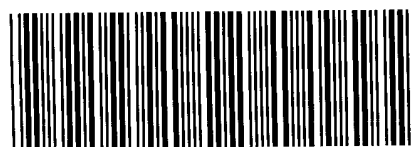


GENERAL REQUEST

Duty Imprint



721603690

\$96.00

07/04/2022 12:28

BE 470

1. Nature of request REQUEST TO RECORD NEW COMMUNITY MANAGEMENT STATEMENT FOR PEPPER TREE PLACE EVERTON HILLS COMMUNITY TITLES SCHEME 19478	Lodger (Name, address, email & phone number) Body Corporate Systems PO Box 743, Morningside QLD 4170 info@bcsystems.com.au 07 3899 0299	Lodger Code
2. Lot on Plan Description COMMON PROPERTY FOR PEPPER TREE PLACE EVERTON HILLS COMMUNITY TITLES SCHEME 19478	Title Reference 19303786	
3. Registered Proprietor/State Lessee Body Corporate for Pepper Tree Place Everton Hills Community Titles Scheme 19478		
4. Interest Not applicable		
5. Applicant Body Corporate for Pepper Tree Place Everton Hills Community Titles Scheme 19478		
6. Request I hereby request that the new Community Management Statement enclosed herewith which amends item 2. Regulation module and Schedule C – By-laws, be recorded as the community management statement for Pepper Tree Place Everton Hills Community Titles Scheme 19478.		
7. Execution by applicant		


 4 / 4 / 2022
 Execution Date

.....
~~Tammy Gee~~^{MT} Secretary
 MEGAN THORNTON

.....
 Gwenael Lescutier -Chairperson

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

19478

This statement incorporates and must include the following:

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

1. Name of community titles scheme

Pepper Tree Place Everton Hills Community Titles Scheme 19478

2. Regulation module

Standard Module

3. Name of body corporate

Body Corporate for Pepper Tree Place Everton Hills Community Titles Scheme 19478

4. Scheme land

Lot on Plan Description
SEE ENLARGED PANEL

Title Reference

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 Section 60(6) of the Body Corporate and Community Management Act 1997

N/A

8. Execution by original owner/Consent of body corporate



4 / 4 / 2022
Execution Date


MEGAN THORNTON
Secretary

Gwenael Lescutier - Chairperson

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

Privacy Statement

Collection of this information is authorised by the Body Corporate and Community Management Act 1997 and is used to maintain the publicly searchable registers in the land registry. For more information about privacy in DNRM see the Department's website.

Title Reference [19303786]

ENLARGED PANEL

4. Scheme land

Lot on Plan Description

Description of lot	Title reference
Lots 1 to 6 GTP 3786	18630137 to 18630142
Lots 10 to 14 GRP 101105	50052008 to 50052012
Lots 17 and 18 GRP 103659	50052015 to 50105516
Lots 20 to 23 GRP 105450	50160697 to 50160700
Lot 25 on SP 301444	51177647 to 50440245
Lots 26 to 30 SP 159798	50440246 to 50440250
Lots 31 to 35 SP 159799	50454571 to 50454575
Lots 36 to 41 SP 159800	50457158 to 50457163
Common Property Pepper Tree Place Everton Hills CTS 19478	19303786

Title Reference [19303786]

SCHEDULE A SCHEDULE OF LOT ENTITLEMENTS

Lot on Plan	Contribution	Interest
Lot 1 on GTP3786	18	18
Lot 2 on GTP 3786	16	16
Lot 3 on GTP 3786	19	19
Lot 4 on GTP 3786	17	17
Lot 5 on GTP 3786	15	15
Lot 6 on GTP 3786	15	15
Lot 10 on GRP 101105	17	17
Lot 11 on GRP 101105	14	14
Lot 12 on GRP 101105	15	15
Lot 13 on GRP 101105	17	17
Lot 14 on GRP 101105	18	18
Lot 17 on GRP 103659	17	17
Lot 18 on GRP 103659	16	16
Lot 20 on GRP 105450	15	15
Lot 21 on GRP 105450	16	16
Lot 22 on GRP 105450	17	17
Lot 23 on GRP 105450	16	16
Lot 25 on SP 301444	17	17
Lot 26 on SP 159798	16	16
Lot 27 on SP 159798	16	16
Lot 28 on SP 159798	16	16
Lot 29 on SP 159798	17	17
Lot 30 on SP 159798	16	16
Lot 31 on SP 159799	15	15
Lot 32 on SP 159799	14	14
Lot 33 on SP 159799	17	17
Lot 34 on SP 159799	18	18
Lot 35 on SP 159799	18	18
Lot 36 on SP 159800	16	16
Lot 37 on SP 159800	15	15
Lot 38 on SP 159800	15	15
Lot 39 on SP 159800	15	15
Lot 40 on SP 159800	15	15
Lot 41 on SP 159800	16	16
TOTALS	550	550

Title Reference [19303786]

SCHEDULE B EXPLANATION OF THE DEVELOPMENT OF SCHEME LAND

Not applicable.

SCHEDULE C BY-LAWS

1. NOISE

The occupier of the lot must not create noise likely to interfere with the peaceful enjoyment of a person lawfully on another lot or the common property.

2. VEHICLES

- a) The occupier and visitor of a lot must not, without the Body Corporate's written approval;
 - i. Park a motor vehicle on any area of common property; except on the driveway directly in front of their unit, or in the designated car-parks on the common property; or
 - ii. Park trailers, boat trailers and caravans on common property; or
 - iii. Park motor vehicles on common property, including drive-ways and designated car parks unless the vehicle is currently registered with the Queensland Department of Transport, its successor, or other state's or territories appropriate registration authority.
 - iv. Use any area on common property, including driveways and designated car parks, for the long-term storage of vehicles, or for parking of vehicles that are not owned by residents or visitors.

3. OBSTRUCTION

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

4. DAMAGE TO LAWNS, ETC.

- a) The occupier of a lot must not, without the Body Corporate's written approval;
 - i. Damage a lawn, garden, tree, shrub, plant or flowers on the common property; or
 - ii. Use a part of the common property as a garden
- b) An approval under section a) must state the period for which it is given.
- c) However, the Body Corporate may cancel the approval by giving 7 days' written notice to the occupier.

5. DAMAGE TO COMMON PROPERTY

An Occupier of a lot must not, without the Body Corporate's written approval, mark, drive nails, screws or other objects into, or otherwise damage or deface a structure that forms part of the common property.

6. BEHAVIOUR OF INVITEES

An occupier of a lot must take reasonable steps to ensure that the occupier's invitees do not behave in a way likely to interfere with the peaceful enjoyment of another lot or the common property and that their visitors and guests adhere to the by-laws too.

7. CHILDREN PLAYING ON COMMON PROPERTY

An occupier of a lot shall be personally responsible for the conduct of their children at all times while on common property. This responsibility shall include ensuring that said children;

- a) Do not play on the common roadway and designated car parks;
- b) Do not ride any form of personalised wheeled vehicle or similar apparatus on the common roadway and designated car parks. This includes, but is not limited to, skateboards, roller skates and inline skates, scooters and tricycles.
- c) Do not play in any common areas after dark without the personal supervision of the occupier;
- d) Bicycle riding on the common roadway is only permitted if in the act of directly commuting to and from the front gate to leave or enter the complex. When doing so, an approved bicycle helmet must be worn. Queensland road rules, the common roadway speed limit and directional flow must all be observed.

8. LEAVING OF RUBBISH ETC. ON THE 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.

Title Reference [19303786]

9. APPEARANCE OF LOT

- a) 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 lot and its surrounds.
- b) The occupier of a lot must not, without the Body Corporate's written approval:
 - i. Hang washing, bedding or other cloth articles except on approved clothes line on the occupiers' lot; and
 - ii. Display a sign, advertisement, placard, banner, pamphlet or similar article; if it is visible from another lot or the common property, or from outside the parcel.
- c) However, an owner may install:
 - i. a locking or safety device to protect the lot against intruders; or
 - ii. 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.
- d) The owner must keep a device installed under subsection c) in good order and repair.

10. STORAGE OF FLAMMABLE MATERIALS

- a) The occupier of a lot must not, without the Body Corporate's written approval, store a flammable substance on the common property,
- b) The occupier of a lot must not, without the Body Corporate's written approval, store a flammable substance on the lot unless the substances are used or intended for use for domestic purposes.
- c) However, this section does not apply to the storage of fuel in:
 - i. the fuel tank of a motor vehicle, boat or internal combustion engine; or
 - ii. a tank kept on a motor vehicle or boat in which the fuel is stored in accordance with the requirements of the law regulating the storage of flammable liquor.

11. GARBAGE DISPOSAL

- a) 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 this purpose.
- b) The occupier of a lot must:
 - i. comply with all local government laws about disposal of garbage; and
 - ii. ensure that the occupier does not, in disposing of the garbage, adversely affect the health, hygiene and comfort of the occupiers of other lots.
 - iii. ensure that the garbage receptacle is removed from the footpath or adjacent area of common property on the same day as garbage collection is effected by the local council and will store the garbage receptacle out of view and/or in the rear courtyard of their lot.

12. KEEPING OF ANIMALS

- a) The occupier of a lot must not, without the Body Corporate's written approval:
 - i. bring an animal onto, or keep an animal on the lot or the common property; or
 - ii. permit an invitee to bring an animal onto, or keep an animal on the lot or common property.
- b) The occupier must obtain the Body Corporate's written approval before bringing, or permitting an invitee to bring an animal onto the lot or the common property.

However, Section 143 of the Act provides as follows:

13. GUIDE DOGS/ASSISTANCE DOGS

- 1. A person mentioned in the Guide Dogs Act 1973, section 5, who has the right to be on a lot included in a community titles scheme, or on the common property, has the right to be accompanied by a guide dog/assistance dog while on the lot or common property.
- 2. A person mentioned in subsection 1 who is the owner or occupier of a lot included in a community titles scheme has the right to keep a guide dog/assistance on the lot.
- 3. A by-law cannot exclude or restrict a right given by this section.

The Guide Dogs Act 1972 defines a guide dog as a dog trained at an approved institution and used as a guide dog by a blind person or as an aid by a deaf person.

Title Reference [19303786]

14. POWER OF COMMITTEE

The Committee may make rules relating to the common property and in particular in relation to the barbeque areas or other facilities, not inconsistent with these by-laws and the same shall be observed by the owners or occupiers of lots unless and until they are disallowed or revoked by a resolution at a general meeting of the body corporate.

15. NOTIFICATION OF ACCIDENT OR DEFECT

An owner shall give the body corporate prompt notice of any defect in, or accident to the water pipes, electrical installations or fixtures, which comes to their knowledge. The body corporate shall have authority by its servants, agents, or contractors having regard to the urgency of the situation to examine or make such repairs or renovations as the body corporate may deem necessary for the safety and preservation of any lot.

16. USE OF SWIMMING POOL

In relation to the use of the swimming pool and adjacent areas, an owner or occupier of a lot shall ensure:

- a) that their invitees and guests do not use the swimming pool, unless they or another owner accompanies them;
- b) that children below the age of 13 years are not in or around the swimming pool unless accompanied by an adult owner or occupier exercising effective control over them;
- c) that the occupier or their invitees shall exercise caution at all times and shall not run, or splash or behave in any manner that is likely to interfere with the use and enjoyment of the swimming pool by other persons;
- d) that there is no use of the swimming pool and adjacent areas between the hours of 9:00pm and 6:00am;
- e) no glass containers, glass bottles, or glass receptacles of any type are to be taken to or allowed to remain in or around the swimming pool
- f) no food to be taken or consumed in or around the swimming pool; and
- g) that whilst using the pool, any equipment associated with the swimming pool including automatic pool cleaning equipment shall not be moved or interfered with by the owner or occupier, their invitees or guests.

17. MAINTENANCE OF SWIMMING POOL

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

18. USE OF TENNIS COURTS

All owners and occupiers may use the tennis court constructed on the common property subject to the following rules which shall, where appropriate, apply to all guests or invitees of proprietors or occupiers;

- a) appropriate footwear shall be worn while using the tennis court. Studded or spiked footwear is not permitted.
- b) the tennis court shall not be used for any form of sporting or leisure activity or for any purpose which can cause damage to the surface, fixtures or fittings of the tennis court. Personalised wheeled vehicles or other equipment that has the potential to damage the tennis court are not permitted.
- c) the tennis court shall not be used by a guest or invitee unless accompanied by the host owner or occupier;
- d) reservations for the use of the tennis court for the purpose of playing tennis can be made by displaying a reservation notice on the notice board at the gazebo. Reservations for activities other than playing tennis are not permitted.
- e) no glass containers, glass bottles, or glass receptacles of any type are to be taken to or allowed to remain in or around the tennis court.

19. PRIVATE COURTYARD

The owner of Lot 17 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 "C" attached thereto and marked with the respective numbers of the Lot, which common property shall be used for the purpose of a private court yard, and that owner is responsible for the maintenance and keeping of the common property of which it has exclusive use and enjoyment, in a manner similar to the rest of the common property maintained Body Corporate area. This exclusive use shall lapse if the owner from time to time does not maintain the exclusive use area, in a manner similar to the rest of the maintained Body Corporate area.

20. GAZEBO AREA

In relation to the use of the gazebo area, an owner or occupier of a lot shall ensure:

- a) that their invitees and guests do not use the gazebo area, unless the occupier or another owner accompanies them;
- b) that bookings be made on the notice board, and
- c) that upon completion of use of the gazebo that the area shall be in a clean and tidy state.

Title Reference [19303786]

21. USE OF LOTS

All lots are to be used for Residential purposes. Lots must not be used for;

- Retail or other forms of business that will require external visitors to frequent the complex.
- Short term accommodation rental or holiday letting.
- Conducting any other commercial operation outside of reasonable 'work from home' arrangements.

SCHEDULE D OTHER DETAILS REQUIRED/PERMITTED TO BE INCLUDED

A. Lots affected by statutory easements

Pursuant to Sections 66(1)(d)(iii) of the *Body Corporate and Community Management Act 1997*, each of the following lots and certain common property is subject to and has the benefit of the following easements:

Lot Number	Type of Easement
Common Property (as shown on SP 159799 and SP 159800)	<ul style="list-style-type: none">Lateral or subjacent support under the <i>Land Title Act 1994</i>, s 115N;Utility services and utility infrastructure under the <i>Land Title Act 1994</i>, ss 115O and 115P;Shelter under the <i>Land Title Act 1994</i>, s115Q; Maintenance of building close to boundary under the <i>Land Title Act 1994</i>, 115S.
Lot 31 on SP 159799	<ul style="list-style-type: none">Lateral or subjacent support under the <i>Land Title Act 1994</i>, s 115N;Utility services and utility infrastructure under the <i>Land Title Act 1994</i>, ss 115O and 115P;Shelter under the <i>Land Title Act 1994</i>, s115Q;Maintenance of building close to boundary under the <i>Land Title Act 1994</i>, 115S.
Lot Number	Type of Easement
Lot 32 on SP 159799	<ul style="list-style-type: none">Lateral or subjacent support under the <i>Land Title Act 1994</i>, s 115N;Utility services and utility infrastructure under the <i>Land Title Act 1994</i>, ss 115O and 115P;Shelter under the <i>Land Title Act 1994</i>, s115Q;Maintenance of building close to boundary under the <i>Land Title Act 1994</i>, 115S.
Lot 33 on SP 159799	<ul style="list-style-type: none">Lateral or subjacent support under the <i>Land Title Act 1994</i>, s 115N;Utility services and utility infrastructure under the <i>Land Title Act 1994</i>, ss 115O and 115P;Shelter under the <i>Land Title Act 1994</i>, s115Q;Maintenance of building close to boundary under the <i>Land Title Act 1994</i>, 115S.
Lot 34 on SP 159799	<ul style="list-style-type: none">Lateral or subjacent support under the <i>Land Title Act 1994</i>, s 115N;Utility services and utility infrastructure under the <i>Land Title Act 1994</i>, ss 115O and 115P;Shelter under the <i>Land Title Act 1994</i>, s115Q;

Title Reference [19303786]

	<ul style="list-style-type: none"> Maintenance of building close to boundary under the <i>Land Title Act 1994</i>, 115S.
Lot 35 on SP 159799	<ul style="list-style-type: none"> Lateral or subjacent support under the <i>Land Title Act 1994</i>, s 115N; Utility services and utility infrastructure under the <i>Land Title Act 1994</i>, ss 115O and 115P; Shelter under the <i>Land Title Act 1994</i>, s115Q; Maintenance of building close to boundary under the <i>Land Title Act 1994</i>, 115S.
Lot 36 on SP 159800	<ul style="list-style-type: none"> Lateral or subjacent support under the <i>Land Title Act 1994</i>, s 115N; Utility services and utility infrastructure under the <i>Land Title Act 1994</i>, ss 115O and 115P; Shelter under the <i>Land Title Act 1994</i>, s115Q; Maintenance of building close to boundary under the <i>Land Title Act 1994</i>, 115S.
Lot 37 on SP 1 59800	<ul style="list-style-type: none"> Lateral or subjacent support under the <i>Land Title Act 1994</i>, s 115N; Utility services and utility infrastructure under the <i>Land Title Act 1994</i>, ss 115O and 115P; Shelter under the <i>Land Title Act 1994</i>, s115Q; Maintenance of building close to boundary under the <i>Land Title Act 1994</i>, 115S.
Shelter under the <i>Land Title Act 1994</i>, s115Q; Maintenance of building close to boundary under the <i>Land Title Act 1994</i>, 115S	
Lot Number	Type of Easement
Lot 38 on SP 159800	<ul style="list-style-type: none"> Lateral or subjacent support under the <i>Land Title Act 1994</i>, s 115N; Utility services and utility infrastructure under the <i>Land Title Act 1994</i>, ss 115O and 115P; Shelter under the <i>Land Title Act 1994</i>, s115Q; Maintenance of building close to boundary under the <i>Land Title Act 1994</i>, 115S.
Lot 39 on SP 159800	<ul style="list-style-type: none"> Lateral or subjacent support under the <i>Land Title Act 1994</i>, s 115N; Utility services and utility infrastructure under the <i>Land Title Act 1994</i>, ss 115O and 115P; Shelter under the <i>Land Title Act 1994</i>, s115Q; Maintenance of building close to boundary under the <i>Land Title Act 1994</i>, 115S.
Lot 40 on SP 159800	<ul style="list-style-type: none"> Lateral or subjacent support under the <i>Land Title Act 1994</i>, s 115N; Utility services and utility infrastructure under the

Title Reference [19303786]

	<i>Land Title Act 1994</i> , ss 115O and 115P; <ul style="list-style-type: none">• Shelter under the <i>Land Title Act 1994</i>, s115Q;• Maintenance of building close to boundary under the <i>Land Title Act 1994</i>, 115S.
Lot 41 on SP 159800	<ul style="list-style-type: none">• Lateral or subjacent support under the <i>Land Title Act 1994</i>, s 115N;• Utility services and utility infrastructure under the <i>Land Title Act 1994</i>, ss 115O and 115P;• Shelter under the <i>Land Title Act 1994</i>, s115Q;• Maintenance of building close to boundary under the <i>Land Title Act 1994</i>, 115S.

B. SERVICE LOCATION DIAGRAM

Pursuant to Sections 66(1)(d)(ii) of the *Body Corporate and Community Management Act 1997*, annexed and marked as Annexures "D" and "E" are Services Location Diagrams identifying all service easements for lots and the common property created on SP 159799 and SP 159800, respectively

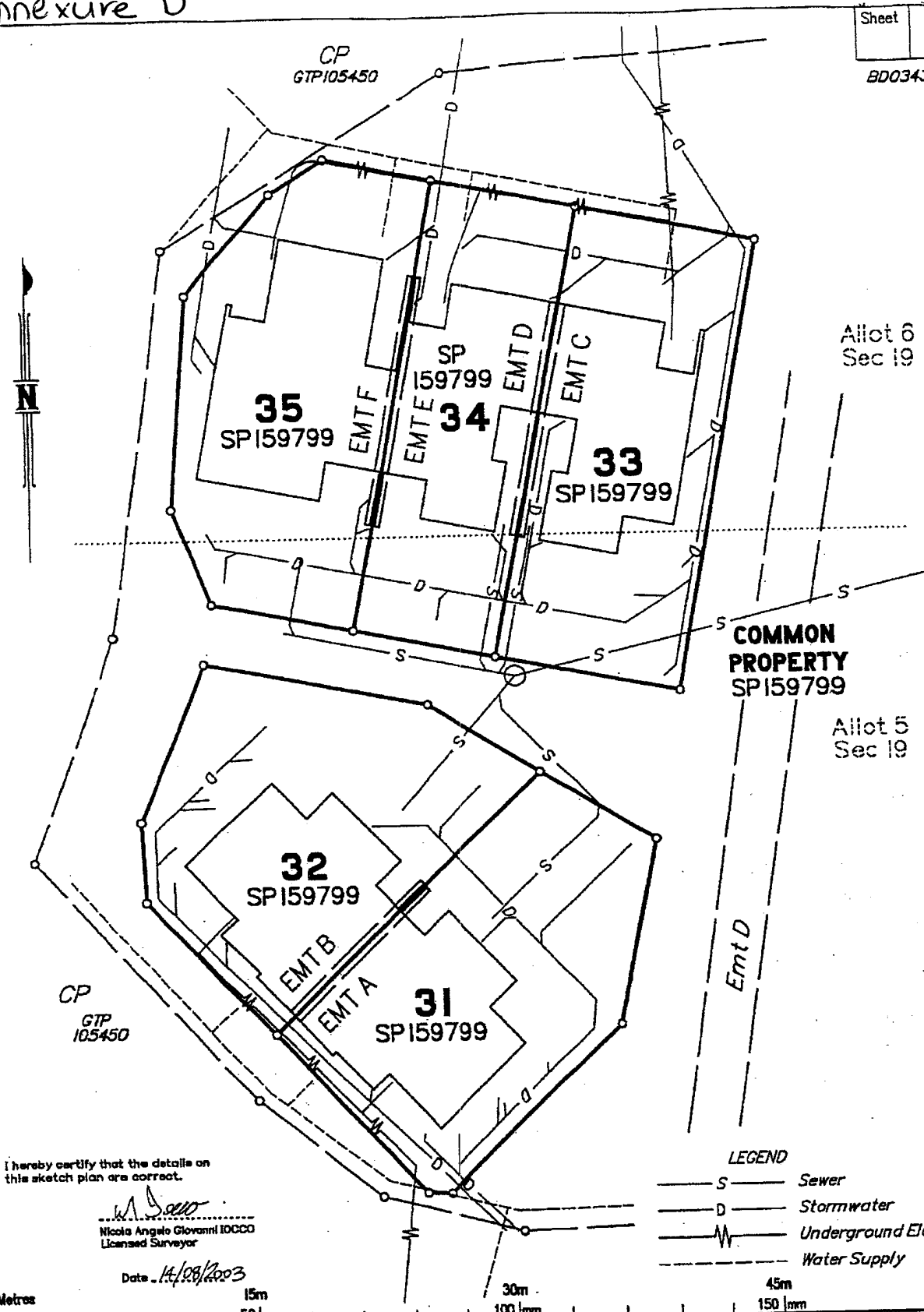
SCHEDULE E DESCRIPTION OF LOTS ALLOCATED EXCLUSIVE USE AREAS OF COMMON PROPERTY

Lot number	Exclusive Use area
Lot 17 GRP 103659	The hatched area on sketch C

Title Reference [19303786]

Annexure D

Sheet of
BD03434



I hereby certify that the details on this sketch plan are correct.

Nicola Angelo Giovanni ILOCCO
Licensed Surveyor

Date 14/08/2003

LEGEND

- S — Sewer
- D — Stormwater
- Zigzag — Underground Electricity
- - - - - Water Supply

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

CLIENT/PROJECT:

PLAN OF

SERVICE LOCATION DIAGRAM

Lots 31 to 35 and Common Property on SP159799

CMS Number 19478 PEPPER TREE PLACE EVERTON HILLS

Orig Allots 5 & 6 of Sec 19 LOCALITY **EVERTON HILLS**

PARISH **KEDRON** COUNTY **Stanley**

SURVEYOR HILLOCC	LOCAL AUTHORITY Pine Rivers SC 2003/10018
DATE 10.06.2003	SCALE 1:300 (A4)
MAP REF. 9443-22141	
DRAWN BD03434 A	
JOB NO. 5582	



PO BOX 888
BROOKING PLAINS QLD 4108
UNIT 1, 30 TRADELINE RD,
BROOKING PLAINS, 4108
PH 07 3806 8433
FAX 07 3806 8466

Annexure E



PO BOX 555
BROWNS PLAINS B.C. 4112
UNIT 1, 32 TRADELINK RD.
BROWNS PLAINS. 4112

Title Reference [19303786]

Building Units and Group Titles Act 1980 — 1990
BUILDING UNITS AND GROUP TITLES REGULATIONS 1980

Name of Parcel: "EVERTON GARDENS" Regulation 8(1)

OF RESUBDIVISION (SHEET 2A)

GROUP TITLES PLAN NO. 103659

Resubdividing Lot 15 and Common Property on GTP 101105

REFERENCE		MARKS		TRAVERSES ETC	
STN	TO	ORIGIN	BEARING	LINE	DIST
1	On Wall at Kerb	34/STP 3785	306°09'45"	2-3	9.798
2	On Wall at Kerb		66°50'30"	3-4	11.04
8	OIP		266°42'	4-5	6.795
9	OIP	1/15 941235	226°34'20"		
10	OIP	2/15 941235	164°02'30"		

N

SCALE 1 : 300

SIGNATURE OF REGISTERED PROPRIETOR

Director

Deputy Secretary

Director

Shire Clerk

Chief Executive Officer

COUNCIL OF THE SHIRE OF PINE RIVERS

- EXCLUSIVE USE AREA -