

# 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.

<b>Land</b>	UNIT 209, 300 MIDDLEBOROUGH ROAD, BLACKBURN VIC 3130
-------------	--

Vendor's name	Sergey Nakonechnyy	Date	/ /
Vendor's signature	_____		
Vendor's name	Marina Nakonechnaya	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

Not Applicable

## 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 document/s

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

Not Applicable

## 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 within the meaning of section 192A of the *Building Act* 1993 if the square box is marked with an 'X'

## 3.4 Planning Scheme

The required specified information is as follows:

- |                                   |  |
|-----------------------------------|--|
| (a) Name of planning scheme       | WHITEHORSE PLANNING SCHEME                         |
| (b) Name of responsible authority | CITY OF WHITEHORSE                                 |
| (c) Zoning of the land            | COMMERCIAL 1 ZONE (C1Z)                            |
| (d) Name of planning overlay      | DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 4 (DDO4) |

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

**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 as follows:  
Please see attached Whitehorse Council Building Certificate for more information.

**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 a current owners corporation certificate with its required accompanying documents and statements, issued in accordance with section 151 of the *Owners Corporations Act 2006*.

**7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (“GAIC”)**

Words and expressions in this section 7 have the same meaning as in Part 9B of the *Planning and Environment Act 1987*.

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 <input type="checkbox"/>	Gas supply <input type="checkbox"/>	Water supply <input type="checkbox"/>	Sewerage <input type="checkbox"/>	Telephone services <input type="checkbox"/>
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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*.

- (a)  Attached is a copy of the plan for the first stage if the land is in the second or subsequent stage.
- (b) The requirements in a statement of compliance relating to the stage in which the land is included that have Not been complied With are As follows:  
NIL
- (c) The proposals relating to subsequent stages that are known to the vendor are as follows:  
NIL
- (d) The contents of any permit under the Planning and Environment Act 1987 authorising the staged subdivision are:  
NIL

## 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 2000m<sup>2</sup>; (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.)*

Is attached

## 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)*

Due Diligence Checklist
Register Search Statement 11452/445
Covenant A762700
Covenant A468975
Copy of Plan PS641153X
OC Basic Report
Detailed Property Report
Vicplan Planning Property Report
Council Rates
Water Information Statement

Owners Corporation Certificate

Building Certificate

# 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.

(04/10/2016)

## **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.

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

VOLUME 11452 FOLIO 445

Security no : 124087921820H  
Produced 03/02/2021 08:19 PM

**LAND DESCRIPTION**

Lot 209 on Plan of Subdivision 641153X.

PARENT TITLES :

Volume 08313 Folio 109 to Volume 08313 Folio 110

Volume 08313 Folio 112 Volume 08351 Folio 501

Volume 08375 Folio 180 to Volume 08375 Folio 181

Volume 08434 Folio 920 Volume 08555 Folio 604

Created by instrument PS641153X 18/10/2013

**REGISTERED PROPRIETOR**

Estate Fee Simple

Joint Proprietors

MARINA NAKONECHNAYA

SERGEY NAKONECHNYI both of UNIT 209/298 MIDDLEBOROUGH ROAD BLACKBURN VIC

3130

AK725186G 19/11/2013

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AR122389S 13/06/2018

MACQUARIE BANK LTD

COVENANT as to part A468975

COVENANT as to part A762700

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.

**DIAGRAM LOCATION**

SEE PS641153X 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: APARTMENT 209 300 MIDDLEBOROUGH ROAD BLACKBURN VIC 3130

**ADMINISTRATIVE NOTICES**

NIL

eCT Control 18440T MSA NATIONAL

Effective from 13/06/2018

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

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Page 2 of 2

### **OWNERS CORPORATIONS**

The land in this folio is affected by  
OWNERS CORPORATION 1 PLAN NO. PS641153X

DOCUMENT END



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Document Assembled	<b>03/02/2021 20:20</b>

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A762700  
7/11/76  
A.S.  
97/17/6

A762700  
710

A762700

**G. PAID**  
FRESHFIELD.

SNOWDEN, NEAVE & DEMAIN, 32  
Victoria 220  
TRANSFER OF LAND

We THE TRUSTEES EXECUTORS and AGENCY COMPANY LIMITED of 401 Collins Street Melbourne THOMAS WEIR ROWELL of San Remo and FRANCIS ALBERT ROWELL of Tooborac Graziers being registered as the proprietors of an estate in fee simple in the land hereinafter described subject to the encumbrances notified hereunder in consideration of the sum of SIX HUNDRED POUNDS paid to us by JAROSLAV MEDVECKY of 242 Gertrude Street Fitzroy Tyre. Retreader DO HEREBY TRANSFER to the said Jaroslav Medvecky all our estate and interest in ALL THAT piece of land being lots 1 and 2 on Plan of Subdivision No. 13966 lodged in the office of Titles and being part of Crown Section 86 Parish of Nunawading County of Bourke and being part of the land comprised in Certificate of Title entered in the Register Book Volume 5934 Folio 710 AND as the said Jaroslav Medvecky HEREBY for myself and my heirs executors administrators and transferees registered proprietor or proprietors for the time being of the land hereby transferred COVENANT with the said The Trustees Executors and Agency Company Limited its successors and transferees and Thomas Weir Rowell and Francis Albert Rowell the survivor of them and their respective heirs executors administrators and transferees registered proprietor or proprietors for the time being of the land remaining untransferred in the said Certificate of Title (other than the land hereby transferred) that I and my heirs executors administrators and transferees registered proprietor or proprietors for the time being of the land hereby transferred will not at any time excavate remove or carry away from the said land any earth, clay gravel or sand except for the purpose of excavating for the foundations of any building to be erected thereon and further that the said land shall not be used for the manufacture or winning of bricks tiles or pottery ware] and IT IS HEREBY AGREED that this covenant shall run with the land hereby transferred and shall appear as an encumbrance on the Certificate of Title to issue pursuant to this transfer.

P792

85



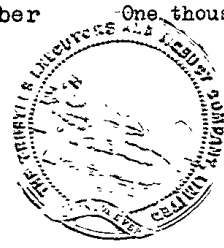
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22 JUN 1959

22 JUN 1959

5934-710 H.  
one back here  
24/7/61

THE COMMON SEAL of THE TRUSTEES EXECUTORS AND AGENCY COMPANY LIMITED was hereto affixed by authority of the Board of Directors.

*W. Sampley* Director  
*R.L. ...* Assistant Manager



Signed by the said THOMAS WEIR ROWELL in Victoria in the presence of:

*TH Rowell*

*[Signature]*

Signed by the said FRANCIS ALBERT ROWELL in Victoria in the presence of:

*FR Rowell*

*[Signature]*

Signed by the said JAROSLAV MEDVECKY in Victoria in the presence of:

*[Signature]*

*F. R. Johnson  
Johnston  
Melbourne.*



ENCUMBRANCES REFERRED TO

The easements and encumbrances (if any) set out at the foot of the said Certificate of Title.







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A468975

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10-11 444354 JUN 23-58

ABBOTT, STILLMAN & WILSON

FREEHOLD

VICTORIA

TRANSFERRED LAND.

We, THE TRUSTEES EXECUTORS AND AGENCY COMPANY LIMITED of 401

Collins Street Melbourne, THOMAS WEIR ROWELL of San Remo and

FRANCIS ALBERT ROWELL of Tooborac Graziers being registered as

the proprietors of an estate in fee simple in the land herein-

after described, subject to the encumbrances notified hereunder,

in consideration of the sum of SIX HUNDRED AND EIGHTY POUNDS

(£680) paid to us by ALEXANDER WALTER BENNETT of 55 Kitchener

Street Box Hill Builder HEREBY TRANSFER to the said Alexander

Walter Bennett All our estate and interest in ALL THAT piece of

land being Lot 3 and 4 on Plan of Subdivision No. 13966 lodged

in the Office of Titles and being part of Crown Section 86

Parish of Nunawading County of Bourke and being part of the land

comprised in Certificate of Title Volume 5934 Folio 710. And

I the said ALEXANDER WALTER BENNETT HEREBY for myself and my

heirs executors administrators and transferees registered

proprietor or proprietors for the time being of the land hereby

transferred COVENANT with the said THE TRUSTEES EXECUTORS AND

AGENCY COMPANY LIMITED its successors and transferees and

THOMAS WEIR ROWELL and FRANCIS ALBERT ROWELL the survivor of

them and their respective heirs executors administrators and

transferees registered proprietor or proprietors for the time

being of the land remaining untransferred in the said

Certificate of Title (other than the land hereby transferred)

that I and my heirs executors administrators and transferees

registered proprietor or proprietors for the time being of the

land hereby transferred will not at any time excavate remove or

carry away from the said land any earth, clay, gravel or sand

except for the purpose of excavating for the foundations of

any building to be erected thereon and further that the said

land shall not be used for the manufacture or winning of bricks

tiles or pottery ware AND IT IS HEREBY AGREED that this

covenant shall run with the land hereby transferred and shall

appear as an encumbrance on the Certificate of Title to issue

*Handwritten initials and scribbles*



5534/-710  
ENC - COUNT  
HEREIN

Sh. 20/10/58

28/10/58

13/38

*Handwritten note: New C Title A596694*

pursuant to this Transfer.

DATED the 23<sup>rd</sup> day of December One thousand nine hundred and fifty-seven.

THE COMMON SEAL of THE TRUSTEES  
EXECUTORS AND AGENCY COMPANY

LIMITED was hereto affixed by  
Authority of the Board of Directors.

*[Handwritten mark]*

*J. Cunningham Stewart*  
Director.  
*A. S. [unclear]*  
Assistant Manager.



SIGNED by the said THOMAS WEIR

ROWELL in Victoria in the

presence of:

*W. M. [unclear] & [unclear]*

*[Signature]*

SIGNED by the said FRANCIS ALBERT

ROWELL in Victoria in the

presence of:

*[Signature]*

*[Signature]*

SIGNED by the said ALEXANDER WALTER

BENNETT in Victoria in the

presence of:

*A. W. Bennett*

*[Signature]*

ENCUMBRANCES REFERRED TO

Nil.



DR468975-2-4

*To be deposited in the Trustee's Office  
of the Public Trust Office  
of the Public Trust Office  
of the Public Trust Office*

*13  
10/12/20*

DATED 1957

THE TRUSTEES EXECUTORS AND  
AND AGENCY COMPANY LTD.,

THOMAS WEIR ROWELL and  
FRANCIS ALBERT ROWELL

- to -

ALEXANDER WALTER BENNETT.

TRANSFER OF LAND

33

Abbott, Stillman & Wilson,  
Solicitors,  
422 Little Collins Street,  
Melbourne.

A memorandum of the within instrument  
has been entered in the Register Book  
Vol. 5934 Fol. 710

*B. H. Jones*  
Assistant Registrar of Titles

*NA*



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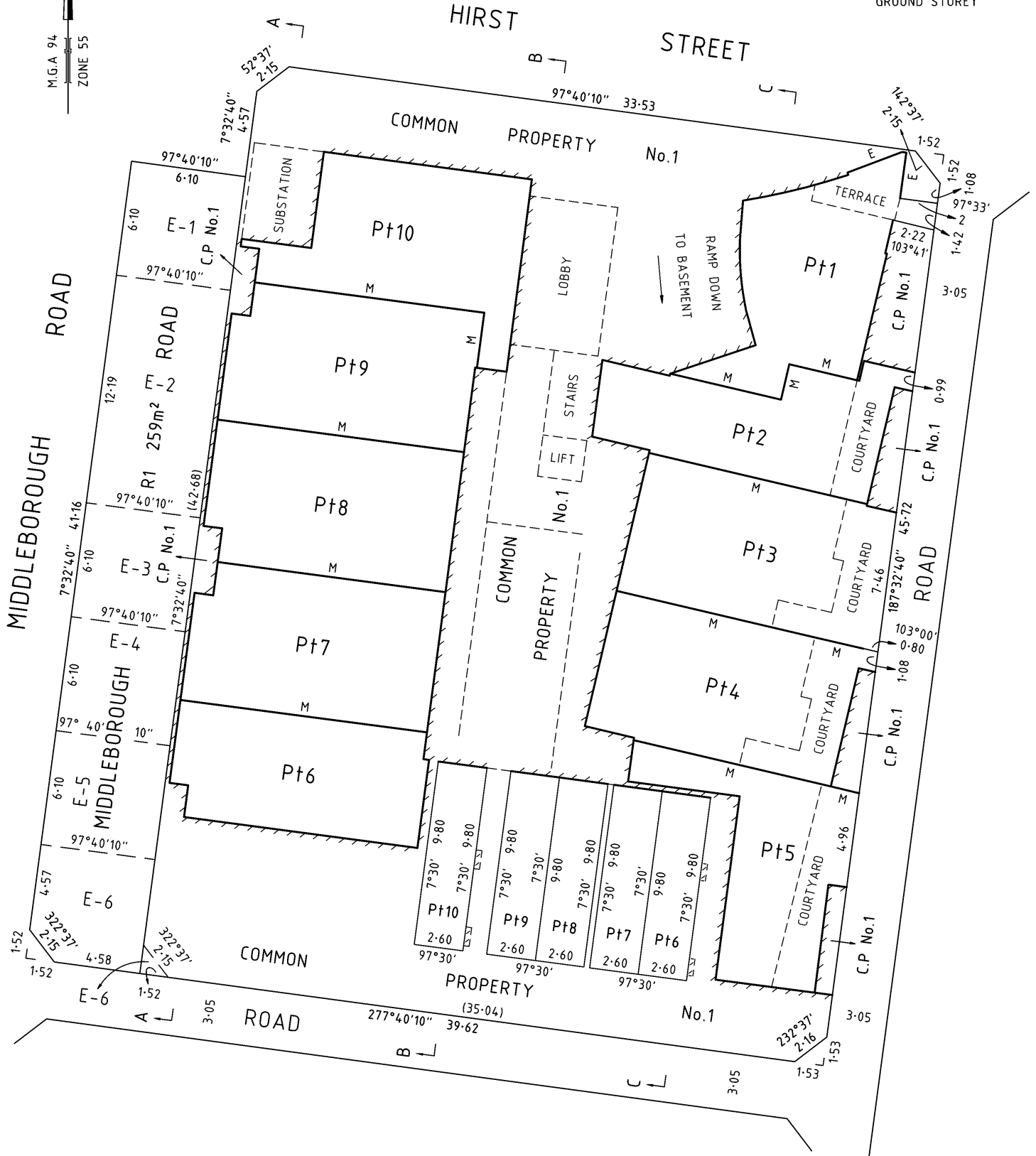
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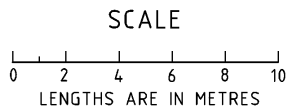
# PLAN OF SUBDIVISION

## PS641153X

DIAGRAM 1  
GROUND STOREY



**BARKER MONAHAN**  
 A.C.N. 005 394 865  
 SURVEYORS, DEVELOPMENT AND  
 LOCAL GOVERNMENT CONSULTANTS  
 581 GILBERT ROAD, PRESTON 3072  
 P.O. BOX 2546 REGENT WEST 3072  
 TELEPHONE 9478 6133 FAX 9470 5189  
 EMAIL: survey@barkermonahan.com.au



ORIGINAL  
SCALE  
1:200

SHEET 2  
ORIGINAL SHEET SIZE: A3

DIGITALLY SIGNED BY LICENSED SURVEYOR: DAVID JOHN MONAHAN

REF. 12695  
COMPUTER FILE: 2695SH2.DWG

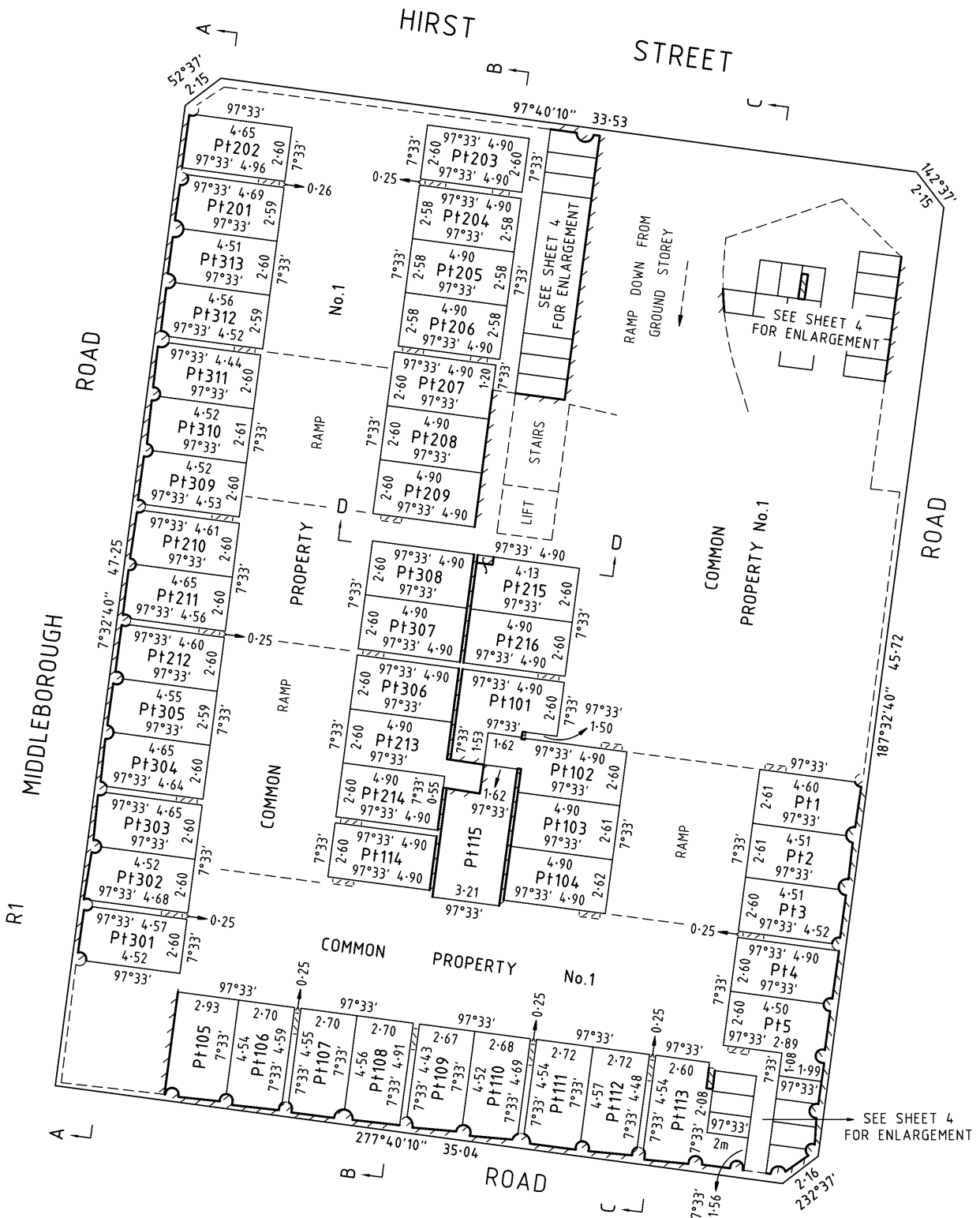
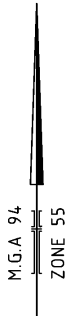
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DATE: 26/07/2013

WHITEHORSE CITY COUNCIL

# PLAN OF SUBDIVISION

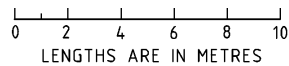
## PS641153X

DIAGRAM 2  
BASEMENT



**BARKER MONAHAN**  
 A.C.N. 005 394 865  
 SURVEYORS, DEVELOPMENT AND  
 LOCAL GOVERNMENT CONSULTANTS  
 581 GILBERT ROAD, PRESTON 3072  
 P.O. BOX 2546 REGENT WEST 3072  
 TELEPHONE 9478 6133 FAX 9470 5189  
 EMAIL: survey@barkermonahan.com.au

### SCALE



ORIGINAL  
SCALE  
1:200

SHEET 3

ORIGINAL SHEET SIZE: A3

DIGITALLY SIGNED BY LICENSED SURVEYOR: DAVID JOHN MONAHAN

REF. 12695

COMPUTER FILE: 2695SH3.DWG

VERSION 06

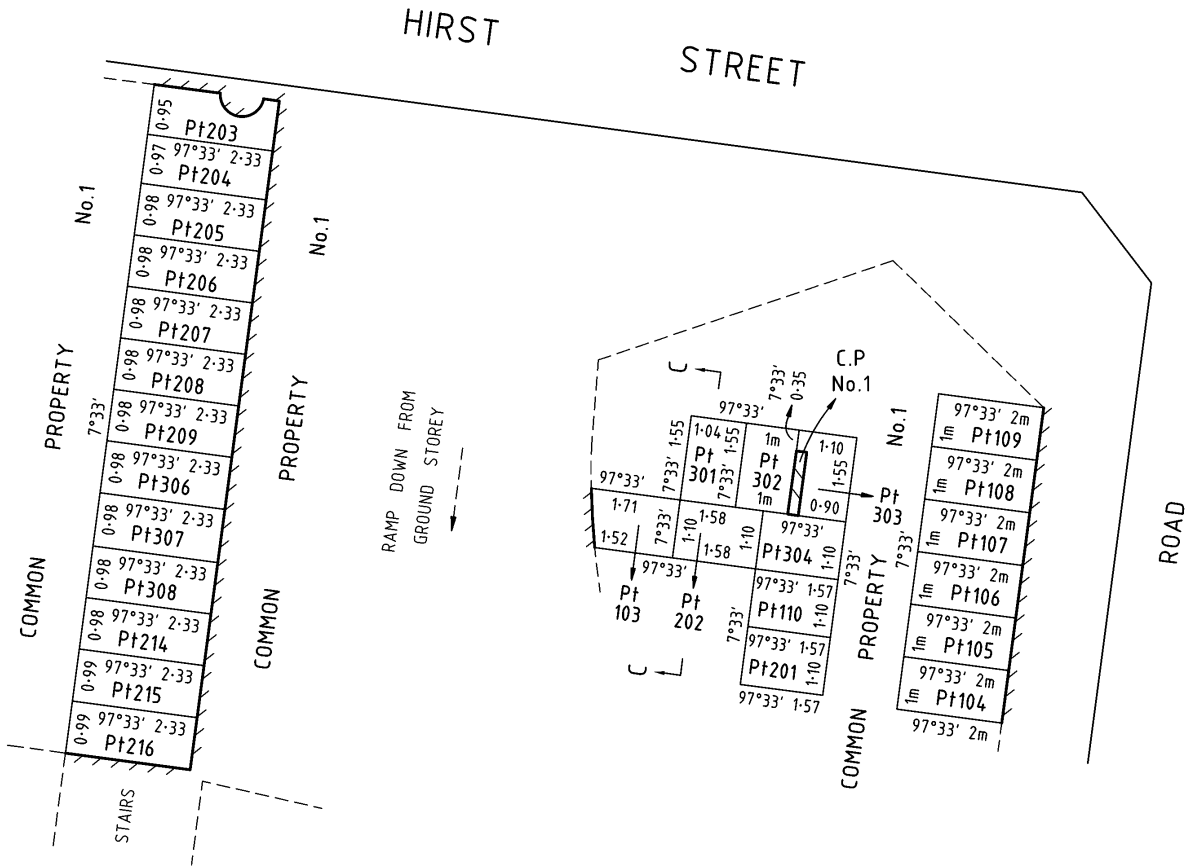
DATE: 26/07/2013

WHITEHORSE CITY COUNCIL

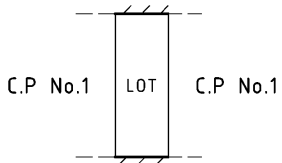
# PLAN OF SUBDIVISION

## PS641153X

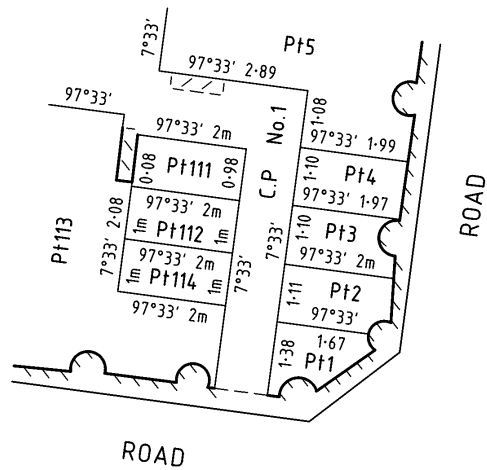
DIAGRAM 3  
BASEMENT  
(STORAGE LOTS)



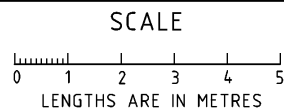
TYPICAL ELEVATION  
(STORAGE LOT)



LOTS Pt1-Pt4, Pt103-Pt112, Pt114,  
Pt201-Pt209, Pt214-Pt216,  
Pt301-Pt304 & Pt306-Pt308



**BARKER MONAHAN**  
A.C.N. 005 394 865  
SURVEYORS, DEVELOPMENT AND  
LOCAL GOVERNMENT CONSULTANTS  
581 GILBERT ROAD, PRESTON 3072  
P.O. BOX 2546 REGENT WEST 3072  
TELEPHONE 9478 6133 FAX 9470 5189  
EMAIL: survey@barkermonahan.com.au



ORIGINAL  
SCALE  
1:100

SHEET 4  
ORIGINAL SHEET SIZE: A3

DIGITALLY SIGNED BY LICENSED SURVEYOR: DAVID JOHN MONAHAN

REF. 12695  
COMPUTER FILE: 2695SH4.DWG

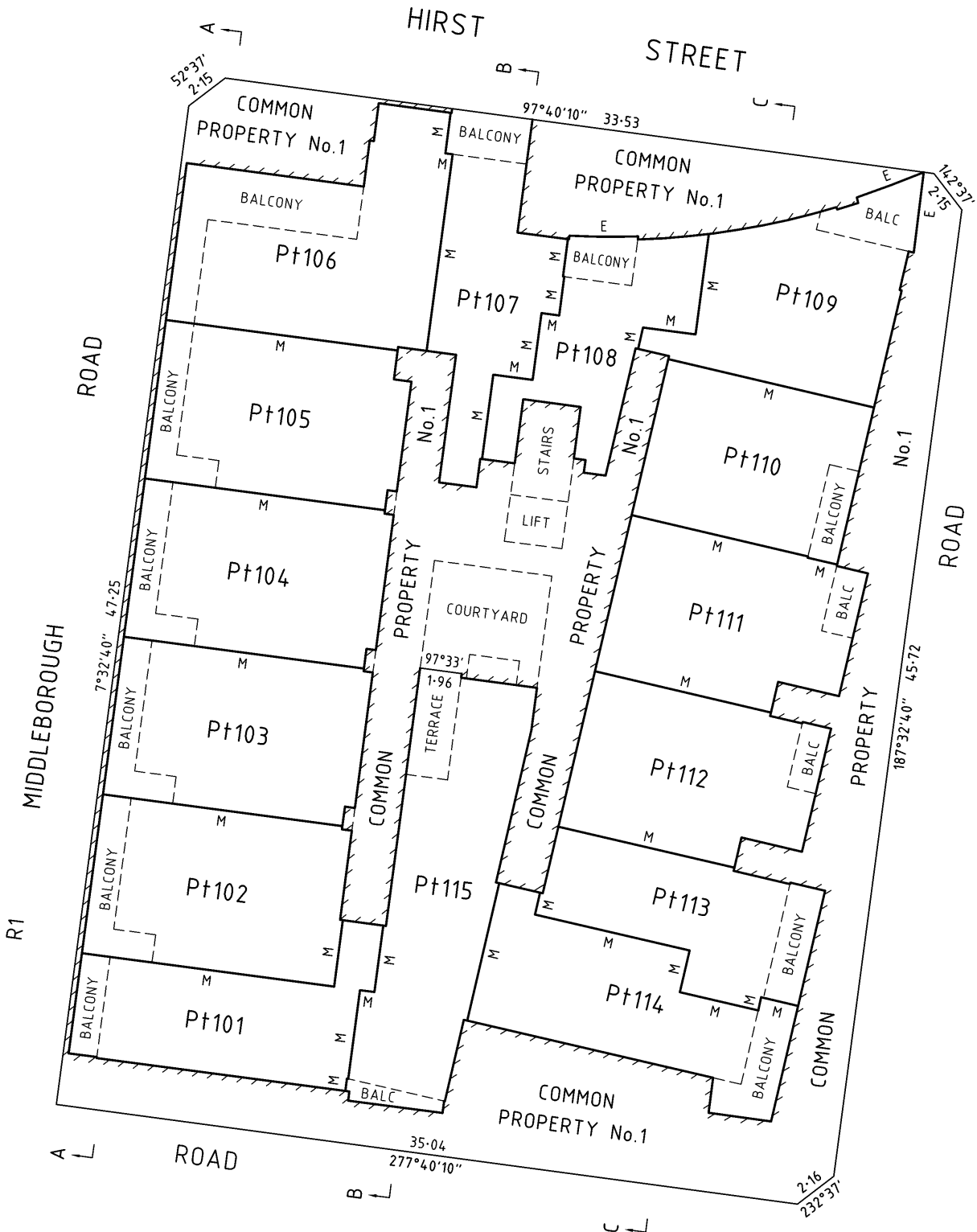
VERSION 06  
DATE: 26/07/2013

WHITEHORSE CITY COUNCIL

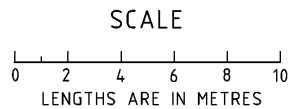
# PLAN OF SUBDIVISION

## PS641153X

DIAGRAM 4  
FIRST STOREY



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 TELEPHONE 9478 6133 FAX 9470 5189  
 EMAIL: survey@barkermonahan.com.au



ORIGINAL  
SCALE  
1:200

SHEET 5  
ORIGINAL SHEET SIZE: A3

DIGITALLY SIGNED BY LICENSED SURVEYOR: DAVID JOHN MONAHAN

REF. 12695  
COMPUTER FILE: 2695SH5.DWG

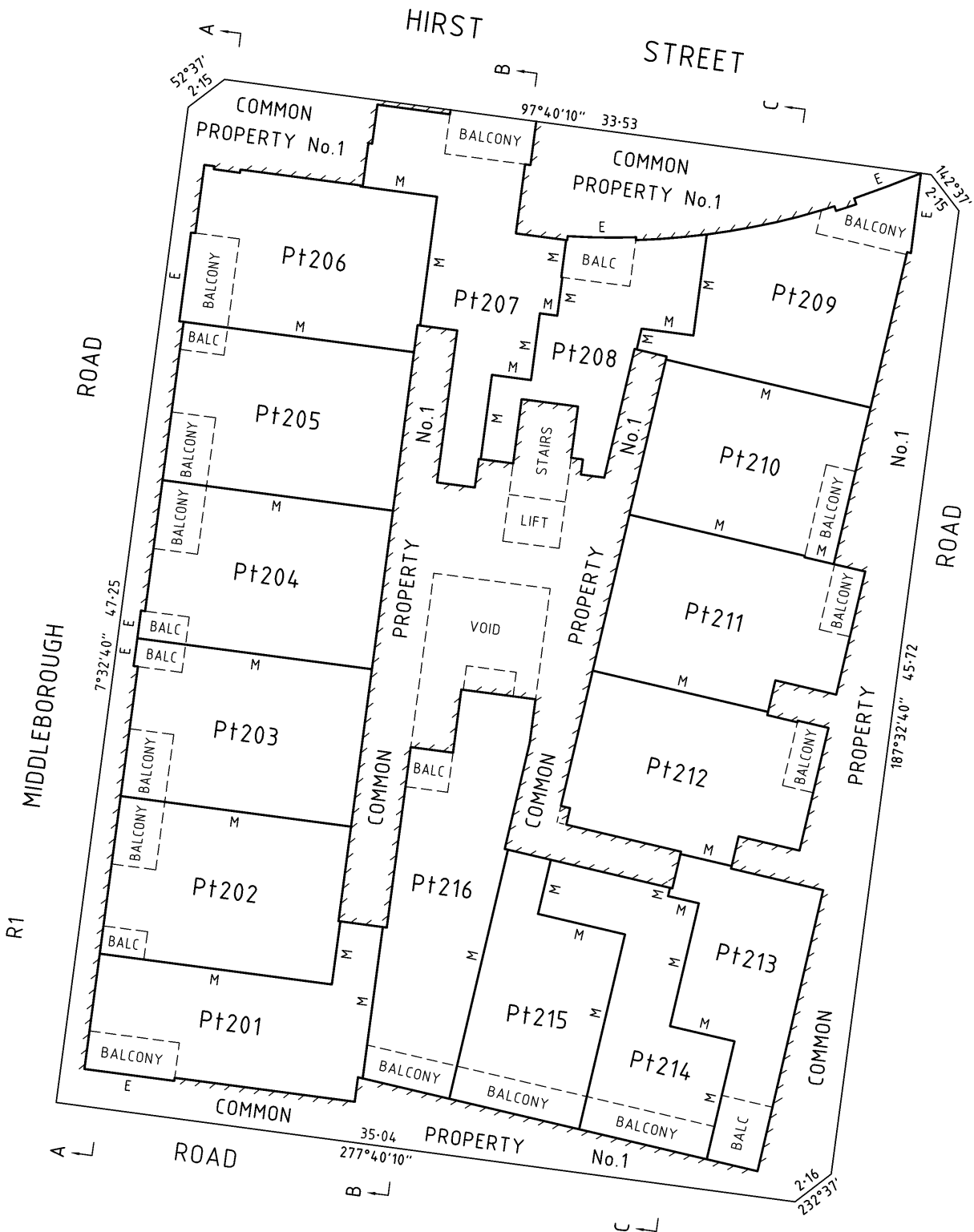
VERSION 06  
DATE: 26/07/2013

WHITEHORSE CITY COUNCIL

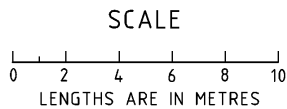
# PLAN OF SUBDIVISION

## PS641153X

DIAGRAM 5  
SECOND STOREY



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 P.O. BOX 2546 REGENT WEST 3072  
 TELEPHONE 9478 6133 FAX 9470 5189  
 EMAIL: survey@barkermonahan.com.au



ORIGINAL  
SCALE  
1:200

SHEET 6  
ORIGINAL SHEET SIZE: A3

DIGITALLY SIGNED BY LICENSED SURVEYOR: DAVID JOHN MONAHAN

REF. 12695  
COMPUTER FILE: 2695SH6.DWG

VERSION 06  
DATE: 26/07/2013

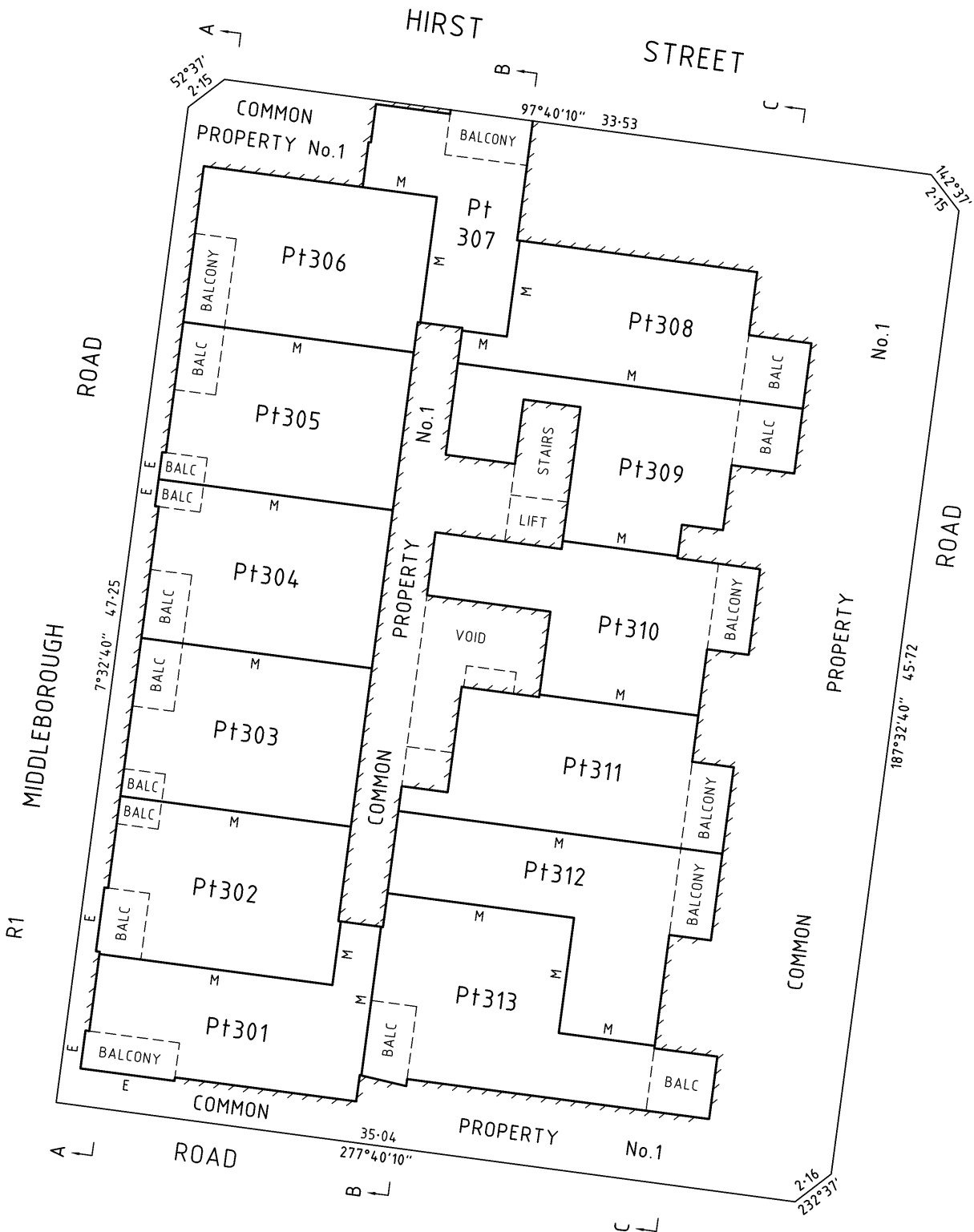
WHITEHORSE CITY COUNCIL

**PLAN OF SUBDIVISION**

**PS641153X**

DIAGRAM 6

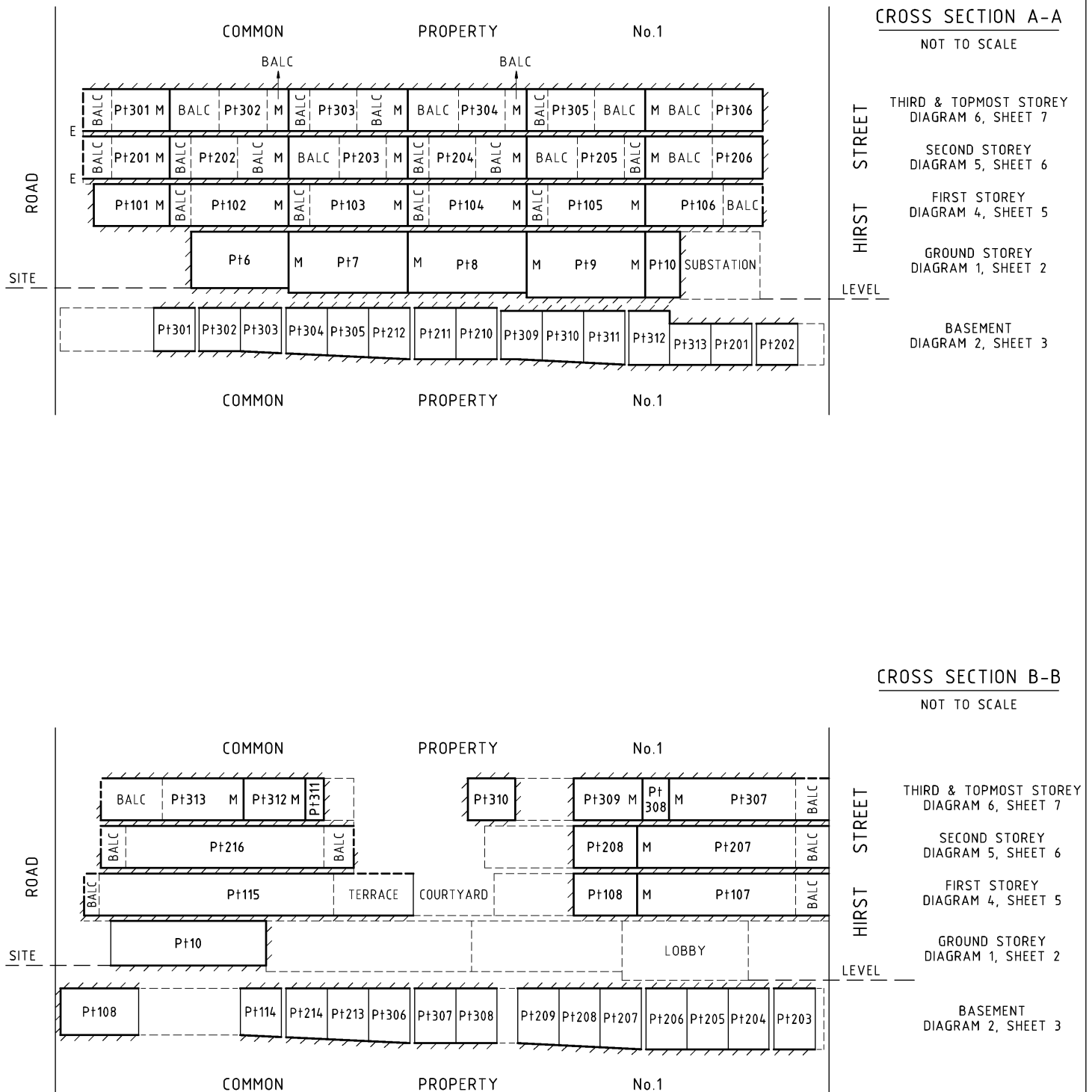
THIRD & TOPMOST STOREY



<p><b>BARKER MONAHAN</b>                  A.C.N. 005 394 865                  SURVEYORS, DEVELOPMENT AND                  LOCAL GOVERNMENT CONSULTANTS                  581 GILBERT ROAD, PRESTON 3072                  P.O. BOX 2546 REGENT WEST 3072                  TELEPHONE 9478 6133 FAX 9470 5189                  EMAIL: survey@barkermonahan.com.au</p>	<p>SCALE</p> <p>LENGTHS ARE IN METRES</p>	<p>ORIGINAL SCALE</p> <p>1:200</p>	<p>SHEET 7</p>
	<p>DIGITALLY SIGNED BY LICENSED SURVEYOR: DAVID JOHN MONAHAN</p>		<p>ORIGINAL SHEET SIZE: A3</p>
	<p>REF. 12695</p> <p>COMPUTER FILE: 2695SH7.DWG</p>	<p>VERSION 06</p> <p>DATE: 26/07/2013</p>	<p>WHITEHORSE CITY COUNCIL</p>

# PLAN OF SUBDIVISION

## PS641153X



### BARKER MONAHAN

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SURVEYORS, DEVELOPMENT AND  
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REF. 12695

COMPUTER FILE: 2695SH8.DWG

VERSION 06

DATE: 26/07/2013

SHEET 8

ORIGINAL SHEET SIZE: A3

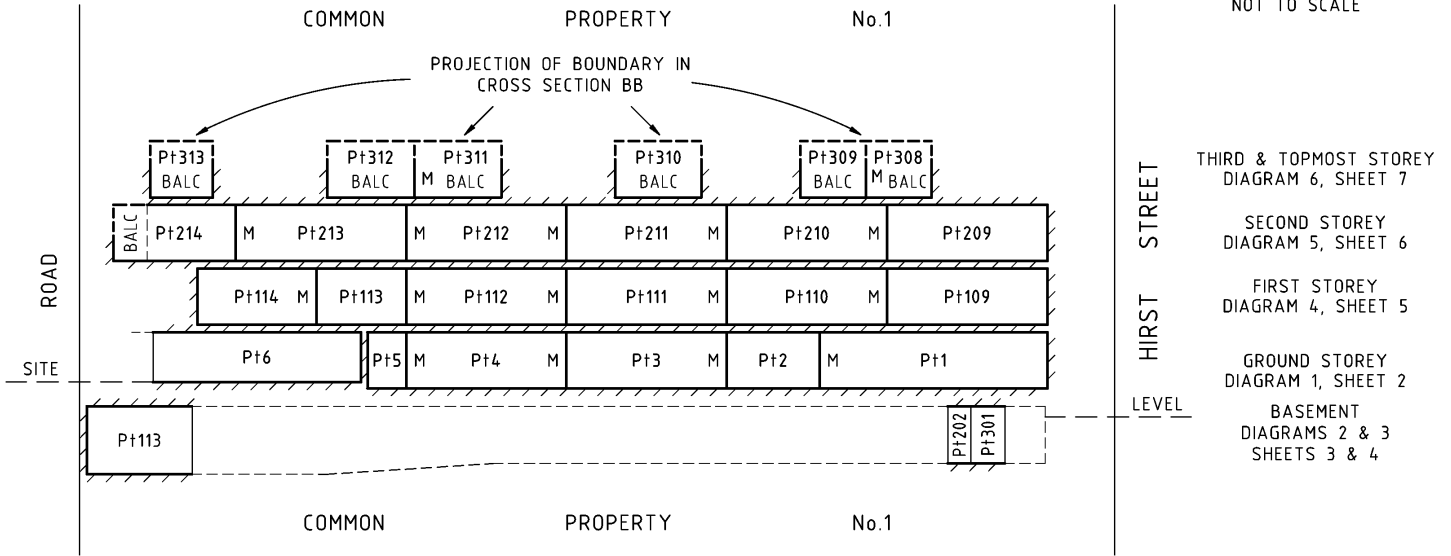
WHITEHORSE CITY COUNCIL

# PLAN OF SUBDIVISION

## PS641153X

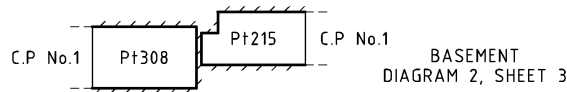
### CROSS SECTION C-C

NOT TO SCALE



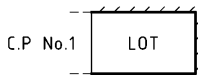
### CROSS SECTION D-D

NOT TO SCALE



### TYPICAL ELEVATION

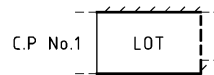
(CAR PARK)



GROUND STOREY: Pt6-Pt10  
BASEMENT: Pt1-Pt5, Pt101-Pt115, Pt201, Pt202, Pt210-Pt216 & Pt301-Pt313

### TYPICAL ELEVATION

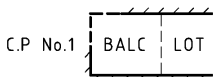
(CAR PARK)



BASEMENT: Pt207, Pt208 & Pt209

### TYPICAL ELEVATION

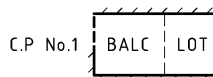
(BALCONY)



FIRST STOREY: Pt101-Pt106

### TYPICAL ELEVATION

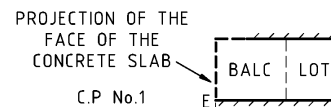
(BALCONY)



FIRST STOREY: Pt110-Pt114  
SECOND STOREY: Pt201-Pt205 & Pt210-Pt215  
THIRD STOREY: Pt302-Pt306

### TYPICAL ELEVATION

(BALCONY)



FIRST STOREY: Pt108 & Pt109  
SECOND STOREY: Pt201, Pt203, Pt204, Pt206, Pt208 & Pt209  
THIRD STOREY: Pt301, Pt302, Pt304 & Pt305

### BARKER MONAHAN

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TELEPHONE 9478 6133 FAX 9470 5189  
EMAIL: survey@barkermonahan.com.au

DIGITALLY SIGNED BY LICENSED SURVEYOR: DAVID JOHN MONAHAN

REF. 12695  
COMPUTER FILE: 2695SH9.DWG

VERSION 06  
DATE: 26/07/2013

SHEET 9

ORIGINAL SHEET SIZE: A3

WHITEHORSE CITY COUNCIL



**Plan of Subdivision PS641153X**  
**Concurrent Certification and Statement of Compliance**  
**(Form 3)**

SUBDIVISION (PROCEDURES) REGULATIONS 2011

SPEAR Reference Number: S025621S  
Plan Number: PS641153X  
Responsible Authority Name: Whitehorse City Council  
Responsible Authority Reference Number 1: WH/2012/349  
Responsible Authority Reference Number 2: CRT/5226 PS  
Surveyor's Plan Version: version 06

**Certification**

This plan is certified under section 6 of the Subdivision Act 1988

**Statement of Compliance**

This is a statement of compliance issued under section 21 of the Subdivision Act 1988

**Public Open Space**

A requirement for public open space under section 18 of the Subdivision Act 1988

Has been made and the requirement has been satisfied

Digitally signed by Council Delegate: Phillip Singh  
Organisation: Whitehorse City Council  
Date: 05/09/2013



# Department of Environment, Land, Water & Planning

## Owners Corporation Search Report

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Produced: 03/02/2021 08:20:46 PM

**OWNERS CORPORATION 1**  
**PLAN NO. PS641153X**

The land in PS641153X is affected by 1 Owners Corporation(s)

### Land Affected by Owners Corporation:

Common Property 1, Lots 1 - 10, 101 - 115, 201 - 216, 301 - 313.

### Limitations on Owners Corporation:

Unlimited

### Postal Address for Services of Notices:

CAMPBELL CORPORATE SERVICES 4 596 NORTH ROAD ORMOND VIC 3204

AL569440D 17/12/2014

### Owners Corporation Manager:

NIL

### Rules:

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

### Owners Corporation Rules:

1. AL455111K 29/10/2014

### Additional Owners Corporation Information:

OC019744T 18/10/2013

### Notations:

NIL

### Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 1	52	15
Lot 2	43	12
Lot 3	55	15
Lot 4	55	15
Lot 5	37	10
Lot 6	43	10



# Department of Environment, Land, Water & Planning

## Owners Corporation Search Report

Produced: 03/02/2021 08:20:46 PM

OWNERS CORPORATION 1  
PLAN NO. PS641153X

### Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Lot 7	39	10
Lot 8	39	10
Lot 9	39	10
Lot 10	40	10
Lot 101	40	10
Lot 102	51	15
Lot 103	51	15
Lot 104	51	15
Lot 105	51	15
Lot 106	52	15
Lot 107	40	10
Lot 108	39	10
Lot 109	49	15
Lot 110	49	15
Lot 111	51	15
Lot 112	51	15
Lot 113	39	10
Lot 114	48	15
Lot 115	55	17
Lot 201	43	12
Lot 202	50	15
Lot 203	50	15
Lot 204	50	15
Lot 205	50	15
Lot 206	50	15
Lot 207	50	15
Lot 208	39	10
Lot 209	49	15
Lot 210	49	15



# Department of Environment, Land, Water & Planning

## Owners Corporation Search Report

Produced: 03/02/2021 08:20:46 PM

**OWNERS CORPORATION 1  
PLAN NO. PS641153X**

### Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Lot 211	51	15
Lot 212	51	15
Lot 213	39	10
Lot 214	40	10
Lot 215	39	10
Lot 216	55	17
Lot 301	44	12
Lot 302	52	15
Lot 303	52	15
Lot 304	52	15
Lot 305	52	15
Lot 306	52	15
Lot 307	40	10
Lot 308	52	15
Lot 309	52	15
Lot 310	52	15
Lot 311	52	15
Lot 312	53	15
Lot 313	59	15
<b>Total</b>	<b>2578.00</b>	<b>730.00</b>

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.

## Property Report

from [www.land.vic.gov.au](http://www.land.vic.gov.au) on 02 February 2021 11:45 AM

**Address:** APARTMENT 209/300 MIDDLEBOROUGH ROAD BLACKBURN 3130

**Lot and Plan Number:** Lot 209 PS641153

**Standard Parcel Identifier (SPI):** 209\PS641153

**Local Government (Council):** WHITEHORSE **Council Property Number:** 267264

**Directory Reference:** Melway 47 G12

**Note:** There are 55 properties identified for this site.

These can include units (or car spaces), shops, or part or whole floors of a building.  
Dimensions for these individual properties are generally not available.

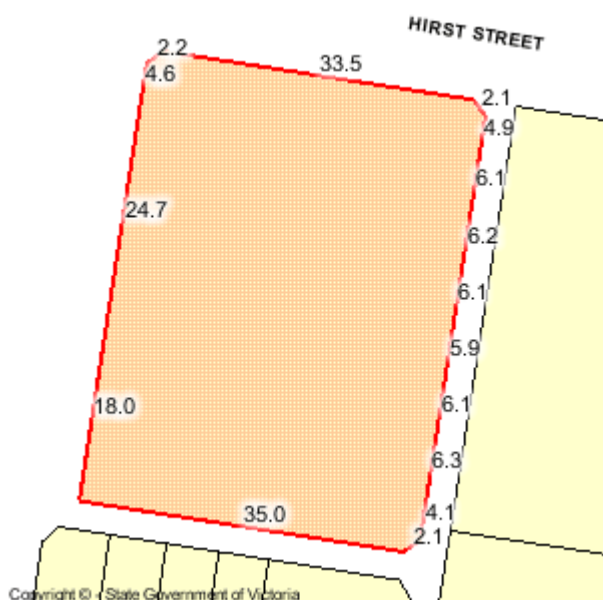
**This property is not in a designated bushfire prone area.**

**No special bushfire construction requirements apply. Planning provisions may apply.**

Further information about the building control system and building in bushfire prone areas can be found in the Building Commission section of the Victorian Building Authority website [www.vba.vic.gov.au](http://www.vba.vic.gov.au)

### Site Dimensions

All dimensions and areas are approximate. They may not agree with the values shown on a title or plan.



**Area:** 1780 sq. m

**Perimeter:** 168 m

For this property:

— Site boundaries

— Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available.

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

### State Electorates

**Legislative Council:** EASTERN METROPOLITAN

**Legislative Assembly:** BOX HILL

### Utilities

**Rural Water Corporation:** Southern Rural Water

**Melbourne Water Retailer:** Yarra Valley Water

**Melbourne Water:** inside drainage boundary

**Power Distributor:** UNITED ENERGY (Information about [choosing an electricity retailer](#))

Planning information continued on next page

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## Planning Zone Summary

**Planning Zone:** COMMERCIAL 1 ZONE (C1Z)  
SCHEDULE TO THE COMMERCIAL 1 ZONE (C1Z)

**Planning Overlay:** DESIGN AND DEVELOPMENT OVERLAY (DDO)  
DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 4 (DDO4)

### Areas of Aboriginal Cultural Heritage Sensitivity:

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

Planning scheme data last updated on 27 January 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 [Planning Schemes Online](#)

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](#)

The Planning Property Report includes separate maps of zones and overlays

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 [Planning Maps Online](#)

For other information about planning in Victoria visit [www.planning.vic.gov.au](http://www.planning.vic.gov.au)

### Areas of Aboriginal 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.vic.gov.au/aboriginalvictoria/heritage/planning-and-heritage-management-processes.html>

### Area Map



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From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) on 02 February 2021 11:47 AM

## PROPERTY DETAILS

Address: **APARTMENT 209/300 MIDDLEBOROUGH ROAD BLACKBURN 3130**  
 Lot and Plan Number: **Lot 209 PS641153**  
 Standard Parcel Identifier (SPI): **209\PS641153**  
 Local Government Area (Council): **WHITEHORSE**  
 Council Property Number: **267264**  
 Planning Scheme: **Whitehorse**  
 Directory Reference: **Melway 47 G12**

[www.whitehorse.vic.gov.au](http://www.whitehorse.vic.gov.au)

[planning-schemes.delwp.vic.gov.au/schemes/whitehorse](http://planning-schemes.delwp.vic.gov.au/schemes/whitehorse)

## UTILITIES

Rural Water Corporation: **Southern Rural Water**  
 Melbourne Water Retailer: **Yarra Valley Water**  
 Melbourne Water: **inside drainage boundary**  
 Power Distributor: **UNITED ENERGY**

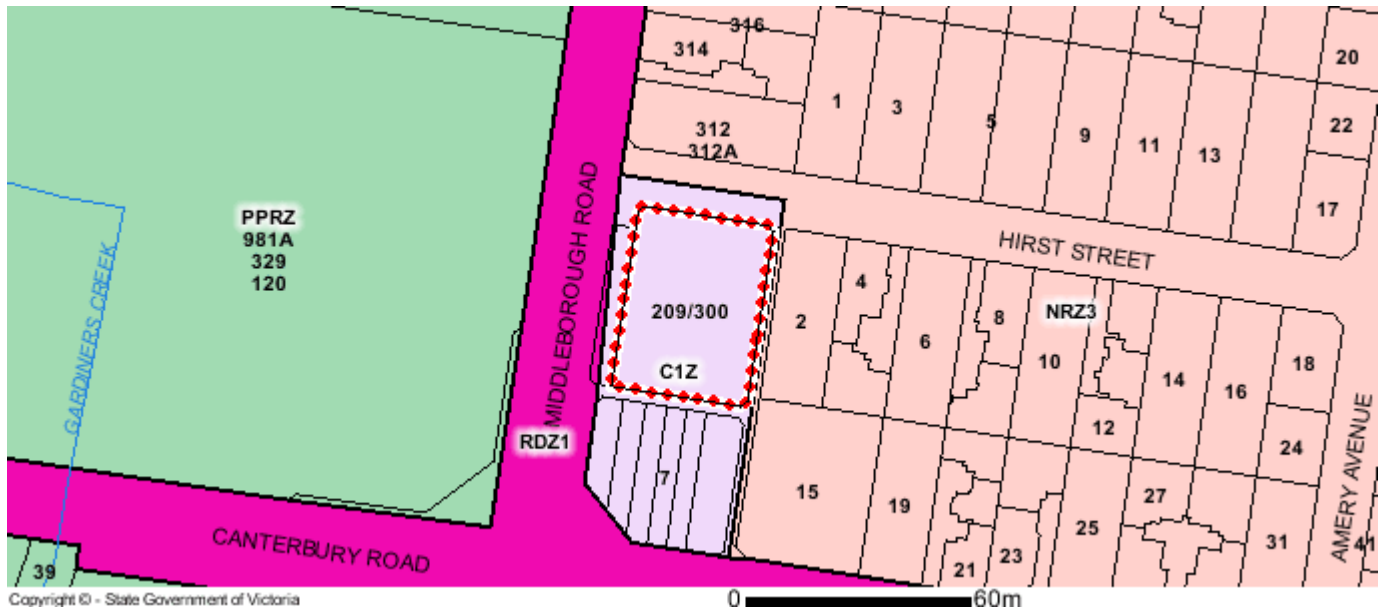
## STATE ELECTORATES

Legislative Council: **EASTERN METROPOLITAN**  
 Legislative Assembly: **BOX HILL**

## Planning Zones

[COMMERCIAL 1 ZONE \(C1Z\)](#)

[SCHEDULE TO THE COMMERCIAL 1 ZONE \(C1Z\)](#)



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- C1Z - Commercial 1
- NRZ - Neighbourhood Residential
- PPRZ - Public Park & Recreation
- RDZ1 - Road - Category 1

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

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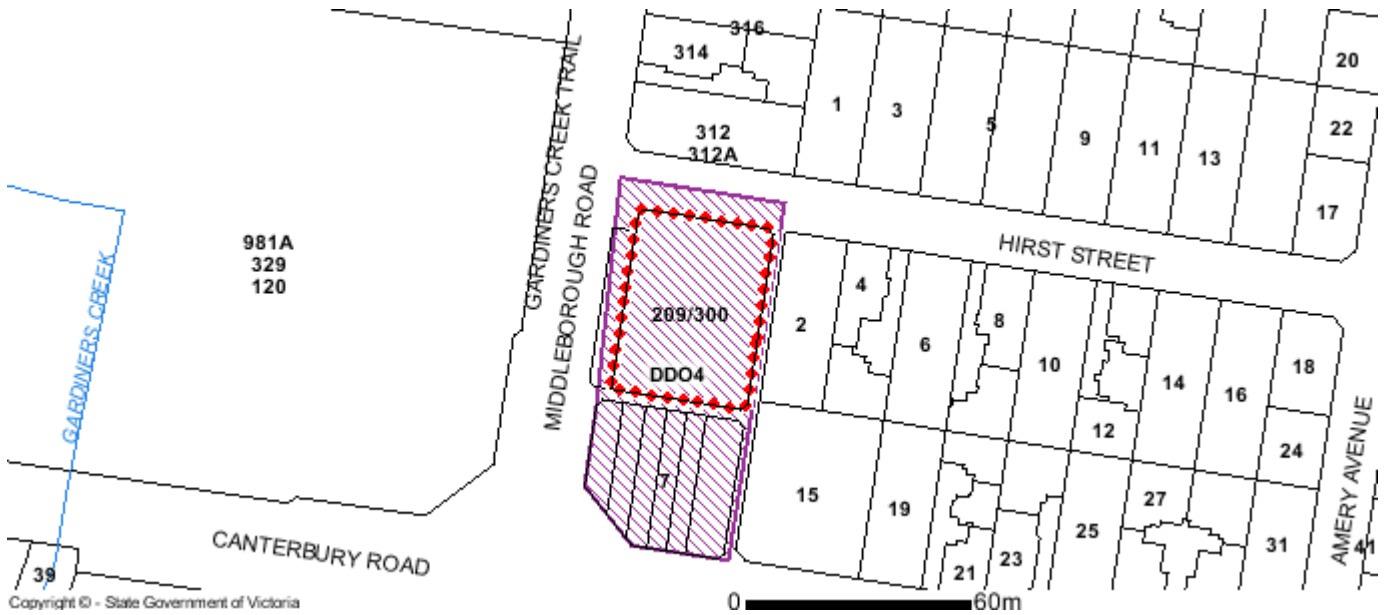
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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

## Planning Overlay

[DESIGN AND DEVELOPMENT OVERLAY \(DDO\)](#)

[DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 4 \(DDO4\)](#)



DDO - Design and Development

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

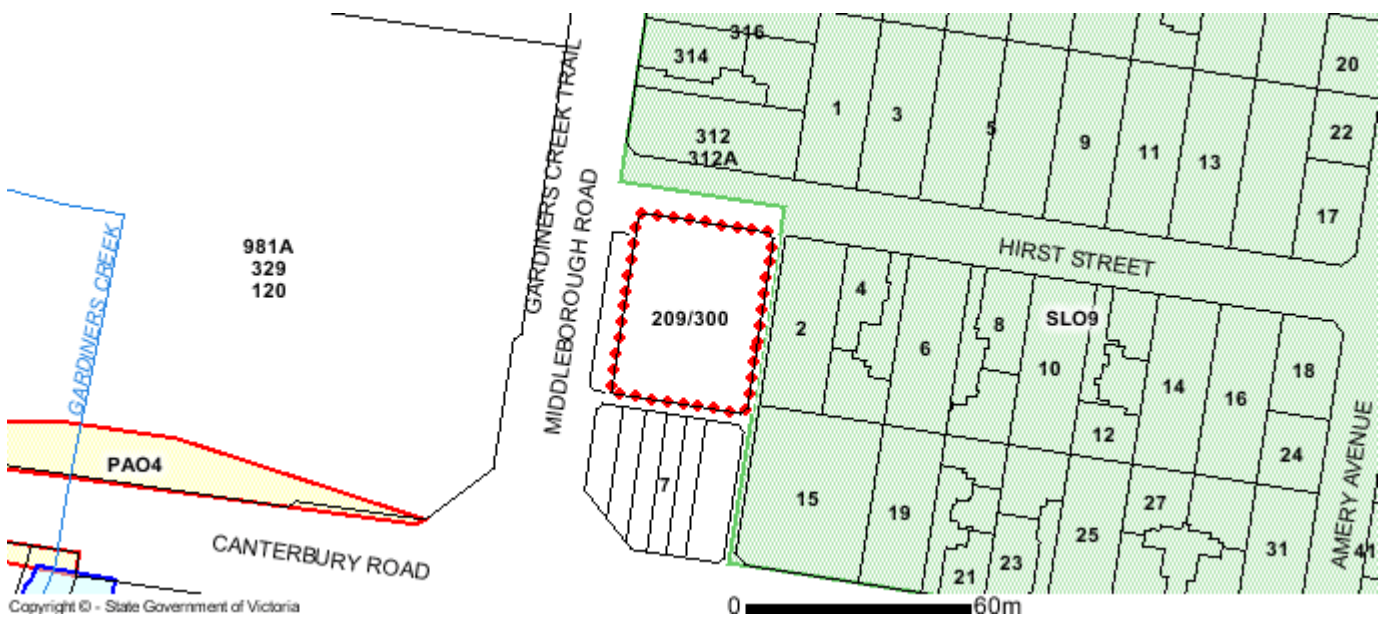
### OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

[LAND SUBJECT TO INUNDATION OVERLAY \(LSIO\)](#)

[PUBLIC ACQUISITION OVERLAY \(PAO\)](#)

[SIGNIFICANT LANDSCAPE OVERLAY \(SLO\)](#)



LSIO - Land Subject to Inundation

PAO - Public Acquisition

SLO - Significant Landscape

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

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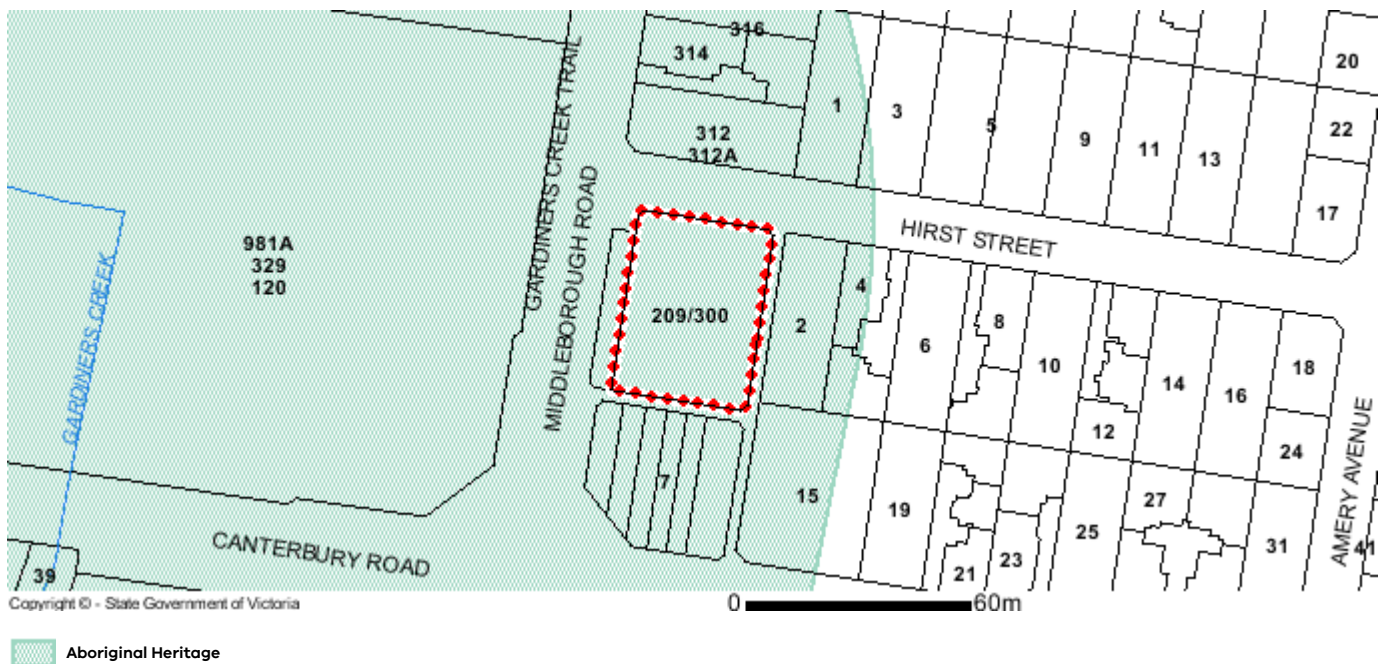
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## Further Planning Information

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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 <http://mapshare.maps.vic.gov.au/vicplan>

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

## Designated Bushfire Prone Area

**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 <http://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 [www.vba.vic.gov.au](http://www.vba.vic.gov.au)

Copies of the Building Act and Building Regulations are available from [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)

For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>



# Valuation and Rate Notice

Rates, Charges and Levies for period 1 July 2020 to 30 June 2021  
Whitehorse City Council ABN: 39 549 568 822  
Tax Invoice issued: 28 August 2020  
GST NOT APPLICABLE

## 2020/2021

Whitehorse City Council  
379-397 Whitehorse Road  
Nunawading 3131

Telephone: 9262 6333  
Fax: 9262 6490  
NRS: 133 677 then quote 9262 6333  
(Service for deaf, hearing or speech impaired people)  
TIS: 131 450  
(Telephone Interpreter Service. Call and ask to be connected to Whitehorse City Council)

Email  
customer.service@whitehorse.vic.gov.au

Website  
www.whitehorse.vic.gov.au

029-3076 (39016)

Ms M Nakonechnaya and Mr S Nakonechnyy  
14 Corbett Avenue  
EPPING VIC 3076

Assessment Number: 10047115 0

### Property Description

209/300 Middleborough Road, BLACKBURN VIC 3130  
Lot 209 PS 641153X

RECENTLY GAZETTED WARD: Cootamundra  
(See note on Page 2)

LAND USE CLASSIFICATION: Residential

AUSTRALIAN VALUATION PROPERTY CLASSIFICATION CODE  
(AVPCC) AND DESCRIPTION: 125.3 - Apartment-(subdivided Multi Storey Development)  
VALUATIONS AS AT 1 JANUARY 2020

OPERATIVE DATE: 1 July 2020

Site Value:	\$64,000
Capital Improved Value (CIV):	\$405,000
Net Annual Value:	\$20,250

### Details of Rates, Charges and Levies

General Rate 0.171365 cents in \$ on \$405,000 CIV	\$694.00
Fire Services Property Levy Fixed Charge	\$113.00
*SPL Variable Rate 0.0054 cents in \$ on \$405,000 CIV	\$21.85

Payments and changes received on or after 24 August 2020 may not be included on this Notice.

**Total amount due \$828.85**

Payment options (see back page for details):

### Relief and Support

For information see  
page 2

### 1 ARREARS DUE:

**\$0.00**

PLUS:

### 2 Payment in full due by:

**15 February 2021**

**\$828.85**

OR

PLUS:

### 3 1st Instalment must be received by:

**30 September 2020**

**\$207.85 E3114568**

Instalment Notices will be issued for:

1st Instalment - Due by 16/2/2021 \$207.85

2nd Instalment - Due by 30 November 2020 \$207.00

3rd Instalment - Due by 1 March 2021 \$207.00

4th Instalment - Due by 31 March 2021 \$207.00

3rd February 2021

Let's Settle Conveyancing C/- InfoTrack (Smokeball  
LANDATA

Dear Let's Settle Conveyancing C/- InfoTrack (Smokeball,

**RE: Application for Water Information Statement**


<b>Property Address:</b>	209/300 MIDDLEBOROUGH ROAD BLACKBURN 3130
<b>Applicant</b>	Let's Settle Conveyancing C/- InfoTrack (Smokeball LANDATA
<b>Information Statement</b>	30578634
<b>Conveyancing Account Number</b>	7959580000
<b>Your Reference</b>	440534

Thank you for your recent application for a Water Information Statement (WIS). We are pleased to provide you the WIS for the above property address. This statement includes:

- Yarra Valley Water Property Information Statement
- Melbourne Water Property Information Statement
- Asset Plan
- Rates Certificate

If you have any questions about Yarra Valley Water information provided, please phone us on **1300 304 688** or email us at the address [enquiry@yvw.com.au](mailto:enquiry@yvw.com.au). For further information you can also refer to the Yarra Valley Water website at [www.yvw.com.au](http://www.yvw.com.au).

Yours sincerely,



Steve Lennox  
GENERAL MANAGER  
RETAIL SERVICES

## Yarra Valley Water Property Information Statement

Property Address	209/300 MIDDLEBOROUGH ROAD BLACKBURN 3130
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STATEMENT UNDER SECTION 158 WATER ACT 1989

### **THE FOLLOWING INFORMATION RELATES TO SECTION 158(3)**

Existing sewer mains will be shown on the Asset Plan.

Please note: Unless prior consent has been obtained, the Water Act prohibits:

1. The erection and/or placement of any building, wall, bridge, fence, embankment, filling, material, machinery or other structure over or under any sewer or drain.
2. The connection of any drain or sewer to, or interference with, any sewer, drain or watercourse.

## **Melbourne Water Encumbrance**

Property Address	209/300 MIDDLEBOROUGH ROAD BLACKBURN 3130
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STATEMENT UNDER SECTION 158 WATER ACT 1989

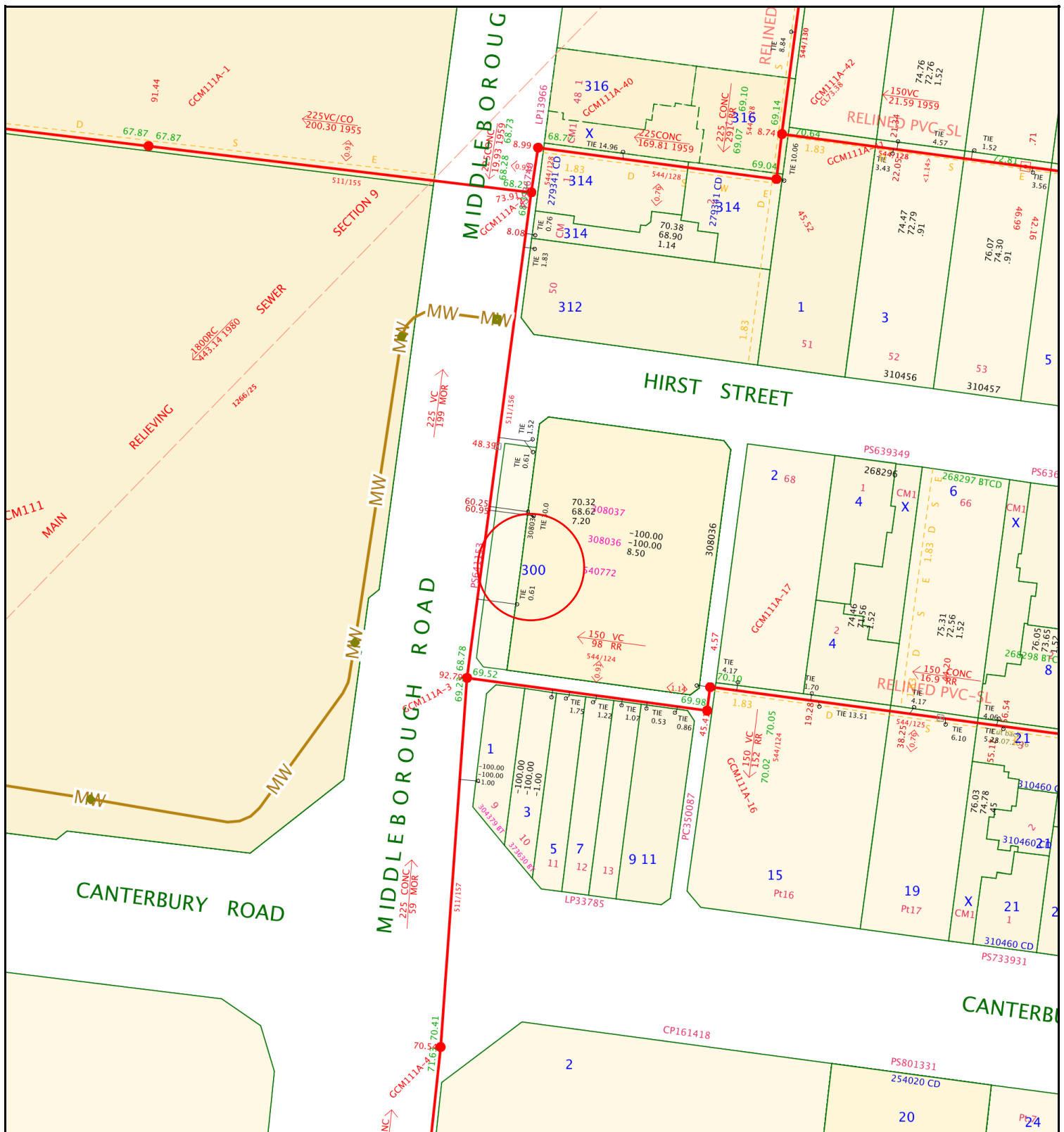
### **THE FOLLOWING ENCUMBRANCES RELATE TO SECTION 158(4)**

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

Please note: Unless prior consent has been obtained, the Water Act prohibits:

1. The erection and/or placement of any building, wall, bridge, fence, embankment, filling, material, machinery or other structure over or under any sewer or drain.
2. The connection of any drain or sewer to, or interference with, any sewer, drain or watercourse.

If you have any questions regarding Melbourne Water encumbrances or advisory information, please contact Melbourne Water on 9679 7517.



**Yarra Valley Water  
Information Statement  
Number: 30578634**

<b>Address</b>	209/300 MIDDLEBOROUGH ROAD BLACKBURN 3130
<b>Date</b>	03/02/2021
<b>Scale</b>	1:1000



ABN 93 066 902 501

Existing Title	Access Point Number	GLV2-42	MW Drainage Channel Centreline	
Proposed Title	Sewer Manhole		MW Drainage Underground Centreline	
Easement	Sewer Pipe Flow		MW Drainage Manhole	
Existing Sewer	Sewer Offset	<1.00>	MW Drainage Natural Waterway	
Abandoned Sewer	Sewer Branch			

**Disclaimer:** This information is supplied on the basis Yarra Valley Water Ltd:  
 - Does not warrant the accuracy or completeness of the information supplied, including, without limitation, the location of Water and Sewer Assets;  
 - Does not accept any liability for loss or damage of any nature, suffered or incurred by the recipient or any other persons relying on this information;  
 - Recommends recipients and other persons using this information make their own site investigations and accommodate their works accordingly;

Let's Settle Conveyancing C/- InfoTrack (Smokeball  
LANDATA  
certificates@landata.vic.gov.au

## RATES CERTIFICATE

Account No: 5359422776  
Rate Certificate No: 30578634

Date of Issue: 03/02/2021  
Your Ref: 440534

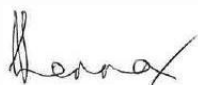
With reference to your request for details regarding:

Property Address	Lot & Plan	Property Number	Property Type
APT 209/300 MIDDLEBOROUGH RD, BLACKBURN VIC 3130	209\PS641153	5072907	Residential

Agreement Type	Period	Charges	Outstanding
Residential Water Service Charge	01-01-2021 to 31-03-2021	\$19.26	\$19.26
Residential Sewer Service Charge	01-01-2021 to 31-03-2021	\$113.00	\$113.00
Parks Fee	01-07-2020 to 30-06-2021	\$79.02	\$0.00
Drainage Fee	01-01-2021 to 31-03-2021	\$25.72	\$25.72
Usage Charges are currently billed to a tenant under the Residential Tenancy Act			
<b>Other Charges:</b>			
Interest	No interest applicable at this time		
	No further charges applicable to this property		
	<b>Balance Brought Forward</b>		\$0.00
	<b>Total for This Property</b>		\$157.98
	<b>Total Due</b>		\$157.98

### IMPORTANT NOTICE FOR SOLICITORS AND CONVEYANCERS

**We have changed our BPAY biller code. Please refer to the payment options and update your bank details.**



GENERAL MANAGER  
RETAIL SERVICES

#### Note:

1. Invoices generated with Residential Water Usage during the period 01/07/2017 – 30/09/2017 will include a Government Water Rebate of \$100.
2. This statement details all tariffs, charges and penalties due and payable to Yarra Valley Water as at the date of this statement and also includes tariffs and charges (other than for usage charges yet to be billed) which are due and payable to the end of the current financial quarter.
3. All outstanding debts are due to be paid to Yarra Valley Water at settlement. Any debts that are unpaid at settlement will carry over onto the purchaser's first quarterly account and follow normal credit and collection activities - pursuant to section 275 of the Water Act 1989.

4. If the total due displays a (-\$ cr), this means the account is in credit. Credit amounts will be transferred to the purchasers account at settlement.
5. Yarra Valley Water provides information in this Rates Certificate relating to waterways and drainage as an agent for Melbourne Water and relating to parks as an agent for Parks Victoria - pursuant to section 158 of the Water Act 1989.
6. The charges on this rates certificate are calculated and valid at the date of issue. To obtain up to date financial information, please order a Rates Settlement Statement prior to settlement.
7. From 01/07/2019, Residential Water Usage is billed using the following step pricing system: 266.20 cents per kilolitre for the first 44 kilolitres; 317.87 cents per kilolitre for 44-88 kilolitres and 472.77 cents per kilolitre for anything more than 88 kilolitres
8. From 01/07/2019, Residential Recycled Water Usage is billed 186.34 cents per kilolitre
9. From 01/07/2019, Residential Sewage Disposal is calculated using the following equation: Water Usage (kl) x Seasonal Factor x Discharge Factor x Price (cents/kl) 114.26 cents per kilolitre
10. From 01/07/2019, Residential Recycled Sewage Disposal is calculated using the following equation: Recycled Water Usage (kl) x Seasonal Factor x Discharge Factor x Price (cents/kl) 114.26 cents per kilolitre
11. The property is a serviced property with respect to all the services, for which charges are listed in the Statement of Fees above.

**Property No:** 5072907

**Address:** APT 209/300 MIDDLEBOROUGH RD, BLACKBURN VIC 3130

**Water Information Statement Number:** 30578634

## HOW TO PAY



**Bill**er Code: 314567  
Ref: 53594227761



**Mail a Cheque** with the Remittance Advice  
below to:  
**Yarra Valley Water**  
GPO Box 2860 Melbourne VIC 3001

**Amount  
Paid**

**Date  
Paid**

**Receipt  
Number**

**Please Note:** BPAY is available for individual property settlements.

## PROPERTY SETTLEMENT REMITTANCE ADVICE

**Property No:** 5072907

**Address:** APT 209/300 MIDDLEBOROUGH RD, BLACKBURN VIC 3130

**Water Information Statement Number:** 30578634

**Cheque Amount:** \$

**OWNERS CORPORATION CERTIFICATE**  
**s.151(4)(a) Owners Corporation Act 2006 and r.11 Owners Corporations**  
**Regulations 2018**

<b>OC Number</b>	PS641153X
<b>Property</b>	Lot 209 300 Middleborough Rd, Blackburn VIC 3130, Australia
<b>Vendor</b>	
<b>Purchaser</b>	
<b>Application Date</b>	
<b>Reference</b>	
<b>This certificate is issued for lot 209 Plan No. PS641153X</b>	

This certificate consolidates all information and all financial liabilities for the lot in relation to the owners corporations named on this form.

**IMPORTANT:**

The information in this certificate is issued on date of generate 16-02-2021. To the best of our knowledge the information above is correct at the date shown but is subject to change daily.

You can inspect the owners corporations register for additional information and you should obtain a new certificate for current information prior to settlement.

- The current annual fees for the lot are \$2,868.76, as follows:

Due Date	01/02/2021	01/05/2021	01/08/2021	01/11/2021
Amount	\$717.19	\$717.19	\$717.19	\$717.19

(The annual contribution fee is subject to change depending on the budget set for the year.)

(b) The date up to which the fees for the lot have been paid is :30/04/2021

- The total of any unpaid fees or charges for this lot is:

<b>Administrative Fund</b>	<b>Amount</b>	<b>Maintenance Fund</b>	<b>Amount</b>
Admin Amount Owing	0.00	Admin Amount Owing	0.00
Interest Due	0.00	Interest Due	0.00
Opening Balance Due	0.00	Opening Balance Due	0.00
<b>Total Levies Due</b>	0.00	<b>Total Levies Due</b>	0.00

- The special fees or levies which have been struck, the dates on which they were struck and the dates they are payable are:

Due Date	Amount	Details

The bank account details to facilitate electronic payments to the Owners Corporation at settlement are as follows:

<b>BSB:</b>	183-334
<b>Account Number:</b>	205259245
<b>Lot Reference:</b>	209

**\* It is important to ensure that the above lot reference is used in the reference of your transaction to ensure that your payment can be correctly identified**

(e) Are there any repairs, maintenance or other work which has been, or is about to be, performed which may incur additional charges to those set out in (a) to (d) above?

If so, then provide details: NONE TO THE BEST OF MY KNOWLEDGE

(f) The Owners Corporation has the following insurance cover:

<b>Policy Number:</b> HU0012782	<b>Type:</b> Residential	<b>Broker:</b>
<b>Insurer:</b> CHU Underwriting Agencies Pty Ltd	<b>Premium:</b> \$39,822.18	<b>Paid On Date:</b> 23/07/2020
<b>Policy Start Date:</b> 23/07/2020	<b>Next Due Date:</b> 23/07/2021	
<b>Building</b>	<b>Cover Amount:</b> \$20,741,656.00	<b>Excess Amount:</b> Standard \$2,500.00 Fire \$10,000.00
<b>Catastrophe Insurance</b>	<b>Cover Amount:</b> \$0.00	<b>Excess Amount:</b> NA
<b>Common Area Contents</b>	<b>Cover Amount:</b> \$58,482.00	<b>Excess Amount:</b> Standard \$500.00 Fire \$10,000.00
<b>Fidelity Guarantee</b>	<b>Cover Amount:</b> \$100,000.00	<b>Excess Amount:</b> Standard \$500.00 Fire \$10,000.00
<b>Legal Expenses</b>	<b>Cover Amount:</b> \$50,000.00	<b>Excess Amount:</b> Standard \$500.00 Fire \$10,000.00
<b>Loss of Rent</b>	<b>Cover Amount:</b> \$3,020,629.00	<b>Excess Amount:</b> Standard \$500.00 Fire \$10,000.00
<b>Lot Owners Fixtures &amp; Improvements</b>	<b>Cover Amount:</b> \$250,000.00	<b>Excess Amount:</b> Standard \$500.00 Fire \$10,000.00
<b>Machinery Breakdown</b>	<b>Cover Amount:</b> \$20,000.00	<b>Excess Amount:</b> Standard \$500.00 Fire \$10,000.00
<b>Office Bearers Liability</b>	<b>Cover Amount:</b> \$100,000.00	<b>Excess Amount:</b> Standard \$500.00 Fire \$10,000.00
<b>Public Liability</b>	<b>Cover Amount:</b> \$10,000,000.00	<b>Excess Amount:</b> Standard \$500.00 Fire \$10,000.00
<b>Audit Fees</b>	<b>Cover Amount:</b> \$25,000.00	<b>Excess Amount:</b> Standard \$500.00 Fire \$10,000.00
<b>Appeal Expenses</b>	<b>Cover Amount:</b> \$100,000.00	<b>Excess Amount:</b> Standard \$500.00 Fire \$10,000.00

(g) Has the owners corporation resolved that the members may arrange their own insurance under section 63 of the Act? If so then provide the date of that resolution: NO

(h) The total funds held by the owners corporation as at 29-10-2020

<b>Administrative Fund</b>	<b>Maintenance Fund</b>	<b>Unallocated Balance</b>	<b>Total</b>
\$ 73,519.27	\$0.00	\$ 0.00	\$73,519.27

(i) Are there any liabilities of the owners corporation that are not covered by annual fees, special levies and repairs and maintenance as set out in (a) to (e) above?

If so, then provide details: NONE TO THE BEST OF MY KNOWLEDGE

(j) Are there any current contracts, leases, licences or agreements affecting the common property?

If so, then provide details: NONE TO THE BEST OF MY KNOWLEDGE

(k) Are there any current agreements to provide services to lot owners, occupiers or the public?

If so, then provide details:

A contract of appointment to provide Owners Corporation Management Services is currently held with Campbell Corporate Services

(l) Are there any notices or orders served on the owners corporation in the last 12 months that have not been satisfied?

If so, then provide details:

There are no notices or orders as at 12-02-2021

(m) Are there any legal proceedings to which the owners corporation is a party and any circumstances of which the owners corporation is aware that are likely to give rise to proceedings?

If so, then provide details: **NONE TO THE BEST OF MY KNOWLEDGE**

(o) Has an administrator been appointed for the owners corporation, or has there been a proposal for the appointment of an administrator?

No administrator is appointed.

(p) Documents required to be attached to the owners corporation certificate are:

A copy of the minute of the last annual general meeting of the owners corporation

**NOTE:**

More information on prescribed matters may be obtained from an inspection of the owners corporation register by making written application to the Agent at the address listed below.

An applicable fee to provide this service will apply.

**IMPORTANT**

1. Information contained in this certificate is correct to the best of our knowledge at the date of issue.
2. This information is subject to change without notice.
3. It may be prudent to obtain a verbal update prior to settlement of the property. An update will be provided at no cost if requested within 90 days of the issue date. Once that 90-day period has lapsed an application must be made for a new certificate.
4. No other information given in relation to this certificate will be acknowledged as correct unless it is provided by the signatory.

The owners corporation register can be inspected for additional information. A fee applies pursuant to Section 150 of the Owners Corporation Act 2006.

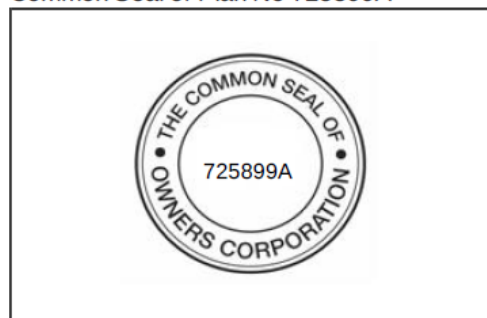
Date: 16-02-2021

This owners corporation certificate was prepared by:



Lucas Taylor  
4 / 596 North Rd Ormond VIC 3204  
Ph. 03 9575 8000 Fax: 03 9578 2246  
lucas@campbellcs.com.au

Common Seal of Plan No 725899A



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

**Owners Corporations Regulations 2018 Reg. 17**  
**STATEMENT OF ADVICE AND INFORMATION FOR PROSPECTIVE**  
**PURCHASERS AND LOT OWNERS**

**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. When purchasing a lot that is part of an owners corporation, buyers automatically become members of the owners corporation. 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.

**Owners Corporations Regulations 2018**  
**S.R. No. 154 /2018**  
**MODEL RULES FOR AN OWNERS CORPORATION**

**1 Health, safety and security**

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

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

**1.2 Storage of flammable liquids and other dangerous substances and materials**

(1) Except with the approval in writing of the owners corporation, an owner or occupier of a lot must not use or store on the lot or on the common property any flammable chemical, liquid or gas or other flammable material.

(2) This rule does not apply to—

- (a) chemicals, liquids, gases or other material used or intended to be used for domestic purposes; or
- (b) any chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

**1.3 Waste disposal**

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

**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 his or her 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.

## **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 his or her 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**.

**OWNERS CORPORATION PLAN 633070**  
**MINUTES OF THE ANNUAL GENERAL MEETING**  
**37-41 MUNRO STREET COBURG**

Held on 19<sup>th</sup> December 2018 at 11:30am  
At Toorak Library, 340 Toorak Road, South Yarra

**1 ATTENDANCE**

**Members Present:** Nil

**Proxy:**

Lot 1 Eighty Second Agenda Pty Ltd represented by Mr G Rice  
Lot 2 Noel & Leslie Reynolds represented by Mr G Rice  
Lot 4 Noel & Leslie Reynolds represented by Mr G Rice  
Lot 6 Eighty Second Agenda Pty Ltd represented by Mr G Rice  
Lot 7 Noel & Leslie Reynolds represented by Mr G Rice  
Lot 8 Noel & Leslie Reynolds represented by Mr G Rice  
Lot 103 Refam Investments Pty Ltd represented by Mr G Rice  
Lot 104 Refam Investments Pty Ltd represented by Mr G Rice  
Lot 105 Eighty Second Agenda Pty Ltd represented by Mr G Rice  
Lot 106 Refam Investments Pty Ltd represented by Mr G Rice  
Lot 203 Eighty Second Agenda Pty Ltd represented by Mr G Rice  
Lot 204 Eighty Second Agenda Pty Ltd represented by Mr G Rice  
Lot 205 Refam Investments Pty Ltd represented by Mr G Rice  
Lot 206 Eighty Second Agenda Pty Ltd represented by Mr G Rice  
Lot 303 Eighty Second Agenda Pty Ltd represented by Mr G Rice  
Lot 304 Eighty Second Agenda Pty Ltd represented by Mr G Rice

Campbell Corporate Services was represented by Neal Woolard

**Apologies:** Nil

**Quorum**

A quorum was present.

**CHAIRPERSON:** Neal Woolard was elected to chair the meeting.

**MINUTES:** Neal Woolard.

**ENTITLEMENT TO VOTE:** All except lots 101 and 306.

**2 MINUTES**

It was **resolved** by simple majority to accept the minutes of the last Annual General Meeting held on 22/01/2018 as a true and accurate record of the meeting.

**3 MANAGERS REPORT**

It was **resolved** by simple majority to accept the Manager's Report.

It was **resolved** by simple majority that the Owners Corporation delegates to the Manager all of the powers and functions of the Owners Corporation that are necessary to enable the Manager to perform their duties in accordance with those of the *Owners Corporation Act 2006* and the Contract of Appointment.

It was **resolved** by simple majority to allow the Owners Corporation Manager to store the Owners Corporation Common Seal electronically.

It was **resolved** by simple majority that the Seal may be applied electronically in accordance with the Electronic Transactions (Victoria) Act; in particular Section 9 regarding the use of electronic signatures when witnessing the affixation of the Common Seal.

The Common Seal was used in the last financial period for Owners Corporation Certificates (none issued) and the Contract of Appointment.

#### **4 CONSIDERATION OF COMMITTEE REPORT**

A verbal report was presented by the chairperson Mr Geoff Rice.  
It was **resolved** by simple majority to accept the Committee report.

##### **Election of Committee:**

It was **resolved** by simple majority that the Committee is appointed as follows Mr D Reynolds and Mr G Rice and appoint Mr G Rice as **Chairperson** of the Committee.

Other matters relating to the property should first be reported to the Chairperson or Committee Member and the Chairperson will communicate with us as necessary. Your elected Committee can be contacted as detailed below.

NAME: Mr. Geoff Rice P: 0409 111 919 E: [grice@holidayconcepts.com.au](mailto:grice@holidayconcepts.com.au)

All duties and functions that can be delegated to the Committee are delegated to the Committee, with exception of producing Owners Corporation Certificates.

It was **resolved** by simple majority to elect the Committee as the Grievance Committee.

The Chairperson of the Committee is authorised to approve work up to the value of \$20,000.

#### **5 MAINTENANCE**

Campbell Corporate Services requires that all contractors used on common property are registered builders or hold Public Liability insurance. It is strongly recommended any owner using contractors on private property should confirm the contractor has Public Liability insurance cover.

Members were advised that for After-Hours emergency service, please contact Priority 1 Building Services on 1300148473. This number is for After Hours emergencies only. If either you or your tenant call and the matter is not an Owners Corporation emergency the Lot Owner will be charged for all costs associated with the call out and attendance by or work undertaken by Priority 1 Building Services or their representatives.

#### **6 COMPLAINT & DISPUTE RESOLUTION REPORT**

No Formal Complaints have been received since the date of the last AGM.

#### **7 OH&S, ASBESTOS AND ESM**

##### **OH&S**

It was **resolved** by simple majority **not to** proceed with an OH&S audit.

Members should report any maintenance requirements or hazard that may develop on the common property to Campbell Corporate Services.

##### **Asbestos Audit**

Mandatory requirement for all workplaces – some exceptions will apply for residential premises, however, common areas are currently deemed a workplace under the OH&S Act 2004 and Common Law. The audit is required to identify all asbestos containing materials (ACM) on-site and to record the findings in a register. It is recommended the common areas of buildings constructed before 2004 undertake this audit. An asbestos register must be updated every 3 to 5 years and upon any works being carried out on common property.

The date of the Strata Plan is 2011.

##### **Essential Safety Measures (ESM)**

It is a mandatory requirement for all buildings (with the exception of class 1A residential developments) to conduct regular inspections and service the ESM applicable to the development.

An operational smoke detector is required to be installed in accordance with legislation into all residential units. This is the responsibility of the Lot Owner.

Linkfire Pty Ltd currently conducts regular inspections in accordance with the applicable regulations and the Occupancy Permit. Forte Lifts currently manages and maintain the lift, ADT Fire Monitoring monitor the FIP and Emex service and maintains the car stacker.

Copies of their reports are held at CCS office.

## 8 CONSIDERATION OF FINANCIAL MATTERS

### ARREARS REPORT:

At the time of the Annual General Meeting the Owners of Lot Numbers 101 and 106 were in arrears for the current period

### PENALTY INTEREST AND DEBT RECOVERY:

It was **resolved** by simple majority to authorise Campbell Corporate Services as Manager to take all steps necessary for the recovery of outstanding fees, levies and other charges due by a Lot Owner to the Owners Corporation, including commencing proceedings in the Victorian Civil and Administrative Tribunal. The Manager and/or the Committee of the Owners Corporation shall have the power to appoint a lawyer to act on behalf of the Owners Corporation in relation to any debt recovery action taken.

It was **resolved** by simple majority that a Lot Owner shall pay on demand by the Owners Corporation all legal costs on a solicitor client basis, and any other disbursements, incidentals, client costs, expenses or charges, which the Owners Corporation incurs or expends in consequence of any default by the Lot Owner in the payment of outstanding fees, levies and other charges due by a Lot Owner in default to the Owners Corporation.

It was **resolved** by simple majority to activate, after 60 days, penalty interest charges on any amount payable by a Lot Owner to the Owners Corporation and not paid

### INCOME & EXPENDITURE STATEMENT:

It was **resolved** by simple majority to accept the income and expenditure statement and balance sheet for the period 01/11/2017 – 31/10/2018.

## 9 DETAILS OF INSURANCE VALUATION AND REVIEW

Decisions on suitable building cover need to be made by the Members of an Owners Corporation, with reference to the Product Disclosure Statement (PDS) and Financial Services Guide (FSG) that apply to the selected insurance product. These are available upon request from the office of Campbell Corporate Services.

Due to the provisions of the Financial Services Reform Act, CCS is not permitted to offer any personal advice that relates to a particular Owners Corporation's sum insured, about whether an insurance product is suitable for an Owners Corporation nor do anything that could influence that Owners Corporation to insure with a particular insurer. The Owners Corporation must make that decision on its own.

Under the Owners Corporation ACT 2006: Section 59. Reinstatement and replacement insurance:

An Owners Corporation must take out reinstatement and replacement insurance for all buildings on the common property in accordance with this Division.

CCS recommends this can be achieved through a professional property insurance valuation. Underwriters recommend a valuation be UPDATED every 3-5 years.

### Last Valuation

No insurance valuation is kept on file. The building sum insured was increased to \$11,000,000 at renewal in 2017.

### Current Insurance

Current insurance is held via Assured Insurance Brokers with CSI Strata Underwriting Pty Ltd for the current period, 15/10/2018 – 15/10/2019 for the following sums insured:

Buildings	: \$11,000,000
Public liability	: \$20,000,000
Common contents	: Included
Machinery Breakdown	: \$100,000
Office bearer's liability	: \$5,000,000
Excess	: \$750

### **Excess**

It was **resolved** by simple majority that the payment of the excess imposed on all claims will be:

1. For claims made on the Owners Corporation insurance, the excess is payable by the proprietor or occupier making the claim unless otherwise agreed in advance by the Owners Corporation.
2. The Owners Corporation will only be responsible for the excess on an insurance claim where the damage or insurable event has been caused by an act or omission on or from common property or a common property service.
3. A lot owner will be liable for payment of the excess on an insurance claim where the damage or insurable event has been caused by an act or omission or flow of water from their private lot.

It was **resolved** by simple majority **not to** obtain a professional property insurance valuation.

It was **resolved** by simple majority **not to** increase Public Liability Insurance.

It was **resolved** by simple majority **not to** increase Office Bearers Liability.

It was **resolved** by simple majority that the Owners Corporation renews the policy for the current amount +10% with the current insurer unless advised differently by the broker for the period 15/10/2019 – 15/10/2020.

## **10 BUDGET & MAINTENANCE FUND**

It was resolved by simple majority that because of the surplus in accumulated funds that the budget be reduced by \$1,945 from \$73,945 to \$72,000 for the period 01/11/2018 – 31/10/2019. Quarterly fees will be adjusted accordingly. Refer to the adopted budget.

For the financial period 01/11/2019 to 31/10/2020 the proposed budget will be \$72,000 subject to any adjustments at the next AGM.

Campbell Corporate Services recommends having 50% of the insurance expense in the Owners Corporation fund as a provision for emergencies. Having the fund fall into deficit will increase administration expenses for your property.

Committee Members will need to authorise any levy required for emergency or maintenance work that exceeds the budget

### **FEES**

It was **resolved** by simple majority that the Owners Corporation fees from the period commencing 01/11/2018 until further notice will remain at \$18,000 per quarter payable in advance in accordance with lot liability and due on the first day of November, February, May and August each year and will continue at the same rate until it is changed by resolution by the Members of the Owners Corporation.

## **11 APPOINTMENT OF MANAGER**

It was **resolved** by simple majority that Campbell Corporate Services be retained as Owners Corporation Manager for OWNERS CORPORATION PLAN 633070 for one year at a fee of \$7,800 including GST.

It was **resolved** by simple majority that the Common Seal of the Owners Corporation be affixed to the Contract of Appointment.

It was **resolved** by simple majority that Members of the OWNERS CORPORATION PLAN 633070 witness the affixing of the Common Seal of the Owners Corporation to the contract of appointment of the Manager, in accordance with s.20 and s.21 of the Owners Corporation Act 2006.

## **12 OTHER BUSINESS**

Next AGM: mid December 2019

Venue: Toorak Library

Time: TBA

There being no further business the meeting closed.



**Whitehorse City Council**  
379-397 Whitehorse Road  
Nunawading VIC 3131  
Locked Bag 2 Nunawading VIC 3131

Telephone: (03) 9262 6333  
Fax: (03) 9262 6308  
TTY: (03) 9262 6325  
TIS: 131 540

ABN: 39549568822

customer.service@whitehorse.vic.gov.au  
www.whitehorse.vic.gov.au

Monday, February 15, 2021

Your Ref: 45096221-021-2:20687  
Contact: Building Department  
Telephone: 9262 6421

LANDATA  
2 Lonsdale Street  
MELBOURNE VIC 3000

Dear Sir/Madam,

**Re: 209/300 Middleborough Road, Blackburn Vic 3130**

We refer to your request for building permit particulars regarding the above property and advise of details of any Permit or certificate of final inspection issued in the preceding ten years.

<p style="text-align: center;"><b>BUILDING OR LAND INFORMATION</b> Pursuant to Regulation 51 (1) of the Building Regulations 2018</p>
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Our Reference: 1258/2011  
Type of works: Demolition of Retail Tenancy  
Building Permit Issued: 08-Aug-2011  
Certificate of Final Inspection Issued: 02-Dec-2011

Our Reference: 2510/2011  
Type of works: Stage 1 Mixed use Development  
Building Permit Issued: 25-Nov-2011  
Occupancy Permit Issued: 27-Sep-2013

Our Reference: 601/2012  
Type of works: Stage 2 Mixed Use Development  
Building Permit Issued: 28-Mar-2012  
Occupancy Permit Issued: 27-Sep-2013

There are no outstanding notices or orders pursuant to Building Act 1993 regarding this property.

Yours faithfully,

**Building Services**  
**For and on behalf of City of Whitehorse**

**Important Information**

The details listed on this certificate are consistent with the property address as stated on the application. Should the property historically be known as a different address then such information may not be included in this certificate.

Despite whether a Building Permit is required or not there is still an obligation for all building works to be structurally sound and comply with the siting regulations consequently there may be building work on the property that Council has no record or knowledge of.



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**SAFETY OF EXISTING SWIMMING POOLS**

All existing swimming pools and spas are required to comply with the minimum standards of the Building Regulations 2018, Regulation 137.

Any person who takes possession of a property without safety barriers for a spa or swimming pool is immediately responsible for compliance with the law and liable to prosecution.

**SMOKE ALARMS**

Owners or purchasers of residential properties are to ensure that smoke alarms exist or are required to install smoke alarms.