

Vendor Statement

The vendor makes this statement in respect of the land in accordance with section 32 of the *Sale of Land Act* 1962.

This statement must be signed by the vendor and given to the purchaser before the purchaser signs the contract.

The vendor may sign by electronic signature.

The purchaser acknowledges being given this statement signed by the vendor with the attached documents before the purchaser signed any contract.

Land

3/19 Lats Avenue, Carrum Downs 3201

Vendor's name

Lee Maze Pettit

Date

/ /

**Vendor's
signature**

**Purchaser's
name**

Date

/ /

**Purchaser's
signature**

**Purchaser's
name**

Date

/ /

**Purchaser's
signature**

1. FINANCIAL MATTERS

1.1 Particulars of any Rates, Taxes, Charges or Other Similar Outgoings (and any interest on them)

(a) Their total does not exceed:

\$5,000.00

1.2 Particulars of any Charge (whether registered or not) imposed by or under any Act to secure an amount due under that Act, including the amount owing under the charge

To

Other particulars (including dates and times of payments):

1.3 Terms Contract

This section 1.3 only applies if this vendor statement is in respect of a terms contract where the purchaser is obliged to make 2 or more payments (other than a deposit or final payment) to the vendor after the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land.

Not Applicable.

1.4 Sale Subject to Mortgage

This section 1.4 only applies if this vendor statement is in respect of a contract which provides that any mortgage (whether registered or unregistered), is NOT to be discharged before the purchaser becomes entitled to possession or receipts of rents and profits.

Not Applicable.

2. INSURANCE

2.1 Damage and Destruction

This section 2.1 only applies if this vendor statement is in respect of a contract which does NOT provide for the land to remain at the risk of the vendor until the purchaser becomes entitled to possession or receipt of rents and profits.

Not Applicable.

2.2 Owner Builder

This section 2.2 only applies where there is a residence on the land that was constructed by an owner-builder within the preceding 6 years and section 137B of the *Building Act* 1993 applies to the residence.

Not Applicable.

3. LAND USE

3.1 Easements, Covenants or Other Similar Restrictions

(a) A description of any easement, covenant or other similar restriction affecting the land (whether registered or unregistered): -

Is in the attached copies of title documents.

(b) Particulars of any existing failure to comply with that easement, covenant or other similar restriction are:

To the best of the vendors knowledge there is no existing failure to comply with the terms of any easement, covenant or other similar restriction.

3.2 Road Access

There is NO access to the property by road if the square box is marked with an 'X'

☐

3.3 Designated Bushfire Prone Area

The land is in a designated bushfire prone area under section 192A of the *Building Act* 1993 if the square box is marked with an 'X'

☐

3.4 Planning Scheme

Attached is a certificate with the required specified information.

4. NOTICES

4.1 Notice, Order, Declaration, Report or Recommendation

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, being a notice, order, declaration, report, recommendation or approved proposal of which the vendor might reasonably be expected to have knowledge:

Are as follows:

Building Notice as attached in Owners Corporation Certificate

4.2 Agricultural Chemicals

There are NO 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. However, if this is not the case, the details of any such notices, property management plans, reports or orders, are as follows:

nil

4.3 Compulsory Acquisition

The particulars of any notices of intention to acquire that have been served under section 6 of the *Land Acquisition and Compensation Act* 1986 are as follows:

nil

5. BUILDING PERMITS

Particulars of any building permit issued under the *Building Act* 1993 in the preceding 7 years (required only where there is a residence on the land):

Are contained in the attached certificate.

6. OWNERS CORPORATION

This section 6 only applies if the land is affected by an owners corporation within the meaning of the *Owners Corporations Act* 2006.

6.1 Attached is the information prescribed for the purposes of section 151(4)(a) of the *Owners Corporations Act* 2006 and the copy documents specified in section 151(4)(b)(i) and (iii) of that Act.

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

Not applicable.

8. SERVICES

The services which are marked with an 'X' in the accompanying square box are NOT connected to the land:

Electricity supply ☐	Gas supply ☒	Water supply ☐	Sewerage ☐	Telephone services ☒
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9. TITLE

Attached are copies of the following documents:

9.1 (a) **Registered Title**

A Register Search Statement and the document, or part of a document, referred to as the 'diagram location' in that statement which identifies the land and its location.

10. SUBDIVISION

10.1 Unregistered Subdivision

This section 10.1 only applies if the land is subject to a subdivision which is not registered.

Not Applicable.

10.2 Staged Subdivision

This section 10.2 only applies if the land is part of a staged subdivision within the meaning of section 37 of the *Subdivision Act 1988*.

Not Applicable.

10.3 Further Plan of Subdivision

This section 10.3 only applies if the land is subject to a subdivision in respect of which a further plan within the meaning of the *Subdivision Act 1988* is proposed.

Not Applicable.

11. DISCLOSURE OF ENERGY INFORMATION

(Disclosure of this information is not required under section 32 of the Sale of Land Act 1962 but may be included in this vendor statement for convenience.)

Details of any energy efficiency information required to be disclosed regarding a disclosure affected building or disclosure area affected area of a building as defined by the *Building Energy Efficiency Disclosure Act 2010* (Cth)

- (a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and
- (b) which has a net lettable area of at least 1000m²; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the relevant date):

Not Applicable.

12. DUE DILIGENCE CHECKLIST

(The Sale of Land Act 1962 provides that the vendor or the vendor's licensed estate agent must make a prescribed due diligence checklist available to purchasers before offering land for sale that is vacant residential land or land on which there is a residence. The due diligence checklist is NOT required to be provided with, or attached to, this vendor statement but the checklist may be attached as a matter of convenience.)

- ☐ Vacant Residential Land or Land with a Residence
- ☒ Attach Due Diligence Checklist (this will be attached if ticked)

13. ATTACHMENTS

(Any certificates, documents and other attachments may be annexed to this section 13)

(Additional information may be added to this section 13 where there is insufficient space in any of the earlier sections)

(Attached is an "Additional Vendor Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)

1. Register Search Volume 11117 Folio 704
2. Copy Plan 600249Q
3. Council Rate Notice
4. South East Water Information Notice
5. Department of Planning Certificate
6. Property Planning Report
7. Council Building Information
8. Owners Corporation Certificate
9. Land Tax Assessment
10. Due Diligence Checklist

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

Page 1 of 2

VOLUME 11117 FOLIO 704

Security no : 124089214172B
Produced 12/04/2021 01:02 PM

LAND DESCRIPTION

Lot 30 on Plan of Subdivision 600249Q.
PARENT TITLES :
Volume 05922 Folio 391 Volume 10785 Folio 871
Created by instrument PS600249Q 12/02/2009

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
LEE MAZE PETTIT of 19A ANTHONY STREET LANGWARRIN VIC 3910
AG534710Q 29/05/2009

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AK667332T 21/10/2013
NATIONAL AUSTRALIA BANK LTD

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.

AGREEMENT Section 173 Planning and Environment Act 1987
AG334313R 06/02/2009

DIAGRAM LOCATION

SEE PS600249Q FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: UNIT 3 19 LATS AVENUE CARRUM DOWNS VIC 3201

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LIMITED
Effective from 23/10/2016

OWNERS CORPORATIONS

The land in this folio is affected by



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

Page 2 of 2

OWNERS CORPORATION 1 PLAN NO. PS600249Q

DOCUMENT END



Imaged Document Cover Sheet

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Document Type	Plan
Document Identification	PS600249Q
Number of Pages (excluding this cover sheet)	32
Document Assembled	12/04/2021 13:07

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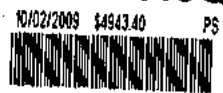
PS600249Q

PLAN OF SUBDIVISION

STAGE No.

LR USE ONLY

EDITION 6



LOCATION OF LAND

PARISH: LYNDRHURST

TOWNSHIP: _____

SECTION: _____

CROWN ALLOTMENT: _____

CROWN PORTION: 51 (PART)

LR BASE RECORD: VICMAP DIGITAL PROPERTY (URBAN)

TITLE REFERENCE/S:

VOL 5922 FOL 391 VOL 10785 FOL 871

LAST PLAN REFERENCE /S: TP 255552W (LOT 1)
LP 139497 (LOT 1)

POSTAL ADDRESS: 25 LATS AVENUE
(at time of subdivision) CARRUM DOWNS 3201

MGA Co-ordinates E 341390
(of approx centre of land in plan) N 5781590 ZONE: 55

COUNCIL CERTIFICATION AND ENDORSEMENT

COUNCIL NAME: FRANKSTON CITY

REF: 259 / 2006 / S

- ~~This plan is certified under Section 6 of the Subdivision Act 1988.~~
- This plan is certified under Section 11 (7) of the Subdivision Act 1988.
Date of original certification under Section 6 29/08/2008
- ~~This is a statement of compliance issued under Section 21 of the Subdivision Act 1988.~~

OPEN SPACE:

- A requirement for public open space under Section 18 of the Subdivision Act 1988 ~~has~~/has not been made.
- ~~The requirement has been satisfied.~~
- ~~The requirement is to be satisfied in Stage No.~~

Council Delegate

~~Council Seal~~

Date 09/01/2009

Re-certified under Section 11 (7) of the Subdivision Act 1988.

Council Delegate

~~Council Seal~~

Date 09/01/2009

VESTING OF ROADS AND/ OR RESERVES

Identifier	Council/Body /Person
ROADS R1, R2, R3, R4 & R5	FRANKSTON CITY COUNCIL
RESERVE No.1	FRANKSTON CITY COUNCIL
RESERVE No.2	UNITED ENERGY LTD.
RESERVE No.3	FRANKSTON CITY COUNCIL

NOTATIONS

STAGING: This is a staged subdivision.
PLANNING PERMIT No. 526 / 2006 / P

DEPTH LIMITATION: DOES NOT APPLY

Boundaries shown by thick continuous lines are defined by buildings.

Location of boundaries defined by buildings -

Median: Boundaries between lots shown thus: M

Exterior Face: All other boundaries.

Part of Common Property No:1 is also known as Sparrow Lane.

SURVEY: This plan is based on survey.

This survey has been connected to Permanent Marks No.(s) 399, 831 & 1112
in Proclaimed Survey Area No.52

LOTS IN THIS PLAN MAY BE AFFECTED BY ONE
OR MORE OWNERS CORPORATIONS - SEE OWNERS
CORPORATION SEARCH REPORT FOR DETAILS

EASEMENT INFORMATION

LEGEND: E - Encumbering Easement, Condition in Crown Grant in the Nature of an Easement or Other Encumbrance
A - Appurtenant Easement R - Encumbering Easement (Road)

Easements and Rights pursuant to Section 12 (2) of the Subdivision Act 1988 applies to all the land on this plan.

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited /In Favour of
E-1	DRAINAGE	SEE PLAN	LP 12405	LOTS ON LP 12405
E-2	CARRIAGEWAY	SEE PLAN	AK112951L	LOTS ON PS700365F
E-3, E-4	DRAINAGE	SEE PLAN	THIS PLAN	FRANKSTON CITY COUNCIL
E-5	SEWERAGE & WATER SUPPLY (Limited as to height. Easement does not extend above site level)	SEE PLAN	THIS PLAN	SOUTH EAST WATER CORPORATION
E-6	SEWERAGE	SEE PLAN	THIS PLAN	SOUTH EAST WATER CORPORATION

LR USE ONLY

STATEMENT OF COMPLIANCE /
EXEMPTION STATEMENT

RECEIVED



DATE 10 / 2 / 09

THIS IS A LAND
VICTORIA
COMPILED PLAN

FOR DETAILS SEE
MODIFICATION TABLE
HEREIN

SHEET 1 OF 31 SHEETS

PENINSULA SURVEY GROUP P/L

FORMERLY PETER HERBERT & ASSOC. (VIC) P/L
LAND DESIGN & DEVELOPMENT

CONSULTING SURVEYORS & PLANNERS

SUITE 2/86 MOUNT ELIZA WAY, MOUNT ELIZA 3930

PHONE No.: (03) 9787 2980 FAX No.: (03) 9787 4763 ACN 067 077 614

LICENSED SURVEYOR (PRINT)

ALAN L. RUNITING

SIGNATURE

DATE 17/12/08

REF: 5246/PS-1

VERSION 10

DATE 09/01/2009

COUNCIL DELEGATE SIGNATURE

ORIGINAL SHEET SIZE

A3

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PSF.DGN

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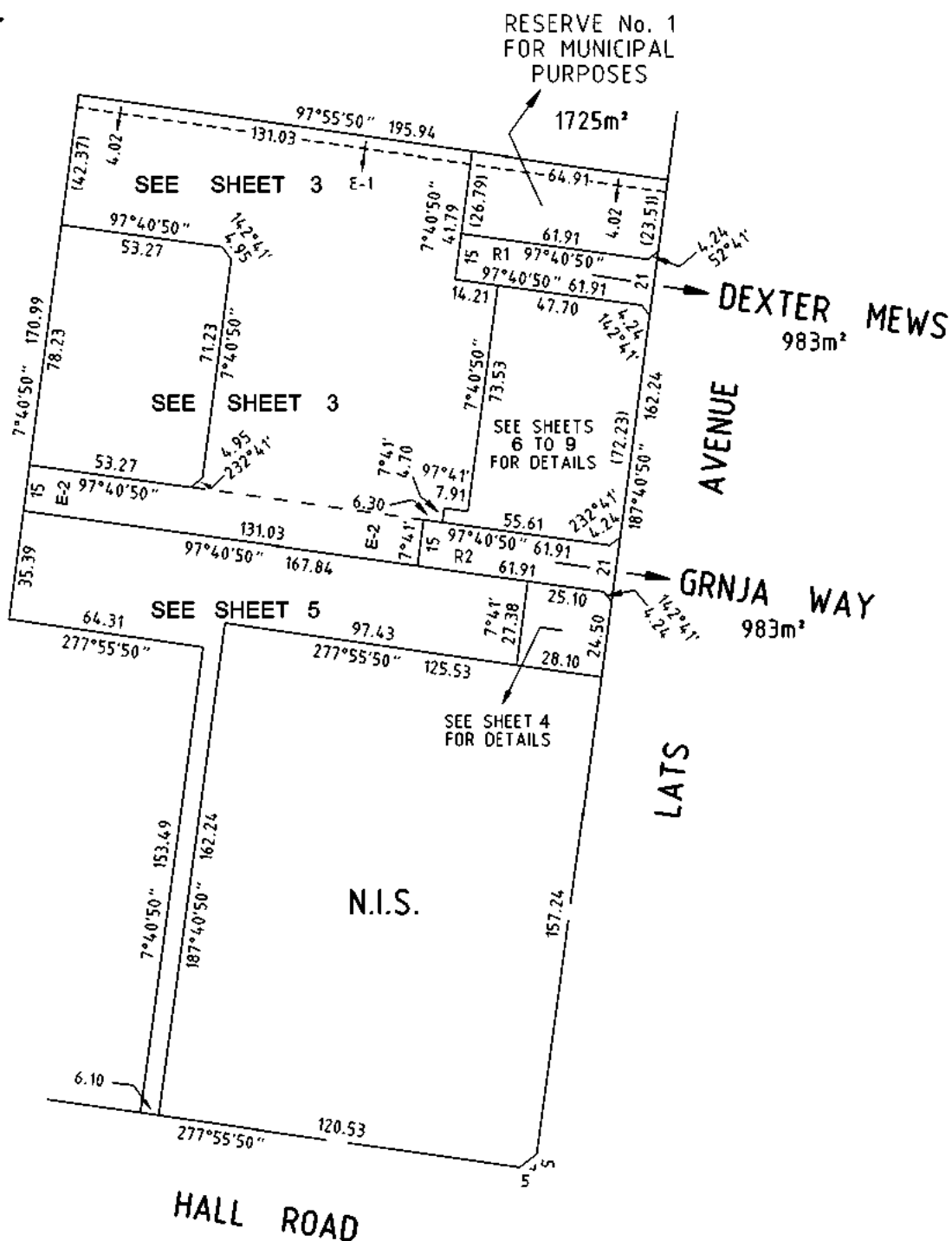
STAGE No.

PLAN NUMBER

PS 600249Q

GROUND LEVEL & GROUND STOREY

M.G.A. ZONE 55



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FORMERLY PETER HERBERT & ASSOC. (VIC) P/L

LAND DESIGN & DEVELOPMENT

CONSULTING SURVEYORS & PLANNERS

SUITE 2/86 MOUNT ELIZA WAY, MOUNT ELIZA 3930

PHONE No.: (03) 9787 2980 FAX No.: (03) 9787 4763 ACH 067 077 614

SCALE

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LENGTHS ARE IN METRES

ORIGINAL

SCALE

1:1500

SHEET

A3

LICENSED SURVEYOR (PRINT)

ALAN L. RUNITING

SIGNATURE

DATE 17/12/08

REF: 5246/PS-1

VERSION 10

SHEET 2

DATE 09/01/2009

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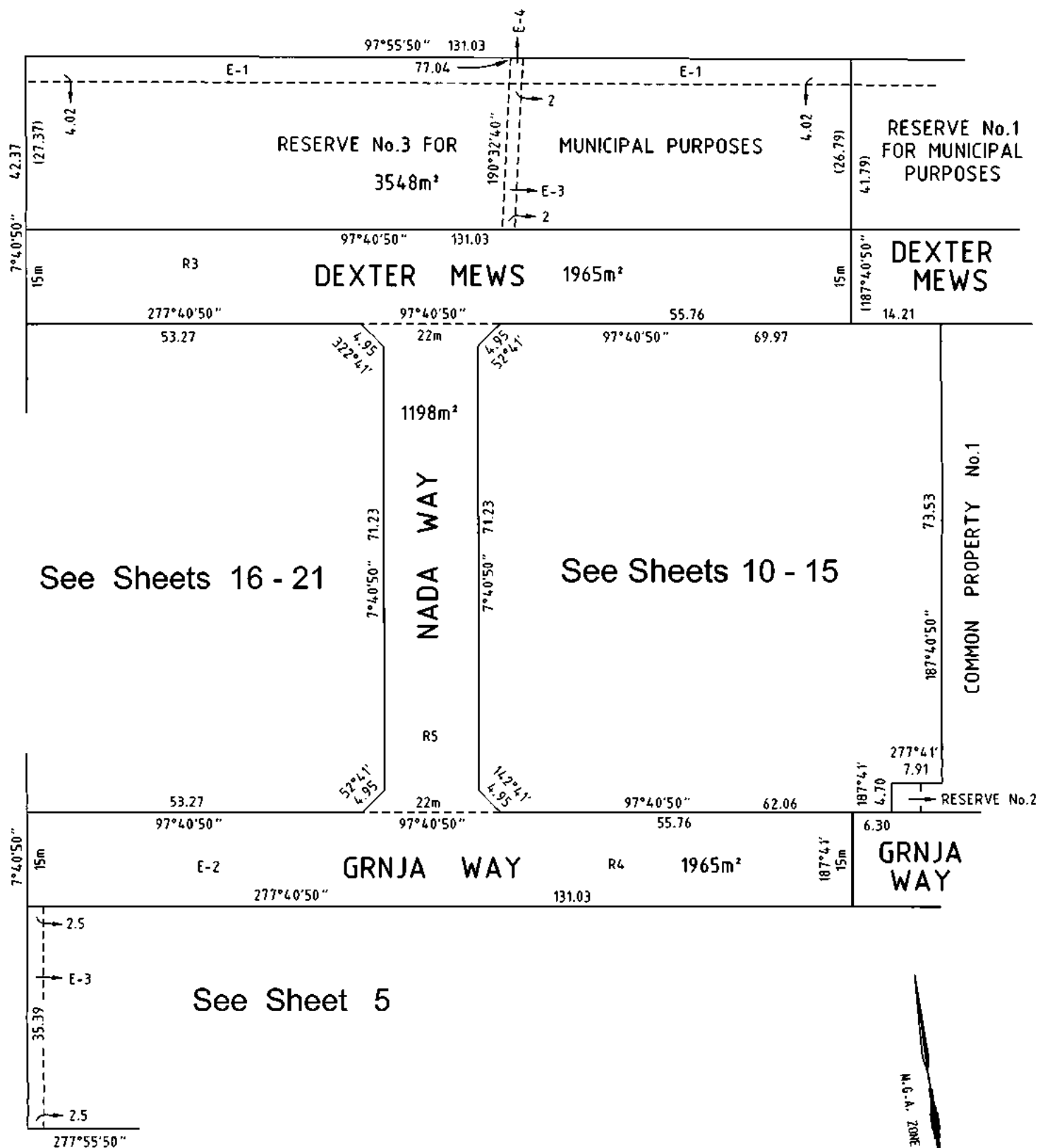
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PLAN OF SUBDIVISION

STAGE No.

PLAN NUMBER

PS 600249Q



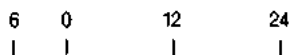
PENINSULA SURVEY GROUP P/L

LAND DESIGN & DEVELOPMENT
CONSULTING SURVEYORS & PLANNERS

LEVEL 1, 3/18 RANELAGH DRIVE, MOUNT ELIZA 3930

PHONE No.: (03) 9787 2980 FAX No.: (03) 9787 4763 ACN 067 077 614

SCALE



LENGTHS ARE IN METRES

ORIGINAL

SCALE

1:600

SHEET
SIZE

A3

LICENCED SURVEYOR (PRINT)

ALAN L. RUNITING

SIGNATURE

DATE 30/4/13

REF: 5246/PS-2

VERSION 9

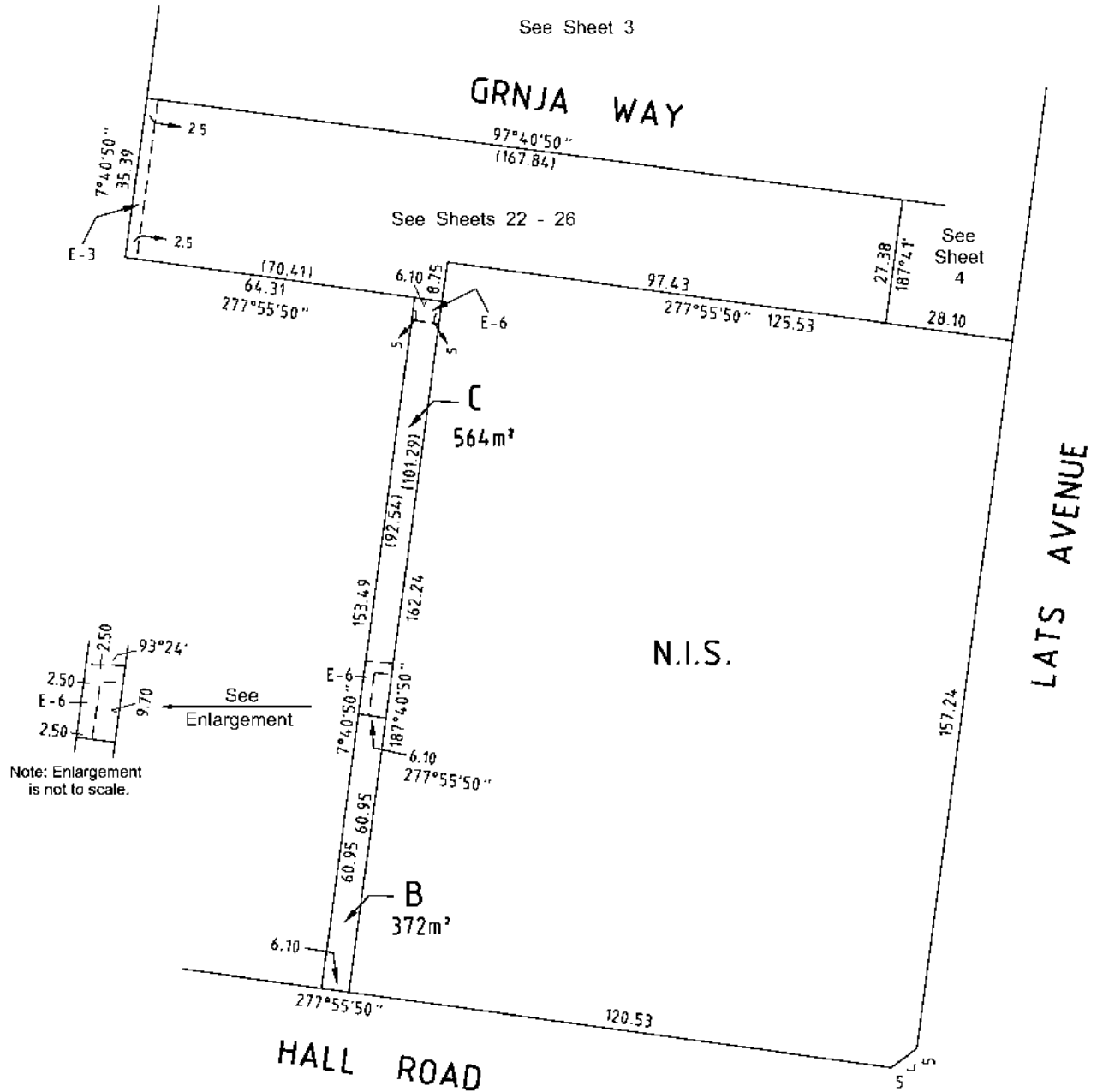
SHEET 3

Johnstone
DATE 6/5/2013
COUNCIL DELEGATE SIGNATURE

PENINSULA SURVEY GROUP P/L FORMERLY PETER HERBERT & ASSOC. (VIC) P/L LAND DESIGN & DEVELOPMENT CONSULTING SURVEYORS & PLANNERS SUITE 2/86 MOUNT ELIZA WAY, MOUNT ELIZA 3930 PHONE NO.: (03) 9787 2960 FAX NO.: (03) 9787 4763 ACN 063 077 614		SCALE 2.5 0 5 10 LENGTHS ARE IN METRES		ORIGINAL SCALE SHEET SIZE A3		LICENSED SURVEYOR (PRINT) SIGNATURE REF : 5246/PS-1		ALABAMA RUNITING DATE 17/12/08 VERSION 10		SHEET 4 DATE 07/01/2009 COUNCIL DELEGATE SIGNATURE		PSH.DEN	
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PS 600249Q

M.G.A. ZONE 55



Peninsula Survey Group PTY LTD
 Consulting Land Surveyors
 24A Progress Street, Mornington, VIC. 3931.
 Phone: 9787 2980 mail@peninsulasurvey.com.au
 ACN 067 077 614

FILE REF: 5246/ PS-5

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 LENGTHS ARE IN METRES

ORIGINAL
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SHEET 5

Digitally signed by: Alan Leslie Runtig, Licensed Surveyor,
 Surveyor's Plan Version (6.3).
 17/04/2018, SPEAR Ref: S118748B

Digitally signed by:
 Frankston City Council,
 29/05/2018,
 SPEAR Ref: S118748B

**GROUND LEVEL &
GROUND STOREY**

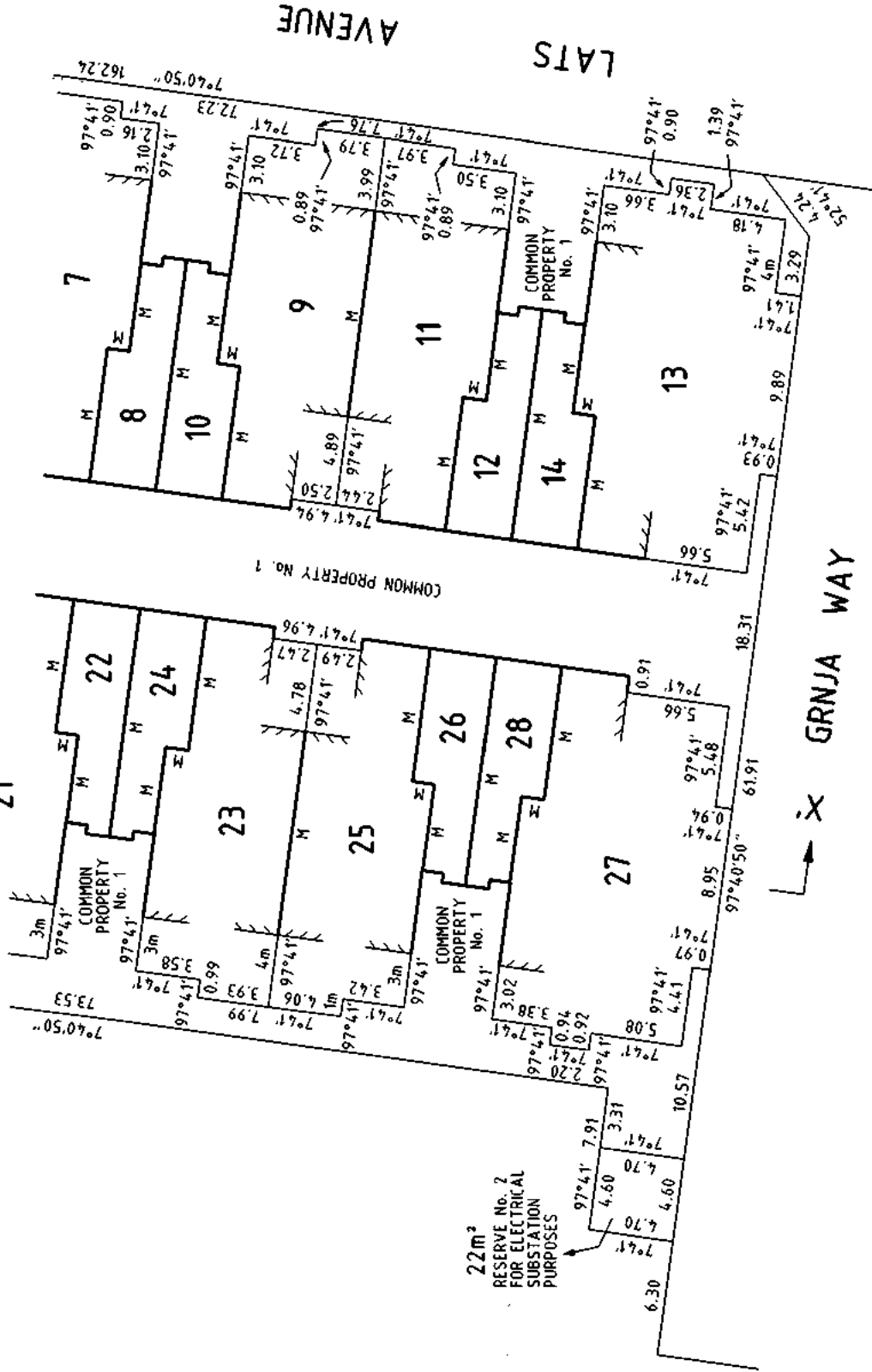
PLAN OF SUBDIVISION

STAGE No.

PLAN NUMBER

PS 600249Q

SEE SHEETS 7 & 9



M.G.A. ZONE 55

PENINSULA SURVEY GROUP P/L

FORMERLY PETER HERBERT & ASSOC. (VIC) P/L
LAND DESIGN & DEVELOPMENT
CONSULTING SURVEYORS & PLANNERS
SUITE 2/86 MOUNT ELIZA WAY, MOUNT ELIZA 3930
PHONE No.: (03) 9787 2986 FAX No.: (03) 9787 4763 ACN 067 071 614

SCALE
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LENGTHS ARE IN METRES

SCALE
2.5 0 5 10
LENGTHS ARE IN METRES

ORIGINAL

SCALE
1:250
SHEET
SIZE
A3

LICENSED SURVEYOR (PRINT) **ALAN L. RUMTING**

SIGNATURE *[Signature]* DATE **17/12/08**
REF: **5246/PS-1** VERSION **10**

SHEET **6**

COUNCIL DELEGATE SIGNATURE *[Signature]*
DATE **17/12/08**

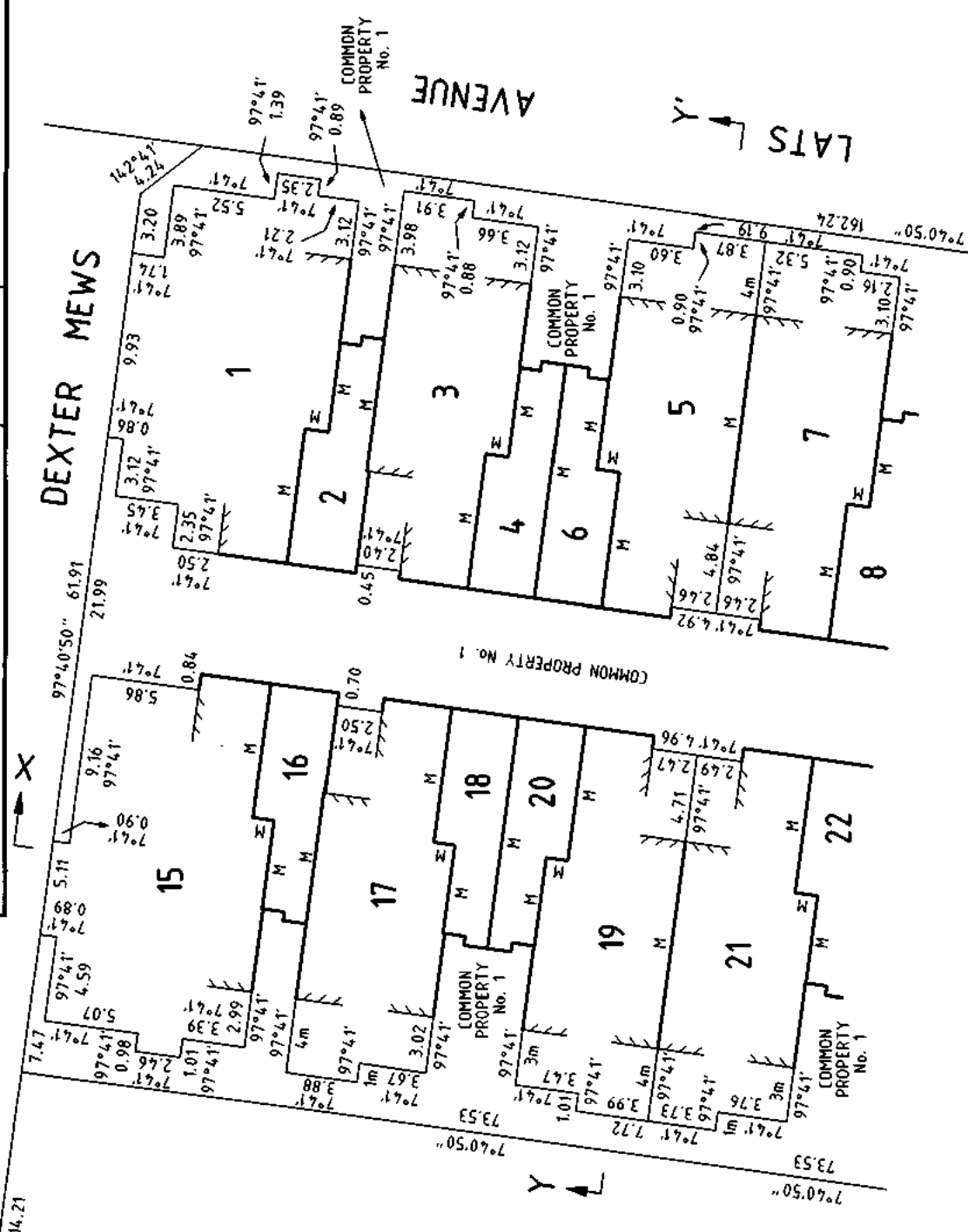
GROUND LEVEL &
GROUND STOREY

PLAN OF SUBDIVISION

STAGE No.

PLAN NUMBER

PS 600249Q



SEE SHEETS 6 & 8

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FORMERLY PETER HERBERT & ASSOC. (VIC) P/L
LAND DESIGN & DEVELOPMENT
CONSULTING SURVEYORS & PLANNERS
SUITE 2/86 MOUNT ELIZA WAY, MOUNT ELIZA 3930
PHONE NO.: (03) 9181 2900 FAX NO.: (03) 9181 4763 ACN 067 077 614

SCALE
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LENGTHS ARE IN METRES

ORIGINAL
SCALE SHEET SIZE
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LICENSED SURVEYOR (PRINT) **BRAN L. RUMTING**
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SHEET 7

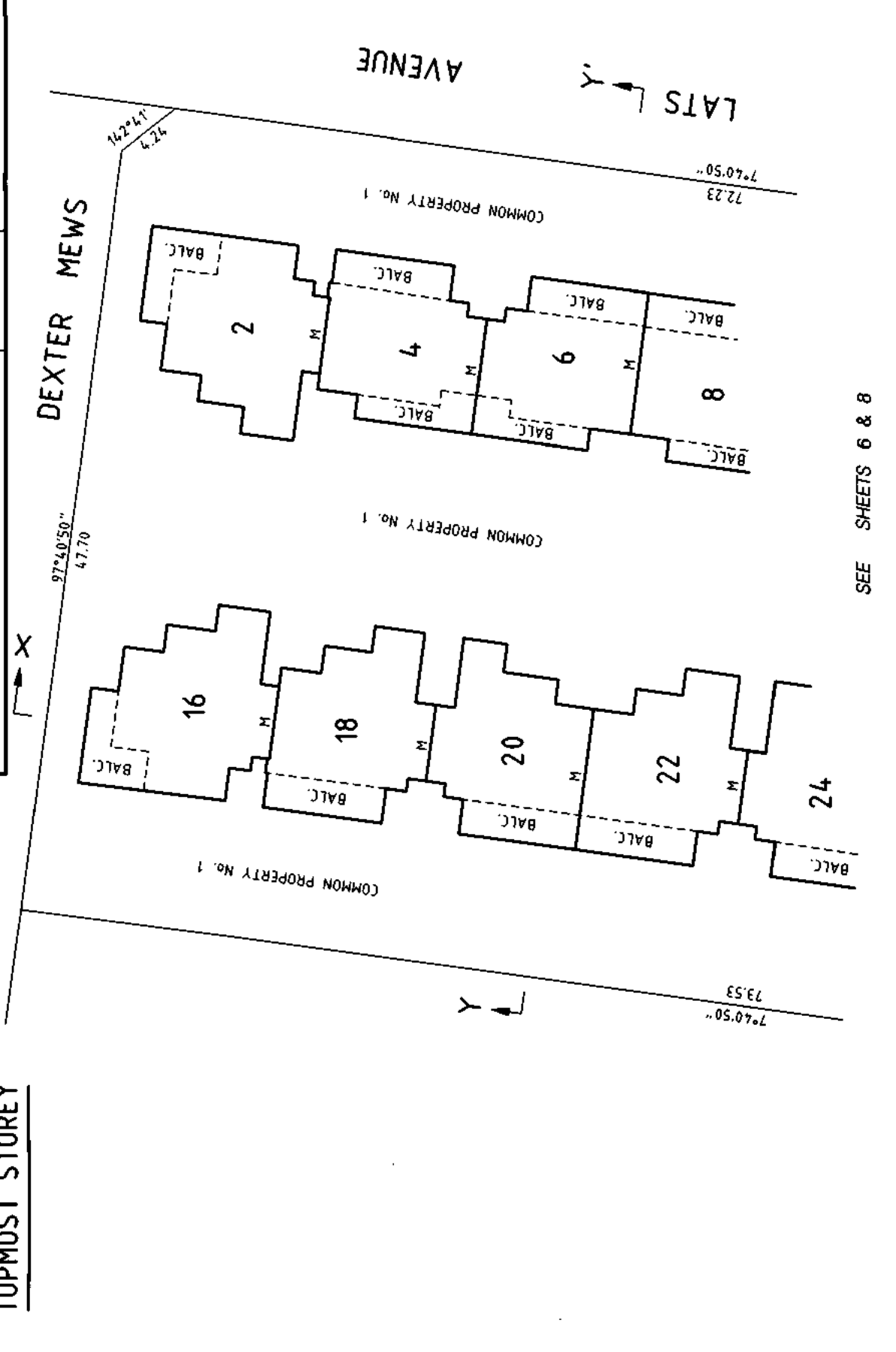
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DATE *[Signature]*
PSH.DGN

PLAN OF SUBDIVISION

STAGE No.

PLAN NUMBER
PS 600249Q

TOPMOST STOREY



SEE SHEETS 6 & 8

DATE 09/01/2009
COUNCIL DELEGATE SIGNATURE

DATE 17/12/08
VERSION 10

LICENSED SURVEYOR (PRINT) ALAN L. RUNITING
SIGNATURE

REF : 5246/PS-1

ORIGINAL

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SHEET SIZE A3

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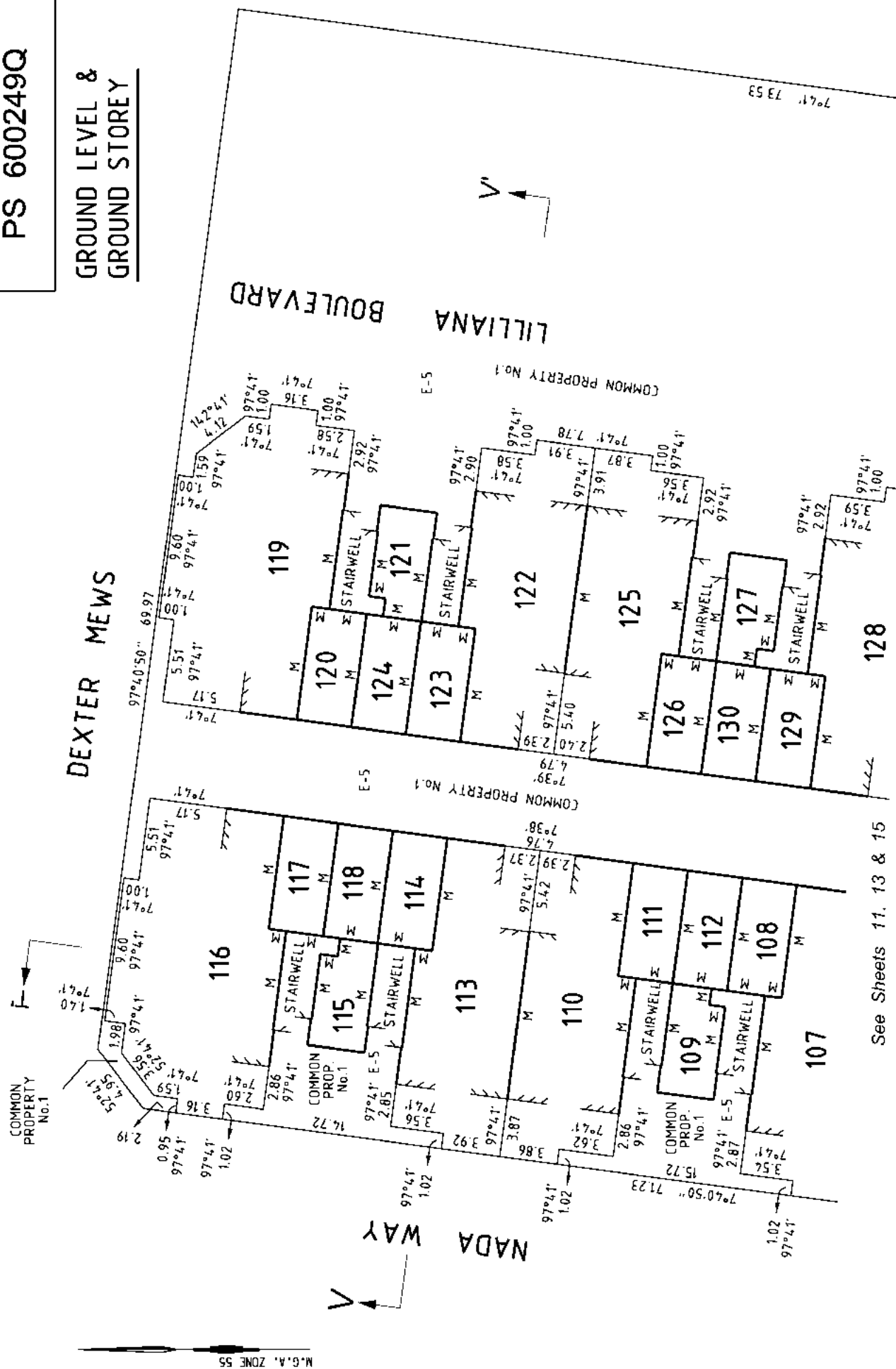
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FORMERLY PETER HERBERT & ASSOC. (VIC) P/L
LAND DESIGN & DEVELOPMENT
CONSULTING SURVEYORS & PLANNERS
SUITE 2/86 MOUNT ELIZA WAY, MOUNT ELIZA 3930
PHONE No.: (03) 9787 2390 FAX No.: (03) 9787 4763 ACH 067 077 614

PS 600249Q

GROUND LEVEL &
GROUND STOREY



See Sheets 11, 13 & 15

FILE REF: 5246/PS-3

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Consulting Land Surveyors
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Phone: 9787 2980 mail@peninsulasurvey.com.au
ACN 067 077 614



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Frankston City Council,
15/02/2017,
SPEAR Ref: S076854J

Digitally signed by: Alan Leslie Runtling (Peninsula Survey Group Pty Ltd),
Surveyor's Plan Version (7),
06/02/2017 Amended: 28/04/2017

SHEET 10

ORIGINAL SHEET
SIZE: A3

LENGTHS ARE IN METRES

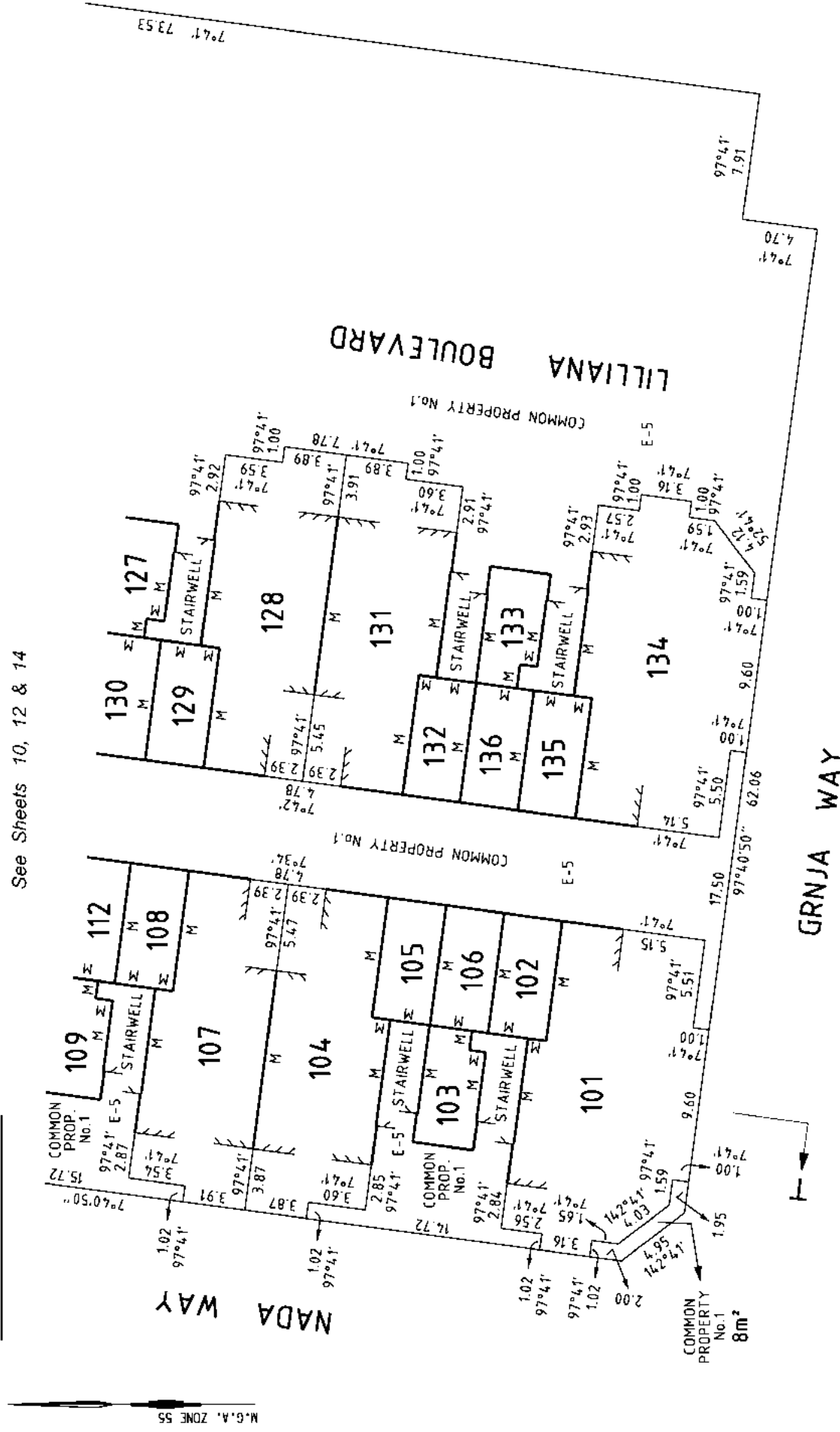
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GROUND LEVEL &
GROUND STOREY

PS 600249Q

See Sheets 10, 12 & 14



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FILE REF: 5246/PS-3

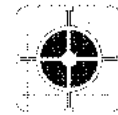
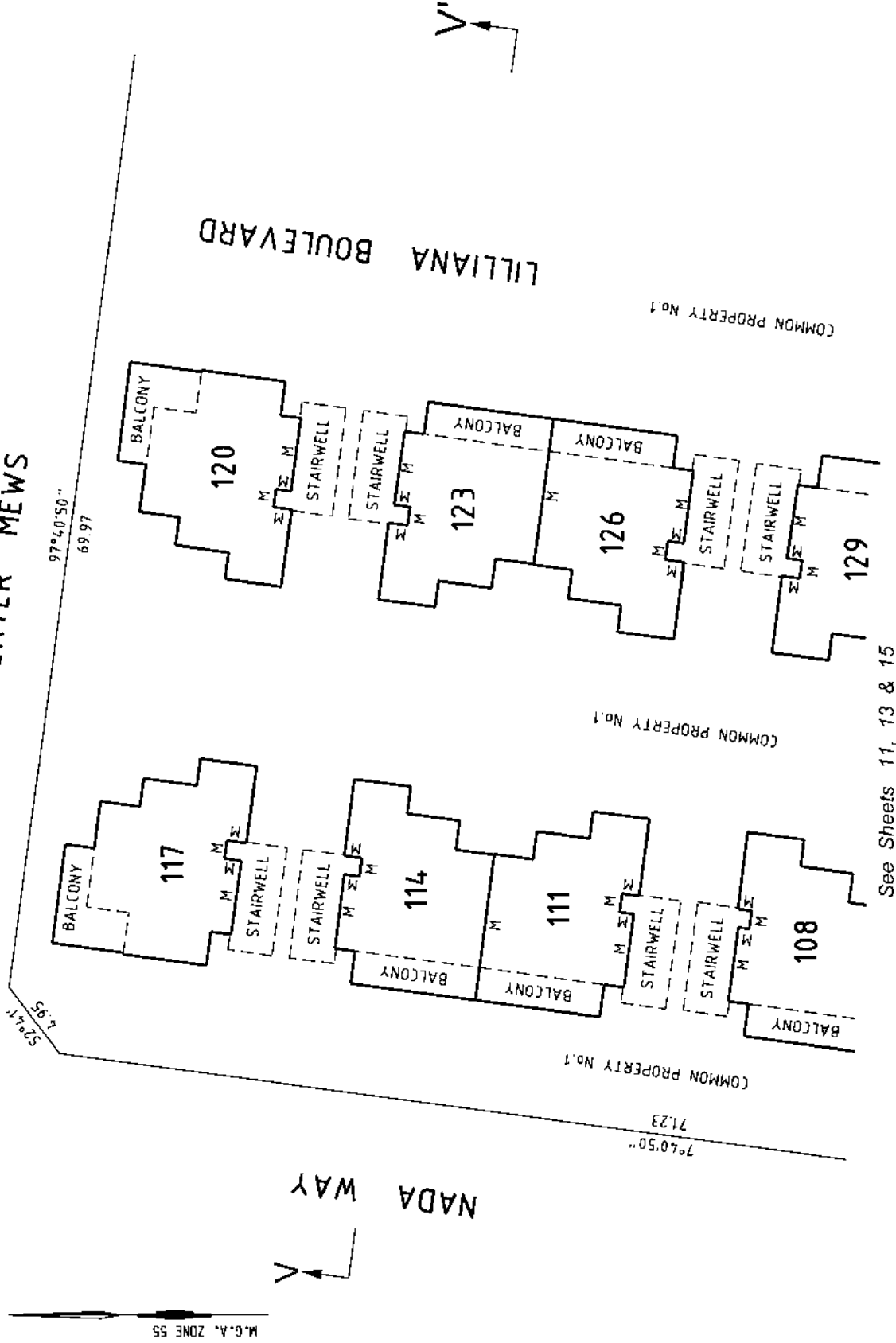
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Frankston City Council,
15/02/2017,
SPEAR Ref: S076854J

FIRST STOREY

PS 600249Q

DEXTER MEWS



Peninsula Survey Group PTY LTD
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Phone: 9787 2980 mail@peninsulasurvey.com.au
ACN 067 077 614

FILE REF: 5246/PS-3

See Sheets 11, 13 & 15

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2.5 0 2.5 5 7.5 10
LENGTHS ARE IN METRES

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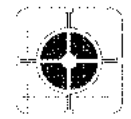
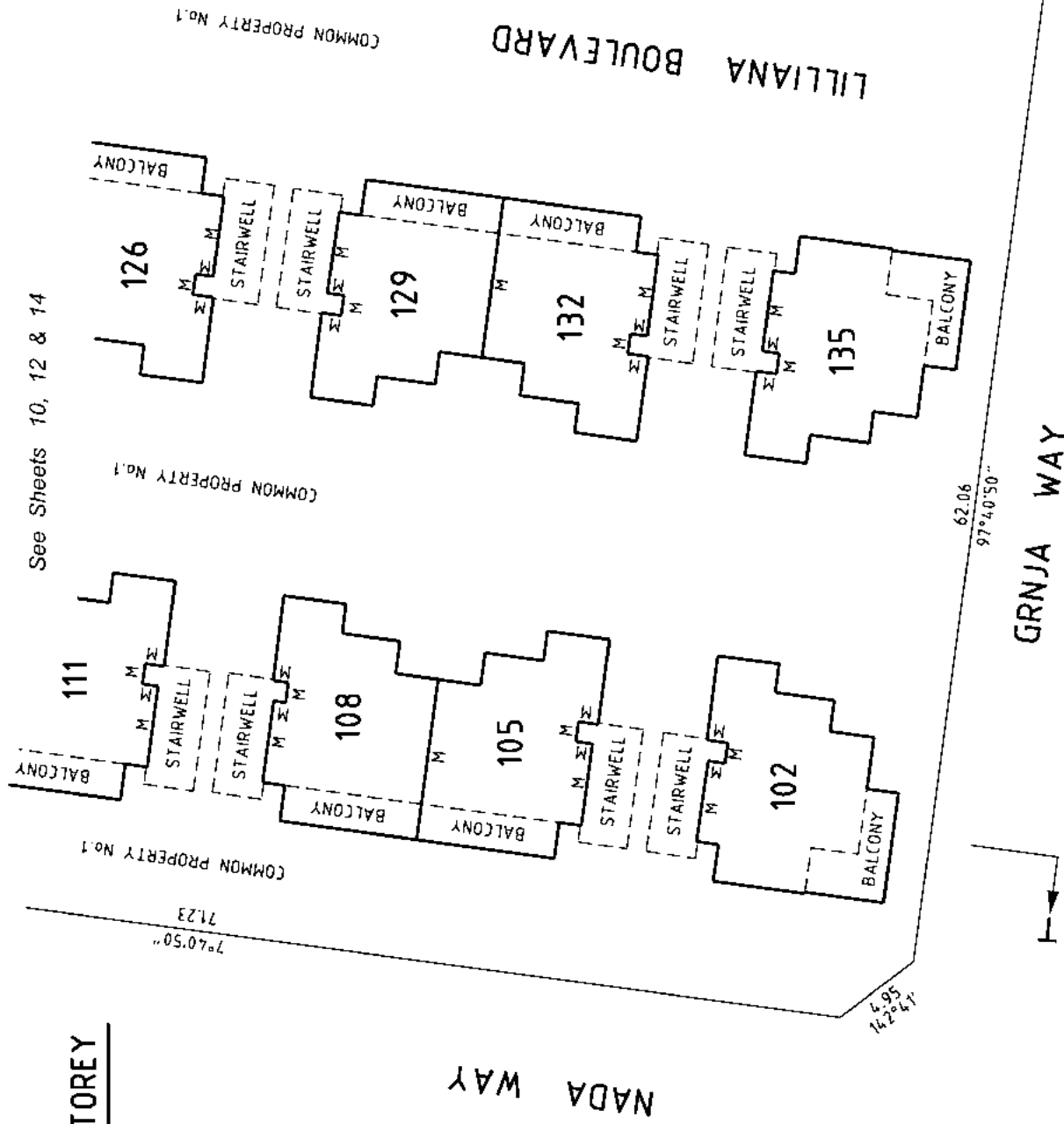
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Group Pty Ltd),
Surveyor's Plan Version (7),
06/02/2017 Amended: 28/04/2017

PS 600249Q

FIRST STOREY

M.G.A. ZONE 55

See Sheets 10, 12 & 14



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ACN 067 077 614

FILE REF: 5246/PS-3

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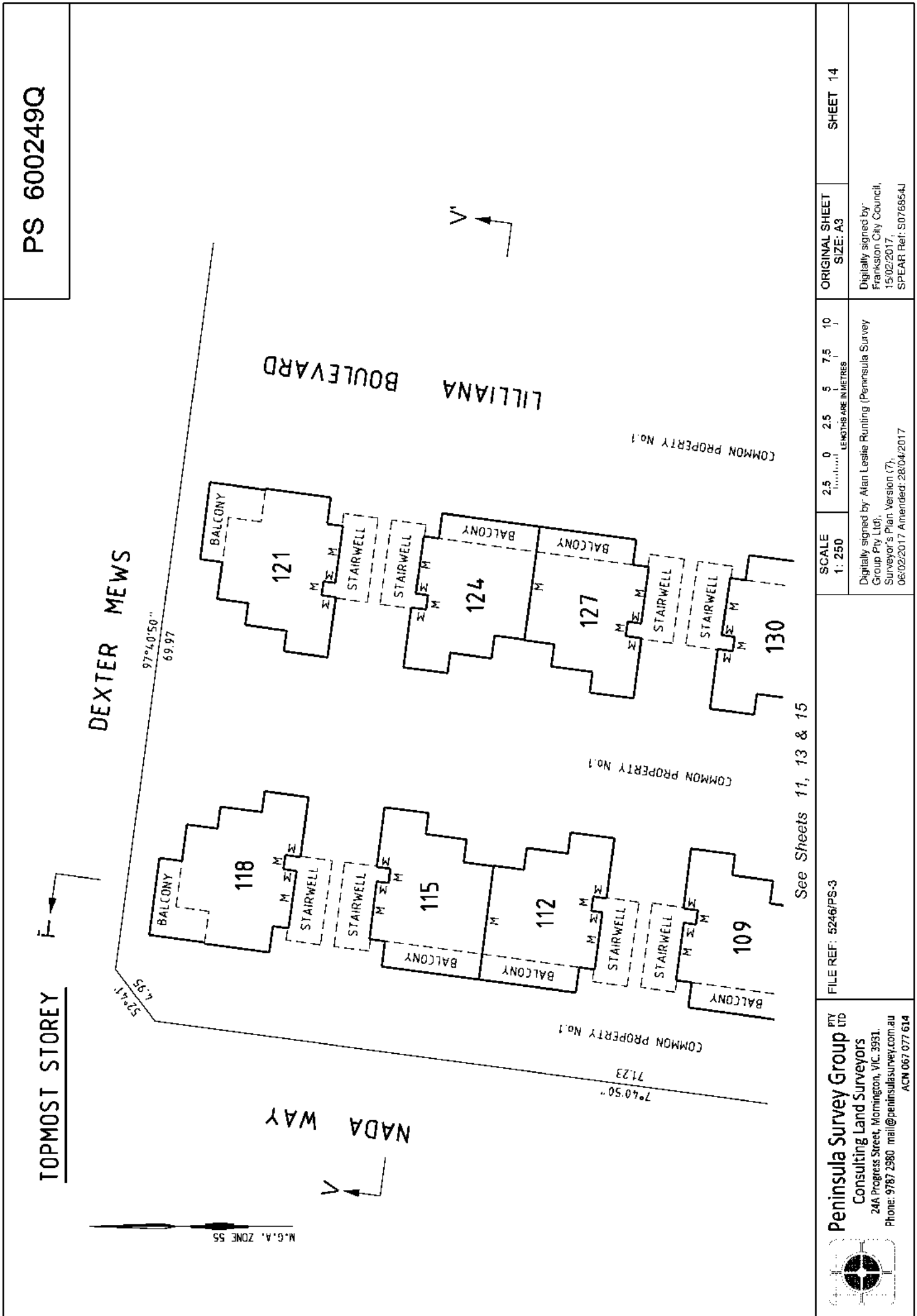
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LENGTHS ARE IN METRES

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Surveyor's Plan Version (7),
06/02/2017 Amended: 28/04/2017

ORIGINAL SHEET
SIZE: A3

SHEET 13

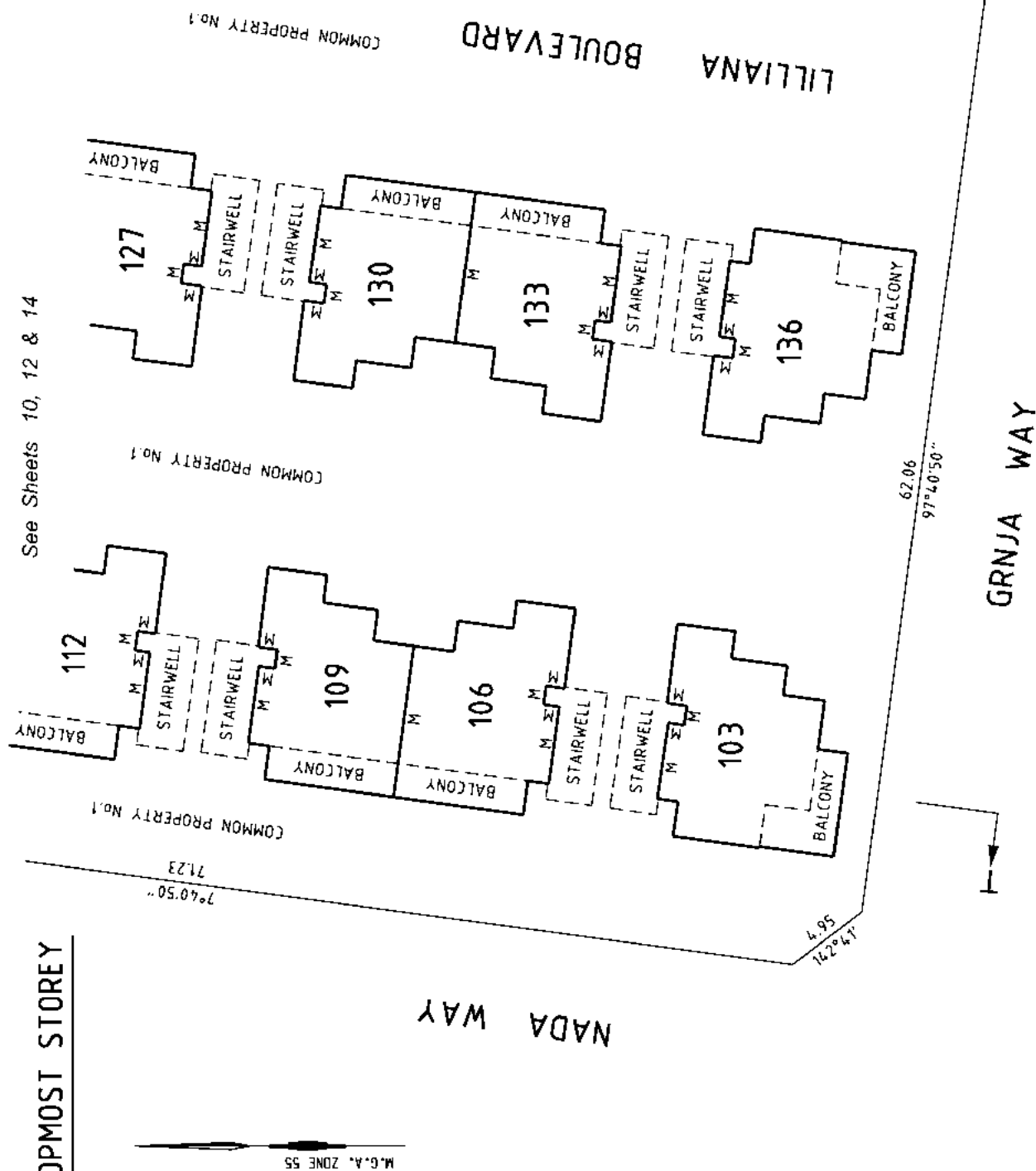
Digitally signed by:
Frankston City Council,
15/02/2017.
SPEAR Ref: S076954J



PS 600249Q

TOPMOST STOREY

See Sheets 10, 12 & 14



Peninsula Survey Group
Consulting Land Surveyors
24A Progress Street, Mornington, VIC. 3931.
Phone: 9787 2980 mail@peninsulasurvey.com.au
ACN 067 077 614

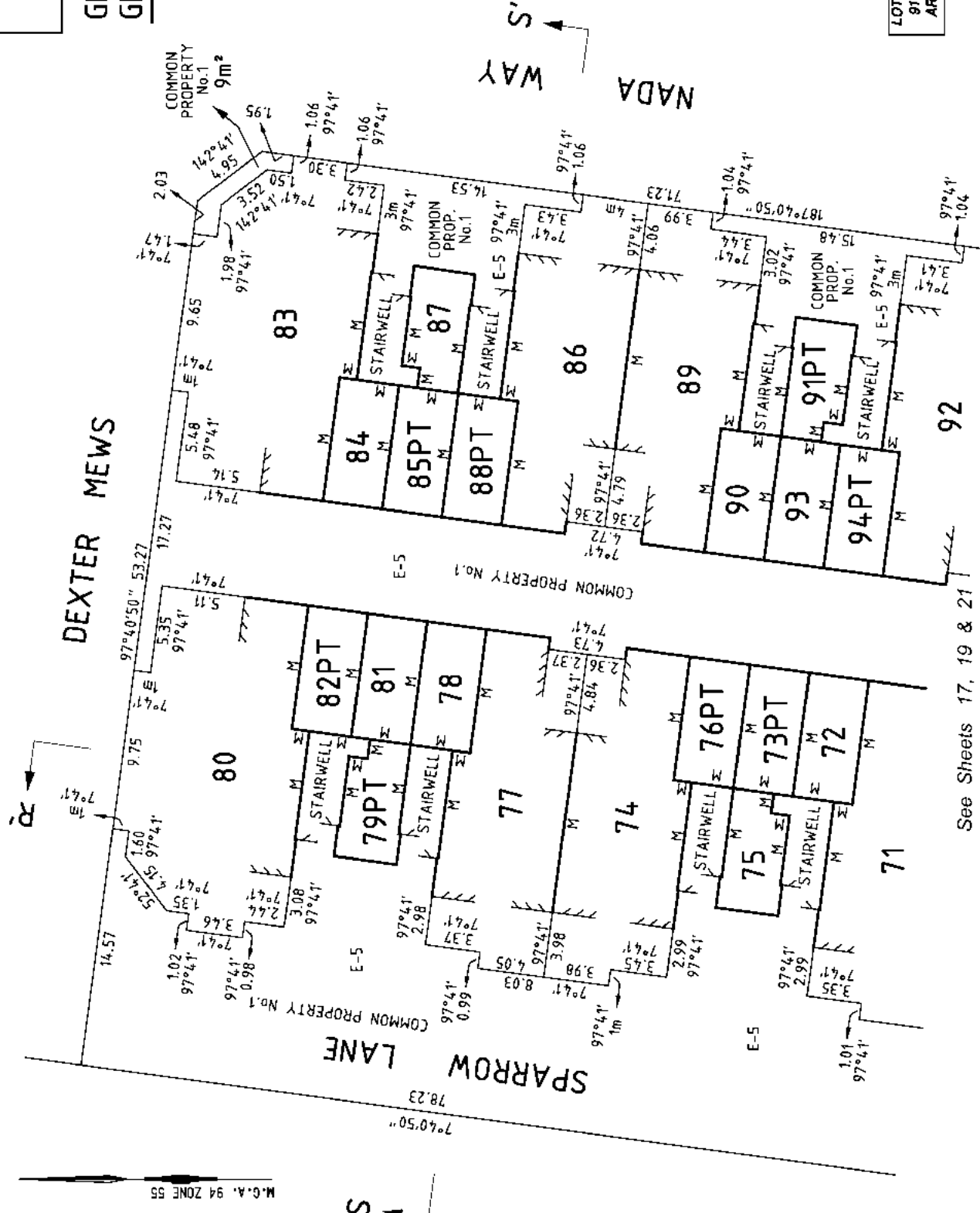
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SCALE 1: 250	2.5 0 2.5 5 7.5 10 LENGTHS ARE IN METRES
-----------------	---

ORIGINAL SHEET
SIZE: A3

SHEET 15

ORIGINAL SHEET
SIZE: A3



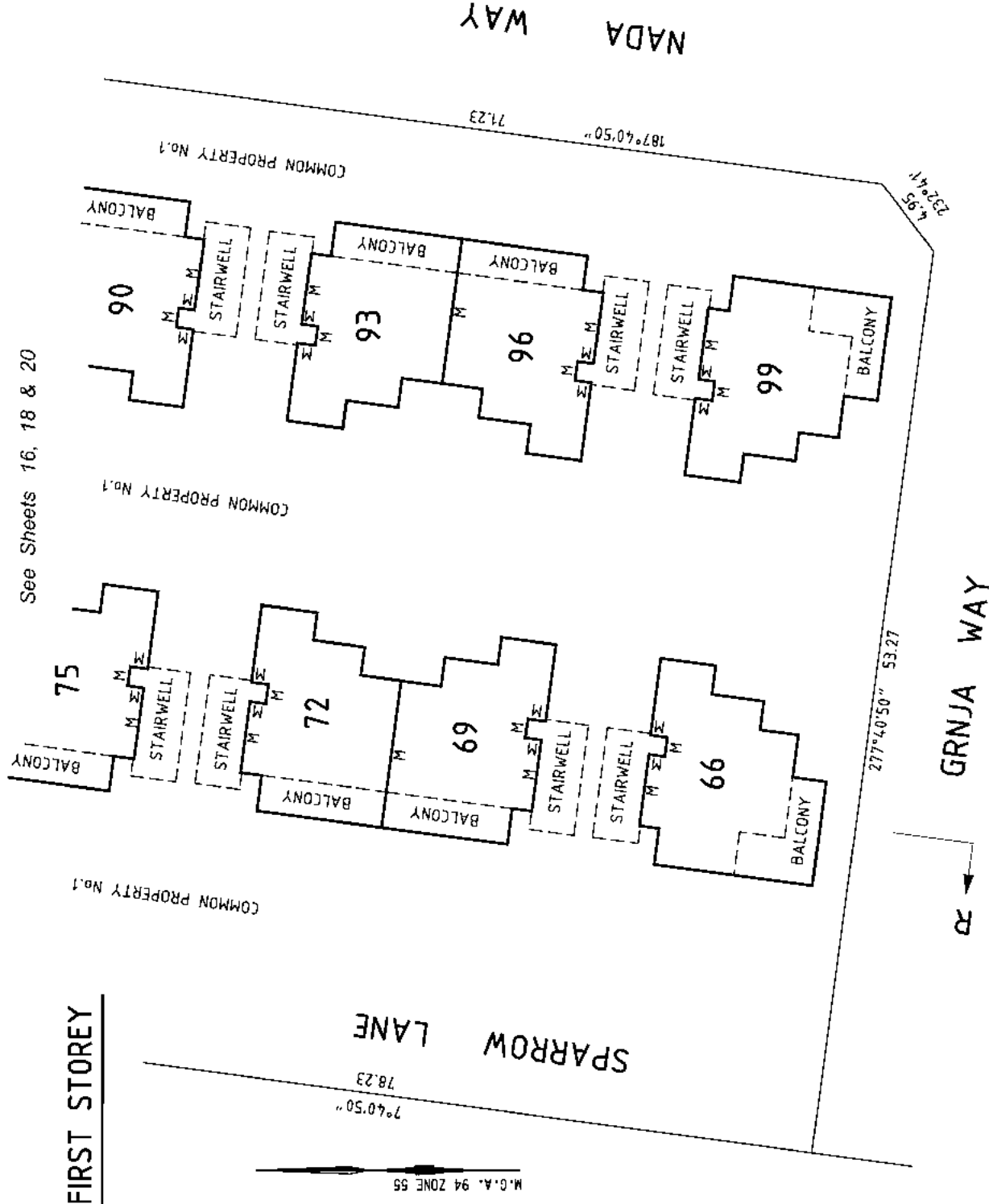
**LOTS 67, 70, 73, 76, 79, 82, 85, 88,
91, 94, 97 & 100 ON THIS PLAN
ARE COMPRISED OF 2 PARTS.**

Peninsula Survey Group PTY LTD Consulting Land Surveyors 24A Progress Street, Mornington, VIC. 3931. Phone: 9787 2980 mail@peninsulasurvey.com.au ACN 067 077 614	FILE REF: 5246/PS-4	SCALE 1: 250	2.5 0 2.5 5 7.5 10 LENGTHS ARE IN METRES	ORIGINAL SHEET SIZE: A3	SHEET 16
		Digitally signed by Alan Leslie Runtling (Peninsula Survey Group Pty Ltd), Surveyor's Plan Version (4.2). 02/08/2018, SPEAR Ref: S118744T			Digitally signed by Frankston City Council, 14/08/2018, SPEAR Ref: S118744T

PS 600249Q

FIRST STOREY

See Sheets 16, 18 & 20

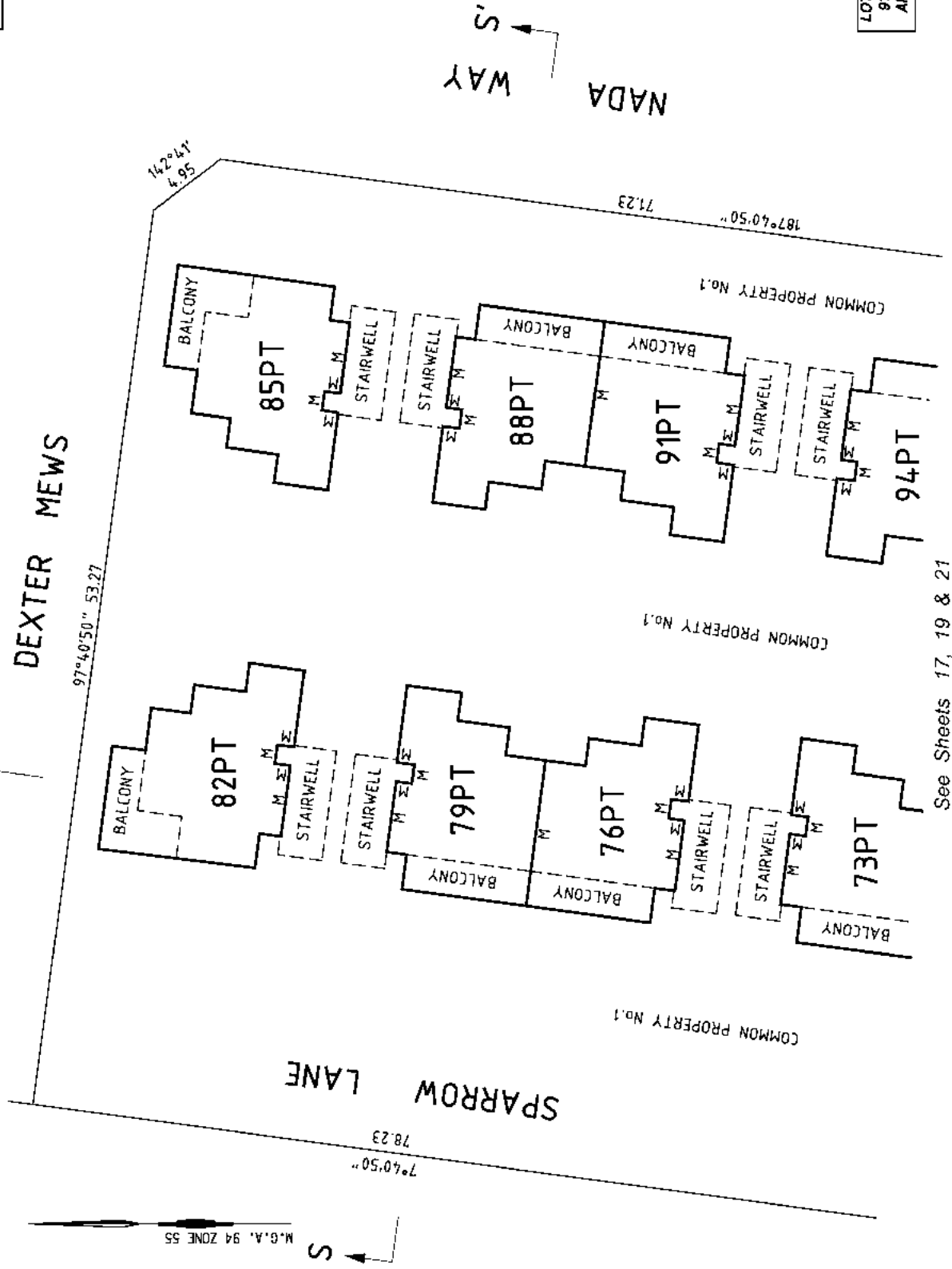


**LOTS 67, 70, 73, 76, 79, 82, 85, 88,
91, 94, 97 & 100 ON THIS PLAN
ARE COMPRISED OF 2 PARTS.**

 Peninsula Survey Group Pty Ltd Consulting Land Surveyors 24A Progress Street, Mornington, VIC. 3931. Phone: 9787 2980 mail@peninsulasurvey.com.au ACN 067 077 614	FILE REF: 5246/PS-4	
	SCALE 1: 250	2.5 0 2.5 5 7.5 10 METRES
Digitally signed by: Alan Leslie Runtling (Peninsula Survey Group Pty Ltd), Surveyor's Plan Version (4.2), 02/08/2018, SPEAR Ref: S118744T		ORIGINAL SHEET SIZE: A3
		SHEET 19

TOPMOST STOREY

PS 600249Q



**LOTS 67, 70, 73, 76, 79, 82, 85, 88,
91, 94, 97 & 100 ON THIS PLAN
ARE COMPRISED OF 2 PARTS.**

See Sheets 17, 19 & 21



Peninsula Survey Group
PTY LTD
Consulting Land Surveyors
24A Progress Street, Mornington, VIC. 3931.
Phone: 9787 2980 mail@peninsulasurveyors.com.au
ACN 067 077 614

FILE REF: 5246/PS-4

Digitally signed by: Alan Leslie Rutling (Peninsula Survey Group Pty Ltd),
Surveyor's Plan Version (4.2),
02/08/2018, SPEAR Ref: S118744T

Digitally signed by
Frankston City Council,
14/08/2013,
SPEAR Ref: S118744T

SHEET 20

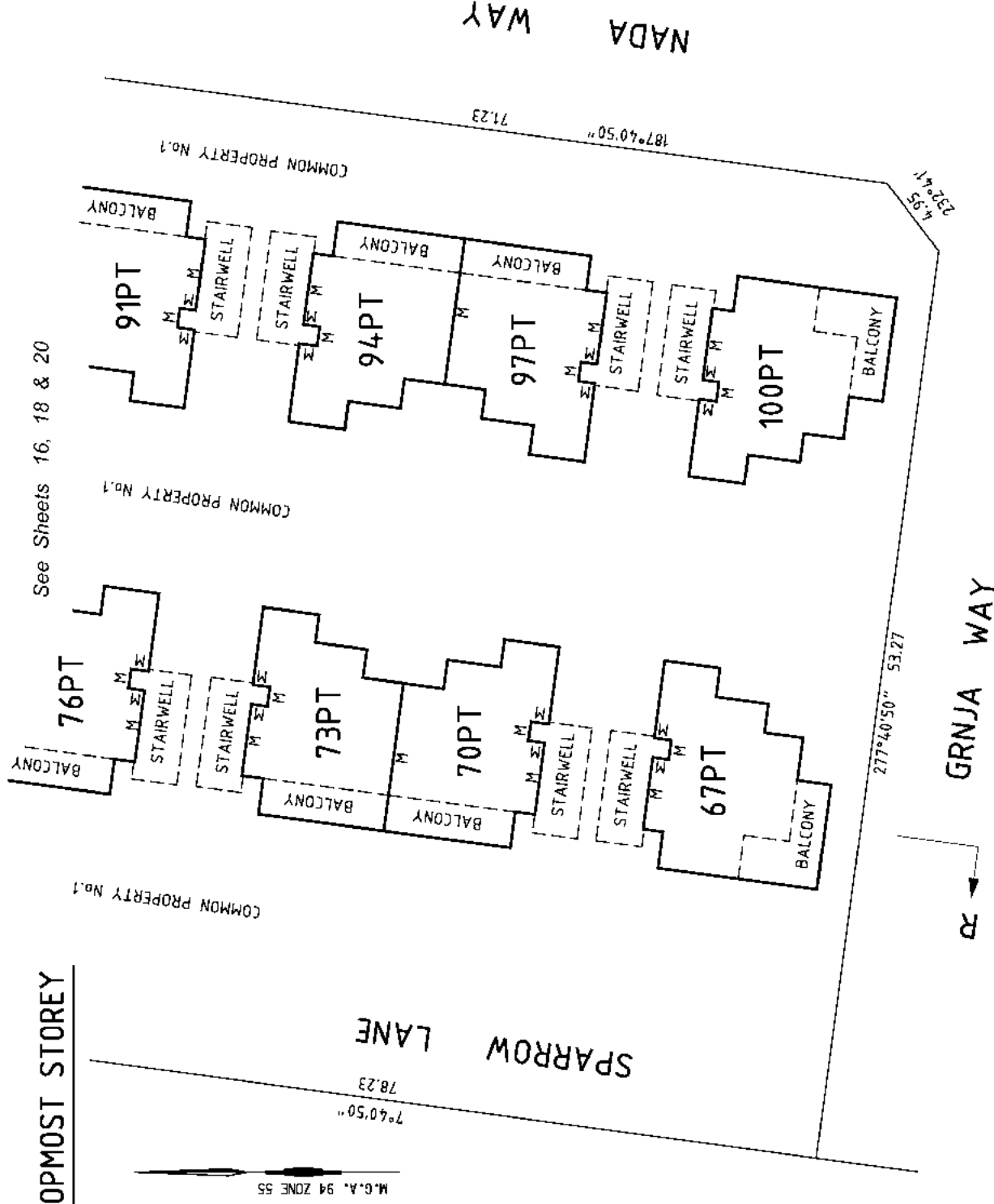
ORIGINAL SHEET
SIZE: A3

Amended by: Alan Leslie Runtig, 29/08/2018.

PS 600249Q

TOPMOST STOREY

See Sheets 16, 18 & 20



**LOTS 67, 70, 73, 76, 79, 82, 85, 88,
91, 94, 97 & 100 ON THIS PLAN
ARE COMPRISED OF 2 PARTS.**

Peninsula Survey Group Pty Ltd
Consulting Land Surveyors
24A Progress Street, Mornington, VIC. 3931.
Phone: 9787 2980 mail@peninsulasurvey.com.au
ACN 067 077 614

FILE REF: 5246/PS-4

SCALE
1: 250

2.5 0 2.5 5 7.5 10
FOOT/FEET METRES

Digitally signed by: Alan Leslie Runtling (Pennsula Survey Group Pty Ltd),
Surveyor's Plan Version 14.2),
02/08/2018, SPEAR Ref: S118744T

ORIGINAL SHEET
SIZE: A3

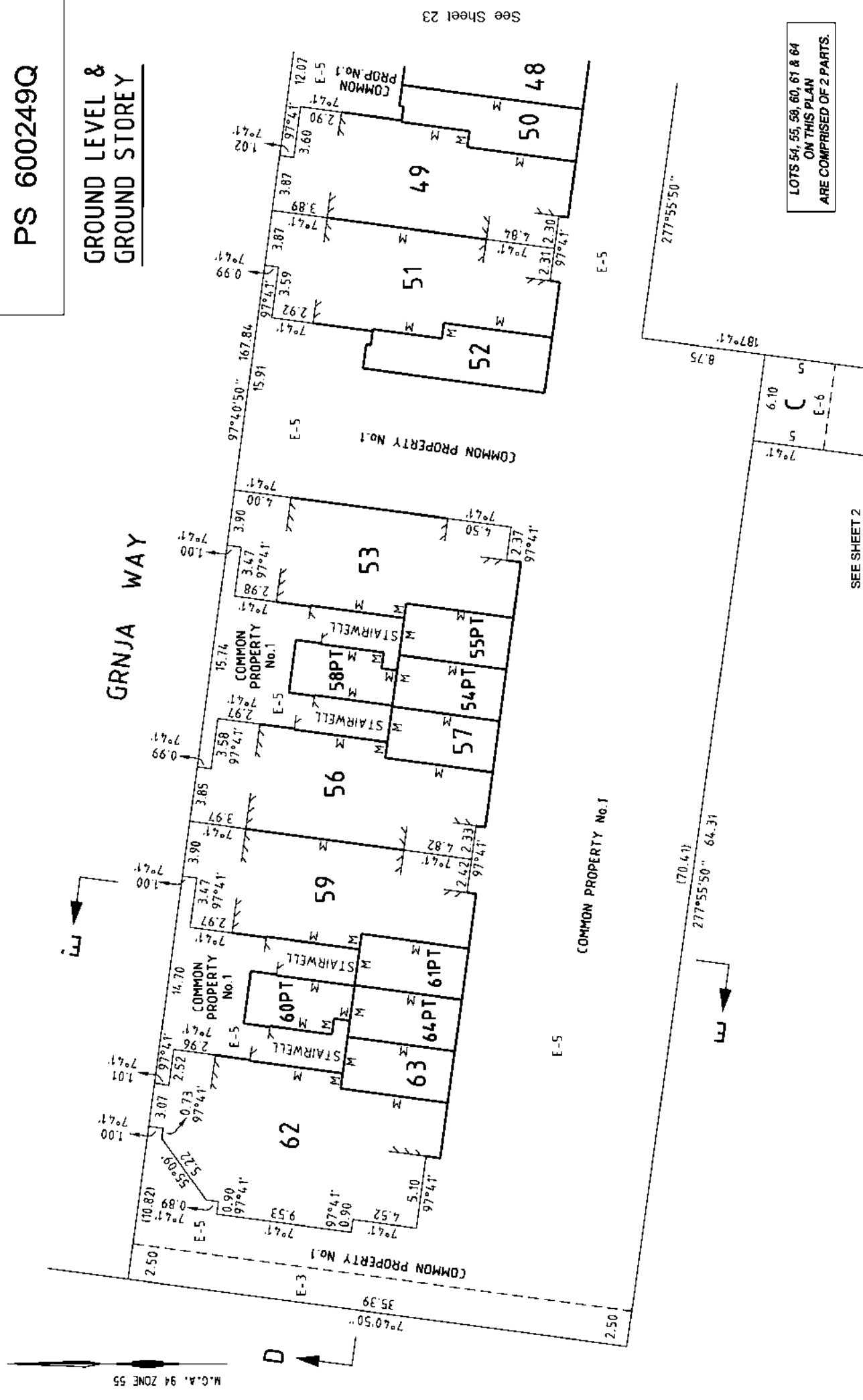
SHEET 21

SHEET 21

Amended by: Alan Leslie Runtig, 29/08/2018.

PS 600249Q

GROUND LEVEL &
GROUND STOREY



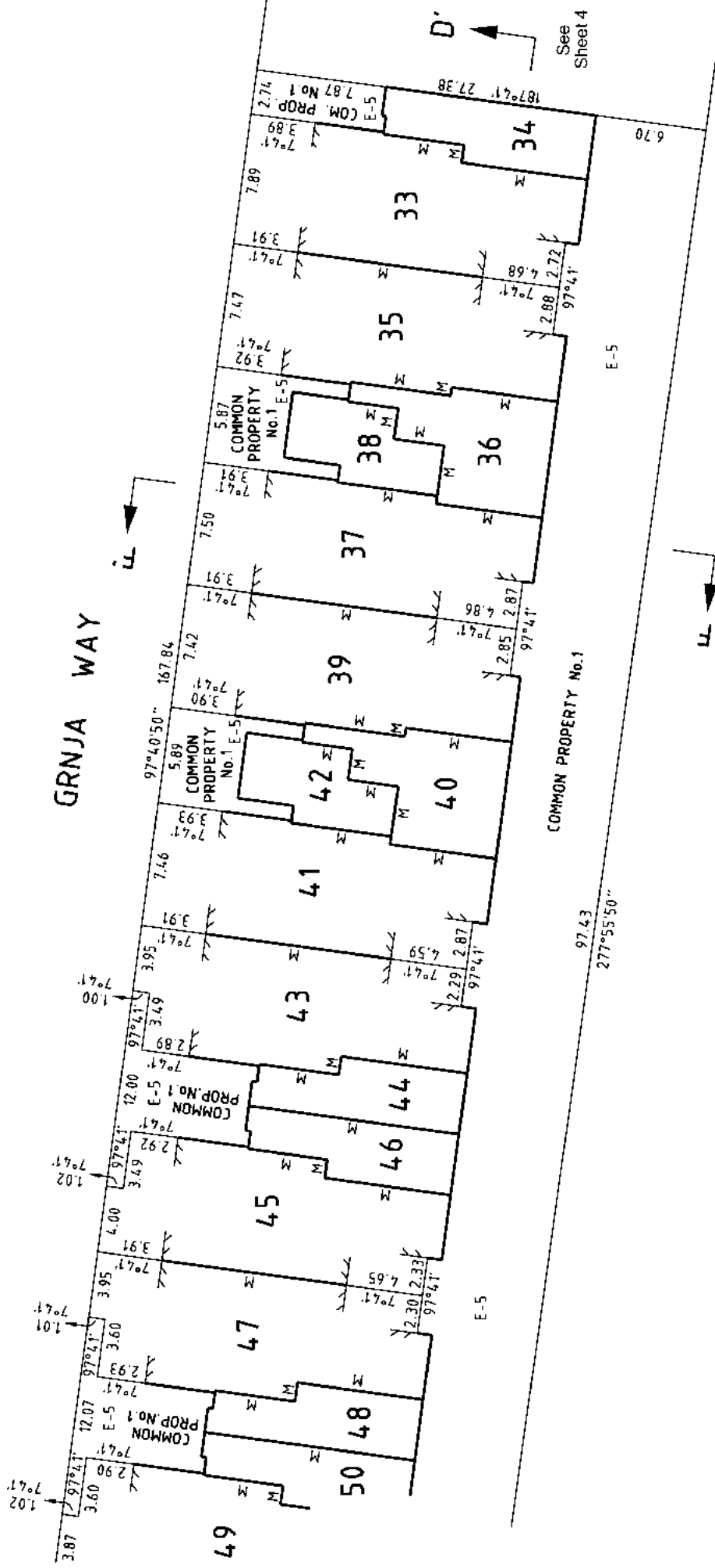
FILE REF: 5246/PS-6		ORIGINAL SHEET SIZE: A3		SHEET 22	
Peninsula Survey Group PTY LTD Consulting Land Surveyors 24A Progress Street, Mornington, VIC. 3931. Phone: 9787 2980 mail@peninsulasurvey.com.au ACN 067 077 614		Digitally signed by: Alan Leslie Runtling, Licensed Surveyor, Frankston City Council, 06/02/2019, SPEAR Ref: S130805V		Digitally signed by: Alan Leslie Runtling, Licensed Surveyor, Frankston City Council, 06/02/2019, SPEAR Ref: S130805V	

GROUND LEVEL & GROUND STOREY

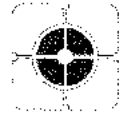
PS 600249Q

M.C.A. 94 ZONE 55

See Sheet 22



LOTS 54, 55, 56, 60, 61 & 64
ON THIS PLAN
ARE COMPRISED OF 2 PARTS.



Peninsula Survey Group PTY LTD
Consulting Land Surveyors
24A Progress Street, Mornington, VIC. 3931.
Phone: 9787 2580 mail@peninsulasurvey.com.au
ACN 067 077 614

Amended by: Alan Leslie Runtling, Licensed Surveyor 27/02/2019.

FILE REF: 5246/PS-6

Digitally signed by: Alan Leslie Runtling, Licensed Surveyor,
Surveyor's Plan Version (2.2).
06/02/2019, SPEAR Ref: S130805V
ACN 067 077 614

Digitally signed by:
Frankston City Council,
06/02/2019,
SPEAR Ref: S130805V

ORIGINAL SHEET
SIZE: A3

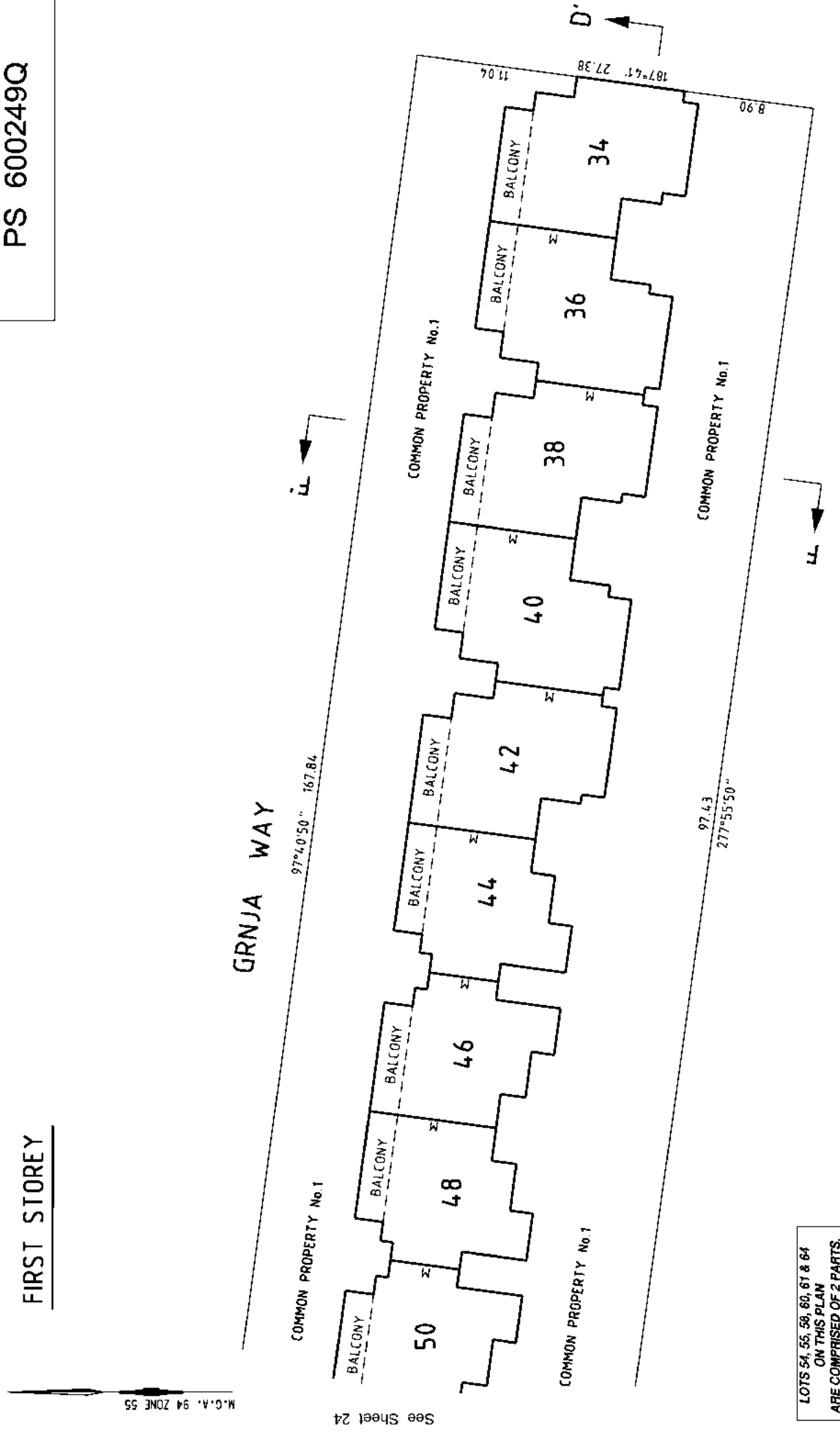
SHEET 23

SCALE
1: 250

2.5 0 2.5 5 7.5 10
LENGTHS ARE IN METRES

FIRST STOREY

PS 600249Q



**LOTS 54, 55, 58, 60, 61 & 64
ON THIS PLAN
ARE COMPRISED OF 2 PARTS**

Peninsula Survey Group
PTY LTD
Consulting Land Surveyors
24A Progress Street, Murrington, VIC. 3931.
Phone: 9787 2980 mail@peninsulasurvey.com.au
ACN 057 077 614

FILE REF: 5246/PS-6

SCALE
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2.5 0 2.5 5 7.5 10

LENGTHS ARE IN METRES

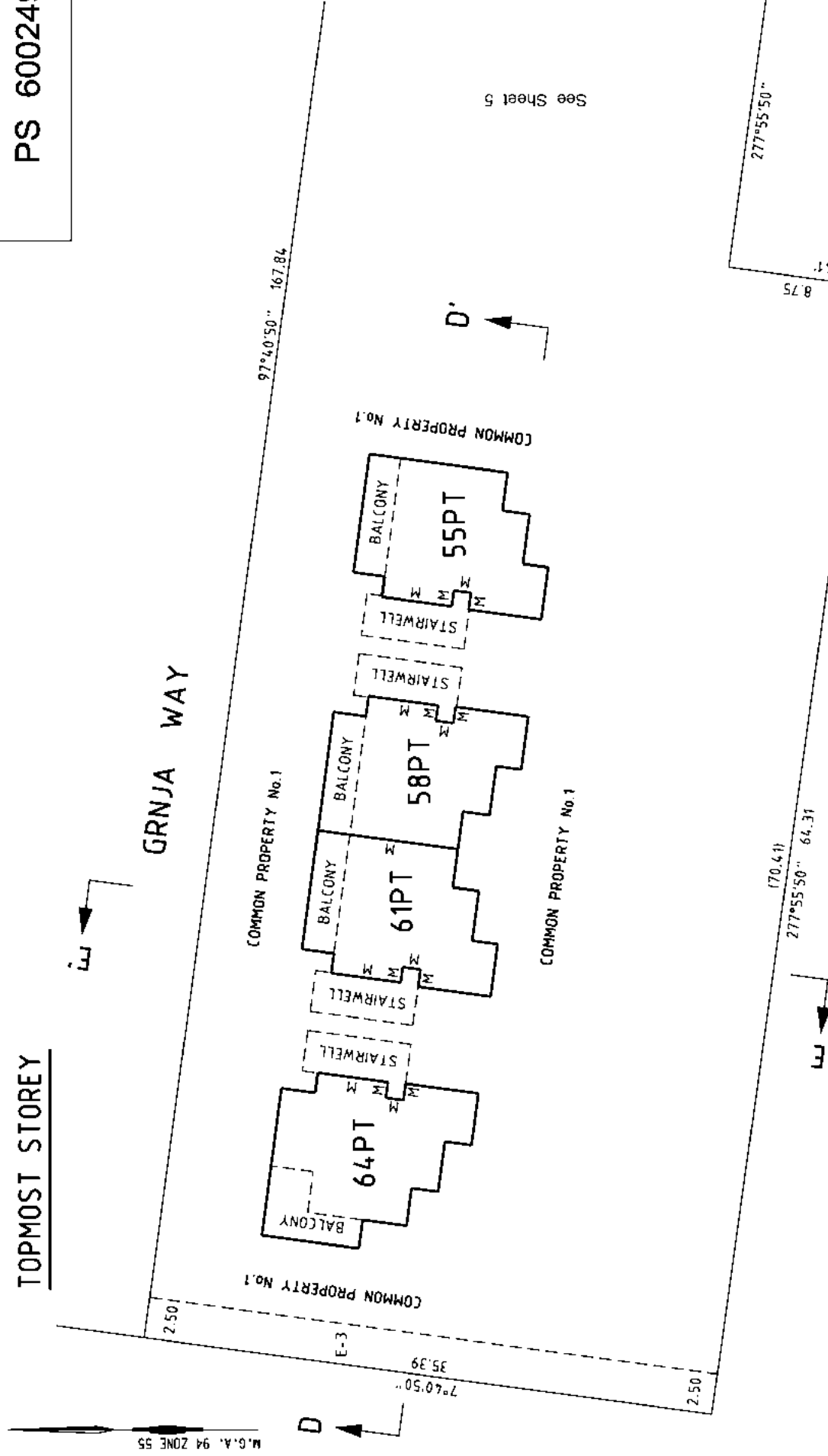
Digitally signed by: Alan Leslie Runtling, Licensed Surveyor,
Surveyor's Plan Version (2.2).
06/02/2019, SPEAR Ref: ST130805V

ORIGINAL SHEET
SIZE: A3

Amended by: Alan Leslie Runtling, Licensed Surveyor 27/02/2019.

TOPMOST STOREY

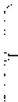
PS 600249Q

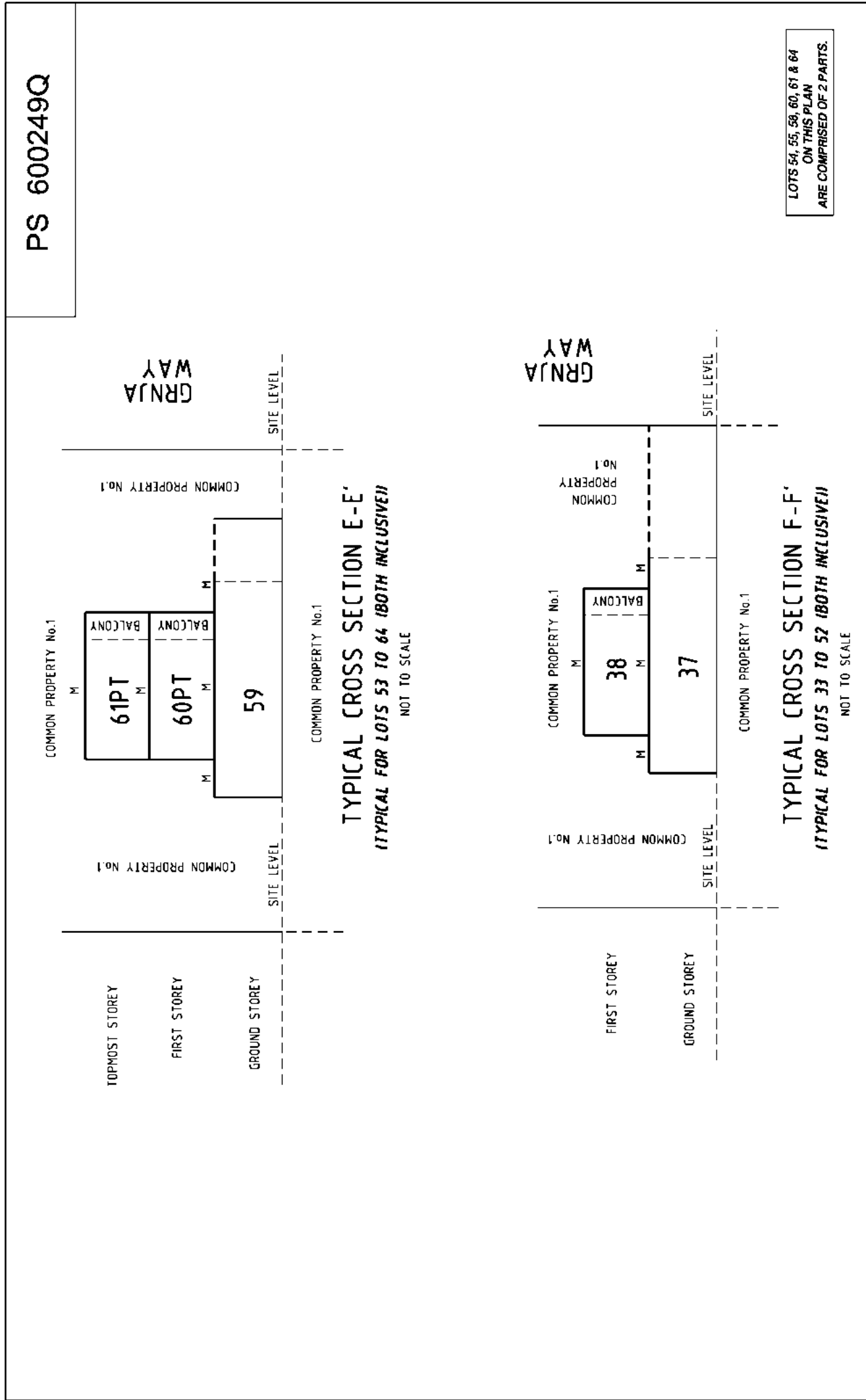


See Sheet 5

LOTS 54, 55, 58, 60, 61 & 64
ON THIS PLAN
ARE COMPRISED OF 2 PARTS.

SEE SHEET 2

 Peninsula Survey Group PTY LTD Consulting Land Surveyors 24A Progress Street, Mornington, VIC. 3931. Phone: 9787 2980 mail@peninsulasurvey.com.au ACN 067 077 614	FILE REF: 5246/PS-6	SCALE 1: 250		 LENGTHS ARE IN METRES					ORIGINAL SHEET SIZE: A3	SHEET 26
		Digitally signed by: Alan Leslie Runtling, Licensed Surveyor, Surveyor's Plan Version (2/2), 06/02/2019, SPEAR Ref: S130805V SPEAR Ref: S130805V								





Peninsula Survey Group

PTY LTD

Consulting Land Surveyors

24A Progress Street, Mornington, VIC. 3931.

Phone: 9787 2980 mail@peninsulasurvey.com.au

FILE REF: 5246/PS-6

Amended by: Alan Leslie Runtling. Licensed Surveyor 27/02/2019.

Scale: 1:250

Lengths are in metres

0 2.5 5 7.5 10

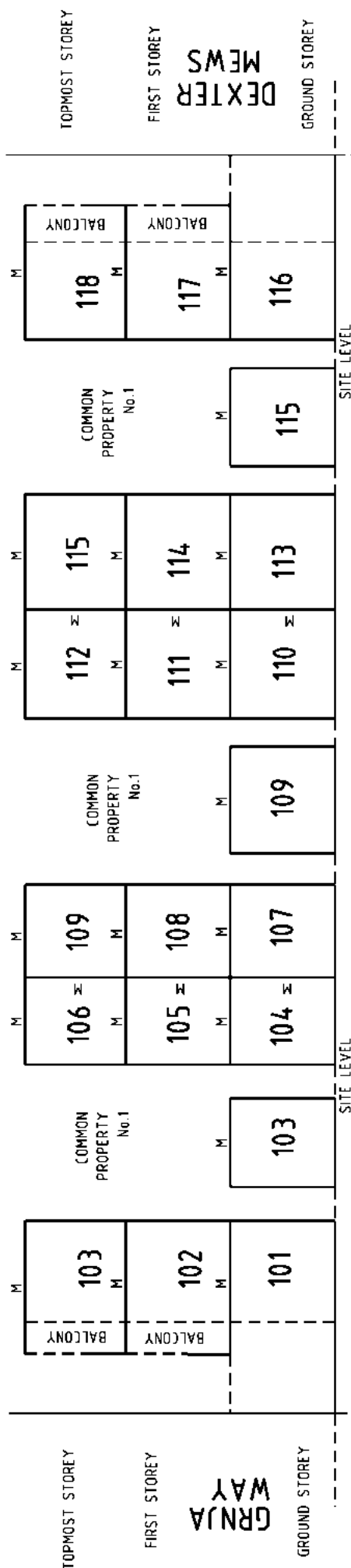
ORIGINAL SHEET SIZE: A3

SHEET 28

Digitally signed by: Alan Leslie Runtling. Licensed Surveyor, Frankston City Council, 06/02/2019, SPEAR Ref: S130805V

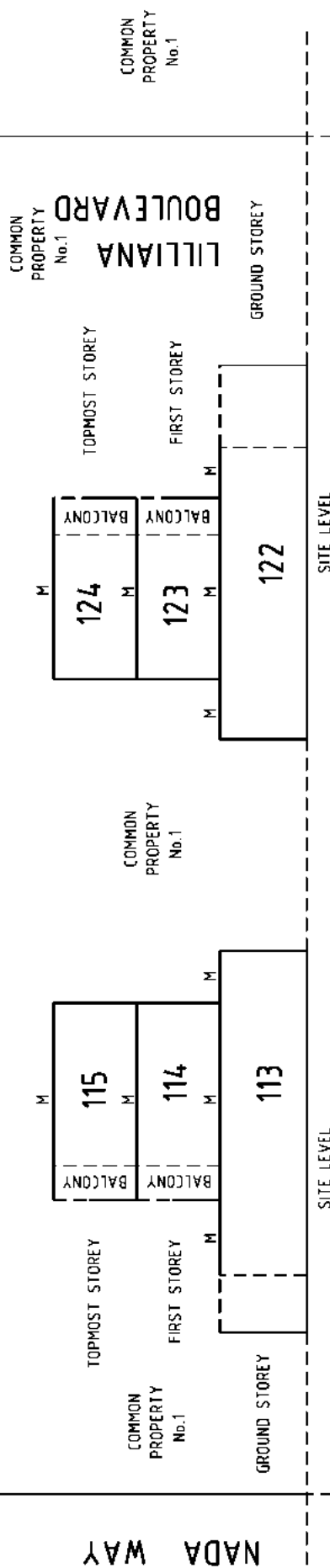
Digitally signed by: Frankston City Council, 06/02/2019, SPEAR Ref: S130805V

PS 600249Q



TYPICAL CROSS SECTION T-T'
UNUSUAL FOR LOTS 101 TO 136 (BOTH INCLUSIVE)

NOT TO SCALE



**TYPICAL CROSS SECTION V - V'
TYPICAL FOR LOTS 101 TO 136 (BOTH INCLUSIVE)**

NOT TO SCALE



Peninsula Survey Group LTD
Consulting Land Surveyors
24A Progress Street, Mornington, VIC. 3931.
Phone: 9787 2980 mail@peninsulasurvey.com.au
ACN 067 077 614

FILE REF: 5246/PS-3

SCALE N.T.S.	0 100000 LENGTHS ARE IN METRES
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Digitally signed by: Alan Leslie Rutling (Peninsula Survey Group Pty Ltd),
06/02/2017 Amended: 28/04/2017
Surveyor's Plan Version (7).

ORIGINAL SHEET
C/ZE: A2

Digitally signed by:
Frankston City Council,
15/02/2017,
SPEAR Ref: S0768541

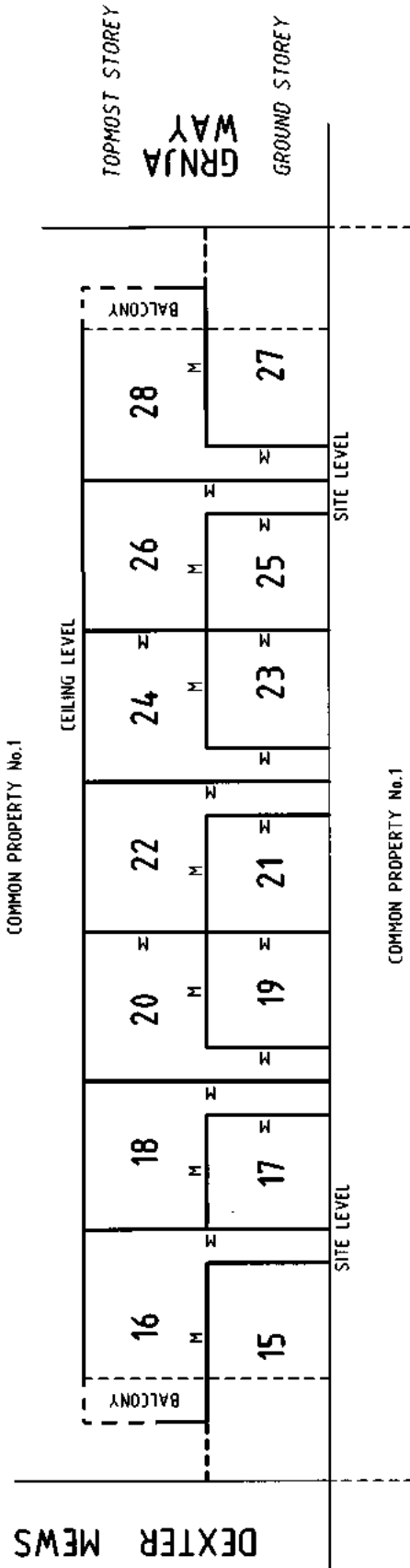
SHEET 30

PLAN OF SUBDIVISION

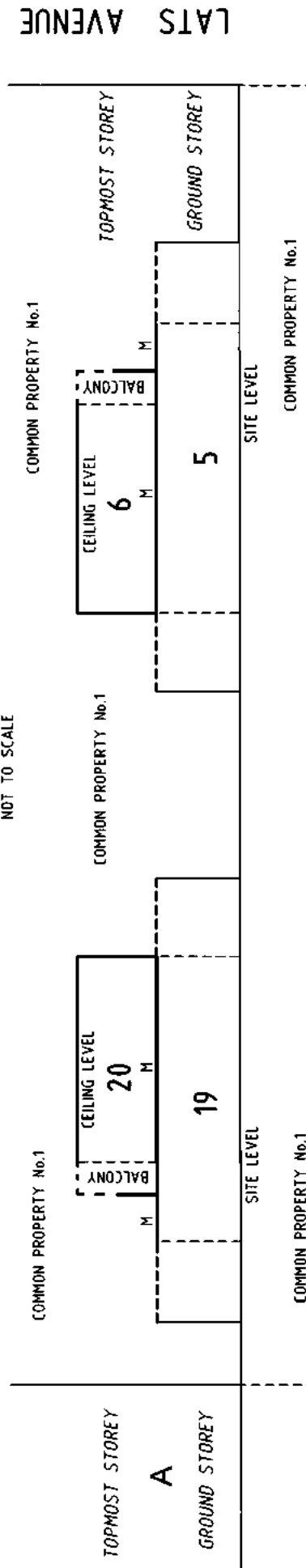
STAGE No.

PLAN NUMBER
PS 600249Q

M.C.A. ZONE 55



TYPICAL CROSS SECTION
X-X'
NOT TO SCALE



TYPICAL CROSS SECTION
Y-Y'
NOT TO SCALE

PENINSULA SURVEY GROUP P/L
FORMERLY PETER HERBERT & ASSOC. (VIC) P/L
LAND DESIGN & DEVELOPMENT
CONSULTING SURVEYORS & PLANNERS
SUITE 2/06 MOUNT ELIZA WAY, MOUNT ELIZA 3930
PHONE No.: (03) 9787 2980 FAX No.: (03) 9787 4763 ACH 067 DT 614

ORIGINAL
SCALE N.T.S.
SHEET SIZE A3

LICENSED SURVEYOR (PRINT)
SIGNATURE
DATE 04/06/2009
VERSION 10
REF: 5246/PS-1
DATE 04/06/2009
COUNCIL DELEGATE SIGNATURE

SHEET 31



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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Produced: 12/04/2021 01:07:14 PM

OWNERS CORPORATION 1
PLAN NO. PS600249Q

The land in PS600249Q is affected by 1 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Property 1, Lots 1 - 136.

Limitations on Owners Corporation:

Unlimited

Postal Address for Services of Notices:

PS600249Q/S4 31/08/2018

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:

NIL

Additional Owners Corporation Information:

NIL

Notations:

THE PURPOSE OF OWNERS CORPORATION NO. 1 IS TO MANAGE & MAINTAIN COMMON PROPERTY No. 1.

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 1	200	200
Lot 2	200	200
Lot 3	200	200
Lot 4	150	150
Lot 5	200	200
Lot 6	150	150



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 12/04/2021 01:07:14 PM

OWNERS CORPORATION 1
PLAN NO. PS600249Q

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Lot 7	200	200
Lot 8	150	150
Lot 9	200	200
Lot 10	150	150
Lot 11	200	200
Lot 12	150	150
Lot 13	200	200
Lot 14	200	200
Lot 15	200	200
Lot 16	200	200
Lot 17	200	200
Lot 18	200	200
Lot 19	200	200
Lot 20	200	200
Lot 21	200	200
Lot 22	200	200
Lot 23	200	200
Lot 24	200	200
Lot 25	200	200
Lot 26	200	200
Lot 27	200	200
Lot 28	200	200
Lot 29	200	200
Lot 30	200	200
Lot 31	200	200
Lot 32	200	200
Lot 33	200	200
Lot 34	200	200
Lot 35	200	200



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 12/04/2021 01:07:14 PM

OWNERS CORPORATION 1
PLAN NO. PS600249Q

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Lot 36	250	250
Lot 37	200	200
Lot 38	200	200
Lot 39	200	200
Lot 40	250	250
Lot 41	200	200
Lot 42	200	200
Lot 43	200	200
Lot 44	200	200
Lot 45	200	200
Lot 46	200	200
Lot 47	200	200
Lot 48	200	200
Lot 49	200	200
Lot 50	200	200
Lot 51	200	200
Lot 52	200	200
Lot 53	200	200
Lot 54	200	200
Lot 55	200	200
Lot 56	200	200
Lot 57	200	200
Lot 58	200	200
Lot 59	200	200
Lot 60	200	200
Lot 61	200	200
Lot 62	200	200
Lot 63	200	200
Lot 64	200	200



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 12/04/2021 01:07:14 PM

OWNERS CORPORATION 1
PLAN NO. PS600249Q

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Lot 65	200	200
Lot 66	200	200
Lot 67	200	200
Lot 68	200	200
Lot 69	200	200
Lot 70	200	200
Lot 71	200	200
Lot 72	200	200
Lot 73	200	200
Lot 74	200	200
Lot 75	200	200
Lot 76	200	200
Lot 77	200	200
Lot 78	200	200
Lot 79	200	200
Lot 80	200	200
Lot 81	200	200
Lot 82	200	200
Lot 83	200	200
Lot 84	200	200
Lot 85	200	200
Lot 86	200	200
Lot 87	200	200
Lot 88	200	200
Lot 89	200	200
Lot 90	200	200
Lot 91	200	200
Lot 92	200	200
Lot 93	200	200



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 12/04/2021 01:07:14 PM

OWNERS CORPORATION 1
PLAN NO. PS600249Q

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Lot 94	200	200
Lot 95	200	200
Lot 96	200	200
Lot 97	200	200
Lot 98	200	200
Lot 99	200	200
Lot 100	200	200
Lot 101	200	200
Lot 102	200	200
Lot 103	200	200
Lot 104	200	200
Lot 105	200	200
Lot 106	200	200
Lot 107	200	200
Lot 108	200	200
Lot 109	200	200
Lot 110	200	200
Lot 111	200	200
Lot 112	200	200
Lot 113	200	200
Lot 114	200	200
Lot 115	200	200
Lot 116	200	200
Lot 117	200	200
Lot 118	200	200
Lot 119	200	200
Lot 120	200	200
Lot 121	200	200
Lot 122	200	200



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 12/04/2021 01:07:14 PM

OWNERS CORPORATION 1
PLAN NO. PS600249Q

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Lot 123	200	200
Lot 124	200	200
Lot 125	200	200
Lot 126	200	200
Lot 127	200	200
Lot 128	200	200
Lot 129	200	200
Lot 130	200	200
Lot 131	200	200
Lot 132	200	200
Lot 133	200	200
Lot 134	200	200
Lot 135	200	200
Lot 136	200	200
Total	27050.00	27050.00

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.

Rate and Valuation Notice 2020-2021



Tax Invoice

ABN 49 454 768 065

Rates and charges for the period
1 July 2020 to 30 June 2021



Lee Maze Pettit
PO Box 354
RYE VIC 3941

Lats
3019



032
041 177
R5_5961

Notice date: **14/08/2020**

Frankston City Council
PO Box 490
FRANKSTON VIC 3199
Phone: 1300 322 322
info@frankston.vic.gov.au
frankston.vic.gov.au

Assessment No./Reference No. **0192155 8**

Ward: **North-East**

Property details

3/19 Lats Avenue, Carrum Downs 3201
Lot 30 PS 600249

Australian Valuation Property Classification Code:
120 : Single Strata Unit/Villa Unit/Townhouse

Date of valuation: 1/01/2020

Site Value (SV): \$75,000
*Capital Improved Value (CIV): \$345,000
Net Annual Value (NAV): \$17,250
Valuation Effective Date: 1/07/2020
*Capital improved value includes land and any improvements

Financial details

General Rate
Municipal Charge
Garbage Charge 80L @ \$317.70

0.002326 cents in \$ on \$345,000
\$317.70 x 1

\$802.45
\$166.40
\$317.70

Declared on: 1 June 2020

If you're experiencing payment difficulty, there may be additional ways we can assist. Please visit Council's website for payment options

Victorian Government charges

Fire Services Category - Residential
Garbage Charges include the State Government Imposed Landfill Levy

\$113.00 + (0.000054 X \$345,000)

\$131.65

For email notices:
frankston.enotices.com.au
Reference No: 4B53DC421Z

This notice does not include any adjustments/payments made after 07/08/2020
Interest is charged at 10% per annum on all overdue payments —
Interest rate is set by the Attorney-General of Victoria

ARREARS (if any)	1st INSTALMENT	2nd INSTALMENT	3rd INSTALMENT	4th INSTALMENT	TOTAL DUE
	\$356.20 ✓	\$354.00	\$354.00	\$354.00	\$1,418.20
Due immediately	Due 30/09/2020	Due 30/11/2020	Due 28/02/2021	Due 31/05/2021	
By application only, nine monthly direct debit payments visit: frankston.vic.gov.au	30/09/2020 \$162.20 31/10/2020 \$157.00 30/11/2020 \$157.00	31/12/2020 \$157.00 31/01/2021 \$157.00 28/02/2021 \$157.00	31/03/2021 \$157.00 30/04/2021 \$157.00 31/05/2021 \$157.00		

How to pay



Online

Using a Visa, Mastercard or debit card via Council's website.

Visit: frankston.vic.gov.au



BPAY

Contact your participating financial institution to pay from your cheque, savings or credit card account. Visit: bpay.com.au

Billier Code: 1966
Ref: 01921558



Phone or Post Billpay

Using a Visa, Mastercard or debit card.

Phone: 1300 721 136
Ref: 01921558
or

By Post Billpay: 13 18 18
Billpay Code: 0760
Ref: 01921558



Centrelink

Deducted from your Centrelink payments.

Learn more: centrelink.gov.au

CRN: 555014543H
Ref: 01921558



Direct Debit

By application to Council only, for more information please visit: frankston.vic.gov.au



Mail

Attach cheque or money order to this portion of your notice and post to:

Frankston City Council
PO Box 490
Frankston 3199

Receipts not issued for mail payments



In Person

By cash, cheque, money order, EFTPOS or Credit Card (Visa or Mastercard).

Present this notice with payment at any Council Customer Service Centre.

Find your nearest location: frankston.vic.gov.au

In House Property Conveyancing C/-
InfoTrack
E-mail: certificates@landata.vic.gov.au

Statement for property:
UNIT 3 LOT 30 19 LATS AVENUE
CARRUM DOWNS 3201
30 PS 600249

REFERENCE NO.	YOUR REFERENCE	DATE OF ISSUE	CASE NUMBER
53B//12861/00073	LANDATA CER 47470470-030-4	12 APRIL 2021	38601204

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	01/07/2020 to 30/06/2021	\$79.02
Melbourne Water Corporation Total Service Charges	01/04/2021 to 30/06/2021	\$26.08

(b) By South East Water

Water Service Charge	01/04/2021 to 30/06/2021	\$25.53
Sewerage Service Charge	01/04/2021 to 30/06/2021	\$93.02
Subtotal Service Charges		<u>\$223.65</u>
Arrears		\$65.58
TOTAL UNPAID BALANCE		\$289.23

- The meter at the property was last read on 31/03/2021. Fees accrued since that date may be estimated by reference to the following historical information about the property:
- 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:



MIKALA HEHIR
GENERAL MANAGER
CUSTOMER & COMMUNITY ENGAGEMENT

South East Water
Information Statement Applications
PO Box 2268, Seaford, VIC 3198

- 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 (Disposition of Land) Regulations 2010. 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.

Your property is traversed by or is within the vicinity of a Melbourne Water Asset as shown on the attached plan. Melbourne Water approval is required prior to any development or underground works on this property. For more information please visit www.melbournewater.com.au or contact 131722.

AUTHORISED OFFICER:

A handwritten signature in black ink, appearing to read "Mikala Hehir".

MIKALA HEHIR
GENERAL MANAGER
CUSTOMER & COMMUNITY ENGAGEMENT

South East Water
Information Statement Applications
PO Box 2268, Seaford, VIC 3198

Melbourne Water provides main drainage services to this property, consistent with the standards that applied at the time the Melbourne Water drainage system was constructed. In the event of a storm exceeding the design capacity of the underground / open drain, this property could be affected by overland flows. Please contact Melbourne Water's Waterways and Drainage Group for information available to Melbourne Water on the effect of overland flows on this property. (Telephone 9679-7517)

Melbourne Water provides main drainage services to this property, consistent with the standards that applied at the time Melbourne Water drainage system was constructed. In the event of a storm exceeding the design capacity of the underground drain /open drain, this property will be affected by overland flows. The estimated flood level for this property that has a probability of 1% in any one year is RL 35.8 metres to Australian Height Datum (AHD). A licensed surveyor should be engaged to determine the exact effect of the applicable flood level on the property. For any further information contact Melbourne Water on 9679-7517.

ENCUMBRANCE ENQUIRY EMAIL infostatements@sew.com.au

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.

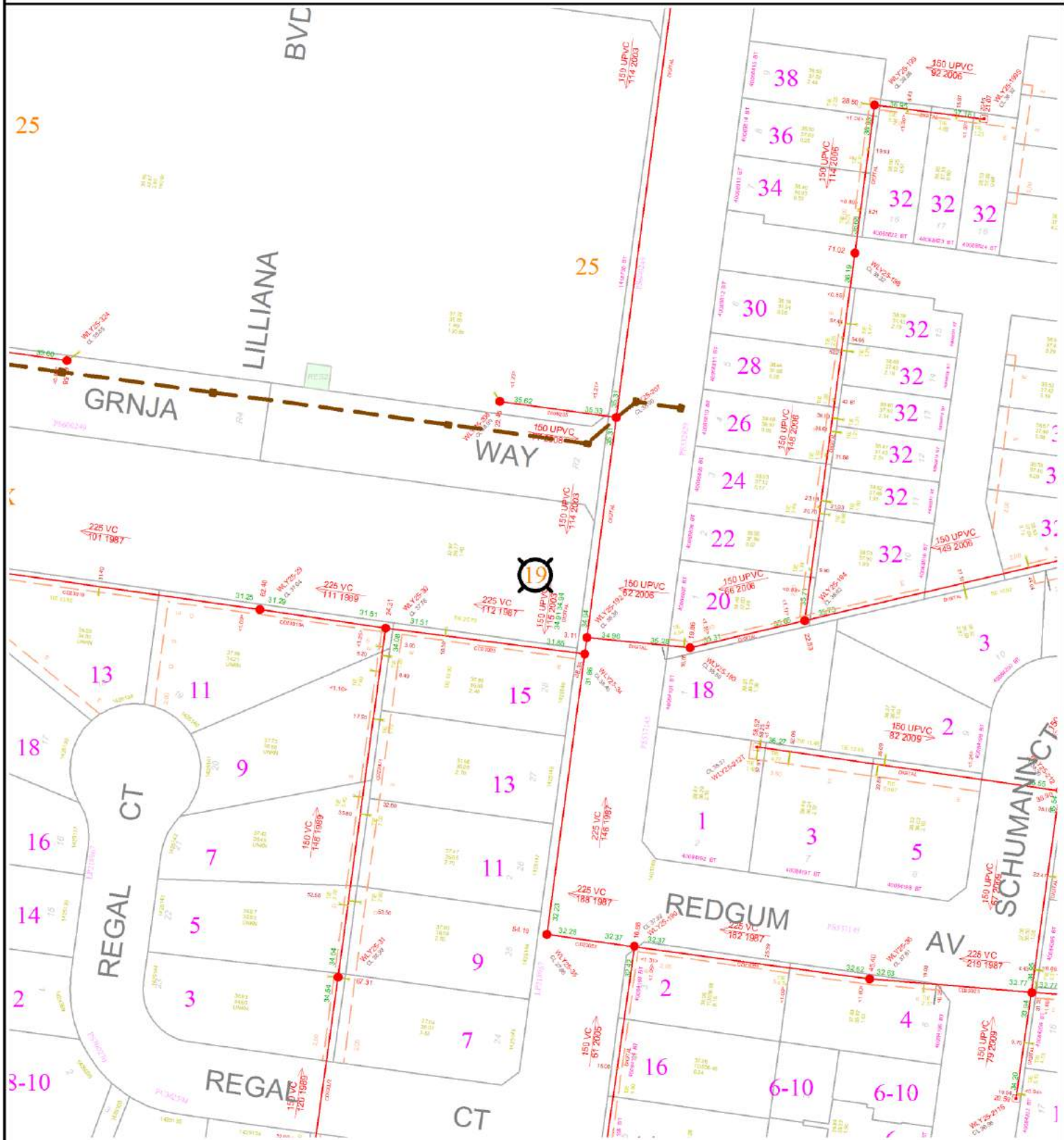
South East Water has prepared the information in this Statement with due care and diligence. It cannot and does not accept liability for any loss or damage arising from reliance on the information given, beyond the extent set out in section 155 of the Water Act 1989 and sections 18 and 29 of the Australian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

AUTHORISED OFFICER:

A handwritten signature in black ink, appearing to read "Mikala Hehir".

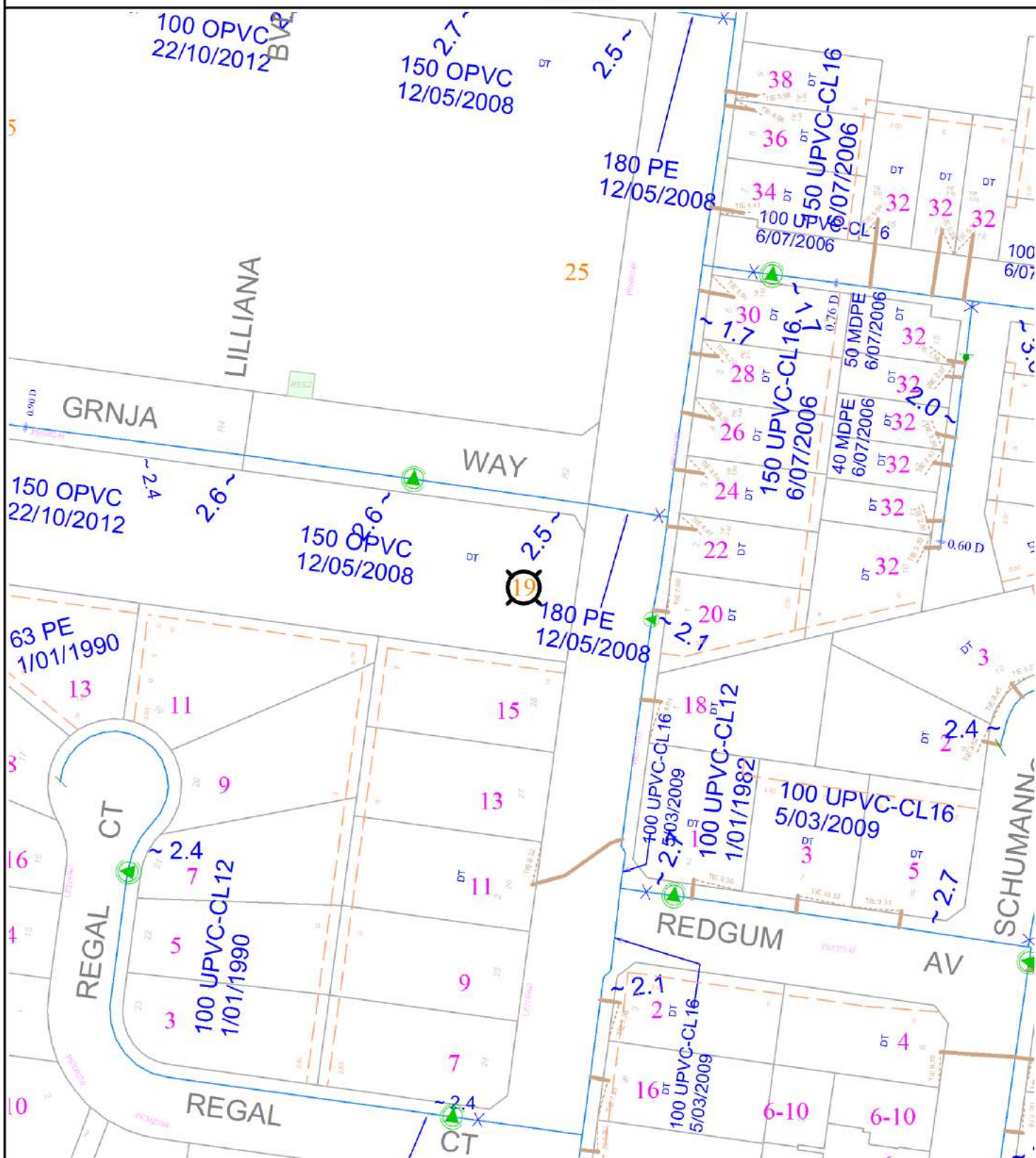
MIKALA HEHIR
GENERAL MANAGER
CUSTOMER & COMMUNITY ENGAGEMENT

South East Water
Information Statement Applications
PO Box 2268, Seaford, VIC 3198



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.

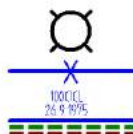
	Title/Road Boundary		Subject Property		Maintenance Hole
	Proposed Title/Road		Sewer Main & Property Connections		Inspection Shaft
	Easement		Direction of Flow		Offset from Boundary
Melbourne Water Assets					
	Sewer Main		Underground Drain		Natural Waterway
	Maintenance Hole		Channel Drain		Underground Drain M.H.



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.

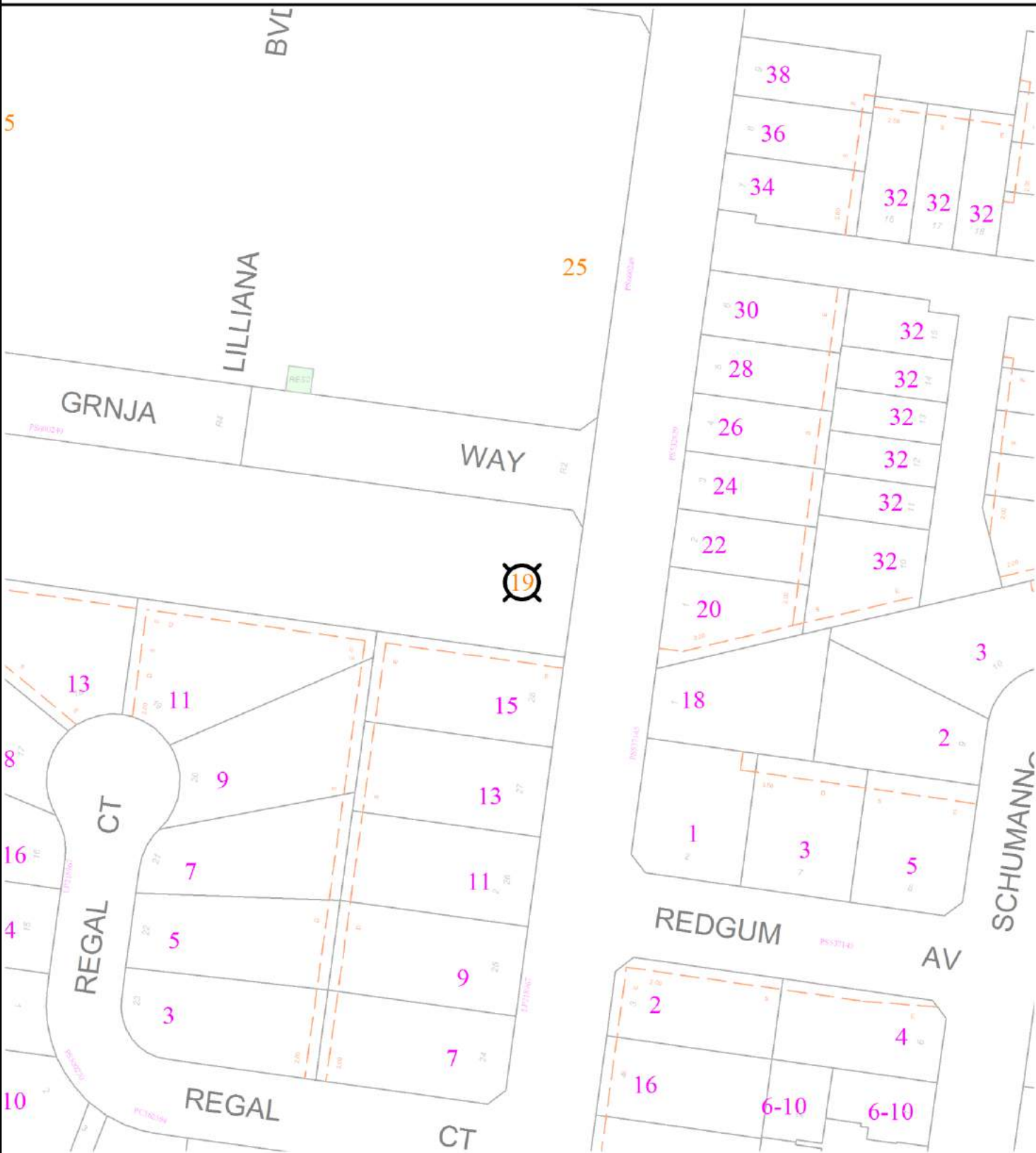
LEGEND

- Title/Road Boundary
 Proposed Title/Road
 Easement



- Subject Property
Water Main Valve
Water Main & Services

-   Hydrant
-   Fireplug/Washout
-  ~ 1.0 Offset from Boundary



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.

LEGEND

- Title/Road Boundary
- - - - - Proposed Title/Road
- - - - - Easement



100 CCL
26.9.1975

- Subject Property
- Recycled Water Main Valve
- Recycled Water Main & Services



~ 1.0

- Hydrant
- Fireplug/Washout
- Offset from Boundary

PLANNING CERTIFICATE

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

CERTIFICATE REFERENCE NUMBER

734975

APPLICANT'S NAME & ADDRESS

IN HOUSE PROPERTY CONVEYANCING C/- INFOTRACK C/-
LANDATA

MELBOURNE

VENDOR

PETTIT, LEE MAZE

PURCHASER

BLANK, BLANK

REFERENCE

356492

This certificate is issued for:

LOT 30 PLAN PS600249, LOT CM1 PLAN PS600249 ALSO KNOWN AS 3/19 LATS AVENUE CARRUM DOWNS
FRANKSTON CITY

The land is covered by the:

FRANKSTON PLANNING SCHEME

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

The land:

- is included in a GENERAL RESIDENTIAL ZONE
- and abuts a ROAD ZONE CATEGORY 1

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

Historic buildings and land protected under the Heritage Act 1995 are recorded in the Victorian
Heritage Register at:
(<http://vhd.heritage.vic.gov.au/>)

12 April 2021

Hon. Richard Wynne MP
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®
2 Lonsdale Street
Melbourne VIC 3000
Tel: (03) 9194 0606

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) 9194 0606 or email landata.enquiries@delwp.vic.gov.au.

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



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. 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 PROPERTY REPORT

From www.planning.vic.gov.au at 12 April 2021 02:14 PM

PROPERTY DETAILS

Address: **3/19 LATS AVENUE CARRUM DOWNS 3201**
Lot and Plan Number: **Lot 30 PS600249**
Standard Parcel Identifier (SPI): **30\PS600249**
Local Government Area (Council): **FRANKSTON**
Council Property Number: **244983**
Planning Scheme: **Frankston**
Directory Reference: **Melway 100 J2**

www.frankston.vic.gov.au

[Planning Scheme - Frankston](#)

UTILITIES

Rural Water Corporation: **Southern Rural Water**
Melbourne Water Retailer: **South East Water**
Melbourne Water: **Inside drainage boundary**
Power Distributor: **UNITED ENERGY**

[View location in VicPlan](#)

STATE ELECTORATES

Legislative Council: **SOUTH-EASTERN METROPOLITAN**
Legislative Assembly: **CARRUM**

Planning Zones

GENERAL RESIDENTIAL ZONE (R1Z)

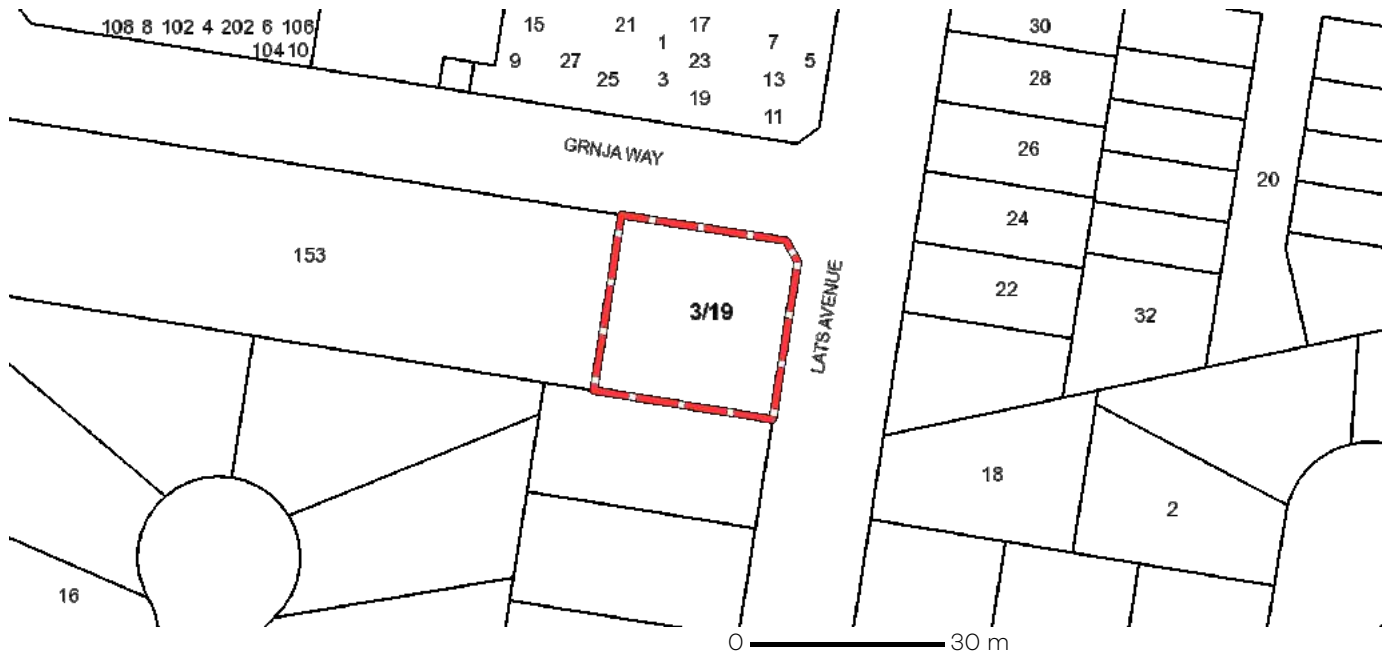


R1Z - Residential 1

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

Planning Overlays

No planning overlay found



Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this property is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

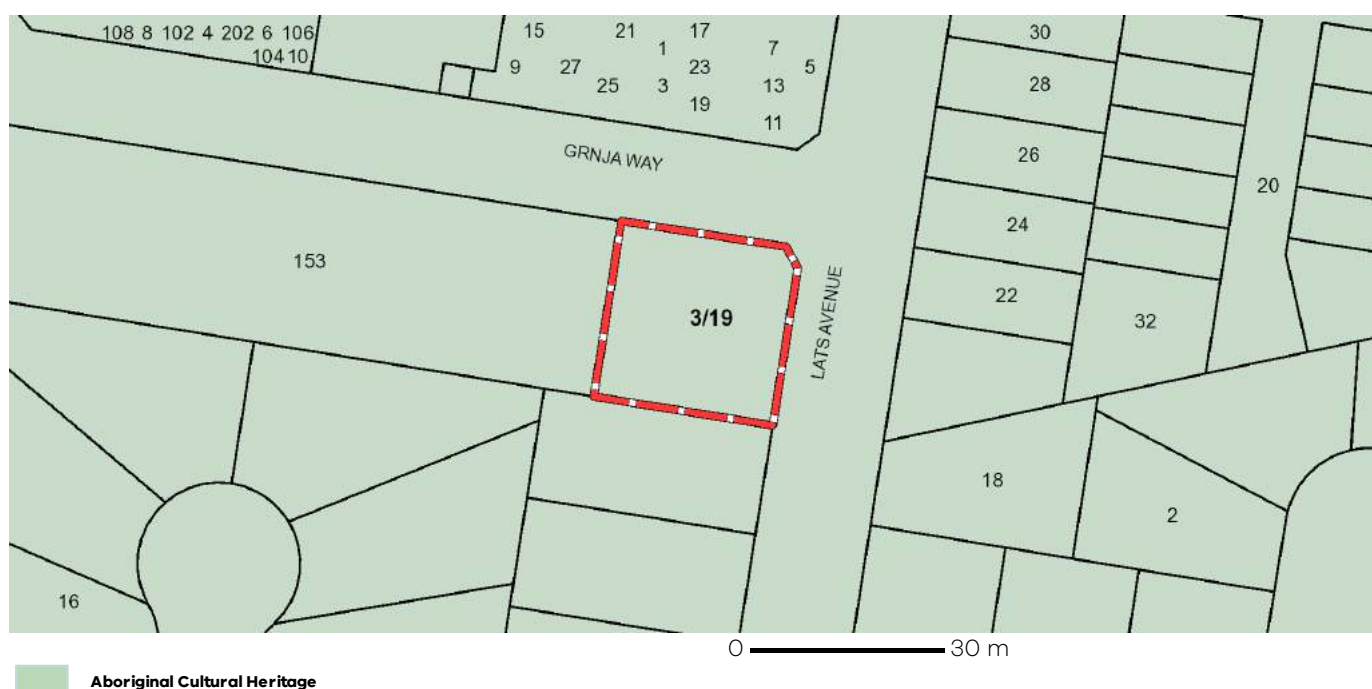
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to <http://www.aav.nrms.net.au/aavQuestion1.aspx>

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, can also be found here - <https://www.aboriginalvictoria.vic.gov.au/aboriginal-heritage-legislation>



Further Planning Information

Planning scheme data last updated on 7 April 2021.

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 affect 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>

Designated Bushfire Prone Areas

This property is not in a designated bushfire prone area.
No special bushfire construction requirements apply. Planning provisions may apply.



Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at <https://mapshare.maps.vic.gov.au/vicplan> or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

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>

OWNERS CORPORATION CERTIFICATE
(s 151) Owners Corporation Act 2006 and (R.11) Owners Corporation Regulations 2018

Urban Body Corporate Management
P.O. Box 8130 Burwood Heights Victoria 3151

Owners Corporation Strata Plan No.PS 600249Q

Address of Property: Lot 30 / 25 Lats Avenue Carrum Downs VIC 3201

Postal Address: P.O. Box 8130 Burwood Heights Victoria 3151

Applicant for this certificate: **In House Property Conveyancing**
2 / 2 Courbrant Court,
Mont Albert North, VIC, 3129

Ref: Anne

Vendor: Lee Maze Pettit

Purchaser:

This Certificate is issued for Lot 30 on Owners Corporation Plan No. PS 600249Q the postal address of which is Unit 3 / 19 Lats Avenue, Carrum Downs, VIC, 3201 on 14th April 2021

- 1 The contribution fees for the above lot are \$1,951.88 per annum payable in advance quarterly (\$497.87 including \$146.03 Sinking Fund) on or before 01st of May, August, November & February each year.
- 2 The fees are paid up to: **30.04.2021**
- 3 Unpaid fees: Nil
- 3a The following are the total fund held by the Owner Corporation on 14th April 2021

Administration Funds	\$393.86
Sinking Fund	\$41,660.44
Total Fund	\$42,054.30
- 4 The following special fees or levies have been struck and are payable on the dates indicated below: Nil
- 4a *Please note this Owners Corporation upon completion of all stages has now become a prescribed Owners Corporation in accordance with the Owners Corporation Act 2006.*
- 5 The Owners Corporation has no proposed maintenance or repairs planned and any maintenance needs to be directed to the builder under their warranty and builder's insurance period.
- 6 The Owners Corporation PS 600249Q presently has the following insurance Covering on Lots 1-136:

Company:	CHU Underwriting Agencies Pty Ltd
Policy No.:	29870
Kind of Policy:	Strata Insurance Plan
Building Amount:	\$36,670,000.00
Loss of Rent	\$5,500,500.00
Public Liability:	\$20,000,000
Office Bearers	\$100,000
Fidelity Guarantee	\$100,000
Excess	Refer Insurer
Date of Renewal	19.10.2021

- 6a Has the owner's corporation resolved that the members may arrange their own insurance under section 63 of the act?
If so, provide the date of that resolution: N/A
- 7 The Owners Corporation has not submitted any additional rules to the Registrar of Titles, Standard model rules apply
- 8 The Owners Corporation has not any contingent liabilities not otherwise shown or budgeted for in Items 1, 4 and 5.
- 9 The Owners Corporation has not granted any lease, license or special privilege affecting the common property.
- 10 The following are the details of any current agreement to provide services to lot owners, occupiers or the public:
 - *Internal & External cleaning common areas*
 - *Essential Services*
- 11 The Owners Corporation is not party to any proceedings or aware of any circumstances which may give rise to proceedings. Nil.
- 11a Are there any notices or orders served on the owner's corporation in the last 12 months that have not been satisfied? **Please refer to documentation attached Building Notice issued by Frankston City Council (Copy Attached)**
- 11b **Please refer to the accompanying documentation from Frankston City Council (copy attached)**
- 12 No proposal has been made for the appointment of an administrator.
- 13 The Owners Corporation has resolved to appoint a manager
- 14 Information has been provided with the attached documents further information on prescribed matters can be obtained by inspection of the owner's corporation register. (Upon payment of appropriate fee with a written request must be made prior to inspection)
- 15 The common seal of Owners Corporation No PS 600249Q was affixed and witnessed by and in the presence of the registered manager in accordance with Section 20(1) and Section 21(2A) of the Owners Corporations Act 2006.



Manveer Hansra
Dated 14th April 2021

Registered Manager
Urban Body Corporate Management
PO Box 8130 Burwood Heights VIC 3151



THIS CERTIFICATE IS ISSUED ON THE FOLLOWING BASIS:

The information provided within this certificate is correct to the best of our knowledge as at the date of issue. Circumstances can change daily and information may be altered without notice and without our control or knowledge. Urban Body Corporate Management accept no liability whatsoever for information that is incorrectly provided. The onus is on Vendors/Purchasers to verify the status of fees outstanding (1300 887 695) and request a new certificate prior to settlement



Owners Corporation Strata Plan No. PS 600249Q
25 and 25A Lats Avenue & Nada Way, Lilliana and Grnja Way Carrum Downs VIC 3201
Minutes of Annual General Meeting

On 01st of March 2021 Notice was given of Annual General Meeting in accordance with the Owners Corporation Act 2006 Section 72, Owners Corporation Regulations 2018 and Owners Corporation Rules. Owners Corporation Strata Plan No. PS600249Q to be held at:

Lyrebird Community Centre Inc
203-205 Lyrebird Drive Carrum Downs
On 22nd March 2021
Commencing at 6.00pm

Members of the Owner Corporation in attendance:

- Ms Victoria Clark (Lots 6 & 28)
- Ms Briohny Black (Lot 9)
- Mr Dean Cook (Lot 16)
- Ms Erin C Dalli (Lot 17)
- Mr Roger Dodd (lot 20)
- Amy E Lister (Lot 31)
- Ms Tamara M Kortekaas (Lot 47)
- Ms Joanne M Uildriks (Lot 66)
- Ms Nicole S Stock (Lot 71)
- Ms Lauren A Wood (Lot 97)
- Mr Gregory L Brown (Lot 100)
- Ms Susan L Collins (Lot 105)
- Ms Gabriella Elias (Lot 108)
- Ms Brenda J O'Dowd (Lot 126)
- Mr Steven Conley (Lot 132)
- Mr Timothy JA Stone (Lot 133)

In Attendance:

Nunzio Gionfriddo and Manveer Hansra representing Urban Body Corporate Management.

Chairperson:

Nunzio Gionfriddo chaired the meeting on the consensus of those present

Quorum for Meeting:

With a total (136 lots) comprising the complex, it was confirmed that as 50% of the owners were neither present nor represented by proxy, the meeting proceeded under Regulation 78 (4a), all decisions were interim decisions and if no petitions are received in accordance with Regulation 78 (4b) in writing within twenty-nine (29) days of the Meeting, then such interim decisions will become decisions of the Owner Corporation. Moved by Ms Victoria Clark and second Mr Dean Cook (Carried 17 for Nil against)

Proxies Received: Nil

Apologies: Darryl Rich Caitlin Cronin

Committee Report: Nil

Appointment of Committee:

In accordance with owners Corporation Act 2006 section 11 a committee the following members have nominated for the committee it is pointed out that under the Owners Corporation act committee needs minimum three (3) and not more than 12 members Committee members are reminded that a chairperson is to be elected by committee and the OC be informed.

Ms Victoria Clark (Chairperson Elect) Ms Briohny Black Ms Joanne M Uildriks

Mr Dean Cook Mr Steven Conley

Mr Roger Dodd is un-financial and will be able to be join committee when oc levies are paid up.

Minutes of Previous Owners Corporation Meeting:

Resolved to adopt the minutes of the Annual General Meeting as circulated with notice of meeting were read and confirmed and confirmed by members. Moved by Ms Victoria Clark and second Mr Dean Cook (Carried 17 for Nil against)

Owners Corporation Financial Statements:

The Financial Statements for the period ending 29.02.2021 circulated with the Notice of the Meeting via ballot was it was moved that the financial statement be adopted. Moved by Mr Steven Conley and second Ms Briohny Black (Carried 17 for Nil against)

Insurances:

In accordance with the regulation, the following insurance cover is held in the name of the Owners Corporation PS 600249Q

Company	CHU Underwriting Services Pty Ltd
No. of Policy	HU0029870
Kind of Policy	Strata Insurance Plan
Buildings	\$33,334,133.00
Public Liability	\$20,000,000.00
Loss of Rent Included	refer policy
Office Bearers	\$100,000.00
Fidelity Guarantee	\$100,000.00
Excess	refer policy
Renewal Date	19.10.2021

Owners should you require further information you can obtain it at: www.chu.com.au

As per the majority vote to accept the building Insurance to be renewed with current insurers in line with the insurance valuation report
Moved by Mr Steven Conley and second Ms Briohny Black (Carried 17 for Nil against)

Lot owners are reminded that Owners Corporation Insurance DOES NOT cover contents or personal Public Liability inside the units, each member must provide contents insurance that includes public liability or Landlord's policy insurance cover as appropriate

It was resolved previously that for all claims on individual units, that all excess if any be paid by the lot owner and should the insurance claim be denied on the claim then individual lot owner must pay for all repairs required and the Owners Corporation shall not be responsible for any liability which may occur. Moved by Ms Victoria Clark and second Mr Dean Cook (Carried 17 for Nil against)

Insurance Valuation:

To ensure that the Owners Corporation continues to have insurance that meets the requirements it is 'highly desirable' for owner's corporation to have professional insurance valuation of their properties at least every five (5) years to assess for replacement and reinstatement values for insurance purposes

Remuneration of Commission:

Urban Body Corporate Management as an authorised representative receives insurance commission on the base premium. The designated staff member who manages your property is paid a salary and does not receive a bonus for arranging insurance and does not receive any other payment in respect of the insurance company policies. The receipt of commission is brought into account when the scheduled cost of management services for the Owners Corporation is considered

Financial Services Reform Act (FSRA) 2004:

The Strata Manager is an authorised representative of the insurers and explained that clear instructions of the Members are to be obtained for the renewal of the Owners Corporation insurance.

As an authorised representative, the Strata Manager is able to provide factual information as included in Policy and general advice only – but not personal advice.

The Financial Services Guide and Product Disclosure Statement were tabled at the meeting

The members of the Owners Corporation are to be responsible for ensuring that they have building and legal liability in accordance with the requirements of the above relevant State Legislation and must provide specific instructions in relation to any right the Owners Corporation to increase or decrease the level of insurance cover.

The Strata Manager advised that the suggested cover proposed was general advice with the members having provided any decisions regarding insurance themselves.

Please note:**General Advice Warning**

Any recommendation made by the Authorised Representative is general advice, and before any decision, please refer to the Product Disclosure Statement was tabled at the Meeting together with Financial Service guide

Duty of Disclosure Statement:

We also take this opportunity to remind you of your duty of disclosure to the insurer. If you can think of anything else that is relevant to your insurance, please provide us with this information as soon as possible so that we may advise your insurer.

Urban Body Corporate Management has provided for this Annual General Meeting applicable Product Disclosures Statement of Insurers and Financial Services Guide of insurance of insurers. For further insurance related information and assistance, please visit insurer's website.

Member's Contributions:

It was pointed out each individual Lot carries: a specific Lot Entitlement and Lot Liability on which the annual contribution fees are based. Owners are to be **invoiced quarterly in advance** and may refer to their own copy of the Certificate of Title for verification of the amount applicable with each Lot.

Moved by Ms Victoria Clark and second Mr Dean Cook (Carried 17 for Nil against)

A Member's Lease Agreement with the occupier of the Lot as to who "pays the bills" for the Owners Corporation is a 'private matter' between the Member and Occupier, and is not of any concern of the Owners Corporation

Special Levy Contributions:

Where extraordinary items of expenditure are required over and beyond the Annual Estimated Budget, a Special Levy will be required

Late payments of levies and new regulation:

It was resolved that if payment is not received within 28 days of the date of the Notice the Owners Corporation can take action under Part 11 of the Owners Corporations Act 2006 to recover the amount due. Notice of arrears shall be firstly forwarded and after 28 days if non payment of fees Final fee notice shall be issued after which application to the Victorian Civil and Administrative Tribunal (VCAT) seeking an order requiring you to pay the amount of interest shall been calculated in accordance with the current rate under the Penalty Interest Rates Act 1983(Vic). This rate is subject to change. Moved by Ms Victoria Clark and second Mr Dean Cook (Carried 17 for Nil against)

Notice to Members for cost recovery:

Costs arising from Breaches

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 on an indemnity basis by any Lot Owner 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 Moved by Ms Victoria Clark and second Mr Dean Cook (Carried 17 for Nil against)

Budget:

Statement of Estimated expenses for the ensuing twelve months:

The following operating expenses were approved to cover the general administration, maintenance, insurance and recurrent obligations for the ensuing twelve months

Budget Estimate for the period from 01st March 2021 to 28th February 2022

Total Estimated Budget \$184,990.00

Plus \$79,000.00

Moved by Ms Victoria Clark and second Mr Dean Cook (Carried 17 for Nil against)

Maintenance Plan

- Please Note that the Owners Corporation is a prescribed Owners Corporation and under Owners Corporation Act 2006 - Section 36 must have a Maintenance plan

Maintenance plan

- (1) A prescribed Owner's corporation must prepare a maintenance plan for the property for which it is responsible.

- Copy of Maintenance plan attached

Moved by Ms Victoria Clark and second Mr Dean Cook (Carried 17 for Nil against)

Rules of Owners Corporation

Standard Model rules apply as per Owners Corporation Act 2006 as previously sent to all lot owners. (Copy available on request)

Moved by Ms Victoria Clark and second Mr Dean Cook (Carried 17 for Nil against)

Please note: Where an owner proposes to enter into a lease, licence or any other form of tenancy agreement, either written or verbal of a member's lot, the owner shall provide a copy of the Owners Corporation Rules to any proposed lessee, licensee or tenant prior to them entering into possession of the lot, and any such agreement shall only be on the basis that such agreement is subject to these Rules. Such an occupier is bound by these Rules and any other Rules applicable to the Owners Corporation.

Fencing Rules:

Please note that under the fencing act all owners are to pay for replacement or repair for fencing that divides properties being individual or part there of the common property.

The owner's corporation will only arrange repairs/replacement of fencing where required to common fences only. All other fence repairs and or replacement are to be arrange by lot owners affected.

Should you require any further information please to the Victoria Fencing Act.

Gutter Gleaning:

Gutter cleaning is to be completed **twice** a year. Moved by Ms Victoria Clark and second Mr Dean Cook (Carried 17 for Nil against)

Air Conditioners:

Air conditioners /motors are not permitted to be placed on any part of common area.

Property Maintenance:

- It was requested that quotations be obtained for Solar powered public lighting and presented to the committee. It was discussed and agreed not to proceed
- It has been agreed that Maintenance plan be implemented Moved by Ms Victoria Clark and second Mr Dean Cook (Carried 17 for Nil against)
- It was requested that quotation be obtained for window cleaning to 2 and 3 storey units this was revisited and agreed each lot owners can organise their own window cleaning
(Please note windows are not common property and therefore lot owner's responsibility)
- Please note that any shower or balcony leaks that may occur is responsibility of each effected lot owner,
Please contact your builders as applicable.

Moved by Ms Victoria Clark and second Mr Dean Cook (Carried 17 for Nil against)

Scope of works for caretaking are attached below. Common Garden Maintenance Scope of Duties:

- Mechanically blow all concrete areas and keep weed free.
- Remove any junk mail and leaf litter from concrete areas of common property
- Cut and edge lawns and nature strip using a mulching mower.
- Maintain visitors open air car park in a clean condition
- Spot spray and keep the garden beds weed free.
- Trim and prune as necessary to a maximum height of 2.1 metres.
- Remove dead plants and replace once approval from Owner Corporation Manager.
- Report any other matters to the attention of the Owner Corporation Manager

Advertising Signage:

The display of 'To Let' or 'For Lease' signage at the complex permit only one board at any one time and no other business advertising signs etc. be allowed. This must be removed 14 Days after the sale has resulted.

These are to be independently erected only on the frontage of the property entrance for a period of one month with extensions at the discretion of the Owners Corporation manager or committee.

Requests for such signs are to be notified to the Owner Corporation prior to being erected.

Occupational Health & Safety Act 1985:

The Occupational Health & Safety Act 2004 came into operation on 1 July 2005 to promote and improve standards for occupational Health, Safety and welfare. Significant changes were made to the OH & S regulations and provide for substantial penalties to be applied when requirements under the act are breached. As an Owner Corporation, members are exposed to a number of risks relating to OH & S obligations and common law responsibilities.

The Owner Strata Community Victoria are recommending that Owner Corporation comply with Occupational Health & Safety act by:

-Arranging a safety assessment, prepared by a safety advisor for each of the properties managed, to identify hazards, assess risks and to recommend actions to be taken by Owner Corporation

-And only those contractors who have been accredited in the area of OH & S compliance to be engaged.

-Authorised safety advisor/contractor can be arranged to audit your common property areas and assess contractors Job Safety Analysis (JSA). The fines for the breaches for OH & S Act 2004

-A Owner Corporation can be penalised for \$943,290.00 and a five (5) year jail term by 'failing to ensure the workplace is safe'. The common property is defined as a workplace under the act and the Owner Corporation has the responsibility to ensure it is a safe place for workers, contractors and volunteers.

The Owner Corporation also has a common law duty of care to ensure the common property is safe for all members of the public, tenants, children, all owners and visitors.

Under the insurance policy the Owner Corporation has a duty to disclose the condition of the common property to its insurance company

OH&S

Urban Body Corporate Management disclaims all responsibilities for any loss, damage or injury which may be suffered by any person and or property directly or indirectly as a result of Owners Corporation/member's non-compliance in arranging a safety site inspection report.

The Strata Manager advised that the above Act has become more stringent with increased chance of liability against Members, if correct precautionary measures are not followed. Each preferred tradesperson retained by the Owners Corporation working on the common property (WORK PLACE) has to comply with the requirements of the Act by demonstrating their duty of care

Appointment of Managing Agent:

Continue the agreement with Urban Body Corporate Management Pty Ltd as the Managing Agent as per signed agreement The Appointment of Managing Agreement as approved and recommended by the Strata Community Australia was signed on behalf of the members of the Owners Corporation, Further resolved that the Owner Corporation delegated to the Strata Manager the power of delegation to its employees ,Resolved that the Owner Corporation Common Seal be affixed to the Instrument of Delegation affecting the above delegation and further that the Owner Corporation Common Seal be affixed to the Management Agreement issued by the Strata Community Australia. Moved by Ms Victoria Clark and second Mr Dean Cook (Carried 17 for Nil against)

Next Annual General Meeting:

To be scheduled in March 2022, meeting closed at 7.10pm.

BUILDING NOTICE

This Building Notice is served under Section 106 of the Building Act 1993



opportunity » growth » lifestyle

TO: Urban Body Corporate Manager
Suite 4 /317-321 Whitehorse Road,
NUNAWADING, VIC 3131

RE: 2,4,6,8,10,12,102,104,106,108,110,112,202,204,206,208,210 & 212
Sparrow Lane, CARRUM DOWNS 3201 (Building C)

AND

1,3,5,7,9,11,101,103,105,107,109,111,201,203,205,207,209 & 211
Nada Way, CARRUM DOWNS 3201 (Building D)

LOCATION OF THE BUILDING TO WHICH THIS NOTICE APPLIES:

Number	Street	Suburb	Postcode
2 Sparrow Lane, Carrum Downs 3201			
Lot S4 PS 600249Q		Volume/Folio 1117/709	
Crown Allotment	Section	Parish	County
Municipal District Frankston City Council			

FROM: MATTHEW HARVEY

WHEREAS:

1. I am the **Municipal Building Surveyor** of Frankston City Council and am authorised to cause a Building Notice under section 106 of the *Building Act 1993* ("Act").
2. I caused an inspection to be carried out by Con Adamidis IN-U 40812 on 29 May 2020 at approximately 10.00am.

3. Pursuant to section 106 of the Act I am of the opinion that:
- 3.1. the use of the building contravenes the *Building Regulations* 2018 in that:
- 3.1.1. the **Occupancy Permit** and attached **Essential Safety Measures List** were not on display as required by **Regulation 197** of The Building Regulations 2018; and
- 3.1.2. the owner did not provide onsite the **Annual Essential Safety Measures Report** and all maintenance records (including logbooks) for emergency lighting, exit lighting, smoke alarms and firefighting equipment as required by **Regulations 223 & 225**.
- 3.2. the building is **a danger** to the **life, safety or health** of any member of the public or of any person using the building, in that:
- 3.2.1. dimensions of paths of travel to exits and any paths of travel within the stairwells are not compliant and less than the required 1.0m minimum contrary to **Part D1.6 of the Building Code of Australia Volume One**; and
- 3.2.2. the balconies to units contain footholds in the form of air-conditioning condensers and concrete upstands between adjoining balcony units contrary to the required 1.0m minimum height for barriers to prevent falls in accordance with **Part D2.16 of the Building Code of Australia**; and
- 3.2.3. **visual indicators/decal** comprising a solid minimum 75mm wide line at between 900mm and 1000mm from the floor must be installed on all fully glazed windows between stair access landings in accordance with **AS 1428.1-2009**; and
- 3.2.4. **service pipe & electrical conduit penetrations** have been created in the Fire Rated Level ("FRL") walls without suitable fire rated protection to restrict the spread of fire in the building, contrary to **Part C3.15 of the Building Code of Australia Volume One**; and
- 3.2.5. **an evacuation plan** to exit the building was **not displayed** at the entry of the building and;
- 3.2.6. the access step to the entry/exit door of unit 9 Nada Way has been measured at 230mm and is non-compliant with **Part D2.13 of the Building Code of Australia Volume One**.
4. The previously mentioned are the reasons why this Notice was issued.

NOW THEREFORE TAKE NOTICE THAT:

5. You are required to SHOW CAUSE within 60 days of the date of service of this Notice:
- 5.1. Why you should not carry out following work required by the Building Regulations 2018 in relation to the building/land:
- 5.1.1. Permanently display in a prominent location the **Occupancy Permit** and the **Essential Safety Measures** list as required by **Regulation 197** of The Building Regulations 2018.
 - 5.1.2. Provide a copy of the current completed **Annual Essential Safety Measures Report** as required by **Regulations 225** of The Building Regulations.
 - 5.1.3. Provide current **maintenance records** (including logbooks) of all applicable Essential Safety Measures (listed on the attached Occupancy Permit) as required by **Regulations 225** of The Building Regulations 2018.
 - 5.1.4. Provide **maintenance** of the Essential Safety Measures as required by AS1851 & **Regulations 226**.
 - i. Exit Doors
 - ii. Fire Doors
 - iii. Emergency lighting
 - iv. illuminated Exit Signs
 - v. Fire Extinguishers
 - vi. Hose Reels
 - vii. Hydrants (including 3 & 6 year test (old buildings) & 5 year (new building)
 - viii. Smoke alarm system
 - 5.1.5. Ensure paths of travel to exits and any paths of travel within the stairwells of the building obtain the required 1.0m minimum width in accordance with **Part D1.6 of the Building Code of Australia Volume One**.
 - 5.1.6. Relocate the existing condensers to the balcony to achieve the required 1.0m minimum height from floor level for barriers to prevent falls in accordance with **Part D2.16 of the Building Code of Australia**.
 - 5.1.7. Provide solid shielding to the existing glass barrier adjacent to the concrete upstands between adjoining balcony units to achieve the required 1.0m minimum height from floor level for barriers to prevent falls in accordance with **Part D2.16 of the Building Code of Australia**.
 - 5.1.8. Install **indicators/decal** comprising a solid minimum 75mm wide line at between 900mm and 1000mm from the floor must be installed on all fully glazed windows between stair access landings in accordance with **AS 1428.1-2009**.

- 5.1.9. Install **toe board** to the perimeter of the handrail/balustrades at a height of not more than 150mm above the mezzanine finished floor level in accordance with Part D2.16 of the Building Code of Australia.
- 5.1.10. Install tested and approved ("**FRL**") **fire collars** in accordance with approved manufacturer's specifications to the pipework and electrical conduit penetrations in the walls of the existing building.
- 5.1.11. Display and appropriate **evacuation plan** at the entry of the existing building.

Important Note: Item 5 is not a directive to carry out building work, nor does it authorise any person to carry out building work.

DATED THIS 25th DAY OF AUGUST 2020

BUILDING NOTICE SERVED BY:

Matthew Harvey

Signed: _____

Matthew Harvey
MUNICIPAL BUILDING SURVEYOR
Frankston City Council
30 Davey Street Frankston VIC 3199
Telephone: 1300 322 322 E-mail: Info@Frankston.vic.gov.au

BUILDING NOTICE NUMBER: 113-2020-DB

Information Notes:

What is a Building Notice?

A Building Notice is a “show cause” Notice which gives the owner an opportunity to provide information and details justifying why certain work or procedures should not be carried out. In simple terms, the recipient of a building notice is required to provide the Municipal Building Surveyor reasons why he or she should not comply with the directions detailed in the notice.

Why has a Building Notice been issued?

A Building Officer of the Frankston City Council has recently inspected the property/land and identified either general safety deficiencies or aspects that do not comply with the *Building Act 1993* or *Building Regulations 2018*. Under section 212 of the ‘Act’, Council is responsible for enforcement provisions including Section 106 of the *Building Act 1993*. The Municipal Building Surveyor also has a duty of care and is responsible to give the owner an opportunity to justify why certain works or procedures should not be carried out.

What are you required to do?

It is in the owner’s best interest to submit a written response containing statements as to why he or she should not comply with the directions of the Building Notice, or alternatively, submit a submission agreeing to undertake the works. A submission should include a schedule of works containing details of how and when the works will be completed. It is important to respond to **all** items and address them individually. Please find attached an Owners Response to Building Notice form to assist you with your submission.

In regard to certain matters, it is in the owner’s best interest to engage a suitable professional to act on his/her behalf to achieve clear resolution. If the matters raised in the notice are of a technical nature, an informed technical justification from a competent professional in the relevant field may be required. If you require advice on suitable professional fields, please contact the Council on 1300 322 322 Please ask for the officer listed for enquiries on the covering letter.

It is important that no work is carried out until an agreement is reached between the owner and the Municipal Building Surveyor, unless safety aspects require immediate attention which will generally be represented in a separate emergency order.

Consideration of your statements

The Municipal Building Surveyor or delegated representative will consider all written statements from the owner or persons engaged to act on his or her behalf if received within the Sixty (60) day period. After consideration of the written statements the Municipal Building Surveyor may request further information in respect to certain items. Once all items have been adequately addressed, one of three actions will occur. The Building Notice may be cancelled **or**, a Building Order may be issued with some items deleted or amended to reflect the outcome of previous discussions and submissions or, a Building Order will be issued and contain all the directions detailed in the Building Notice.

A Building Order is the next step in the process. If a Building Order is issued, it will require the owner to undertake the directions of the order within a stated time period. Importantly, should compliance with a Building Order not be achieved, penalties will be determined in the Magistrates Court.

What if you do nothing?

The intention of a Building Notice process is to raise discussion of the issue/s between the owner of the property and the Municipal Building Surveyor or delegate. In the event the Municipal Building Surveyor does not receive any response, a Building Order will be issued based on the original observations, and generally contain all the directions detailed in the notice.

Appeals to the Building Appeals board

Under Section 142(1) an owner of a building or land may appeal to the Building Appeals Board against a decision to serve a notice or a failure within a reasonable time, or refusal, to cancel a notice. For further information on the appeal process please visit the Building Appeals Board website <http://www.buildingappeals.vic.gov.au/> or contact via email at registry@buildingappeals.vic.gov.au or telephone 1300 421 082. Pursuant to section 146 of the Act and regulation 271 of the Regulations, the prescribed appeal period is 30 days from the date of the notice.

Frankston Magistrates Court

Frankston City Council frequently attends court to penalise owners in regard to breaches of the *Building Act 1993*. It is in the owners' best interest to resolve the subject issues and work with Frankston City Council rather than be convicted for breaching sections of the *Building Act 1993*. Penalties issued by Frankston Magistrate Court for failure to comply generally range from \$2000 - \$60,000 plus any costs incurred by Frankston City Council.

Owners Response to Building Notice

We hope the contents of this document has aided in your understanding of the Building Notice process. Attached is a form to aid you in your written statements. We strongly encourage you to complete this form or compile something of a similar nature and return within the designated time period. If you have any further queries, please contact the Council on telephone number 1300 322 322.

Subsequent Owners of the Land

Pursuant to section 236 of the Act, this building notice is binding on every subsequent owner of the land.

Additional Building Permit

You are required to obtain a Building Permit prior to the commencement of any building works.

The Crown & Public Authorities

Pursuant to Division 6 of the Act, this building notice, any building order or other order, infringement, penalty is not enforceable on the Crown and Public Authority. However, if it relates to a **licensee** or **lessee** of crown land, then enforcement and Part 8 of the Act will apply as if the licensee or lessee were an owner.

Enforcement Reference:113-2020-DB

Location: 2 Sparrow Lane, CARRUM DOWNS 3201

I Con Adamidis, a Building Inspector with Frankston City Council state that on **25th of August 2020** at 5.00pm, I served a 4 page Building Notice with a covering letter on the Owner of the above property by the following method:

☒	Sending the documents by pre-paid ordinary port at the red street mail box located at (insert location) to the address shown on the document.
☐	Sending the documents to pre-paid registered post to the address/es shown on the document
☒	Sending the document by email to the following email address/es: insert email address/es
☐	Delivering a copy of the document to: (insert address)
☐	Leaving a copy of the document with (insert name) a person apparently not less than 16 years of age and apparently residing or employed at Owner's / Occupier's / Company's / Director's / Other persons' usual or last known place of residence or business
☐	A copy of the document was forward to insert (Process Server) for service. Refer to attached affidavit of service from Process Server to verify.
☐	Additional to any of the above, by displaying a copy of the document in a conspicuous position at the site namely (insert) (COMPLETE ONLY IF APPLICABLE) <i>PHOTOGRAPH ATTACHED OF DISPLAYED DOCUMENT TO VERIFY</i>

Evidence of ownership was obtained from:

- ☐ Council records show that the person/company is liable to be rated in respect of the site
- ☐ A Certificate of Title Search to the site
- ☐ An Australian Securities & Investments Commission Company Name extract
- ☐ An Australian Securities & Investments Commission Business Name extract



25th August 2020

.....
(SIGNED)

.....
(DATE)



For Ordinary Mail Only

Witnessed By: Matthew Harvey

Signed:

NOTES:

1. If a document is to be served on or given to the owner or occupier of any land and the name of that person is not known the document may be addressed to "the owner" or "the occupier". (Section 236(3) *Building Act 1993*).
2. If a document is to be served on or given to the owner or occupier of any land, the document may be put up in a conspicuous position on the land if the name and address of the owner are not known and there is no occupier of the land. (Section 236(4) *Building Act 1993*).
3. If the owner has authorised a person to act on behalf of the owner under this Act or the Regulations, any document served on or given to that person is deemed to have been served on or given to the owner. (Section 236(5) *Building Act 1993*).
4. If a document to be served on or given to an owner or occupier of any land is properly served on or given to the owner or occupier of the land the document is binding on every subsequent owner or occupier of the land. (Section 236(6) *Building Act 1993*).

Owners Response to Building Notice

I _____ owner of the building/land located at 2 Sparrow Lane, CARRUM DOWNS 3201, wish to submit the following response to the Building Notice 113-2020-DB dated 25 August 2020. Please note, all items have been individually addressed and are numbered in accordance with the numbering used in the stated Building Notice.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There is no handwriting or other markings on the paper.

If you intend to comply how long before the works will be completed?

Date: _____

Signature:

Date: _____



Reference: 113-2020-DB
Enquiries:
E-mail: info@frankston.vic.gov.au
Telephone: 1300 322 322

25 August 2020

Urban Body Corporate Manager
Suite 4 /317-321 Whitehorse Road,
NUNAWADING, VIC 3131

**RE: 2,4,6,8,10,12,102,104,106,108,110,112,202,204,206,208,210 & 212
Sparrow Lane, CARRUM DOWNS 3201 (Building C)**

AND

**1,3,5,7,9,11,101,103,105,107,109,111,201,203,205,207,209 & 211
Nada Way, CARRUM DOWNS 3201 (Building D)**

Dear Sir/Madam,

BUILDING NOTICE

2 Sparrow Lane, CARRUM DOWNS 3201

Following an inspection by Con Adamidis & Mathew Hopwood-Glover, on the 29th of May 2020 at 1 Lillian Boulevard, Carrum Downs revealed non-compliant ESM's. An opinion has been formed that there has been a contravention of the Building Act 1993 and/or Building Regulations 2018.

You are required to justify to Council within **60 days** outlining why the building work that has been carried out without a building permit should not be removed. It is recommended that you complete the attached "Owners Response to Building Notice". If you do not show sufficient cause within this time a Building Order may be served. You must read the information Notes at the back of the Notice to assist you.

Yours faithfully,

Con Adamidis
Building Inspector

BUILDING NOTICE

This Building Notice is served under Section 106 of the Building Act 1993



opportunity » growth » lifestyle

TO: Urban Body Corporate Manager
Suite 4 /317-321 Whitehorse Road,
NUNAWADING, VIC 3131

RE: 1,3,5,7,9,11,101,103,105,107,109,111,201,203,205,207,209 & 211
Lilliana Boulevard, CARRUM DOWNS 3201 (Building A)
AND
2,4,6,8,10,12,102,104,106,108,110,112,202,204,206,208,210 & 212
Nada Way, CARRUM DOWNS 3201 (Building B)

LOCATION OF THE BUILDING TO WHICH THIS NOTICE APPLIES:

Number	Street	Suburb	Postcode
1 Lilliana Boulevard, Carrum Downs 3201			
Lot A PS 600249Q		Volume/Folio 11441/373	
Crown Allotment	Section	Parish	County
Municipal District Frankston City Council			

FROM: MATTHEW HARVEY

WHEREAS:

1. I am the **Municipal Building Surveyor** of Frankston City Council and am authorised to cause a Building Notice under section 106 of the *Building Act 1993* ("Act").
2. I caused an inspection to be carried out by Con Adamidis IN-U 40812 on 29 May 2020 at approximately 10.00am.

3. Pursuant to section 106 of the Act I am of the opinion that:

3.1. the use of the building contravenes the *Building Regulations* 2018 in that:

3.1.1. the **Occupancy Permit** and attached **Essential Safety Measures List** were not on display as required by **Regulation 197** of The Building Regulations 2018; and

3.1.2. the owner did not provide onsite the **Annual Essential Safety Measures Report** and all maintenance records (including logbooks) for emergency lighting, exit lighting, smoke alarms and firefighting equipment as required by **Regulations 223 & 225**.

3.2. the building is a **danger** to the **life, safety or health** of any member of the public or of any person using the building, in that:

3.2.1. dimensions of paths of travel to exits and any paths of travel within the stairwells are not compliant and less than the required 1.0m minimum contrary to **Part D1.6 of the Building Code of Australia Volume One**; and

3.2.2. the balconies to units contain footholds in the form of air-conditioning condensers and concrete upstands between adjoining balcony units contrary to the required 1.0m minimum height for barriers to prevent falls in accordance with **Part D2.16 of the Building Code of Australia**; and

3.2.3. **Visual indicators/decal** comprising a solid minimum 75mm wide line at between 900mm and 1000mm from the floor must be installed on all fully glazed windows between stair access landings in accordance with **AS 1428.1-2009**; and

3.2.4. **service pipe & electrical conduit penetrations** have been created in the Fire Rated Level ("FRL") walls without suitable fire rated protection to restrict the spread of fire in the building, contrary to **Part C3.15 of the Building Code of Australia Volume One**; and

3.2.5. **An evacuation plan** to exit the building was **not displayed** at the entry of the building.

4. The previously mentioned are the reasons why this Notice was issued.

NOW THEREFORE TAKE NOTICE THAT:

5. You are required to SHOW CAUSE within 60 days of the date of service of this Notice:
- 5.1. Why you should not carry out following work required by the Building Regulations 2018 in relation to the building/land:
- 5.1.1. Permanently display in a prominent location the **Occupancy Permit** and the **Essential Safety Measures** list as required by **Regulation 197** of The Building Regulations 2018.
- 5.1.2. Provide a copy of the current completed **Annual Essential Safety Measures Report** as required by **Regulations 225** of The Building Regulations.
- 5.1.3. Provide current **maintenance records** (including logbooks) of all applicable Essential Safety Measures (listed on the attached Occupancy Permit) as required by **Regulations 225** of The Building Regulations 2018.
- 5.1.4. Provide **maintenance** of the Essential Safety Measures as required by AS1851 & **Regulations 226**.
- i. Exit Doors
- ii. Fire Doors
- iii. Emergency lighting
- iv. illuminated Exit Signs
- v. Fire Extinguishers
- vi. Hose Reels
- vii. Hydrants (including 3 & 6 year test (old buildings) & 5 year (new building)
- viii. Smoke alarm system
- 5.1.5. Ensure paths of travel to exits and any paths of travel within the stairwells of the building obtain the required 1.0m minimum width in accordance with **Part D1.6 of the Building Code of Australia Volume One**.
- 5.1.6. Relocate the existing condensers to the balcony to achieve the required 1.0m minimum height from floor level for barriers to prevent falls in accordance with **Part D2.16 of the Building Code of Australia**.
- 5.1.7. Provide solid shielding to the existing glass barrier adjacent to the concrete upstands between adjoining balcony units to achieve the required 1.0m minimum height from floor level for barriers to prevent falls in accordance with **Part D2.16 of the Building Code of Australia**.
- 5.1.8. Install **indicators/decals** comprising a solid minimum 75mm wide line at between 900mm and 1000mm from the floor must be installed on all fully glazed windows between stair access landings in accordance with **AS 1428.1-2009**.

- 5.1.9. Install **toe board** to the perimeter of the handrail/balustrades at a height of not more than 150mm above the mezzanine finished floor level in accordance with Part D2.16 of the Building Code of Australia.
- 5.1.10. Install tested and approved ("**FRL**") **fire collars** in accordance with approved manufacturer's specifications to the pipework and electrical conduit penetrations in the walls of the existing building.
- 5.1.11. Display and appropriate **evacuation plan** at the entry of the existing building.

Important Note: Item 5 is not a directive to carry out building work, nor does it authorise any person to carry out building work.

DATED THIS 25th DAY OF AUGUST 2020

BUILDING NOTICE SERVED BY:



Signed: _____

Matthew Harvey
MUNICIPAL BUILDING SURVEYOR
Frankston City Council
30 Davey Street Frankston VIC 3199
Telephone: 1300 322 322 E-mail: Info@Frankston.vic.gov.au

BUILDING NOTICE NUMBER: 112-2020-DB

Information Notes:

What is a Building Notice?

A Building Notice is a “show cause” Notice which gives the owner an opportunity to provide information and details justifying why certain work or procedures should not be carried out. In simple terms, the recipient of a building notice is required to provide the Municipal Building Surveyor reasons why he or she should not comply with the directions detailed in the notice.

Why has a Building Notice been issued?

A Building Officer of the Frankston City Council has recently inspected the property/land and identified either general safety deficiencies or aspects that do not comply with the *Building Act 1993* or *Building Regulations 2018*. Under section 212 of the ‘Act’, Council is responsible for enforcement provisions including Section 106 of the *Building Act 1993*. The Municipal Building Surveyor also has a duty of care and is responsible to give the owner an opportunity to justify why certain works or procedures should not be carried out.

What are you required to do?

It is in the owner’s best interest to submit a written response containing statements as to why he or she should not comply with the directions of the Building Notice, or alternatively, submit a submission agreeing to undertake the works. A submission should include a schedule of works containing details of how and when the works will be completed. It is important to respond to **all** items and address them individually. Please find attached an Owners Response to Building Notice form to assist you with your submission.

In regard to certain matters, it is in the owner’s best interest to engage a suitable professional to act on his/her behalf to achieve clear resolution. If the matters raised in the notice are of a technical nature, an informed technical justification from a competent professional in the relevant field may be required. If you require advice on suitable professional fields, please contact the Council on 1300 322 322 Please ask for the officer listed for enquiries on the covering letter.

It is important that no work is carried out until an agreement is reached between the owner and the Municipal Building Surveyor, unless safety aspects require immediate attention which will generally be represented in a separate emergency order.

Consideration of your statements

The Municipal Building Surveyor or delegated representative will consider all written statements from the owner or persons engaged to act on his or her behalf if received within the Sixty (60) day period. After consideration of the written statements the Municipal Building Surveyor may request further information in respect to certain items. Once all items have been adequately addressed, one of three actions will occur. The Building Notice may be cancelled **or**, a Building Order may be issued with some items deleted or amended to reflect the outcome of previous discussions and submissions or, a Building Order will be issued and contain all the directions detailed in the Building Notice.

A Building Order is the next step in the process. If a Building Order is issued, it will require the owner to undertake the directions of the order within a stated time period. Importantly, should compliance with a Building Order not be achieved, penalties will be determined in the Magistrates Court.

What if you do nothing?

The intention of a Building Notice process is to raise discussion of the issue/s between the owner of the property and the Municipal Building Surveyor or delegate. In the event the Municipal Building Surveyor does not receive any response, a Building Order will be issued based on the original observations, and generally contain all the directions detailed in the notice.

Appeals to the Building Appeals board

Under Section 142(1) an owner of a building or land may appeal to the Building Appeals Board against a decision to serve a notice or a failure within a reasonable time, or refusal, to cancel a notice. For further information on the appeal process please visit the Building Appeals Board website <http://www.buildingappeals.vic.gov.au/> or contact via email at registry@buildingappeals.vic.gov.au or telephone 1300 421 082. Pursuant to section 146 of the Act and regulation 271 of the Regulations, the prescribed appeal period is 30 days from the date of the notice.

Frankston Magistrates Court

Frankston City Council frequently attends court to penalise owners in regard to breaches of the *Building Act 1993*. It is in the owners' best interest to resolve the subject issues and work with Frankston City Council rather than be convicted for breaching sections of the *Building Act 1993*. Penalties issued by Frankston Magistrate Court for failure to comply generally range from \$2000 - \$60,000 plus any costs incurred by Frankston City Council.

Owners Response to Building Notice

We hope the contents of this document has aided in your understanding of the Building Notice process. Attached is a form to aid you in your written statements. We strongly encourage you to complete this form or compile something of a similar nature and return within the designated time period. If you have any further queries, please contact the Council on telephone number 1300 322 322.

Subsequent Owners of the Land

Pursuant to section 236 of the *Act*, this building notice is binding on every subsequent owner of the land.

Additional Building Permit

You are required to obtain a Building Permit prior to the commencement of any building works.

The Crown & Public Authorities

Pursuant to Division 6 of the *Act*, this building notice, any building order or other order, infringement, penalty is not enforceable on the Crown and Public Authority. However, if it relates to a **licensee** or **lessee** of crown land, then enforcement and Part 8 of the *Act* will apply as if the licensee or lessee were an owner.

Enforcement Reference:112-2020-DB

Location: 1 Lilliana Boulevard, Carrum Downs 3201

I Con Adamidis, a Building Inspector with Frankston City Council state that on the **25th August 2020** at 5.00pm, I served a 4 page Building Notice with a covering letter on the Owner of the above property by the following method:

☒	Sending the documents by pre-paid ordinary post at the red street mail box located at (insert location) to the address shown on the document.
☐	Sending the documents to pre-paid registered post to the address/es shown on the document
☒	Sending the document by email to the following email address/es: insert email address/es
☐	Delivering a copy of the document to: (insert address)
☐	Leaving a copy of the document with (insert name) a person apparently not less than 16 years of age and apparently residing or employed at Owner's / Occupier's / Company's / Director's / Other persons' usual or last known place of residence or business
☐	A copy of the document was forward to insert (Process Server) for service. Refer to attached affidavit of service from Process Server to verify.
☐	Additional to any of the above, by displaying a copy of the document in a conspicuous position at the site namely (insert) (COMPLETE ONLY IF APPLICABLE) <i>PHOTOGRAPH ATTACHED OF DISPLAYED DOCUMENT TO VERIFY</i>

Evidence of ownership was obtained from:

- ☐ Council records show that the person/company is liable to be rated in respect of the site
- ☐ A Certificate of Title Search to the site
- ☐ An Australian Securities & Investments Commission Company Name extract
- ☐ An Australian Securities & Investments Commission Business Name extract



20th August 2020

(SIGNED)

(DATE)

For Ordinary Mail Only

Witnessed By: Matthew Harvey Signed:

NOTES:

1. If a document is to be served on or given to the owner or occupier of any land and the name of that person is not known the document may be addressed to "the owner" or "the occupier". (Section 236(3) *Building Act 1993*).
2. If a document is to be served on or given to the owner or occupier of any land, the document may be put up in a conspicuous position on the land if the name and address of the owner are not known and there is no occupier of the land. (Section 236(4) *Building Act 1993*).
3. If the owner has authorised a person to act on behalf of the owner under this Act or the Regulations, any document served on or given to that person is deemed to have been served on or given to the owner. (Section 236(5) *Building Act 1993*).
4. If a document to be served on or given to an owner or occupier of any land is properly served on or given to the owner or occupier of the land the document is binding on every subsequent owner or occupier of the land. (Section 236(6) *Building Act 1993*).

Owners Response to Building Notice

I _____ owner of the building/land located at 1 Lilliana Boulevard, Carrum Downs 3201, wish to submit the following response to the Building Notice 112-2020-DB dated 20 August 2020. Please note, all items have been individually addressed and are numbered in accordance with the numbering used in the stated Building Notice.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There is no handwriting or other markings on the paper.

If you intend to comply how long before the works will be completed?

Date: _____

Signature:

Date: _____



Reference: 112-2020-DB
Enquiries: Con Adamidis
E-mail: info@frankston.vic.gov.au
Telephone: 1300 322 322

25 August 2020

Urban Body Corporate Manager
Suite 4 /317-321 Whitehorse Road,
NUNAWADING, VIC 3131

**RE: 1,3,5,7,9,11,101,103,105,107,109,111,201,203,205,207,209 & 211
Lilliana Boulevard, CARRUM DOWNS 3201 (Building A)
AND
2,4,6,8,10,12,102,104,106,108,110,112,202,204,206,208,210 & 212
Nada Way, CARRUM DOWNS 3201 (Building B)**

Dear Sir/Madam,

BUILDING NOTICE

1 Lilliana Boulevard, Carrum Downs 3201

Following an inspection by Con Adamidis & Mathew Hopwood-Glover, on the 29th of May 2020 at 1 Lilliana Boulevard, Carrum Downs revealed non-compliant ESM's. An opinion has been formed that there has been a contravention of the Building Act 1993 and/or Building Regulations 2018.

You are required to justify to Council within **60 days** outlining why the building work that has been carried out without a building permit should not be removed. It is recommended that you complete the attached "Owners Response to Building Notice". If you do not show sufficient cause within this time a Building Order may be served. You must read the information Notes at the back of the Notice to assist you.

Yours faithfully,

Con Adamidis
Building Inspector



Frankston City Council

30 Davey Street, Frankston, Victoria, Australia
Telephone: 1300 322 322 » +613 9784 1888 » Facsimile: +613 9784 1094
PO Box 490, Frankston VIC 3199 » DX 19913 Frankston
Website: frankston.vic.gov.au
ABN: 49 454 768 065

Reference: 205-2018-CLAD
Enquiries: Community Safety Department – Business Support Team
Telephone: 1300 322 322
Email: info@frankston.vic.gov.au

6 October 2020

Urban Body Corporate Management
SUITE 4, 317-321 Whitehorse Road
NUNAWADING VIC 3131

Dear Manveer,

CANCELLATION OF BUILDING NOTICE, SECTION 110 OF THE BUILDING ACT 1993

**RE: 1,3,5,7,9,11,101,103,105,107,109,111,201,203,205,207,209 & 211
Lilliana Boulevard, CARRUM DOWNS 3201 (Building A)**

AND

**2,4,6,8,10,12,102,104,106,108,110,112,202,204,206,208,210 & 212
Nada Way, CARRUM DOWNS 3201 (Building B)**

I am authorised to cancel a Building Notice that has been issued under Part 8, Division 2 of the *Building Act 1993*.

I refer to the Building Notice dated **9 May 2019** and currently in effect at the above property. Pursuant to Section 110 of the Building Act 1993, the building notice has been cancelled.

Thank you for your co-operation in this matter.

Note: This cancellation letter is not evidence that the building work or part of the building to which it applies fully complies with the *Building Act 1993* or the Building Regulations 2018.

This cancellation letter is not a form of certification for the building works.

Yours faithfully,

Matthew Harvey
MUNICIPAL BUILDING SURVEYOR



Reference: 126-2019-DB
Enquiries: Community Safety Department – Business Support Team
Telephone: 1300 322 322
Email: info@frankston.vic.gov.au

6 October 2020

Urban Body Corporate Management
SUITE 4, 317-321 Whitehorse Road
NUNAWADING VIC 3131

Dear Manveer,

**CANCELLATION OF BUILDING NOTICE, SECTION 110 OF THE BUILDING ACT 1993
RE: 2,4,6,8,10,12,102,104,106,108,110,112,202,204,206,208,210 & 212
Sparrow Lane, CARRUM DOWNS 3201 (Building C)**

AND

**1,3,5,7,9,11,101,103,105,107,109,111,201,203,205,207,209 & 211
Nada Way, CARRUM DOWNS 3201 (Building D)**

I am authorised to cancel a Building Notice that has been issued under Part 8, Division 2 of the *Building Act 1993*.

I refer to the Building Notice dated **9 May 2019** and currently in effect at the above property. Pursuant to Section 110 of the Building Act 1993, the building notice has been cancelled.

Thank you for your co-operation in this matter.

Note: This cancellation letter is not evidence that the building work or part of the building to which it applies fully complies with the *Building Act 1993* or the Building Regulations 2018.

This cancellation letter is not a form of certification for the building works.

Yours faithfully,

Matthew Harvey
MUNICIPAL BUILDING SURVEYOR



**Owners Corp – PS 600249Q
25 Lats Avenue, Carrum Downs, VIC, 3201**

Re: Building Notice

Dear Members,

This letter is to provide an update regarding the building notices (copy attached) issued by Frankston City Council.

The Owners Corporation is currently awaiting a reply from the local council further to response issued to the local council in response to the building notice issued.

Whilst this is occurring, we requested an extension from the local council which has been approved.

We will endeavour to keep all lot owners updated

Regards

Manveer Hansra on behalf of Urban Body Corporate Management
22nd of March 2021

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.

MODEL RULES FOR AN OWNERS CORPORATION

Regulation 11

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.

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.

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.

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.
- (2) 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.
- (6) A party to the dispute may appoint a person to act or appear on the party's behalf at the meeting.
- (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**.

BUILDING PERMIT PARTICULARS FORM

BUILDING ACT 1993 BUILDING REGULATIONS 2018 REGULATION 51(1)
FRANKSTON CITY COUNCIL



Telephone: (03) 9784 1900
Fax: (03) 9784 1087

Certificate No: 26448
Issue Date: 12-Apr-2021
Fee Received/Receipt: \$47.20

Applicant Landata
Address Level 1 2 Lonsdale Street
MELBOURNE VIC 3000

Telephone: 9102 0402 Facsimile:
Email: landata.online@victorianlrs.com.au

Applicants Reference: 47470470-020-5:49614

* being / not being a recognised person or body under Section 28 of the House Contracts Guarantee Act 1987, request the particulars of any building approval granted in the preceding 10 years and any current certificate, notice or report made under the Act or Regulations or the Building Control Act 1981 or the Victoria Building Regulations 1983 on the following property:

Property Description: 3/19 Lats Avenue
Carrum Downs 3201
Lot 30 PS 600249, CT-11117/704

PARTICULARS:

Assessment Number 192155

Building Permit Approval No.	Date Issued	Date Final Certificate Issued	Cert of Occ Number	Date Cert of Occ Issued	Brief Description of Works
BS-U1441 20142796/0	03/12/2014				Alteration to Dwelling - Rectification

For further information please contact PBS - Jason Daniels C/- Advance Building Strategies – 8585 3800

Current Certificates, Notices or Reports made under the Building Control Act 1981 or Building Act 1993

No Outstanding Notices or Orders

PLEASE NOTE:

1. This Information is only as accurate as Council's Building records allow.
2. **Please ensure** your client is utilising the official property address as noted in the 'Property Description' section on this certificate. Council is the street numbering authority and allocates numbering in accordance with AS/NZ 4819:2011 Rural and Urban Street Addressing and the Office of Geographic Names Naming Rules for Places in Victoria 2016.

Footnote:

Current Building Regulations require **Compliant** Pool Safety Barriers for all swimming pools and spas greater than 300mm in depth, regardless of when they were constructed. The Building Regulations also require smoke alarms to be installed within all residential building.

Building Department - Civic Centre - Davey Street Frankston
Telephone (03) 9784 1900 - Facsimile (03) 9784 1087
PO Box 490 - Frankston Victoria 3199 - DX 19913 Frankston
Email: building@frankston.vic.gov.au - Website www.frankston.vic.gov.au

Doc Ref: FORM10NC



Statement of lands for period 1 January 2021 to 31 December 2021

Assessment number: 1

Lands owned as at midnight 31 December 2020 — Where a property was sold after 31 December, the vendor (seller) is still liable for the land tax. Any adjustment (pro-rata) of the assessed amount is a private arrangement between the buyer and seller.

Item	Address/Municipality	Land ID/References	Single holding tax [†]	Proportional tax ^{**}	Taxable value
1					
2	UNIT 3, 19 LATS AVE, CARRUM DOWNS, 3201 FRANKSTON	037055834 30 S600249	N/A	\$158.04	\$75,000

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](http://consumer.vic.gov.au/duediligencechecklist) (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.