonambelah	50871112
Lot 307 on SP 217027	Elphinstone	Coonambelah	50871113
Lot 308 on SP 217027	Elphinstone	Coonambelah	50871114
Lot 309 on SP 217027	Elphinstone	Coonambelah	50871115
Lot 310 on SP 217027	Elphinstone	Coonambelah	50871116
Lot 311 on SP 217027	Elphinstone	Coonambelah	50871117
Lot 312 on SP 217027	Elphinstone	Coonambelah	50871118
Lot 401 on SP 217027	Elphinstone	Coonambelah	50871119
Lot 402 on SP 217027	Elphinstone	Coonambelah	50871120
Lot 405 on SP 217027	Elphinstone	Coonambelah	50871121
Lot 406 on SP 217027	Elphinstone	Coonambelah	50871122
Lot 501 on SP 217027	Elphinstone	Coonambelah	50871123
Lot 502 on SP 217027	Elphinstone	Coonambelah	50871124
Lot 503 on SP 217027	Elphinstone	Coonambelah	50871125
Lot 504 on SP 217027	Elphinstone	Coonambelah	50871126
Lot 505 on SP 217027	Elphinstone	Coonambelah	50871127
Lot 506 on SP 217027	Elphinstone	Coonambelah	50871128
Lot 507 on SP 217027	Elphinstone	Coonambelah	50871129
Lot 508 on SP 217027	Elphinstone	Coonambelah	50871130
Lot 509 on SP 217027	Elphinstone	Coonambelah	50871131
Lot 510 on SP 217027	Elphinstone	Coonambelah	50871132
Lot 511 on SP 217027	Elphinstone	Coonambelah	50871133
Lot 512 on SP 217027	Elphinstone	Coonambelah	50871134
Lot 601 on SP 217027	Elphinstone	Coonambelah	50871135
Lot 602 on SP 217027	Elphinstone	Coonambelah	50871136
Lot 603 on SP 217027	Elphinstone	Coonambelah	50871137
Lot 604 on SP 217027	Elphinstone	Coonambelah	50871138
Lot 605 on SP 217027	Elphinstone	Coonambelah	50871139
Lot 606 on SP 217027	Elphinstone	Coonambelah	50871140
Lot 607 on SP 217027	Elphinstone	Coonambelah	50871141

Title Reference 50871086

Lot 608 on SP 217027	Elphinstone	Coonambelah	50871142
Lot 609 on SP 217027	Elphinstone	Coonambelah	50871143
Lot 610 on SP 217027	Elphinstone	Coonambelah	50871144
Lot 611 on SP 217027	Elphinstone	Coonambelah	50871145
Lot 612 on SP 217027	Elphinstone	Coonambelah	50871146
Lot 613 on SP 217027	Elphinstone	Coonambelah	50871147
Lot 614 on SP 217027	Elphinstone	Coonambelah	50871148
Lot 615 on SP 217027	Elphinstone	Coonambelah	50871149
Lot 616 on SP 217027	Elphinstone	Coonambelah	50871150
Lot 617 on SP 217027	Elphinstone	Coonambelah	50871151
Lot 618 on SP 217027	Elphinstone	Coonambelah	50871152
Lot 701 on SP 217027	Elphinstone	Coonambelah	50871153
Lot 702 on SP 217027	Elphinstone	Coonambelah	50871154
Lot 703 on SP 217027	Elphinstone	Coonambelah	50871155
Lot 704 on SP 217027	Elphinstone	Coonambelah	50871156

Riverway Point Community Titles Scheme

SCHEDULE A SCHEDULE OF LOT ENTITLEMENTS

Lot on Plan	Contribution	Interest
Lot 101 on SP 217027	1	5
Lot 102 in SP 217027	1	5
Lot 103 in SP 217027	1	5
Lot 104 in SP 217027	1	5
Lot 105 in SP 217027	1	5
Lot 106 in SP 217027	1	5
Lot 107 in SP 217027	1	5
Lot 108 in SP 217027	1	5
Lot 201 in SP 217027	1	5
Lot 202 in SP 217027	1	5
Lot 203 in SP 217027	1	5
Lot 204 in SP 217027	1	5
Lot 205 in SP 217027	1	5
Lot 206 in SP 217027	1	5
Lot 207 in SP 217027	1	5
Lot 208 in SP 217027	1	5
Lot 209 in SP 217027	1	5
Lot 210 in SP 217027	1	5
Lot 211 in SP 217027	1	5
Lot 212 in SP 217027	1	5
Lot 301 in SP 217027	1	5
Lot 302 in SP 217027	1	5
Lot 303 in SP 217027	1	5
Lot 304 in SP 217027	1	5
Lot 305 in SP 217027	1	5
Lot 306 in SP 217027	1	5
Lot 307 in SP 217027	1	5
Lot 308 in SP 217027	1	5

Riverway Point Community Titles Scheme

Lot on Plan	Contribution	Interest
Lot 309 in SP 217027	1	5
Lot 310 in SP 217027	1	5
Lot 311 in SP 217027	1	5
Lot 312 in SP 217027	1	5
Lot 401 in SP 217027	1	5
Lot 402 in SP 217027	1	5
Lot 405 in SP 217027	1	5
Lot 406 in SP 217027	1	5
Lot 501 in SP 217027	1	8
Lot 502 in SP 217027	1	5
Lot 503 in SP 217027	1	5
Lot 504 in SP 217027	1	5
Lot 505 in SP 217027	1	5
Lot 506 in SP 217027	1	5
Lot 507 in SP 217027	1	5
Lot 508 in SP 217027	1	5
Lot 509 in SP 217027	1	8
Lot 510 in SP 217027	1	5
Lot 511 in SP 217027	1	5
Lot 512 in SP 217027	1	5
Lot 601 in SP 217027	1	8
Lot 602 in SP 217027	1	5
Lot 603 in SP 217027	1	5
Lot 604 in SP 217027	1	5
Lot 605 in SP 217027	1	5
Lot 606 in SP 217027	1	8
Lot 607 in SP 217027	1	8
Lot 608 in SP 217027	1	5
Lot 609 in SP 217027	1	5
Lot 610 in SP 217027	1	5

Riverway Point Community Titles Scheme

Lot on Plan	Contribution	Interest
Lot 611 in SP 217027	1	5
Lot 612 in SP 217027	1	8
Lot 613 in SP 217027	1	8
Lot 614 in SP 217027	1	5
Lot 615 in SP 217027	1	5
Lot 616 in SP 217027	1	5
Lot 617 in SP 217027	1	5
Lot 618 in SP 217027	1	8
Lot 701 in SP 217027	1	8
Lot 702 in SP 217027	1	8
Lot 703 in SP 217027	1	8
Lot 704 in SP 217027	1	8
TOTALS	70	380

CALCULATION OF CONTRIBUTION SCHEDULE LOT ENTITLEMENTS

The contribution schedule lot entitlements for the scheme have been decided in accordance with the equality principle under s46(7) of the *Body Corporate and Community Management Act 1997*.

The contribution schedule lot entitlements for all lots in the scheme are equal.

CALCULATION OF INTEREST SCHEDULE LOT ENTITLEMENTS

The interest schedule lot entitlements reflect the market values of the lots in the scheme.

SCHEDULE B	EXPLANATION OF THE DEVELOPMENT OF SCHEME LAND
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The scheme is a basic scheme and will not be further developed.

SCHEDULE C	BY-LAWS
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1. INTERPRETING THESE BY-LAWS

1.1 Definitions

Certain words are used throughout these by-laws. Unless the context requires otherwise:

"Act" means the *Body Corporate and Community Management Act 1997*.

"lot" means a lot in the scheme.

"on-site manager" means the owner engaged by the Body Corporate to act as an on-site manager/caretaker to provide management and maintenance services for the scheme and who may also be authorised to carry on business as a letting agent for the scheme.

"on-site manager's lot" means lot 504 in the scheme;

Riverway Point Community Titles Scheme

"owner" means the owner of a lot;

"Regulation Module" means the regulation module which applies to the scheme.

"utility" means: electricity, gas, water, cable TV and the like.

Other terms which are defined in the Act like "body corporate", "committee", "common property", "community titles scheme", "scheme land", "occupier", and "original owner" have the meanings given to them in the Act.

1.2 Interpretation

These general rules of interpretation apply in these by-laws:

- (a) Reference to:
 - (i) the singular includes the plural and the plural includes the singular;
 - (ii) one gender includes each other gender;
 - (iii) a person includes a company; and
 - (iv) an item or thing includes any part of it.
- (b) References to statutes include all statutes amending, consolidating or replacing them.
- (c) Headings are for guidance only and do not affect the interpretation of these by-laws.
- (d) Reference to a particular section in a statute includes amending or replacing provisions irrespective of the section number.

1.3 Act

These by-laws must be read in conjunction with owners' and occupiers' obligations under the Act and the Regulation Module, for example:

Act

s163	Power to enter lot
s165	Interference with easements of support or shelter
s166	Interference with utility services
s167	Nuisances
ss182-8	By-law contraventions

Regulation Module

s170	Condition of lot - obligations of owners and occupiers
s171	Body corporate may carry out work required of owners and occupiers
ss173-5	Exclusive use by-laws
s183	Improvements affecting insurance premium
s188	Use affecting insurance premium

Riverway Point Community Titles Scheme

1.4 Application of by-laws

The owner or occupier of a lot is responsible for ensuring that any person the owner or occupier invites on to the scheme land (for example, children, visitors, contractors, tenants, licensees) complies with these by-laws.

2. USE AND MAINTENANCE OF LOTS

2.1 Use of lots

- (a) Except for the on-site manager's lot, lots may only be used for residential purposes.
- (b) The on-site manager's lot may be used for residential purposes and for on-site management and letting of lots in the scheme in accordance with any engagements entered by an on-site manager with the body corporate.

2.2 Maintenance/replacement of improvements

The owner of a lot must maintain all improvements on the lot (including landscaping) in good condition and, where necessary, renew or replace worn or damaged improvements with materials of the same type and appearance. The owner must comply with part 3 in carrying out any work under this by-law.

2.3 Maintenance of lots

The occupier of a lot must:

- (a) keep the interior of the lot in a clean condition;
- (b) take all practical steps to prevent infestation by vermin and insects;
- (c) turn off all water taps in the lot after use;
- (d) not deposit rubbish or other unsuitable material in toilets, sinks, drains or other water apparatus or otherwise use them for any inappropriate purpose;
- (e) not use plumbing, gas and electrical equipment for any purpose other than which they were designed;
- (f) keep windows clean; and
- (g) except where it is the responsibility of the body corporate under s108 of the Regulation Module, replace all cracked or broken glass with new glass of the same type and appearance.

2.4 Nuisance

Without limiting s167 of the Act:

- (a) no noxious or offensive trade or activity may be carried on the scheme land;
- (b) televisions, radios and musical instruments must be reasonably controlled so they do not cause annoyance to other occupiers;
- (c) machinery, tools or other things which emit loud noises or noxious odours or which may interfere with television or radio reception may not be used on the scheme land;
- (d) people entering or leaving lots after 11.00 pm must do so quietly.

2.5 Security

The occupier of a lot must:

- (a) lock or securely fasten all doors and windows when in the lot whenever the lot is not occupied; and

Riverway Point Community Titles Scheme

- (b) after entry or exit, close and lock any door, gate, roller door or other means of entry to the scheme land or the scheme building which is intended to prevent unauthorised access to the scheme land or building.

2.6 Hazardous substances

Occupiers must not:

- (a) store or use any hazardous or flammable substance on the scheme land (except normal quantities of usual household substances or fuel in the tank of a vehicle permitted to be on the scheme land); or
- (b) bring anything on to the scheme land which may increase the cost of insurance or breach any fire safety laws.

2.7 Garbage disposal

- (a) Garbage must be disposed of in the way provided by the body corporate. Occupiers must comply with all local authority laws about the disposal of garbage and must ensure the health and comfort of other occupiers is not adversely affected by the occupier's disposal of garbage.
- (b) An occupier of a lot must not throw or allow any paper, rubbish, cigarette butts, or other refuse to fall out of any window, door or balcony of the lot.

2.8 Hanging things from lots

The occupier of a lot must not:

- (a) hang washing, towels, clothing or other articles so they are visible from outside the lot; or
- (b) display any sign, banner or advertisement on any part of the lot or scheme land so it is visible from outside the lot. However a letting agent authorised by the body corporate may display reasonable signage as long as it does not detract from the general amenity of the scheme land.

2.9 Auctions

Auction sales may not be conducted on the scheme land without the prior written consent of the committee

2.10 Pets

Subject to s181 of the Act and this by-law, the occupier of a lot may not keep or bring any animal on the scheme land. An owner or occupier may keep 1 dog or cat only in a lot as long as:

- (a) the occupier provides details of the type and size of the animal to the body corporate and obtains the prior consent of the body corporate to keep the animal;
- (b) the animal is a domesticated pet; and
- (c) the animal does not disturb others.

The onus of proving that an animal complies with this by-law is on the occupier. A person may not allow an animal permitted by this by-law onto the common property unless he or she is carrying the animal.

3. CHANGES TO LOTS**3.1 Structural matters**

An owner or occupier of a lot must not:

- (a) make any structural alterations to the lot (including any alteration to gas, water, or electrical installations or installation of any air conditioning system); or
- (b) do anything which might affect the structural integrity of the scheme building,

Riverway Point Community Titles Scheme

without the prior written consent of the committee. The owner or occupier must also obtain any other approval required by law.

3.2 Changes to external appearance

An owner or occupier of a lot may not do anything to change the external appearance of the lot without the prior written consent of the committee. For example, this means an owner or occupier must not:

- (a) enclose the balcony of the lot;
- (b) place or construct any improvement on the lot which can be seen from outside the lot;
- (c) affix any antenna or aerial to the lot;
- (d) affix shutters, awnings, tinting or security screens on any door or window;
- (e) hang any curtains in the lot except curtains with a white backing; or
- (f) alter any landscaping or garden.

3.3 Security Screens

An owner or occupier must not affix security screens to any window or door without the prior written consent of the committee. Only security screens which have the appearance of insect screens and do not detract from the appearance of the building will be approved. Diamond mesh, grills and similar coverings will not be approved.

3.4 Consent to alterations

The following procedure applies to an application for consent under part 3:

- (a) the owner must submit a written request together with plans and specifications to the committee;
- (b) the committee may submit the plans to an architect, engineer or other consultant nominated by it;
- (c) the committee may impose conditions on the approval of the plans and specifications; and
- (d) all fees and costs incurred by the committee must be paid by the owner.

4. USE OF COMMON PROPERTY

4.1 Prohibited activities

An owner or occupier of a lot or other person on the scheme land must not:

- (a) obstruct the lawful use of the common property by any person;
- (b) damage or misuse any structure on the common property;
- (c) create a nuisance whilst on the common property;
- (d) damage any lawn, garden or plant on the common property;
- (e) install equipment of any type on the common property;
- (f) leave any rubbish (other than in receptacles provided by the body corporate for that purpose) or store any equipment or material on the common property.

4.2 Driving and parking of vehicles

- (a) Heavy vehicles (over 2 tonnes tare) may not be brought on to the common property.

Riverway Point Community Titles Scheme

- (b) Vehicles may not be parked on the scheme land except:
 - (i) on areas designated by the body corporate or a body corporate as "visitor parking areas"; and
 - (ii) in car spaces allocated to the lots.
- (c) A vehicle may only be driven on the scheme land by a licensed driver and only if the vehicle may be lawfully driven on a public road.
- (d) All drivers must comply with traffic signs. The maximum speed limit on the scheme land is 10kph.
- (e) Caravans, campervans, mobile homes, boats, trailers or bicycles may not be parked on the scheme land.
- (f) Areas designated by the body corporate as car wash bays may only be used for washing cars. Car washing must be done promptly and all rubbish removed from the designated area.

4.3 Notice of accidents

An occupier who becomes aware of any accident, defect or dangerous situation on the common property must promptly give reasonable details to the on-site manager or the committee.

4.4 Restricted access areas

The body corporate may secure (and restrict access to) parts of the common property reasonably required for

(a) utility infrastructure and other services (for example electrical substations, telephone exchanges, swimming pool filter room); and

(b) storage of equipment for use in the management and administration of the scheme land.

4.5 Use of recreation areas

- (a) In this by-law, "recreation areas" means swimming pool, barbecue and associated toilets and showers on the scheme land.
- (b) The recreation areas may not be used outside the hours of 6:30am to 10:00pm.
- (c) The recreation areas may only be used by occupiers or people accompanied by occupiers of a lot.
- (d) Children under the age of 13 must be supervised by an adult at all times while using the recreation areas.
- (e) All users of the recreation areas must be suitably attired.
- (f) Users of the recreation areas must not interfere with and may only use any equipment in the recreation areas in the way intended.
- (g) The committee or on-site manager may make rules which are not inconsistent with these by-laws or the Act or Regulation Module for the use of the recreation areas and may place signs stating the rules around the recreation areas. Occupiers and their guests must comply with these rules. The rules may be revoked or disallowed by a general meeting of the body corporate.
- (h) The committee or on-site manager may establish a booking system for any of the recreation areas. Users must comply with the booking system.
- (i) The following additional rules apply in relation to use of the swimming pool:
 - (i) Alcohol may not be consumed in or around the pool.
 - (ii) Food, glass, breakable items and pets may not be brought into the pool area.

Riverway Point Community Titles Scheme**5. NON-PAYMENT OF BODY CORPORATE LEVIES****5.1 Recovery Costs**

An owner must pay the body corporate on demand all costs and expenses incurred by the body corporate in recovering levies or other moneys payable by the owner under the Act or these by-laws. These costs include, for example, lawyers' fees (including GST) incurred in connection with any proceedings against the owner.

5.2 Recovery Costs

The costs in by-law 5.1:

- (a) may be entered against the owner's levy account; and
- (b) are deemed to be a liquidated debt recoverable from the owner in any court of competent jurisdiction.

6. RIGHTS OF ORIGINAL OWNER**6.1 Construction and marketing rights**

Nothing in these by-laws prevents the original owner from:

- (a) passing over the common property (with other people authorised by it and with vehicles and machinery);
- (b) carrying out construction work on the scheme land as necessary to complete the development of the scheme land (including digging the scheme land and interfering with utility infrastructure so long as any damage or interruption is made good by the original owner as soon as reasonably practicable);
- (c) using any lot for display purposes;
- (d) placing a reasonable number of signs or advertising or display material on or about the scheme land for the sale or letting of lots in the scheme.

7. EXCLUSIVE USE BY-LAW: BASEMENT CARPARKING AND STORAGE**7.1 Identification of exclusive use areas**

The owner or occupier of each lot in column A of schedule E has the exclusive use and enjoyment of the area identified in column B of schedule E as indicated on the attached sketch plan marked "Exclusive Use Areas".

7.2 Permitted use of exclusive use areas

An exclusive use area may only be used for the purpose specified in column C of schedule E.

7.3 Rules about use of car spaces

An owner or occupier who has the exclusive use of a car space under this by-law:

- (a) may only use the car space for parking a motor vehicle which is in a roadworthy condition;
- (b) must not litter or deposit rubbish on the car space;
- (c) must not store any hazardous substance on the car space;
- (d) must not use the car space in a way that may create a nuisance to any other person on scheme land;
- (e) may not use the car spaces for the parking of caravans, campervans, mobile homes boats or trailers; and
- (f) subject to by-law 7.6, may not use car spaces for storage.

Riverway Point Community Titles Scheme**7.4 Maintenance of Car Spaces**

The body corporate will be responsible at its own cost for:

- (a) maintaining the exclusive use car spaces and keeping them in a clean and tidy condition; and
- (b) the provision of lighting to the exclusive use car spaces,

and the owner or occupier must allow the body corporate reasonable access for that purpose.

7.5 Storage Devices in Car Spaces

An owner may install a wire cage storage device within a car space allocated to that owner subject to the following:

- (a) the device must not go closer than 1 metre to any adjoining car space used by another lot owner or occupier and must not obstruct use of neighbouring car space by restricting the opening of car doors of cars parked on the adjoining space;
- (b) the storage cage must be kept in a neat and tidy condition at all times and must not be permitted to cause a nuisance;
- (c) the owner will be responsible for maintenance of the storage cage; and
- (d) the owner is responsible for ensuring that the storage cage is secured at all times and releases the body corporate from any liability for any theft, loss or damage to any item kept in the storage cage

7.6 Use of Exclusive Use Storage Areas

An owner or occupier having the exclusive use of a storage area:

- (a) must not litter or deposit rubbish in the area;
- (b) must not store any hazardous substance in the area;
- (c) must not use the area in a way that may create a nuisance to any other person on the scheme land;
- (d) must maintain the area clean and tidy and free of pests and vermin; and
- (e) is responsible for ensuring that the storage area is secured at all times and releases the body corporate from any liability for any theft, loss or damage to any item kept in the storage area.

8. BULK SUPPLY OF UTILITIES

The body corporate may at its election supply or engage another person to supply utilities to owners or occupiers in the scheme and in that case the following will apply:

- (a) the body corporate may enter into a contract for the purchase of reticulated utilities on the most economical basis, for the whole of the scheme from the relevant authority and may sell reticulated utility to each owner or occupier in the scheme provided, in respect of electricity supply, the body corporate's charge must not exceed the lowest available tariff to the owner or occupier for supply of the electricity direct from the relevant electricity authority;
- (b) each owner or occupier must purchase and use all utilities consumed in the owner's or occupier's lot direct from the body corporate and must not purchase the utility from any other source;
- (c) the body corporate is not required to supply to any owner or occupier utility requirements beyond those requirements which the relevant authority could supply at any particular time;

Riverway Point Community Titles Scheme

- (d) the body corporate may charge for the services (including for the installation of, and the cost associated with, utility infrastructure for the services) but only to the extent necessary for reimbursing the body corporate for supplying the services;
- (e) the body corporate may render accounts to each owner or occupier and such accounts are payable to the body corporate within 14 days of the delivery of such accounts;
- (f) in respect of an account which has been rendered pursuant to these by-laws, then an owner or occupier is liable, jointly and severally with any person who was liable to pay that electricity account when that owner or occupier became the owner or occupier of that lot;
- (g) if a proper account for the supply of reticulated utility is not paid by its due date payment, then the body corporate is entitled to:
 - (i) recover the amount of the unpaid account or accounts (whether or not a formal demand has been made) as a liquidated debt due to it in any court of competent jurisdiction; and/or
 - (ii) disconnect the supply of reticulated utility to the relevant lot;
- (h) the body corporate is not, under any circumstances whatsoever, responsible or liable for any failure of the supply of utility due to breakdowns, repairs, maintenance, strikes, accidents or causes of any class or description;
- (i) the body corporate may, from time to time, determine a security deposit to be paid by each owner or occupier who is connected to the supply of the reticulated utility as a guarantee against non-payment of accounts for the supply of reticulated utility

SCHEDULE D	ANY OTHER DETAILS
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LOTS AFFECTED BY STATUTORY EASEMENTS

Statutory Easement	Lots affected
Easements for lateral or subjacent support (<i>Land Title Act 1994, s115N</i>)	Lots 101 to 108, 201 to 212, 301 to 312, 401, 402, 405, 406, 501 to 512, 601 to 618 and 701 to 704 on SP 217027 and common property
Easements for utility services and utility infrastructure (<i>Land Title Act 1994, ss115O and 115P</i>)	Lots 101 to 108, 201 to 212, 301 to 312, 401, 402, 405, 406, 501 to 512, 601 to 618 and 701 to 704 on SP 217027 and common property
Easements for shelter (<i>Land Title Act 1994, s115Q</i>)	Lots 101 to 108, 201 to 212, 301 to 312, 401, 402, 405, 406, 501 to 512, 601 to 618 and 701 to 704 on SP 217027 and common property
Easements for projections (<i>Land Title Act 1994, s115R</i>)	Lots 101 to 108, 201 to 212, 301 to 312, 401, 402, 405, 406, 501 to 512, 601 to 618 and 701 to 704 on SP 217027 and common property
Easements for maintenance of buildings close to boundaries (<i>Land Title Act 1994, s115S</i>)	Lots 101 to 108, 201 to 212, 301 to 312, 401, 402, 405, 406, 501 to 512, 601 to 618 and 701 to 704 on SP 217027 and common property

SERVICES LOCATION DIAGRAM

A Services Location Diagram is attached.

Riverway Point Community Titles Scheme

SCHEDULE E ALLOCATION OF EXCLUSIVE USE AREAS

"A" Lot on Plan	"B" Exclusive Use Area (as shown on attached Exclusive Use Plans)	"C" Purpose
Lot 101 on SP 217027	C101	Carpark
Lot 102 in SP 217027	C102	Carpark
Lot 103 in SP 217027	C103	Carpark
Lot 104 in SP 217027	C104	Carpark
Lot 105 in SP 217027	C105	Carpark
Lot 106 in SP 217027	C106	Carpark
Lot 107 in SP 217027	C107	Carpark
Lot 108 in SP 217027	C108	Carpark
Lot 201 in SP 217027	C201	Carpark
Lot 202 in SP 217027	C202	Carpark
Lot 203 in SP 217027	C203	Carpark
Lot 204 in SP 217027	C204	Carpark
Lot 205 in SP 217027	C205	Carpark
Lot 206 in SP 217027	C206	Carpark
Lot 207 in SP 217027	C207	Carpark
Lot 208 in SP 217027	C208	Carpark
Lot 209 in SP 217027	C209	Carpark
Lot 210 in SP 217027	C210	Carpark
Lot 211 in SP 217027	C211	Carpark
Lot 212 in SP 217027	C212	Carpark
Lot 301 in SP 217027	C301	Carpark
Lot 302 in SP 217027	C302	Carpark
Lot 303 in SP 217027	C303	Carpark
Lot 304 in SP 217027	C304	Carpark
Lot 305 in SP 217027	C305	Carpark
Lot 306 in SP 217027	C306	Carpark

Riverway Point Community Titles Scheme

"A" Lot on Plan	"B" Exclusive Use Area (as shown on attached Exclusive Use Plans)	"C" Purpose
Lot 307 in SP 217027	C307	Carpark
Lot 308 in SP 217027	C308	Carpark
Lot 309 in SP 217027	C309	Carpark
Lot 310 in SP 217027	C310	Carpark
Lot 311 in SP 217027	C311	Carpark
Lot 312 in SP 217027	C312	Carpark
Lot 401 in SP 217027	C401	Carpark
Lot 402 in SP 217027	C402	Carpark
Lot 405 in SP 217027	C405	Carpark
Lot 406 in SP 217027	C406	Carpark
Lot 501 in SP 217027	C501	Carpark
Lot 502 in SP 217027	C502	Carpark
Lot 503 in SP 217027	C503	Carpark
Lot 504 in SP 217027	C504	Carpark
Lot 505 in SP 217027	C505	Carpark
Lot 506 in SP 217027	C506	Carpark
Lot 507 in SP 217027	C507	Carpark
Lot 508 in SP 217027	C508	Carpark
Lot 509 in SP 217027	C509	Carpark
Lot 510 in SP 217027	C510	Carpark
Lot 511 in SP 217027	C511	Carpark
Lot 512 in SP 217027	C512	Carpark
Lot 601 in SP 217027	C601	Carpark
Lot 602 in SP 217027	C602	Carpark
Lot 603 in SP 217027	C603	Carpark
Lot 604 in SP 217027	C604	Carpark
Lot 605 in SP 217027	C605	Carpark

Riverway Point Community Titles Scheme

"A" Lot on Plan	"B" Exclusive Use Area (as shown on attached Exclusive Use Plans)	"C" Purpose
Lot 606 in SP 217027	C606	Carpark
Lot 607 in SP 217027	C607	Carpark
Lot 608 in SP 217027	C608	Carpark
Lot 609 in SP 217027	C609	Carpark
Lot 610 in SP 217027	C610	Carpark
Lot 611 in SP 217027	C611	Carpark
Lot 612 in SP 217027	C612	Carpark
Lot 613 in SP 217027	C613	Carpark
Lot 614 in SP 217027	C614	Carpark
Lot 615 in SP 217027	C615	Carpark
Lot 616 in SP 217027	C616	Carpark
Lot 617 in SP 217027	C617	Carpark
Lot 618 in SP 217027	C618	Carpark
Lot 701 in SP 217027	C701	Carpark
Lot 702 in SP 217027	C702	Carpark
Lot 703 in SP 217027	C703	Carpark
Lot 704 in SP 217027	C704	Carpark

Riverway Point Community Titles Scheme

Exclusive Use Plans

NOTE:

All Exclusive Use Area corners are
G Nail placed in Bitumen at Stn or
indicated as follows:

- a Drill Hole in Concrete at Stn
- b Centre of Post at Stn
- c Corner of Wall at Stn

GREGORY

STREET

Emt A
SP247/31

N

RP727686

2

3

RP727686

4

5

RP727686

6

7
RP727686

Bldg AD

Bldg H
C201
C202
C203
C204
C205
C206
C207
C208
C209
C210
C211
C212
SEE DIAGRAM B
SHEET 2Building B
201
202
203
204
SP217027

SP217027

C105
C108
C107
C104
C103
C106
C102
C101Building A
SEE DIAGRAM A
SHEET 2

Common SP217027 Property

301 302 303 304
SP217027

Building C

Bldg P
C305
C310
C307
C311
SEE DIAGRAM D
SHEET 3Bldg Q
C304
C308
C303
C312Bldg R
C405
C406
C401
C402Bldg U
C508
C507
C510
C502Bldg I
C506
C509
C505
C501Bldg S
C702
C704
C703
C701Building E
504 503 502 501
SP217027702 701
Bldg G
SP217027

Common SP217027 Property

601 602 603 604 605 606
SP217027

Building F

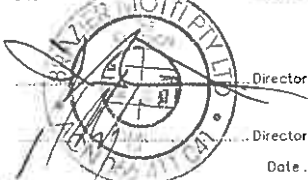
Bldg Y
C618
C602
C608
C614
SEE DIAGRAM E
SHEET 3Bldg Z
C603
C609
C615
C616Bldg AA
C610
C604
C611
C617
SEE DIAGRAM E
SHEET 3Bldg AB
C618
C605
C612
C606

All Exclusive Use Areas are Carparks

SP222355

0m 25m 50m 100m 150m 75m Scale: As Shown

We, BRAZIER MOTTI PTY LTD, ACN 066 411 041
Cadastral Surveyors, certify that the details
shown on this sketch plan are correct.



Director

Director

Date: 7/11/11

PLAN SHOWING EXCLUSIVE USE AREAS
WITHIN COMMON PROPERTY OF
RIVERWAY POINT
COMMUNITY TITLES SCHEME No.

Parish: COONAMBELAH County: Elphinstone

Client: MILKY WAY DEVELOPMENT 2 PTY LTD

Local Authority: TOWNSVILLE C.C.

Map Reference: B259-31214

Title Reference:

Locality: CONDON

Orig: POR 115



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W www.braziermotti.com.au

TOWNSVILLE

CAIRNS

AYR

MACKAY

Job No: 27862-003-10

File No: 27862_009A

Date: 31st October, 2011

Drawn: STJ Endorsed:

Sheet 1 of 4 Sheets

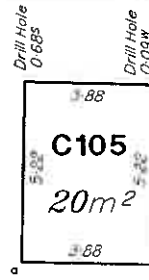
Plan No: 27862/009 A

surveying | town planning | project management | mapping and GIS

LEVEL A

PAGE 21 OF 23 PAGES

SP217027



Building A

Common SP217027 Property

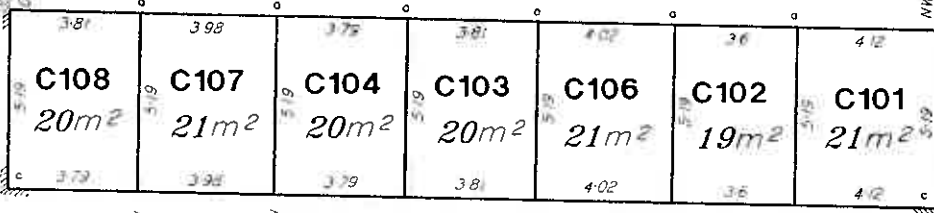


DIAGRAM A

LEVEL A

LEVEL A

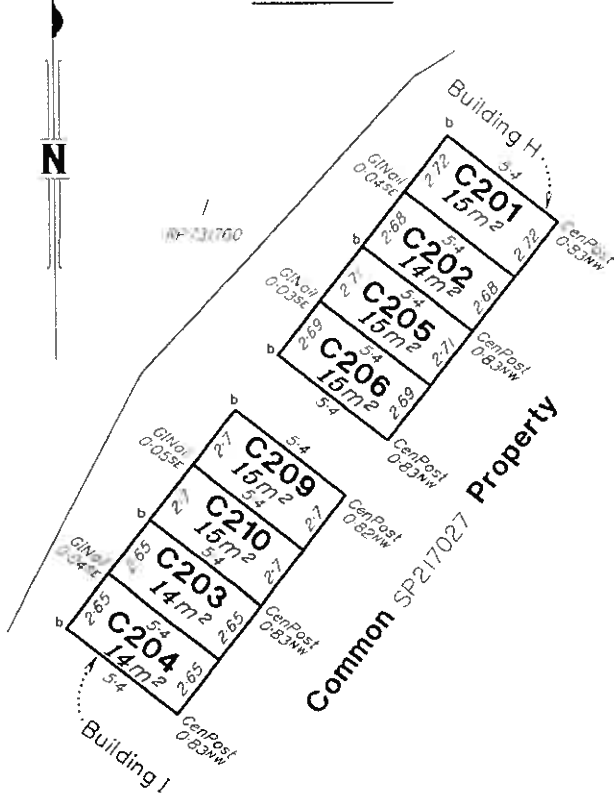


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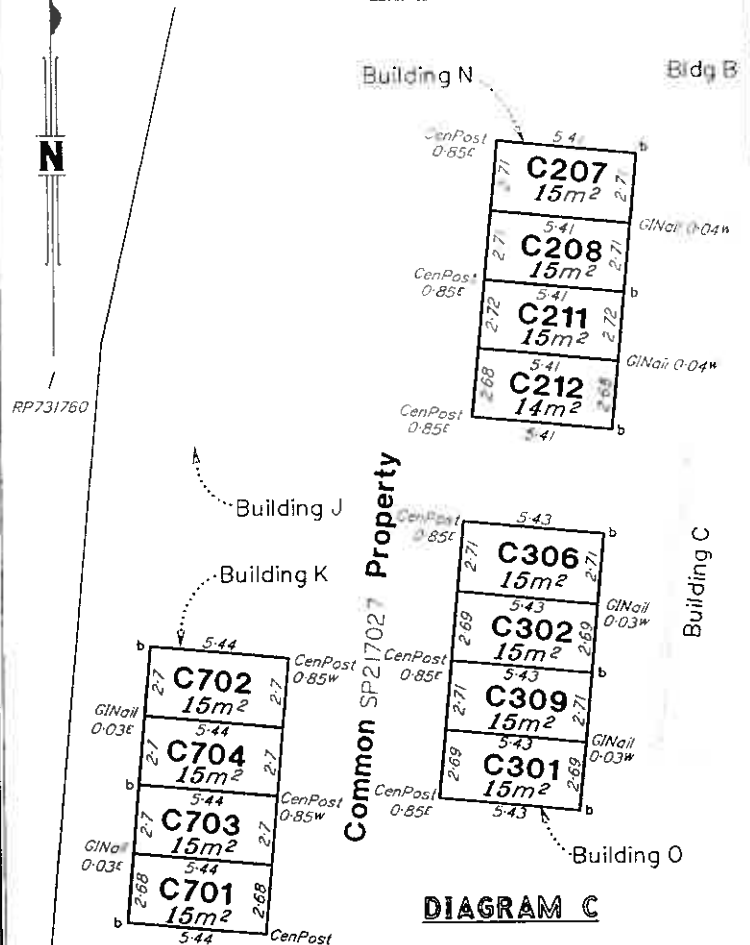


DIAGRAM C

0m
10

10m
50 mm

20m
100 mm

30m
150 mm

Scale: As Shown

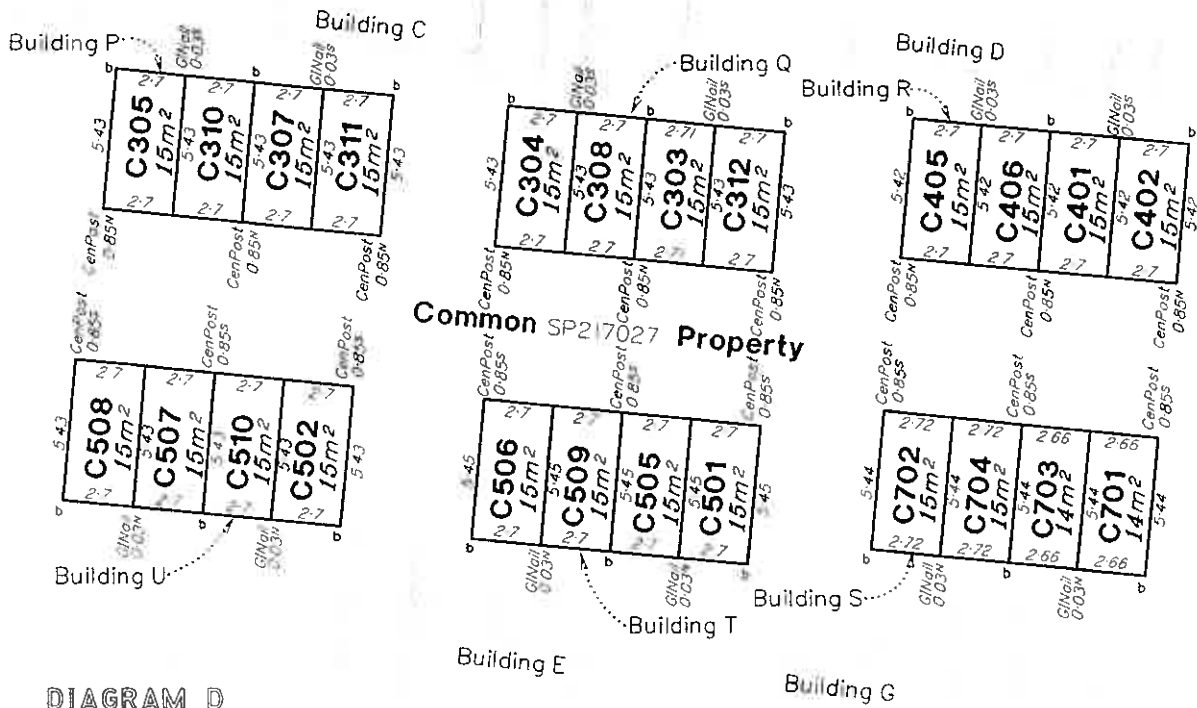


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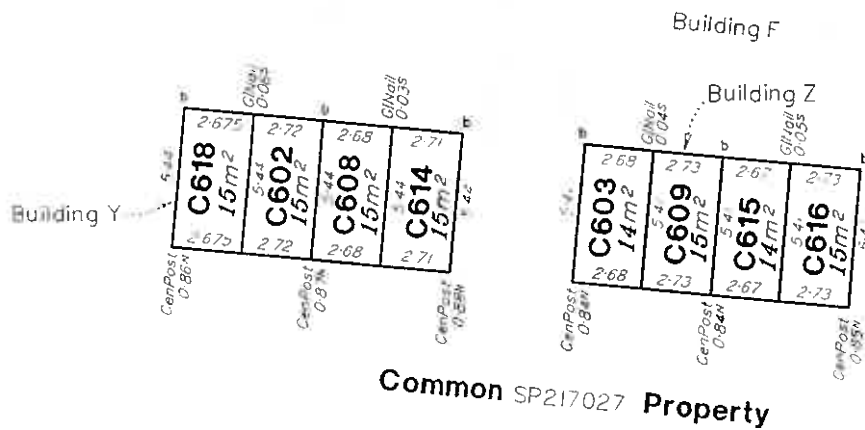


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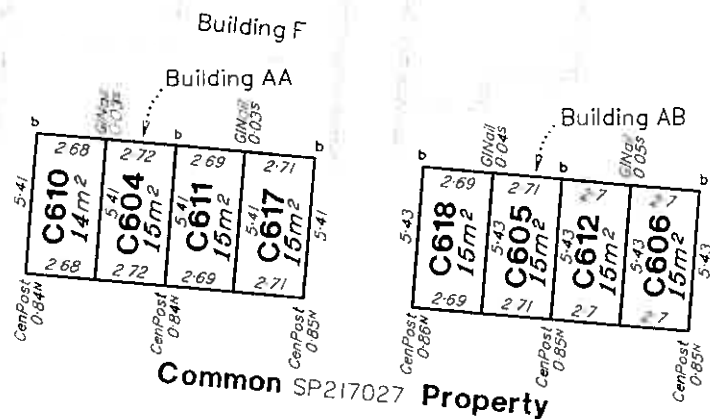


DIAGRAM F

N

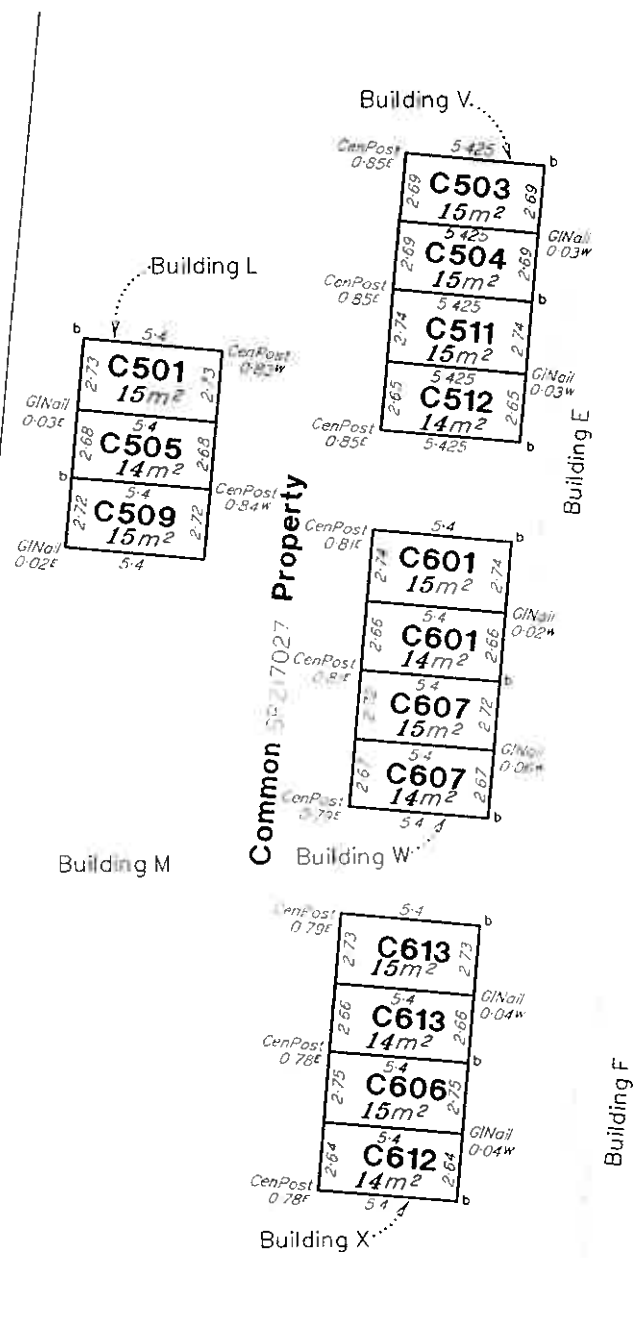


DIAGRAM G



brozier morn

Sheet 4 of 4 Sheets

Plan No. 27862/009 A

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0m
10

10m
50mm

20m
100mm

30m
150mm

Scale: As Shown