

**TERMS OF INSTRUMENT NOT CHECKED
IN LAND TITLES OFFICE**

DP 270008

COMMUNITY LAND DEVELOPMENT ACT, 1989
COMMUNITY LAND MANAGEMENT ACT, 1989

MANAGEMENT STATEMENT

COMMUNITY MANAGEMENT STATEMENT
COMMUNITY ASSOCIATION D.P. NO

(Sheet 1 of 5 Sheets)

WARNING

The terms of this management statement are binding on the community association, each subsidiary body within the community scheme and each person who is a proprietor, lessee, occupier or mortgagee in possession of a community development lot, precinct development lot, neighbourhood lot or strata lot within 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 community scheme and as such may only be amended or revoked by a unanimous resolution of the community association (see section 17(2) Community Land Management Act 1989).

1. ~~The owner of a community development lot (CDL) will not:~~
 - . construct a dam or bore on it;
 - . either divert the flow of water over it or plant or permit plants to grow so as to adversely affect water control of the community scheme except with the written approval of the Community Association;
 - . dispose of waste water by way of soakage trenches;
 - . either erect a temporary structure on it or reside in such structure or caravan without written consent of the Community Association;
 - . denude or damage any part of the water reticulation system;
 - . permit overhead power lines to be erected or remain on it without written consent of the Community Association.
2. The owner of a CDL will on it:-
 - . maintain boundary fences to a standard sufficient to prevent farm animals from passing to and from it;
 - . properly maintain and use an aerobic or biological effluent treatment system or other treatment system approved by Council (either of which is called an "approved system");
 - . dispose of all waste water in an approved system by automatically operated aerial sprays located in a position approved by the Community Association and Council;
 - . maintain an efficient water meter at the road or community property boundary;
 - . provide for household water collection of roof water and storage on the following basis:-
 - 100% of roof plan area for each person the dwelling on it can reasonably accommodate, and

AI704427
PART 1 BY-LAW
1 & 2 REPEALED
& REPLACED. SEE
ANNEXURE 'A'



11.7.2014

William Lam
[Signature]

Robert Davis

REGISTERED DT24-10-1991

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~~storage capacity of 10,000 litres for every such person, or
to any other Council approved minimum standard or requirement;
construct all improvements of new or as new materials in accordance with plans and
specifications approved by the Community Association and Council.~~

3. The community property designated for use as equestrian recreation trails may also be used for pedestrian and bicycle traffic and such other uses approved in writing by more than fifty per cent (50%) of the Community Association.
4. The community property may be used during daylight hours for such recreational purposes as approved in writing by more than fifty per cent (50%) of the Community Association.
5. The Community Association may by ordinary resolution withdraw or amend any approval given under by-laws 3 and 4 above and may limit or extend the permitted hours of recreational use permitted.
6. The owner of a community development lot will not pollute the water supply of the community scheme.

PART 2

RESTRICTED COMMUNITY PROPERTY

These by-laws may not be amended during the initial period and may only be amended after the expiry of the initial period by 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).

There is no restricted community property within the Community Scheme.

PART 3

MANDATORY MATTERS

These are matters which must be addressed in every management statement.

1. OPEN ACCESS WAYS OR PRIVATE ACCESS WAYS:

There are no open access ways or private access ways within the Community Scheme.

2. PERMITTED USES OF AND SPECIAL FACILITIES ON THE COMMUNITY PROPERTY:

There are no special facilities on the community property.

Any internal fencing on the community property will be paid for by the Community Association.

4. GARBAGE:

No garbage is to be deposited on the common property except in any receptacle provided by the Community Association. No unsightly garbage is to be stored on a community development lot.

5. SERVICES:

~~(1) Electricity and telephone services will be provided by the Southern Wabulanda County Council and Telecom respectively.~~

(2) A reticulated water supply for stock and garden purposes will be provided to each community development lot from dams and a holding tank situated on community property. As the security of the water supply depends upon runoff to these dams by-laws prohibiting lot owners from inhibiting runoff and all easement conditions must be strictly adhered to. The reticulated system will consist of a holding tank, pipes, culverts and embankments drawing from and draining to dams on the community property.

AI704427
PART 3 BY-LAW
5(1) REPEALED &
REPLACED. SEE
ANNEXURE 'A'

William Bell
Ann A

Robert Harris



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- (3) Use of the supplied water will be metered and the Community Association is entitled to set a limit on water available to lots, but not as to distinguish one from the other except on the basis of unit entitlement. The Community Association may set a levy for excess water consumed.
- (4) The Community Association will control the reticulated water supply system and will keep it in good repair.

6. INSURANCE:

The insurances listed below have been taken out at the date of this statement and must be renewed by the Community Association. The records of the Community Association will contain details of current insurance policies.

(1) Workers Compensation

JK Insurer: ~~Union Insurance Co Limited~~

(2) Damage

B Insurer: ~~Union Insurance Co Limited~~

(3) Public Liability

CD Insurer: ~~Union Insurance Co Limited~~
Cover: \$5,000,000.00

(4) Voluntary Workers

JK Insurer: ~~Union Insurance Co Limited~~
Cover: _____

7. EXECUTIVE COMMITTEE:

(a) Chairperson, Secretary/Treasurer of Association.

The chairperson, secretary/treasurer of the Executive Committee will also be respectively the chairperson, secretary/treasurer of the Association.

(b) Executive Committee's power to employ agents and servants.

The Executive committee may employ such agents and servants as it thinks fit to exercise and perform the powers, authorities, duties and functions of the Association.

(c) Notice of Executive Committee Meetings.

The secretary must give not less than 72 hours written notice to members of the Executive Committee of a meeting, and a detailed agenda must be included in the notice.

(d) Executive Committee Meetings may be required to be convened.

The Secretary, or if he fails to, a member of the Executive Committee, shall convene a meeting of the Executive Committee if requested to do so by not less than one third of the members of the Executive Committee, within the period of time (if any) specified in the request. Where a member of the Executive Committee other than the secretary is requested to convene a meeting of the Executive Committee under the requirement, he may give notice of the meeting.

(e) Powers and Duties of the Secretary.

- . The preparation and distribution of minutes of the meetings of the Association and the submission of a motion for confirmation of the minutes of any meeting of the Association or the Executive.
- . The giving of the notices required by any Act.
- . The maintenance of the Association Roll.
- . The supply of information on behalf of the Association in accordance with Schedule 4.

William Bell
Sam A.

Robert Amis



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- . The answering of correspondence addressed to the Association.
 - . The convening of meetings of the Executive Committee and (apart from its First Annual general Meeting) of the Association.
 - . Attendance to matters of an administrative or secretarial nature in connection with the exercise or performance, by the association or the Executive Committee, of its respective functions.
- (f) The Powers and Duties of the Treasurer of the Association.
- . The notifying of proprietors of any contributions levied .
 - . The receipt, acknowledgement and banking of and the accounting for any money paid to the Association.
 - . The preparation of any certificate applied for under Schedule 4.
 - . The keeping of the accounting records and preparation of the financial statements referred to in Schedule 1.

PART 4

OPTIONAL MATTERS

1. KEEPING OF ANIMALS:

The owner of a community development lot must not permit more stock to graze on it than permitted by Council.

2. ARCHITECTURAL GUIDELINES:

The Community Association will approve plans and specifications for improvements if it is of the opinion that the improvements:

- (1) do not unreasonably affect the water catchment and storage facilities on the community property or another community development lot;
- (2) comply with the requirements of any relevant by-law;
- (3) will be located to maximize natural advantages of a lot and will not unreasonably affect the enjoyment of any adjoining lot or the community property;
- (4) are not of uncoated zincalume sheet metal or other highly reflective material;
- (5) is an underground storage tank.

The Community Association may in its absolute discretion approve plans and specifications which do not comply with all these criteria.

3. VEHICLES

A Commercial vehicle of over 5 tonnes carrying capacity can not be kept on a lot without the consent of the Community Association.

All vehicles must be accommodated in Association approved carports, garages or screened areas.

An unregistered motor vehicle may not be kept on a lot without the written consent of the Executive of the Community Association.

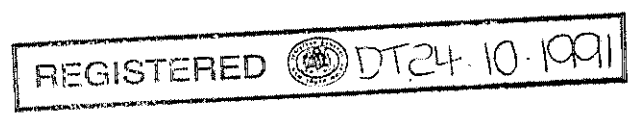
4. EXISTING DAMS

If prior to this statement a dam has been erected on a community development lot the owner of that lot must either remove it or retain it in a safe condition. The owner may not enlarge or alter the dam without the written approval of the Community Association and Council.

Robert Smith

William Bell

John A. [Signature]



MANAGEMENT STATEMENT

PART 5

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BY-LAWS REQUIRED BY PUBLIC AUTHORITY

(Sheet 5 of 5 Sheets)

This part may specify by-laws made at the request of a public authority. These by-laws may provide that amendments may not be made without the consent of the public authority. For further details see Sch.3, cl.4.

1. The Community Association may not erect barriers gates or fences along public roadsides or external boundaries of the scheme so as to prevent ingress or egress in the event of bushfire or to reduce the view from public roads or places.
- ~~2. The owners of community development lots numbered 15, 16, 23 and 24 may not build outside the building envelopes indicated on the plan held by the community association.~~
2. No additional bores are to be used to supplement dams on community property without Council's written approval.

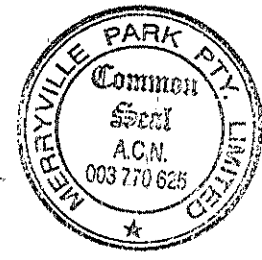
SIGNATURES, CONSENTS AND APPROVALS

DATED this 30th day of May 1991

THE COMMON SEAL OF MERRYVILLE)
 PARK PTY LIMITED was hereunto)
 affixed by authority of its)
 Board of Directors in the)
 presence of:)

[Signature]
 Director

[Signature]
 Secretary



CERTIFICATE OF APPROVAL

It is certified:

- (a) that the consent authority has approved of the development described in Development Consent No. 91/15 dated 31st January 1991; and
- (b) the terms and conditions of this management statement are not inconsistent with that development as approved.

Date: 30th Day of May 1991

Signature on behalf of consent authority *[Signature]*

SIGNED AT SYDNEY THIS EIGHTEENTH DAY OF JUNE
 19 91 FOR NATIONAL AUSTRALIA BANK
 LIMITED BY ITS DULY APPOINTED ATTORNEY
 UNDER POWER OF ATTORNEY No. 549 BOOK 3834

[Signature]
 Manager, Sydney Office

[Signature]
 WITNESS



Ref: /Src:X

DP 270008
MANAGEMENT STATEMENT
ANNEXURE 'A'
Sheet 1 of 2 Sheets

Form: 21CSM
Release: 2.4

**AMENDMENT OF
MANAGEMENT STATEMENT**

New South Wales
Section 39
Community Land Development Act 1989

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises the Registrar General to collect the information required by this form for the establishment and maintenance of the Real Property Act Register. Section 96B RP Act requires that the Register is made available to any person for search upon payment of a fee, if any.

(A) TORRENS TITLE

1/270008

(B) LODGED BY

Document Name, Address or DX, Telephone, and Customer Account Number if any	CODE
Collection Box JUDY BREEN, 10 GREVILLEA CLOSE, MURRUMBATEMAN NSW 2582 PH: 02 6227 5870	
Reference:	CS

(C) APPLICANT

Community Association Deposited Plan No. 270008

(D) The applicant certifies that by a unanimous resolution passed on 05 May 2014 and in accordance with section 14 of the Community Land Management Act 1989 it amended the management statement as follows:

(E) BY-LAWS

Repealed	PART 1 BY-LAW 1 PART 1 BY-LAW 2 PART 3 BY-LAW 5 (1)	Added	PART 1 BY-LAW 1 PART 1 BY-LAW 2 PART 3 BY-LAWS (1)
as fully set out below			

(F) TEXT OF ADDED BY-LAW

SEE ANNEXURE



(G) The common seal of the Community association deposited plan 270008 was affixed hereto in the presence of a person authorised by section 8 of the Community Land Management Act 1989 to attest the affixing of the seal.

Signature of witness: *J Breen*
Name of witness: JUDY BREEN
Date: 30TH JUNE 2014



Annexure: 1 to AMENDMENT OF MANAGEMENT STATEMENT

Parties:

J. Breen
JUDY BREEN

Dated:

30TH JUNE 2014

Part 1 By-Law 1

The owner of a community development lot (CDL) will not: -

- construct a dam or bore on it;
- either divert the flow of water over it or permit plants to grow so as to adversely affect water control of the community scheme except with the written approval of the Community Association;
- dispose of water by way of soakage trenches unless such trench forms part of an approved system;
- either erect a temporary structure on it or reside in such a structure or caravan without written consent of the Community Association;
- denude or damage any part of the reticulation system;
- permit overhead power lines to be erected or remain on it without written consent of the Community Association;

Part 1 By-Law 2

The owner of a CDL will on it:-

- maintain boundary fences to a standard sufficient to prevent farm animals passing to and from it;
- properly maintain and use an aerobic or biological effluent treatment system or other treatment system approved by Council (either of which is called an "approved system");
- dispose of all waste water in accordance with the specifications of the approved system in a location approved by the Community Association and Council;
- maintain an efficient water meter at the road or community property boundary;
- provide for household water collection of roof water and storage on the following basis: -
 - 100m² of roof plan area for each person the dwelling on it can reasonable accommodate, and
 - storage capacity of 10,000 litres for each person, or
 - to any Council approved minimum standard or requirement.

Part 3 By-Law 5 (1)

(1) Electricity and telephone services will be provided by appropriately qualified and licensed service providers.