

32107

statement incorporates and must include the following:

Consent by the Body Corporate  
Office use only

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

## CMS LABEL NUMBER

1. Name of community titles scheme	2. Regulation module
Millbrook Villas Community Titles Scheme 32107	Accommodation Module
3. Name of body corporate	
Body Corporate for Millbrook Villas Community Titles Scheme 32107	
4. Scheme land	
Lot on Plan Description	County
SEE ENLARGED PANEL	Parish
Title Reference	
5. Name and address of original owner #	6. Reference to plan lodged with this statement
N/A	N/A
# first community management statement only	
7. Local Government community management statement notation	

.....signed

N/A Pursuant to s.60(4) of the Body Corporate and ..... name and designation

Community Management Act 1997 ..... name of Local Government

## 8. Execution by original owner/Consent of body corporate

Execution Date

7 / 6 / 05



\*Execution

*John J. Millard*  
Body Corporate Manager  
CHAIRPERSON

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

## Privacy Statement

The information from this form is collected under the authority of the Body Corporate and Community Management Act 1997 and is used for the purpose of maintaining the publicly searchable registers in the land registry.

Title Reference 50479709

This is item 4 referred to in the New Community Management Statement

4. Scheme land

Lot on Plan Description	County	Parish	Title Reference
Lot 23 on SP 161306	Stanley	Toombul	50513658
Lot 24 on SP 161306	Stanley	Toombul	50513659
Lot 25 on SP 161306	Stanley	Toombul	50513660
Lot 26 on SP 161306	Stanley	Toombul	50513661
Lot 27 on SP 161306	Stanley	Toombul	50513662
Lot 28 on SP 161306	Stanley	Toombul	50513663
Lot 29 on SP 161306	Stanley	Toombul	50513664
Lot 30 on SP 161306	Stanley	Toombul	50513665
Lot 31 on SP 161306	Stanley	Toombul	50513666
Lot 32 on SP 161306	Stanley	Toombul	50513667
Lot 33 on SP 161306	Stanley	Toombul	50513668
Lot 34 on SP 161306	Stanley	Toombul	50513669
Lot 35 on SP 161306	Stanley	Toombul	50513670
Lot 36 on SP 161306	Stanley	Toombul	50513671
Lot 37 on SP 161306	Stanley	Toombul	50513672
Lot 38 on SP 159425	Stanley	Toombul	50479710
Lot 39 on SP 159425	Stanley	Toombul	50479711
Lot 40 on SP 159425	Stanley	Toombul	50479712
Lot 41 on SP 159425	Stanley	Toombul	50479713
Lot 62 on SP 171225	Stanley	Toombul	50548854
Lot 63 on SP 171225	Stanley	Toombul	50548855
Lot 64 on SP 171225	Stanley	Toombul	50548856
Lot 65 on SP 171225	Stanley	Toombul	50548857
Lot 66 on SP 171225	Stanley	Toombul	50548858
Lot 67 on SP 171225	Stanley	Toombul	50548859
Lot 68 on SP 171225	Stanley	Toombul	50548860
Lot 69 on SP 171225	Stanley	Toombul	50548861
7 Lot 70 on SP <del>168158</del> 171225	Stanley	Toombul	50548862
Lot 71 on SP 171225	Stanley	Toombul	50548863
Lot 72 on SP 171225	Stanley	Toombul	50548864
Lot 73 on SP 171225	Stanley	Toombul	50548865
Lot 74 on SP 171225	Stanley	Toombul	50548866
Lot 75 on SP 171225	Stanley	Toombul	50548867
Lot 76 on SP 171225	Stanley	Toombul	50548868
Lot 77 on SP 171225	Stanley	Toombul	50548869
Lot 78 on SP 171225	Stanley	Toombul	50548870
Lot 79 on SP 171225	Stanley	Toombul	50548871
Lot 80 on SP 171225	Stanley	Toombul	50548872

ENLARGED PANEL

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Lot 81 on SP 171225	Stanley	Toombul	50548873
Lot 82 on SP 171225	Stanley	Toombul	50548874
Lot 83 on SP 171225	Stanley	Toombul	50548875
Lot 84 on SP 171225	Stanley	Toombul	50548876
Lot 85 on SP 171225	Stanley	Toombul	50548877
Lot 86 on SP 171225	Stanley	Toombul	50548878
Lot 87 on SP 171225	Stanley	Toombul	50548879
Lot 88 on SP 171225	Stanley	Toombul	50548880
Lot 89 on SP 171225	Stanley	Toombul	50548881
Lot 90 on SP 171225	Stanley	Toombul	50548882
Lot 91 on SP 171225	Stanley	Toombul	50548883
Lot 92 on SP <del>171225</del> 168168	Stanley	Toombul	50519723
Lot 93 on SP 168168	Stanley	Toombul	50519724
Lot 94 on SP 168168	Stanley	Toombul	50519725
Lot 95 on SP 168168	Stanley	Toombul	50519726
Lot 96 on SP 168168	Stanley	Toombul	50519727
Lot 97 on SP 168168	Stanley	Toombul	50519728
Lot 98 on SP 168168	Stanley	Toombul	50519729
Lot 99 on SP 168168	Stanley	Toombul	50519730
Lot 100 on SP 168168	Stanley	Toombul	50519731
Lot 101 on SP 168168	Stanley	Toombul	50519732
Lot 102 on SP 168168	Stanley	Toombul	50519733
Lot 103 on SP 168168	Stanley	Toombul	50519734
Lot 104 on SP 168168	Stanley	Toombul	50519735
Lot 105 on SP 161306	Stanley	Toombul	50513673
Lot 106 on SP 161306	Stanley	Toombul	50513674
Lot 107 on SP 161306	Stanley	Toombul	50513675
Lot 108 on SP 161306	Stanley	Toombul	50513676
Lot 109 on SP 161306	Stanley	Toombul	50513677
Lot 110 on SP 161306	Stanley	Toombul	50513678
Lot 111 on SP 161306	Stanley	Toombul	50513679
Lot 112 on SP 161306	Stanley	Toombul	50513680
Lot 113 on SP 161306	Stanley	Toombul	50513681
Lot 114 on SP 161306	Stanley	Toombul	50513682
Lot 115 on SP 159425	Stanley	Toombul	50479714
Lot 116 on SP 159425	Stanley	Toombul	50479715
Lot 117 on SP 159425	Stanley	Toombul	50479716
Lot 118 on SP 159425	Stanley	Toombul	50479717
Common Property for Millbrook Villas CTS 32107	Stanley	Toombul	50479709

**SCHEDULE A**

Title Reference 50479709

**SCHEDULE A SCHEDULE OF LOT ENTITLEMENTS**

Lot on Plan	Contribution	Interest
Lot 23 on SP 161306	130	115
Lot 24 on SP 161306	130	115
Lot 25 on SP 161306	130	115
Lot 26 on SP 161306	130	115
Lot 27 on SP 161306	130	115
Lot 28 on SP 161306	132	133
Lot 29 on SP 161306	132	133
Lot 30 on SP 161306	132	133
Lot 31 on SP 161306	132	133
Lot 32 on SP 161306	132	133
Lot 33 on SP 161306	132	133
Lot 34 on SP 161306	132	133
Lot 35 on SP 161306	132	133
Lot 36 on SP 161306	132	133
Lot 37 on SP 161306	132	133
Lot 38 on SP 159425	132	133
Lot 39 on SP 159425	132	133
Lot 40 on SP 159425	132	133
Lot 41 on SP 159425	132	133
Lot 62 on SP 171225	132	133
Lot 63 on SP 171225	132	133
Lot 64 on SP 171225	132	133
Lot 65 on SP 171225	132	133
Lot 66 on SP 171225	132	133
Lot 67 on SP 171225	132	133
Lot 68 on SP 171225	132	133
Lot 69 on SP 171225	132	133
Lot 70 on SP 171225	132	133
Lot 71 on SP 171225	132	133
Lot 72 on SP 171225	132	133
Lot 73 on SP 171225	132	133
Lot 74 on SP 171225	132	133
Lot 75 on SP 171225	132	133
Lot 76 on SP 171225	132	133
Lot 77 on SP 171225	132	133
Lot 78 on SP 171225	132	133
Lot 79 on SP 171225	132	133
Lot 80 on SP 171225	132	133

**SCHEDULE A**

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Lot on Plan	Contribution	Interest
Lot 81 on SP 171225	132	133
Lot 82 on SP 171225	132	133
Lot 83 on SP 171225	132	133
Lot 84 on SP 171225	132	133
Lot 85 on SP 171225	132	133
Lot 86 on SP 171225	132	133
Lot 87 on SP 171225	132	133
Lot 88 on SP 171225	132	133
Lot 89 on SP 171225	132	133
Lot 90 on SP 171225	132	133
Lot 91 on SP 171225	132	133
Lot 92 on SP 168168	132	133
Lot 93 on SP 168168	132	133
Lot 94 on SP 168168	132	133
Lot 95 on SP 168168	132	133
Lot 96 on SP 168168	132	133
Lot 97 on SP 168168	132	133
Lot 98 on SP 168168	132	133
Lot 99 on SP 168168	132	133
Lot 100 on SP 168168	132	133
Lot 101 on SP 168168	132	133
Lot 102 on SP 168168	<del>132</del> 130	<del>133</del> 115
Lot 103 on SP 168168	<del>132</del> 130	<del>133</del> 115
Lot 104 on SP 168168	<del>132</del> 130	<del>133</del> 115
Lot 105 on SP 161306	132	133
Lot 106 on SP 161306	132	133
Lot 107 on SP 161306	132	133
Lot 108 on SP 161306	132	133
Lot 109 on SP 161306	132	133
Lot 110 on SP 161306	132	133
Lot 111 on SP 161306	132	133
Lot 112 on SP 161306	132	133
Lot 113 on SP 161306	132	133
Lot 114 on SP 161306	132	133
Lot 115 on SP 159425	132	133
Lot 116 on SP 159425	132	133
Lot 117 on SP 159425	132	133
Lot 118 on SP 159425	132	133
<b>TOTALS</b>	<b>10,016</b>	<b>9964</b>

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**EXPLANATION OF DIFFERENTIAL CONTRIBUTION LOT ENTITLEMENTS**

- 1.1 The contribution lot entitlements for the lots are not equal. The allocation of contribution lot entitlements is reflective of the matters and principles set out in the explanation in this Schedule A.
- 1.2 In determining the weighting to be given to the contribution lot entitlements, the following factors have been taken into account:
  - (a) the principal costs to the Body Corporate relate to access roads in the Scheme;
  - (b) the proximity, exposure to, and use by a Lot of common property or Body Corporate assets the subject of Body Corporate expenditure and obligations under the Act, or any applicable agreements;
  - (c) the proximity, exposure to, and use by a Lot of amenities and services provided or acquired by the Body Corporate and the Body Corporate's obligations in respect of those amenities or services under the Act, or any applicable agreements.
- 1.3 The contribution lot entitlements as allocated are weighted as between Lots by factors that reflect, by reference to the matters in this Schedule A, a just and equitable balance.

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**SCHEDULE B EXPLANATION OF THE DEVELOPMENT OF SCHEME LAND**

This is a subsidiary scheme in accordance with the layered arrangements identified in Millbrook Estate CTS 32106.

- 1 Millbrook Villas will be a Basic Scheme developed in four stages.
- 2 Each stage of the development will involve the construction of residential townhouses.
- 3 The total number of lots in the Scheme will be 76.
- 4 Common property will be created in the first stage and subsequent additional common property will be created with each additional stage.
- 5 Land not included in the lots or common property in the first stage will be part of the Scheme Land and will be retained by the Original Owner as a residential lot. Each subsequent stage will subdivide part of the land in the residential lot to create additional lots and common property.
- 6 Land not included in the lots or common property in each subsequent stage will be retained by the Original Owner as a reduced residual lot. The final stage will develop all of the remaining land.
- 7 The staging of the Scheme will be as follows:
  - (a) Creation of 8 lots and common property, plus a residual lot for future stages by a building format plan.
  - (b) Creation of 25 lots and additional common property, plus a residual lot for future stages by a building format plan.
  - (c) Creation of 13 lots future stages by a building format plan.
  - (d) The final residual lot will be subdivided into 30 lots and additional common property by a building format plan.
- 8 The resultant total number of lots in the Scheme will be 76.
- 9 The four stages are illustrated on the attached concept plan marked "A".
- 10 The lot entitlements for the subdivision to date appear in Schedule A of this community management statement.

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**SCHEDULE C BY-LAWS**

**1 VEHICLES**

- 1.1 The occupier of a lot must not, without the Body Corporate's written approval:
- (a) park a vehicle or allow a vehicle to stand, on the common property; or
  - (b) permit an invitee to park a vehicle or allow a vehicle to stand, on the common property, except for the designated visitor parking which must remain available at all times for the sole use of visitor's vehicles.
- 1.2 An approval under subsection 1.1 must state the period for which it is given, with the exception of designated visitor parking.
- 1.3 However, the body corporate may cancel the approval by giving 7 days written notice to the occupier, with the exception of designated visitor parking.

**2 PRIVATE ROADS AND OTHER COMMON PROPERTY**

The private roadway, pathways, drive and other common property and any easement giving access to the land shall not be obstructed by any proprietor or the tenants, guests, servants, employees, agents, children, invitees, licensees of a proprietor or any of them or used 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 occupier of a lot shall not:

- (a) drive or permit to be driven any motor vehicle in excess of two (2) tonnes weight into or over the common property other than such vehicles necessary to complete the construction and/or occupation of any residence erected on the land, and any motor vehicles entitled by any statute and/or local authority ordinances;
- (b) permit any invitee's vehicles to be parked on the roadway forming part of the common area at any time. Any invitees shall park their vehicles in the visitors' parking bays on the common property and shall use such area only for its intended purpose of casual parking;
- (c) permit any caravan, campervan or mobile home onto over or throughout the common area or on the land of the proprietor unless the same is housed in a garage and is not visible from any part of the common area;
- (d) permit any occupation of a caravan on a lot;
- (e) permit the riding of skateboards, roller blades, skates, carts or other similar means of transport on or over the common property, in driveways or on footpaths. The riding of bicycles on the roadways is permitted.



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**3 OBSTRUCTION**

A proprietor or occupier of a lot shall not obstruct lawful use of common property by any person.

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

A proprietor or occupier of a lot shall not:

- (a) damage any law, garden, tree, shrub, plant or flower being part of or situated upon common property; or
- (b) except with the consent in writing of the Body Corporate, use for his own purposes as a garden any portion of the common property.

**5 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:

- (a) any locking or other safety device for protection of his lot against intruders; or
- (b) 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.

**6 DEPOSITING RUBBISH, ETC. ON COMMON PROPERTY**

A proprietor or occupier 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.

**7 GARBAGE DISPOSAL**

A proprietor or occupier of a lot shall:

- (a) 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;
- (b) comply with all local authority by-laws and ordinances relating to the disposal of garbage; and
- (c) 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.

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**8 APPEARANCE OF BUILDING AND SIGNS**

A proprietor or occupier 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. The hanging of clothing to dry naturally, is permitted only in the areas designated by the Body Corporate Committee where facilities are supplied for such needs.

**9 WINDOW TREATMENTS SUCH AS CURTAINS/SLIMLINE VENETIAN BLINDS**

A proprietor or occupier shall not hang curtains, vertical blinds or other window coverings or apply window tinting visible from outside the lot unless those window dressings have a white backing, or unless such colour and design have been approved by the Body Corporate Committee. A proprietor or occupier shall not install, renovate and/or replace a curtain dressing or window treatment without having the colour and design of same approved by the Body Corporate Committee. In giving such approvals, the Body Corporate Committee shall ensure so far as practicable that window dressings and window tinting used in all units present a uniform appearance or is aesthetically pleasing when viewed from common property or any other lot.

**10 STORAGE OF FLAMMABLE LIQUIDS ETC.**

- (a) A proprietor or occupier of a lot shall not bring to, do or keep anything in his lot which shall increase the rate of fire insurance on any property 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.
- (b) A proprietor or occupier 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, gas or other material used or intended to be used for domestic purposes, including gas barbecues, or any such chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

**11 KEEPING COMMON PROPERTY IN A STATE OF GOOD REPAIR**

- (a) The Body Corporate shall ensure that the overall appearance of any improvements on the common property of the parcel shall remain uniform and as such will perform the duty of the proprietor to re-paint the external surfaces of any such improvements requiring such repainting situated within the common property of the parcel and will ensure that all such external surfaces and all gardens and lawns are kept in a state of good repair and reasonable wear and tear, not unlike at the time of registration of the plan.
- (b) All expenses incurred as a result of this by-law shall be paid from funds contributed to the Sinking Fund.

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**12 EXTERNAL COLOUR SCHEME**

- (a) All exterior painting of residential buildings and fencing on lots in the parcel shall be attended to by the Body Corporate only, the costs incurred in attending to same to be paid out of the Body Corporate's sinking fund being an expenditure referred to in Section 92(3) of the Accommodation Regulation Module;
- (b) A proprietor mortgagee or occupier of any lot shall not, whether by himself, his servants, agents or assigns, alter the external colour scheme of any building or structure (including fencing) or part of a building or structure contained within that proprietor's lot or on the boundary thereof without prior approval in writing from the Body Corporate pursuant to a resolution of the Body Corporate.

**13 CORRESPONDENCE**

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

**14 RIGHTS TO ENTRY**

A proprietor or occupier of a lot, upon receiving reasonable notice from the Body Corporate, shall allow the Body Corporate or any contractors, sub-contractors, workmen or other person authorised by it, the right of access to his lot for the purpose of carrying out works or effecting repairs on mains, pipes, wires or connections of any water, sewerage, drainage, gas, electricity, telephone or other system or service, whether to his lot or to an adjoining lot.

**15 DIVIDING FENCES**

A proprietor of a lot shall not without the consent in writing of the Body Corporate erect any fence on the lot unless the same is of construction approved by the Body Corporate.

**16 DISPLAY UNIT**

Whilst Neil Ward & Associates Pty Ltd remains a proprietor, occupier or lessee of any lot, it and its officers, servants and/or agents shall be entitled to use any dwelling of which it remains a proprietor as a display dwelling and shall be entitled to allow prospective purchasers to inspect any such dwelling and for such purposes shall be entitled to use such signs advertising or display material in or about the dwelling and common property as it thinks fit. Such signs shall be attractive and tasteful having regard to the general appearance of the subdivision, and shall not at any time, and from time to time, be more in terms of number or size than is reasonably necessary.

**17 NOISE**

- (a) A proprietor or occupier of a lot, their guests, servants or agents shall not make or permit any noise likely to interfere in any way with the peaceful enjoyment of other proprietors or occupiers of lots or of any person lawfully using the common property. In particular no proprietor or occupier of a lot shall hold or permit to be held any social gatherings in his lot which would cause any noise which unlawfully interferes with the peace and quietness of any other proprietor or occupier of a lot, at any time

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of the day or night and in particular shall comply in all respects with all relevant legislation relating to noise.

- (b) In the event of any unavoidable noise in a lot at any time the proprietor or occupier thereof shall take all practical means to minimise annoyance to other proprietors or occupiers 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.
- (c) Guests leaving after 11.00pm shall be requested by their hosts to leave quietly. Quietness also shall be observed when a proprietor or occupier of a lot returns to the dwelling late at night or during early morning hours.

## 18 USE OF LOTS

- (a) Subject to by-law 16, a proprietor or occupier of a lot shall not use that lot or permit the same to be used otherwise than as a private residence nor for any purpose that may cause a nuisance or for any other purpose that may endanger the safety or good reputation of persons residing within the parcel.
- (b) A proprietor or occupier of a lot shall not operate or permit to be operated upon the parcel any radio, two-way radio, short wave radio, transmitter, telecommunications device or electronic equipment so as to interfere with any domestic appliance or apparatus (including a radio or television receiver) lawfully in use upon the common property or in any other lot.
- (c) In the event of an infectious disease which may require notification by virtue of any Statute Regulation or Ordinance happening in any lot the proprietor or occupier 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 and any part of the common property required to be disinfected and replacing any articles or things the destruction of which may be rendered necessary by such disease.

## 19 ALTERATIONS TO LOTS AND COMMON PROPERTY

- (a) A proprietor or occupier of a lot shall not make any alterations or additions to the exterior of buildings constructed on a lot or common property without the approval in writing of the Body Corporate.
- (b) Any alteration made to common property or fixture or fitting attached to common property by any proprietor or occupier of a lot, whether made or attached with or without the approval of the Body Corporate, shall, unless otherwise provided by resolution of a general meeting or of a meeting of the committee, be repaired and maintained by the proprietor of the lot who made the alteration of attached the fixture or fitting to the common property. This by-law shall be binding on the proprietor and the occupier of the relevant lot.

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**20 MAINTENANCE OF LOTS**

Each proprietor or occupier shall be responsible for the maintenance of his lot and shall ensure that this 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.

**21 REPLACEMENT OF GLASS**

Windows shall be kept clean and if broken or cracked shall be promptly replaced by the proprietor or occupier of a lot at his expense with fresh glass of the same kind and weight as at present.

**22 BY-LAWS TO BE PRODUCED UPON REQUEST**

Where any lot or common property is leased or rented, otherwise than to a proprietor of a lot, the lessor, or as the case may be, landlord shall cause to be produced to the lessee or tenant for his inspection a copy of the by-laws for the time being in force in respect of the plan.

**23 BEHAVIOUR OF INVITEES**

- (a) A proprietor or occupier of a lot shall take all reasonable steps to ensure that his invitees do not behave in a manner likely to interfere with the peaceful enjoyment of the proprietor or occupier of another lot or of any person lawfully using the common property.
- (b) The proprietor or occupier of a lot shall be liable to compensate the Body Corporate in respect of all damage to the common property or personal property vested in it caused by such proprietor or occupier or their invitees.
- (c) A proprietor of a lot which is the subject of a lease or licence agreement shall take all reasonable steps, including any action available to him under any such lease or licence agreement, to ensure that any lessee or licensee or other occupier of the lot or their invitees comply with the provisions of the by-laws.
- (d) The duties and obligation imposed by these by-laws on a proprietor or occupier of a lot shall be observed not only by the proprietor or occupier but also by the guests, servants, employees, agents, children, invitees and licensees of such proprietor or occupier.

**24 RECOVERY OF RESTORATION COSTS**

Where the Body Corporate expends money to make good damage caused by a breach of the Act or of these by-laws by any proprietor or occupier of a lot or the guests, servants, employees, agents, children, invitees or licensees of the proprietor or occupier of a lot or any of the, the Committee shall be entitled to recover the amount so expended (including solicitor and own client costs) as a debt in any action in any Court of competent jurisdiction from the proprietor of the lot at the time when the breach occurred.

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**25 RECOVERY OF LEGAL COSTS**

- (a) A proprietor (which expression shall extend to a mortgagee in possession) shall pay on demand the whole of the Body Corporate's costs and expenses (including solicitor and own client costs) such amount to be deemed a liquidated debt, incurred in:
  - (i) recovering levies or moneys payable to the Body Corporate pursuant to the Act duly levied upon that proprietor by the Body Corporate or otherwise or pursuant to the by-laws of the Body Corporate; and
  - (ii) all proceedings including legal proceedings concluded in favour of the Body Corporate taken by or against the proprietor or the lessee or occupier of the proprietor's lot, including but not limited, applications for an order by the Commissioner, an Adjudicator and appeals to the Court;
- (b) In the event that the proprietor (or his mortgagee in possession) fails to attend to the payment of such costs and expenses after demand is made for the payment of same, the Body Corporate may:-
  - (i) treat such costs and expenses as a liquidated debt and take action for the recovery of same in any Court of competent jurisdiction; and
  - (ii) enter such costs and expenses against the levy account of such proprietor in which case, the amount of same shall be paid to the Body Corporate upon a subsequent sale or disposal of the proprietor's lot failing which the purchaser of such lot shall be liable to the Body Corporate for the payment of same.

**26 POWER OF COMMITTEE**

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

**27 REQUEST TO SECRETARY**

A proprietor or occupier of a lot shall direct all requests for consideration on a particular matter to be referred to the committee or to the Body Corporate, to the Secretary or Body Corporate Manager and not to the Chairman or any member of the Committee.

**28 SUBMISSION OF MOTIONS**

The Committee of the Body Corporate shall be empowered to submit motions to general meetings of the Body Corporate.

**29 INSTRUCTIONS TO CONTRACTORS**

A proprietor or occupier of a lot shall not directly instruct any contractors or workmen employed by the Body Corporate unless so authorised.

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**30 AUCTION SALES**

A proprietor or occupier of a lot shall not permit any auction sale to be conducted or to take place in his lot or in the dwelling or upon the parcel without the prior approval in writing of the Body Corporate Committee.

**31 POWER OF BODY CORPORATE TO ENTER INTO AGREEMENTS**

The Body Corporate shall be empowered to enter such agreements from time to time as are necessary for the control, management and administration of the common property for the benefit of proprietors.

**32 CABLE TV**

The Body Corporate recognises that there could be an agreement in place with a cable television carrier for the installation of all cabling, wiring, ducting conduiting, amplifiers and other necessary equipment required for the provision of cable television to the complex and the Body Corporate must:

- (a) allow a person to install all cabling, wiring, ducting, conduits, amplifiers and any other necessary equipment to enable proprietors to connect to cable television; and
- (b) provide a supply of electricity, at the cost of the Body Corporate, if needed for any component to the cable television that is installed on the common property.

**33 CARETAKER**

- (a) For the purpose of this by-law 33, the word "Caretaker" shall mean the person or corporation who has been appointed by the Body Corporate to perform caretaking functions and to act as an on site letting agent.
- (b) The Caretaker shall be permitted, with the consent of the Body Corporate Committee, to display reasonable signs or notices on the parcel for the purpose of offering for sale or lease or letting any lot in the plan, provided that such signs shall be of a standard that shall not detract from the overall appearance of the development.

**34 EXCLUSIVE USE**

- (a) An owner or occupier of a lot shall cause any lawns, gardens, paved or other areas within any common property area of which the owner or occupier has been granted exclusive use to be kept in a neat and tidy condition and if at any time this by-law is not complied with, the Body Corporate, upon 14 days notice to that owner or occupier, may cause the necessary work to be carried out and the reasonable cost of carrying out the necessary work shall be payable by the owner or occupier to the Body Corporate upon request.

- (b) The owners from time to time of lots 23 to 41 and <sup>62</sup>~~105 to~~ 118 inclusive shall be entitled to exclusive use and enjoyment of those parts of the common property designated as courtyard areas, as are indicated with the letters and numbers

Title Reference 50479709

62A/62B

23A/23B to 41A/41B and ~~105A/105B~~ to 118A/118B respectively on the plan annexed to these by-laws and marked "A" and which are identified in Schedule E of the Community Management Statement. The aforesaid grant of exclusive use and enjoyment is made subject to and conditional upon the said owners allowing the Body Corporate and its committee and its properly appointed servants or agents, at all reasonable times, access to such areas for any proper purpose including inspection and maintenance thereof.

### 35 LOCAL AUTHORITY CONSENT

Nothing in these by-laws shall override any requirements, where necessary, to obtain local authority approval under applicable statutory requirements.

### 36 SPECIAL PRIVILEGES

36.1 For as long as there is in existence an agreement with the proprietor or occupier of lot 49 for such proprietor or occupier to provide services for the control, management and administration of the common property (a "Caretaking Agreement") and/or an agreement for such proprietor or occupier to provide letting and ancillary services to such of the proprietors or occupiers of lots who wish to avail themselves of such services (a "letting agreement") then:

- (a) the body corporate will not itself, directly or indirectly, provide any of the services set out in the agreements;
- (b) the body corporate will not allow any person or company other than the party to such agreement to provide, from the Scheme Land, any of the services set out in the agreements;
- (c) the body corporate will not enter into with any other person or entity an agreement similar to the agreements;
- (d) the proprietor or occupier of lot 49 will be entitled to erect or display signs or notices in or on the common property advertising any of the services it provides pursuant to the agreements;
- (e) the body corporate must not grant to any other person or corporation the right to conduct any business of a similar nature to the letting business from within the scheme land nor must the body corporate (or any of its members individually) directly or indirectly conduct or attempt to conduct any business of a similar nature to the letting business from within the scheme land;
- (f) the body corporate must not make any part of the common property available to any person or corporation for the purpose of conducting a letting business; and
- (g) the body corporate confers on the proprietor of lot 49 special privileges in respect of the whole of the common property to use same in connection with the business carried out pursuant to the agreement.



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**36.2** The proprietor or occupier for the time being of lot 49 will be entitled to operate a PABX telephone facility within the scheme land and for the purposes aforesaid has and will continue to have a licence to install, lay, use, repair, maintain and replace cabling and other equipment necessary for the operation of such a facility throughout the scheme land.

**36.3** The body corporate will continue to be responsible to carry out its duties pursuant to the Body Corporate and Community Management Act in respect of any common property for which special privileges have been granted pursuant to this by-law.

**37 POWER OF BODY CORPORATE TO ENTER INTO AUTHORISATION OF LETTING AGENT AGREEMENT**

**37.1** The Body Corporate shall have the power to enter into agreements for the exclusive right to conduct from the Common Property or any part of the Common Property the business of letting lots on behalf of owners with such persons, on such terms and conditions, for such periods and for such fee or remuneration as the Body Corporate may determine in its absolute discretion from time to time.

**37.2** For the purposes of this by-law, the Body Corporate may enter into and execute under seal any agreements evidencing the grant of the rights referred to in clause 37.1 and any ancillary documents relating to those agreements or any amendments, variations or assignments of those agreements.

**37.3** The Body Corporate may approve and ratify any agreements evidencing the grant of rights referred to in clause 37.1 of this by-law and any ancillary documents relating to those agreements or any amendments, variations or assignments of those agreements which may be entered into by the Body Corporate prior to the date on which this by-law was registered in the Department of Natural Resources.

**38 POWER OF BODY CORPORATE TO ENTER INTO ENGAGEMENT OF CARETAKING AGREEMENT**

**38.1** The Body Corporate shall have the power to enter into agreements for the proper control, management, maintenance and administration of the common property with such person, on such terms and conditions, for such periods and for such fee or remuneration as the Body Corporate may determine in its absolute discretion from time to time.

**38.2** For the purposes of this by-law the Body Corporate may enter into and execute under seal any agreements evidencing the grant of the rights referred to in clause 38.1 of this by-law and any ancillary documents relating to those agreements or any amendments, variations or assignments of those agreements.

**38.3** The Body Corporate may approve and ratify any agreements evidencing the grant of the rights referred to in clause 38.1 of this by-law and any ancillary documents relating to those agreements or any amendments, variations or assignments of those agreements which may be entered into by the Body Corporate prior to the date on which this by-law was registered in the Department of Natural Resources.

**SCHEDULE D**

Title Reference 50479709

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

**LOTS AFFECTED BY STATUTORY EASEMENTS**

LOTS ON PLAN OR CP	STATUTORY EASEMENT	SERVICES LOCATION DIAGRAM
Lot 23 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 24 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 25 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 26 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 27 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 28 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 29 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E

**SCHEDULE D**

Title Reference 50479709

LOTS ON PLAN OR CP	STATUTORY EASEMENT	SERVICES LOCATION DIAGRAM
Lot 30 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 31 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 32 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 33 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 34 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 35 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 36 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 37 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 38 on SP 159425	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E

**SCHEDULE D**

Title Reference 50479709

LOTS ON PLAN OR CP	STATUTORY EASEMENT	SERVICES LOCATION DIAGRAM
Lot 39 on SP 159425	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 40 on SP 159425	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 41 on SP 159425	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 62 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 63 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 64 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 65 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 66 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 67 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E

**SCHEDULE D**

Title Reference 50479709

LOTS ON PLAN OR CP	STATUTORY EASEMENT	SERVICES LOCATION DIAGRAM
Lot 68 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 69 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 70 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 71 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 72 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 73 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 74 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 75 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 76 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E

**SCHEDULE D**

Title Reference 50479709

LOTS ON PLAN OR CP	STATUTORY EASEMENT	SERVICES LOCATION DIAGRAM
Lot 77 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 78 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 79 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 80 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 81 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 82 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 83 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 84 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 85 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E

**SCHEDULE D**

Title Reference 50479709

LOTS ON PLAN OR CP	STATUTORY EASEMENT	SERVICES LOCATION DIAGRAM
Lot 86 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 87 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 88 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 89 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 90 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 91 on SP 171225	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service.	E
Lot 92 on SP 168168	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 93 on SP 168168	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 94 on SP 168168	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E

**SCHEDULE D**

Title Reference 50479709

LOTS ON PLAN OR CP	STATUTORY EASEMENT	SERVICES LOCATION DIAGRAM
Lot 95 on SP 168168	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 96 on SP 168168	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 97 on SP 168168	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 98 on SP 168168	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 99 on SP 168168	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 100 on SP 168168	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 101 on SP 168168	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 102 on SP 168168	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 103 on SP 168168	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E



**SCHEDULE D**

Title Reference 50479709

LOTS ON PLAN OR CP	STATUTORY EASEMENT	SERVICES LOCATION DIAGRAM
Lot 104 on SP 168168	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 105 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 106 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 107 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 108 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 109 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 110 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 111 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 112 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E

**SCHEDULE D**

Title Reference 50479709

LOTS ON PLAN OR CP	STATUTORY EASEMENT	SERVICES LOCATION DIAGRAM
Lot 113 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 114 on SP 161306	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 115 on SP 159425	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 116 on SP 159425	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 117 on SP 159425	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E
Lot 118 on SP 159425	Electricity supply, sewer system, water reticulation and supply, drainage for stormwater and roofwater, gas reticulation and supply and telephone service and support.	E

**Landmark**  
CONSULTING

**SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS**

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E-mail info@landmarkconsulting.com.au • Telephone: 97 32 19 8911 • Fax: 97 32 19 9106

1 Melbourne Pty Ltd ALM 030 435 921 ALM 77 050 435 921

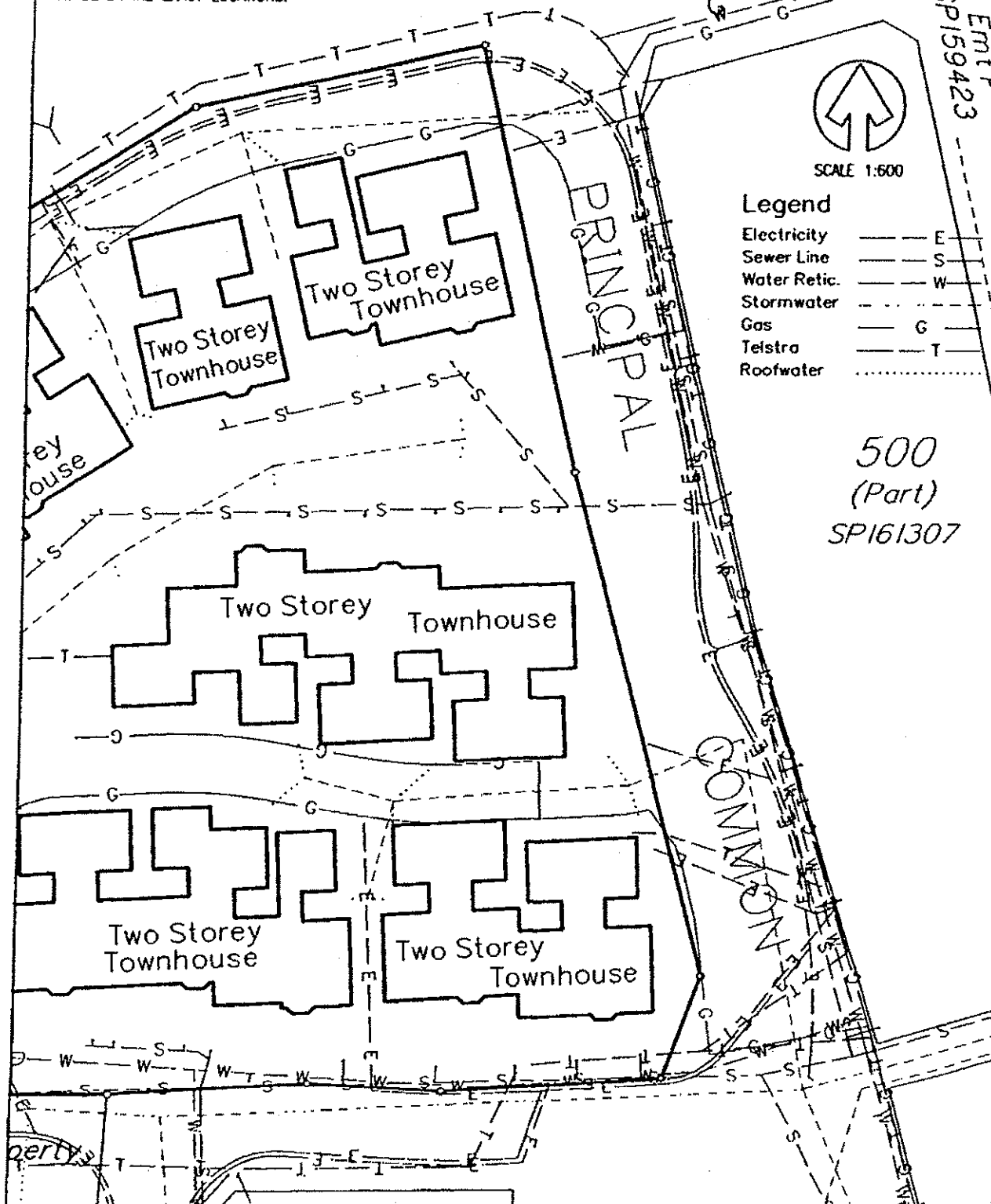
99-147



SCALE 1:600

Electricity	_____	E
Sewer Line	_____	S
Water Retic.	_____	W
Stormwater	_____	
Gas	_____	G
Telstra	_____	T
Roofwater	_____	

500  
(Part)  
SP161307



<p>Services Location Diagram E of "MILLBROOK VILLAS" C.T.S. 32107</p>	
<p>Parish of TOOMBUL Client: NEIL WARD &amp; ASSOCIATES Local Authority B.C.C.</p>	<p>County of STANLEY</p>

**Landmark**  
CONSULTING

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Yalwood Pty Ltd ACN 019 495 691 ABN 77 010 485 081

99-147

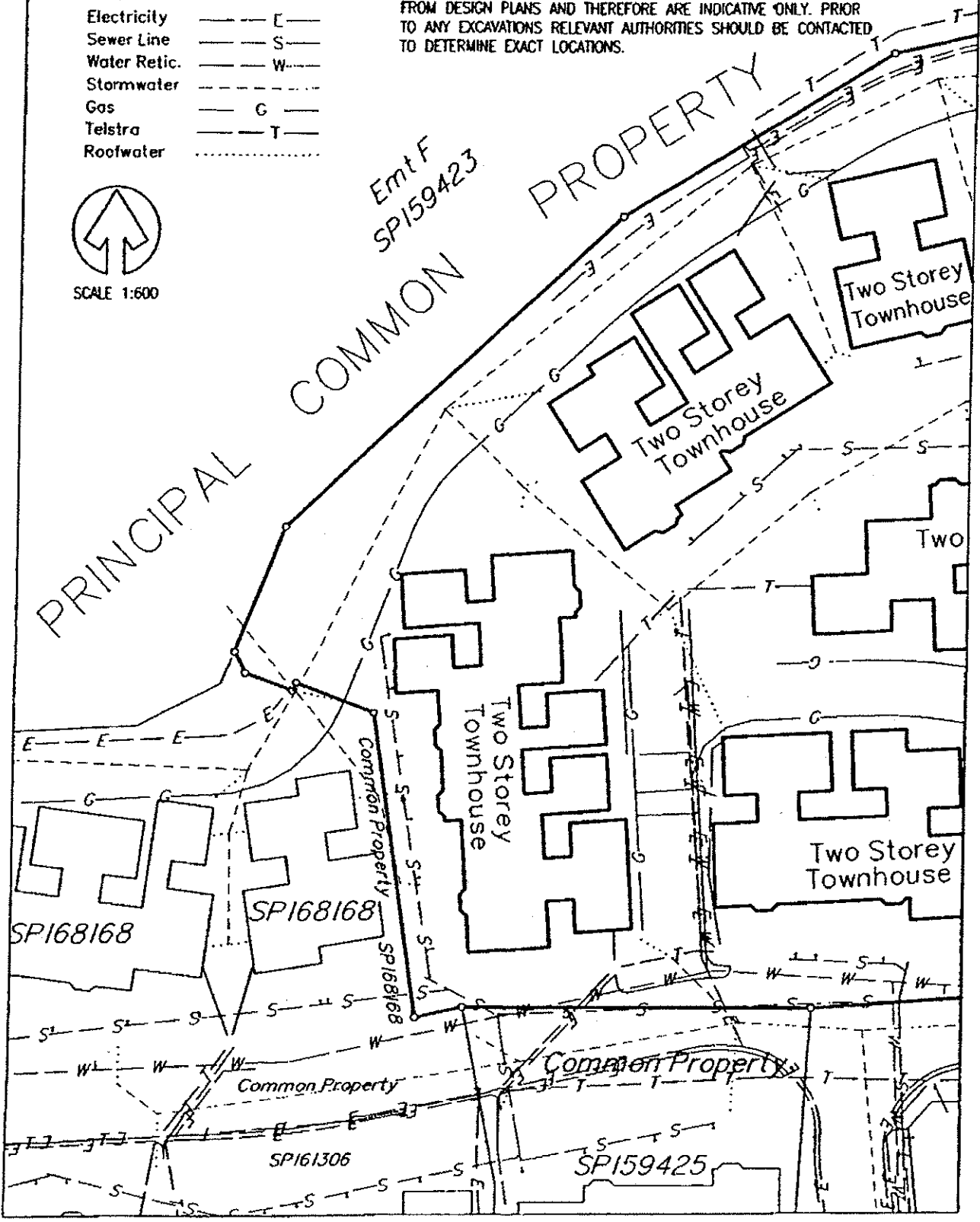


- Legend**
- Electricity ——— E ———
  - Sewer Line ——— S ———
  - Water Retic. ——— W ———
  - Stormwater - - - - -
  - Gas ——— G ———
  - Telstra ——— T ———
  - Roofwater - - - - -

LOCATIONS OF ALL SERVICES SHOWN HEREON HAVE BEEN COMPILED FROM DESIGN PLANS AND THEREFORE ARE INDICATIVE ONLY. PRIOR TO ANY EXCAVATIONS RELEVANT AUTHORITIES SHOULD BE CONTACTED TO DETERMINE EXACT LOCATIONS.



SCALE 1:600



**SCHEDULE E**

Title Reference 50479709

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

Lot on Plan	Exclusive Use Area
Lot 23 on SP 161306	Area 23A on sketch marked "A" Courtyard
Lot 24 on SP 161306	Area 24A on sketch marked "A" Courtyard
Lot 25 on SP 161306	Area 25A on sketch marked "A" Courtyard
Lot 26 on SP 161306	Area 26A on sketch marked "A" Courtyard Area 26B on sketch marked "A" Courtyard
Lot 27 on SP 161306	Area 27A on sketch marked "A" Courtyard
Lot 28 on SP 161306	Area 28A on sketch marked "A" Courtyard Area 28B on sketch marked "A" Courtyard
Lot 29 on SP 161306	Area 29A on sketch marked "A" Courtyard Area 29B on sketch marked "A" Courtyard
Lot 30 on SP 161306	Area 30A on sketch marked "A" Courtyard Area 30B on sketch marked "A" Courtyard
Lot 31 on SP 161306	Area 31A on sketch marked "A" Courtyard Area 31B on sketch marked "A" Courtyard
Lot 32 on SP 161306	Area 32A on sketch marked "A" Courtyard Area 32B on sketch marked "A" Courtyard
Lot 33 on SP 161306	Area 33A on sketch marked "A" Courtyard Area 33B on sketch marked "A" Courtyard
Lot 34 on SP 161306	Area 34A on sketch marked "A" Courtyard Area 34B on sketch marked "A" Courtyard
Lot 35 on SP 161306	Area 35A on sketch marked "A" Courtyard Area 35B on sketch marked "A" Courtyard
Lot 36 on SP 161306	Area 36A on sketch marked "A" Courtyard Area 36B on sketch marked "A" Courtyard
Lot 37 on SP 161306	Area 37A on sketch marked "A" Courtyard Area 37B on sketch marked "A" Courtyard
Lot 38 on SP 159425	Area 38A on sketch marked "A" Courtyard Area 38B on sketch marked "A" Courtyard

**SCHEDULE E**

Title Reference 50479709

Lot on Plan	Exclusive Use Area
Lot 39 on SP 159425	Area 39A on sketch marked "A" Courtyard Area 39B on sketch marked "A" Courtyard
Lot 40 on SP 159425	Area 40A on sketch marked "A" Courtyard Area 40B on sketch marked "A" Courtyard
Lot 41 on SP 159425	Area 41A on sketch marked "A" Courtyard Area 41B on sketch marked "A" Courtyard
Lot 62 on SP 171225	Area 62A on sketch marked "A" Courtyard Area 62B on sketch marked "A" Courtyard
Lot 63 on SP 171225	Area 63A on sketch marked "A" Courtyard Area 63B on sketch marked "A" Courtyard
Lot 64 on SP 171225	Area 64A on sketch marked "A" Courtyard Area 64B on sketch marked "A" Courtyard
Lot 65 on SP 171225	Area 65A on sketch marked "A" Courtyard Area 65B on sketch marked "A" Courtyard
Lot 66 on SP 171225	Area 66A on sketch marked "A" Courtyard Area 66B on sketch marked "A" Courtyard
Lot 67 on SP 171225	Area 67A on sketch marked "A" Courtyard Area 67B on sketch marked "A" Courtyard
Lot 68 on SP 171225	Area 68A on sketch marked "A" Courtyard Area 68B on sketch marked "A" Courtyard
Lot 69 on SP 171225	Area 69A on sketch marked "A" Courtyard Area 69B on sketch marked "A" Courtyard
Lot 70 on SP 171225	Area 70A on sketch marked "A" Courtyard Area 70B on sketch marked "A" Courtyard
Lot 71 on SP 171225	Area 71A on sketch marked "A" Courtyard Area 71B on sketch marked "A" Courtyard
Lot 72 on SP 171225	Area 72A on sketch marked "A" Courtyard Area 72B on sketch marked "A" Courtyard
Lot 73 on SP 171225	Area 73A on sketch marked "A" Courtyard Area 73B on sketch marked "A" Courtyard

**SCHEDULE E**

Title Reference 50479709

Lot on Plan	Exclusive Use Area
Lot 74 on SP 171225	Area 74A on sketch marked "A" Courtyard Area 74B on sketch marked "A" Courtyard
Lot 75 on SP 171225	Area 75A on sketch marked "A" Courtyard Area 75B on sketch marked "A" Courtyard
Lot 76 on SP 171225	Area 76A on sketch marked "A" Courtyard Area 76B on sketch marked "A" Courtyard
Lot 77 on SP 171225	Area 77A on sketch marked "A" Courtyard Area 77B on sketch marked "A" Courtyard
Lot 78 on SP 171225	Area 78A on sketch marked "A" Courtyard Area 78B on sketch marked "A" Courtyard
Lot 79 on SP 171225	Area 79A on sketch marked "A" Courtyard Area 79B on sketch marked "A" Courtyard
Lot 80 on SP 171225	Area 80A on sketch marked "A" Courtyard Area 80B on sketch marked "A" Courtyard
Lot 81 on SP 171225	Area 81A on sketch marked "A" Courtyard Area 81B on sketch marked "A" Courtyard
Lot 82 on SP 171225	Area 82A on sketch marked "A" Courtyard Area 82B on sketch marked "A" Courtyard
Lot 83 on SP 171225	Area 83A on sketch marked "A" Courtyard Area 83B on sketch marked "A" Courtyard
Lot 84 on SP 171225	Area 84A on sketch marked "A" Courtyard Area 84B on sketch marked "A" Courtyard
Lot 85 on SP 171225	Area 85A on sketch marked "A" Courtyard Area 85B on sketch marked "A" Courtyard
Lot 86 on SP 171225	Area 86A on sketch marked "A" Courtyard Area 86B on sketch marked "A" Courtyard
Lot 87 on SP 171225	Area 87A on sketch marked "A" Courtyard Area 87B on sketch marked "A" Courtyard
Lot 88 on SP 171225	Area 88A on sketch marked "A" Courtyard Area 88B on sketch marked "A" Courtyard

# SCHEDULE E

Title Reference 50479709

Lot on Plan	Exclusive Use Area
Lot 89 on SP 171225	Area 89A on sketch marked "A" Courtyard Area 89B on sketch marked "A" Courtyard
Lot 90 on SP 171225	Area 90A on sketch marked "A" Courtyard Area 90B on sketch marked "A" Courtyard
Lot 91 on SP 171225	Area 91A on sketch marked "A" Courtyard Area 91B on sketch marked "A" Courtyard
Lot 92 on SP 168168	Area 92A on sketch marked "A" Courtyard Area 92B on sketch marked "A" Courtyard
Lot 93 on SP 168168	Area 93A on sketch marked "A" Courtyard Area 93B on sketch marked "A" Courtyard
Lot 94 on SP 168168	Area 94A on sketch marked "A" Courtyard Area 94B on sketch marked "A" Courtyard
Lot 95 on SP 168168	Area 95A on sketch marked "A" Courtyard Area 95B on sketch marked "A" Courtyard
Lot 96 on SP 168168	Area 96A on sketch marked "A" Courtyard Area 96B on sketch marked "A" Courtyard
Lot 97 on SP 168168	Area 97A on sketch marked "A" Courtyard Area 97B on sketch marked "A" Courtyard
Lot 98 on SP 168168	Area 98A on sketch marked "A" Courtyard Area 98B on sketch marked "A" Courtyard
Lot 99 on SP 168168	Area 99A on sketch marked "A" Courtyard Area 99B on sketch marked "A" Courtyard
Lot 100 on SP 168168	Area 100A on sketch marked "A" Courtyard Area 100B on sketch marked "A" Courtyard
Lot 101 on SP 168168	Area 101A on sketch marked "A" Courtyard Area 101B on sketch marked "A" Courtyard
Lot 102 on SP 168168	Area 102A on sketch marked "A" Courtyard
Lot 103 on SP 168168	Area 103A on sketch marked "A" Courtyard Area 103B on sketch marked "A" Courtyard
Lot 104 on SP 168168	Area 104A on sketch marked "A" Courtyard

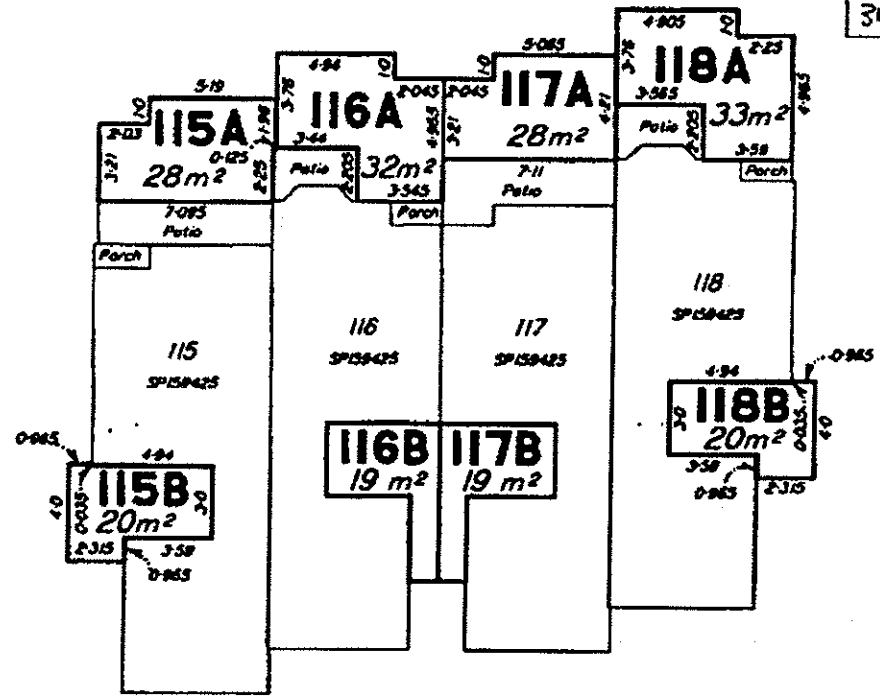


# SCHEDULE E

Title Reference 50479709

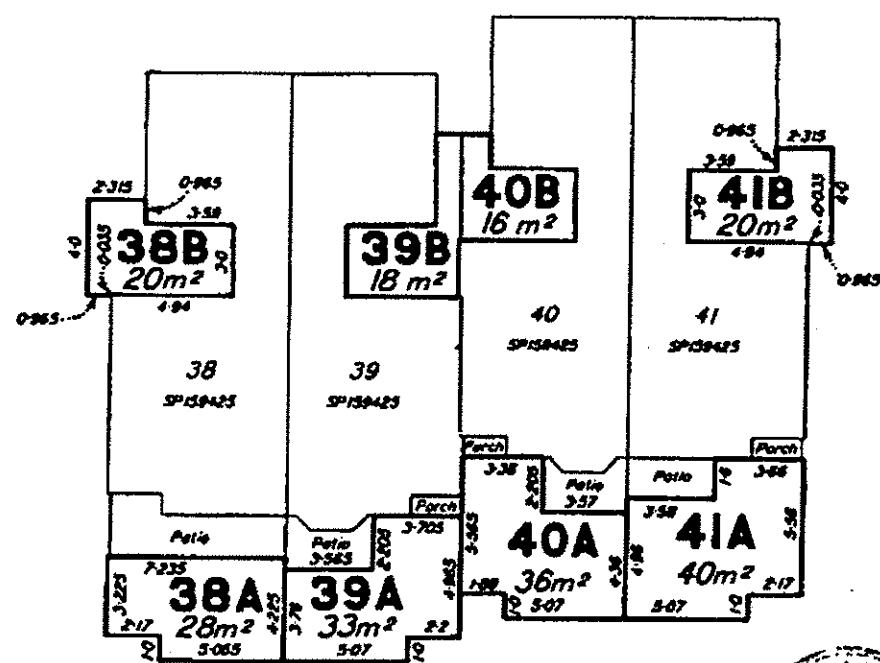
Lot on Plan	Exclusive Use Area
	Area 104B on sketch marked "A" Courtyard
Lot 105 on SP 161306	Area 105A on sketch marked "A" Courtyard Area 105B on sketch marked "A" Courtyard
Lot 106 on SP 161306	Area 106A on sketch marked "A" Courtyard Area 106B on sketch marked "A" Courtyard
Lot 107 on SP 161306	Area 107A on sketch marked "A" Courtyard Area 107B on sketch marked "A" Courtyard
Lot 108 on SP 161306	Area 108A on sketch marked "A" Courtyard Area 108B on sketch marked "A" Courtyard
Lot 109 on SP 161306	Area 109A on sketch marked "A" Courtyard Area 109B on sketch marked "A" Courtyard
Lot 110 on SP 161306	Area 110A on sketch marked "A" Courtyard Area 110B on sketch marked "A" Courtyard
Lot 111 on SP 161306	Area 111A on sketch marked "A" Courtyard Area 111B on sketch marked "A" Courtyard
Lot 112 on SP 161306	Area 112A on sketch marked "A" Courtyard Area 112B on sketch marked "A" Courtyard
Lot 113 on SP 161306	Area 113A on sketch marked "A" Courtyard Area 113B on sketch marked "A" Courtyard
Lot 114 on SP 161306	Area 114A on sketch marked "A" Courtyard Area 114B on sketch marked "A" Courtyard
Lot 115 on SP 159425	Area 115A on sketch marked "A" Courtyard Area 115B on sketch marked "A" Courtyard
Lot 116 on SP 159425	Area 116A on sketch marked "A" Courtyard Area 116B on sketch marked "A" Courtyard
Lot 117 on SP 159425	Area 117A on sketch marked "A" Courtyard Area 117B on sketch marked "A" Courtyard
Lot 118 on SP 159425	Area 118A on sketch marked "A" Courtyard Area 118B on sketch marked "A" Courtyard

"A"



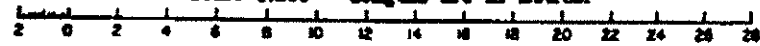
**REPRODUCTION OF  
SKETCH MAY NOT BE  
TO SCALE SHOWN**


Common Property



*Exclusive Use Areas 38B, 40B, 116B and 117B are defined by the external face of building walls and the centre of fences. Exclusive Use Areas 38A-41A, 115A-118A, 115B, 116B, 38B and 41B are defined by the external face of building walls, patios, porches and distances.*

Scale 1:200 - Lengths are in Metres.



Do Not Forget To Check The Details of the Plan and the Surveyor's Certificate.  
  
 MARK ROBERT FAWCETT  
 LICENSED SURVEYOR / DIRECTOR  
 DATE 18/11/03

CT	
FB	
17/11/2003	
1-24/01/17/11/03	
17	
17	

**PLAN OF EXCLUSIVE USE OF  
COMMON PROPERTY OF  
"MILLBROOK VILLAS" C.T.S.**

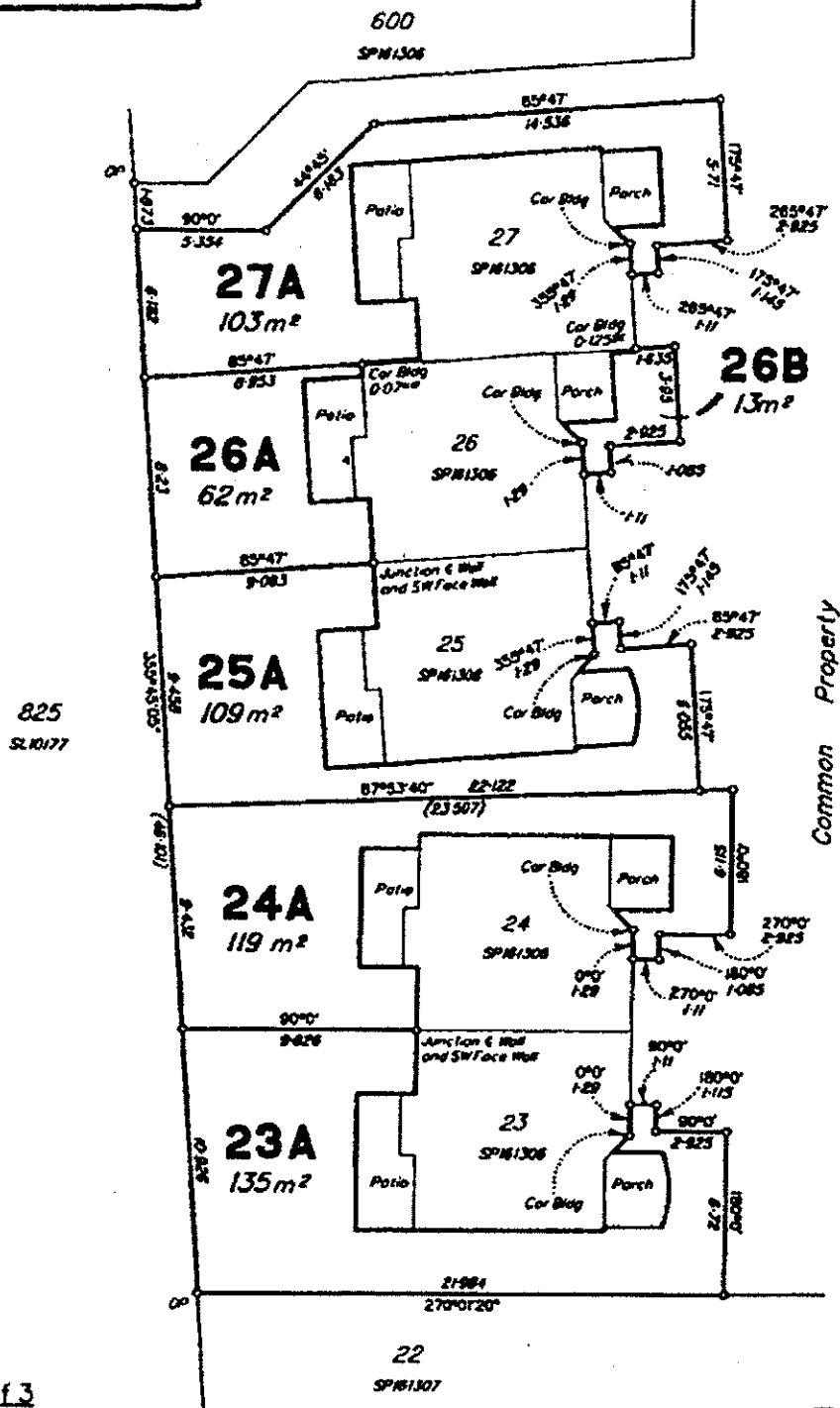
Plan of TOOMBUL  
 Glen NEIL WARD & ASSOC. (Land Agents) BRISBANE CITY COUNCIL

**L J Hewitt & Co**  
 Consulting Surveyors  
 Licensed & Engineering Surveyors • Land Development Consultants  
 15-17 Macgregor Street  
 Staines Corner Qld 4120  
 PO Box 134  
 Staines Corner Qld 4120  
 Email: [jhewitt@lshewitt.com.au](mailto:jhewitt@lshewitt.com.au)  
 Facsimile: (07) 3387 6488  
 Telephone: (07) 3387 6480

99-147

REPRODUCTION OF  
SKETCH MAY NOT BE  
TO SCALE SHOWN

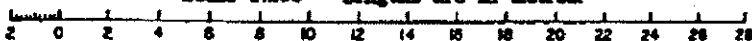
27  
26  
25  
24  
23



Sheet 1 of 3

Exclusive use areas 23A-27A and 26B are defined by the external face of building walls, patios, porches and dimensions. Pegs placed at corners not defined by structural features.

Scale 1:200 - Lengths are in Metres.



We warrant that the data on this plan is correct.

Mr. Robert Ward  
LICENSED SURVEYOR  
DIRECTOR

DATE 31/1/04

PLAN OF EXCLUSIVE USE OF  
COMMON PROPERTY OF  
"MILLBROOK VILLAS" C.T.S.32107

Part of TOOMBUL  
Shire NEIL WARD & ASSOC. Local Authority BRISBANE CITY COUNCIL

**Landmark**  
CONSULTING

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS

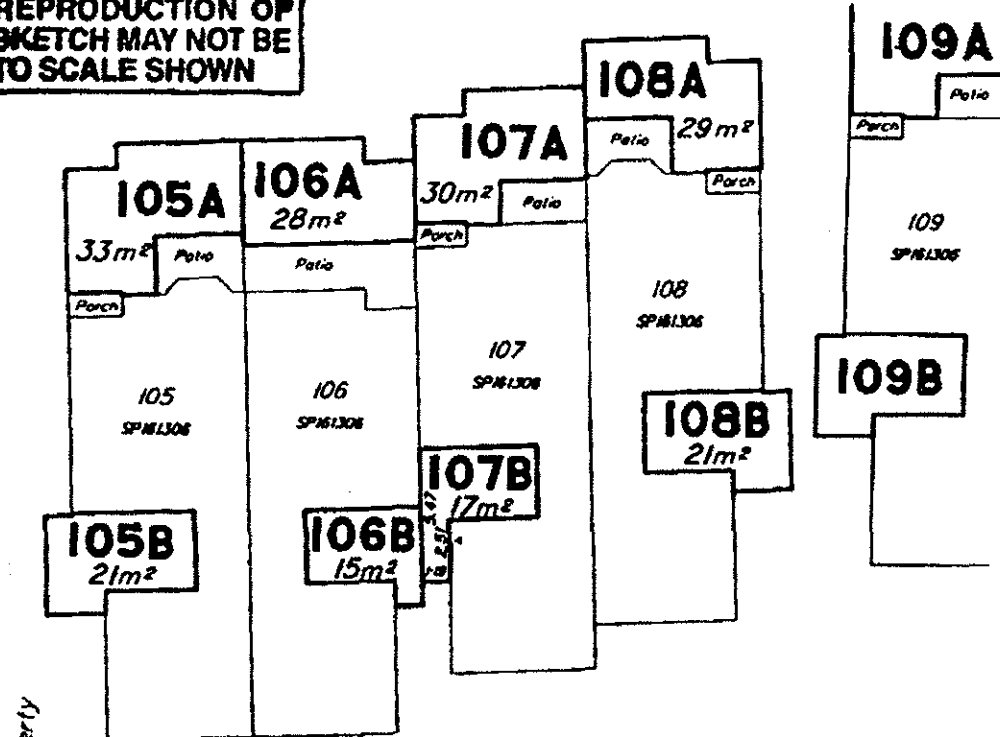
15-17 Macquarie Street, Brisbane, QLD 4000. PO Box 234, Brisbane, QLD 4000  
Email: info@landmarkconsulting.com.au Telephone: 07 3251 0000 Fax: 07 3251 0000  
Website: www.landmarkconsulting.com.au

Job Number  
**99-147**

Drawing Number  
99147-Ex

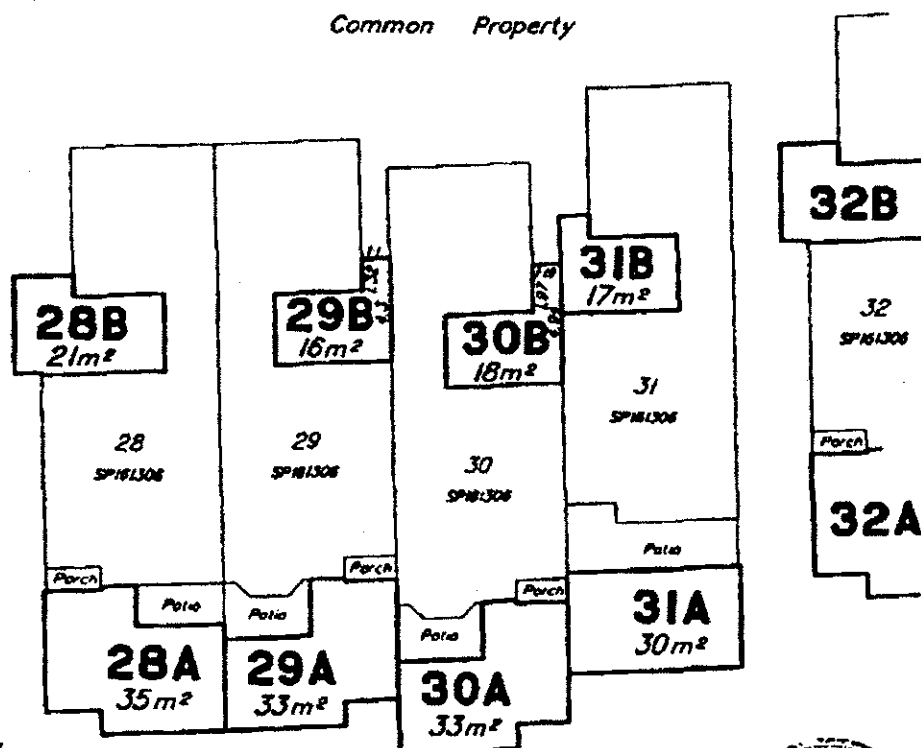
Page  
2

第 26 号	第 27 号
--------	--------



**Common Property**

### Common Property



Sheet 2 of 3

Exclusive use areas 28A-31A, 28B-31B, 105A-108A and 105B-108B are defined by the external face of building walls, pillars, porches and the centre of fences unless otherwise dimensioned.

**Scale 1:200 - Lengths are in Metres.**



The Subsequent Pay Letter dated 01/15/83 correctly states that the net pay on the above is correct.

*[Signature]*

MARK ROBERT GUNNELL  
LICENSED SURVEYOR  
DIRECTOR

01/15/83  
LTD A.C.N.  
COMMON SEAL  
LEE ROBERT GUNNELL  
LICENSED SURVEYOR/  
DIRECTOR

DATE 27/7/01

**N**

PLAN OF EXCLUSIVE USE OF  
COMMON PROPERTY OF  
"MILLBROOK VILLAS" C.T.S.32107

**Landmark**  
CONSULTING

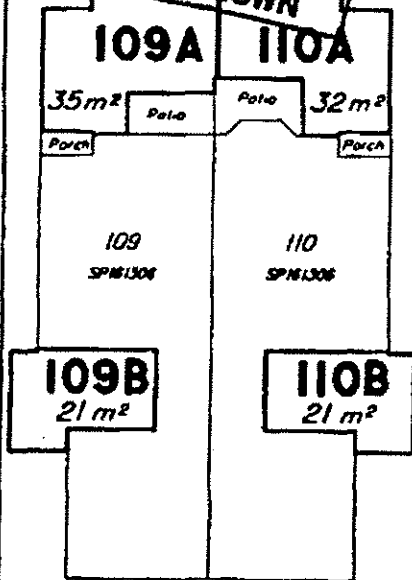
**SURVEYORS PLANNERS DEVELOPMENT CONSULTANTS**  
1517 Kensington Street, Suite 100, Corner C&D 6126, 900 West 124th Avenue, Aurora, CO 80010  
E-mail: [info@landmarkconsulting.com](mailto:info@landmarkconsulting.com) Fax: 303-757-3400 F: 303-757-3400  
Telephone: 303-757-3400 Website: [www.landmarkconsulting.com](http://www.landmarkconsulting.com) 800-774-0444

Job Number	
99-147	
Drawing Number	Revision
99147-Ex Sheet 2	-

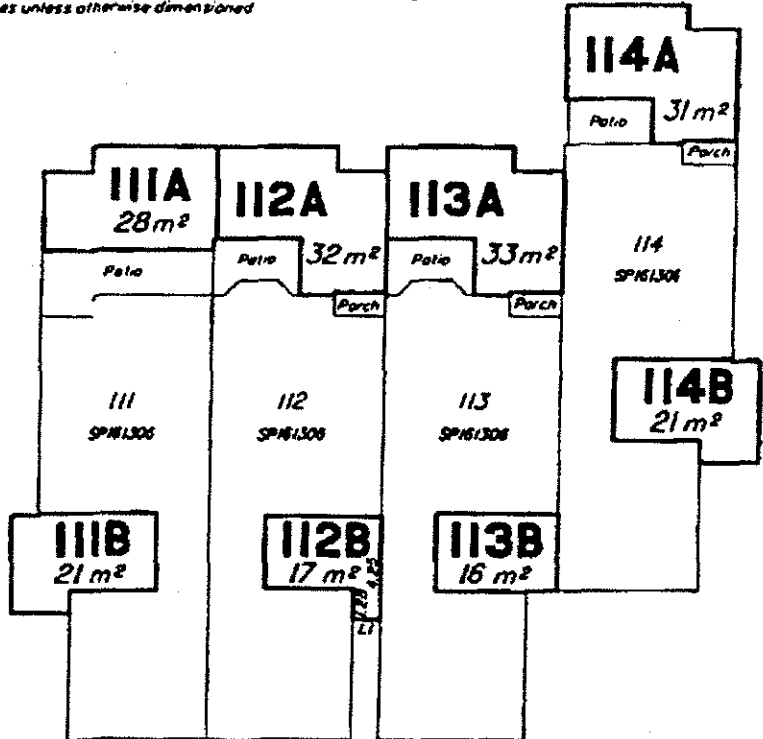
**REPRODUCTION OF  
SKETCH MAY NOT BE  
TO SCALE SHOWN**

Exclusive use areas 32A-37A, 32B-37B, 109A-114A and 109B-114B  
are defined by the external face of building walls, patios, porches and the  
centre of fences unless otherwise dimensioned

Page 37 of 46

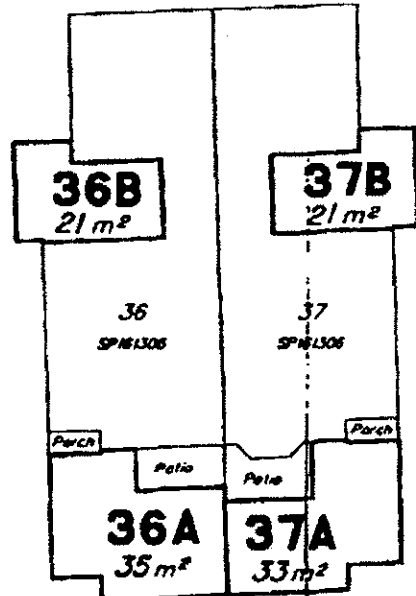
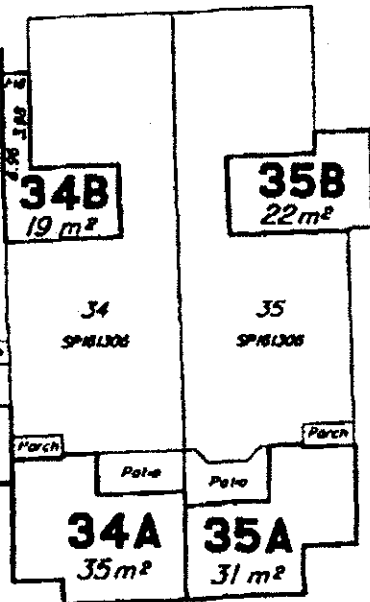
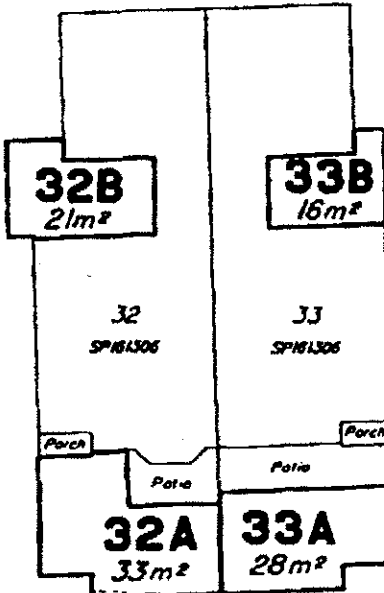


Common Property



Common Property

Common Property

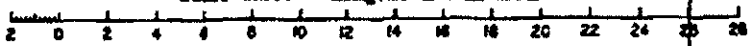


Common Property

Sheet 3 of 4 C.T.S.32107

We solemnly swear that the details shown on this plan are correct  
M. ROBERT DUMBLE  
LICENSED SURVEYOR  
DATE 27/7/04

Scale 1:200 - Lengths are in Metres.



**PLAN OF EXCLUSIVE USE OF  
COMMON PROPERTY OF  
"MILLBROOK VILLAS" C.T.S.32107**

Plan at TOOMBUL, County of STANLEY  
Shire N.E. WARD & ASSOC. Local authority BRISBANE CITY COUNCIL

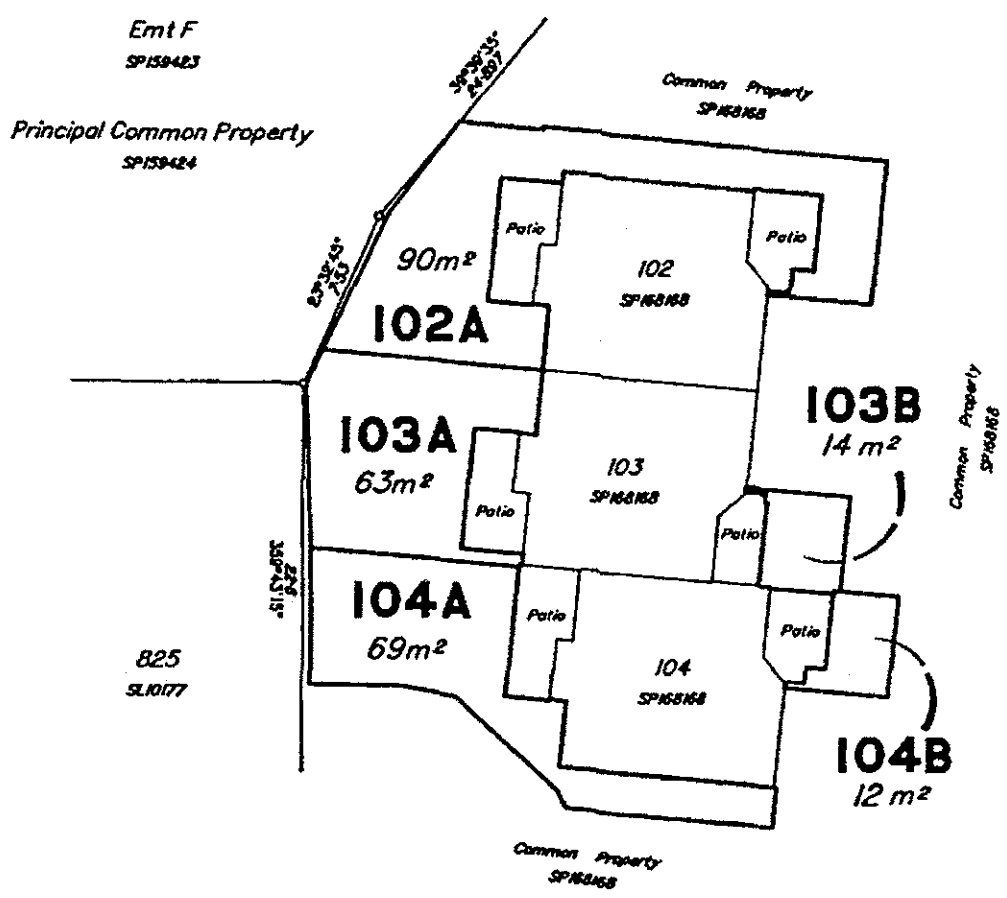
**Landmark**  
CONSULTING

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS  
15/17 Manning Street, Brisbane, QLD 4102. PO Box 124, St. Lawrence, QLD 4102  
Email: info@landmarkconsulting.com.au \* Telephone 07 3387 9400 \* Facsimile 07 3387 9401  
Licence No. 121 404 and 121 401. John, 77 and 404 00

Lot Number  
**99-147**

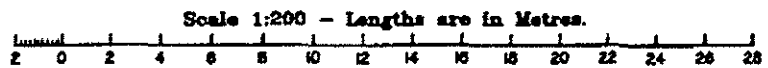
Survey Number  
**99147-Ex**

Stage  
**2**



Exclusive use areas are defined by the external face of building walls, patios and the centre of fences.

Sheet 1 of 3



We, the undersigned, do hereby certify that the details of the plan are correct.

*Mark Robert Dumbell*  
 MARK ROBERT DUMBELL  
 LICENSED SURVEYOR  
 DIRECTOR

DATE 20/9/04

**PLAN OF EXCLUSIVE USE OF COMMON PROPERTY OF "MILLBROOK VILLAS" C.T.S.32107**

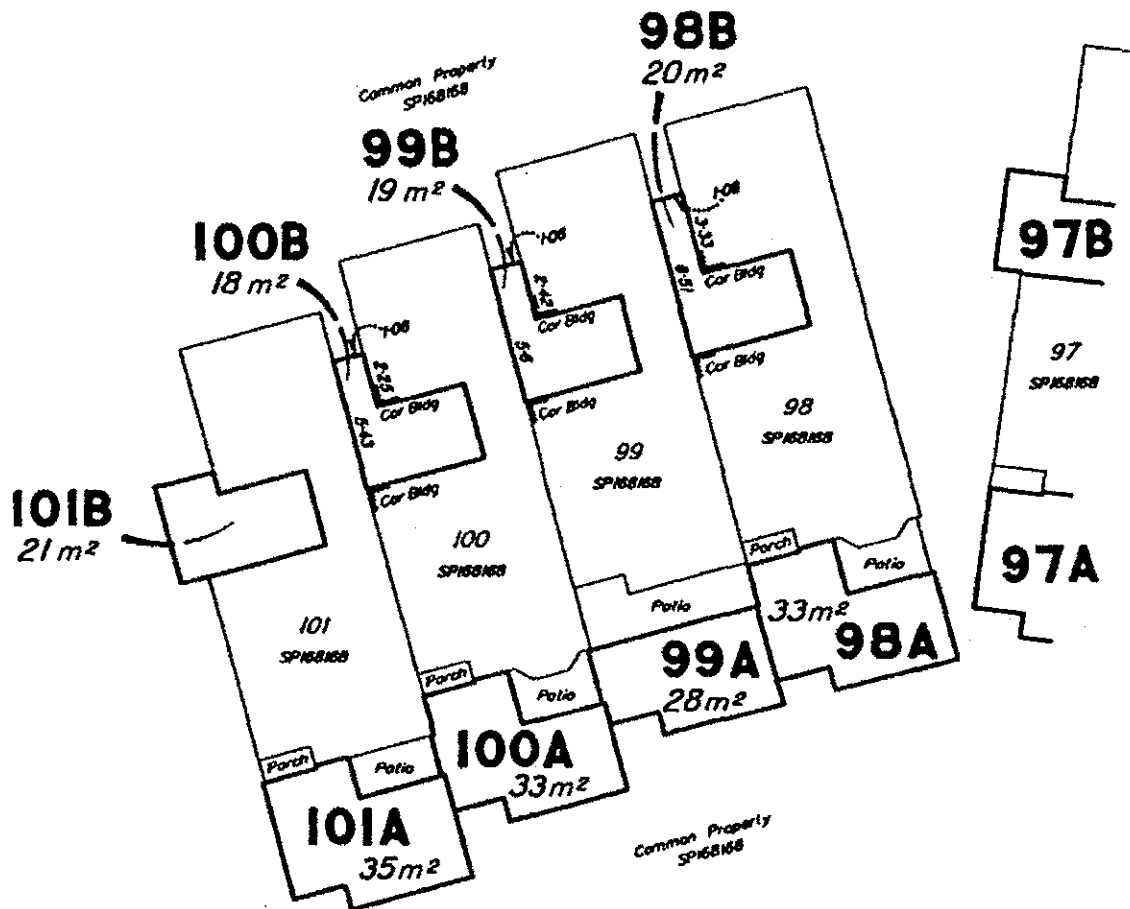
Parish of TOOMBUL County of STANLEY  
 Client NEIL WARD & ASSOC. Local Authority BRISBANE CITY COUNCIL

**Landmark CONSULTING**

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS  
 15-17 Montague Street Staines Corner Old 4120 PO Box 254 Staines Corner Old 4120  
 Email info@landmarkconsulting.com.au Telephone 07 3307 8400 Facsimile 07 3307 8400  
 Transport Pty Ltd ACN 010 010 001 ABN 77 010 000 001

As Number 99-147

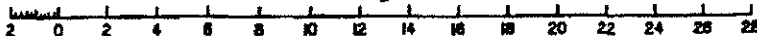
Drawing Number 99147-Ex Stage 3



Exclusive use areas are defined by the external face of building walls, patios, porches, the centre of fences and dimensions as shown.

Sheet 2 of 3

Scale 1:200 - Lengths are in Metres.



We, the undersigned, do hereby certify that the details shown on this plan are correct.

MARK ROBERT DUMBLETT  
LICENSED SURVEYOR  
DIRECTOR

DATE 20/2/04

Drawn by  
F.B.  
2/8/2004  
10/09/147/  
R.W.

PLAN OF EXCLUSIVE USE OF  
COMMON PROPERTY OF  
"MILLBROOK VILLAS" C.T.S.32107

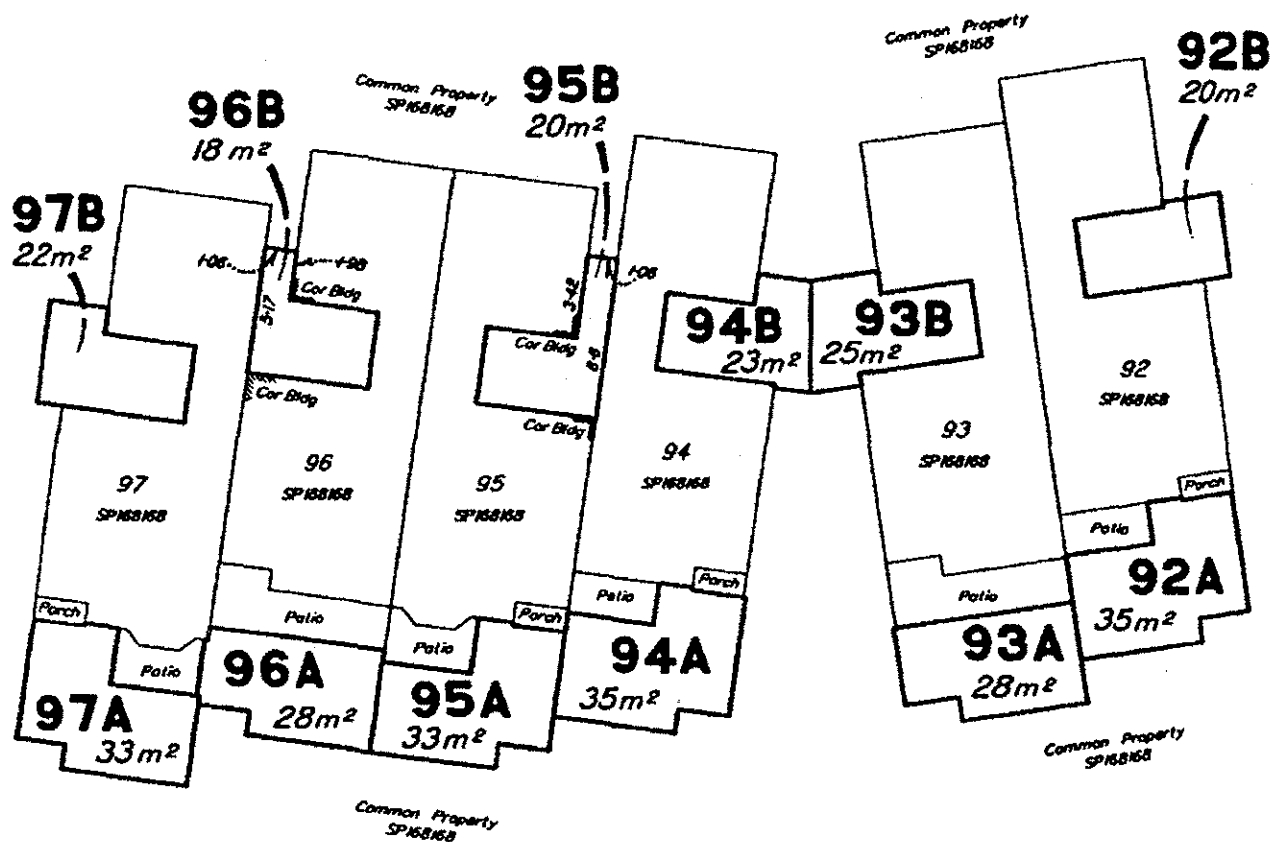
Part of TOOMBUL County of STANLEY  
Client NEIL WARD & ASSOC. Local Authority BRISBANE CITY COUNCIL

**Landmark**  
CONSULTING

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS  
15-17 Marquess Street, Brisbane, QLD 4120. P.O. Box 254, St Leonards, NSW 1585.  
Email: info@landmarkconsulting.com.au • Telephone 07 2077 0000 • Facsimile 07 2077 0009  
Toll-free 1300 654 654 • Fax 07 207 000 001

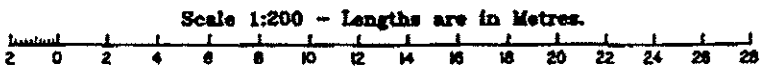
Job Number  
**99-147**

Drawing Number  
99147-Ex  
Stage 3



Exclusive use areas are defined by the external face of building walls, patios, porches, the centre of fences and dimensions as shown.

Sheet 3 of 3



We, the undersigned, do hereby certify that the details shown on this plan are correct.

MARK ROBERT DUMBLELL  
LICENSED SURVEYOR  
DIRECTOR

DATE 20/9/04

CT	PLAN OF EXCLUSIVE USE OF COMMON PROPERTY OF "MILLBROOK VILLAS" C.T.S.32107
FW	
2/9/2004	
15/9/147	
NEIL WARD & ASSOC.	County of STANLEY BRISBANE CITY COUNCIL

**Landmark**  
CONSULTING

SURVEYORS PLANNERS DEVELOPMENT CONSULTANTS

10-11 Mervyn Street, Brisbane, QLD 4170. PO Box 254, Brisbane, QLD 4170.  
Email: info@landmarkconsulting.com.au \* Telephone 07 3387 0445 \* Facsimile 07 3387 0445  
Telex: 614141 LMK AU

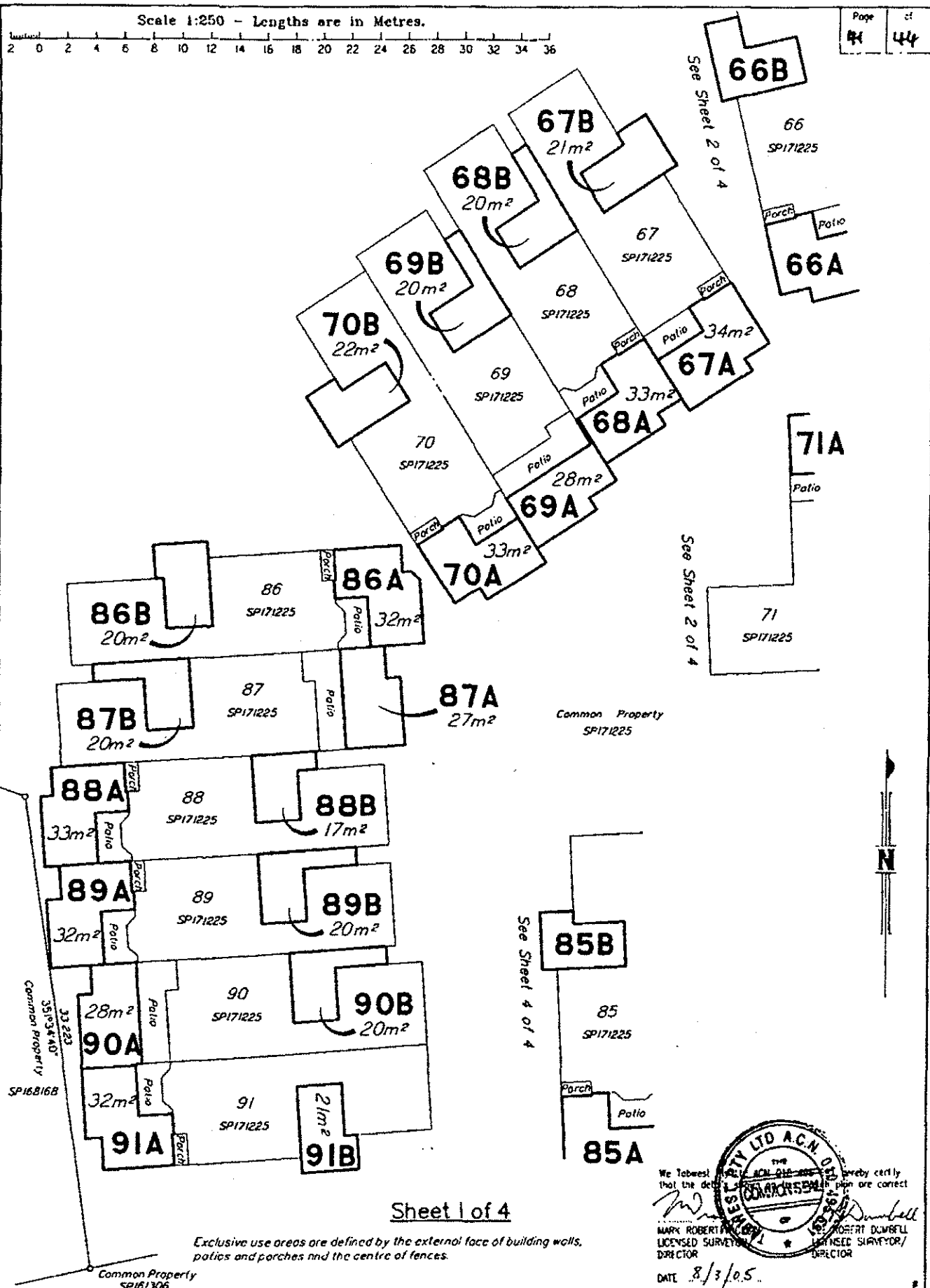
Job Number	99-147
Drawing Number	99147-Ex
Stage	3



Scale 1:250 - Lengths are in Metres.

2 0 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30 32 34 36

Page 44 of 44



Sheet 1 of 4

Exclusive use areas are defined by the external face of building walls, patios and porches and the centre of fences.

Common Property SP161306

PLAN OF EXCLUSIVE USE OF  
COMMON PROPERTY OF  
"MILLBROOK VILLAS" C.T.S.32107

Parish of TOOMBUL County of STANLEY  
Client: NEIL WARD & ASSOC Local Authority: BRISBANE CITY COUNCIL

**Landmark**  
CONSULTING

SURVEYORS PLANNERS DEVELOPMENT CONSULTANTS  
Building 11 Gordon City Office Park 2154 Lipson Road, Lipson Park, QLD 4012  
Email: info@landmarkconsulting.com.au • Telephone: 07 3218 9911 • Facsimile: 07 3218 9266  
\* Licensed Pty Ltd ACN 010 091 091 ABN 77 010 091 091

Job Number  
**99-147**

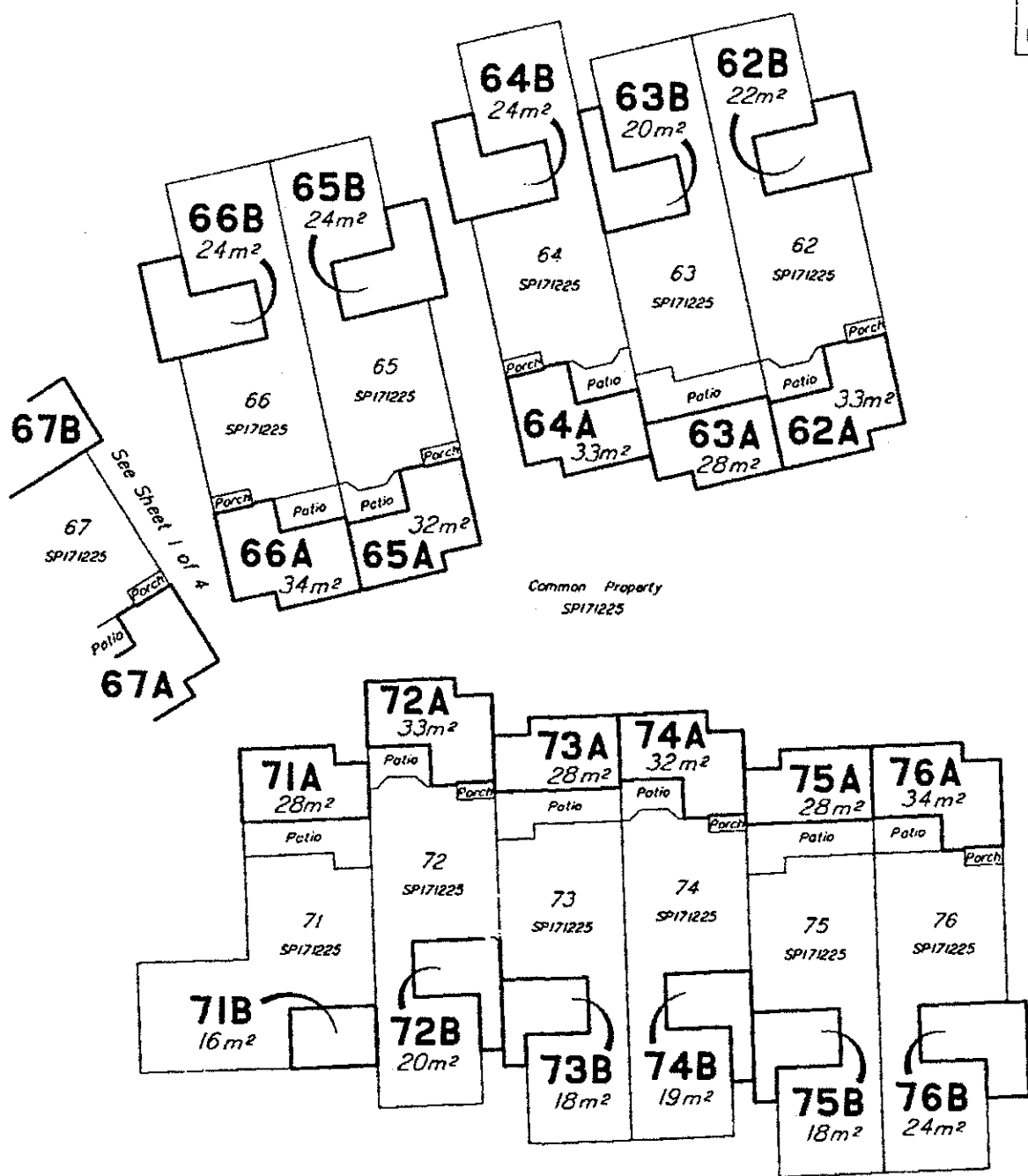
Drawing Number  
**99147-Ex**  
Stage 4

We, the undersigned, do hereby certify that the details shown on this plan are correct.

MARK ROBERT DUMBLELL  
LICENSED SURVEYOR  
DIRECTOR

DATE 8/3/05

SCALE: 1:250 (SEE ALSO MAP OF THE AREA)

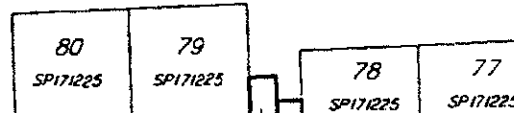
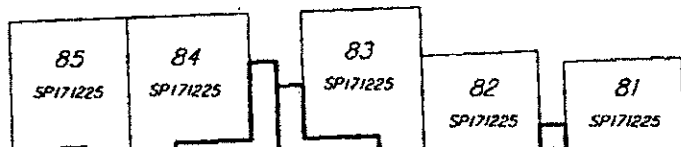


Common Property  
SP171225

Common Property  
SP171225

See Sheet 4 of 4

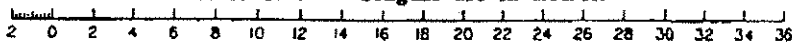
See Sheet 3 of 4



Sheet 2 of 4

Exclusive use areas are defined by the external face of building walls, patios and porches and the centre of fences.

Scale 1:250 - Lengths are in Metres.



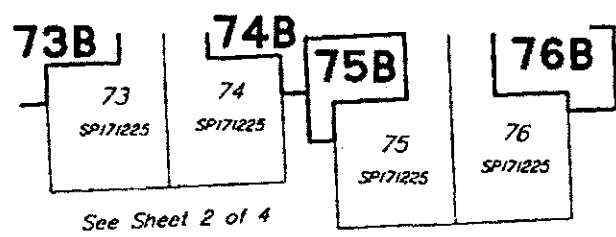
**79B**  
We, the undersigned, being a duly qualified and licensed surveyor, do hereby certify that the details shown on this plan are correct.  
*Mark Robert Dumbell*  
MARK ROBERT DUMBELL  
LICENSED SURVEYOR  
DIRECTOR  
DATE: 8/3/05

GF  
F.W.  
21/1/2005  
LC/99147/554  
K.W.

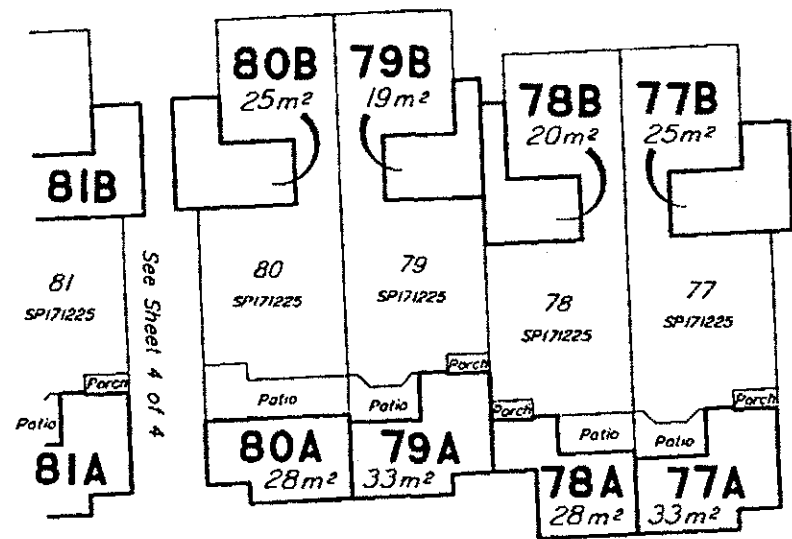
**PLAN OF EXCLUSIVE USE OF  
COMMON PROPERTY OF  
"MILLBROOK VILLAS" C.T.S.32107**  
Parish of TOOMBUK County of STANLEY  
Client: NEIL WARD & ASSOC. Local Authority: BRISBANE CITY COUNCIL

**Landmark  
CONSULTING**  
SURVEYORS PLANNERS DEVELOPMENT CONSULTANTS  
Building 11 Gordon City Office Park 2488 Upper Road, Capalaba Park, PO Box 4971, Capalaba Park, QLD 4111  
Email: info@landmarkconsulting.com.au Telephone: 07 3719 9911 Fax: 07 3719 3796  
Toll-free: 1800 600 000

Job Number  
**99-147**  
Drawing Number  
99147-L1  
Stage 4



Common Property  
SP171225

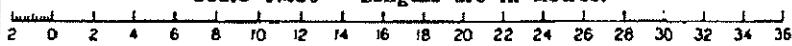


Common Property  
SP171225

Sheet 3 of 4

Exclusive use areas are defined by the external face of building walls, patios and porches and the centre of fences.

Scale 1:250 - Lengths are in Metres.



We, the undersigned, do hereby certify that the details shown on this plan are correct.

*Robert Dumbell*  
MARK ROBERT DUMBELL  
LICENSED SURVEYOR/DIRECTOR  
DATE: 8/3/05

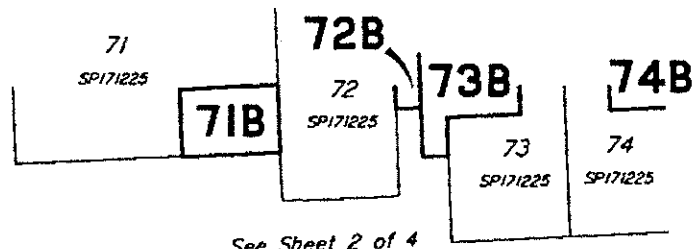
COMMON SEAL

Date: 21/1/2005 Drawn by: JC/59147/S:4 Checked: KW	<b>PLAN OF EXCLUSIVE USE OF COMMON PROPERTY OF "MILLBROOK VILLAS" C.T.S.32107</b>  Parish of TOOMBUL County of STANLEY Clerk: NEW WARD & ASSOC, Local Authority: BRISBANE CITY COUNCIL
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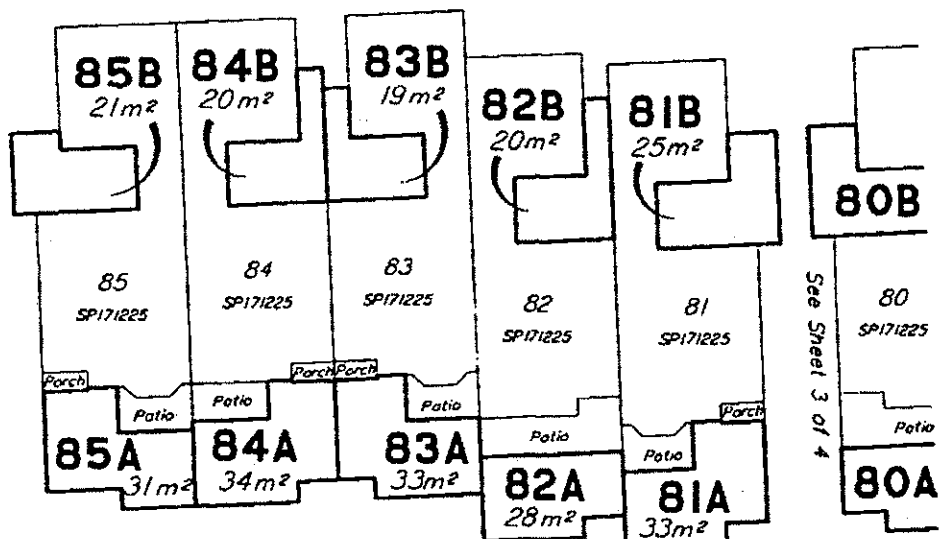
**Landmark**  
CONSULTING

SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS  
Building 11, Casuarina City Centre, 2404 Logan Road, Eight Mile Plains, QLD 4113  
Email: info@landmarkconsulting.com.au Phone: (07) 3219 9911 Fax: (07) 3219 9766  
Toll-free 1800 420 420

Job Number <b>99-147</b>	
Drawing Number 99147-EX	Revision -
Stage 4	



Common Property  
SP171225

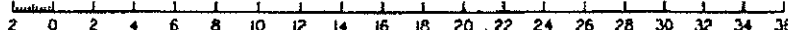


Common Property  
SP171225

Sheet 4 of 4

Exclusive use areas are defined by the external face of building walls, patios and porches and the centre of fences.

Scale 1:250 - Lengths are in Metres.



We, the undersigned, being a duly qualified and licensed Surveyor, do hereby certify that the details shown on this sketch plan are correct.

MARK ROBERT DUMPELL  
LICENSED SURVEYOR  
DIRECTOR

DATE 8/3/05

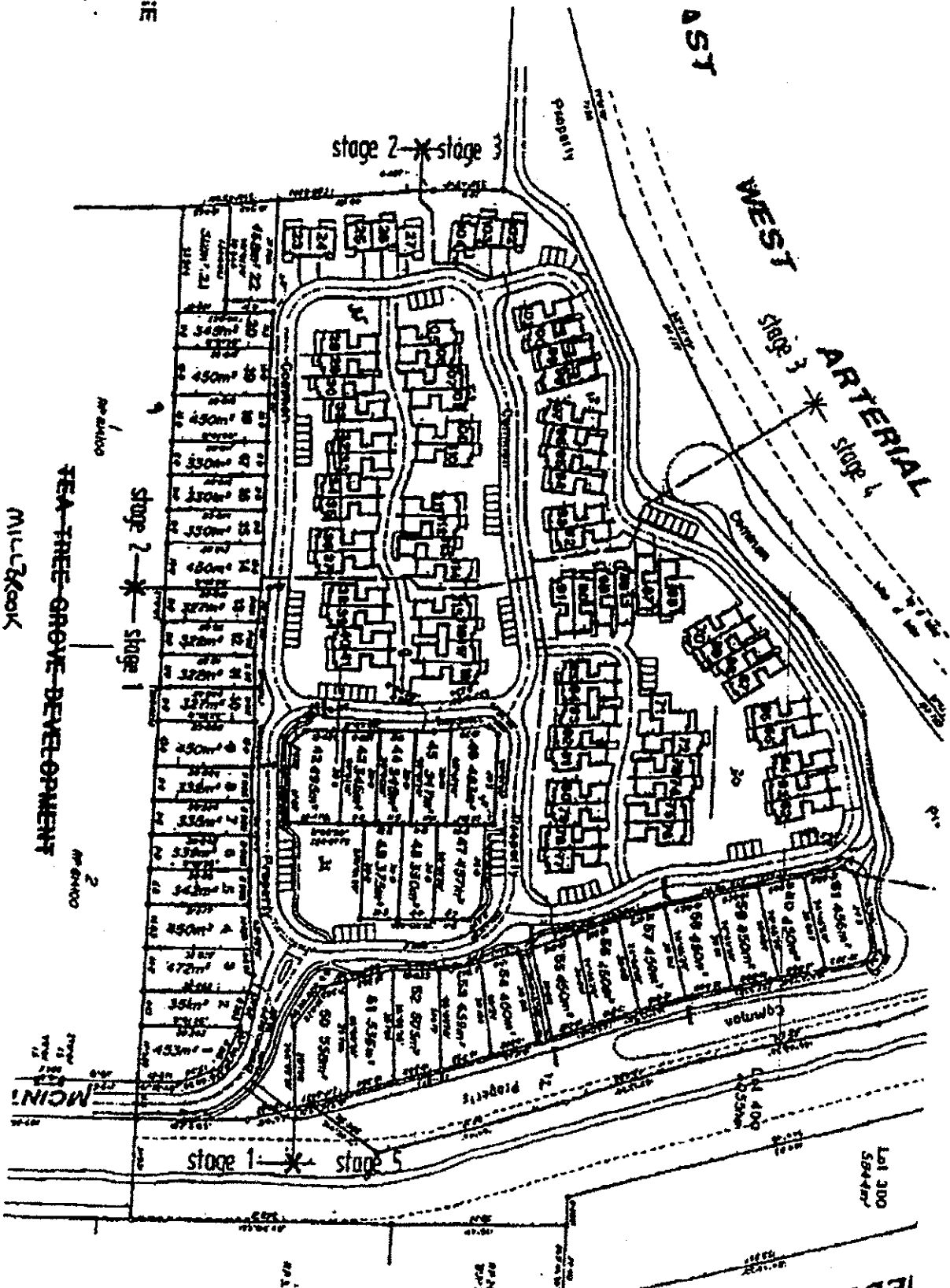
Author C.F.	<b>PLAN OF EXCLUSIVE USE OF COMMON PROPERTY OF "MILLBROOK VILLAS" C.T.S.32107</b>
Drawn F.W.	
Date 21/1/2005	
Check LC/99247/SL4	
Client K.W.	Parish of TOOMBUL County of STANLEY Client: NEIL WARD & ASSOC. Local Authority: BRISBANE CITY COUNCIL

<b>Landmark</b> CONSULTING SURVEYORS, PLANNERS, DEVELOPMENT CONSULTANTS Building 11, Cannon City Office Park, 1001/1002, Light House Road, PO Box 9302, Light House, QLD 4011 Email: info@landmarkconsulting.com.au • Telephone: 07 3219 8511 • Fax: 07 3219 8768 Telex: 971010 481 081
--

Job Number <b>99-147</b>
Drawing Number 99147-6A Stage 4

# Concept Plan

("A")



0002/002

20/02 2003 REV 08:32 FAX 01 7 33970468 LJ NEWITT CO