



**Improvements on  
Common Property  
for which buyer  
will be responsible**

11.10.04 – install air split system air conditioner.  
02.05.03 – to install air conditioner & external units.  
28.04.14 – install vinyl flooring over tiles.  
26.08.14 – to install wire storage cage. The Register of Authorisations Affecting Common Property is attached.

By-law 16 grants exclusive use for car parking. The exclusive use by-law and plan is attached.

**(Improvements without body corporate approval should be disclosed here by the seller)**

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**Assets on Register**

Register of Assets is attached.

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**Insurance**

Insurer: CHU Underwriting Agencies Pty Ltd  
Policy No: HU0038847  
Current to: 28.02.21  
Building Cover: \$15,181,425  
Public Liability: \$20,000,000  
Common Contents: \$ 151,815  
Loss of Rent: \$ 2,277,213  
Building Catastrophe: \$ 4,554,427  
Office Bearers Liability: \$ 5,000,000  
Machinery Breakdown: \$ 100,000

**Signing**

.....  
Seller/Seller's Agent

.....  
Witness *(not required if this form is signed electronically)*

.....  
Date

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**Buyer's  
Acknowledgement**

The buyer acknowledges having received and read this statement from the seller before entering into the contract.

.....  
Buyer

.....  
Witness *(not required if this form is signed electronically)*

.....  
Date

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The information contained in this two page statement is provided exclusively in relation to the lot mentioned and has been obtained from records made available by the body corporate and is accurate only to the extent of the accuracy of the records produced. INSIDE OUT LEGAL SERVICES does not warrant the accuracy or reliability of the body corporate records produced including any information advised from computer records. Only improvements on common property properly authorised and recorded in body corporate records have been stated. A physical inspection of the property is not undertaken.

Angela Cox

**INSIDE OUT LEGAL SERVICES**  
15.09.2020

## **STATUTORY WARRANTIES AND CONTRACTUAL RIGHTS**

**The Seller gives notice to the Buyer of the following matters:**

**(a) Latent or Patent Defects in Common Property or Body Corporate Assets**

*[Section 223(2)(a)&(b) Body Corporate and Community Management Act 1997-2003]*

***These matters are for consideration by the Vendor and are not disclosed in this Statement.***

**(b) Actual or Contingent or Expected Liabilities of Body Corporate**

*[Section 223(2)(c)&(d) Body Corporate and Community Management Act 1997-2003]*

***These matters are for consideration by the Vendor and are not disclosed in this Statement.***

**(c) Circumstances in Relation to Affairs of the Body Corporate**

*[Section 223(3) Body Corporate and Community Management Act 1997-2003]*

***These matters are for consideration by the Vendor and are not disclosed in this Statement.***

**(d) Exceptions to Warranties in Clause 7.4(3) of REIQ Contract for Lots in a Community Titles Scheme (Sixth Edition)**

***These matters are for consideration by the Vendor and are not disclosed in this Statement.***

**(e) Proposed Body Corporate Resolutions (clause 8.4) of REIQ Contract for Lots in a Community Titles Scheme (Sixth Edition)**

***These matters are for consideration by the Vendor and are not disclosed in this Statement.***

**NEW COMMUNITY MANAGEMENT STATEMENT**  
**KALUA COMMUNITY TITLES SCHEME 10510**

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- (4) 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.
- 13. GARBAGE DISPOSAL**
- (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.
- (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.
- 14. KEEPING OF ANIMALS**
- (1) The occupier of a Lot must not, without the Body Corporate Committee's written approval-  
(a) bring or keep an animal on the lot or the common property; or  
(b) permit an invitee to bring or keep an animal on the lot or the common property.
- (2) The occupier must obtain the Body Corporate Committee's written approval before bringing, or permitting an invitee to bring, an animal onto the Lot or the common property.
- 15. USE OF LOTS**
- (1) All lots shall be used for residential and/or holiday residential purposes only save and except for Lot 8 as mentioned in By-law 21 and By-law 22 which may be used both for residential purposes and Management/Letting services.
- (2) 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 costs or expenses resulting from damage or blockage to such water closets, conveniences, water apparatus, waste pipes and drains from misuse or negligence shall be borne by the owner whether the same is caused by his own actions or those of members of his household or his servants or agents or guests.
- (3) An owner or occupier shall see that all water taps in his unit are promptly turned off after use.
- (4) All units shall be kept clean and all practicable steps shall be taken to prevent infestation by vermin and/or insects.
- (5) An owner or occupier of a Lot shall not operate or permit to be operated upon the parcel any radio, short wave radio, transmitter, telecommunications device or electronic equipment so as to interfere with any domestic appliance or apparatus (including radio or television receiver) lawfully in use upon the Common Property or in any other Lot.
- 16. VEHICLE PARKING EXCLUSIVE USE ALLOCATION BY-LAW**
- (1) Each owner or occupier for the time being of each Lot identified in Schedule "E" is allocated the car space or spaces for the exclusive use for themselves and their licensees as identified in Schedule "E" on the attached plans marked "A".

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**NEW COMMUNITY MANAGEMENT STATEMENT  
KALUA COMMUNITY TITLES SCHEME 10510**

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- (2) Each owner or occupier for the time being of a lot to whom exclusive use of a vehicle space or spaces is allocated pursuant to this By-law shall use such vehicle space or spaces for the purpose of vehicle parking only and shall not litter the exclusive use area or create a nuisance.
- (3) Each owner or occupier for the time being of a lot to whom exclusive use of a vehicle space or spaces is allocated pursuant to this By-law shall be responsible for maintenance and cleaning of such area and shall not use such area for storage of any item and only use such area for the purpose provided for in this By-law.

**17. CAR PARK ALLOCATION**

The Body Corporate Committee may permit the Resident Manager for the time being of the building to use as a car space such parts of the common property as the Body Corporate Committee in its discretion sees fit (other than those parts of the common property over which exclusive use to an owner or owners have been granted).

**18. USE OF THE TENNIS COURT**

An owner or occupier and/or their invitees must abide to the following rules.

- (1) No use shall be made of the tennis court which involves damage, inconvenience or nuisance to any owner, occupier or invitee nor which causes damage to the surface, fixtures or fittings of the tennis court.
- (2) The owners, occupiers and their invitees shall abide to the following reservation rules
  - (a) for the purpose of making reservations of the tennis courts, each day shall be divided into periods of half an hour commencing at 8:00 am. Reservation periods may be secured by entering the name of the user in a reservation book kept at the reception area, giving up to 24 hours clear notice in advance;
  - (b) reservations shall be made in order of request except that two consecutive period on the tennis court may not be reserved and no more than two period may be reserved in any one day. A tennis court, subject of a reservation period, shall be regarded as a reserved court.

**19. GAMES ROOM AND BARBECUE**

- (1) An owner or occupier must not use the games room facilities on the top level between the hours of 8:00 pm to 8:00 am, except with the consent in writing of the Body Corporate Committee.
- (2) An owner or occupier must not use the barbecue facilities on the top floor between the hours of 9:00 pm to 7:00 am, except with the consent in writing of the Body Corporate Committee.

**20. RECREATIONAL AREAS**

An owner or occupier must not use Common Property recreational areas between the hours of 10:00 pm to 7:00 am, except with the consent in writing of the Body Corporate Committee. This By-law is not applicable to those areas of common property mentioned in Clause 10, 18 and 19, which contain specific By-laws relating to permitted times of use.

**NEW COMMUNITY MANAGEMENT STATEMENT**  
**KALUA COMMUNITY TITLES SCHEME 10510**

**26. DUTIES OF OCCUPIERS**

The duties and obligations imposed by these By-laws on an owner of a lot shall be observed by the owners, tenants, guests, servants, employees, agents and invitees etc., unless permission is granted for relaxation thereof by the Committee or by the Resident Manager who acts on behalf of the Body Corporate Committee.

**SCHEDULE D**  
**ANY OTHER REQUIRED OR PERMITTED DETAILS**

Nil

**SCHEDULE E**  
**ALLOCATION OF EXCLUSIVE USE AREA**

LOT ON PLAN	EXCLUSIVE USE AREA	PURPOSE OF USE	BY-LAW REFERENCE
Lot 1 on BUP 4679	Area 1 on sketch plan "A"	Carpark	By-law 16
Lot 2 on BUP 4679	Area 2 on sketch plan "A"	Carpark	By-Law 16
Lot 3 on BUP 4679	Area 3 on sketch plan "A"	Carpark	By-Law 16
Lot 4 on BUP 4679	Area 4 on sketch plan "A"	Carpark	By-Law 16
Lot 5 on BUP 4679	Area 5 on sketch plan "A"	Carpark	By-Law 16
Lot 6 on BUP 4679	Area 6 on sketch plan "A"	Carpark	By-Law 16
Lot 7 on BUP 4679	Area 7 on sketch plan "A"	Carpark	By-Law 16
Lot 8 on BUP 4679	Area 8 on sketch plan "A"	Carpark	By-Law 16
Lot 9 on BUP 4679	Area 9 on sketch plan "A"	Carpark	By-Law 16
Lot 10 on BUP 4679	Area 10 on sketch plan "A"	Carpark	By-Law 16
Lot 11 on BUP 4679	Area 11 on sketch plan "A"	Carpark	By-Law 16
Lot 12 on BUP 4679	Area 12 on sketch plan "A"	Carpark	By-Law 16
Lot 13 on BUP 4679	Area 13 on sketch plan "A"	Carpark	By-Law 16
Lot 14 on BUP 4679	Area 14 on sketch plan "A"	Carpark	By-Law 16
Lot 15 on BUP 4679	Area 15 on sketch plan "A"	Carpark	By-Law 16
Lot 16 on BUP 4679	Area 16 on sketch plan "A"	Carpark	By-Law 16
Lot 17 on BUP 4679	Area 17 on sketch plan "A"	Carpark	By-Law 16
Lot 18 on BUP 4679	Area 18 on sketch plan "A"	Carpark	By-Law 16
Lot 19 on BUP 4679	Area 19 on sketch plan "A"	Carpark	By-Law 16
Lot 20 on BUP 4679	Area 20 on sketch plan "A"	Carpark	By-Law 16
Lot 21 on BUP 4679	Area 21 on sketch plan "A"	Carpark	By-Law 16
Lot 22 on BUP 4679	Area 22 on sketch plan "A"	Carpark	By-Law 16
Lot 23 on BUP 4679	Area 23 on sketch plan "A"	Carpark	By-Law 16
Lot 24 on BUP 4679	Area 24 on sketch plan "A"	Carpark	By-Law 16
Lot 25 on BUP 4679	Area 25 on sketch plan "A"	Carpark	By-Law 16
Lot 26 on BUP 4679	Area 26 on sketch plan "A"	Carpark	By-Law 16
Lot 27 on BUP 4679	Area 27 on sketch plan "A"	Carpark	By-Law 16
Lot 28 on BUP 4679	Area 28 on sketch plan "A"	Carpark	By-Law 16
Lot 29 on BUP 4679	Area 29 on sketch plan "A"	Carpark	By-Law 16

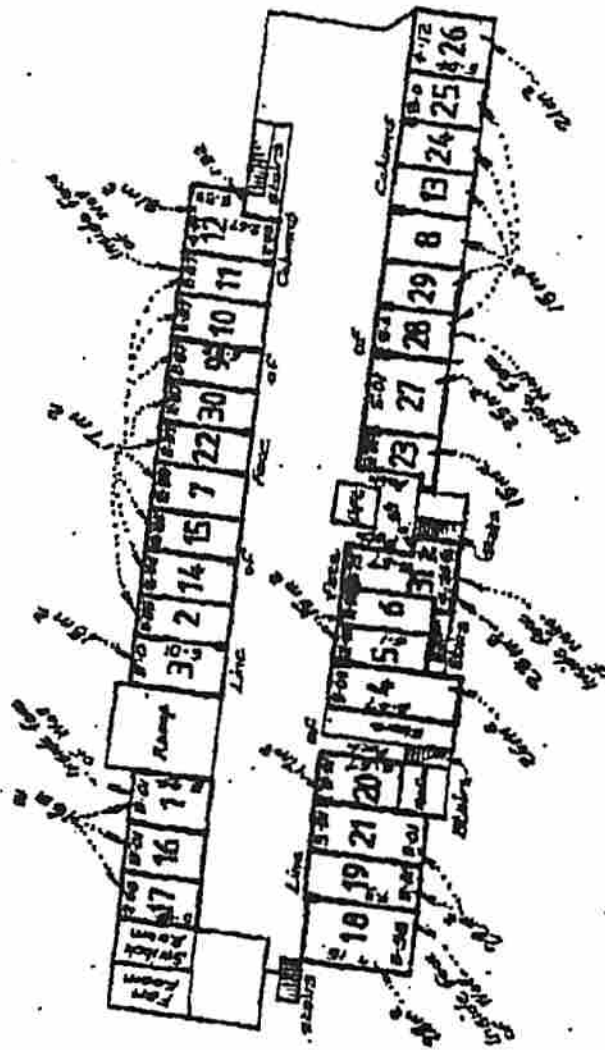
KALUA COMMUNITY TITLES SCHEME No. 10510

PLAN 'A'

PLAN FOR EXCLUSIVE USE AREAS OF COMMON PROPERTY ON LEVEL A



Note: Exclusive Use Areas defined by: inside face of building walls, structural columns and dimensions.



SCALE BAR 1:300

Amended 20.7.00  
Amended 2.3.00

MR. JOHN KEARCE & THOMAS CLIFFORD  
TRAINING OF SURVEYORS & CLIFFORD ARCHITECTS  
LICENSED SURVEYORS, 200-202 COLLEGE STREET, SYDNEY  
THE DETAILS SHOWN ON THIS PLAN ARE CORRECT.

*[Signature]*  
MR. EDWARD KEARCE, Director & Licensed Surveyor  
Date 2.3.2000 MR. THOMAS CLIFFORD, Director

"KALUA"  
COMMUNITY TITLES SCHEME No.

PLAN OF EXCLUSIVE USE  
OVER COMMON PROPERTY FOR  
LOTS 1 - 31 BUP 4679  
PARISH OF MCOLLOLAN  
COUNTY OF CANNING

DTC  
RC. 4669  
Date 13.1.00

**KEARCE & CLIFFORD**  
TRAINING OF SURVEYORS  
200-202 COLLEGE STREET  
SYDNEY NSW 2000  
PH: (02) 9550 1111  
FAX: (02) 9550 1112  
WWW.KC.COM.AU  
RC. 4669

# Register Of Authorisations Affecting Common Property

## KALUA CTS 10510

Lot No	Date of Resolution	Authority Given To	Description of Area	Conditions
2	01/12/03	Owner Lot 3	To replace existing carpet & vinyl with vinyl	
4	11/12/03	Owner Lot 4	To install storage area at the end of carpark	As per committee minutes 11 December 2003
28	10/03/04	Owner Lot 28	Install air conditioner	As per com min 100304
4	25/08/04	Owner Lot 4	to install 3 split-system air conditioners.	as per agm 2.05.03
1	11/10/04	Owner Lot 1	To install a split system air conditioner.	as per general conditions of agm dated 02.05.03 Motion 14.
26	11/10/04	Owner Lot 26	To install a split system air conditioner	as per conditions listed on agm dated 02.05.03 Motion 14.
24	18/11/05	Owner Lot 24	To install split system air conditioner as per approval conditions of 7/12/04	Owner to install and maintain
31	18/11/05	Owner Lot 31	To install a split system air conditioner as per approval conditions of 7/12/04	Owner to install and maintain
6	17/02/06	Owner Lot 6	To install a split system air conditioner	as per Comm Flying Minute Owner to install and maintain
8	09/05/98	Owner Lot 8	Replace B/R 3 window with sliding glass door	Owner to maintain
8	17/02/06	Owner Lot 8	To install a split system air conditioner	as per Comm Flying Minute Owner to install and maintain



# Register Of Authorisations Affecting Common Property

## KALUA CTS 10510

Lot No	Date of Resolution	Authority Given To	Description of Area	Conditions
9	11/05/06	Owner Lot 9	Owner to install a split system air conditioner	as per Comm Flying Minute Owner to install and maintain
11	03/04/06	Owner Lot 11	Lot 11	To install a split system air conditioner; install and maintain
30	03/04/06	Owner Lot 30	Owner to install a split system air conditioner	as per Comm Flying Min Owner to install and maintain
3	31/07/06	Owner Lot 3	To install a split system air conditioner	Owner to install & maintain General Policy 07/12/04
21	31/07/06	Owner Lot 21	To install a split system air conditioner	Owner to install & maintain General Policy 07/12/04
12	31/07/06	Owner Lot 12	To install a split system air conditioner	Owner to install & maintain General Policy 07/12/04
23	07/12/06	Owner Lot 23	To install a split system air conditioner	Owner to install & maintain General Policy 07/12/04
22	07/12/06	Owner Lot 22	To install a split system air conditioner	Owner to install & maintain General Policy 07/12/04
19	21/02/07	Owner Lot 19	Install a Mitsubishi Split System Air conditioning unit	As per Policy Guidelines Dec04 Owner to install and maintain Supervised by RUM
	02/05/03	Lot owners	To install air conditioner & External Units	AS PER AGM MINS 2/5/03
20	14/05/07	Owner Lot 20	Split system air conditioner	As per Policy Guidelines Dec04 Owner to maintain Supervised by RUM

# Register Of Authorisations Affecting Common Property

## KALUA CTS 10510

Lot No	Date of Resolution	Authority Given To	Description of Area	Conditions
5	29/08/07	Owner Lot 5	Install split system air conditioning unit	Owner to install and maintain
10	01/10/07	Owner Lot 10	Install Air Conditioning Unit	As per Flying min 011007
13	11/03/03	Owner Lot 13 5-13 Parker Street Maroochydore	RUGS TO BE PLACED ON FLOOR IN ACCORDANCE WITH ADJUDICATORS RULING	PER ADJUDICATOR RULING 11/3/03
7	20/08/08	Owner Lot 7	to re-tile floors and install vents to bathroom windows	As per Comm mins 20/8/14
27	03/09/08	Owner lot 27	Install Air conditiong unit	As per VOC 3/9/08
26	28/04/14	Owner Lot 26	Install vinyl flooring over tiles	As per Comm mins 28/4/14
26	26/08/14	Owner Lot 26	to install wire storage cage	as per mins 26/8/14
10	26/08/14	Owner Lot 10	Install handrail from terrace going down existing rail	Install by owner future maintenance by BC
12	26/08/14	Lot 12	Install additional AC	As per Comm mins 26/8/14
	27/04/15	Lot owner 21	Install 2nd A/C on back wall	Use non rusting bracket

## ASSET REGISTER

## KALUA CTS 10510

Description	Type	Method of Acquisition	Date of Acquisition	Acquired from	Original Cost	Cost to date	Market Value
Table Tennis Table	Furniture & Fittings	Purchase	16/04/02	Amart All Sports Nicklin Way KAWANA WATERS		0.00	425.00
Wheelbarrow	Plant and Machinery	Purchase	22/09/03	BBC Hardware Maroochydore	169.00	169.00	169.00
4 Burner BBQ	Furniture & Fittings	Purchase	01/01/04	Barbeque & Fireplace Ctr 4/125 Sugar Road  MAROOCHYDORE QLD 4558	299.00	299.00	299.00
Hedge Trimmer	Plant and Machinery	Purchase	01/11/00			0.00	389.00
Whipper Snipper	Plant and Machinery	Purchase	01/01/04	Sunshine Coast Mowers 189 Brisbane Road MOOLOOLABA QLD 4557	259.00	259.00	259.00
Chair Resin 19/12/19	Furniture & Fittings	Purchase	27/12/19	DAYDREAM LEISURE FURNITURE Cnr Main Drive & Nicklin Way WARANA QLD 4575	702.00	702.00	702.00
Electric Blower	Plant and Machinery	Purchase	28/10/04	Mowers Plus 29 coronation Av NAMBOUR 4560 PAID BY ROB WEIDEN-REIMBURSED	149.00	149.00	
Games Rm Furniture 2 x Homestead Deluxe Table 12 x Kimberly Chairs	Furniture & Fittings	Purchase	29/08/05	WIEDEN R & KL Kalua Holiday Apartments 8/13 Parker Street, Maroochydr (outdoor furniture specialists	878.00	878.00	878.00
				Page Totals	2,456.00	2,456.00	3,121.00
				Report Totals	2,456.00	2,456.00	3,121.00



A pool safety certificate is required in Queensland when selling or leasing a property with a regulated pool. This form is to be used for the purposes of sections 246AA and 246AK of the *Building Act 1975*.

**1. Pool safety certificate number**

 Certificate number: 
**2. Location of the swimming pool**

Lot/s on plan details are usually shown on the title documents and rates notices

Street address:



Postcode

Lot and plan details:

Local government area:

**3. Exemptions or alternative solutions for the swimming pool (if known and applicable)**

If it is known that an exemption or alternative solution is applicable to the swimming pool please state this. This will help provide pool owners with a concise and practical explanation of the exemption or alternative solution. It will also help to ensure the ongoing use of the pool and any future modifications do not compromise compliance with the pool safety standard.


**4. Shared pool or non-shared pool**

Shared pool

Non-shared pool

**5. Pool safety certificate validity**

Effective date:

  /   /    

Expiry date:

  /   /    
**6. Certification**

This certificate states that the pool safety inspector has inspected the regulated pool and is satisfied that the pool is a complying pool under the *Building Act 1975*.

**I certify that I have inspected the swimming pool and I am reasonably satisfied that, under the *Building Act 1975*, the pool is a complying pool.**

Name:

 Pool safety inspector  
licence number:

Signature:

**Other important information that could help save a young child's life**

It is the pool owner's responsibility to ensure that the pool (including the barriers for the pool) is properly maintained at all times to comply with the pool safety standard under the *Building Act 1975*. Gates and doors giving access to the pool must always be kept securely closed while they are not in use. High penalties apply for non-compliance. It is essential that parents and carers carefully supervise young children around swimming pools at all times. Parents should also consider beginning swimming lessons for their young children from an early age. Please visit [www.qbcc.qld.gov.au/home-building-owners/pool-safety](http://www.qbcc.qld.gov.au/home-building-owners/pool-safety) for further information about swimming pool safety. This pool safety certificate does not certify that a building development approval has been given for the pool or the barriers for the pool. You can contact your local government to ensure this approval is in place.

**Privacy statement**

The Queensland Building and Construction Commission is collecting personal information as required under the *Building Act 1975*. This information may be stored by the QBCC, and will be used for administration, compliance, statistical research and evaluation of pool safety laws. Your personal information will be disclosed to other government agencies, local government authorities and third parties for purposes relating to administering and monitoring compliance with the *Building Act 1975*. Personal information will otherwise only be disclosed to third parties with your consent or unless authorised or required by law.

**RTI:** The information collected on this form will be retained as required by the *Public Records Act 2002* and other relevant Acts and regulations, and is subject to the Right to Information regime established by the *Right to Information Act 2009*.

This is a public document and the information in this form will be made available to the public.