Approved Form 29
COMMUNITY LAND DEVELOPMENT ACT

PRECINCT MANAGEMENT STATEMENT

WARNING

The terms of this management statement are binding on the precinct association, each subsidiary body within the precinct scheme and each person who is a proprietor, lessee, occupier or mortgagee in possession of a precinct development lot, neighbourhood lot or strata lot within the precinct scheme.

This statement should be read in conjunction with the community management statement of Community Association DP ..... which is binding upon the precinct scheme as a subsidiary body of the community scheme.

PART 1

BY-LAWS FIXING DETAILS OF DEVELOPMENT

These by-laws relate to the control and preservation of the essence or theme of the precinct scheme and as such may only be amended or revoked by a unanimous resolution of the precinct association (see section 17(2) Community Land Management Act 1989).

These by may specify:

a) Any provision limiting occupancy under the scheme to persons of a particular description;

b) The architectural, building or landscaping styles to be permitted;

c) The kind of materials that may be used in buildings and other structures;

d) Any provisions requiring that specified association property be used for particular purposes;

e) Any other kind of restriction.

NOTE: The management statement cannot include any prohibition or restriction based on race, creed, ethnic or socio-economic grouping. For details regarding excluded matters see Schedule 3 clause 5 Community Land Development Act 1989.

PART 2

RESTRICTED PRECINCT PROPERTY

These by-laws may only be amended after the expiry of the initial period by a special resolution and with the written consent of each person entitled by the by-law to use the restricted community property (see section 54 Community Land Management Act 1989).

All details of any restricted precinct property should be set out and must include:

a) A description of the property;

b) Details of the lot owners, associations, strata corporations entitled to its use;

c) The terms and conditions of its use;

d) Particulars relating to access to the property and the provision and keeping of any key necessary;

e) Particulars of the hours during which the property may be used;

f) Provisions relating to the maintenance of the property;

g) Matters relating to the determination, imposition and collection of any levies.

PART 3

MANDATORY MATTERS

These matters must be addressed in every management statement.

1. OPEN ACCESS WAYS OR PRIVATE ACCESS WAYS

   Provide details of the location, control, management use and maintenance of any open access way or private access way.

2. PERMITTED USES OF AND SPECIAL FACILITIES ON THE PRECINCT PROPERTY

   Set out any rules relating to the control, management, use and maintenance of the community property. Include any special facilities which are provided.

3. INTERNAL FENCING

   Set out any matters affecting the provision of, and payment for, internal fencing on the precinct parcel including any obligations of the precinct association or the subsidiary bodies.

4. GARBAGE

   Set out the requirements for the storage and collection of on and from the precinct parcel and any related obligations of the precinct association or the subsidiary bodies.

5. SERVICES

   Provide details relating to the supply and maintenance of service.

   Note: If statutory easements are to be created in accordance with section 36 Community Land Development Act 1989 a copy of the works as executed plan showing the location of the services which require easements must be included with this document.

6. INSURANCE

   Provide details of the insurance taken out by the association in respect of the precinct property and any special requirements regarding insurance.

7. EXECUTIVE COMMITTEE

   Provide details regarding the constitution of the executive committee including the number, type and function of office-bearers. Also meetings of the executive committee, voting on motions submitted otherwise than at a meeting and the keeping of records of proceedings.

PART 4

OPTIONAL MATTERS

These are matters which may be included in accordance with clause 3 schedule 3 of the Community Land Development Act 1989. The following matters are examples only and are not intended to limit the matters which may be included.

1. KEEPING OF ANIMALS

   Provide details regarding whether and under what conditions a proprietor or occupier may keep, within the parcel, a domestic animal or pet.

   NOTE: The management statement cannot prohibit or restrict the keeping on the parcel of a assistance animal.

2. LAUNDRY

   Provide details regarding any restrictions regarding where laundry items may or may not be hung to dry.

3. SAFETY AND SECURITY MEASURES

   Provide details regarding any safety and security systems or procedures which are to be provided or utilised.

4. NOISE CONTROL

   Provide details regarding unacceptable noise levels and dealing with noise control.

5. TRADING ACTIVITY

   Provide details regarding any business or trading activity to be conducted by the association and method of distributing and sharing profit and loss.

6. STATUTORY EASEMENTS

   If statutory easements are to be created pursuant to section 36 Community Land Development Act 1989 a prescribed diagram must be provided showing the approximate positions of the services.

7. ON GOING SERVICE CONTRACTS

   Provide details regarding any service agreements, other than service agreements made with a public authority, which are to continue after the first annual general meeting. Failure to disclose such agreements may result in the termination at the end of the first annual general meeting in accordance with section 24 Community Land Management Act 1989.

8. ACCESS WAYS

   If any of the association property is to be set aside as a public or private access way a plan must be annexed defining the site(s). Terms may be provided regarding the use of the access way(s).

PART 5

BY-LAWS REQUIRED BY A PUBLIC AUTHORITY

This part may specify by-laws required by a public authority. These by-laws may not be amended without the consent of the public authority. See schedule 3 clause 4 Community Land Development Act 1989.

Execution by the original proprietor

Signature/Seal ……..……..

Name (Please Print) ……..

Date ……..

Signature of Witness ……..

Name (Please Print) ……..

Address and occupation of witness …….

……

Certificate of Approval

It is certified:

(a) That the consent authority has consented to the development described in Development Application No ..... and

(b) That the terms and conditions of this management statement are not inconsistent with that development as approved

Date: .....

Execution of consent authority .....

The above text shown in "RED" is for instruction purposes only and should not be produced as part of the final document.