

Queensland Titles Registry Pty Ltd
ABN 23 648 568 101

Lodger Code: NR 911

HERD LAWYERS
PO BOX 180
MAROOCHYDORE QLD 4558

Title Reference:	50038305
Lodgement No:	5584522
Office:	NAMBOUR

This is the current status of the title as at 08:53 on 05/09/2022

LAND DESCRIPTION

COMMON PROPERTY OF WINDWARD PASSAGE COMMUNITY TITLES SCHEME 17618
COMMUNITY MANAGEMENT STATEMENT 17618
Local Government: SUNSHINE COAST

REGISTERED OWNER

Dealing No: 700391115 09/12/1994
BODY CORPORATE FOR WINDWARD PASSAGE COMMUNITY TITLES
SCHEME 17618
ABETTA BODY CORPORATE MANAGEMENT PTY LTD
PO BOX 110
MOOLOOLABA QLD 4557

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by
Deed of Grant No. 10547215 (POR 41)
2. REQUEST FOR NEW CMS No 721933973 29/08/2022 at 11:30
New COMMUNITY MANAGEMENT STATEMENT 17618
STANDARD MODULE

ADMINISTRATIVE ADVICES

NIL

UNREGISTERED DEALINGS

NIL

DEALINGS REGISTERED

721933973 NEW CMS

Caution - Charges do not necessarily appear in order of priority

** End of Registration Confirmation Statement **

Registrar of Titles and Registrar of Water Allocations

Dealing Number



OFFICE USE ONLY

Privacy Statement

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1. Nature of request

REQUEST TO RECORD NEW COMMUNITY
MANAGEMENT STATEMENT FOR WINDWARD
PASSAGE COMMUNITY TITLES SCHEME 17618

Lodger (Name, address, E-mail & phone number)

HERDLAW
PO BOX 180
MAROOCHYDORE QLD 4558
T: 07 3198 2494
E: kym-marie@herdlaw.com.au
REF: 10907

**Lodger
Code**
NR911

2. Lot on Plan Description

COMMON PROPERTY OF
WINDWARD PASSAGE COMMUNITY
TITLES SCHEME

Title Reference

50038305

3. Registered Proprietor/State Lessee

NOT APPLICABLE

4. Interest

FEE SIMPLE

5. Applicant

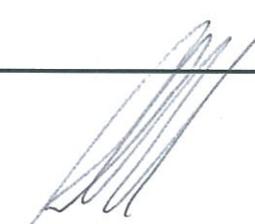
BODY CORPORATE FOR WINDWARD PASSAGE COMMUNITY TITLES SCHEME 17618

6. Request

I hereby request that: the new CMS deposited herewith which amends the Regulation Module, Schedule C and Schedule E of the existing CMS be recorded as the new Community Management Statement for Windward Passage Community Titles Scheme 17618.

7. Execution by applicant

24108122
Execution Date


.....
Applicant's Solicitor's Signature

Robert John Herd, Solicitor

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

THIS CMS MUST BE DEPOSITED WITH:

- A FORM 14 GENERAL REQUEST; AND
- A FORM 18C (IF NO EXEMPTION TO THE PLANNING BODY CMS NOTATION APPLIES).

A NEW CMS MUST BE LODGED WITHIN THREE (3) MONTHS OF THE DATE OF CONSENT BY THE BODY CORPORATE

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

Office use only
CMS LABEL NUMBER

1. Name of community titles scheme WINDWARD PASSAGE COMMUNITY TITLES SCHEME 17618	2. Regulation module STANDARD MODULE
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3. Name of body corporate BODY CORPORATE FOR WINDWARD PASSAGE COMMUNITY TITLES SCHEME 17618

4. Scheme land Lot on Plan Description SEE ENLARGED PANEL	Title Reference
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5. #Name and address of original owner NOT APPLICABLE	6. Reference to plan lodged with this statement NOT APPLICABLE
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first community management statement only

7. Local Government community management statement notation
NOT APPLICABLE PURSUANT TO SECTION 60(6) OF THE BODY CORPORATE AND COMMUNITY MANAGEMENT ACT 1997

.....signed

.....name and designation

.....name of Local Government

*If there is no exemption or for a first community management statement (CMS), a Form 18C must be deposited with the Request to record the CMS.

8. Execution by original owner/Consent of body corporate



24/8/22
Execution Date

Kim DAVIS (CHAIRPERSON)

Mark MILSON (SECRETARY)

.....
*Execution

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

Windward Passage CTS 17618

4. Scheme Land

Description of Lot	Title Reference
Common Property of Windward Passage Community Titles Scheme 17618	50038305
Lot 1 on BUP 101572	50038306
Lot 2 on BUP 101572	50038307
Lot 3 on BUP 101572	50038308
Lot 4 on BUP 101572	50038309
Lot 5 on BUP 101572	50038310
Lot 6 on BUP 101572	50038311
Lot 7 on BUP 101572	50038312
Lot 8 on BUP 101572	50038313
Lot 9 on BUP 101572	50038314
Lot 10 on BUP 101572	50038315
Lot 11 on BUP 101572	50038316
Lot 12 on BUP 101572	50038317
Lot 13 on BUP 101572	50038318
Lot 14 on BUP 101572	50038319
Lot 15 on BUP 101572	50038320
Lot 16 on BUP 101572	50038321
Lot 17 on BUP 101572	50038322
Lot 18 on BUP 101572	50038323
Lot 19 on BUP 101572	50038324
Lot 20 on BUP 101572	50038325
Lot 21 on BUP 101572	50038326
Lot 22 on BUP 101572	50038327
Lot 23 on BUP 101572	50038328
Lot 24 on BUP 101572	50038329
Lot 25 on BUP 101572	50038330
Lot 26 on BUP 101572	50038331
Lot 27 on BUP 101572	50038332
Lot 28 on BUP 101572	50038333
Lot 29 on BUP 101572	50038334

Windward Passage CTS 17618

SCHEDULE A SCHEDULE OF LOT ENTITLEMENTS

Lot on Plan	Contribution	Interest
Lot 1 in BUP 101572	1	1
Lot 2 in BUP 101572	1	1
Lot 3 in BUP 101572	1	1
Lot 4 in BUP 101572	1	1
Lot 5 in BUP 101572	1	1
Lot 6 in BUP 101572	1	1
Lot 7 in BUP 101572	1	1
Lot 8 in BUP 101572	1	1
Lot 9 in BUP 101572	1	1
Lot 10 in BUP 101572	1	1
Lot 11 in BUP 101572	1	1
Lot 12 in BUP 101572	1	1
Lot 13 in BUP 101572	1	1
Lot 14 in BUP 101572	1	1
Lot 15 in BUP 101572	1	1
Lot 16 in BUP 101572	1	1
Lot 17 in BUP 101572	2	2
Lot 18 in BUP 101572	2	2
Lot 19 in BUP 101572	1	1
Lot 20 in BUP 101572	1	1
Lot 21 in BUP 101572	1	1
Lot 22 in BUP 101572	1	1
Lot 23 in BUP 101572	1	1
Lot 24 in BUP 101572	1	1
Lot 25 in BUP 101572	1	1
Lot 26 in BUP 101572	1	1
Lot 27 in BUP 101572	1	1
Lot 28 in BUP 101572	1	1
Lot 29 in BUP 101572	1	1
TOTALS	31	31

SCHEDULE B EXPLANATION OF THE DEVELOPMENT OF SCHEME LAND

Not applicable.

SCHEDULE C BY-LAWS**BY-LAWS**

Dictionary

Where the words in bold appear in these By-laws, they shall have the meaning appearing beside them as set out in this Clause.

Act	the Body Corporate and Community Management Act 1997.
Committee	the Committee of the Body Corporate from time to time.
Module	the Body Corporate and Community Management (Accommodation Module) Regulation 2008.

Windward Passage CTS 17618**regulated parking area**

an area of scheme land designated as being available for use, by invitees of occupiers of lots included in the scheme, for parking vehicles.

Scheme

Windward Passage Community Titles Scheme 17618.

BY-LAW 1 Noise

1. A proprietor or occupier of a lot shall not upon the parcel create any noise likely to interfere with the peaceful enjoyment of the proprietor or occupier of another lot or of any person lawfully using common property

BY-LAW 2 Vehicles

2. (a) The proprietor or occupier of a lot must not:
 - (1) park a vehicle, or allow a vehicle to stand, in a regulated parking area; or
 - (2) without the approval of the body corporate, park a vehicle, or allow a vehicle to stand, on any other part of the common property; or
 - (3) permit an invitee to park a vehicle, or allow a vehicle to stand, on the common property, other than in a regulated parking area.
- (b) An approval under By-law 2.(a)(2) must state the period for which it is given.
- (c) The body corporate may cancel the approval by giving 7 days written notice to the proprietor or occupier.

BY-LAW 3 Obstruction

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

BY-LAW 4 Damage to lawns, etc. on common property

4. A proprietor or occupier of a lot shall not:
 - (a) Damage any lawn, 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.

BY-LAW 5 Damage to common property

5. 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.

BY-LAWS 6 Behaviour of invitees

6. 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 common property.

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BY-LAW 7 Leaving of rubbish etc on common property

7. A proprietor or occupier of a lot shall not deposit or throw upon the common property any rubbish, dirt, dust or other materials likely to interfere with the peaceful enjoyment of the proprietor or occupier of another lot or of any person lawfully using the common property.

BY-LAW 8 Appearance of building

8. In the case of a Building Format Plan, 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 outside the building. A proprietor shall not hang curtains visible from outside the lot unless those curtains have a backing of such colour and design as shall be first approved of in writing by the Committee of the Body Corporate. A proprietor shall not install renovate and/or replace a curtain backing or window tinting without having the colour and design of same approved of in writing by the Committee of the Body Corporate. In giving such approvals the Committee of the Body Corporate shall ensure so far as practicable that curtain backing and window tinting used in all units presents a uniform appearance when viewed from outside the building.

BY-LAW 9 Storage of flammable liquids etc.

9. 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, gases or other material used or intended to be used for domestic purposes, or any such chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

BY-LAW 10 Garbage Disposal

10. 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;
 - (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.

BY-LAW 11 Keeping of Animals

- 11.1 Subject to the Act a proprietor or occupier of a lot shall not, without the approval in writing of the body corporate, keep any animal upon their lot or the common property.

Section 181 of the Body Corporate and Community Management Act 1997 provides that a person who has the right to be accompanied by a Guide Dog, has the right to keep a Guide Dog in their Lot.

The term "animal" is considered to include a:

- (a) a dog
 - (b) a cat
 - (c) any other "creature" that is not a human being, including birds and fish.
- 11.2 Any approval granted by the Committee must include the following conditions:-
- 11.2.1 The Committee is responsible for administering the By Laws and for considering applications from Lot Owners to keep an animal.
 - 11.2.3 A Lot Owner who wishes to keep an animal within their Lot is required to submit an application through the Secretary, for consideration by the Committee.
 - 11.2.4 No more than one animal per Lot will be permitted.
 - 11.2.5 The matters generally considered by the Committee in it's evaluation of applications will include:

Windward Passage CTS 17618**Dogs:**

- (a) Dogs that can be described as "toy", "miniature", "lap", and the like, and having a height up to 30cm and a weight up to 6kg
- (b) The dog breed
- (c) What training the dog has received
- (d) Whether the dog has previously lived as a house dog
- (e) Whether it barks, or has been trained not to bark.
- (f) The dog's need for vigorous exercise
- (g) Whether it has been de-sexed
- (h) Whether it is vaccinated for Queensland conditions and all vaccinations are current
- (i) Whether it is registered with Sunshine Coast Regional Council

Cats:

- (a) The cat breed
- (b) Whether it has been house trained
- (c) Whether it has previously lived as a house cat
- (d) Whether it wanders
- (e) The cat's need for vigorous exercise
- (f) Whether it is de-sexed
- (g) Whether it is vaccinated for Queensland conditions and all vaccinations are current.
- (h) Whether it is registered with Sunshine Coast Regional Council

Other animals:

- (a) Will be considered on an individual case by case basis

11 2.6 For each application approved by the Committee, the conditions appropriate to each individual approval will include:

Dogs and Cats:

- (a) the animal is at all times kept within the confines of the Owner's Lot;
- (b) the animal shall be carried on a lead when traveling in the lifts;
- (c) the animal shall be carried on a lead whilst entering and leaving the scheme land;
- (d) other than when traveling to and from the Owner's Lot, the animal shall not enter or remain in any common property areas, including reception, car-park, foyers, walk-ways and the like
- (e) the animal shall not enter the pool area or BBQ area
- (f) upon deceasing, the animal may not be replaced without further Body Corporate approval;
- (g) if the body corporate committee receives complaints due to noise, or contravention of:
 - by laws, or
 - the conditions imposed
 the committee will request in writing that the animal be removed, and upon receipt of such request, the animal shall be removed from the scheme land within 7 days and shall not return;
- (h) That all animal feces is to be placed in appropriate container/bag and is to be removed from scheme land (placement in body corporate waste bins is prohibited);
- (i) prior to the animal being kept in the Lot, the Lot Owner shall confirm in writing that the conditions imposed will be complied with

Other animals:

Conditions appropriate to each approval will be determined for each application.

11 2.7 Successful applicants will be required to confirm in writing, prior to the animal being kept in the Lot, that the conditions imposed will be complied with.

11 2.8 Prior to submitting an application to keep an animal in a Lot, Lot Owners should consider whether they can conveniently comply with the potential conditions of any approval.

BY-LAW 12 Aerials

12. A proprietor or occupier of a lot shall not erect outside wireless and television aerials or satellite receivers without the prior written consent of the Body Corporate.

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BY-LAW 13 Structural Alterations

13. A proprietor or occupier of a lot shall not make any structural alterations to any lot (including any alterations to gas, water or electrical installations) without the prior written consent of the Body Corporate.

BY-LAW 14 Tradesmen

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

BY-LAW 15 Interior

15. Each proprietor or occupier of a lot shall be responsible for the interior maintenance and decoration of the lot.

BY-LAW 16 Windows and Plate Glass

16. A proprietor or occupier of a lot shall at their expense keep the windows and any plate glass in the lot clean and promptly replaced with new glass of the same kind and weight if broken or cracked.

BY-LAW 17 Waiver

17. A proprietor or occupier of a lot shall not waste water and shall see that all water taps in the lot are promptly turned off after use.

BY-LAW 18 Water Apparatus

18. The water closets, conveniences and other water apparatus including waste pipes and drains shall not be used for any purpose other than those for which they were constructed and no sweepings or rubbish or other unsuitable substance shall be deposited therein. Any damage or blockage resulting to such water closets, conveniences water apparatus, waste pipes and drains from misuses or negligence shall be borne by the proprietor whether the same is caused by his own actions, or those of members of his household or his servants or agents or guests.

BY-LAW 19 Damage to Services

19. A proprietor or occupier of a lot shall give the Committee prompt notice of any accident to or defect in the water pipes, gas pipes, electric or gas installations or fixtures and the committee by its agents or servants shall have authority in the circumstances having regard to the urgency involved to enter a lot, examine or make such repairs or renovations as they may deem necessary, for the safety and preservation of the building or parcel as often as may be necessary and such entry shall not constitute trespass.

BY-LAW 20 Vermin

20. A proprietor or occupier of a lot shall keep the lot clean and take all practicable steps to prevent infestation by vermin or insects.

BY-LAW 21 Infectious Diseases

21. In the event of any infectious disease which may require notification by virtue of any Statute Regulation or Ordinance happening in any unit the proprietor for or occupier of such unit shall give written notice thereof and any other information which may be required relative thereto to the Body Corporate and shall pay to the Body Corporate the expenses of disinfecting the premises and replacing any articles or things the destruction of which may be rendered necessary by such disease.

BY-LAW 22 Insurance

22. A proprietor or occupier of a lot shall not bring to, do or keep anything in his lot which may void any insurance policy in respect of the building or the common property, increase the rate of fire insurance on the building or the common property or conflict with the laws, regulations or ordinances relating to fires or any insurance policy upon the building or the common property.

Windward Passage CTS 17618**BY-LAW 23 Sound**

23. (a) All musical instruments, radios, television sets and sound equipment shall be controlled so that the sound is reasonable and does not cause annoyance to the other proprietors or occupiers.
- (b) A proprietor or occupier of a lot shall not hold or permit to be held any social gatherings in the lot in which there shall occur any noise which interferes with the peace and quietness of any other proprietor or occupier of a lot, at any time of day or night.
- (c) The volume of radio, television receivers or sound equipment shall be kept as low as possible at all times and they shall not be operated between the hours of 10.00 p.m. and 8.00 a.m. in such manner as to be audible at all to any other proprietor or occupier of a lot.
- (d) A proprietor or occupier of a lot shall not permit any musical instrument to be practised or any avoidable noise to be made in a lot between the hours of 10.00 p.m. and 8.00 a.m.
- (e) Quiet playing of musical instruments is permissible to a reasonable extent at any time during the hours of 8.00 a.m. and 10.00 p.m. Practising during the same hours is permissible but not for longer than one hour at a time, or for a total of more than three hours in any one day.

BY-LAW 24 Disturbance

24. (a) Proprietors and occupiers of lots shall request guests leaving after 10.00 p.m. to leave quietly and quietness shall be observed when a proprietor or occupier of a lot returns to the building after 10.00 p.m. and before 7.00 a.m.
- (b) No child shall be allowed to cry unattended and no child, servant or guest of a proprietor or occupier of a lot shall be permitted to cause any annoyance to any other proprietor or occupier.
- (c) In the event of any unavoidable noise in a lot at any time, the proprietor or occupier shall take all practical mean to minimise annoyance to other proprietors or occupiers of lots including closing all doors, windows and curtains of the lot.

BY-LAW 25 Security

25. A proprietor or occupier of a lot shall securely fasten all doors and windows to his lot on all occasions when the lot is left unoccupied and the committee, its servants, agent or the manager shall have the right to enter without committing trespass and fasten any doors or windows.

BY-LAW 26 Copies

26. A copy of these By-Laws (or a summary approved by the committee) shall be exhibited in a prominent place in any lot made available for letting.

BY-LAW 27 Compliance

27. The duties and obligations 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 their guests, servants, employees, agents, children, invitees and licensees.

BY-LAW 28 Recovery

28. Where the Body Corporate expends money to make good damage caused by a breach of the Act, Module or 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, the Body Corporate shall be entitled to recover from the proprietor of the lot at the time when the breach occurred, the amount so expended as a liquidated debt.

BY-LAW 29 Throwing Objects

29. A proprietor or occupier of a lot shall not throw or allow to fall or permit or suffer to be thrown or fall any object or substance out of the windows or doors or down the staircase, passages or skylights, from balconies, from the roof or in passageways of the building. Any damage or costs for cleaning or repair caused by a breach of this By-law shall be borne by the proprietor concerned.

Windward Passage CTS 17618**BY-LAW 30 External Blinds and Awnings**

30. No external blinds or awnings shall be erected without the prior written consent of the Committee.

BY-LAW 31 Air-conditioning

31. A proprietor or occupier of a lot shall not install any air conditioning equipment on the outside of the lot without the prior written consent of the committee.

BY-LAW 32 Costs

32. If the Body Corporate incurs or is required to pay any costs or expenses (including legal costs calculated on a solicitor and own client basis) in respect of any actions taken against any proprietor or occupier (which expression shall for the purposes of any By-law include any former proprietor or occupier of the relevant lot) due to a default by that proprietor or occupier in the payment of any moneys to the Body Corporate or breach of the By-laws or for any other reason, such proprietor or occupier shall forthwith pay on demand to the Body Corporate such costs and expenses which shall be a liquidated debt due and payable by the proprietor or occupier to the Body Corporate.

BY-LAW 33 Swimming Pool

- 33.
- (a) The swimming pool shall not be used between the hours of 10.00 p.m. and 6.00 a.m. and children shall not be allowed to use the pool unless supervised by an adult.
 - (b) No diving, jumping, running, eating or drinking is permitted in and around the swimming pool.
 - (c) No throwing of objects or intentional splashing is permitted and no objects other than flotation device for the assistance of children or the aged are permitted in the swimming pool.
 - (d) No activities which may cause annoyance, nuisance or damage to other users of the pool or proprietors or occupiers of lots are permitted.

BY-LAW 34 Rules

34. The Body Corporate may make rules relating to the common property and in particular in relation to any swimming pools, tennis courts, saunas, barbecue areas, games rooms solarium and lifts (if any) not inconsistent with these By-laws and the same shall be observed by the proprietors unless and until they are disallowed or revoked by a majority resolution at a general meeting of the proprietors.

BY-LAW 35 Exclusive Use – Courtyards

35. The proprietors for the time being and from time to time of Lots 1, 2, 3 and 4 shall have the special privilege of the exclusive use and enjoyment of that part of the common property as is delineated and which has the letters J, K, L and M in Plan B **annexed** hereto, the said proprietor being responsible at his own costs and expense to keep that part of the common property in a neat and tidy condition and otherwise being responsible for the performance of the duty of the Body Corporate in accordance with Section 171 of the Module. The aforesaid grant of exclusive use and enjoyment is made subject to and conditional upon the said proprietor allowing the Body Corporate and the Committee and its property appointed servants or agents, at all reasonable times, and in a manner so as to cause as little inconvenience as possible to the said proprietor, access to such privilege areas through the Lot for any proper purpose.

BY-LAW 36 Exclusive Use – Carparks

36. The proprietor for the time being and from time to time of Lots 18, 23, 26, 27, 28 and 29 shall have the special privilege of the exclusive use and enjoyment of that part of the common property as is delineated and which has the letters C, D, E, F, G, H and I in Plan A **annexed** hereto, the said proprietor being responsible at his own costs and expenses to keep that part of the common property in a neat and tidy condition and otherwise being responsible for the performance of the duty of the Body Corporate in accordance with Section 171 of the Module. The aforesaid grant of exclusive use and enjoyment is made subject to and conditional upon the said proprietor allowing the Body Corporate and the Committee and its properly appointed servants or agents, at all reasonable times, and in a manner so as to cause as little inconvenience as possible to the said proprietor, access to such privilege areas through the Lot for any proper purpose.

Windward Passage CTS 17618**BY-LAW 37 Exclusive Use – Storage and Carpark**

37. The proprietor for the time being and from time to time of Lot 24 shall have the special privilege of the exclusive use and enjoyment of that part of the common property as is delineated and which has the letter B in Plan A **annexed** hereto, the said proprietor being responsible at his own costs and expense to keep that part of the common property in a neat and tidy condition and otherwise being responsible for the performance of the duty of the Body Corporate in accordance with section 171 of the Module. The aforesaid grant of exclusive use and enjoyment is made subject to and conditional upon the said proprietor allowing the Body Corporate and the Committee and its properly appointed servants or agents, at all reasonable times, and in a manner so as to cause as little inconvenience as possible to the said proprietor, access to such privilege areas through the Lot for any proper purpose.

BY-LAW 38 Letting and Management

38. Intentionally deleted.

BY-LAW 39 Use of Office for Commercial Activity

39. Intentionally deleted.

BY-LAW 40 Exclusive Use of Storage Area

40. Intentionally deleted.

BY-LAW 41 Use of Lots

41.1 Subject By-law 41.2, Lots in the Scheme may only be used for residential accommodation purposes.

41.2 Intentionally deleted.

BY-LAW 42 Management and Letting Agreements

42. Intentionally deleted.

BY-LAW 43 Appointment of Caretaker

43. The Body Corporate may in a general meeting and by instrument or instruments in writing upon such terms and conditions (including a term for payment of consideration by the Body Corporate) as the Body Corporate determines from time to time appoint a person or persons corporation or corporations for the purposes of caretaking management administration control use and enjoyment of the common property and for the better exercise and performance of its powers and duties in relation hereto, and in particular for the keeping of the common property in a state of good and serviceable repair and for the property maintenance thereof and for the fulfilment of all or any of the obligations of the Body Corporate in the control management and administration of the common property and any improvements thereon and for the policing by By-Laws and all or any of the functions which are the responsibility of the Body Corporate.

BY-LAW 44 Authorisation of Letting Agent

44.1 Intentionally deleted.

BY-LAW 45 Restriction on balcony fittings and curtains

44. A proprietor or occupier of a lot shall not, except with the consent in writing of the Committee of the Body Corporate;

(a) Erect any permanent or temporary fixtures within any part of their lot that is designated as a balcony; or

(b) Hang curtains visible from outside the lot; or

(c) Install, renovate and/or replace a curtain backing or window tinting.

In giving its consent, the committee of the Body Corporate will ensure that any curtain backing, window tinting or fixture presents a uniform appearance when viewed from the outside of the building.

Windward Passage CTS 17618

SCHEDULE D OTHER DETAILS REQUIRED/PERMITTED TO BE INCLUDED

Nil

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

Lot on Plan	Exclusive Use area	Purpose
Lot 1	Areas "J" on Plan "B"	Courtyard
Lot 2	Area "K" on Plan "B"	Courtyard
Lot 3	Area "L" on Plan "B"	Courtyard
Lot 4	Area "M" on Plan "B"	Courtyard
Lot 18	Area "G" on Plan "A"	Carpark
Lot 23	Area "C" on Plan "A"	Carpark
Lot 24	Area "B" on Plan "A"	Storage and Carpark
Lot 26	Areas "H" & "I" on Plan "A"	Carpark
Lot 27	Area "D" on Plan "A"	Carpark
Lot 28	Area "E" on Plan "A"	Carpark
Lot 29	Area "F" on Plan "A"	Carpark

EXCLUSIVE USE PLAN
'WINDWARD PASSAGE'
 Community Titles Scheme BUP101572

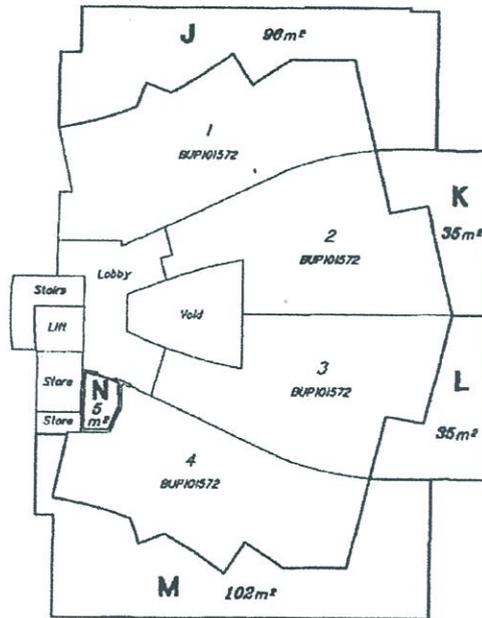
Sheet
 14 of 14

PLAN B

Level B (Ground Floor)



Common Property
 BUP101572



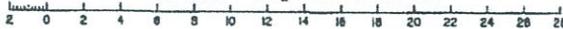
Common Property
 BUP101572

Exclusive Use Areas J-M are defined by External face of walls, Rendered block walls and Timber fence-lines.

Exclusive Use Area N is defined by Internal face of walls.

DEFINIUM PTY LTD (ACN 109 844 844) CADASTRAL SURVEYOR OF QUEENSLAND CERTIFY THAT THE DETAILS SHOWN ON THIS SKETCH PLAN ARE CORRECT.
 Drawn: *P.H.H.*
 Date: 3/11/2014

Scale 1:200 - Lengths are in Metres.



0 50mm 100mm 150mm State copyright reserved.

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Plan of Exclusive Use Areas in Common Property on Level B (Ground Floor) of BUP101572

CMS Number: 17618
 CMS Name: WINDWARD PASSAGE

Locality: GOLDEN BEACH Map Ref: 9544-34122
 PARISH: BRIBIE COUNTY: Canning
 Meridian: BUP101572 Local Authority: SUNSHINE COAST REGIONAL COUNCIL

Method	Accepted	Block	Block	Block	Block	Block

Scale: AS SHOWN
 Format: Exclusive Use Plan

This plan has been prepared for Windward Passage Community Titles Scheme for exclusive use purposes only and should not be used for any other purpose.

Plan No. 12596 EU-02
 Rev A

4/2/2017 10:15:00 AM [User Name] \\server\share\survey\plans\BUP101572\BUP101572-EU-02.dwg