

## Draft By-Law

### 29. Vehicle parking

29.1 In this By-Law the following terms shall have the meaning opposite the term:-

- (a) **“Carparking Plan”** means the plan annexed hereto and titled “sketch plan for exclusive use purposes over part of basement level 2 of the building erected over Community property Lot 4 on MCP 106902; and sketch plan for exclusive use purposes over part of basement level 1 of the building erected over Community property Lot 4 on MCP 106902” or a plan in the form acceptable to the Department of Natural Resources and Mines, Titles Office for registration purposes.
- (b) **“Allocation Schedule”** means the schedule annexed hereto and titled Carpark Allocation Schedule;
- (c) **“Carparking Space”** means a numbered area on the Carparking Plan;
- (d) **“Cathedral Place”** means the building erected over Community Property Lots and Community Development Lots on MCP106902.
- (e) **“Lot”** means a lot in a body corporate at Cathedral Place.

### 29.2 Allocation

- (a) The Owners/Occupier of a Lot (from time to time) identified in a row in the first column of the Allocation Schedule are allocated exclusive use of the Carparking Space listed in the same row of the second column in the Allocation Schedule.

### 29.3 Effective date of allocation

- (a) The allocation of exclusive use of a Carparking Space in this By-Law is effective from the date that the Minister who administers the *Mixed Use Development Act 1993 (Qld)* approves this By-Law.

### 29.4 Swapping Carparking Spaces

- (a) Any Lot Owner having the right to exclusive use of a Carparking Space under this By-Law may by agreement with the Lot Owner of another Lot (“the Transferee”), transfer the right of exclusive use of a Carparking Space to the Transferee provided that:-
  - (i) the Lot Owner and the Transferee both give notice in writing of the transfer to the Cathedral Place Community Body Corporate;
  - (ii) the Lot Owner and the Transferee undertake to pay the costs of Cathedral Place Community Body Corporate involved in recording the transfer of the Carparking

Space; and

- (iii) the Cathedral Place Community Body Corporate approves the transfer by resolution of its Committee and records the transfer in the Register.

**(b) Register**

- (i) The Cathedral Place Community Body Corporate must keep a register (“the Register”) identifying an allocation of exclusive use of a Carparking Space to a Lot by By-Law 29 (including an allocation under the provisions of By-Law 29.4).
- (ii) The Register must identify the following:-
  - a) a notice of transfer evidencing an allocation made under By-Law 29.4;
  - b) the Carparking Space allocated to a Lot;
  - c) the Lot in favour of which an allocation of a Carparking Space has been made; and
  - d) the Lot from which a Carparking Space was transferred under By-Law 29.4.

**(c) Inspection of Register**

The owner of a Lot at Cathedral Place may with reasonable notice to the Cathedral Place Community Body Corporate, inspect the Register.

**29.5 Access to Carparks**

An Occupier/Owner of a Lot, to which the right of exclusive use of a Carparking Space has been granted pursuant to this By-Law, may, to the extent necessary to access the Carparking Space, have right of way over the following areas:-

- (a) Easement A on Community Development Lot 1 on MCP 106902 on SP111910;
- (b) Easement B on Community Development Lot 2 on MCP 106902 on SP111909;
- (c) Easement C on Community Development Lot 2 on MCP 106902 on SP111909;
- (d) Easement D on Community Development Lot 3 on MCP 106902 on SP111910;
- (e) Easement E on Community Development Lot 15 on MCP 106902 on SP111909;
- (f) Easement F on Community Development Lot 3 on MCP 106902 on SP111910;
- (g) Easement G on Community Development Lot 1 on MCP 106902 on SP111909;  
and
- (h) Easement H on Community Development Lot 2 on MCP 106902 on SP111909.

## CAR PARK ALLOCATION SCHEDULE

### EXPLANATORY NOTES:

This Car Park Allocation Schedule is the Car Park Allocation Schedule referred to in By-Law 29 of the Cathedral Place Community Body Corporate By-Laws.

LOT NUMBER ON BUP 106965 (DUHIG)	CARPARKING SPACE NUMBER
21	506 /505
45	180 /179
46	181 /182
53	193 /192
54	178/ 177
55	146
59	528 /527
61	526 /525
65	466
77	183 /184
84	194/ 195

LOT NUMBER ON BUP 106966 (KENSINGTON & SANDRINGHAM)	CARPARKING SPACE NUMBER
49	226
50	227
51	228
66	229

Resolution of CBC

**1. Amendment to By-Laws – Adopt New By-Law 29**

Resolved by Resolution by Comprehensive Resolution that the Body Corporate adopt the proposed By-Law 29 as set out in Annexure A to these minutes with Annexure A.1, “Car Park Allocation Schedule” and the plans attached or plans in a form acceptable to the Minister and the Titles Office that identify each of the car parks with the same number as on the attached plans and that the Body Corporate’s Solicitors be authorised to take all steps required to bring the By-Law into effect.

**By-Law****29. Vehicle parking**

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- (a) **“Carparking Plan”** means the plan annexed hereto and titled “sketch plan for exclusive use purposes over part of basement level 2 of the building erected over Community property Lot 4 on MCP 106902; and sketch plan for exclusive use purposes over part of basement level 1 of the building erected over Community property Lot 4 on MCP 106902” or a plan in the form acceptable to the Department of Natural Resources and Mines, Titles Office for registration purposes.
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- (e) **“Lot”** means a lot in a body corporate at Cathedral Place.

**29.2 Allocation**

- (a) The Owners/Occupier of a Lot (from time to time) identified in a row in the first column of the Allocation Schedule are allocated exclusive use of the Carparking Space listed in the same row of the second column in the Allocation Schedule.

**29.3 Effective date of allocation**

- (a) The allocation of exclusive use of a Carparking Space in this By-Law is effective from the date that the Minister who administers the *Mixed Use Development Act 1993 (Qld)* approves this By-Law.

**29.4 Swapping Carparking Spaces**

- (a) Any Lot Owner having the right to exclusive use of a Carparking Space under this By-Law may by agreement with the Lot Owner of another Lot (“the Transferee”), transfer the right of exclusive use of a Carparking Space to the Transferee provided that:-
  - (i) the Lot Owner and the Transferee both give notice in writing of the transfer to the Cathedral Place Community Body Corporate;
  - (ii) the Lot Owner and the Transferee undertake to pay the costs of Cathedral Place Community Body Corporate involved in recording the transfer of the Carparking

Space; and

- (iii) the Cathedral Place Community Body Corporate approves the transfer by resolution of its Committee and records the transfer in the Register.

**(b) Register**

- (i) The Cathedral Place Community Body Corporate must keep a register (“the Register”) identifying an allocation of exclusive use of a Carparking Space to a Lot by By-Law 29 (including an allocation under the provisions of By-Law 29.4).
- (ii) The Register must identify the following:-
- a) a notice of transfer evidencing an allocation made under By-Law 29.4;
  - b) the Carparking Space allocated to a Lot;
  - c) the Lot in favour of which an allocation of a Carparking Space has been made; and
  - d) the Lot from which a Carparking Space was transferred under By-Law 29.4.

**(c) Inspection of Register**

The owner of a Lot at Cathedral Place may with reasonable notice to the Cathedral Place Community Body Corporate, inspect the Register.

**29.5 Access to Carparks**

An Occupier/Owner of a Lot, to which the right of exclusive use of a Carparking Space has been granted pursuant to this By-Law, may, to the extent necessary to access the Carparking Space, have right of way over the following areas:-

- (a) Easement A on Community Development Lot 1 on MCP 106902 on SP111910;
- (b) Easement B on Community Development Lot 2 on MCP 106902 on SP111909;
- (c) Easement C on Community Development Lot 2 on MCP 106902 on SP111909;
- (d) Easement D on Community Development Lot 3 on MCP 106902 on SP111910;
- (e) Easement E on Community Development Lot 15 on MCP 106902 on SP111909;
- (f) Easement F on Community Development Lot 3 on MCP 106902 on SP111910;
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## **Resolution of Subsidiary Body Corporate**

### **1. Support of CBC By-Law 29**

It was resolved by that the Body Corporate is in favour of the Cathedral Place Community Body Corporate adopting the proposed By-Law 29 as set out in Annexure B to these minutes with Annexure B.1, "Car Park Allocation Schedule" and the plans attached or plans in a form acceptable to the Minister and the Titles Office that identify each of the car parks with the same number as on the attached plans.

Number in attendance:

Number of votes for:

Number of votes against:







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- (ii) the Lot Owner and the Transferee undertake to pay the costs of Cathedral Place Community Body Corporate involved in recording the transfer of the Carparking Space; and
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- (c) Easement C on Community Development Lot 2 on MCP 106902 on SP111909;
- (d) Easement D on Community Development Lot 3 on MCP 106902 on SP111910;
- (e) Easement E on Community Development Lot 15 on MCP 106902 on SP111909;
- (f) Easement F on Community Development Lot 3 on MCP 106902 on SP111910;
- (g) Easement G on Community Development Lot 1 on MCP 106902 on SP111909;  
and

- (h) Easement H on Community Development Lot 2 on MCP 106902 on SP111909.

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# CAR PARK EASEMENT SCHEDULE

## CATHEDRAL PLACE COMMUNITY BODY CORPORATE

### KEY:

- “BC” means the carpark is located on the common property for Oxford and Cambridge BUP No.106905;
- “M” means the Cathedral Place community common property on Mixed Community Plan No.106 902;
- “A” means the common property for the Building Units Plan for the body corporate to be known as Notre Dame to be registered over CDL lot 1 on MCP No.106902;
- “BC” means the common property for the Body Corporate for Oxford and Cambridge BUP No.106905;
- “DE” means the common property for the Building Units Plan for the Body Corporate to be known as Canterbury and Westminster to be registered over CDL lot 3 on MCP No. 106902;
- “F” means the common property for the Building Units Plan to be known as “Duhig” to be registered over part of CDL lot 15 on MCP No.106902;
- “GH” means the common property for the Building Units Plan for the Body Corporate to be known as “Kensington and Sandringham” to be registered over part of CDL lot 15 on MCP No.106 902;

**Cathedral Place  
Car Park Locations**

**Block A – Notre Dame**

Unit No.	Car Park No.	Location
135	257A	BC

**Cathedral Place  
Car Park Locations**

**Block F – Duhig**

Unit No.	Car Park No.	Location
21	505/506	DE
45	179/180	DE
46	181/182	DE
53	192/193	DE
54	177/178	DE
55	146	GH
59	527/528	DE
61	525/526	DE
65	466	GH
77	183/184	DE
84	194/195	DE

**Cathedral Place  
Car Park Locations**

**Block H - Sandringham**

Unit No.	Car Park No.	Location
49	226	A
50	227	A
51	228	A