

**DISCLOSURE STATEMENT**  
**BODY CORPORATE AND COMMUNITY MANAGEMENT ACT 1997**  
**SECTION 206**

**Body Corporate**      Body Corporate for:                      Horton Apartments  
Community Titles Scheme No:      36939  
SP:    171082  
Lot No:    1403  
Address:    1 Mungar Street, Maroochydore Q 4558

**Regulation Module**      Accommodation

**Body Corporate Secretary/Manager**      Name:                                      Whittles Management Services  
Address:    Level 2, 15 Carnaby Street Maroochydore Q 4558  
Telephone:    07 5409 3400  
Fax:    07 5443 4521

**Body Corporate Committee**      Is there a Committee for the Body Corporate:                                      Yes

If there is no Committee, is the Body Corporate Manager engaged to perform the functions of the Committee:                                      Not applicable

**Annual Contributions And Levies**

**Administrative Fund:**      Annual Levy:                      \$3,208.00 (Gross)

Installment(s): (Gross)	Period	Amount	Due Date
	01.05.19 – 31.10.19	\$1,604.00	01.05.19
	01.11.19 – 30.04.20	\$1,604.00	01.11.19
<i>Pre-issued Levy:</i>	<i>01.05.20 – 31.10.20</i>	<i>\$1,604.00</i>	<i>01.05.20</i>

**Sinking Fund:**      Annual Levy:                      \$762.00 (Gross)

Installment(s): (Gross)	Period	Amount	Due Date
	01.05.19 – 31.10.19	\$381.00	01.05.19
	01.11.19 – 30.04.20	\$381.00	01.11.19
<i>Pre-issued Levy:</i>	<i>01.05.20 – 31.10.20</i>	<i>\$381.00</i>	<i>01.05.20</i>

**Insurance Levies:**      Annual Levy:                      \$202.00 (Gross)

Installment(s): (Gross)	Period	Amount	Due Date
	01.05.19 – 31.10.19	\$101.00	01.05.19
	01.11.19 – 30.04.20	\$101.00	01.11.19
<i>Pre-issued Levy:</i>	<i>01.05.20 – 31.10.20</i>	<i>\$101.00</i>	<i>01.05.20</i>

**Discount:**                      Nil

**Other:**                              Nil

**Information Prescribed under Regulation Module**

Not applicable – none prescribed

**Lot Entitlements And Other Matters**

Contribution Schedule Lot Entitlement:                                      Aggregate:      10,039  
This Lot:    61

Interest Schedule Lot Entitlement:    Aggregate:      78,149  
This Lot:    276

Balance of Sinking Fund:    \$698,635.56      as at      11.09.19  
Balance of Administrative Fund:    \$291,792.13      as at      11.09.19

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

None recorded on Register of Authorisations Affecting Common Property.

By-law 47 grants exclusive use for carparking and storage. The exclusive use by-laws and plans are attached.

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

**Assets on Register**

Register of Assets is attached.

**Insurance**

Insurer:	Allianz Australia Insurance Ltd via Strata Community Underwriting
Policy No:	QRSC19002145
Current to:	28.05.20
Building Cover:	\$ 69,457,500
Public Liability:	\$ 20,000,000
Common Contents:	\$ 694,575
Loss of Rent:	\$ 10,418,625
Building Catastrophe:	\$ 20,837,250
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

**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.

**Venessa Cox**  
**INSIDE OUT LEGAL SERVICES**  
**11.09.19**

## **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.***

- (c) An Occupier must comply with any conditions imposed by the Committee when granting its consent, including any conditions which are imposed by the Committee to prevent any noise arising in any way out of the installation or use of the Works from being transmitted from the Lot to another Lot.
- (d) The granting of any approval by the Committee of the Body Corporate does not in any way relieve an Occupier of his or her responsibility under any other By-Laws.
- (e) If an Occupier fails to comply with the terms of the By-Law, then an Occupier will, at his or her expense, remove the Works from the Lot upon receiving written notice from the Committee.

#### 44. Fire Control

- (a) An Owner or Occupier of a Lot must not use or interfere with any fire safety equipment except in the case of any emergency, and must not obstruct any fire stairs or fire escape.
- (b) The Body Corporate or an Owner or Occupier of a Lot must, in respect of the Scheme or the Lot, as appropriate:
  - (i) consult with any relevant authority as to an appropriate fire alarm and fire sprinkler system for the Scheme or the Lot;
  - (ii) ensure that provision of all adequate equipment to prevent fire or the spread of fire in or from the Scheme or the Lot to the satisfaction of all relevant authorities;
  - (iii) take all reasonable steps to ensure compliance with fire laws in respect of the Scheme or the Lot.

#### 45. Rules Relating to Common Property

The Committee may make rules relating to the Common Property and in particular in relation to the use of any improvements on the Common Property not inconsistent with these By-Laws and the same must be observed by the Owners or Occupiers of Lots unless and until they are disallowed or revoked by a majority resolution at a general meeting of the Body Corporate.

#### 46. Access to Meters

If a Lot contains a meter and/or switchboard, an Owner or Occupier of that Lot must make such meter and/or switchboard available for access at all reasonable times by a nominee of the Committee or the relevant body administering the supply of the relevant service to the Lot.

#### 47. Exclusive Use - Carpark

- (a) The Original Owner is authorised to allocate the exclusive use of that part of the Common Property (Car Space) to the Occupiers of lots specified in a written notice to the Body Corporate. When the allocations are made they will be identified in Schedule E under the heading By-Law 47 and this By-Law will be attached to the relevant Lots referred to in Schedule E. The following conditions apply to such use:
  - (i) the Car Space must only be used for the purpose referred to in Schedule E;
  - (ii) the Owner and Occupier are jointly and severally liable to keep the relevant Car Space clean and tidy. Where any repairs or cleaning are required to the Car Space due to its use by the Owner or Occupier or persons authorised by them (for example, oil stains), the Owners and Occupiers are jointly and severally liable to pay for the cost of them. Subject to those obligations and By-Law 47 (a)(iii), the Body Corporate must carry out its duties in relation to the Car Space;
  - (iii) an Approved Storage Device may be installed by the Occupier or Owner in the relevant Car Space but only in accordance with the rules specified by the Committee and any applicable law. Any items stored in the Car Space must be stored in an approved Storage Device. The Owner is solely liable for all costs related to the Approved Storage Device;
  - (iv) the relevant Owner and Occupier must allow the Body Corporate, the Committee and its properly appointed agents, access at all reasonable times to the Car Space for any proper purpose.
- (b) An Occupier of a Lot must not park any motor vehicle, motor bike, golf buggy or similar thing upon the Common Property unless the exclusive use of that part of the Common Property has been allocated to the Lot for that purpose.
- (c) If an Owner or Occupier of a Lot does not carry out its responsibilities in accordance with By-Law 47 (a), then the Body Corporate, and person authorised by it, may enter upon the Car Space for the purpose of carrying out such responsibilities and the Owner will be liable for the costs incurred by the Body Corporate in that regard.

SCHEDULE

Horton Apartments

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

Lot No.	Area	Purpose
By-law 47 (Car Spaces)		
Lot 1101 on SP 171082	Area 1101 on plan marked A	Car parking and storage
Lot 1102 on SP 171082	Area 1102 on plan marked A	Car parking and storage
Lot 1103 on SP 171082	Area 1103 on plan marked A	Car parking and storage
Lot 1104 on SP 171082	Area 1104 on plan marked A	Car parking and storage
Lot 1105 on SP 171082	Area 1105 on plan marked A	Car parking and storage
Lot 1106 on SP 171082	Area 1106 on plan marked A	Car parking and storage
Lot 1107 on SP 171082	Area 1107 on plan marked A	Car parking and storage
Lot 1108 on SP 171082	Area 1108 on plan marked A	Car parking and storage
Lot 1109 on SP 171082	Area 1109 on plan marked A	Car parking and storage
Lot 1110 on SP 171082	Area 1110 on plan marked A	Car parking and storage
Lot 1111 on SP 171082	Area 1111 on plan marked A	Car parking and storage
Lot 1201 on SP 171082	Area 1201 on plan marked A	Car parking and storage
Lot 1202 on SP 171082	Area 1202 on plan marked A	Car parking and storage
Lot 1203 on SP 171082	Area 1203 on plan marked A	Car parking and storage
Lot 1204 on SP 171082	Area 1204 on plan marked A	Car parking and storage
Lot 1205 on SP 171082	Area 1205 on plan marked A	Car parking and storage
Lot 1206 on SP 171082	Area 1206 on plan marked A	Car parking and storage
Lot 1207 on SP 171082	Area 1207 on plan marked A	Car parking and storage
Lot 1208 on SP 171082	Area 1208 on plan marked A	Car parking and storage
Lot 1209 on SP 171082	Area 1209 on plan marked A	Car parking and storage
Lot 1210 on SP 171082	Area 1210 on plan marked A	Car parking and storage
Lot 1211 on SP 171082	Area 1211 on plan marked A	Car parking and storage
Lot 1301 on SP 171082	Area 1301 on plan marked A	Car parking and storage
Lot 1302 on SP 171082	Area 1302 on plan marked A	Car parking and storage
Lot 1303 on SP 171082	Area 1303 on plan marked A	Car parking and storage
Lot 1304 on SP 171082	Area 1304 on plan marked A	Car parking and storage
Lot 1305 on SP 171082	Area 1305 on plan marked A	Car parking and storage
Lot 1306 on SP 171082	Area 1306 on plan marked A	Car parking and storage
Lot 1307 on SP 171082	Area 1307 on plan marked A	Car parking and storage
Lot 1308 on SP 171082	Area 1308 on plan marked A	Car parking and storage
Lot 1309 on SP 171082	Area 1309 on plan marked A	Car parking and storage
Lot 1310 on SP 171082	Area 1310 on plan marked A	Car parking and storage
Lot 1311 on SP 171082	Area 1311 on plan marked A	Car parking and storage
Lot 1401 on SP 171082	Area 1401 on plan marked A	Car parking and storage
Lot 1402 on SP 171082	Area 1402 on plan marked A	Car parking and storage
Lot 1403 on SP 171082	Area 1403 on plan marked A	Car parking and storage
Lot 1404 on SP 171082	Area 1404 on plan marked A	Car parking and storage
Lot 1405 on SP 171082	Area 1405 on plan marked A	Car parking and storage
Lot 1406 on SP 171082	Area 1406 on plan marked A	Car parking and storage
Lot 1407 on SP 171082	Area 1407 on plan marked A	Car parking and storage
Lot 1408 on SP 171082	Area 1408 on plan marked A	Car parking and storage
Lot 1409 on SP 171082	Area 1409 on plan marked A	Car parking and storage
Lot 1410 on SP 171082	Area 1410 on plan marked A	Car parking and storage
Lot 1411 on SP 171082	Area 1411 on plan marked A	Car parking and storage
Lot 1501 on SP 171082	Area 1501 on plan marked A	Car parking and storage
Lot 1502 on SP 171082	Area 1502 on plan marked A	Car parking and storage
Lot 1503 on SP 171082	Area 1503 on plan marked A	Car parking and storage
Lot 1504 on SP 171082	Area 1504 on plan marked A	Car parking and storage
Lot 1505 on SP 171082	Area 1505 on plan marked A	Car parking and storage
Lot 1506 on SP 171082	Area 1506 on plan marked A	Car parking and storage
Lot 1507 on SP 171082	Area 1507 on plan marked A	Car parking and storage
Lot 1508 on SP 171082	Area 1508 on plan marked A	Car parking and storage

Community Title Scheme Name:

"HORTON APARTMENTS" CTS

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PLAN A

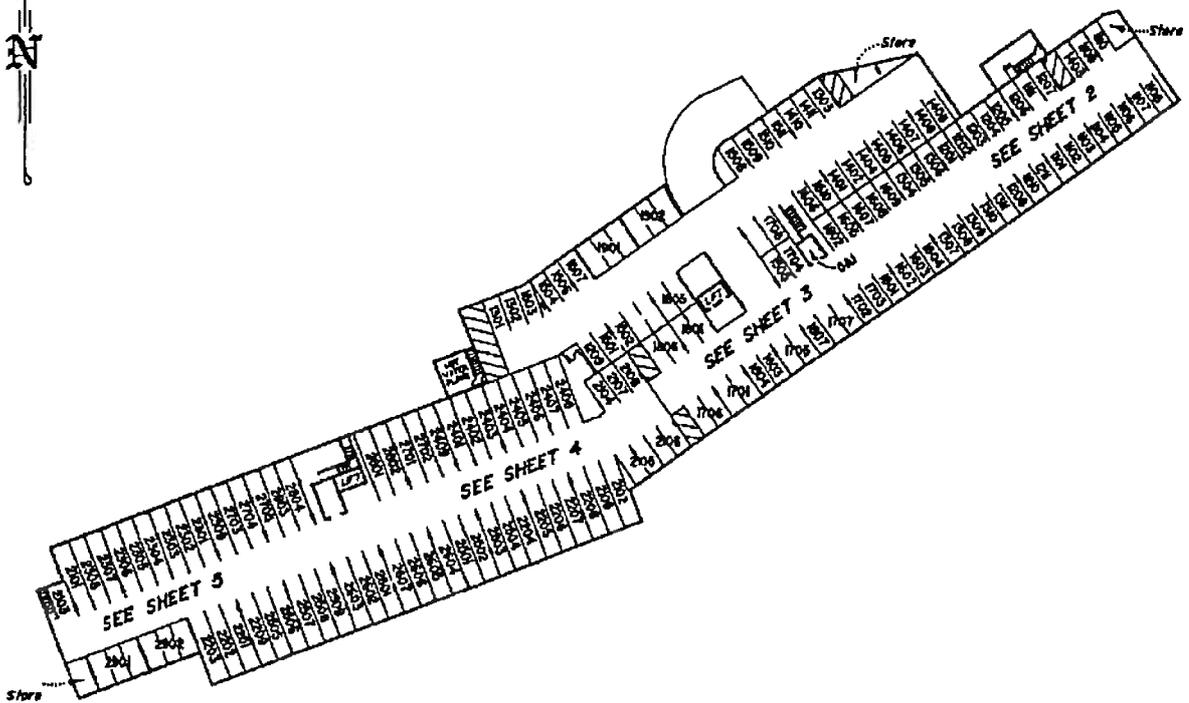
SHEET 1 OF 5 SHEETS

LEVEL A

EXCLUSIVE USE - CARPARKS & STOREROOMS

& OCCUPATIONAL AUTHORITY

CTS no. 36939



SCALE  
1:1000

SHEET 1 OF 5 SHEETS

□ DENTED CONCRETE COLUMN

We, Kehr Associates Pty Ltd  
(ACN 016 278 523) Chartered Surveyors  
certify that the details shown on this  
sketch plan are correct.

Director

Director  
Cadastral Surveyor

Date 4-5-07

0 10 20 30 40 50 100 Metres

Original Scale 1:1000

Community Title Scheme Name:

"HORTON APARTMENTS" CTS

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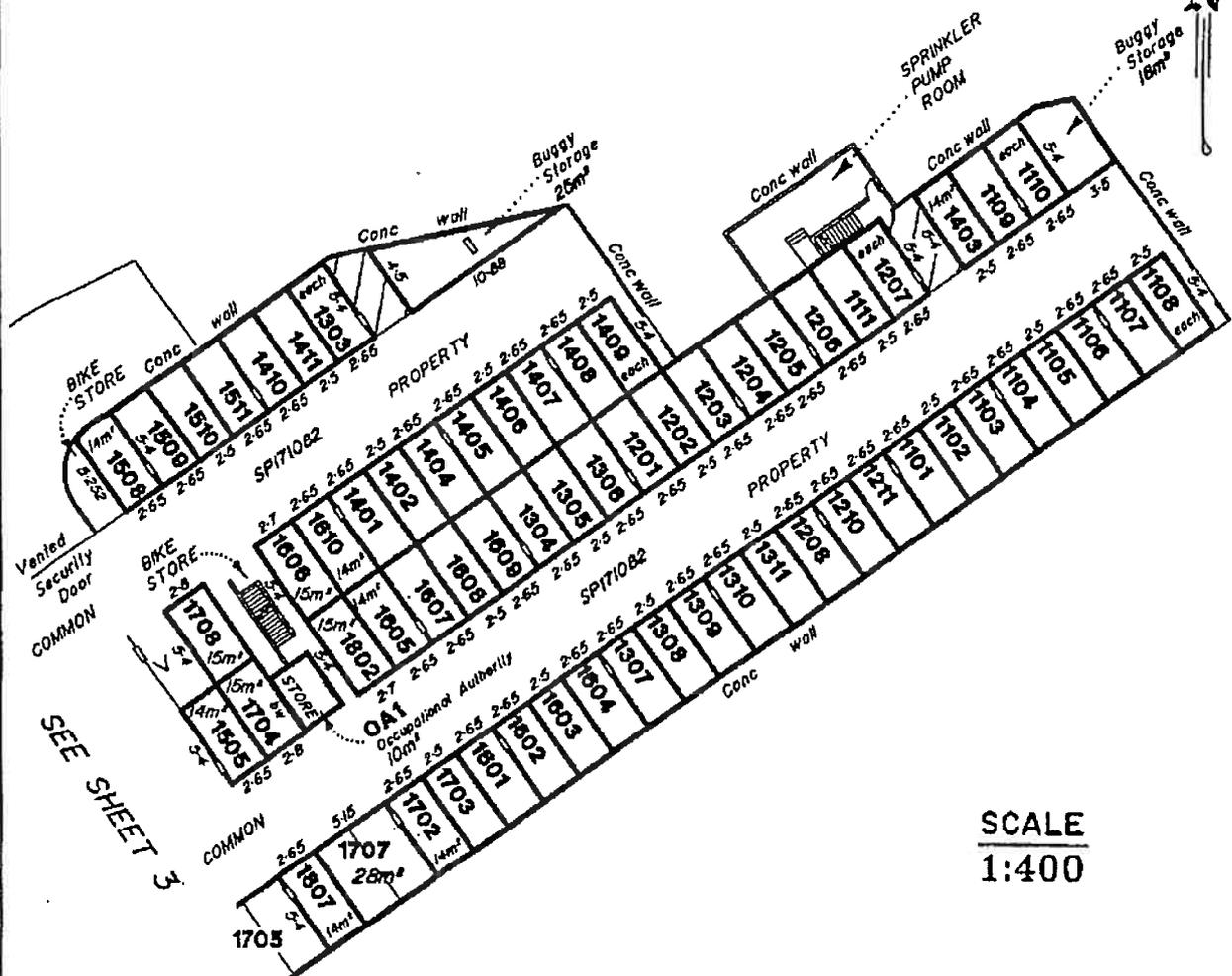
PLAN A

LEVEL A

SHEET 2 OF 5 SHEETS

EXCLUSIVE USE - CARPARKS & STOREROOMS  
& OCCUPATIONAL AUTHORITY

CTS no. 36939



SEE SHEET 3

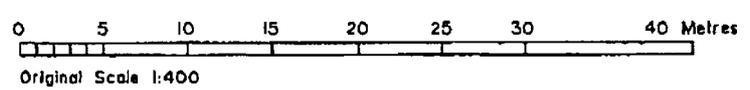
SCALE  
1:400

SHEET 2 OF 5 SHEETS

□ DENOTES CONCRETE COLUMN  
bw - Denotes black wall

We, Ken Hicks & Associates Pty Ltd  
(ACN 010 276 823) Coastal Surveyors  
certify that the details shown on this  
sketch plan are correct.

Director & Cadastral Surveyor  
Date: 4.5.07



## ASSET REGISTER

## HORTON APARTMENTS CTS 36939

Description	Type	Method of Acquisition	Date of Acquisition	Acquired from	Original Cost	Cost to date	Market Value
2x white/beige sofas	Furniture & Fittings	Purchase	31/05/07	LMI Concepts 07 3630 2388		0.00	3,262.00
1x seater leather 950 wide	Furniture & Fittings	Purchase	31/05/07	LMI Concepts 07 3630 2388		0.00	1,470.00
Pot Plant	Furniture & Fittings	Purchase	31/05/07	Domayne Furniture 07 3620 6600		0.00	539.00
stainless steel coffee table	Furniture & Fittings	Purchase	31/05/07	LMI Concepts 07 3630 2388		0.00	315.00
Fabric Upholstered 1200x500	Furniture & Fittings	Purchase	31/05/07	LMI Concepts 07 3630 2388		0.00	1,034.00
2x white leather upholstered	Furniture & Fittings	Purchase	31/05/07	LMI Concepts 07 3630 2388		0.00	2,032.80
23' LCD LG TV 23LC1RB for gym	Furniture & Fittings	Purchase	31/05/07	Harvey Norman		0.00	624.00
Wall Bracket to suit LG LCD	Furniture & Fittings	Purchase	31/05/07	Harvey Norman		0.00	75.00
				Page Totals	0.00	0.00	9,351.80
				Report Totals	0.00	0.00	9,351.80

## ASSET REGISTER

## HORTON APARTMENTS CTS 36939

Description	Type	Method of Acquisition	Date of Acquisition	Acquired from	Original Cost	Cost to date	Market Value
RW120	Furniture & Fittings	Purchase	31/05/07	Harvey Norman		0.00	15,719.52
4x Bermuda silver frame/white	Furniture & Fittings	Purchase	31/05/07	Daydream Leisure Furniture		0.00	820.00
3x Zap 90x90 silver aluminium	Furniture & Fittings	Purchase	31/05/07	Domayne Furniture 07 3620 6600		0.00	897.00
12x Malibu Dining Chairs white	Furniture & Fittings	Purchase	31/05/07	Domayne Furniture 07 3620 6600		0.00	1,470.00
3x Zap Tables silver aluminium	Furniture & Fittings	Purchase	31/05/07	Domayne Furniture 07 3620 6600		0.00	897.00
12x Malibu Dining Chairs white	Furniture & Fittings	Purchase	31/05/07	Domayne Furniture 07 3620 6600		0.00	1,470.00
4x Bermuda silver/white	Furniture & Fittings	Purchase	31/05/07	Daydream L/F 5493 4277		0.00	820.00
3 x FLAT TROLLEY	Furniture & Fittings	Purchase	20/08/09	TROLLEY MASTER PO BOX 21 PORT MELBOURNE VIC 3207	600.60	600.60	
				Page Totals	600.60	600.60	22,093.52
				Report Totals	600.60	600.60	31,445.32

## ASSET REGISTER

## HORTON APARTMENTS CTS 36939

Description	Type	Method of Acquisition	Date of Acquisition	Acquired from	Original Cost	Cost to date	Market Value
2 x 3.5mtr UMBRELLA'S	Furniture & Fittings	Purchase	28/09/09	DAYDREAM LEISURE FURNITURE Cnr MAIN DR & NICKLIN WAY WARANA QLD 4575		0.00	7,158.00
AI REEF CHAIR	Furniture & Fittings	Purchase	12/02/10	DAYDREAM LEISURE FURNITURE Cnr Main Drive & Nicklin Way WARANA QLD 4575	858.00	858.00	
REEF CHAIR	Furniture & Fittings	Purchase	12/03/10	DAYDREAM LEISURE FURNITURE Cnr Main Drive & Nicklin Way WARANA QLD 4575	858.00	858.00	
6 CARMEN LOUNGES	Furniture & Fittings	Purchase	15/09/10	DAYDREAM LEISURE FURNITURE Cnr Main Drive & Nicklin Way WARANA QLD 4575	2,046.00	2,046.00	
2 CARMEN LOUNGES	Furniture & Fittings	Purchase	30/11/10	DAYDREAM LEISURE FURNITURE Cnr Main Drive & Nicklin Way WARANA QLD 4575	682.00	682.00	
LCD MONITOR	Office Equipment	Purchase	04/03/11	IMPULSE ELECTRICAL (AUST) P/L 1/35 Enterprise St KUNDA PARK Q4556	629.75	629.75	
HAKO SWEEPER	Plant and Machinery	Purchase	27/08/07	COMPLETE HOSPITALITY SUPPLIES PO Box 3004 DC TWEED HEADS SOUTH NSW 2486	528.00	528.00	
ELECTRIC BLOWER	Plant and Machinery	Purchase	11/09/07	COMPLETE HOSPITALITY SUPPLIES PO Box 3004 DC TWEED HEADS SOUTH NSW 2486	104.39	104.39	
				Page Totals	5,706.14	5,706.14	7,158.00
				Report Totals	6,306.74	6,306.74	38,603.32



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:

PSC0001690

**2. Location of the swimming pool**

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

Street address:

1 A MUNGAR ST

MAROOCHYDORE QLD

Postcode

4

5

5

8

Lot and plan details:

9999/SP/171082

Local government area:

SUNSHINE COAST REGIONAL

**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.

No disability exemption applies; No impracticality exemption applies

No alternative solution applies

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

Shared pool

Non-shared pool

**5. Pool safety certificate validity**

Effective date:

1 3 / 1 1 / 2 0 1 8

Expiry date:

1 3 / 1 1 / 2 0 1 9

**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:

KATHLEEN HELEN SAMMON

Pool safety inspector licence number:

PS101706

Signature:



Date:

1 3 / 1 1 / 2 0 1 8

**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.