SECTION 32 STATEMENT

PURSUANT TO DIVISION 2 OF PART II SECTION 32 OF THE SALE OF LAND ACT 1962 (VIC)

Vendor:	KIRSTIN STEWART MACKAY - EXECUTOR OF CAROLINE ELIZABETH MACKAY DECEASED
Property:	UNIT 3, 2-4 SOPHIA GROVE, TECOMA VIC 3160

VENDORS REPRESENTATIVE MOUNTAIN CONVEYANCING

Tel: 03 9754 7615 Email: office@mountainconveyancing.com.au

Ref: 25-7657

32A FINANCIAL MATTERS

32A(a) Information concerning any rates, taxes, charges or other similar outgoings <u>AND</u> any interest payable on any part of them is contained in the attached certificate/s and as follows-

Provider	Amount (& interest if any)	Period
Yarra Ranges Shire Council	See attached certificate	Per annum
South East Water	See attached certificate	Per annum
Owners Corporation #309297C	See attached certificate	Per annum

Any further amounts (including any proposed Owners Corporation Levy) for which the Purchaser may become liable as a consequence of the purchase of the property are as follows:- None to the vendors knowledge

Their total does not exceed \$5,300.00

At settlement the rates will be adjusted between the parties, so that they each bear the proportion of rates applicable to their respective periods of occupancy in the property.

32A(b) The particulars of any Charge (whether registered or not) over the land imposed by or under an Act to secure an amount due under that Act, including the amount owing under the charge are as follows:- Not Applicable

32A(ca) Commercial and Industrial Property Tax Reform Act 2024 (Vic) (CIPT Act)

(a)	The Australian Valuation Property Classification Code (within the meaning of the CIPT Act) most recently allocated to the land is set out in the attached Municipal rates notice or property clearance certificate or is as follows	AVPC No:140
(b)	Is the land tax reform scheme land within the meaning of the CIPT Act?	⊠NO
(c)	If the land is tax reform scheme land within the meaning of the CIPT Act, the entry date within the meaning of the CIPT Act is set out in the attached Municipal rates notice or property clearance certificate or is as follows	⊠ Not applicable

32B INSURANCE

- (a) Where the Contract does not provide for the land to remain at the risk of the Vendor, particulars of any policy of insurance maintained by the Vendor in respect of damage to or destruction of the land are as follows: Not Applicable
- (b) Where there is a residence on the land which was constructed within the preceding six years, and section 137B of the *Building Act 1993* applies, particulars of the required insurance are as follows:- Not Applicable

32C LAND USE

(a) RESTRICTIONS

Information concerning any easement, covenant or similar restriction affecting the land (whether registered or unregistered) is as follows:-

- Easements affecting the land are as set out in the attached copies of title.
- Covenants affecting the land are as set out in the attached copies of title.
- Other restrictions affecting the land are as attached.
- Particulars of any existing failure to comply with the terms of such easement, covenant and/or restriction are as follows:-

To the best of the Vendor's knowledge there is no existing failure to comply with the terms of any easement, covenant or similar restriction affecting the land. The Purchaser should note that there may be sewers, drains, water pipes, underground and/or overhead electricity cables, underground and/or overhead telephone cables and underground gas pipes laid outside any registered easements and which are not registered or required to be registered against the Certificate of Title.

(b) BUSHFIRE

This land is in a designated bushfire- prone area within the meaning of the regulations made under the *Building Act 1993*.

(c) ROAD ACCESS

There is access to the Property by Road.

(d) PLANNING

Planning Scheme:

Yarra Ranges Planning Scheme

Responsible Authority:

Yarra Ranges Shire Council

Zoning:

See attached certificate

Planning Overlay/s:

See attached certificate

32D NOTICES

- (a) Particulars of any Notice, Order, Declaration, Report or recommendation of a Public Authority or Government Department or approved proposal directly and currently affecting the land of which the Vendor might reasonably be expected to have knowledge are:- if applicable see attached otherwise none to the Vendors knowledge. However the Vendor has no means of knowing all decisions of the Government and other authorities unless such decisions have been communicated to the Vendor
- (b) The Vendor is not aware of any Notices, Property Management Plans, Reports or Orders in respect of the land issued by a Government Department or Public Authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes.
- (c) Particulars of any Notice of intention to acquire served under Section 6 of the Land Acquisition and Compensation Act, 1986 are: Not Applicable
- (d) If the property sold includes a swimming pool as defined in the Building Regulations 2006 (Vic) (the "Regulations") in respect of which suitable barriers as defined in the Regulations have not been provided, then the purchaser does hereby acknowledge, agree and declare that it shall be the purchaser's responsibility at their sole cost and expense to construct suitable barriers in compliance with the Regulations and to the satisfaction of the responsible authority with the time prescribed in the Regulations.

32E BUILDING PERMITS

Particulars of any Building Permit issued under the *Building Act 1993* during the past seven years (where there is a residence on the land):- No such Building Permit has been granted to the Vendors knowledge.

32F OWNERS CORPORATION

Attached is a copy of the current Owners Corporation Certificate issued in respect of the land together with all documents and information required under section 151 of the *Owners Corporations Act 2006*.

	RSTIN STEWART MACKAY - Executor(s) of CAROLINE ELIZABETH MACKAY deceased
	E OF THIS STATEMENT 12 1 3 120 25 of the Vendor
Attacl	hed to this Section 32 Statement please find:- All documents noted as attached within this Section 32 Statement Due Diligence Checklist
<u>ATT</u>	ACHMENTS .
321	Attached are the following document/s concerning Title: (a) In the case of land under the Transfer of Land Act 1958 a copy of the Register Search Statement/s and the document/s, or part of the document/s, referred to as the diagram location in the Register Search Statement/s that identifies the land and its location. (b) In any other case, a copy of - (i) the last conveyance in the Chain of Title to the land; or (ii) any other document which gives evidence of the Vendors title to the land. (c) Where the Vendor is not the registered proprietor or the owner of the estate in fee simple, copies of the documents bearing evidence of the Vendor's right or power to sell the land. (d) In the case of land that is subject to a subdivision - (i) a copy of the Plan of Subdivision which has been certified by the relevant municipal council (if the Plan of Subdivision has not been registered), or (ii) a copy of the latest version of the plan (if the Plan of Subdivision has not been certified).
	The following are not connected if mark with X Electricity Gas supply Water supply Sewerage Telephone services Connected indicates that the service is provided by an authority and operating on the day of sale. The Purchaser should be aware that the Vendor may terminate their account with the service provider before settlement, and the purchaser will have to have the service reconnected.
32H	 land that is to be transferred under the agreement. land on which works are to be carried out under the agreement (other than Crown land). land in respect of which a GAIC is imposed SERVICES
32G	 (1) The land, in accordance with a work-in-kind agreement (within the meaning of Part 9B of the <i>Planning and Environment Act 1987</i> is NOT –
	Corporations Act 2006.

Signature/s of the Vendor

×	
The Purchaser acknowledges being given a duplicate of this statement signed by the Vendor before the l signed any contract.	urchaser
The Purchaser further acknowledges being directed to the DUE DILIGENCE CHECKLIST.	
DATE OF THIS ACKNOWLEDGMENT /20	
Name of the Purchaser	
Signature/s of the Purchaser	
×	

Due Diligence Checklist

What you need to know before buying a residential property

Before you buy a home, you should be aware of a range of issues that may affect that property and impose restrictions or obligations on you, if you buy it. This checklist aims to help you identify whether any of these issues will affect you. The questions are a starting point only and you may need to seek professional advice to answer some of them. You can find links to organisations and web pages that can help you learn more, by visiting the Due diligence checklist page on the Consumer Affairs Victoria website (consumer.vic.gov.au/duediligencechecklist).

Urban living

Moving to the inner city?

High density areas are attractive for their entertainment and service areas, but these activities create increased traffic as well as noise and odours from businesses and people. Familiarising yourself with the character of the area will give you a balanced understanding of what to expect.

Is the property subject to an owners corporation?

If the property is part of a subdivision with common property such as driveways or grounds, it may be subject to an owners corporation. You may be required to pay fees and follow rules that restrict what you can do on your property, such as a ban on pet ownership.

Growth areas

Are you moving to a growth area?

You should investigate whether you will be required to pay a growth areas infrastructure contribution.

Flood and fire risk

Does this property experience flooding or bushfire?

Properties are sometimes subject to the risk of fire and flooding due to their location. You should properly investigate these risks and consider their implications for land management, buildings and insurance premiums.

Rural properties

Moving to the country?

If you are looking at property in a rural zone, consider:

Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.

Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.

Do you understand your obligations to manage weeds and pest animals?

Can you build new dwellings?

Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land?

Is there any earth resource activity such as mining in the area?

You may wish to find out more about exploration, mining and quarrying activity on or near the property and consider the issue of petroleum, geothermal and greenhouse gas sequestration permits, leases and licences, extractive industry authorisations and mineral licences.

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

You should consider whether past activities, including the use of adjacent land, may have caused contamination at the site and whether this may prevent you from doing certain things to or on the land in the future.

Land boundaries

Do you know the exact boundary of the property?

You should compare the measurements shown on the title document with actual fences and buildings on the property, to make sure the boundaries match. If you have concerns about this, you can speak to your lawyer or conveyancer, or commission a site survey to establish property boundaries.

Planning controls

Can you change how the property is used, or the buildings on it?

All land is subject to a planning scheme, run by the local council. How the property is zoned and any overlays that may apply, will determine how the land can be used. This may restrict such things as whether you can build on vacant land or how you can alter or develop the land and its buildings over time.

The local council can give you advice about the planning scheme, as well as details of any other restrictions that may apply, such as design guidelines or bushfire safety design. There may also be restrictions – known as encumbrances – on the property's title, which prevent you from developing the property. You can find out about encumbrances by looking at the section 32 statement.

Are there any proposed or granted planning permits?

The local council can advise you if there are any proposed or issued planning permits for any properties close by. Significant developments in your area may change the local 'character' (predominant style of the area) and may increase noise or traffic near the property.

Safety

Is the building safe to live in?

Building laws are in place to ensure building safety. Professional building inspections can help you assess the property for electrical safety, possible illegal building work, adequate pool or spa fencing and the presence of asbestos, termites, or other potential hazards.

Building permits

Have any buildings or retaining walls on the property been altered, or do you plan to alter them?

There are laws and regulations about how buildings and retaining walls are constructed, which you may wish to investigate to ensure any completed or proposed building work is approved. The local council may be able to give

you information about any building permits issued for recent building works done to the property, and what you must do to plan new work. You can also commission a private building surveyor's assessment.

Are any recent building or renovation works covered by insurance?

Ask the vendor if there is any owner-builder insurance or builder's warranty to cover defects in the work done to the property.

Utilities and essential services

Does the property have working connections for water, sewerage, electricity, gas, telephone and internet?

Unconnected services may not be available, or may incur a fee to connect. You may also need to choose from a range of suppliers for these services. This may be particularly important in rural areas where some services are not available.

Buyers' rights

Do you know your rights when buying a property?

The contract of sale and section 32 statement contain important information about the property, so you should request to see these and read them thoroughly. Many people engage a lawyer or conveyancer to help them understand the contracts and ensure the sale goes through correctly. If you intend to hire a professional, you should consider speaking to them before you commit to the sale. There are also important rules about the way private sales and auctions are conducted. These may include a cooling-off period and specific rights associated with 'off the plan' sales. The important thing to remember is that, as the buyer, you have rights.





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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 1 of 2

VOLUME 10280 FOLIO 732

Security no : 124122532712X Produced 04/03/2025 02:35 PM

LAND DESCRIPTION

Lot 3 on Plan of Subdivision 309297C. PARENT TITLE Volume 04036 Folio 066 Created by instrument PS309297C 08/05/1996

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
KIRSTIN STEWART MACKAY of 5 NORTHAM STREET GLEN WAVERLEY VIC 3150
Executor(s) of CAROLINE ELIZABETH MACKAY deceased
AY689032L 11/12/2024

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

NOTICE RETIREMENT VILLAGES ACT 1986 R375581V 05/06/1991

AGREEMENT Section 173 PLANNING AND ENVIRONMENT ACT 1987 S053428Y 06/08/1992

DIAGRAM LOCATION

SEE PS309297C FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER STATUS DATE

AY689032L (E) TRANSMISSION APPLICATION Registered 11/12/2024

------END OF REGISTER SEARCH STATEMENT---------

Additional information: (not part of the Register Search Statement)

Street Address: UNIT 3 2-4 SOPHIA GROVE TECOMA VIC 3160

ADMINISTRATIVE NOTICES

NIL

eCT Control 18217W FALCONE & ADAMS LAWYERS Effective from 11/12/2024

OWNERS CORPORATIONS

Title 10280/732 Page 1 of 2



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REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958

Page 2 of 2

The land in this folio is affected by OWNERS CORPORATION PLAN NO. PS309297C

DOCUMENT END

Page 2 of 2 Title 10280/732

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Document Identification	PS309297C
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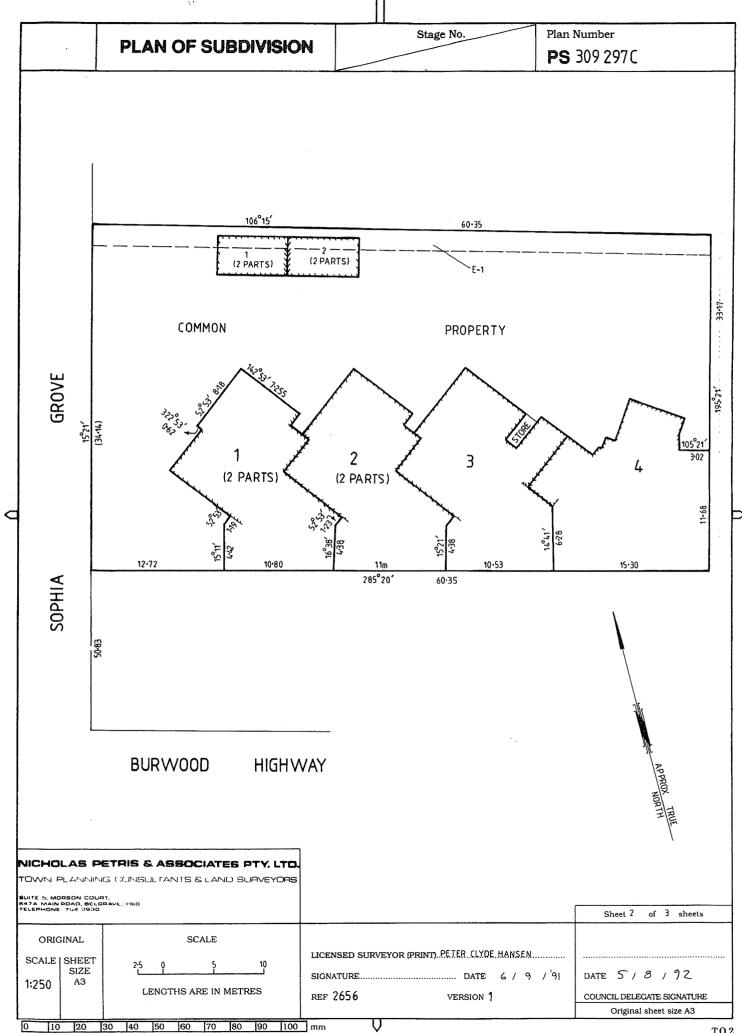
Plan Number STAGE NO. LTO use only PLAN OF SUBDIVISION **PS** 309297 C 2 **EDITION** Council Certificate and Endorsement Location of Land Ref: 23321,1020 Parish: NARREE WORRAN Council Name: SHIRE OF SHERBROOKE This plan is certified under section 6 of the Subdivision Act 1988. Township: --This plan is certified under section 11(7) of the Subdivision Act 1988. Section: В Date of original certification under section 6 / Crown Allotment: 22 (PART) This is a statement of compliance issued under section 21 of the Subdivision Act 1988. Crown Portion: -OPEN SPACE A requirement for public open space under section 18 of the Subdivision Act LTO Base Record: CHART 8 (3279) 1988 has/has not been made. Title Reference: VOL. 4036 FOL. 066 The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage................ Last Plan Reference: LP 5986 , LOT 3 (PART) Council delegate Nº 4 SOPHIA GROVE TECOMA , 3160 Postal Address: Council seal (at time of subdivision) Date 5 18/92 AMG Co-ordinates E 354,200 Re-certified under section 11(7) of the Subdivision Act 1988 Zone: 55 (of approx. centre of land in plan) N 5.803.150 Council Delegate Council Seal Vesting of Roads and/or Reserves Identifier Council/Body/Person Notations NIL NIL Staging This is not a staged subdivision Planning Permit No. 2739 Depth Limitation DOES NOT APPLY

Survey

This plan is/is not based on survey

This survey has been connected to permanent marks no(s) In Proclaimed Survey Area No.

Easement Information				LTO use only	
Legend:	A - Appurtenant Easement E	- Encumber	ring Easement R - End	cumbering Easement (Road)	Statement of Compliance/ Exemption Statement
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	Received []
E-1	DRAINAGE	2 m TRAN	TRANSFER Nº 764269	THE BALANCE OF CIT VOL.3627 FOL.301 AFTER REGISTRATION OF	Date 4 / 4 /16
				TR. 764269	PLAN REGISTERED TIME DATE Assistant Registrar of Titles Sheet 1 of 3 Sheets
TOWN P	DAO, BELGRAVE HILL		EYORS DICENSED SORT	/EYOR (PRINT)RETERCLYPEHANSEN	DATE 5 / 8 / 92- COUNCIL DELEGATE SIGNATURE Original sheet size A3



PS309297C

FOR CURRENT BODY CORPORATE DETAILS SEE BODY CORPORATE SEARCH REPORT

Sheet 3

MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PLAN NUMBER PS309297C

WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.

AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
THIS PLAN		ADDITIONAL RULES RECORDED	AE229845K	20/03/06	2	L. LOW
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J50591 1438 105E

R375581V

P.H. PIPPEY & SON

1393 U

RETIREMENT VILLAGES_ACT 1986 RETIREMENT VILLAGE NOTICE

The Retirement Villages Act 1986 applies to <u>ALL THAT</u> piece of land being the whole of the land comprised in Certificate of Title Volume 4036 Folio 066.

DATED this

ft day of

gen

1991

Name and address of person lodging this notice:

AMOCET PTY. LTD. (formerly THIRTY-SEVENTH ASTERIX PTY. LTD.)

of Suite 5 Number 44 St. Kilda Road St. Kilda.

THE COMMON SEAL of

AMOCET PTY. LTD. was hereunto
affixed in accordance with the
provisions of its Articles of
Association in the presence of:

AMOCET - PTY. LTD.
A.C.N.006 945 288

Director

Maxwell July Secretary

DF375381V-1-2

A memorandum of the within instrument has been entered in the Register Book

F. BR.

14/0/91

	DATA®, timestamp 04/03/2 <u>025 14</u>	35 Page 2 of 2	2
-			
		RETIREMENT	DATED
~ ~	PIPPEY CITORS tts Stre HILL VI 890-479	P	:
-	& SON set ; [C 3128)8 .	VILLAGES ACT	
		S ACT 1986 NOTICE	1991
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Lodged By: 60000 Ref:

PAICE BRENT 1413R CRT.BM 56719

08009 0945 NIX 54 SD53428Y

Form 9.1

Titles Office Use Only

REGIONIA

APPLICATION BY A RESPONSIBLE AUTHORITY under Section 181 Planning and Environment Act 1987 for ENTRY OF A MEMORANDUM OF AGREEMENT under Section 173 of the Act.

The Responsible Authority under the Planning Scheme naving entered into an Agreement with the parties named for the land described requires that a memorandum of the Agreement be entered on the Certificate(s) of Title to the land referred to.

LAND (insert Certificate of Title Volume and Folio)

Certificate of Title Volume 4036 Folio 066

ADDRESS OF THE LAND

2 Sophia Grove Tecoma

RESPONSIBLE AUTHORITY (name and address)

THE PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF SHERBROOKE OF Glenfern Road Upwey

PLANNING SCHEME

Sherbrooke Planning Scheme

AGREEMENT DATE

28th April 1992

AGREEMENT WITH (name and address)

AMOCET PTY. LTD. (formerly Thirty Seventh Asterix Pty. Ltd.) of Suite 1 465 Monbulk Road Tecoma ACN 006 945 286 the registered office of which is C/- Markham Crane Pty. Ltd. Unit 5 44 St. Kilda Road St. Kilda

A copy of the Agreement is attached to this Application.

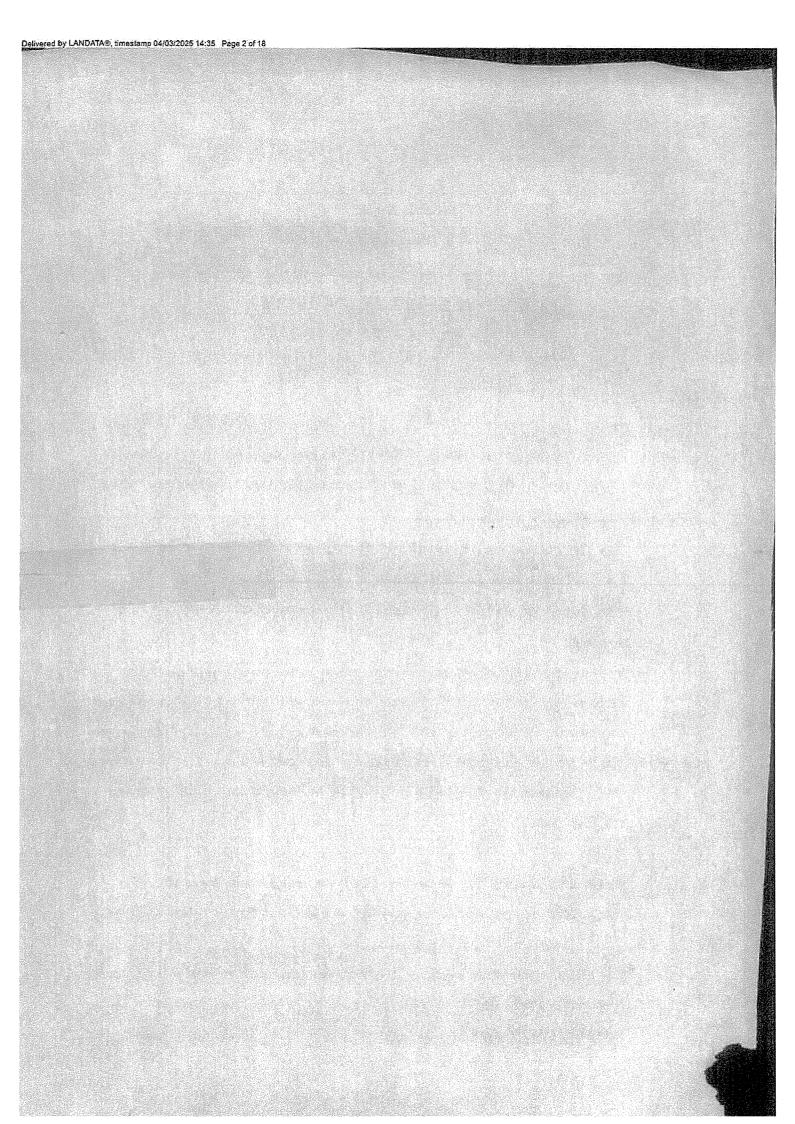
Signature for the Responsible Authority . Mulle

Name of Officer . MAN. G. B.B.

Date 1. 1144 / 1992

A mamora whom of the vertice matrianent has been alice in treatment book.





PRICE BRENT Solicitors

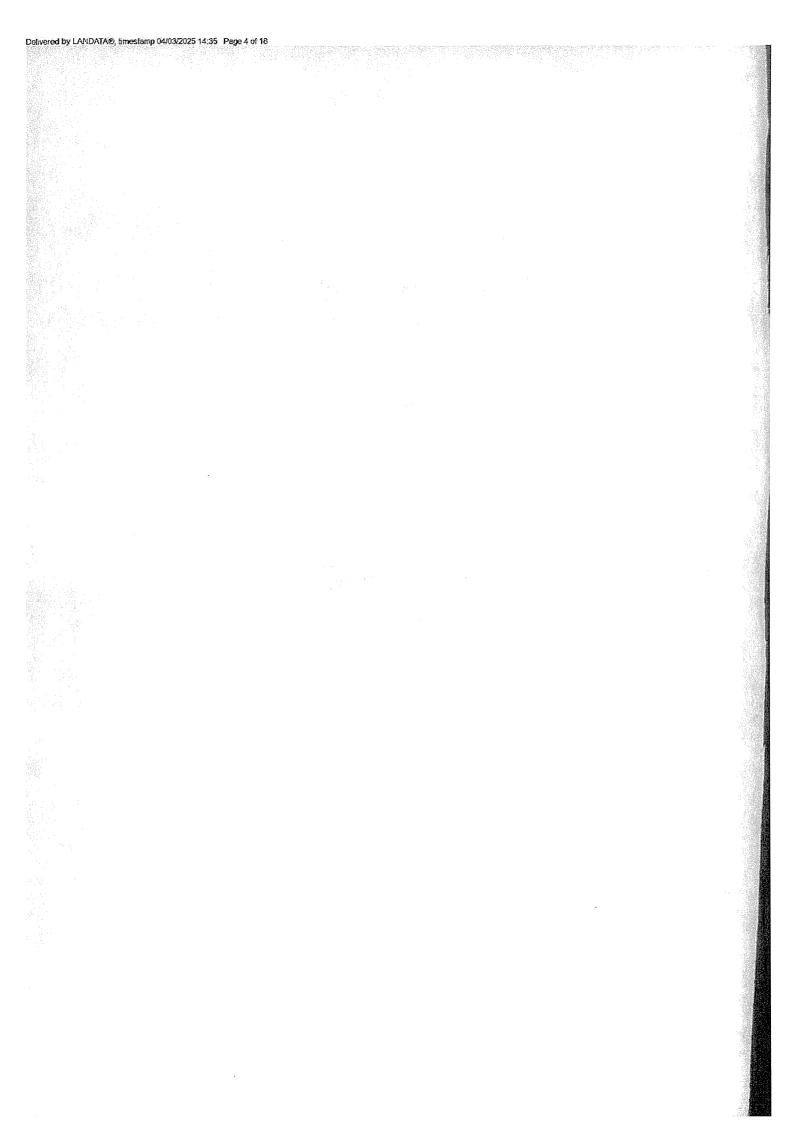
AGREEMENT PURSUANT TO SECTION 173 PLANNING AND ENVIRONMENT ACT 1987

THIS AGREEMENT made the 287" day of APRIL 1992 pursuant to Division 2 of Part 9 of the Planning and Environment Act 1987 ("the Act") BETWEEN the Responsible Authority and the Owner WITNESSES THAT:-

- A. The Owner is registered or entitled to be registered as the proprietor of the site;
- B. The site is within the Residential General Zone of the Scheme.
- C. The Responsible Authority is the relevant responsible authority under the Scheme and enters into this Agreement pursuant to Section 173 of the Act,

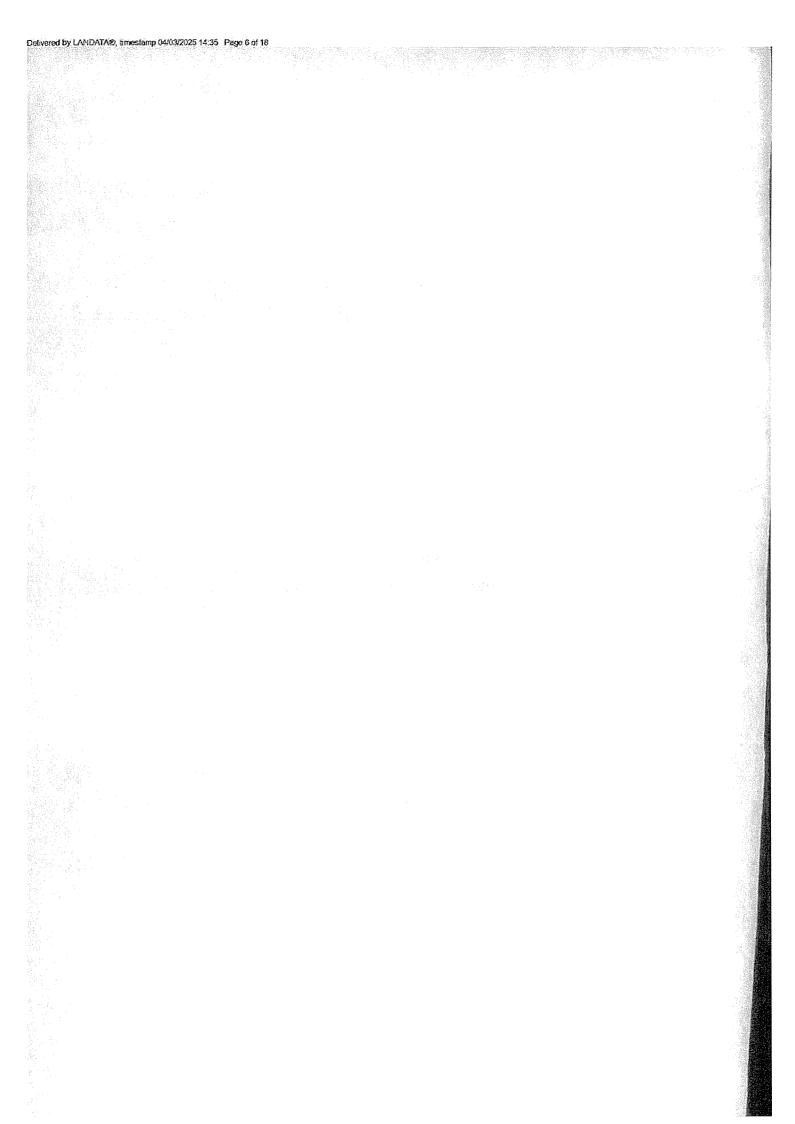
NOW THEREFORE IT IS EXPRESSLY AGREED as follows:-

- This Agreement is made pursuant to Division 2 of Part 9 of the Act.
- This Agreement is entered into as required by and pursuant to condition 1(b) of Planning Permit No. 1904A.
- 3. In this Agreement words importing the singular or plural number shall include the plural or singular number respectively and words importing the masculine gender



shall include the feminine and neuter genders.

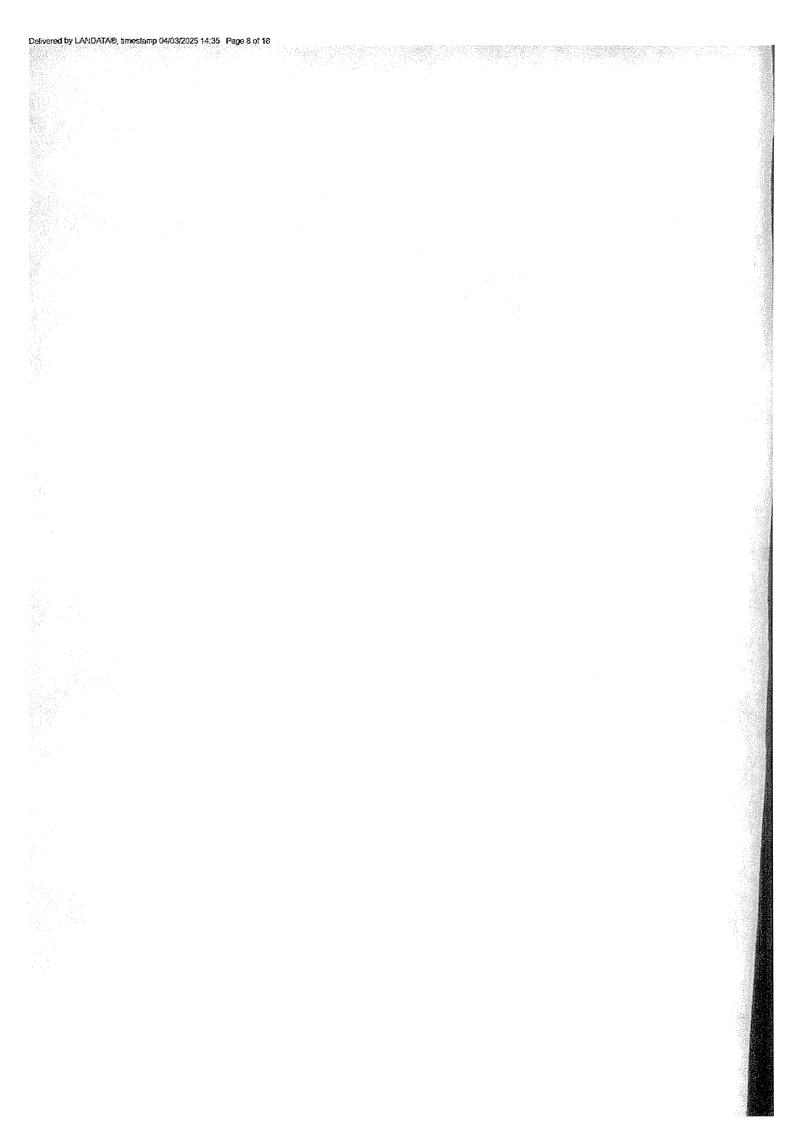
- 4. In this Agreement a reference to an Act of Parliament or Section thereof or any Regulation shall be deemed to include any statutory modification or re-enactment thereof.
- 5. In this Agreement where the Owner constitutes more than one person, the obligations on the part of the Owner shall be deemed to be joint and several.
- 6. The Owner's obligations hereunder are intended to take effect as covenants which shall be annexed to and run at law and in equity with the site and bind the owner thereof and any part thereof and the successors, assignees, transferees and registered proprietor or proprietors for the time being of the site and every part thereof.
- 7. The Owner shall do all things necessary and expedient to enable the Responsible Authority to register this Agreement with the Registrar of Titles against the title to the site pursuant to Section 181 of the Act. The Responsible Authority shall request the Registrar of Titles to withdraw registration of this Agreement from such title upon the termination of the Agreement or the Owner's obligations hereunder being satisfied and fulfilled.



- 8. This Agreement commences upon the date hereof.
- 9. The Owner warrants and covenants:-
 - 9.1 That the Owner is the registered proprietor or entitled to become the registered proprietor of the site and the beneficial owner thereof:
 - 9.2 That there are no mortgages, liens, charges or other encumbrances or leases or any rights inherent in any person other than the owner affecting the site not disclosed by the usual searches or notified to the Responsible Authority;
 - 9.3 No part of the site is subject to any rights obtained by adverse possession or subject to any easements or rights described or referred to in Section 42 of the Transfer of Land Act;
 - The Owner shall not sell, transfer, dispose of, assign, mortgage or otherwise part with the possession of the site or any part thereof without first disclosing to any intended purchaser, transferse, assignee or mortgages the existence and nature of this Agreement.

10. Notices:

Any notice, consent, offer, demand, request or other instrument required or authorized to be given or served upon either party to this Agreement shall be in the



English language and in writing and may be given by telex, telegram, facsimile transmission, cable, post or hand to that party delivered to the last or most usual address of that party known to the party giving such notice. Any instrument given or served by telex, telegram, facsimile transmission or cable shall be deemed to have been received on the date following the day of its despatch. Any instrument having been given or served by post to an address in the same State in which it is posted shall be deemed to have been received on the third day following the day of posting. Any instrument given or served by hand shall be served at the time of delivery.

- 11. Upon the commencement of this Agreement, Condition 1(b) of Planning Permit No. 1904A shall be deemed to have been satisfied.
- 12. The Owner shall pay all stamp duty applicable to this
 Agreement and the legal costs of the Responsible
 Authority of and incidental to this Agreement including
 costs and fees for registration of a copy of this
 Agreement against the title/s to the site pursuant to
 Section 181 of the Act.
- 13. Any monies owing pursuant to this Agreement shall, if not paid within 14 days of demand, bear interest at a rate being 2% higher than the rate prescribed under the

Penalty Interest Rates Act payable on such monies from the time those monies fell due until paid.

- The land shall not, without the consent of the

 Responsible Authority, be developed and/or used for any
 purpose other than the erection and use of dwelling units
 for the accommodation of aged persons.
- 15. The Owner expressly covenants with the Responsible Authority:
 - 15.1 Not to permit any person other than an employee of the retirement village authorised by the Permit on the site to occupy any unit or residential building forming part of the development unless such person is aged 55 years or over or is the spouse or companion of such a person and resides in the same unit as such aged person, without the consent of the responsible authority;
 - 15.2 To notify the Responsible Authority of any breach of 15.1 hereof and to take all reasonable steps to rectify such breach;
 - To provide in every contract for the sale of a unit or residential building within the development authorised by the Permit and in every Lease thereof, which is not solely occupied by employees working at the site an acknowledgement of awareness by the purchaser

and Lessee of every such unit or residential building of the covenants described in paragraph 14 and 15.1 hereof and an undertaking by each such purchaser and/or lessee to abide by such covenants.

SCHEDULE

AMOCET PTY. LTD. (FORMERLY THIRTY
SEVENTH ASTERIX PTY. LTD.) of Suite 1,
465 Monbulk Road, Tecoma A.C.N. 006
945 286 the registered office of which
is c/- Markham Crane Pty. Ltd., Unit 5,
44 St. Kilda Road, St. Kilda Vic

3182.

2. The Responsible Authority:

THE PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF SHEBROOKE of Glenforn Road, Upwey.

3. The Site:

Lot 3 on Plan of Subdivision No. 5986 and being part of Crown Allotment 22 Section B Parish of Narre Warren and being the whole of the land more particularly described in Certificate of Title Volume 4036 Folio 066 known as No. 2 Sophia Grove, Tecoma.

4. The Scheme:

Sherbrooke Planning Scheme

IN WITNESS WHEREOF the parties have hereunto set their hands and seals the day and year first hereinbefore written.

THE COMMON SEAL OF AMOCET PTY. LTD.

(FORMERLY THIRTY SEVENTH ASTERIX

PTY, LTD.) was hereunto affixed

in accordance with its Articles

of Association in the presence of:

Director

Secretary



THE COMMON SEAL of THE PRESIDENT

COUNCILLORS AND RATEPAYERS OF THE

SHIRE OF SHERBROOKE was hereunto

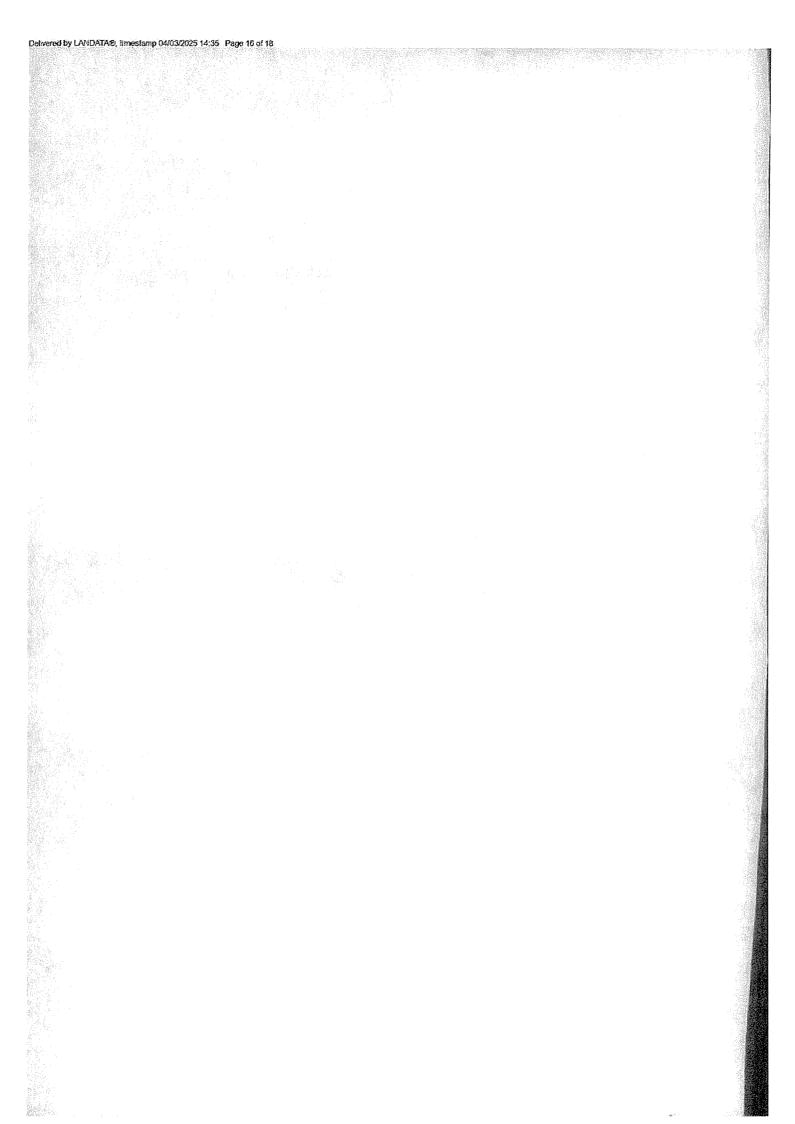
affixed in the presence of:-

President

Councillor Roberts

Shire Secretary

A032601/crt/jam



DATED 287# APRIL 1992

AMOCET PTY. LTD. (FORMERLY THIRTY SEVENTH ASTERIX PTY. LTD.)

and

THE PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF SHERBROOKE

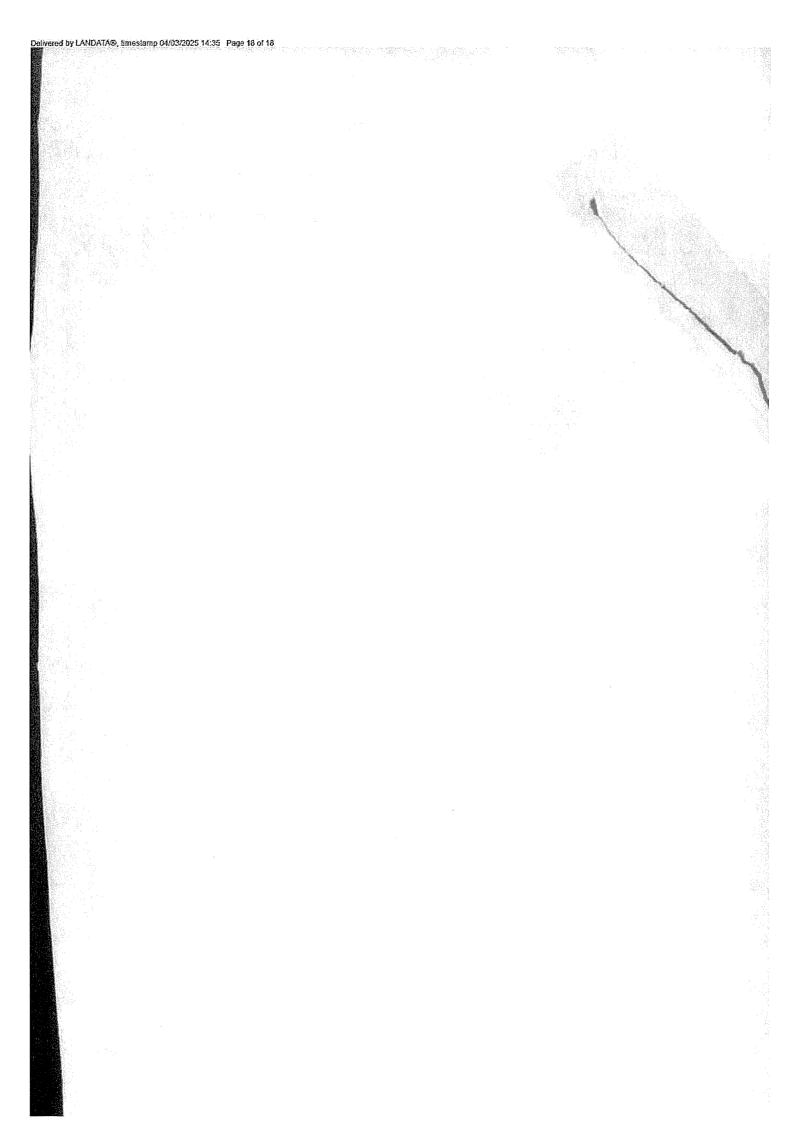
AGREEMENT PURSUANT TO SECTION 173 PLANNING AND ENVIRONMENT ACT 1987

PRICE BRENT Solicitors 160 Queen Street MELBOURNE 3000

DX 427, MELBOURNE

Tel: 640 7400

Ref: CRT:jam:56719





Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 04/03/2025 02:35:30 PM

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OWNERS CORPORATION PLAN NO. PS309297C

	PLAN NO. PS309297C
The land in PS309297C is affected by 1 Owners Corporation(s)	
Land Affected by Owners Corporation: Common Property, Lots 1 - 4.	
Limitations on Owners Corporation: Unlimited	
Postal Address for Services of Notices: FINCH PROPERTY MANAGEMENT PTY LTD, 19 TYLOID SQL	JARE WANTIRNA VIC 3152
AT447535D 28/07/2020	
Owners Corporation Manager: NIL	
Rules:	

Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3) Owners Corporation Act 2006

Owners Corporation Rules:

1. AE229845K 22/03/2006

Additional Owners Corporation Information:

NIL

Notations:

NIL

Entitlement and Liability:

NOTE - Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Common Property	0	0
Lot 1	50	50
Lot 2	50	50
Lot 3	50	50
Lot 4	50	50
Total	200.00	200.00





Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 04/03/2025 02:35:30 PM

OWNERS CORPORATION PLAN NO. PS309297C

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation.

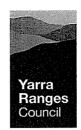
Statement End.



LAND INFORMATION CERTIFICATE

Section 229 Local Government Act 1989

PO Box 105 Lilydale Vic 3140 Call 1300 368 333 Fax (03) 9735 4249 ABN 21 973 226 012 www.yarraranges.vic.gov.au mail@yarraranges.vic.gov.au



Certificate Number: 119014 Issue Date: 04-Mar-2025

Applicant Reference: 76045624-020-6:171214

Landata DX 250639 MELBOURNE VIC

This certificate provides information regarding valuation, rates, charges, other monies owing and any orders and notices made under the Local Government Act 1958, Local Government Act 1989, Local Government Act 2020 or under a local law or by law of the council.

This certificate is not required to include information regarding planning, building, health, land fill, land slip, flooding information or service easements. Information regarding these matters may be available from the council or the relevant authority. A fee may be charged for such information.

PROPERTY INFORMATION

Assessment Number:

58734/2

Property Address:

Unit 3/2-4 Sophia Grove, Tecoma VIC 3160

Property Description:

Lot 3 PS309297 Ca 21/22 PNarree Worran

VALUATION INFORMATION

Current Level of Value Date: 1 January 2024

Operative Date of Value:

01-Jul-2024

Site Value:

270,000

Capital Improved Value:

500,000

Net Annual Value:

25,000

Turning Internation

Rates and Charges Levie 30 June 202		Rates and Charges	Summary
Rate or Charge Type	Annual Charge	Description	Balance Outstanding 0.00
General Rates Waste Charge	1,247.15 492.00	Legal Charges Arrears Arrears & Previous Year Interest	0.00
Fire Services Property Levy	175.50	Current Interest on Arrears	0.00
, , , , , , , , , , , , , , , , , , , ,		Interest on Current Rates	43.65
		Current Year Rates	1,914.65
		Rebates	0.00
		Payments since 1 July 2024	0.00
		Overpayment	0.00
		Other	0.00
		Total Rates Outstanding	1,958.30
		Chargeable Works &/or EUA	0.00
		Local Govt Act 1989–Sec. 227	0.00
Total Annual Charge	1,914.65	Balance Outstanding	\$1,958.30

Rates are due to be paid in full by 15 Feb 2025, if payment is not being made by instalments.

Payment can be made by:

- BPAY Biller Code 8979 Reference 587342
- On Council's website at yarraranges.vic.gov.au/payments by Visa or Mastercard using Reference 587342

Page 2 of 2

Certificate Number: 119014 Issue Date: 04-Mar-2025

Applicant Reference: 76045624-020-6:171214

NOTICES AND ORDERS: There are/are no outstanding notices or orders on the land served by Council under the Local Government (Miscellaneous) Act 1958, Local Government Act 1989 or a local law or by-law of Council which still apply as at the date of this Certificate.

Details of any Notice or Order Served.

FLOOD LEVEL: Council has not specified a flood level for this property. However, Council cannot warrant that this property may be/ is not subject to flooding. Melbourne Water may have additional information which is not held by Council, which may reveal this property is subject to flooding. Melbourne Water's flood information can be obtained from metropolitan water authorities. It is therefore recommended that you contact Yarra Valley Water/South East Water for more accurate and detailed information.

There is/is no potential liability for rates under the Cultural and Recreational Lands Act 1963.

There is/is no potential liability for land to become rateable under Section 173 of the Local Government Act 1989.

There is/is no potential liability for land to become rateable under Section 174A of the Local Government Act 1989.

There is no outstanding amount required to be paid for recreational purposes or any transfer of land required to Council for recreational purposes under Section 18 of the Subdivision Act 1988 or the Local Government Act (Miscellaneous) Act 1958

OTHER INFORMATION

While Council does not impose a time limit as to when a certificate may be updated verbally, it should be noted that Council will not be held responsible for any information provided or confirmed verbally. A new certificate could be applied for if this is not satisfactory.

I hereby certify that as at the date of this certificate, the information given is true and correct for the property described.

Jim Stewart

Executive Officer, Property Rating Services Date: 04-Mar-2025 (Contact Property Rating Services on 1300 368 333 for any enquiries)

Received the sum of \$29.70 being the fee for this Certificate.



INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

Melania Serwylo E-mail: certificates@landata.vic.gov.au Statement for property: UNIT 3 LOT 3 2 SOPHIA GROVE TECOMA 3160 3 PS 309297

REFERENCE NO.

59D//19032/49

YOUR REFERENCE

LANDATA CER 76045624-031-2 DATE OF ISSUE

04 MARCH 2025

CASE NUMBER

48769012

1. Statement of Fees Imposed

The property is classified as a serviced property with respect to charges which as listed below in the Statement of Fees.

(a) By Other Authorities		
Parks Victoria - Parks Service Charge	01/01/2025 to 31/03/2025	\$21.79
Melbourne Water Corporation Total Service Charges	01/01/2025 to 31/03/2025	\$30.52
(b) By South East Water		
Water Service Charge	01/01/2025 to 31/03/2025	\$22.58
Sewerage Service Charge	01/01/2025 to 31/03/2025	\$98.05
Subtotal Service Charges	 	\$172.94
Usage Charges*	Billed until 18/2/2025	\$14.46
то	TAL UNPAID BALANCE	\$187.40

The meter at the property was last read on 18/02/2025. Fees accrued since that date may be estimated by reference to the following historical information about the property:

Water Usage Charge

\$0.15 per day

- Financial Updates (free service) are only available online please go to (type / copy the complete address shown below): https://secureapp.southeastwater.com.au/PropertyConnect/#/order/info/update
- * Please Note: if usage charges appear above, the amount shown includes one or more of the following:

Water Usage, Recycled Water Usage, Sewage Disposal, Fire Service Usage and Trade Waste Volumetric Fees.

Interest may accrue on the South East Water charges listed in this statement if they are not paid by the due date as set out in the bill.

AUTHORISED OFFICER:

GENERAL MANAGER CUSTOMER EXPERIENCE

South East Water Information Statement Applications

PO Box 2268, Seaford, VIC 3198



INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

- The total annual service fees and volumetric fees for water usage and sewerage disposal for each class of property are set out at **www.southeastwater.com.au**.
- Updates of rates and other charges will only be provided for up to six months from the date of this statement.
- If this property has recently been subdivided from a "parent" title, there may be service or other charges owing on the "parent" which will be charged to this property, once sold, that do not appear on this statement. You must contact us to see if there are any such charges as they may be charged to this property on sale and should therefore be adjusted with the owner of the parent title beforehand.
- If the property is sold, the vendor is liable to pay all fees incurred in relation to the property until the vendor gives South East Water a Notice of Disposition of Land required by the Water (General) Regulations 2021, please include the Reference Number set out above in that Notice.
- Fees relating to the property may change from year-to-year in accordance with the Essential Service Commission's Price Determination for South East Water.
- Every fee referred to above is a charge against the property and will be recovered from a purchaser of the property if it is not paid by the vendor.
- Information about when and how outstanding fees may be paid, collected and recovered is set out in the Essential Services Commission's Customer Service Code. Urban Water Businesses.
- If this Statement only sets out rates and fees levied by Parks Victoria and Melbourne Water, the property may not be connected to South East Water's works. To find out whether the property is, or could be connected upon payment of the relevant charges, or whether it is separately metered, telephone 131 694.
- For a new connection to our water or sewer services, fees / charges will be levied.

2. Encumbrance Summary

Where available, the location of sewers is shown on the attached plan. Please ensure where manholes appear, that they remain accessible at all times "DO NOT COVER". Where driveways/paving is proposed to be constructed over easements for water supply/sewerage purposes, or within 1 metre of a South East Water asset, the owner will be responsible for all costs associated with any demolition and or re-instatement works, necessary to allow maintenance and or repair of the asset effected. Where changes to the surface levels requires maintenance shafts/holes to be altered, all works must be carried out by South East Water approved contractors only. For information call 131694. For all other works, prior consent is required from south East Water for any construction over easements for water supply/sewerage purposes, or within 1 metre of a South East Water asset.

To assist in identifying if the property is connected to South East Waters sewerage system, connected by a shared, combined or encroaching drain, it is recommended you request a copy of the Property Sewerage Plan. A copy of the Property Sewerage Plan may be obtained for a fee at www.southeastwater.com.au Part of the Property Sewerage Branch servicing the property may legally be the property owners responsibility to maintain not South East Waters. Refer to Section 11 of South East Waters Customer Charter to determine if this is the case. A copy of the Customer Charter can be found at www.southeastwater.com.au. When working in proximity of drains, care must be taken to prevent infiltration of foreign material and or ground water into South East Waters sewerage system. Any costs associated with rectification works will be charged to the property owner.

Information available at Melbourne Water indicates that this property is not subject to flooding from Melbourne Water's drainage system, based on a flood level that has a probability of occurrence of 1% in any one year.

ENCUMBRANCE ENQUIRY EMAIL infostatements@sew.com.au

AUTHORISED OFFICER:

LARA SALEMBIER GENERAL MANAGER CUSTOMER EXPERIENCE South East Water Information Statement Applications

PO Box 2268, Seaford, VIC 3198



INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

If no plan is attached to this Statement, South East Water is not aware of any works belonging to South East Water being present on the property.

If a plan is attached to this Statement, it indicates the nature of works belonging to South East Water, their approximate location, and the approximate location of any easement relating to those works.

Important Warnings

The map base for any attached plan is not created by South East Water which cannot and does not guarantee the accuracy, adequacy or completeness of any information in the plan, especially the exact location of any of South East Water's works, which may have changes since the attached plan was prepared. Their location should therefore be proven by hand before any works are commenced on the land.

Unless South East Water's prior written approval is obtained, it is an offence to cause any structure to be built or any filling to be placed on a South East Water easement or within 1 metre laterally of any of its works or to permit any structure to be built above or below any such area.

Any work that requires any South East Water manhole or maintenance shaft to be altered may only be done by a contractor approved by South East Water at the property owner's cost.

If the owner builds or places filling in contravention of that requirement, the owner will be required to pay the cost of any demolition or re-instatement of work that South East Water considers necessary, in order to maintain, repair or replace its asset.

This Statement does not include any information about current or outstanding consent issued for plumbing works on at the property.

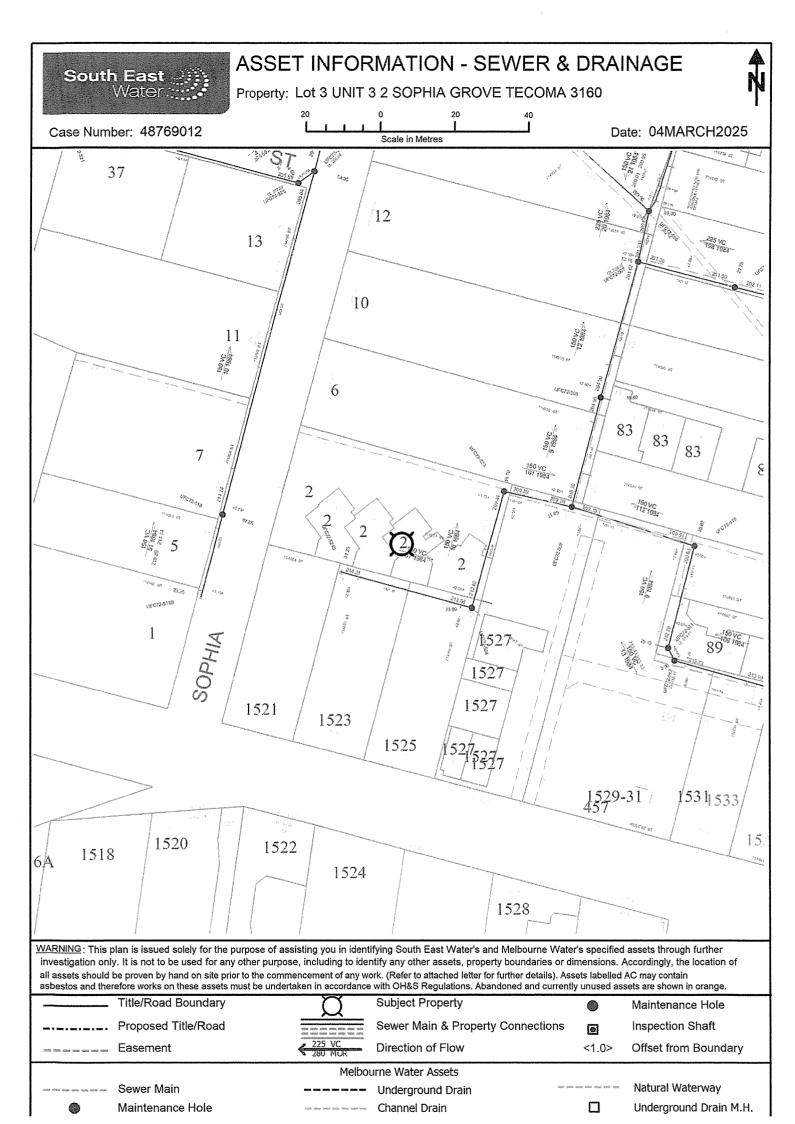
3. Disclaimer

This Statement does not contain all the information about the property that a prospective purchaser may wish to know. Accordingly, appropriate enquiries should be made of other sources and information.

South East Water has prepared the information in this Statement with due care and diligence. It cannot and does not accept liability for any loss or damage arising from reliance on the information given, beyond the extent set out in section 155 of the Water Act 1989 and sections 18 and 29 of the Australian Consumer Law.

AUTHORISED OFFICER:

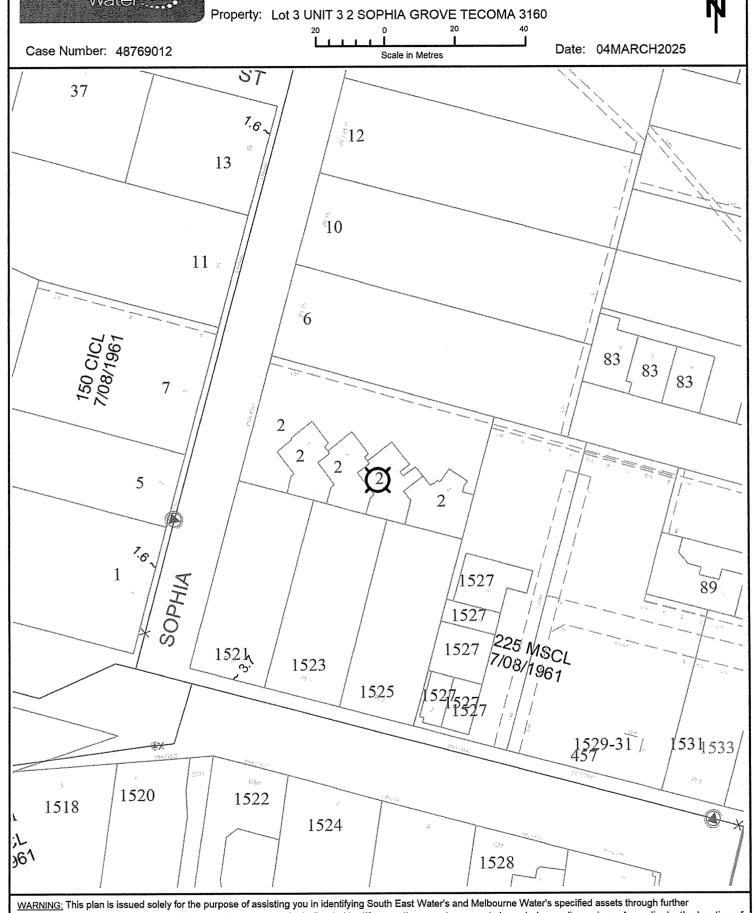
LARA SALEMBIER GENERAL MANAGER CUSTOMER EXPERIENCE South East Water Information Statement Applications PO Box 2268, Seaford, VIC 3198



South East Water

ASSET INFORMATION - WATER





investigation only. It is not to be used for any other purpose, including to identify any other assets, property boundaries or dimensions. Accordingly, the location of all assets should be proven by hand on site prior to the commencement of any work. (Refer to attached letter for further details). Assets labelled AC may contain asbestos and therefore works on these assets must be undertaken in accordance with OH&S Regulations. Abandoned and currently unused assets are shown in orange.

LEGEND	
	Title/Road Boundary
gionge de league en licitate de delene de espece a	Proposed Title/Road
course named manual courses designs stabled man-	Easement



Subject Property

Water Main Valve Water Main & Services



Fireplug/Washout

~ 1.0 Offset from Boundary

Hydrant

ASSET INFORMATION - RECYCLED WATER South East Water. (RECYCLE WATER WILL APPEAR IF IT'S AVAILABLE) Property: Lot 3 UNIT 3 2 SOPHIA GROVE TECOMA 3160 Case Number: 48769012 Date: 04MARCH2025 Scale in Metres 57 37 12 13 10 11 6 83 83 83 2 2 5 2 1 1527 89 1527 1527 1521 1523 1525 53 l_{1 533} 1520 1522 1518 1524 1528 WARNING: This plan is issued solely for the purpose of assisting you in identifying South East Water's and Melbourne Water's specified assets through further investigation only. It is not to be used for any other purpose, including to identify any other assets, property boundaries or dimensions. Accordingly, the location of all assets should be proven by hand on site prior to the commencement of any work. (Refer to attached letter for further details). Assets labelled AC may contain asbestos and therefore works on these assets must be undertaken in accordance with OH&S Regulations. Abandoned and currently unused assets are shown in orange.

Subject Property

Recycled Water Main Valve

Recycled Water Main & Services

Hydrant

Fireplug/Washout

Offset from Boundary

LEGEND

Title/Road Boundary

Proposed Title/Road

Easement

Property Clearance Certificate

Land Tax



MELANIA SERWYLO

Your Reference:

LD:76045624-016-9.25-7657 N

Certificate No:

85858804

Issue Date:

05 MAR 2025

Enquiries:

MXS26

Land Address:

UNIT 3, 2 -4 SOPHIA GROVE TECOMA VIC 3160

Land Id 23274638 Lot

Plan 309297

Volume 10280 Folio 732

lio

Tax Payable

\$0.00

Vendor:

KIRSTIN MACKAY

Purchaser:

NA NA

Current Land Tax

Year Taxable Value (SV) Proportional Tax

Penalty/Interest

Total

ESTATE OF MS CAROLINE ELIZABETH

2025

\$270,000

\$0.00

\$0.00

\$0.00

Comments:

Property is exempt: LTX Principal Place of Residence.

Current Vacant Residential Land Tax

Year Taxable Value (CIV)

Tax Liability |

Penalty/Interest

Total

Comments:

Arrears of Land Tax

Year

Proportional Tax Penalty/Interest

Total

This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

Paul Broderick

Commissioner of State Revenue

CAPITAL IMPROVED VALUE (CIV):

\$500,000

SITE VALUE (SV):

\$270,000

CURRENT LAND TAX AND VACANT RESIDENTIAL LAND TAX

CHARGE:

\$0.00



Notes to Certificate - Land Tax

Certificate No: 85858804

Power to issue Certificate

 Pursuant to section 95AA of the Taxation Administration Act 1997, the Commissioner of State Revenue must issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

Amount shown on Certificate

- The Certificate shows any land tax (including Vacant Residential Land Tax, interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue. In addition, it may show:
 - Land tax that has been assessed but is not yet due,
 - Land tax for the current tax year that has not yet been assessed, and
 - Any other information that the Commissioner sees fit to include, such as the amount of land tax applicable to the land on a single holding basis and other debts with respect to the property payable to the Commissioner.

Land tax is a first charge on land

3. Unpaid land tax (including Vacant Residential Land Tax, interest and penalty tax) is a first charge on the land to which it relates. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any such unpaid land tax.

Information for the purchaser

4. Pursuant to section 96 of the Land Tax Act 2005, if a purchaser of the land described in the Certificate has applied for and obtained a certificate, the amount recoverable from the purchaser by the Commissioner cannot exceed the amount set out in the certificate, described as the "Current Land Tax Charge and Vacant Residential Land Tax Charge" overleaf. A purchaser cannot rely on a Certificate obtained by the vendor.

Information for the vendor

Despite the issue of a Certificate, the Commissioner may recover a land tax liability from a vendor, including any amount identified on this Certificate.

Apportioning or passing on land tax to a purchaser

6. A vendor is prohibited from apportioning or passing on land tax including vacant residential land tax, interest and penalty tax to a purchaser under a contract of sale of land entered into on or after 1 January 2024, where the purchase price is less than \$10 million (to be indexed annually from 1 January 2025, as set out on the website for Consumer Affairs Victoria).

General information

- 7. A Certificate showing no liability for the land does not mean that the land is exempt from land tax. It means that there is nothing to pay at the date of the Certificate.
- An updated Certificate may be requested free of charge via our website. if:
 - The request is within 90 days of the original Certificate's issue date, and
 - There is no change to the parties involved in the transaction for which the Certificate was originally requested.

For Information Only

LAND TAX CALCULATION BASED ON SINGLE OWNERSHIP Land Tax = \$975.00

Taxable Value = \$270,000

Calculated as \$975 plus (\$270,000 - \$100,000) multiplied by 0.000 cents.

VACANT RESIDENTIAL LAND TAX CALCULATION

Vacant Residential Land Tax = \$5,000.00

Taxable Value = \$500,000

Calculated as \$500,000 multiplied by 1.000%.

Land Tax - Payment Options

BPAY



Biller Code: 5249 Ref: 85858804

Telephone & Internet Banking - BPAY®

Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.

www.bpay.com.au



Property Clearance Certificate

Commercial and Industrial Property Tax



MELANIA SERWYLO

Your Reference:

LD:76045624-016-9.25-7657 Mack

Certificate No:

85858804

Issue Date:

05 MAR 2025

Enquires:

MXS26

Land Address:	01411 3, 2:-4 3C	THIA GROVE	TECOMA VIC 3160		
Land Id	Lot	Plan	Volume	Folio	Tax Payable
23274638	3	309297	10280	732	\$0.00
AVPCC	Date of entry	Entry	Date land becomes	Comment	
	into reform	interest	CIPT taxable land		
140	N/A	N/A	N/A	The AVPCC allocated	to the land is not a qualifying
				use.	

This certificate is subject to the notes found on the reverse of this page. The applicant should read these notes carefully.

Paul Broderick

Commissioner of State Revenue

CAPITAL IMPROVED VALUE: \$500,000

SITE VALUE: \$270,000

CURRENT CIPT CHARGE: \$0.00



Notes to Certificate - Commercial and Industrial Property Tax

Certificate No: 85858804

Power to issue Certificate

 Pursuant to section 95AA of the Taxation Administration Act 1997, the Commissioner of State Revenue must issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

Amount shown on Certificate

The Certificate shows any commercial and industrial property tax (including interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue.

Australian Valuation Property Classification Code (AVPCC)

- The Certificate may show one or more AVPCC in respect of land described in the Certificate. The AVPCC shown on the Certificate is the AVPCC allocated to the land in the most recent of the following valuation(s) of the land under the Valuation of Land Act 1960:
 - · a general valuation of the land;
 - a supplementary valuation of the land returned after the general valuation.
- 4. The AVPCC(s) shown in respect of land described on the Certificate can be relevant to determine if the land has a qualifying use, within the meaning given by section 4 of the Commercial and Industrial Property Tax Reform Act 2024 (CIPT Act). Section 4 of the CIPT Act Land provides that land will have a qualifying use if:
 - the land has been allocated one, or more than one, AVPCC in the latest valuation, all of which are in the range 200-499 and/or 600-699 in the Valuation Best Practice Specifications Guidelines (the requisite range);
 - the land has been allocated more than one AVPCC in the latest valuation, one or more of which are inside the requisite range and one or more of which are outside the requisite range, and the land is used solely or primarily for a use described in an AVPCC in the requisite range; or
 - the land is used solely or primarily as eligible student accommodation, within the meaning of section 3 of the CIPT Act.

Commercial and industrial property tax information

- 5. If the Commissioner has identified that land described in the Certificate is tax reform scheme land within the meaning given by section 3 of the CIPT Act, the Certificate may show in respect of the land:
 - · the date on which the land became tax reform scheme land;
 - whether the entry interest (within the meaning given by section 3 of the Duties Act 2000) in relation to the tax reform scheme land was a 100% interest (a whole interest) or an interest of less than 100% (a partial interest); and
 - the date on which the land will become subject to the commercial and industrial property tax.
- 6. A Certificate that does not show any of the above information in respect of land described in the Certificate does not mean that the land is not tax reform scheme land. It means that the Commissioner has not identified that the land is tax reform scheme land at the date of issue of the Certificate. The Commissioner may identify that the land is tax reform scheme land after the date of issue of the Certificate.

Change of use of tax reform scheme land

7. Pursuant to section 34 of the CIPT Act, an owner of tax reform scheme land must notify the Commissioner of certain changes of use of tax reform scheme land (or part of the land) including if the actual use of the land changes to a use not described in any AVPCC in the range 200-499 and/or 600-699. The notification must be given to the Commissioner within 30 days of the change of use.

Commercial and industrial property tax is a first charge on land

8. Commercial and industrial property tax (including any interest and penalty tax) is a first charge on the land to which the commercial and industrial property tax is payable. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any unpaid commercial and industrial property tax.

Information for the purchaser

9. Pursuant to section 27 of the CIPT Act, if a bona fide purchaser for value of the land described in the Certificate applies for and obtains a Certificate in respect of the land, the maximum amount recoverable from the purchaser is the amount set out in the Certificate. A purchaser cannot rely on a Certificate obtained by the vendor.

Information for the vendor

10. Despite the issue of a Certificate, the Commissioner may recover a commercial and industrial property tax liability from a vendor, including any amount identified on this Certificate.

Passing on commercial and industrial property tax to a purchaser

11. A vendor is prohibited from apportioning or passing on commercial and industrial property tax to a purchaser under a contract of sale of land entered into on or after 1 July 2024 where the purchase price is less than \$10 million (to be indexed annually from 1 January 2025, as set out on the website for Consumer Affairs Victoria).

General information

- 12. Land enters the tax reform scheme if there is an entry transaction, entry consolidation or entry subdivision in respect of the land (within the meaning given to those terms in the CIPT Act). Land generally enters the reform on the date on which an entry transaction occurs in respect of the land (or the first date on which land from which the subject land was derived (by consolidation or subdivision) entered the reform).
- 13. The Duties Act includes exemptions from duty, in certain circumstances, for an eligible transaction (such as a transfer) of tax reform scheme land that has a qualifying use on the date of the transaction. The exemptions apply differently based on whether the entry interest in relation to the land was a whole interest or a partial interest. For more information, please refer to www.sro.vic.gov.au/CIPT.
- 14. A Certificate showing no liability for the land does not mean that the land is exempt from commercial and industrial property tax. It means that there is nothing to pay at the date of the Certificate.
- 15. An updated Certificate may be requested free of charge via our website, if:
 - the request is within 90 days of the original Certificate's issue date, and
 - there is no change to the parties involved in the transaction for which the Certificate was originally requested.

Property Clearance Certificate

Windfall Gains Tax



MELANIA SERWYLO

Your

LD:76045624-016-9.25-7657

Reference:

MACK

Certificate No: 85858804

Issue Date:

05 MAR 2025

Land Address:

UNIT 3, 2 -4 SOPHIA GROVE TECOMA VIC 3160

Lot

Plan

Volume

Folio

3

309297

10280

732

Vendor:

KIRSTIN MACKAY

Purchaser:

NA NA

Deferred Interest

Penalty/Interest

Total

WGT Property Id

Event ID

Windfall Gains Tax

\$0.00

\$0.00

\$0.00

Comments:

No windfall gains tax liability identified.

This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

CURRENT WINDFALL GAINS TAX CHARGE: \$0.00

Paul Broderick

Commissioner of State Revenue



Notes to Certificate - Windfall Gains Tax

Certificate No: 85858804

Power to issue Certificate

 Pursuant to section 95AA of the Taxation Administration Act 1997, the Commissioner of State Revenue must issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

Amount shown on Certificate

- The Certificate shows in respect of the land described in the Certificate:
 - Windfall gains tax that is due and unpaid, including any penalty tax and interest
 - Windfall gains tax that is deferred, including any accrued deferral interest
 - · Windfall gains tax that has been assessed but is not yet due
 - Windfall gains tax that has not yet been assessed (i.e. a WGT event has occurred that rezones the land but any windfall gains tax on the land is yet to be assessed)
 - Any other information that the Commissioner sees fit to include such as the amount of interest accruing per day in relation to any deferred windfall gains tax.

Windfall gains tax is a first charge on land

3. Pursuant to section 42 of the Windfall Gains Tax Act 2021, windfall gains tax, including any accrued interest on a deferral, is a first charge on the land to which it relates. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any unpaid windfall gains tax.

Information for the purchaser

- 4. Pursuant to section 42 of the Windfall Gains Tax Act 2021, if a bona fide purchaser for value of land applies for and obtains a Certificate in respect of the land, the maximum amount recoverable from the purchaser by the Commissioner is the amount set out in the certificate, described as the "Current Windfall Gains Tax Charge" overleaf.
- 5. If the certificate states that a windfall gains tax is yet to be assessed, note 4 does not apply.
- 6. A purchaser cannot rely on a Certificate obtained by the vendor.

Information for the vendor

Despite the issue of a Certificate, the Commissioner may recover a windfall gains tax liability from a vendor, including any amount identified on this Certificate.

Passing on windfall gains tax to a purchaser

8. A vendor is prohibited from passing on a windfall gains tax liability to a purchaser where the liability has been assessed under a notice of assessment as at the date of the contract of sale of land or option agreement. This prohibition does not apply to a contract of sale entered into before 1 January 2024, or a contract of sale of land entered into on or after 1 January 2024 pursuant to the exercise of an option granted before 1 January 2024.

General information

- A Certificate showing no liability for the land does not mean that the land is exempt from windfall gains tax. It means that there is nothing to pay at the date of the Certificate.
- An updated Certificate may be requested free of charge via our website, if:
 - The request is within 90 days of the original Certificate's issue date, and
 - There is no change to the parties involved in the transaction for which the Certificate was originally requested.
- 11. Where a windfall gains tax liability has been deferred, interest accrues daily on the deferred liability. The deferred interest shown overleaf is the amount of interest accrued to the date of issue of the certificate.

Windfall Gains Tax - Payment Options

BPAY



Biller Code: 416073 Ref: 85858801

Telephone & Internet Banking - BPAY®

Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.

www.bpay.com.au

CARD



Ref: 85858801

Visa or Mastercard

Pay via our website or phone 13 21 61. A card payment fee applies.

sro.vic.gov.au/payment-options

Important payment information

Windfall gains tax payments must be made using only these specific payment references.

Using the incorrect references for the different tax components listed on this property clearance certificate will result in misallocated payments.

PLANNING CERTIFICATE

Official certificate issued under Section 199 Planning & Environment Act 1987 and the Planning and Environment Regulations 2005

CERTIFICATE REFERENCE NUMBER

1116652

APPLICANT'S NAME & ADDRESS

MELANIA SERWYLO C/- LANDATA

MELBOURNE

VENDOR

MACKAY, KIRSTIN STEWART

PURCHASER

NA, NA

REFERENCE

25-7657 Mackay

This certificate is issued for:

LOT 3 PLAN PS309297 ALSO KNOWN AS 3/2 - 4 SOPHIA GROVE TECOMA

YARRA RANGES SHIRE

The land is covered by the:

YARRA RANGES PLANNING SCHEME

The Minister for Planning is the responsible authority issuing the Certificate.

The land:

- is included in a

LOW DENSITY RESIDENTIAL ZONE

- is within a

SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 22

and a

BUSHFIRE MANAGEMENT OVERLAY - SCHEDULE 2

A detailed definition of the applicable Planning Scheme is available at : (http://planningschemes.dpcd.vic.gov.au/schemes/yarraranges)

Historic buildings and land protected under the Heritage Act 1995 are recorded in the Victorian Heritage Register at:

http://vhd.heritage.vic.gov.au/

04 March 2025 Sonya Kilkenny Minister for Planning Additional site-specific controls may apply. The Planning Scheme Ordinance should be checked carefully.

The above information includes all amendments to planning scheme maps placed on public exhibition up to the date of issue of this certificate and which are still the subject of active consideration

Copies of Planning Schemes and Amendments can be inspected at the relevant municipal offices.

LANDATA®

T: (03) 9102 0402

E: landata.enquiries@servictoria.com.au

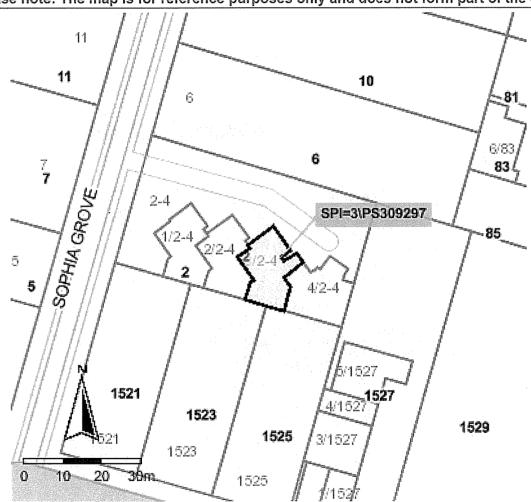


The attached certificate is issued by the Minister for Planning of the State of Victoria and is protected by statute.

The document has been issued based on the property information you provided. You should check the map below - it highlights the property identified from your information.

If this property is different to the one expected, you can phone (03) 9102 0402 or email landata.enquiries@servictoria.com.au

Please note: The map is for reference purposes only and does not form part of the certificate.



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Choose the authoritative Planning Certificate

Why rely on anything less?

As part of your section 32 statement, the authoritative Planning Certificate provides you and / or your customer with the statutory protection of the State of Victoria.

Order online before 4pm to receive your authoritative Planning Certificate the same day, in most cases within the hour.

Order online before 4pm to receive your authoritative Planning Certificate the same day, in most cases within the hour. Next business day delivery, if further information is required from you.

Privacy Statement

The information obtained from the applicant and used to produce this certificate was collected solely for the purpose of producing this certificate. The personal information on the certificate has been provided by the applicant and has not been verified by LANDATA®. The property information on the certificate has been verified by LANDATA®. The zoning information on the certificate is protected by statute. The information on the certificate will be retained by LANDATA® for auditing purposes and will not be released to any third party except as required by law.





Planning Scheme - Yarra Ranges

From www.planning.vic.gov.au at 04 March 2025 02:36 PM

PROPERTY DETAILS

Address: 3/2-4 SOPHIA GROVE TECOMA 3160

Lot and Plan Number: Lot 3 PS309297

Standard Parcel Identifier (SPI): 3\PS309297

Local Government Area (Council): YARRA RANGES www.yarraranges.vic.gov.au

Council Property Number:

238756

Planning Scheme: Yarra Ranges

Directory Reference: Melway 75 C9

UTILITIES STATE ELECTORATES

Rural Water Corporation: Southern Rural Water Legislative Council: EASTERN VICTORIA

Melbourne Water Retailer: South East Water Legislative Assembly: MONBULK

Melbourne Water: Inside drainage boundary

Power Distributor AUSNET OTHER

Power Distributor: AUSNET OTHER

Registered Aboriginal Party: Wurundjeri Woi Wurrung Cultural

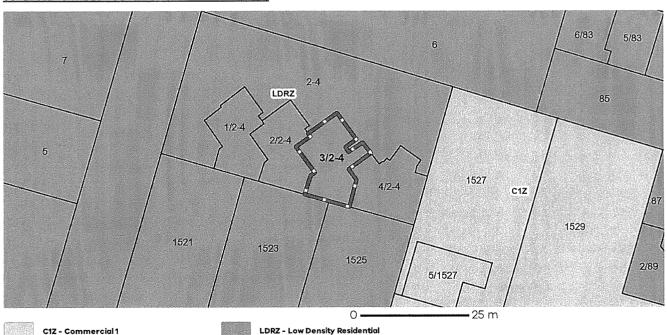
View location in VicPlan

Heritage Aboriginal Corporation

Planning Zones

LOW DENSITY RESIDENTIAL ZONE (LDRZ)

SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE (LDRZ)



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

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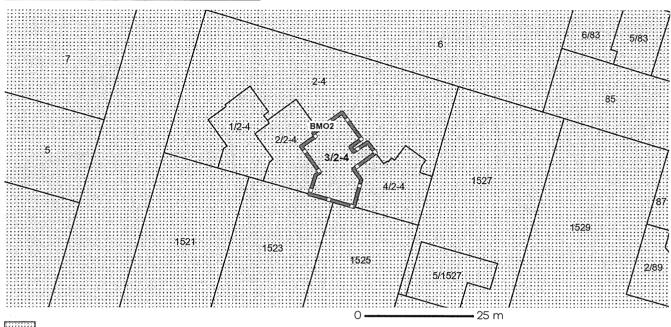
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Planning Overlays

BUSHFIRE MANAGEMENT OVERLAY (BMO)

BUSHFIRE MANAGEMENT OVERLAY - SCHEDULE 2 (BMO2)

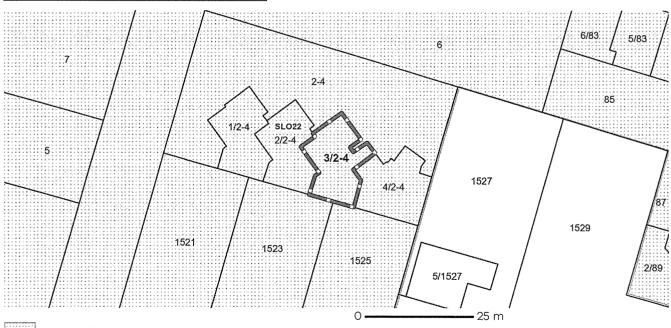


BMO - Bushfire Management Overlay

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

SIGNIFICANT LANDSCAPE OVERLAY (SLO)

SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 22 (SLO22)



SLO - Significant Landscape Overlay

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

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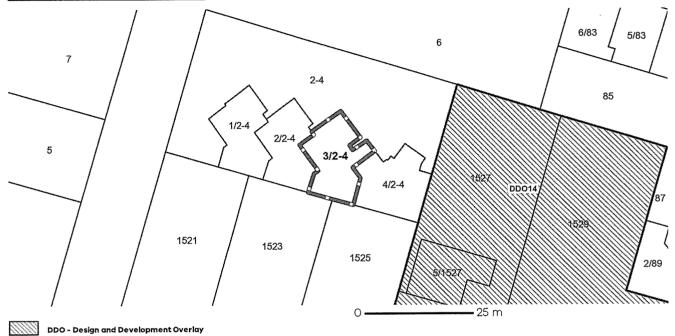
Department of Transport and Planning

Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

DESIGN AND DEVELOPMENT OVERLAY (DDO)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Further Planning Information

Planning scheme data last updated on 27 February 2025.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting https://www.planning.vic.gov.au

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987.** It does not include information about exhibited planning scheme amendments, or zonings that may abut the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - https://www.landata.vic.gov.au

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit https://mapshare.maps.vic.gov.au/vicplan

For other information about planning in Victoria visit https://www.planning.vic.gov.au

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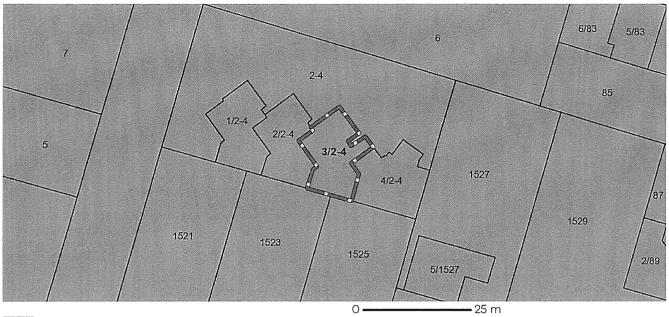


Designated Bushfire Prone Areas

This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements



Designated Bushfire Prone Areas

Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at https://mapshare.vic.gov.au/vicplan/ or at the relevant local council.

Create a BPA definition plan in VicPlan to measure the BPA.

Information for lot owners building in the BPA is available at https://www.planning.vic.gov.au.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website https://www.vba.vic.gov.au. Copies of the Building Act and Building Regulations are available from http://www.legislation.vic.gov.au. For Planning Scheme Provisions in bushfire areas visit https://www.planning.vic.gov.au.

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see Native Vegetation (Clause 52.17) with local variations in Native Vegetation (Clause 52.17) Schedule

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system https://nvim.delwp.vic.gov.au/ and Native vegetation (environment.vic.gov.au) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit NatureKit (environment.vic.gov.au)

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**** Delivered by the LANDATA® System, Department of Environment, Land, Water & Planning ****

ROADS PROPERTY CERTIFICATE

The search results are as follows:

Melania Serwylo 4/1567 Burwood highway TECOMA 3160

Client Reference: 25-7657 Mackay

NO PROPOSALS. As at the 4th March 2025, VicRoads has no approved proposals requiring any part of the property described in your application. You are advised to check your local Council planning scheme regarding land use zoning of the property and surrounding area.

This certificate was prepared solely on the basis of the Applicant-supplied address described below, and electronically delivered by LANDATA®.

Unit 3 2 - 4 SOPHIA GROVE, TECOMA 3160 SHIRE OF YARRA RANGES

This certificate is issued in respect of a property identified above. VicRoads expressly disclaim liability for any loss or damage incurred by any person as a result of the Applicant incorrectly identifying the property concerned.

Date of issue: 4th March 2025

Telephone enquiries regarding content of certificate: 13 11 71

[Vicroads Certificate] # 76045624 - 76045624143136 '25-7657 Mackay'

VicRoads Page 1 of 1



10 March 2025

M & M Mountain Conveyancing C/O Michelle Bedet Shop 4 / 1567 Burwood Highway, Tecoma

Via Email: office@mountainconveyancing.com.au

Dear Sir/Madam,

Re: Owners Corporation Certificate request for P.S. 309297C – Lot 3/2-4 Sophia Grove, Tecoma Vic 3160

As requested, enclosed is an Owners Corporation Certificate for the above owner's corporation. Upon settlement, please confirm the purchaser's name, address for service of notices and telephone contact numbers if possible.

Verbal updates (on current fees outstanding) are available to the person to whom the certificate was issued for a period not exceeding sixty (60) days from the date of issue.

For further information, please contact the author only.

Yours sincerely,

Sharyn Lawrence

Manager

Enc:

Owners Corporation Certificate

Schedule 3 - Statement of advice & information for prospective

purchasers & lot owners

Copy of the minutes of the AGM meeting held 26 July 2024

Schedule 2 - Copy of Model Rules & Additional Rules

Copy of Balance sheet as at 10 March 2025

OWNERS CORPORATION CERTIFICATE

Regulation 11 Owners Corporations Regulations 2007

Owners Corporation Act 2006

Owners Corporation Number: 309297C

Property:

2-4 Sophia Grove, Tecoma VIC 3160

Vendor:

Ms Caroline Mackay

Purchaser:

Unknown

Reference:

Finch Property Management

This certificate is issued for Lot 3 on Plan No. 309297C

- a) The current fees for the above lot are \$622.00 per quarter, payable in advance on the 1st January, April, July and October of each year.
- b) The fees are paid up until 30 September 2024.
- c) Unpaid fees/charges now total \$877.80 (including \$20.80 interest) as at the 10th March 2025.
- d) The following special fees or levies have been struck and are payable on the date indicated below -Nil
- e) The owners corporation has performed or is about to perform the following repairs, work or act, which may incur additional charges to those set out in paragraphs (a) to (d);
 - For all other matters please refer to the minutes of the 2024 Annual General Meeting as attached.
- f) The owners corporation presently has the following insurance cover:

i. Name of company:

Strata Community Insurance

ii. Name of Broker:

None

iii. Number of policy:

VRSC22006150

iv. Kind of policy:

Residential Strata

v. Buildings covered:

4 lots

vi. Building amount:

\$1,896,410

vii. Public liability amount:

\$20,000,000

viii. Renewal date:

02/12/2025

g) The owners corporation has resolved that the members may arrange their own insurance under section 63 of the Act, the date of this resolution;

Not applicable

h) The total funds held by the owners corporation –

See attached balance sheet

The owners corporation has liabilities (in addition to any such liabilities specified in paragraphs (a) to

See attached balance sheet

- j) The owners corporation has current contracts, leases, licences or agreements affecting the common property; P/S 309297C and all lots are subject to:
 - i. Retirement Villages Act 1986
 - ii. 173 Agreement which requires residents of the unit to be 55 years and over.
- k) The owners corporation has current agreements to provide services to lot owners, occupiers or the public; *Not aware*
- 1) The owners corporation have been served in the last 12 months with notices or orders that have not been satisfied; *Not aware*
- m) The owners corporation is *not aware* of any legal proceedings to which the owners corporation is a party and any circumstances of which the owners corporation is aware that are likely to give rise to proceedings. *Not aware*

From time to time, it may be necessary to commence legal proceedings against lot owners who fail to pay fees and levies as they fall due, in order to recover the debt owing to the owners corporation.

- n) The owners corporation has appointed, or has resolved to appoint a manager and the details are as follows: Finch Property Management, PO Box 5229, Studfield Victoria 3152
- o) An administrator *has not* been appointed for the owners corporation, nor has there been a proposal for the appointment of an administrator.
- p) The minutes of the most recent annual general meeting of the owners corporation. See attached copy

Further information on prescribed matters can be obtained by inspection of the owners corporation register. An applicable fee to provide this service will apply.

IMPORTANT:

- 1. Information contained in this certificate is correct to the best of our knowledge at the date of issue.
- 2. This information is subject to change without notice.
- 3. It may be prudent to obtain a verbal update prior to settlement of the property. An update will be provided at no cost if requested within 60 days of the issue date. Once that 60 day period has lapsed an application must be made for a new certificate.
- 4. No other information given in relation to this certificate will be acknowledged as correct unless it is provided by the signatory.

The owners corporation register can be inspected for additional information. A fee applies pursuant to Section 150 of the Owners Corporation Act 2006. Requests to inspect the Owners Corporation Register or to obtain a new certificate must be forwarded to:

PO Box 5229, Studfield Vic 3152

Phone: 8813 0619, Mobile: 0417 397 72 or email: sharyn@finchproperty.com.au

Requests for certificate must be accompanied by cheque payable to:

Finch Property Management Pty Ltd

Date of Issue:

10 March 2025

This owner's corporation certificate was prepared by:



Sharyn Lawrence Manager Finch Property Management Managing Agent

Common Seal of PS 309297C



You are advised that this Certificate has been sealed electronically. Your consent to the affixing of the seal electronically will be assumed unless otherwise notified to our office upon receipt. If you do not consent to the affixing of the seal electronically as required under Section 9 (1)(c) of the Electronic Transactions (Vic) Act 2000 please advise the Manager in writing and the actual seal shall be affixed.

Finch Property Management Pty Ltd P.O Box 5229 STUDFIELD VIC 3152 ABN: 16 608 117 068

Ph. 0417 397 726 Email: sharyn@finchproperty.com.au Printed: 10/03/2025 04:36 pm User: Jane Tamudtamud

Page 1

Balance Sheet - O/Corp 309297C 2-4 SOPHIA GROVE, TECOMA, VIC 3160

For the Financial Period 01/07/2024 to 10/03/2025

	Administrative	Maintenance	TOTAL THIS YEAR
Assets			
Cash At Bank OC 309297C - SOPHIA GROVE Macquarie Bank BSB: 183-334 Acc No: 253582225	\$8,519.20	\$0.00	\$8,519.20
Levies Receivable	\$857.00	\$0.00	\$857.00
Total Assets	\$9,376.20	\$0.00	\$9,376.20
Liabilities			
Paid in Advance	\$1,243.82	\$0.00	\$1,243.82
Total Liabilities	\$1,243.82	\$0.00	\$1,243.82
Net Assets	\$8,132.38	\$0.00	\$8,132.38
Owners Funds			
Opening Balance	\$7,737.19	\$0.00	\$7,737.19
Net Income For The Period	\$395.19	\$0.00	\$395.19
Total Owners Funds	\$8,132.38	\$0.00	\$8,132.38



MINUTES OF ANNUAL GENERAL MEETING OWNERS CORPORATION PLAN NO: 309297C

ADDRESS OF OWNERS CORPORATION: 2-4 Sophia Grove, TECOMA VIC 3160

The meeting was held on 26/07/2024 via Phone Conference and commenced at 10:00am.

Present, Apologies and Proxies

The following owners were represented:

Ms Kerri Bryson	"KB"	Lot No 1
Mr Douglas Hughes & Mrs Doris Hughes	"DH" & "DH"	Lot No 4
appointed Kerri Bryson as their proxy		

Sharyn Lawrence of Finch Property Management also attended.

1.	Quorum:	Pursuant to Part 4, Section 77, Owners Corporations Act 2006, a quorum did exist.
2.	Appointment of Chairperson:	Sharyn Lawrence was appointed to chair this meeting. Voting: Carried without dissent
3.	Confirmation of minutes of previous annual general meeting & matters arising:	The minutes of the previous Annual General Meeting were confirmed. Voting: Carried without dissent
4.	Financial Statements:	The financial statements for the year ended 30 th June 2024 were received and adopted. Voting: Carried without dissent
5.	Reports:	That the following reports were received: (a) Managers Report Voting: Carried without dissent

6. Strata Insurance:	Manager confirmed the Financial Services Reform Act 2001 (FSRA) requirements.
	Members resolved that all current cover was deemed to be adequate in line with the last building revaluation completed on the 17 th August 2022.
	Members further resolved that all other cover is deemed to be adequate.
	Finch Property Management Pty Ltd confirmed they are entitled to receive a commission and that the commission is calculated on the base premium. Manager further confirmed that the commission received is considered when setting the management fees.
	Manager also highlighted that the owner/tenant/occupier should position contents insurance & public liability insurance within their own lot/s and landlords should position landlords insurance and public liability insurance within their own lot/s as well, as this is NOT covered by the owners corporation strata insurance policy.
	Voting: Carried without dissent
7. Essential Safety Measures (ESM):	Pursuant to the building regulations 1994, all members are reminded to ensure that all units are fitted with working smoke detectors and batteries are changed as per manufacturer's recommendations or at least bi-annually. Smoke detectors should be positioned in hallways or paths of travel outside bedrooms. Please advise your respective rental manager if you are a landlord. This device is the responsibility of the owner to maintain.
	Voting: Carried without dissent
8. Occupational Health & Safety:	OH&S Inspection Report Members resolved that the lot owners continue to monitor the common property for occupational health and safety hazards and take appropriate action with any changes that may occur.
	Voting: Carried without dissent
9. Annual Budget:	Resolved that the proposed budget be adopted. A copy of the Adopted Budget is attached hereto.
	Voting: Carried without dissent
10. Fees:	Resolved that:
	Fees be set in accordance with Section 23(1) of the Act based on lot liability and the adopted budget of 9,958 to commence on the 1st July 2024; and
	The fees be paid in advance in quarterly instalments, the first such instalment being due on the 1 st July 2024; and subsequent instalments quarterly thereafter.
	Voting: Carried without dissent
11. Penalty Interest:	Members resolved that the Owners Corporation charge penalty interest at the rate for the time being fixed under Section 2 of the Penalty Interest Rates Act 1983 on money owed by a member to the Owners Corporation 60 days after the due date for fees and charges set under Sections 23 and 24 of the Owners Corporations Act 2006 and on any other amount payable by a lot owner to the Owners Corporation. Such interest to apply from the due date unless the Committee decide in any particular case to waive payment of interest.
	Voting: Carried without dissent

12. Legal Proceedings Ordinary Resolution:	Debt Recovery That the Owners Corporation is to take all steps necessary for recovery of outstanding fees, levies and charges due by any member of the Owners Corporation including commencing proceedings in The Magistrates' Court, VCAT or any other tribunal or court of another State or a Territory that corresponds with the Magistrates' Court. The Manager of the Owners Corporation and/or the Committee shall have the power pursuant to this resolution to appoint a lawyer to act on its behalf in relation to any necessary debt recovery action taken. Voting: Carried without dissent Cost Recovery
	That all costs and expenses arising out of any breach by a lot owner, or an occupier of a lot, of an obligation imposed on that person under the Act the Regulations or these Rules, incurred by the Owners Corporation, including any costs and charges payable by the Owners Corporation to the Manager or otherwise (but excluding the personal time cost of any person acting in an honorary capacity including the Chairperson, Secretary or Committee member of the Owners Corporation) shall be payable by any member in default or breach. The costs charges and expenses shall be due and payable as a debt due by the person in default or breach to the Owners Corporation.
	Voting: Carried without dissent
13. Election of Committee &	Members elected the following Committee:
Delegation:	Kerri Bryson, Lot No 1 Douglas Hughes, Lot No 4
	Kerri Bryson was elected Chairperson & Secretary
	Other members are invited to nominate their services to sit on the committee in order to fulfill legislative requirements of a minimum of 3 members. Please contact Sharyn Lawrence if you can assist with this request.
	In accordance with Section 11(5) of the Act, members resolved to delegate all powers and functions to the Owners Corporation Committee to ensure the efficient and effective operation of the Owners Corporation, except for:- a power or function that requires a unanimous resolution or a special resolution;
	Voting: Carried without dissent
14. Grievance Committee:	It was resolved that the Grievance Committee be comprised of all of the owners, as above.
	Voting: Carried without dissent
15. General Business:	Members resolved to deal, proceed and vote on following works or matters including:
	Voting: Carried without dissent
	15.1: Members considered undertaking a termite treatment following advice received from a private building inspection report obtained by lot 2.
	It was resolved that the manager will obtain a quote and once the quote has been received it will be forwarded on for further consideration and instruction.
	15.2: Although our office has not been formally advised of the passing of the owner of unit 3, it was noted that this has occurred, and our office should receive formal notification of this shortly.
	15.3: It was noted that to maintain uniformity across all four units that any painting or general works to be undertaken to the exterior of the units is to be done in a way that maintains consistency of the current color scheme/finishes across all surfaces.

With no further business, the meeting closed at 10.12am. Signed as a true and correct record.

Sharyn Lawrence
Appointed Manager & Chairperson for this meeting.

Finch Property Management Pty Ltd Adopted Budget for Owners Corporation 309297C

2-4 Sophia Grove TECOMA

Prepared by Finch Property Management Pty Ltd (ABN 16 608 117 068) P.O Box 5229 STUDFIELD VIC 3152 Ph 0417 397 726 Fax

District OF 00 0000 of 44.46.05 House Circle Described Management	Monography Monography	P.O Box 5229 STUDFIELD VIC 3152 Pn 0417 397 726 Fax	IC 3152 Pn 0417 3	9/ /26 Fax				D 200
FINE 03/00/2024 at 11.45.03 User - Fine	on Fioperty Management							rage i
Aggregate Units of Liability	Adopted	Adjustment		Current Year			Last Year	
(UOL) 200	Budget		(01/0	(01/07/2023-30/06/2024)	24)	(01/0)	(01/07/2022-30/06/2023)	23)
Administrative Fund-	(01/07/2024-30/06/2025)		Budget	Actual	Variance	Budget	Actual	Variance
Contribution Schedule								
Administration / Disbursements	\$230.00		\$230.00	\$229.20	\$0.80	\$220.00	\$219.96	\$0.04
Bank Charges	\$0.00		\$0.00	\$7.20	\$-7.20	\$0.00	\$6.80	\$-6.80
Gardening	\$2,600.00		\$2,600.00	\$2,960.00	\$-360.00	\$2,500.00	\$2,587.50	\$-87.50
Insurance	\$3,800.00		\$3,800.00	\$3,571.62	\$228.38	\$3,500,00	\$3,448.84	\$51.16
Insurance - Sworn building valuation	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$330.00	\$-330.00
Management Fee	\$1,650.00		\$1,650.00	\$1,650.00	\$0.00	\$1,650.00	\$1,650.00	\$0.00
OH&S - Trades Monitor	\$0.00		\$0.00	\$92.40	\$-92.40	\$0.00	\$91.30	\$-91.30
Repairs and Maintenance	\$1,678.00		\$1,678.00	\$6,402.69	\$-4,724.69	\$2,088.00	\$660.00	\$1,428.00
TOTAL ADMIN FUND	\$9,958.00		\$9,958.00	\$14,913.11	\$-4,955.11	\$9,958.00	\$8,994.40	\$963.60
TOTAL ADMIN BUDGET	\$9,958.00		\$9,958.00	The state of the s		\$9,958.00		

Finch Property Management Pty Ltd Adopted Budget for Owners Corporation 309297C

2-4 Sophia Grove TECOMA

Prepared by Finch Property Management Pty Ltd (ABN 16 608 117 068) P.O Box 5229 STUDFIELD VIC 3152 Ph 0417 397 726 Fax Page 2

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Aggregate Units of Liability (UOL) 200	Adopted Budget	Adjustment	(01/0	Current Year (01/07/2023-30/06/2024)	(24)	(01/07	Last Year (01/07/2022-30/06/2023)	23)
Maintenance Fund-	(01/07/2024-30/06/2025)		Budget	Actual	Variance	Budget	Actual	Variance
Contribution Schedule								
TOTAL MAINT FUND	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL MAINT BUDGET	\$0.00		\$0.00			\$0.00		

Finch Property Management Pty Ltd Adopted Budget for Owners Corporation 309297C

2-4 Sophia Grove TECOMA

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Printed 05/08/2024 at 11:46:05 User= Finch Property Management Budget Summary (01/07/2024-30/06/2025)

	Adopted	1st Instalment 01/07/2024	2nd Instalment 01/10/2024	3rd Instalment 01/01/2025	4th Instalment 01/04/2025	TOTAL (01/07/2024-30/06/2025)
Administrative Fund	\$9,958.00	\$2,488.00	\$2,488.00	\$2,488.00	\$2,488.00	\$9,952.00
Maintenance Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Contribution Schedule Total	\$9,958.00	\$2,488.00	\$2,488.00	\$2,488.00	\$2,488.00	\$9,952.00
Amount to Collect	\$9,958.00	\$2,488.00	\$2,488.00	\$2,488.00	\$2,488.00	\$9,952.00

Finch Property Management Pty Ltd Adopted Budget for Owners Corporation 309297C

2-4 Sophia Grove TECOMA

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Levy Adjustment Summary (01/07/2024-30/06/2025)

	Contribution Schedule	chedule	¥	Aggregate Units of Liability (UOL) - 200
Due Date	Levy Period	Admin	Maint	Total
01/07/2024	4 01/07/2024 - 30/09/2024	\$12.45	\$0.00	\$12.45
01/10/2024	4 01/10/2024 - 31/12/2024	\$12.45	\$0.00	\$12.45
01/01/2025	5 01/01/2025 - 31/03/2025	\$12.45	\$0.00	\$12.45
01/04/2025	5 01/04/2025 - 30/06/2025	\$12.45	\$0.00	\$12.45
Financial	Financial Year Total per Units of Liability	\$49.79	\$0.00	\$49.79
Financial	Financial Year Aggregate	\$9,952.00	\$0.00	\$9,952.00
Adopted I	Adopted Budget Amount	\$9,958.00	\$0.00	\$9,958.00
Next Year	Next Year Pre Issue Aggregate	\$0.00	\$0.00	\$0.00

Finch Property Management Pty Ltd Adopted Budget for Owners Corporation 309297C

2-4 Sophia Grove TECOMA

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Owner Summary (01/07/2024-30/06/2025) - Contribution Schedule

\$0.00 \$0.00 \$0.00 \$0.00 \$2,488.00 \$2,488.00 \$2,488.00 \$2,488.00 \$2,488.00 \$2,488.00 \$2,488.00 \$2,488.00 (01/07/2024-30/06/2025) \$622.00 \$622.00 \$0.00 \$622.00 \$622.00 \$0.00 \$0.00 \$0.00 \$622.00 \$622.00 \$622.00 \$622.00 4th Instalment 01/04/2025 \$622.00 \$0.00 \$622.00 \$622.00 \$622.00 \$622.00 \$0.00 \$622.00 \$0.00 \$0.00 \$622.00 \$622.00 3rd Instalment 01/01/2025 \$622.00 \$0.00 \$622.00 \$0.00 \$622.00 \$622.00 \$0.00 \$622.00 \$622.00 \$0.00 \$622.00 \$622.00 2nd Instalment 01/10/2024 \$622.00 \$622.00 \$622.00 \$0.00 \$622.00 \$622.00 \$0.00 \$622.00 \$622.00 \$0.00 \$622.00 \$0.00 1st Instalment 01/07/2024 Admin Admin Admin Admin Owner Total Maintenance Owner Total Maintenance Owner Total Maintenance Maintenance **Owner Total** Mr Douglas & Mrs Doris Hughes Ms Caroline Mackay Ms Kerri Bryson Owner Name Janice Page Total aggregate of UOL 200 NOL 20 20 20 20 Unit# Lot# ň <u>پې</u> *

Finch Property Management Pty Ltd Adopted Budget for Owners Corporation 309297C

2-4 Sophia Grove TECOMA

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Contribution Summary (01/07/2024-30/06/2025)

Lot#	Unit#	nor	UOL Owner Name	Schedule	Admin Fund	Maintenance	Annual Levy
1	1	20	Ms Kerri Bryson	Contribution Schedule	\$2,488.00	\$0.00	\$0.00
Paid to 30/09/2024	/2024			Total	\$2,488.00	\$0.00	\$2,488.00
2	2	20	Janice Page	Contribution Schedule	\$2,488.00	\$0.00	\$0.00
Paid to 30/09/2024	/2024			Total	\$2,488.00	\$0.00	\$2,488.00
3	3	90	Ms Caroline Mackay	Contribution Schedule	\$2,488.00	\$0.00	\$0.00
Paid to 30/09/2024	/2024			Total	\$2,488.00	\$0.00	\$2,488.00
4	4	50	Mr Douglas & Mrs Doris Hughes	Contribution Schedule	\$2,488.00	\$0.00	\$0.00
Paid to 30/09/2024	/2024			Total	\$2,488.00	\$0.00	\$2,488.00
				Overall Total	\$9,952.00	00'0\$	\$9,952.00
				Schedule	NOL	representation of the control of the	
				Contribution Schedule	200		

Disclaimer: There may be differences in calculated instalment amounts due to rounding to nearest \$1.00

STANDARD & ADDITIONAL RULES

FOR BODY CORPORATE PLAN OF SUBDIVISION 309297C

2-4 SOPHIA GROVE, TECOMA, VIC, 3160

Standard Rules constitute sections, of this document, (a) through (f)(1) and are as described in Regs 104,219 and Form 1 of Subdivision (Body Corporate) Regulations 2001 Subdivision Act 1988.

Additional Rules constitute sections, of this document, (f)(2) through (o) and were incorporated with the standard rules according to the previsions of Reg. 220 Subdivision (Body Corporate) Regulations 2001 Subdivision Act 1988 on the 25th February 2006.

USE OF COMMON PROPERTY AND LOTS

A member must not, and must ensure that the occupier of a member's lot does not-

- (a) use the common property or permit the common property to be used in such a manner as to unreasonably interfere with or prevent its use by other members or occupants of lots or their families or visitors;
- (b) park or leave a vehicle or permit a vehicle to be parked or left on the common property so as to obstruct a driveway or entrance to a lot or in any place other than in a parking area specified for such purpose by the body corporate;
- (c) use or permit a lot affected by the body corporate to be used for any purpose which may be illegal or injurious to the reputation of the development or may cause a nuisance or hazard to any other member or occupier of any lot or the families or visitors of any such member or occupier;
- (d) make or permit to be made any undue noise in or about the common property or any lot affected by the body corporate;
- (e) make or permit to be made noise from music or machinery which may be heard outside the owner's lot between the hours of midnight and 8.00 a.m.;
- (f) (1) keep any animal on the common property after being given notice by the body corporate to remove the animal after the body corporate has resolved that the animal is causing a nuisance.
 - (2) without Body Corporate PS 309297C prior written approval -
 - bring or keep an animal on the lot or the common property; or
 - (ii) permit an invitee to bring or keep an animal on the lot or the common property.
- (g) without the written permission of the Body Corporate PS 309297C; plant any shrubs, trees, flowers etc. in common areas.
- (h) do any act or thing that either detrimentally affects, or increases the premium, or makes void the insurance policy covering the common property, and/or the buildings & structures, and/or improvements, located within PS 309297C.
- (i) without the written permission of the Body Corporate PS 309297C mark, paint, or drive nails, screws or other objects into, or otherwise damage or deface a structure that forms part of the common property.
- (j) leave uncovered garbage on the lot, or on part of the common property designated by the Body Corporate PS 309297C for that purpose.
- (k) in disposing of garbage, adversely affect the health, hygiene or comfort of other lots or offend any local government law about disposal of garbage.

- (I) without the written permission of the Body Corporate PS 309297C
 - make any additions or changes to the structure of the lot, or any alterations or (i) additions to the external appearance of the lot; or
 - display in the common areas or in externally visible areas of a hot any; sign, (ii) advertisement, placard, banner, pamphlet or similar article; or
 - hang washing, bedding, or other cloth article if the article is visible from (iii) another lot or the common property, or from the outside the scheme land.
- (m) In accordance with regulation 207 of the Subdivision (Body Corporate) Regulations 2001: the Body Corporate is exclusively responsible for maintaining and painting common property.
- (n) It is required that lot holders pay all fees, as determined by the body corporate, within 14 days of receipt of invoice. Failure to pay fees by the due date will attract penalty interest on unpaid amounts from their due date calculated a rate from time to time fixed by the Penalty Interest Rate Act 1983.
- (o) In accordance with the Retirement Villages Act 1986 Notice R375581V and Planning and Environment Act 1987 s173 Agreement no. SO53428Y; a member must ensure that their lot/s are only occupied by retired persons as defined in section 3 of Retirement Villages Act 1986. For the purposes of these rules, therefore, a retired person is:
 - a person who has attained the age of 55 or has retired from full time (i) employment; and
 - the spouse or domestic partner of such a person; and (ii)
 - if the person mentioned in paragraph (i) has died, the person who was the (iii) spouse or domestic partner of that deceased person.

Dated the 25th February 2006

THE COMMON SEAL of BODY CORPORATE PLAN NO. PS309297C was Affixed in accordance with Regulation 311 of The subdivision (Body Corporate) Regulations 2001 and in accordance with Special Resolution dated: 25th February 2006 In the presence of : Toni Moed & Amocet Pty. Ltd.



Signed by: Toni Moed,

A morecl

of Unit 4, 2-4 Sophia Grove, Tecoma, Vic.

Member of the Body Corporate

Capacity in which member witnessed affixing of seal

Executed by:

Amocet Pty.Ltd. (ACN/006 945 286) of 1st Floor Unit 2, 33-35 Graham Court Hoppers Crossing, Vic. by being signed by persons who are authorised to sign for the Company

Director:

B.A. Demoitie

160 Belgrave Gembrook Rd Selby

Selby, Vic.

Director: .

M. Vulling

57 Murray Esplanade Port of Echuca, Vic.

Member of the Body Corporate

Capacity in which member witnessed affixing of seal

FORM 2

Reg. 220 Subdivision (Body Corporate) Regulations 2001

Subdivision Act 1988

NOTIFICATION OF MAKING, AMENDMENT OR REVOCATION OF RULES

To the Registrar

Body Corporate Plan No. PS 309297C

Attached is a copy of-

- 1. The rules of the body corporate currently in force. (Those rules are only the standard Form 1 rules and are detailed as rules (a) through (f) (1) on the attached list of body corporate rules.
- The special resolution passed on 25th February 2006 under regulation 220 of the Subdivision (Body Corporate) Regulations 2001 authorising the making amendment or revocation of the additional rules of the body corporate.

Dated the 25th February 2006

THE COMMON SEAL of BODY
CORPORATE PLAN NO. PS309297C was
Affixed in accordance with Regulation 311 of
The subdivision (Body Corporate)
Regulations 2001 and in accordance with
Resolution dated 35 Feb 2006
In the presence of: Toni Moed & Amocet Pty. Ltd.

The Common Seal of

Signed by: Toni Moed,

of Unit 4, 2-4 Sophia Grove, Tecoma, Vic.

Member of the Body Corporate

Capacity in which member witnessed affixing of seal

Executed by:

Amoret Pty.Ltd. (ACM 006 945 286) of 1st Floor Unit 2, 33-35 Graham Court,

Hoppers Crossing, Vic. by being signed by persons who are authorised to sign for the Company

Director: ...(

B.A. Demorne

160 Belgrave Gembrook Rd Selby

Selby, Vic.

Director: &

M. Vulling

57 Murray Esplanade

Port of Echuca, Vic.

Member of the Body Corporate

Capacity in which member witnessed affixing of seal

Model rules for an owners corporation

1. Health, safety and security

1.1 Health, safety and security of lot owners, occupiers of lots and others

A lot owner or occupier must not use the lot, or permit it to be used, so as to cause a hazard to the health, safety and security of an owner, occupier, or user of another lot.

1.2 Storage of flammable liquids and other dangerous substances and materials

- (1) Except with the approval in writing of the owners corporation, an owner or occupier of a lot must not use or store on the lot or on the common property any flammable chemical, liquid or gas or other flammable material.
- (2) This rule does not apply to-
 - (a) chemicals, liquids, gases or other material used or intended to be used for domestic purposes; or
 - (b) any chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

1.3 Waste disposal

An owner or occupier must ensure that the disposal of garbage or waste does not adversely affect the health, hygiene or comfort of the occupiers or users of other lots.

1.4 Smoke penetration

A lot owner or occupier in a multi-level development must ensure that smoke caused by the smoking of tobacco or any other substance by the owner or occupier, or any invitee of the owner or occupier, on the lot does not penetrate to the common property or any other lot.

1.5 Fire safety information

A lot owner must ensure that any occupier of the lot owner's lot is provided with a copy of fire safety advice and any emergency preparedness plan that exists in relation to the lot prior to the occupier commencing occupation of the lot.

2. Committees and sub-committees

2.1 Functions, powers and reporting of committees and sub-committees

A committee may appoint members to a sub committee without reference to the owners corporation.

3. Management and administration

3.1 Metering of services and apportionment of costs of services

- (1) The owners corporation must not seek payment or reimbursement for a cost or charge from a lot owner or occupier that is more than the amount that the supplier would have charged the lot owner or occupier for the same goods or services.
- (2) If a supplier has issued an account to the owners corporation, the owners corporation cannot recover from the lot owner or occupier an amount which includes any amount that is able to be claimed as a concession or rebate by or on behalf of the lot owner or occupier from the relevant supplier.
- (3) Subrule (2) does not apply if the concession or rebate—
 - (a) must be claimed by the lot owner or occupier and the owners corporation has given the lot owner or occupier an opportunity to claim it and the lot owner or occupier has not done so by the payment date set by the relevant supplier; or
 - (b) is paid directly to the lot owner or occupier as a refund.

4. Use of common property

4.1 Use of common property

- (1) An owner or occupier of a lot must not obstruct the lawful use and enjoyment of the common property by any other person entitled to use the common property.
- (2) An owner or occupier of a lot must not, without the written approval of the owners corporation, use for the owner or occupier's own purposes as a garden any portion of the common property.
- (3) An approval under subrule (2) may state a period for which the approval is granted.
- (4) If the owners corporation has resolved that an animal is a danger or is causing a nuisance to the common property, it must give reasonable notice of this resolution to the owner or occupier who is keeping the animal.
- (5) An owner or occupier of a lot who is keeping an animal that is the subject of a notice under subrule (4) must remove that animal.
- (6) Subrules (4) and (5) do not apply to an animal that assists a person with an impairment or disability.
- (7) The owners corporation may impose reasonable conditions on a lot owner's right or an occupier's right to access or use common property to protect the quiet enjoyment, safety and security of other lot owners, including but not limited to imposing operating hours on facilities such as gymnasiums and swimming pools.

4.2 Vehicles and parking on common property

An owner or occupier of a lot must not, unless in the case of an emergency, park or leave a motor vehicle or other vehicle or permit a motor vehicle or other vehicle—

- (a) to be parked or left in parking spaces situated on common property and allocated for other lots; or
- (b) on the common property so as to obstruct a driveway, pathway, entrance or exit to a lot; or
- (c) in any place other than a parking area situated on common property specified for that purpose by the owners corporation.

4.3 Damage to common property

- (1) An owner or occupier of a lot must not damage or alter the common property without the written approval of the owners corporation.
- (2) An owner or occupier of a lot must not damage or alter a structure that forms part of the common property without the written approval of the owners corporation.
- (3) An approval under subrule (1) or (2) may state a period for which the approval is granted, and may specify the works and conditions to which the approval is subject.
- (4) An owner or person authorised by an owner may install a locking or safety device to protect the lot against intruders, or a screen or barrier to prevent entry of animals or insects, if the device, screen or barrier is soundly built and is consistent with the colour, style and materials of the building.
- (5) The owner or person referred to in subrule (4) must keep any device, screen or barrier installed in good order and repair.

5. Lots

5.1 Change of use of lots

An owner or occupier of a lot must give written notification to the owners corporation if the owner or occupier changes the existing use of the lot in a way that will affect the insurance premiums for the owners corporation.

Example

If the change of use results in a hazardous activity being carried out on the lot, or results in the lot being used for commercial or industrial purposes rather than residential purposes.

5.2 External appearance of lots

- (1) An owner or occupier of a lot must obtain the written approval of the owners corporation before making any changes to the external appearance of their lot.
- (2) An owners corporation cannot unreasonably withhold approval, but may give approval subject to reasonable conditions to protect quiet enjoyment of other lot owners, structural integrity or the value of other lots and/or common property.
- (3) The owners corporation cannot unreasonably prohibit the installation of sustainability items on the exterior of the lot, including by prohibiting the installation of a sustainability item only on aesthetic grounds.
- (4) The owners corporation may require that the location of a sustainability item, or the works involved in installing a sustainability item, must not unreasonably disrupt the quiet enjoyment of other lot owners or occupiers or impede reasonable access to, or the use of, any other lot or the common property.
- (5) The owners corporation may impose reasonable conditions on the installation of a sustainability item on the exterior of the lot related to the colour, mounting and location of the sustainability item provided that these conditions do not increase the cost of installing the sustainability item or reduce its impact as a sustainability item.

5.3 Requiring notice to the owners corporation of renovations to lots

An owner or occupier of a lot must notify the owners corporation when undertaking any renovations or other works that may affect the common property and/or other lot owners' or occupiers' enjoyment of the common property.

6. Behaviour of persons

6.1 Behaviour of owners, occupiers and invitees on common property

An owner or occupier of a lot must take all reasonable steps to ensure that guests of the owner or occupier do not behave in a manner likely to unreasonably interfere with the peaceful enjoyment of any other person entitled to use the common property.

6.2 Noise and other nuisance control

- (1) An owner or occupier of a lot, or a guest of an owner or occupier, must not unreasonably create any noise likely to interfere with the peaceful enjoyment of any other person entitled to use the common property.
- Subrule (1) does not apply to the making of a noise if the owners corporation has given written permission for the noise to be made.

7. Dispute resolution

- (1) The grievance procedure set out in this rule applies to disputes involving a lot owner, manager, or an occupier or the owners corporation.
- (2) The party making the complaint must prepare a written statement in the approved form.
- (3) If there is a grievance committee of the owners corporation, it must be notified of the dispute by the complainant.
- (4) If there is no grievance committee, the owners corporation must be notified of any dispute by the complainant, regardless of whether the owners corporation is an immediate party to the dispute.
- (5) The parties to the dispute must meet and discuss the matter in dispute, along with either the grievance committee or the owners corporation, within 14 working days after the dispute comes to the attention of all the parties.
- (5A) A meeting under subrule (5) may be held in person or by teleconferencing, including by videoconference.
- (6) A party to the dispute may appoint a person to act or appear on the party's behalf at the meeting.
- (6A) Subject to subrule (6B), the grievance committee may elect to obtain expert evidence to assist with the resolution of the dispute.
- (6B) The grievance committee may obtain expert evidence to assist with the resolution of a dispute if the owners corporation or the parties to the dispute agree in writing to pay for the cost of obtaining that expert evidence.
- (7) If the dispute is not resolved, the grievance committee or owners corporation must notify each party of the party's right to take further action under Part 10 of the *Owners Corporations Act* 2006.
- (8) This process is separate from and does not limit any further action under Part 10 of the Owners Corporations Act 2006.

Owners Corporation Statement of Advice and Information for Prospective Purchasers and Lot Owners

Schedule 3, Regulation 12, Owners Corporations Regulations 2007

OC 10 (12/07)

What is an Owners Corporation?

The lot you are considering buying is part of an Owners Corporation. Whenever a plan of subdivision creates common property, an Owners Corporation is responsible for managing the common property. A purchaser of a lot that is part of an Owners Corporation automatically becomes a member of the Owners Corporation when the transfer of that lot to the purchaser has been registered with Land Victoria.

If you buy into an Owners Corporation, you will be purchasing not only the individual property, but also ownership of, and the right to use, the common property as set out in the plan of subdivision. This common property may include driveways, stairs, paths, passages, lifts, lobbies, common garden areas and other facilities set up for use by owners and Occupiers. In order to identify the boundary between the individual lot you are purchasing (for which the owner is solely responsible) and the common property (for which all members of the Owners Corporation are responsible), you should closely inspect the plan of subdivision.

How are decisions made by an Owners Corporation?

As an owner, you will be required to make financial contributions to the Owners Corporation, in particular for the repair, maintenance and management of the common property. Decisions as to the management of this common property will be the subject of collective decision making. Decisions as to these financial contributions, which may involve significant expenditure, will be decided by a vote.

Owners Corporation rules

The Owners Corporation rules may deal with matters such as car parking, noise, pets, the appearance or use of lots, behaviour of owners, Occupiers or guests and grievance procedures.

You should look at the Owners Corporation rules to consider any restrictions imposed by the rules.

Lot entitlement and lot liability

The plan of subdivision will also show your lot entitlement and lot liability. Lot liability represents the share of Owners Corporation expenses that each Lot Owner is required to pay.

Lot entitlement is an owner's share of ownership of the common property, which determines voting rights. You should make sure that the allocation of lot liability and entitlement for the lot you are considering buying seems fair and reasonable.

Further information

If you are interested in finding out more about living in an Owners Corporation, you can contact Consumer Affairs Victoria. If you require further information about the particular Owners Corporation you are buying into you can inspect that Owners Corporation's information register.

Management of an Owners Corporation

An Owners Corporation may be self-managed by the Lot Owners or professionally managed by an Owners Corporation Manager. If an Owners Corporation chooses to appoint a professional manager, it must be a Manager registered with the Business Licensing Authority (BLA).

IF YOU ARE UNCERTAIN ABOUT ANY ASPECT OF THE OWNERS CORPORATION OR THE DOCUMENTS YOU HAVE RECEIVED FROM THE OWNERS CORPORATION, YOU SHOULD SEEK EXPERT ADVICE.

