

CMS Version 1
Body Corporate and Community Management Act 1997

QUEENSLAND LAND REGISTRY

FIRST COMMUNITY MANAGEMENT STATEMENT

Page 1 of 6

29452	<p>This statement incorporates and must include the following:</p> <p><i>Schedule A - Schedule of lot entitlements</i> <i>Schedule B - Explanation of development of scheme land</i> <i>Schedule C - By-laws</i> <i>Schedule D - Any other details</i> <i>Schedule E - Allocation of exclusive use areas</i></p>
<p><i>Office use only</i></p> <p>CMS LABEL NUMBER</p>	

1. **Name of community titles scheme** 2. **Regulation module**
 Eton of the Park Community Titles Scheme Standard module

3. **Name of body corporate**
 Body Corporate for Eton of the Park Community Titles Scheme

4. **Schema land**

Description of Lot	County	Parish	Title Reference
Lots 1 to 7 on SP 142875 Common property of Eton of the Park Community Titles Scheme	Stanley	Toombul Toombul	

5. **Name and address of original owner #**
 Gaetano Zumbo and Frank Zumbo
 10 Florrie Street
 LUTWYCHE QLD 4030

6. **Reference to plan lodged with this statement**
 SP 142875

first community management statement only

7. **Local Government community management statement notation**

..... signed
Scott Bennett Town Planner name and designation
 Brisbane City Council name of Local Government

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

Execution Date *6/6/09* *Gaetano Zumbo* *Frank Zumbo* *Execution

Title Reference

Page 3 of 6

2.4 Except where authorised by these By-Laws or in writing by the Committee, a proprietor or occupier of a Lot shall not park or stand any or other vehicle or boat or trailer upon common property.

3. OBSTRUCTION

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

4. GARDENS

4.1 A proprietor or occupier of a lot shall not without the body corporate's written approval:

- (a) damage any lawn, garden, tree, shrub, plant or flower being part of or situated upon common property; or
- (b) use a part of the common property as a garden.

4.2 An approval under subsection (1) must state the period for which it is given.

4.3 However, the body corporate may cancel the approval by giving seven days written notice to the occupier.

5. COMMON PROPERTY ALTERATIONS AND SECURITY

5.1 An occupier of a lot must not, without the body corporate's written approval, mark, paint, drive nails or screws or other objects into, or otherwise damage or deface a structure that forms part of the common property.

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

5.3 The owner of a lot must keep a device installed under subsection (2) in good order and repair.

6. INVITEES

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

7. DEPOSITING OF RUBBISH ON COMMON PROPERTY

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

8. APPEARANCE OF BUILDING

8.1 The occupier of a lot must not, without the body corporate's written approval, make a change to the external appearance of the lot unless the change is minor and does not detract from the amenity of the lots and its surrounds.

8.2 The occupier of a lot must not, without the body corporate's written approval display a sign, advertisement, placard, banner, pamphlet or similar article is visible from another lot or the common property, or from outside the scheme land.

9. FLAMMABLE SUBSTANCES

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

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

9.3 However, this section does not apply to the storage of fuel in:

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

10. GARBAGE DISPOSAL

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

10.2 The occupier of a lot must:

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

11. ANIMALS

11.1 The occupier of lot must not, without the written approval of the body corporate:

- (a) bring or keep an animal on the lot or on the common property; or
- (b) permit an invitee to bring or keep an animal on the lot or on the common property.

11.2 The occupier of a lot must obtain the written approval of the body corporate before bringing or permitting an invitee to bring an animal onto the lot or onto the common property.

11.3 An approval under either or both of the preceding sub-sections may be subject to conditions.

Title Reference

Page 5 of 8

11.4 The body corporate must not cancel an approval given under either or both sub-sections (1) and (2) unless and until reasonable warning of its intention so to do and the reasons for its decision have been given to the occupier.

11.5 The body corporate must not cancel an approval given under either or both sub-sections (1) or (2) without good and sufficient reason to do so.

12. COMMON PROPERTY AND RECREATIONAL AREAS - POOL AND BARBECUE AREA

12.1 **Rules.** The Body Corporate may make rules from time to time with respect to the use of the Common Property and recreational areas including the reservation of use of any such areas for particular Members and their invitees.

12.2 **Pool etc.** In relation to the use of the pool and adjacent areas, a Member must ensure:

- (a) that his or her invitees do not use those facilities unless at the time they are occupiers of a Lot;
- (b) that children below the age of 13 years are not in or around those facilities unless accompanied by an adult who must exercise effective control over those children;
- (c) that glass containers or receptacles of any type are not taken to or allowed to remain in or around those facilities;
- (d) that the Member and his or her invitees must exercise caution at all times and must not:
 - (i) run, splash or behave in any manner that is likely to interfere with the use and enjoyment of the pool by other members and their invitees; and
 - (ii) use the facilities and surrounding areas between the hours of 10.00pm and 6.00am (or between such other hours as the Committee may from time to time nominate) without the consent of the Committee. **Barbecue area.** In relation to the use of the barbecue area and adjacent areas a Member must ensure:

- (e) that the Member does not while using the barbecue area and adjacent areas unreasonably disturb the peaceful enjoyment of any other Member;
- (f) that the cooking appliances are used in a proper manner and turned off according to their operating instructions and that all appliances used by the Member or its invitees are thoroughly cleaned after use; or
- (g) that the barbecue area is not used between the hours of 10.00pm and 7.00am without the consent of the Committee.

12.3 **Other use.** The provisions of this By-Law are subject to any authority to occupy part of the Common Property given by the Body Corporate to any Service Contractor engaged by the Body Corporate or any Letting Agent authorised by the Body Corporate and will only apply to any area the subject of such an Occupation Authority to the extent that they do not conflict with the purpose for which the Authority to Occupy has been given.

13. COURTYARDS

The proprietors of some lots in the Scheme shall be entitled to the exclusive use and enjoyment of the area allocated in schedule E and identified in the sketch plan "A" attached thereto and marked with the respective numbers of each Lot, which common property shall be used for the purpose of a private courtyard, and those proprietors shall each respectively be responsible for the maintenance and keeping of the Common Property of which they have exclusive use and enjoyment, in a state of good repair.

SCHEDULE D OTHER DETAILS REQUIRED/PERMITTED TO BE INCLUDED

Nil

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

Lot number	Exclusive use area
Lot 1 on SP 142875	Area A on sketch A