

**Approved Form 30
COMMUNITY LAND DEVELOPMENT ACT**

NEIGHBOURHOOD MANAGEMENT STATEMENT

WARNING

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

This statement should be read in conjunction with any community management statement or precinct management statement.

PART 1

BY-LAWS FIXING DETAILS OF DEVELOPMENT

These by-laws relate to the control or preservation of the essence or theme of the development. An association may, in accordance with a special resolution, amend the management statement of the association to change the by-laws of the scheme (see sections 128 and 131(1) Community Land Management Act 2021).

These by laws 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 by-law that

- is unjust, being a by-law that is harsh, unconscionable or oppressive*
- prevents dealings relating to a lot- a by law can not operate to prohibit or restrict the devolution of a lot or a transfer, lease, mortgage or other dealing relating to a lot*
- restricts children – a by-law of an association will have no force or effect to which it purports to prohibit or restrict persons under 18 years of age occupying a residential lot*

- *prevents the keeping of an assistance animal- a by-law of an association has no force or effect to the extent to which it purports to prohibit or restrict the keeping on a lot of an assistance animal. See section 130 Community Land Management Act 2021 for additional information.*

PART 2
ASSOCIATION PROPERTY RIGHTS

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 neighbourhood property (see section 135 Community Land Management Act 2021).

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

- a) A description of the property to which it applies;*
- b) Details of the persons entitled to use the property;*
- c) The terms and conditions on which those persons may use the property;*
- 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 a neighbourhood management statement in accordance with clause 7 of schedule 2 Community Land Development Act 2021.

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 NEIGHBOURHOOD PROPERTY

Set out any rules relating to the control, management, use and maintenance of the neighbourhood 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 neighbourhood parcel including any obligations of the neighbourhood association or the subsidiary bodies.

4. GARBAGE

Set out the requirements for the storage and collection of on and from the neighbourhood parcel unless fully covered in a community or precinct management statement.

5. SERVICES (including water, sewerage, drainage, gas, electricity, telephone and other services)

Provide details relating to the supply and maintenance of service.

Note: If statutory easements are to be created in accordance with section 34 Community Land Development Act 2021 a copy of the prescribed diagram 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 neighbourhood property and any special requirements regarding insurance.

PART 4 OPTIONAL MATTERS

These are matters which may be included in accordance with clause 8 of schedule 4 of the Community Land Development Act 2021. The following matters are examples only and are not intended to limit the matters which may be included.

1. LAUNDRY

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

2. SAFETY AND SECURITY MEASURES

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

3. KEEPING OF PETS

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 an assistance animal.

4. QUIET ENJOYMENT

Provide details regarding obligations on owners not to interfere with the quiet enjoyment of another lot or the association property.

5. NOISE CONTROL

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

6. TRADING ACTIVITY

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

7. PRESERVATION OF ESSENCE OR THEME

Provide details on how the essence or theme of the development is to be controlled or preserved.

8. ARCHITECTURAL AND LANDSCAPING GUIDELINES

Provide details on the architectural and landscaping guidelines to be observed by lot owners.

9. STATUTORY EASEMENTS

If statutory easements are to be created pursuant to section 34 Community Land Development Act 2021 a prescribed diagram must be provided showing the approximate positions of the services.

10. ONGOING 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 122 Community Land Management Act 2021.

11. 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 2 clause 9 Community Land Development Act 2021.

Execution by the developer

Signature/Seal

Name (Please Print)

Date

Signature of Witness

Name (Please Print)

Address and occupation of witness

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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.