

# 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

Unit 43/18-34 Gwalia Street, Traralgon 3844

Vendor's name

Wendy Diane Shapcott

Date

16/02/2024

Vendor's  
signature

W. D. Shapcott

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)

All outgoing will be adjusted between the parties at the time of settlement. Services may be disconnected at or prior to settlement. Purchaser will be responsible for any reconnection fees which may be incurred.

(a) Are contained in the attached certificate/s.

### 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	
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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 within the meaning of regulations made under 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:

Not Applicable.

### 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):

Not Applicable.

## 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")

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 checked="" 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.

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 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)*

1. GST Withholding – Supplier Notification
2. Register Search Statement Volume 10325 Folio 007
3. Copy Plan SP029453W
4. Property & Planning Reports
5. Ace Body Corporate: Owners Corporation Certificate
6. Copy Council Rate Notice - Latrobe City Council
7. Copy Water Rates Notice – Gippsland Water
8. State Revenue Office: Land Tax Certificate
9. Due Diligence Checklist



### GST WITHHOLDING – SUPPLIER NOTIFICATION

This notice contains information to assist a purchaser comply with its GST Withholding obligations.

To : The Purchaser  
Property : Lot 43 Plan SP29453 being Volume 10325 Folio 007  
Unit 43/18-34 Gwalia Street, Traralgon  
From : Wendy Diane Shapcott  
Of : Unit 43/18 Gwalia Street, Traralgon, VIC 3844

Select

☒ **PART ONE**

1. The purchaser is given notice it is not required to make a GST Withholding Payment at Settlement of the property as:
- (a) the Vendor is not registered or required to be registered for GST; and/or  
(b) the property comprises existing residential premises.

☐ **PART TWO**

(complete only if the property comprises *new residential or potential new residential land*. *If this applies please seek confirmatory advice from your accountant*)

2. The purchaser is given notice that it is required to make a GST Withholding Payment at Settlement of the property as the Vendor is registered for GST and the property comprises new residential or potential new residential land.

#### GST WITHHOLDING PAYMENT DETAILS (where applicable)

Supplier's Name :	Wendy Diane Shapcott
ABN :	
Amount to be withheld :	\$ (and being 7% of the consideration where the supply is made under the margin scheme or 1/11 otherwise)
Due	At Settlement (unless terms contract)

Signed by or on behalf of the Vendor

W. D. Shapcott  
Wendy Diane Shapcott

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

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

VOLUME 10325 FOLIO 007

Security no : 124112374240Q  
Produced 05/02/2024 10:19 AM

LAND DESCRIPTION

Lot 43 on Registered Plan of Strata Subdivision 029453W.  
PARENT TITLE Volume 10093 Folio 172  
Created by instrument U667050D 15/04/1997

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
WENDY DIANE SHAPCOTT of 18 GWALIA STREET TRARALGON VIC 3844  
AN174673M 13/10/2016

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 or Section 12 Strata Titles Act 1967 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE SP029453W 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 43 18 GWALIA STREET TRARALGON VIC 3844

OWNERS CORPORATIONS

The land in this folio is affected by  
OWNERS CORPORATION PLAN NO. SP029453W

DOCUMENT END

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Document Type	<b>Plan</b>
Document Identification	<b>SP029453W</b>
Number of Pages (excluding this cover sheet)	<b>5</b>
Document Assembled	<b>05/02/2024 11:28</b>

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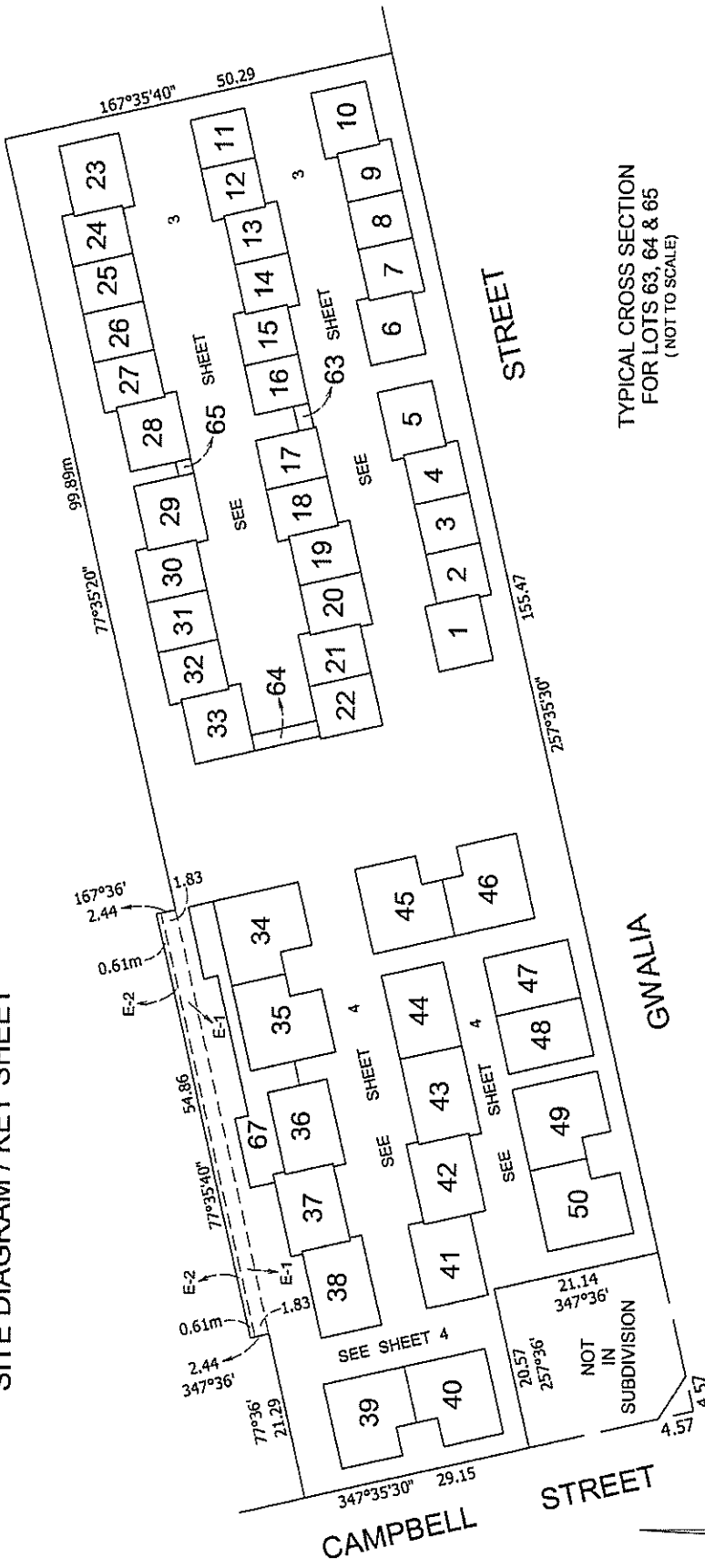
<b>PLAN OF STRATA SUBDIVISION</b>			<b>EDITION 2</b>	<b>SP029453W</b>	
<b>LOCATION OF LAND</b> PARISH: TRARALGON TOWNSHIP: TRARALGON SECTION: 15A CROWN ALLOTMENT: 1 (PT), 2 (PT), 3 (PT), 4 (PT), 5 (PT), 6 (PT), 7 (PT), 8 (PT), 9 (PT) & 12 (PT) CROWN PORTION: - TITLE REFERENCE: VOL. 9828 FOL. 043 LAST PLAN REFERENCE: CP168151S DEPTH LIMITATION: DOES NOT APPLY POSTAL ADDRESS: 18 GWALIA STREET, TRARALGON 3844			<b>FOR CURRENT OWNERS CORPORATION DETAILS AND ADDRESS FOR SERVICE OF NOTICE</b> <b>SEE OWNERS CORPORATION SEARCH REPORT</b>		
			<b>SURVEYOR'S CERTIFICATE</b> Surveyor: RODNEY WILLIAM DITCHFIELD Certification Date: 28/06/1988  <b>SEAL OF MUNICIPALITY AND ENDORSEMENT</b> Sealed pursuant to Section 6 (1) of the Strata Titles Act 1967 by CITY OF TRARALGON on 19/07/1988  <b>REGISTERED DATE: 26/08/1988</b>  <b>PLAN UPDATED BY REGISTRAR IN AN661031Q 22/12/2022</b>		
<b>LEGEND</b>  THE BUILDINGS IN THE PARCEL CONTAINED IN LOTS 1 TO 50 ARE TWO STOREY BUILDINGS.  NO BUILDING OR PART OF A BUILDING IS CONTAINED IN LOTS 63, 64, 65 AND 67.  THE LOWER BOUNDARY OF LOTS 1 TO 50 AND 67 IS ONE METRE BELOW THAT PART OF THE SITE OF THE RELEVANT LOT. THE UPPER BOUNDARY OF THESE LOTS IS TEN METRES ABOVE ITS LOWER BOUNDARY.  THE LOWER BOUNDARY OF LOTS 63, 64 AND 65 IS TWO METRES BELOW THAT PART OF THE SITE. THE UPPER BOUNDARY OF THESE LOTS IS THAT PART OF THE SITE.  LOTS 63, 64, 65 AND 67 ARE ACCESSORY LOTS.  COMMON PROPERTY IS ALL OF THE LAND IN THE PLAN EXCEPT THE LOTS AND MAY INCLUDE LAND ABOVE AND BELOW THE LOTS. COMMON PROPERTY MAY BE SHOWN AS "CP" ON DIAGRAMS.  BOUNDARIES DEFINED BY STRUCTURE OR BUILDING ARE SHOWN AS THICK CONTINUOUS LINES. <u>LOCATION OF BOUNDARIES DEFINED BY STRUCTURE OR BUILDING:</u> OUTSIDE FACE OF WALL: BOUNDARIES ALONG EXTERNAL BUILDING WALLS MEDIAN: ALL OTHER BOUNDARIES					
<b>EASEMENT INFORMATION</b>					
<b>LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)</b>					
<b>ENCUMBRANCES REFERRED TO IN SECTION 12 (2) OF THE SUBDIVISION ACT 1988 APPLY TO ALL THE LAND IN THIS PLAN</b>					
Easement Reference	Purpose	Width	Origin	Land Benefitted /In Favour Of	Plan Parcel Affected
E-1	DRAINAGE	1.83	LP 22116	LOTS ON LP 22116	COMMON PROPERTY
E-1 & E-2	DRAINAGE & SEWERAGE (SEE DIAGRAM ON SHEET 2)	2.44	LP 68794	LOTS ON LP 68794	COMMON PROPERTY
E-1 & E-2	DRAINAGE & SEWERAGE (SEE DIAGRAM ON SHEET 2)	2.44	LP 76243	LOTS ON LP 76243	COMMON PROPERTY
E-3	PARTY WALL (SEE DIAGRAM ON SHEET 4 )	SEE DIAG.	U667050D	RELEVANT ABUTTING LOT	LOTS 41 TO 46 & CP
MEASUREMENTS ARE IN METRES					SHEET 1 OF 4



PLAN OF STRATA SUBDIVISION

SP029453W

SITE DIAGRAM / KEY SHEET



TYPICAL CROSS SECTION  
FOR LOTS 63, 64 & 65  
(NOT TO SCALE)

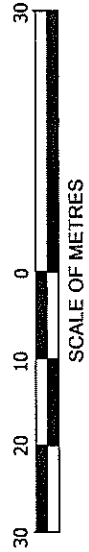
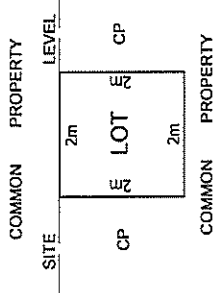


DIAGRAM SHOWING THE EXTERNAL BOUNDARIES OF THE SITE AND THE LOCATION IN RELATION  
THERETO AT GROUND LEVEL OF ALL BUILDINGS IN THE PARCEL

MEASUREMENTS ARE IN METRES

SHEET 2





## MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

# PLAN NUMBER

**SP029453W**

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

[illegible]



# PROPERTY REPORT



Energy,  
Environment  
and Climate Action

From [www.land.vic.gov.au](http://www.land.vic.gov.au) at 05 February 2024 10:17 AM

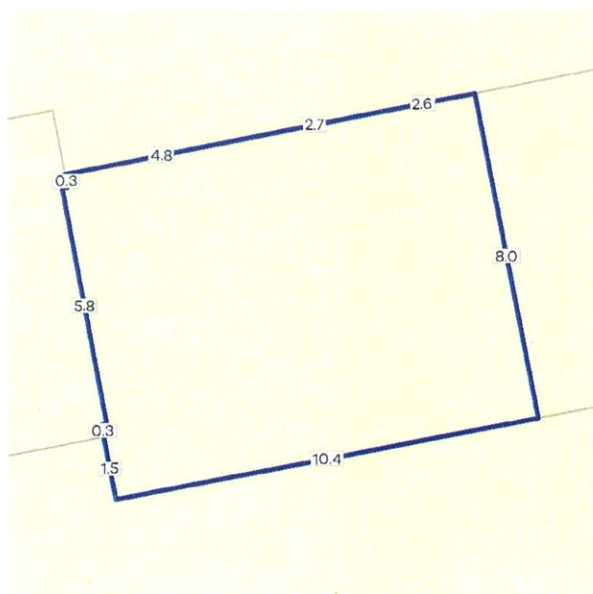
## PROPERTY DETAILS

Address: **43/18 GWALIA STREET TRARALGON 3844**  
Lot and Plan Number: **Lot 43 SP29453**  
Standard Parcel Identifier (SPI): **43\SP29453**  
Local Government Area (Council): **LATROBE**  
Council Property Number: **44265**  
Directory Reference: **Vicroads 696 K5**

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

## SITE DIMENSIONS

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



**Area:** 82 sq. m

**Perimeter:** 37 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.

2 overlapping dimension labels are not being displayed

Calculating the area from the dimensions shown may give a different value to the area shown above

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

## UTILITIES

Rural Water Corporation: **Southern Rural Water**  
Urban Water Corporation: **Gippsland Water**  
Melbourne Water: **Outside drainage boundary**  
Power Distributor: **AUSNET**

## STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**  
Legislative Assembly: **MORWELL**

## PLANNING INFORMATION

Property Planning details have been removed from the Property Reports to avoid duplication with the Planning Property Reports from the Department of Transport and Planning which are the authoritative source for all Property Planning information.

The Planning Property Report for this property can found here - [Planning Property Report](#).

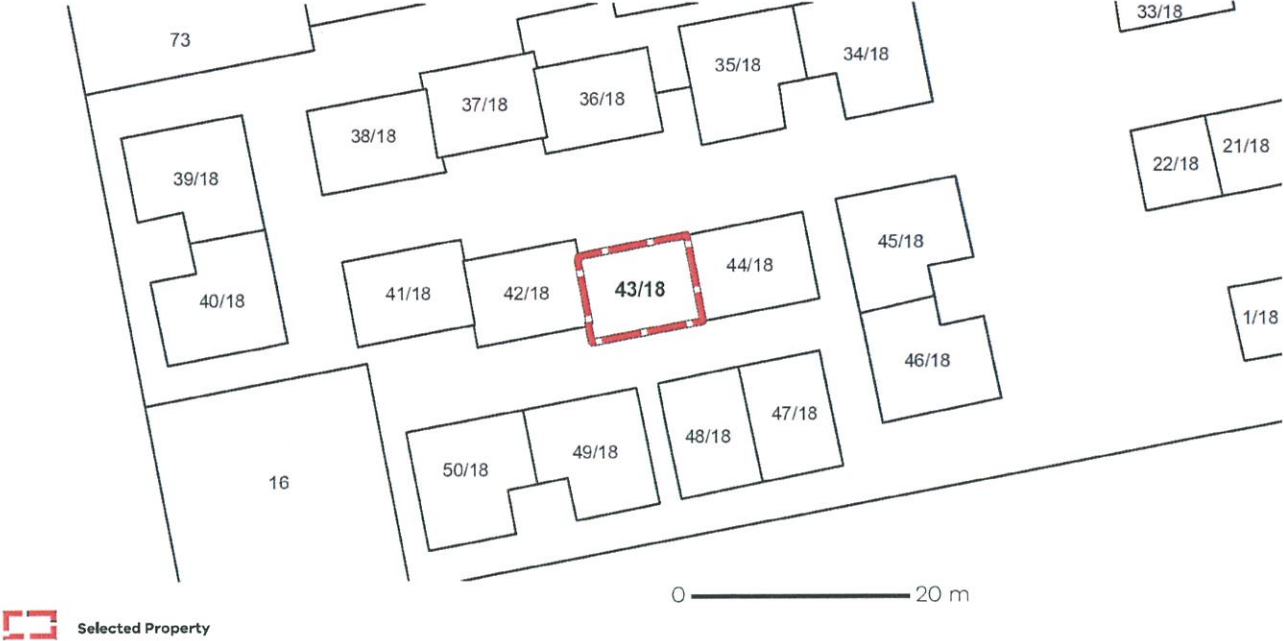
Planning Property Reports can be found via these two links

**Vicplan** <https://mapshare.vic.gov.au/vicplan/>

**Property and parcel search** <https://www.land.vic.gov.au/property-and-parcel-search>

PROPERTY REPORT

Area Map



# PLANNING PROPERTY REPORT



Environment,  
Land, Water  
and Planning

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 07 February 2024 09:27 AM

## PROPERTY DETAILS

Address: **43/18 GWALIA STREET TRARALGON 3844**  
Lot and Plan Number: **Lot 43 SP29453**  
Standard Parcel Identifier (SPI): **43\SP29453**  
Local Government Area (Council): **LATROBE**  
Council Property Number: **44265**  
Planning Scheme: **Latrobe**  
Directory Reference: **Vicroads 696 K5**

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

[Planning Scheme - Latrobe](#)

## UTILITIES

Rural Water Corporation: **Southern Rural Water**  
Urban Water Corporation: **Gippsland Water**  
Melbourne Water: **Outside drainage boundary**  
Power Distributor: **AUSNET**

## STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**  
Legislative Assembly: **MORWELL**

## OTHER

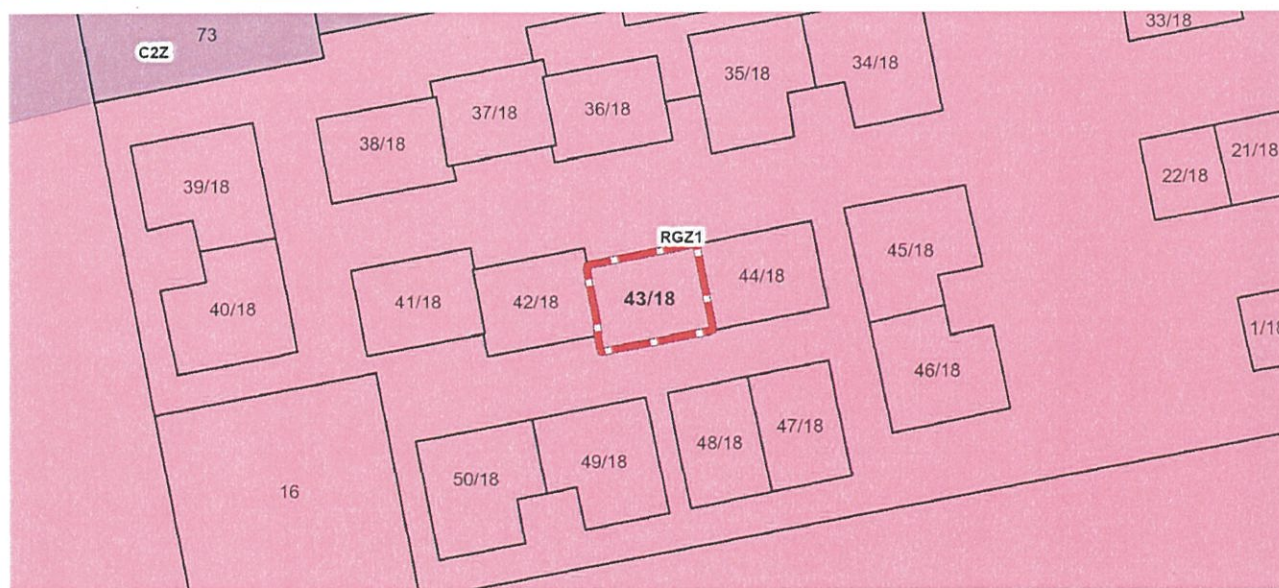
Registered Aboriginal Party: **Gunaikurnai Land and Waters  
Aboriginal Corporation**

[View location in VicPlan](#)

## Planning Zones

[RESIDENTIAL GROWTH ZONE \(RGZ\)](#)

[RESIDENTIAL GROWTH ZONE - SCHEDULE 1 \(RGZ1\)](#)



**C2Z - Commercial 2**

**RGZ - Residential Growth**

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

## Planning Overlays

No planning overlay found



# PLANNING PROPERTY REPORT



Environment,  
Land, Water  
and Planning

## Further Planning Information

Planning scheme data last updated on 7 December 2023.

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>



# PLANNING PROPERTY REPORT

## Designated Bushfire Prone Areas

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

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

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

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



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

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

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

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

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

## Native Vegetation

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

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

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](http://NatureKit.environment.vic.gov.au)



**Ace Body Corporate Management (Gippsland Region)**

Phone: 03 5115 8300  
Email: [info.gippsland@acebodycorp.com.au](mailto:info.gippsland@acebodycorp.com.au)  
Postal: PO Box 2006, Traralgon, Vic, 3844  
ABN: 23 431 923 108

Professional Personal Service

[www.acebodycorp.com.au](http://www.acebodycorp.com.au)

Infotrack on behalf of Littleton Hackford

13th February 2024

Dear Infotrack on behalf of Littleton Hackford

**Re: OWNERS CORPORATION CERTIFICATE - LOT 43, PLAN NO. SP 29453W**

In response to your request, we now attach an Owners Corporation Certificate for Lot 43 in Plan No. SP 29453W dated 13th February 2024. This certificate is intended for use for the purpose of section 151 of the *Owners Corporations Act 2006* ("Act").

Pursuant to section 151(4)(b) of the Act, we also attach the following:

- (a) A copy of the Rules for this Owners Corporation;
- (b) A statement of advice and information for prospective purchasers of a strata title lot in Victoria in accordance with Regulation 17 of the *Owners Corporations Regulations 2018*; and
- (c) A copy of the minutes of the last annual general meeting of the Owners Corporation showing all resolutions passed at that meeting.

Please note that if you require any further information on the matters reported in the attached Owners Corporation Certificate, you may inspect a copy of the Owners Corporation Register in accordance with section 150 of the Act. An inspection of the Register must be booked in advance by contacting our office during business hours or via email at [info.gippsland@acebodycorp.com.au](mailto:info.gippsland@acebodycorp.com.au). Please note the inspection of the Register may require the payment of a fee.

Yours faithfully

Registered Manager

Full name: Adele Nippers  
Company: Ace Body Corporate Management (Gippsland Region)  
Address of registered office: P O Box 2006 Traralgon 3844

13/02/2024

Date

# OWNERS CORPORATION CERTIFICATE

Owners Corporations Act 2006, s.151 Owners Corporations Act 2006, Owners Corporations Regulations 2018

**As at 13th February 2024**

## 1. OWNERS CORPORATION DETAILS

Plan Number: SP 29453W

Address of Plan: 18 - 20 Gwalia Street TRARALGON VIC Victoria 3844

Lot Number this statement relates to:

Unit Number this statement relates to:

Postal Address: PO Box 2006 Traralgon 3844

## 2. CERTIFICATE DETAILS

Vendor: Wendy Diane Shapcott

Postal Address for Lot 43: Maskrey Lodge  
Unit 43 / 18 - 20 Gwalia Street TRARALGON VIC 3844

Purchaser:

Person requesting Certificate: Infotrack on behalf of Littleton Hackford

Reference: ( Ref: 230417) ~

Address:

Fax:

E-mail: [ownerscorp@infotrack.com.au](mailto:ownerscorp@infotrack.com.au)

## 3. CURRENT ANNUAL LEVY FEES FOR LOT 43

### ADMINISTRATIVE FUND

The annual administrative levy fees for Lot 43 are **1,472.00 per annum** commencing on 1 July 2023.  
Levies for this plan are raised over **4 periods**

Period	Amount	Due Date	Status
01/07/23 to 30/09/23	368.00	02/07/23	Paid
01/10/23 to 31/12/23	368.00	02/10/23	Paid
01/01/24 to 31/03/24	368.00	02/01/24	Paid
01/04/24 to 30/06/24	368.00	01/04/24	To be Issued

### Maintenance Fund

There are currently no annual Maintenance Fund levy fees payable for Lot 43.

## OWNERS CORPORATION CERTIFICATE

(Continued)

As at 13th February 2024

For Plan No. SP 29453W - Lot 43

### 4. CURRENT LEVY POSITION FOR LOT 43

Fund	Balance	Paid To
Administrative	0.00	31 March 2024
Maintenance Fund	0.00	
<b>BALANCE</b>	<b>0.00</b>	

### 5. SPECIAL LEVIES

There are currently no special levy fees due for Lot 43.

### 6. OTHER CHARGES

There are currently no additional charges payable by Lot 43 that relate to work performed by the owners corporation or some other act that incurs additional charge.

### 7. FUNDS HELD BY OWNERS CORPORATION

The owners corporation holds the following funds as at 13 February 2024:

Account / Fund	Amount
Administrative Fund	20,808.76
Maintenance Fund	0.00
<b>TOTAL FUNDS HELD AS AT 13 FEBRUARY 2024</b>	<b>\$20,808.76</b>

### 8. INSURANCE

The owners corporation currently has the following insurance cover in place:

<b>Policy</b>	
Policy No.	VRSC21006975
Expiry Date	15-October-2024
Insurance Company	Strata Community Insurance (SCI)
Broker	Whitbread Insurance Brokers
Premium	19648.83

<b>Cover Type</b>	<b>Amount of Cover</b>
Common Area Contents	7,983
Damage (i.e. Building) Policy	11,436,862
Fidelity Guarantee Insurance	100,000
Floating Floors	Insured
Flood	Insured
Government Audit Costs	25,000
Government Audit Costs - Appeal Expenses	100,000
Government Audit Costs - Legal Defense Expenses	50,000
Loss of Rent	1,715,529
Lot Owner's Fixtures and Improvements	300,000
Machinery Breakdown Insurance	10,000
Office Bearers Liability Insurance	5,000,000
Property, Death and Injury (Public Liability)	30,000,000
Voluntary Workers Insurance	200,000 / 2,000



## OWNERS CORPORATION CERTIFICATE

(Continued)

As at 13th February 2024

For Plan No. SP 29453W - Lot 43

### 9. CONTINGENT LIABILITIES

The owners corporation has no contingent liabilities arising from legal proceedings not otherwise shown or budgeted for in items 3, 5 or 6 above.

### 10. CONTRACTS OR AGREEMENTS AFFECTING COMMON PROPERTY

The owners corporation has not or do not intend in the foreseeable future to enter into any contracts affecting the common property.

### 11. AUTHORITIES OR DEALINGS AFFECTING COMMON PROPERTY

The following authorities or dealings affecting the common property has been granted by the owners corporation:

Date of Resolution	Granted to	Lot	Area of Common Property Affected	Type of Authority or Dealing
	Mr C Evans	17	carport lease	Lease of common property
01/10/2018	John Holmes	25	Carport	Lease of Common Property
01/10/2018	Jean Evans	26	carport licence	Lease of Common Property
11/10/2022	Cheryl Crawford	32	carport lease	Lease of common property

### 12. AGREEMENTS TO PROVIDE SERVICES

The owners corporation has made the following agreements to provide services to lot owners and occupiers or the general public for a fee:

Date of Agreement	Name of Service Provider	Agreement provided to	Status	Brief Description
14/08/2019	Harles Plumbing division of Ellis Plumbers Pty Ltd	Lot Owners	Current	Two yearly service of gas appliances in community hall Lawn Mowing Common Area & Garden Maintenance 6 monthly Fire Audit of common area. Annual inspection and service of group meter box
22/08/2019	Steve's Gone Mowing	Lot Owners	Current	
01/10/2020	CVE Fire & Safety Pty Ltd	Lot Owners	Current	
01/09/2022	Gauci's Electrical Pty Ltd	Lot Owners	Current	

### 13. NOTICES OR ORDERS

The owners corporation currently has no orders or notices served in the last 12 months that have not been satisfied.

### 14. CURRENT OR FUTURE PROCEEDINGS

The owners corporation is not currently a party to any proceedings or is aware of any circumstances which may give rise to proceedings.

## OWNERS CORPORATION CERTIFICATE

(Continued)

As at 13th February 2024  
For Plan No. SP 29453W - Lot 43

### 15. APPOINTMENT OF AN ADMINISTRATOR

The owners corporation is not aware of an application or a proposal for the appointment of an administrator.

### 16. PROFESSIONAL MANAGER DETAILS

Name of Manager: Ace Body Corporate Management (Gippsland Region)  
ABN / ACN: 23431923108  
Address of Manager: P O Box 2006 Traralgon 3844  
Telephone: 5115 8300  
Facsimile:  
E-mail Address: [info.gippsland@acebodycorp.com.au](mailto:info.gippsland@acebodycorp.com.au)

### 17. ADDITIONAL INFORMATION

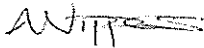
The owners corporation provides the following information for the benefit of the purchaser:

Refer to the minutes of the last Annual General Meeting \*\* Special Rules

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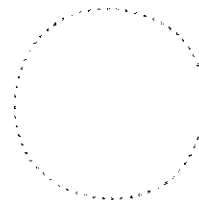
## SIGNING

The common seal is not required pursuant to section 18A of the Owners Corporation Act 2006.



Registered Manager

Full name: Adele Nippers  
Company: Ace Body Corporate Management (Gippsland Region)  
Address of registered office: P O Box 2006 Traralgon 3844



Common Seal  
of Owners Corporation

13/02/2024

Date



**Ace Body Corporate Management (Gippsland Region)**

Phone: 03 5115 8300

PO Box 2006, Traralgon, 3844

info.gippsland@acebodycorp.com.au

ABN: 23 431 923 108

*Professional Personal Service*

[www.acebodycorp.com.au](http://www.acebodycorp.com.au)

**MINUTES OF ANNUAL GENERAL MEETING**

Owners Corporations Act 2006 Section 81, Owners Corporations Regulations 2018

**OWNERS CORPORATION PLAN NO. SP 29453W**

**Maskrey Lodge, Traralgon**

The meeting was held on Tuesday, 26 September 2023 at 02:00 PM via Zoom.

<b>PRESENT:</b>	Lot 15	Michael W Frankland	Owner present
	Lot 25	John Holmes	Owner present
	Lot 29	Emma Waghorne	Owner present (pre-voted)
	Lot 30	Hans Strating	Owner present (pre-voted)
	Lot 31	Rosemary Joy Mock	Owner present
	Lot 35	Pat Wisby	Owner present
	Lot 42	Anthony James Willman & Kerry Susan Baker	Owner present
<b>APOLOGIES:</b>	Lot 37 – Beryl Bennett		
	Lot 43 – Wendy Shapcott		
	Lot 46 – Gloria Grenenger		
<b>IN ATTENDANCE:</b>	Stephen Nippers representing Owners Corporation		

**1. Meeting Chairperson.:**

Motion to appoint the manager to chair the meeting and to take minutes.

7 Yes      0 No      0 Abs      0 Inv

Motion **CARRIED.**

---

**2. Quorum.:**

Noting of attendances, proxies, apologies and determination of a quorum.

**NO Quorum Achieved:**

No Quorum achieved means the meeting may proceed but all decisions made will be interim decisions. A notice (minutes) of all interim decisions will be forwarded to all owners within 14 days. If a petition is NOT received (within 29 days of the meeting) from members representing at least 25% of the total lot liability, for a meeting to review the decisions made, these interim decisions will become final decisions of the Owners Corporation.  
( OC Act 2006 - Section 78)

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**3. Electronic Voting:**

Owners, please be aware of the following if voting online.

1. When motions or details concerning motions are changed during the meeting, the online voters are unable to vote on the revised resolution. Their vote is therefore recorded as Abstain which will be deemed the correct vote.
2. If two users access the voting platform or you share your access details, the last person saving the vote records the vote and no warning is given to other users. If two users access the portal simultaneously, the vote may be corrupted and therefore recorded as Abstain, which will be deemed the correct vote.
3. If you select for your letting agent to receive correspondence, they become an authorised contact, giving them access to the voting portal and allowing them to vote on your behalf.

Motion that the owners corporation authorises the use of electronic voting & paper voting papers is an approved method of voting pursuant to Sections 88 & 89 (1) of the Owners Corporation Act 2006. This includes votes received before the actual meeting date and time.

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

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**4. Adoption of Minutes.:**

Motion to accept that the minutes of the last annual general meeting of the Owners Corporation be taken as a true and accurate account of the proceedings of that meeting.

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

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**5. Financial Statement.:**

The administration account balance (excluding prepaid levies) at the end of the financial year was \$17,251.90.

Motion that the financial statement tabled for the period 30 JUN 2023 is accepted.

There is currently \$559.20 outstanding. Lots 13 & 16 are currently in arrears.

6 Yes      0 No      1 Abs      0 Inv

Motion CARRIED.

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**6. Chairperson Report.:**

Current Committee: Michael Frankland (Lot 15), Pat Wisby (Lot 35), Lloyd Lewis (Lot 39), Anthony (Tony) Willman (Lot 42) – chairperson.

The current committee is thanked for their contribution to the Owners Corporation.

Motion that the Chairperson report as tabled is accepted. (At AGM)

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

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**7. Committee Appointment:**

Nominations for the positions are reviewed and resolved (in writing or from the floor).

The manager nominates the current committee (please advise the manager if you want this withdrawn).

Michael Frankland (Lot 15), Pat Wisby (Lot 35), Lloyd Lewis (Lot 39), Anthony (Tony) Willman (Lot 42) – chairperson.

Motion that the following persons are members of the committee:

Michael Frankland (Lot 15), Pat Wisby (Lot 35), Lloyd Lewis (Lot 39), Anthony (Tony) Willman (Lot 42) – chairperson.

Motion that the committee have \$1,000.00 for general expenditure to cover social functions, donations and other matters the committee approve. \$500.00 social & \$500.00 petty cash.

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

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**8. Election of Chairperson:**

Tony Willman was elected the chairperson of the Owners Corporation.

Motion that the chairperson be paid an honorarium to the value of \$500.00. This is paid in June for that financial year.

6 Yes      0 No      1 Abs      0 Inv

Motion CARRIED.

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**9. Committee Powers:**

Motion that the Committee is delegated the powers and functions in accordance with the Owners Corporation Act and as set out in the Instrument of Delegation and that the common seal is affixed to the instrument.

Motion that the committee is also nominated at the Grievance Committee and is delegated the powers and functions in accordance with the Owners Corporation Act.

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

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**10. Appointment of Owners Corporation Manager (OCM):**

Motion that the owners corporation re-appoint Kideston Dairy Pty Ltd (A.B.N. 23 431 923 108) (Registered Manager No. 766) trading as Ace Body Corporate Management (Gippsland Region) in accordance with the existing Contract of Appointment for 3 years, the contract expires 23 AUG 2024 or is current until the next Annual General Meeting (whichever is the longer).

Management Fee - \$5490 p.a.    Disbursement Fee - \$1000 p.a.

Motion that the Owners Corporation delegates to the Manager the powers and functions of the Owners Corporation necessary to enable the Manager to perform his duties in accordance with those of the Owners Corporation Act 2006 and the Contract of Appointment.

Motion Pursuant to OC Act 2006 - section 82 that the following decisions, in the interest of the Owners Corporation, can only be made at a General Meeting:    - Appointment and Termination of a Manager

6 Yes      0 No      1 Abs      0 Inv

Motion CARRIED.

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**11. Managers' report::**

The manager performed all the normal accounting (accounts payable & receivable), administrative, banking, general enquiries and record maintenance for the Owners Corporation.

The manager does not offer a 24/7 service. For afterhours - emergencies and insurance claims - please contact Whitbread Brokers 24/7 Emergency makesafe repair line. **Phone: 1300 945 945**

*If the incident is not an approved insurance claim you may be responsible for the associated call out fees & repairs applicable.*

For lot owner urgent maintenance please contact the required contractor and these costs are an owners responsibility.

\*\*\*\*\* Online Voting & Meeting Access - Owners please note that if you nominate your letting agent to receive correspondence they also have meeting documents forwarded to them and are able to vote on your behalf. Owners must advise us in writing that letting agents are authorised to receive correspondence. If we do not have this on file letting agents will be removed from receiving your documents. Letting agents will still receive levies if that is your current set up \*\*\*\*\*.

- Convened, minuted and circulated minutes to members for the Annual General Meeting
- Prepared financial reports, prepared proposed budget
- Struck levies as resolved, collected and followed debt collection procedures
- Attended to management of expense payments; reconciled bank account
- Liaised with owners throughout the year, providing advice on OC Rules and general concerns raised by owners
- Re quoted insurance policy and renewed as instructed, provided Certificate of Currency upon request to owners
- Maintained the Owners Corporation Register and attended to all administrative duties, record keeping etc.

Grievance Report - No matters were referred to V.C.A.T.

August to December 2022 - Lot 29 requested to lodge an insurance claim for damages to the brick wall on the east side of their unit. They were requested to provide a report to show the cause of damage, quotes to repair with photos to show the damage. It was discussed with the Owner that if the damage is due to workmanship (insufficient ties in the brickwork) this is generally excluded but the insurer will make that assessment and request they supply all the required information to lodge the claim.

Further, follow up with the Owner in October to again request they provide the reports and information to lodge the claim. The Owner advised the builder hasn't provided a report yet. The report and invoice were received from the Owner in early November so the claim could now be lodged. The Owner advised they also wanted to claim for loss of rent. The insurer advised that the claim was denied due to poor workmanship and suggested the landlord consider claiming loss of rent through their landlord insurance. A formal letter of decline was forwarded to the Owners in early December.

September 2022 - Val Williamson resigned from the committee, advising of her resignation via her son Brian. The committee has four members - Tony Willman, Mick Frankland, Pat Wisby & Lloyd Lewis.

October 2022 - Lot 29 advised they were selling their unit and wanted to know when the garden contractor was due to attend next to have the lawns looking nice for the photos. The contractor confirmed they had just visited the property and the Owner was updated with this information.



October 2022 - The new Owner of Lot 46 contacted the Chairperson with concerns about a fence post that appeared to look like it had eroded at the base. They were concerned that the fence would fall down with strong winds.

A quote was requested from DaznDi Property Maintenance who quoted \$709.50 to attach steel reinforcing to 3 posts to add stability and strength as all posts are still intact. The quote was forwarded to the Chairperson for their review who approved the quote with the work being completed in late November.

October 2022 - The insurance was renewed with SCI and the building sum increased from \$10,575,000.00 to \$10,892,250.00. The excess payable for insurance claims has remained at \$750.00. There was an increase of \$2,633.99 on the annual premium.

October 2022 to January 2023 - Gauci Electrical attended to carry out the annual inspection and maintenance on the common group meter boxes (4 group boxes). Gauci advised that vegetation needed to be removed from around several of the group meter boxes and advised that the Block 1 meter panel is showing signs of wear and may need replacing in the next few years.

Steve's gone mowing was requested to prune back from around the group meter boxes advising vegetation clearance of 1 meter is required. Steve's gone mowing confirmed this was completed in late December and photos to show the pruning were supplied in early January.

November 2022 - The committee arranged the annual Melbourne Cup Lunch function. Pat Wisby was reimbursed \$100 to cover expenses for the lunch.

November 2022 - Lot 14 enquired about the rotting fascias and if they were covered under the body corporate. They were advised that this was a lot owner's responsibility to maintain and repair as needed and the colours needed to match the existing colour. Several follow-up emails and phone calls were made to Lot 14 to check if they had carried out the repairs with no response.

November 2022 - Lot 30 was approved by the Committee to install an air conditioner unit providing a licensed contractor was engaged to complete the installation.

November 2022 - Lot 27 advised their unit was going to be up for sale and their tenant was vacating therefore the carport was available for reallocation at the end of October. The chairperson was notified of the car park space and they confirmed they would advise on the outcome.

The Chairperson advised Lot 32 had accepted the offer of the carport at \$100 p.a. and that it was available from 31 October. The Chairperson advised the rate for the carports had not been changed or increased in years and suggested this should be increased to \$125 p.a. for any upcoming vacant carports and could be raised at the next AGM.

A licence agreement was issued to Lot 32 for signing for the allocation of the carport space.

November 2022 - The Chairperson advised that he was concerned about the recent flood events around Gwalia Street and emailed Mayor Kellie O'Callaghan with his concerns and the cleaning and upkeep of the Traralgon Creek.

December 2022 - An enquiry was emailed to the Chairperson to see if the committee was still arranging for the front fencing facing Cambell Street to be painted as it was noted in the last minutes of the AGM that the committee would be organising this. Tony responded requesting that we arrange a quote as they don't know any painters. Guardian Facilities quoted \$808.50 which was approved and completed in January.

December 2022 - Following a complaint from a resident at Yallambee regarding a parking issue, Chairperson contacted Latrobe Council for further clarification around the parking spaces on the south side of Gwalia Street. Council advised - The Council (Traffic Engineer Lionel) advised that all the indented car parking spaces outside Yallambee on the south side of Gwalia Street are public car parks belonging to Council and no one has any right to claim exclusive rights to a car space. (The same applies to the indented spaces outside Maskrey on the north side). The numbers painted on the kerb are historical and were intended as a guide to emergency services. They do not designate attachment to any units. Any member of the public can use these parking spaces.

December 2022 - Lot 34 was sent a reminder to make sure they have their gutters cleaned. They advised it has been too wet to have this completed and queried why we were following up to see if it had been completed. They were advised that it is followed up as it can affect insurance claims if not completed. The Owner confirmed the gutters were cleaned.

December 2022 - Pat Wisby was reimbursed \$164.45 for the costs involved with the Christmas function which was held on 14 December. Pat confirmed all receipts were passed on to Tony and advised it was the last event they would be organising.

December 2022 - Francis Plumbing attended onsite on 20th December to check and investigate for a possible water leak at the property, located near Lot 47 in the common area. Francis Plumbing quoted \$2,430 to fix the burst water pipe and this was approved by the Chairperson due to how close it was to Christmas.

Francis Plumbing advised they would attend on 28 December to make the repairs. They advised on this day they encountered a problem with the isolation valve on the main water supply and Gippsland Water advised it was the property owner's responsibility to repair it. The total cost for repair carried out by Francis Plumbing ended up being \$3,230. A concrete path will need replacing as it was dug up to gain access to the water leak. Gippsland Water agreed to reinstate the concrete path and scheduled works for two weeks time.

Francis Plumbing could not indicate a cause as to why the high-pressure pipe split. An email was sent to the Chairperson to advise that the insurer may cover the water leak repairs and the excess payable is \$750. The Chairperson authorised the lodging of the claim. In early February the broker confirmed the claim was approved with the settlement amount being \$2,480.

Following the water leak repairs, a few Owners called to advise their water pressure had dropped since the repairs had been done. We were further updated by Tony, Chairperson that the issue had resolved itself however Lot 21 advised they were still experiencing issues, particularly in the bathroom. They were advised that they may need to clean the tap filters and turn all taps on to remove any air locks.

January 2023 - Lot 34 called to advise they had a water leak in the copper pipe in the laundry, possibly caused by the vibration from the washing machine. They reported possible damage to the vinyl floor and kitchen cabinets but were waiting for the cabinets to dry out to determine the damage. They were advised the excess to lodge a claim was \$750 and we would require a plumber's report, photos and quotes to repair. Nothing further was received from the Owner so no claim was lodged.

February 2023 - Lot 17 Managing Agent made enquiries regarding the fascias and the parking as they were selling the unit on behalf of the Owners. The Managing agent was advised the fascias are a lot owner's responsibility and the lease on the carport is void once the property has been sold.

February 2023 - The letting agent for Lot 18 requested a copy of the OC rules to attach to their lease agreements and to have on file.

April 2023 - An enquiry was received from Lot 29 Owner about whether pets are permitted and they had been advised by word of mouth that residents are not allowed to walk on the common area grass. They were advised animals are allowed as long as they are kept within the lot and not roaming the common area. They were advised there is no rule about walking on the common grass.



April 2023 - A request was received from the tenant residing at Lot 2 to have a shade sail erected over the rear door. The letting agent advised them that they needed to put their enquiry to the body corporate.

The tenant was advised that as the shade sail changes the outward appearance, we would require full details of what they wanted to install including size, colour and materials. The Owner would need to make this request on behalf of the tenant and then it would need to be put to all Owners for further approval.

In June the Owner of Lot 2 emailed with the request to install a shade cloth and metal screen and supplied examples. The details were forwarded to the Chairperson for their consideration.

Tony advised he had spoken with the tenant at Lot 2 directly, confirming the screen was approved (Lot 3 installed one without seeking permission) however the shade sail was not approved as no other units in the complex had a sail.

Tony was also concerned if the sail was attached to the fascia with a strong wind gust it may cause damage to the building. Tony suggested they use an umbrella as a cheaper and safer option. The Owner of Lot 2 was updated on the matter with the approval of the screen only.

May 2023 - The Owners of Lot 7 were contacted to request they have the tree at the front of their unit pruned back before it caused damage to the gutters and roof.

May 2023 - An email was received from the Chairperson to report and have recorded on file that there are two dogs at the house on the corner of Campbell Street and Gwalia Street. They advise the dogs bark aggressively when anyone is close by and there is a section of fence that the dogs can peer through fuelling their aggression. Tony confirmed he had spoken with the tenant to express his concerns but the tenant assured him their dogs were harmless. Tony requested that the tenant have the fence fixed.

May to July 2023 - An email was received from Tony advising that there was a dip in the area where the water leak was repaired in December last year and that the hole was sometimes full of water after rain. A further report from Tony was received on 21 May advising Francis Plumbing were again onsite and had dug up the area where the previous repair had been carried out advising the repair had failed.

They completed the repairs again finishing about 10.30 pm and only partially reinstated water pressure to see how it went overnight. Tony reported the next morning there was no water and water was pouring down the stormwater drain. Francis Plumbing was contacted again to advise them the repair had failed.

Francis Plumbing returned and turned the main water off. Further repairs were carried out and water was restored by the end of the day. An email was sent to Francis Plumbing to determine if the cost of the repairs to the failed work would be covered under a warranty. Francis Plumbing advised that they were determining if all the plumbing work carried out was related to the first repairs completed in December and that they would reinstate the lawn once they knew the leak was definitely fixed.

An email a few days later from Tony suggested the water leak had not been fixed with water pooling near the repair site. Francis Plumbing were now preparing a quote to replace the pipes as the repairs are not holding due to the pressure in the line.

In early June, Tony advised that Francis Plumbing was onsite at Lot 35 to fix water leaks and that they may have to replace all their pipes.

A quote from Francis Plumbing \$2,800 and a comparative quote from Alite Plumbing \$3000 (using glue and only 6mth warranty) or \$4,620 to replace a section of pipe was received.

Quotes were forwarded to the Committee for their consideration. The Committee approved the quote from Alite Plumbing for \$4,520 and believed an appropriate levy of \$100 per unit be raised to cover the cost. Alite was notified their quote was approved and also asked about the cost per unit to install a pressure limiting valve. Owners were updated on the repairs needed and that water would be off for approximately 2 hours while the repair was being completed.

Alite Plumbing confirmed the work had been completed on the 25th July and the top dressing was now required.

Alite advised he could install a pressure limiting valve at any unit having issues due to the high water pressure. This would be at a cost of approximately \$150 plus GST per unit.

In August, Alite Plumbing was advised that there are 6 definite and 2 other possible owners that have requested to have pressure limiting valves installed. Owner details have been supplied to Alite in order for them to organise for this valve to be installed.

June 2023 - A query was received from the Chairperson if the failure of water pipes at individual units is covered by the OC insurance. Tony was advised that the replacement of water pipes is NOT normally covered as it is seen as a maintenance requirement. Gradual deterioration or faulty materials is an exclusion in the policy.

Black poly pipes are also generally excluded from the policy. Copper pipes or high-pressure PVC are covered but the cause of damage needs to be an insurable event like malicious damage, accidental damage, storm damage, impact damage etc.

Generally, a sudden event that causes damage. Damage over time is generally an exclusion.

June 2023 - The Chairperson queried if the ESM inspections and audits were really necessary due to the extra costs and an unnecessary waste of money. Tony was advised that it is a legislative and OH&S requirement. He was advised that if the committee want to take over this maintenance requirement and expose themselves to liability claims should anyone be injured or worse.

The cost is \$20 per unit. If there is ever a fire in the Hall you will not be insured and worse than that you leave yourself open to be sued as a result. Tony queried who actually owned the hall and was informed that it is common property and owned by the Owners Corporation - ie. owned by the Lot Owners as tenants in common in shares proportionate to their entitlements.

July 2023 - There were concerns raised for the welfare of Lot 9 due to the disturbance and behaviour exhibited. The Chairperson was advised that other Owners and residents should contact the Police if the issue continues and by contacting the Police it may trigger other support networks to help such as Anglicare.

After a few weeks, Tony made contact again advising several more complaints had been received and felt the formal complaint process should commence. An email has been sent to Benetas to seek their assistance and direction on the matter however they advised they are unable to assist as Lot 9 is not a client of theirs and that they need the client's consent. Contact was also made with LCHS (liaison office) who are able to provide advice and assist if Lot 9 consents to help.

An email was sent to Tony while including Benetas in the email so Tony could liaise directly with them regarding this issue and provide assistance.

Tony has confirmed that Lot 9's daughter is aware of the issues and behaviour of her mother and trying to deal with them.

August 2023 - Spraytech quoted \$1,155 to repaint the lines in the centre carpark. - see general business.

Motion that the Managers report as tabled is accepted.

6 Yes      0 No      1 Abs      0 Inv

Motion CARRIED.

---

**12.1. Insurance.:**

Current Insurance Company: Strata Community Insurance (SCI)  
Policy Details: - Refer Insurance Report

Broker: Whitbread Brokers - Phone: 1300 424 627

For after hours - emergencies and insurance claims - please contact Whitbread Brokers 24/7 Emergency make safe repair line. Phone: 1300 945 945

*If the incident is not an approved insurance claim you may be responsible for the associated call-out fees & repairs applicable.*

Insurance Claims Since Last AGM: Burst high pressure pipe - a water leak was reported on 20 December with Francis Plumbing attending to locate the leak. They initially quoted \$2,400 to repair the leak however when they commenced the work they found a further issue with the main isolation valve. They found the valve to be defective and Gippsland Water were requested to attend to fix the valve on their side of the meter. Total cost for repairs by Francis Plumbing were \$3,230. Gippsland Water also repaired the concrete path that was dug up. The claim was lodged with SCI on 17 January and on 10 February they confirmed the claim was approved with the settlement amount of \$2,480 as the excess of \$750 was deducted from the invoice amount of \$3,230. Claim has been finalised.

Motion that the OC has Strata Insurance to cover all buildings within the private lots, common area infrastructure and public liability as per Owners Corporation Act, Section 4 (c) and 62. All excesses are payable by the affected lot owners as determined under the benefit rule. (Contents and owner Public liability are not covered)

6 Yes      0 No      1 Abs      0 Inv

Motion CARRIED.

---

**12.2. Insurance - Building Valuation.:**

The valuation must be obtained every 5 years or earlier, as determined by the owners' corporation.

An insurance valuation was undertaken on 28th of October 2021 and the policy endorsed with the recommended replacement value of \$10,575,000.00

The current building sum insured is \$10,892,250.00

Motion that a building valuation is obtained, 5 years after the last valuation (Due - October 2026), the limits of cover are set according to the report and a special levy is raised (as required) to fund the cost of valuation and the difference in premium.

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

---



**12.3. Insurance - Renew Options:**

Motion to renew insurance policy without further approval from the Owners Corporation. Renew as per Brokers' recommendation.

(Broker obtains up to 4 comparative quotes)

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

**12.3. Alternatives for Insurance - Renew Options:**

(Option A) - The sum insured is to be increased as per the insurance companies indexed sum insured recommendation.

7 A      0 B

'ALT A' has been selected with the highest votes.

---

**13.1. Common Area Maintenance:**

Motion that the committee arrange common area minor building & general maintenance. The manager to assist as directed. Accrued funds to be utilised. If there are insufficient accrued funds then a special levy will be issued.

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

---

**13.2. Lawn Mowing & Gardening:**

Owners determine the quality and aesthetic standards of the complex. It is not the manager's responsibility. Common area inspections can be organised from around \$500.00. Owners are required to report issues to the manager and supply photos to support their claim.

Motion that the manager is responsible for arranging lawn mowing, garden maintenance and tidiness or cleaning of the common property to a standard that does not affect the Aesthetics of the common area. The current contractor is to continue with the existing service schedule.

*Contract rolled over for another year to 01-10-2024*

**Current Scope:** Fortnightly services as per contract and determined by Committee (Roll over to 01-10-2024)

**Current Contractor:** Steve's Gone Mowing

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

---

**13.3. Garden Beds in front of units:**

Motion that garden beds in front, back, side of units (immediately adjacent) are a lot owners responsibility to maintain. This includes pruning of trees and bushes. Any work organised by the manager in these areas will be charged back to the affect unit.

There may also be an additional fee charged by the manager to organise this lot owner requirement.

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

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**13.4. Gutter Cleaning - Community Centre & Carports Only:**

Motion that the manager is responsible for arranging gutters (Community Centre & Carports) to be inspected on a yearly basis and cleaned as required.

**Current Contractor** - Steve's Gone Mowing

(This is a maintenance issue that could affect insurance claims).

Back of hall needs cleaning.

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

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**13.5. Gutter Cleaning:**

There have been a number of requests by the committee to notify owners who have failed to clean the roof gutters of their units. A collective cleaning would remove non-compliance and also reduce the risk of damage and additional insurance claims. Please note damage as a result of failing to maintain your unit will not be covered by insurance.

Motion that the roof gutters are to be inspected on a yearly basis and cleaned as required.

This is the lot owner's responsibility, but annual cleaning can be arranged collectively.

(This is a maintenance issue that could affect insurance claims).

*This policy will not be revisited except if raised by the committee or 25% of owners*

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

**13.5. Alternatives for Gutter Cleaning:**

(Option A) - Motion that the owners are responsible for arranging this maintenance.

The manager is authorised to arrange urgent cleaning (to avoid exposure to insurance claims) and any work organised by the manager in these areas will be charged back to the affected unit. There will also be an additional fee charged by the manager to organise this lot owner requirement. (Approx \$165.00 management fee)

7 A      0 B

'ALT A' has been selected with the highest votes.

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**13.6. Carports - (Special Resolution):**

The levy for the carports has not been increased for some time. It has been raised that the levy should increase from \$100 p.a to \$125 p.a with the new rate commencing from 01-01-2024.

The new period commencing 01-01-2024 at \$125 maintenance levy per car port. Money raised to be utilised for general maintenance of the common area.

This licence IS NOT transferable upon sale of the unit.

Lot 17 - Mr C Evans, Lot 25 - John Holmes , Lot 26 - Jean Evans, Lot 32 - Cheryl Crawford

Motion that the use of the carports be determined by the committee and licensed for a period of 12 months. Existing licence agreements automatically roll over for another year.

7 Yes      0 No      0 Abs      0 Inv

Motion DEFEATED.

---

**13.7. Linemarking of centre carpark:**

A quote was obtained to re-paint the lines in the centre carpark.

Spraytech quoted \$1,155.00. A comparative quote has been requested from DaznDi Property. (Post AGM \$1,537.80)

refresh painted kerb - illuminated paint

Motion that the most competitive quote is Spraytech which has been approved to have the linemarking completed on the centre carpark.

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

---

**14.1. Common Group Meter Box Maintenance:**

October 2022 to January 2023 - Gauci Electrical attended to carry out the annual inspection and maintenance on the common group meter boxes (4 group boxes). Gauci advised that vegetation needed to be removed from around several of the group meter boxes and advised that the Block 1 meter panel is showing signs of wear and may need replacing in the next few years.

Quote to be obtained to allow for budgeting.

Motion that the manager arranges the annual maintenance and cleaning of the common group meter box(s) (9 group boxes).

**Electrical Contractor:** Gauci Electrical

7 Yes      0 No      0 Abs      0 Inv

Motion CARRIED.

---

**14.2. Essential Safety Measures (ESM):**

**Gas Appliances:** Motion that the manager organise a plumber to inspect the Gas Appliances in the hall every second year. (Due Sept 2023)

**Preferred Contractor:** Ellis Plumbing. (Last Sept 2021) \*\*New contractor required. Disconnect 4/1 abstain

**Common Area Lighting:-** The committee and owners are required to inspect common lighting and report any faults. Address maintenance and inspect if operational for existing common lighting.

Motion that the manager is authorised to organise repairs to the common lighting as required.

**Electrical Contractor:** Gauci Electrical - 0418 515 936

**Essential Services (Common Area):-** Inspections of Essential Services for the common area are carried out according to the Certificate of Occupancy. As required under the Building Act 1993, Building Regulations 2018, Australian Standards and Building Codes of Australia.

Motion that the Owners Corporation resolves that the manager is to ensure that the essential service items are attended to in accordance with the Building Act 1993, Building Regulations 2018, Australian Standards and Building Codes of Australia.

**Contractor:** CVE Fire & Safety

**Fire Appliances (Common Area):** Motion that the Owners Corporation resolves that the manager is to ensure that the essential service items are attended to in accordance with the Building Act 1993, Building Regulations 2018, Australian Standards and Building Codes of Australia.

**Contractor:** CVE Fire & Safety

**Emergency Lighting Testing and Inspection (Common Area):** Motion that the Owners Corporation resolves that the manager is to ensure that to ensure that the servicing of all emergency lighting within their lots are carried out as per Australian Standards AS2293.1, the Building Act 1993, Building Regulations 2018 and Building Codes of Australia.

**Contractor:** CVE Fire & Safety

**Electrical Safety:** Owners are required to arrange the annual maintenance and cleaning of their meter/fuse box.

6 Yes      0 No      1 Abs      0 Inv

Motion CARRIED.

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**14.3. OH&S Obligations:**

Current Policy: Motion that the Owners Corporation discharges its obligations under the OHS Act 2004 by:

- a). Undertaking contractor validation utilising the manager's Contractor OH&S Checklist',
- b) Owners and Committee to undertake regular inspections and to monitor the safety of the common area. Faults will be reported to the manager and he is authorised to arrange repairs. If there are insufficient saving, Special Levies will be raised to fund these issues.

It was resolved NOT to obtain Safety Audit of common property or other professional services to perform OHS inspections. .

Motion to reconfirm existing OHS policy.

*Owners advised the path in front of the community hall becomes slippery from the flowers that fall. Committee to inspect regularly and clean as required. Garden contractor to be requested by committee to clean path each visit.*

**Blue Flashing Assistance Required / Warning Light installed at the front of units. Please be advised this flashing assistance light does not work during a power outage.**

6 Yes      0 No      1 Abs      0 Inv

Motion CARRIED.

---

**15. Proposed Budget - Quarterly:**

Owners Corporation Financial Year Ending: - 30th of June 2024

Motion that the proposed Administration Fund budget totalling \$57,500.00 per annum adopted. (attached) The levy period, due date and amounts based on lot liability are attached. The budget is apportioned according to lot liability and commences at the start of the financial year. The levy period is also to commence at the start of the financial year.

The Administrative Fund Balance at the end of the financial year is approximately \$21,000.40.

Motion that the Administration Fund plans on a maximum balance of approximately \$15,000 for contingencies to ensure quarterly levies are issued as 25% of budget requirements.

\*\*\*\*\* If savings are not at 65% of the insurance cost the 1st & 2nd Levies may will be 65% of the budget. \*\*\*\*\*

Motion that all levies be paid in advance in Quarterly instalments, the first levy is due on the 1st day of the financial year. Levies will continue at the same quarterly rate or as required by the next proposed budget or until changed by a resolution of the Owners Corporation at a General Meeting.

Motion that the fees be paid in advance by instalments, the first such instalment being due on

- 1 JUL 23
- 1 OCT 23
- 1 JAN 24
- 1 APR 24

Motion in accordance with Section 24 of the Owners Corporation Act 2006 that should there be a shortfall in the funds of the Owners Corporation to meet its statutory commitments, including maintaining a current insurance policy then the OCM may raise a special levy to meet the shortfall in funds to comply with that statutory and or contractual obligations.

**Next Budget estimated at \$60,625.00**

**Increase approx. - 5%**

6 Yes      0 No      1 Abs      0 Inv

Motion CARRIED.

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**16.1. Debt Recovery & Penalty Interest:**

**Penalty Interest:-** Pursuant to Section 29(1) & (2) of the Owners Corporation Act 2006, to charge penalty interest on monies owed by a member to the Owners Corporation after the due date for fees and charges. The penalty interest rate is set at the maximum rate of interest payable in accordance with the Penalty Interest Rate Act 1983. The rate under the Act is currently set at 10 %.

**Debt Recovery: -**

- a. Levy payment is required by the due date. Penalty Interest will be charged on any overdue amount. A reminder notice will be forwarded when approximately 15 days overdue.
  - b. When a Levy is more than 28 days overdue, a statement will be sent confirming interest is being charged on the overdue levy. A fee of \$30.00 will be charged and recoverable from the indebted lot owner.
  - c. When a Levy is more than 60 days overdue a Final Notice will be sent stating that the Owners Corporation intends to take action under Part 11 to recover the amount due. A fee of \$100.00 will be charged and recoverable from the indebted lot owner.
  - d. If no payment is made after 28 days from the date of the final notice, the Owners Corporation will make an application to V.C.A.T. or the Magistrates Court (via LFS Legal) for an order requiring the lot owner to pay all overdue fees, charges and interest owing. A letter confirming this action will be sent and the indebted lot owner charged \$30.00.
  - e. Where a lot is in arrears, and a Final Notice has been issued, any new levy is overdue after the due date of that new levy. When the new levy is more than 28 days overdue a Final Notice will be sent stating that the Owners Corporation intends to take action under Part 11 to recover the amount due. A fee of up to \$100.00 will be charged and recoverable from the indebted lot owner.
  - f. The costs incurred by the Owners Corporation in recovering fees and levies due under Section 32 of the Owners Corporation Act 2006, will be fully recoverable from the indebted lot owner. This includes administrative fees charged to the Owners Corporation by the manager and all legal fees incurred as a result of the failure to pay levies, fees and charges due. VCAT or Magistrates Court action to recover a debt via LFS Legal and this cost payable by the indebted lot owner.
  - g. The manager has the authority to enter into payment plans (manager discretion) and is also authorised to remove small amounts of interest as a management tool. Penalty interest may be reversed if the payment plan was authorised prior to the levy being in arrears. Debt policy is suspended whilst complying with an approved payment plan. This debt policy will be re-activated when a payment plan is breached.
- Amounts owing on a Payment Plan are still considered in arrears and owners will not be able to vote at General Meetings whilst in arrears.
- h. Third-party debt collection agencies are authorised and costs of 7.5% to 10% of debt are payable to OC. This amount will be charged to the indebted lot owner. A site visit to the owner's address, by the debt collection agency, may be required at a cost not exceeding \$185.00. This amount will be charged to the indebted lot owner. All fees not recovered at VCAT will remain on the lot ledger and will be the responsibility of the indebted lot owner or any subsequent new owner.

Motion that the above penalty interest and debt recovery policy to be adopted.

6 Yes      0 No      1 Abs      0 Inv

Motion CARRIED.

**16.2. Debt Recovery - Legal Action:**

Please note that Solicitor fees are payable by the Owners Corporation and the Debt is recoverable from the indebted lot owner. The manager will also charge additional fees at the hourly rate for services relating to further legal action,

Motion that accrued funds will be used to fund this cost and if there are insufficient funds the manager is approved to raise a special levy to cover the debt collection costs.

**Current policy - Special Resolution (2022):** Motion that the Owners Corporation (SP 29453W) resolved to take legal action in a court of competent jurisdiction, against the registered and equitable owner of ANY Lot in Arrears in Owners Corporation (Plan SP 29453W) to recover unpaid fees, levies, interest administration fees, legal fees and breaches of the Owners Corporations Act 2006.

Motion to reconfirm the above debt recovery special resolution.

6 Yes      0 No      1 Abs      0 Inv

Motion DEFEATED.

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**17. Common Seal Not Required:**

Pursuant to section 18A Owners corporation is not required to have or use a common seal

(1) An owners corporation is not required to have or use a common seal.

(2) Section 19 applies only to an owners corporation that has a common seal.

(3) Sections 20, 21 and 22 apply only to an owners corporation that has a common seal and uses the common seal on a document.

(4) An owners corporation that has a common seal under sections 19, 20, 21 and 22 may, by ordinary resolution, determine that the common seal is no longer required and can be destroyed.

Motion that the Owners Corporation does not need a common seal pursuant to OC Act section 18A(4) and the seal can be destroyed.

6 Yes      0 No      1 Abs      0 Inv

Motion CARRIED.

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**18. Online Portal Access:**

Owners have access to an OC community portal, which allows owners to view and download correspondence for the Owners Corporation including recent fee notices, tax statements and other relevant documents.

This portal also allows owners to view live and up-to-date financials of the Owners Corporation, providing greater transparency for the Owners Corporation financials.

Owners with email addresses known to our office should have received login details. If you need access to My Community or a password reset please contact Ace Body Corporate.

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**19. Request for Documents:**

All Owners Corporation documents are held by the manager as required under the Owners Corporation Act. It is not the manager's duty to automatically forward all or any of these documents free of charge to owners. This is an additional service above the standard management duty of the manager. Filing and holding OC documents is the standard requirement. If owners request a copy of any document the schedule fee applies. This also applies to copies of documents already sent to owners.

The standard Consumer Affairs cost for supplying documents will apply in the future. The scheduled fee is 1.15 x fee unit (\$20.10 FYE 30-06-2024) for a copy of any document.

- <https://www.consumer.vic.gov.au/housing/owners-corporations/finance-insurance-and-record-keeping/fees>

Please note that some documents are automatically uploaded to the Portal and are available free for owners to access. Documents that are not automatically uploaded may incur an above fee to be made available on the portal. Please enquire with the manager

If you require portal access or your portal access needs to be reset please contact us via email.

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**20. General (Enduring) Resolutions:**

The following are enduring resolutions of the Owners Corporation which remain in place from year to year unless the Owners Corporation resolves to change them:

**A request to change a current resolution can only be made by the committee or an owner representing at least 25% of owners.**

**Air Conditioners (2023):-** Installation of A/C units requires committee approval and must be installed within your lot boundary and has minimal impact on the outward appearance. All external pipes and control panels that are visible (externally installed) must be painted a colour consistent with the complex. (Preference is to have these items installed internally).

**Fence Replacement/Repairs (2019):** - It was resolved that the repair of fences to be determined by the committee. Committee to organise minor repairs and as required organise quotes as required. Accrued funds to be utilised. If insufficient then it is authorised to raise a special levy.

**Solar Panels (2019):-** Motion that solar panels that are installed flat and solely within a lot boundary are permitted and do not require any additional permission. They must be professionally installed. If the panel protrudes from the roof permission would be required.

**External Bins / Sheds and Other Constructions (2016):** - It was resolved that the committee is responsible for granting approval for external storage boxes, sheds and all other constructions within the complex. This includes the use of any common area under the eaves of lots. The committee will make an assessment on an individual case-by-case basis. All applications for approval are to be in writing to the committee.

**Sheds and other Structures (2019):** - There has also been a request by lot 19 to have a garden shed, similar to the one at unit 3. This shed is in the common area and there is NO licence or lease for this to remain in the common area. It was resolved that these requests be forwarded to the committee for approval. Committee to assess the aesthetics and size of any proposed shed and ensure they are in line with existing sheds. This is a house rule and the OC can remove this approval. It was resolved not to issue a licence or lease for this purpose.

**Letter Boxes (2019):-** Motion that each owner (or occupant) is responsible for clearing mail and junk mail from their letterbox. Repairs to letterboxes are addressed on a case-by-case basis and the OC committee have approved works by OC in the past – the benefit rule applies and is determined by the committee.



**Exterior Lighting (2017):-** Motion that lot owners are authorised to install subtle solar or sensor lighting upon their lots and along the common area driveway/footpaths in front of their lots. Maintenance of these lights will be the lot owner's responsibility.

**Rubbish Bins (2017):-** Motion that the rubbish bins have been issued to the Owners Corporation. It was resolved that the committee has control over the allocation of rubbish bins. This is assessed on a needs basis.

The council has the authority to fine occupants for rubbish bins that have been left on the nature strip and not returned to a person's property.

**Dumping of Rubbish:** - Members are reminded not to dump or leave rubbish on the common property.

**Collection of Fees and Bank Account (2019):-** Motion that the Manager (or the manager's delegate), pursuant to its appointment as manager for the Owners Corporation, is authorised to collect the fees for the Owners Corporation and to operate a bank account on behalf of the Owners Corporation.

The Strata Manager will not issue a Work Order or engage any Contractors for the provision of any goods or services unless they have complied with the minimum requirements as defined in the Contractor OH&S form. Minor works of cost of \$1000 or less will be actioned with one quote. Additional quotes will incur an additional management fee.

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## 21. Insurance Information:

**Insurance:** - The manager discloses that he is an Authorised Representative (per Corporations Act 2001 and registered with A.S.I.C.) for the Insurance Company. The Financial Services Guide (FSG) and Product Disclosure Statement (PDS) are tabled at the meeting. Owners are advised they are available online or from the manager's office. Please contact the manager if you require a copy of these documents.

Motion that the manager uploads the PDS & FSG to the online portal each renewal and this is deemed as service to all owners of the owners corporation.

**General Advice:-** Any advice I give is General Advice please read the P.D.S. before making a decision. All insurance claims are handled by either the manager or directly with the insurance company.

For lot owner urgent maintenance please contact the required contractor and these costs are the owner's responsibility.

Current Insurance Company: Strata Community Insurance (SCI) Policy Details: - AS per Insurance Report Broker: Whitbread Brokers - Phone: 1300 424 627

For after hours - emergencies and insurance claims - please contact Whitbread Brokers 24/7 Emergency make safe repair line. Phone: 1300 945 945

*If the incident is not an approved insurance claim you may be responsible for the associated call-out fees & repairs applicable.*

Owners Corporation Act requires Insurance valuations to be conducted every 5 years.

The manager discloses that as an Authorised Representative, we receive a commission of up to 20% of the base premium for placing the insurance, processing and follow-up of insurance claims. The commission in no way affects the Owners Corporation insurance premiums.

*The manager advises that lot owners are responsible for their own insurance needs, including, but not limited to, contents and public liability insurance inside their lots. It is important that owners organise their own insurance.*

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**22. Essential Services and OHS:**

Owners noted that the Owners Corporation is in charge of the common property that is a defined workplace under the Occupational Health and Safety Act. As an occupier of a workplace the Owners Corporation has an obligation to ensure that the workplace (common property) including the means of access and egress from the workplace are safe and without risk to the health and safety of visitors and workers alike. Workers include voluntary and contractors engaged by the Owners Corporation. Prosecution and or substantial fines may result should an incident occur.

The Owners Corporation reviewed its mandatory responsibility in accordance with the Building Act 1993, Building Regulations 2006 (Part 11) & OHS Act 2004, Section 21 (3) in relation to the fire services, safety and risk management including:

- Identifying hazards on common property;
  - Assessing risks that may result because of the hazards;
  - Deciding on control measures to prevent or minimise the level of the risks;
  - Implementation of control measures;
  - Monitoring and reviewing the effectiveness of the measures;
  - Ensure that all Owners Corporation work is carried out by properly qualified tradespeople holding appropriate insurances.
- 

**23. Asbestos:**

**Asbestos:-** Any buildings built before 2003 is considered to contain asbestos.

Owners should note that a liability may exist in the event that a person residing, working in or visiting a building containing asbestos, that has not been properly managed, can identify that they contracted an asbestos-related illness from the Owners Corporation. There is a requirement under Sect 226 of the OHS Regulations 2017 to identify whether asbestos is present. As the Owners Corporation is in charge of the common property an asbestos audit is required.

*Owners aware of Asbestos, within their lots, are to notify the manager of the location of the Asbestos. Owners are to arrange for an inspection and to treat suspected Asbestos as per recommendation in the inspection report. This may be the treatment or removal of the suspected Asbestos.*

Motion that in the common area the Owners Corporation can manage this by:

- i. Instruct each contractor that there is NO asbestos report and to assume that asbestos is present. Any suspected asbestos must be treated pursuant to Australian Standards.
- ii. The manager is authorised to have any suspected asbestos tested and a quote is to be obtained for the treatment or removal of such Asbestos.

It was resolved not to Obtain a report that identifies the location and type of asbestos.

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**24. General Information and meeting closure:**

**Rules:** - The Owners Corporation will be bound by the Special Rules (if applicable) of the Owners Corporation & Model Rules (Updated 2021) under the Owners Corporation Regulations 2018. Please contact the manager if you require a copy. **New Model Rules 2021 - attached**

All owners are reminded it is their responsibility to ensure all tenants are provided with a copy of the Model Rules and that all owners, occupiers and tenants are bound by the Rules. A copy of the Rules is attached to the Owners Corporation Certificate (part of Section 32 documents).



**General Complaints - Breach of OC Rules:-** All breaches of OC Rules require a grievance meeting. The manager will issue a breach notice for any proven breaches of the Rules. The notice is subject to a \$60.00 Admin Fee charged to the lot owner of the offending lot via a special levy.

*Owners are responsible for the general tidiness, lawn mowing, garden maintenance and building maintenance within their own lots to a standard that does not affect the Aesthetics of the Owners Corporation. Owners are responsible for ensuring tenants maintain the appropriate standard.*

Owners Details: - Members are reminded that it is the responsibility of the lot owners to ensure their contact details (including e-mail address) are kept up to date on the Owners Corporation Register.

Manager's Professional Indemnity - Strata Managers - Insurer: Chubb Insurance Company  
Policy Number: 93312084 Limit: \$5,000,000 Expiry date: 4.00 P.M on 1 July 2023

Owners are advised that the seal of the Owners Corporation (if still used) is fixed to the following documents as required: -

- i. Contract of Appointment of the Owners Corporation Manager.
- ii. Owners Corporation Certificates.
- iii. Documents forwarded to the Titles Office.
- iv. Instrument of Delegation - To the Committee.

Motion that the manager is permitted to apply seal as required to the above documents.

**Electricity & Gas Meter Numbers:-** New Owners and tenants sometimes have difficulty connecting power and gas services. The manager can record the MNI of their power meter and the gas meter number for each lot. Please forward these details if you want them stored on your file.

**OH&S:-** The Manager advises owners to be aware of their obligations under OH&S and Work-Cover Victoria when they engage the services of a contractor, especially to works carried out at height. It is advised that each owner (within their lot) is to ensure that all OH&S and Work-Cover requirements are adhered to in accordance with the Building Codes of Australia.

**Essential Services:-** It is advised that each owner (within their lot) is to ensure that the essential service items are attended to in accordance with the Building Codes of Australia. This includes but is not limited to:- Emergency Exit Lighting, Fire Doors and Walls, Paths of Egress, Air Conditioning units and extraction ducts and fans. Tested as required by relevant standards

**Fire Appliances:-** It is the responsibility of individual lot owners (within their lot) to ensure that the servicing of all fire appliances within their lots is carried out as per the essential services requirements of the Building Codes of Australia. This includes fire extinguishers, fire hoses and reels, hydrants, fire blankets, alarms, detectors, and any other fire equipment. Tested every 6 months.

**Smoke Detectors:-** Members are reminded that smoke detectors are mandatory inside residential lots. They must be always kept operational as per provisions of Australian Standards AS3786. It is the responsibility of the lot owners to notify their tenants of this requirement. Please note that detectors have a 10-year expiry date and should be replaced if they are past the expiry date.

**Parking:-** Members are reminded that there is no parking in the common driveway (other than designated) and under no circumstances are the vehicles to be parked on the lawns. Members with tenants must advise their tenants as this is a breach of the Rules of the Owners Corporation.

**Levy Payments -**

If paying by cheque - Please make cheques payable to:  
Owners Corporation for Plan No. SP 29453W

By post: Mail this slip with your cheque to:  
DEFT Payment Systems, GPO Box 2174, MELBOURNE VIC 3001

Similar time for the next Annual General Meeting. (Determined by the committee).

Time Meeting Closed:- 3.00 p.m.

# Insurance Report

Owners Corporation for Plan No. SP 29453W

Policy number : VRSC21006975

18 - 20 Gwalia Street TRARALGON VIC Victoria 3844

## Insurance Policy Details

**Policy Number:** VRSC21006975  
**Period of Insurance:** 15 October 2022 to 15 October 2023  
**Insurance Company:** Strata Community Insurance (SCI)  
**Broker (if any):** Whitbread Insurance Brokers  
**Amount of Premium:** \$ 16,859.27  
**Paid Date:** 19 October 2022

Policy Type	Amount of cover	Excess
Lot Owner's Fixtures and Improvements	\$300,000	750.00
Government Audit Costs - Legal Defense Expenses	\$50,000	1,000.00
Government Audit Costs - Appeal Expenses	\$100,000	750.00
Government Audit Costs	\$25,000	750.00
Machinery Breakdown Insurance	\$10,000	750.00
Office Bearers Liability Insurance	\$5,000,000	750.00
Fidelity Guarantee Insurance	\$100,000	750.00
Voluntary Workers Insurance	\$200,000 / \$2,000	750.00
Property, Death and Injury (Public Liability)	\$30,000,000	750.00
Floating Floors	Included	750.00
Flood	Included	750.00
Loss of Rent	\$1,633,838	750.00
Common Area Contents	\$7,983	750.00
Damage (i.e. Building) Policy	\$10,892,250	750.00

## Note

2. Terrorism Cover Under section 1 Part A2 Applies ☐ Flood Limit - Optional Cover '1. Flood in Section 1 - Insured property' is deleted and replaced by the following: ☐ '1. Flood - For any claim arising from Flood, We will pay up to \$10,000,000 in the aggregate in respect of any Event(s) under ☐ Section 1 of the Policy, subject to any sub-limits applicable for those Event(s).'

# Approved Annual Budget

## Administrative Fund

Owners Corporation for Plan No. SP 29453W

1 July 2023 to 30 June 2024

18 - 20 Gwalia Street TRARALGON VIC Victoria 3844

Expenditure	Actuals 07/22 - 06/23	Budget 07/22 - 06/23	Budget 07/23 - 06/24	Variance \$
Administrative Fees & Charges - Deft, Banking & Software Fees	828.85	829.00	829.00	-
Car Park (External) - linemarking	-	-	1,200.00	1,200.00
Committee Expenses - Donations	-	150.00	150.00	-
Committee Expenses - honorariums	500.00	500.00	500.00	-
Committee Expenses - incidentals	264.45	1,000.00	500.00	(500.00)
Debt Collection Service	360.00	-	-	-
Electrical Circuits	165.00	150.00	200.00	50.00
Electricity - charges	1,185.02	1,500.00	1,500.00	-
Fire Protection Equipment	789.80	1,000.00	1,000.00	-
Garden/Lawn Maintenance	18,852.04	20,770.00	20,000.00	(770.00)
Gas - charges	1,045.32	750.00	750.00	-
Insurance Premiums	16,859.27	18,000.00	19,400.00	1,400.00
Lighting Maintenance	86.15	500.00	500.00	-
Minor Building Maintenance - Common Area Maintenance	5,449.80	2,500.00	1,000.00	(1,500.00)
Plumbing Maintenance - leaking pipes	-	-	4,620.00	4,620.00
Strata Manager - In Person Meetings	300.00	300.00	300.00	-
Strata Manager - disbursements	750.00	750.00	1,000.00	250.00
Strata Manager - management fees	5,490.00	5,490.00	5,490.00	-
<b>Total Administrative Fund Expenditure</b>	<b>52,925.70</b>	<b>54,189.00</b>	<b>58,939.00</b>	<b>4,750.00</b>
<b>Additional Revenue</b>	<b>Actuals 07/22 - 06/23</b>	<b>Budget 07/22 - 06/23</b>	<b>Budget 07/23 - 06/24</b>	<b>Variance \$</b>
Mutual Revenue - Mutual Revenue - Carport Lease	-	-	500.00	500.00
Mutual Revenue - other	-	-	4,687.50	4,687.50
Sundry Revenue - discharge insurance claim	2,480.00	-	-	-
<b>Total Administrative Fund Additional Revenue</b>	<b>2,480.00</b>	<b>-</b>	<b>5,187.50</b>	<b>5,187.50</b>

# Approved Annual Budget (continued)

Administrative Fund

Owners Corporation for Plan No. SP 29453W

1 July 2023 to 30 June 2024

18 - 20 Gwallia Street TRARALGON VIC Victoria 3844

Administrative Fund Summary		Budget 07/23 - 06/24
Opening balance (Surplus)	17,251.90	
Expenditure during budget period	58,939.00	
	<b>41,687.10</b>	
Less Additional revenue during budget period	5,187.50	
Plus Planned surplus at end of budget period	21,000.40	
		<b>Per Ent</b>
<b>Budgeted levies to be raised \$</b>	<b>57,500.00</b>	<b>18.4000</b>
Last years budgeted levies raised	55,000.00	17.6000
Variance \$	2,500.00	
Total Lot Liability	3125	
*May include insurance contributions		



1 July 2023 to 30 June 2024

**Owners Corporation for Plan No. SP 29453W**  
**18 - 20 Gwalia Street TRARALGON VIC Victoria 3844**

Levy Period Start	01/07/2023		
Levy Period Duration	12 month(s)		
No. of Instalment(s):	4		
GST	NO		
<b>TOTAL LEVIES</b>			
Admin Fund	14,375.00	Per Period	Per Year
		14,375.00	57,500.00
Total Contribution	14,375.00		57,500.00
<b>TOTAL LIABILITIES</b>			
Admin Fund		Per Period	Per Year
		4.6000	18.4000
Total Per Lot Liability		4.6000	18.4000

Yearly Levy By Period (Estimate Only)				
Lot No.	Unit No.	Lot Liability	Lot Entitlement	Total
1	1	60	60	276.00
				276.00
				276.00
				276.00
2	2	45	45	207.00
				207.00
				207.00
3	3	45	45	207.00
				207.00
				207.00
4	4	45	45	207.00
				207.00
				207.00
5	5	60	60	276.00
				276.00
				276.00
6	6	60	60	276.00
				276.00
				276.00
7	7	45	45	207.00
				207.00



Lot No.	Unit No.	Lot Liability	Lot Entitlement	Administrative Fund	Total
				207.00	207.00
8	8	45	45	207.00	207.00
				207.00	207.00
9	9	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
10	10	60	60	276.00	276.00
				276.00	276.00
				276.00	276.00
				276.00	276.00
11	11	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
12	12	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
13	13	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
14	14	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
15	15	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
16	16	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
17	17	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
18	18	45	45	207.00	207.00
				207.00	207.00

Lot No.	Unit No.	Lot Liability	Lot Entitlement	Administrative Fund	Total
19	19	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
20	20	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
21	21	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
22	22	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
23	23	60	60	276.00	276.00
				276.00	276.00
				276.00	276.00
24	24	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
25	25	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
26	26	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
27	27	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
28	28	60	60	276.00	276.00
				276.00	276.00
				276.00	276.00
29	29	60	60	276.00	276.00
				276.00	276.00

Lot No.	Unit No.	Lot Liability	Lot Entitlement	Administrative Fund	Total
				276.00	276.00
				276.00	276.00
30	30	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
31	31	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
32	32	45	45	207.00	207.00
				207.00	207.00
				207.00	207.00
				207.00	207.00
33	33	60	60	276.00	276.00
				276.00	276.00
				276.00	276.00
				276.00	276.00
34	34	100	100	460.00	460.00
				460.00	460.00
				460.00	460.00
				460.00	460.00
35	35	100	100	460.00	460.00
				460.00	460.00
				460.00	460.00
				460.00	460.00
36	36	80	80	368.00	368.00
				368.00	368.00
				368.00	368.00
				368.00	368.00
37	37	80	80	368.00	368.00
				368.00	368.00
				368.00	368.00
				368.00	368.00
38	38	80	80	368.00	368.00
				368.00	368.00
				368.00	368.00
				368.00	368.00
39	39	100	100	460.00	460.00
				460.00	460.00
				460.00	460.00
				460.00	460.00
40	40	100	100	460.00	460.00
				460.00	460.00

Lot No.	Unit No.	Lot Liability	Lot Entitlement	Administrative Fund	Total
				460.00	460.00
41	41	80	80	460.00	460.00
				368.00	368.00
				368.00	368.00
				368.00	368.00
42	42	80	80	368.00	368.00
				368.00	368.00
				368.00	368.00
43	43	80	80	368.00	368.00
				368.00	368.00
				368.00	368.00
44	44	80	80	368.00	368.00
				368.00	368.00
				368.00	368.00
45	45	100	100	460.00	460.00
				460.00	460.00
				460.00	460.00
46	46	100	100	460.00	460.00
				460.00	460.00
				460.00	460.00
47	47	80	80	368.00	368.00
				368.00	368.00
				368.00	368.00
48	48	80	80	368.00	368.00
				368.00	368.00
				368.00	368.00
49	49	100	100	460.00	460.00
				460.00	460.00
				460.00	460.00
50	50	100	100	460.00	460.00
				460.00	460.00
				460.00	460.00
		3125	3125	57,500.00	57,500.00

**Maskrey Lodge**  
O/C No. SP29435W  
18-34 Gwalia Street, Traralgon VIC 3844

**Date, 2023**

Dear New Resident, Unit \_\_

Welcome to Maskrey Lodge!

Maskrey is an independent living, strata title unit development. We are not a Retirement Village but there is a Covenant on the property restricting occupancy to people aged 50 and over.

We do not offer any Retirement Village services or facilities, however we do maintain the common property, put garbage bins out and in, and provide public security lighting.

We are governed by the Model Owner's Corporation Rules which are typical of strata title developments. You can download a copy of the Rules at  
<https://www.consumer.vic.gov.au/housing/owners-corporations/rules/model-rules>

There are also some rules specific to Maskrey Lodge. If you would like a copy of these Rules please come and see me at Unit 42.

Car Parking:

There are four undercover carports which belong to individual units and the occupants pay for the right to use them. There are ten parking spaces in the centre car park. They are not allocated to any units and are unreserved, ie: first come, first served.

**If you wish to use the Centre Car Park you are required to register your vehicle.** Please come and see me at Unit 42.

There is **NO PARKING ON SITE FOR VISITORS.**

We respect your right to privacy and you are under no obligation to divulge any personal information. However, we will keep a record of your name, phone number, email address and emergency contact if you wish to provide them.

Tony Willman  
Chairman  
Owner's Corporation  
Unit 42



**Maskrey Lodge**  
O/C No. SP29435W  
Owner's Committee  
18-34 Gwalia Street, Traralgon VIC 3844

**12/09/2023**

**Chairman's Report for the Financial Year 01/07/2022 to 30/06/2023**

This report covers the period since the last AGM on 31/08/2022 to 12/09/2023.

**Committee Meetings:**

In keeping with practice established during the Covid era there have been no formal, pre-arranged committee meetings with meetings held as needed.

Several urgent meetings were held to discuss matters arising from the water leak out front of Unit 47. Mick Frankland, Pat Wisby and Tony Willman (Chairperson) attended these meetings. Lloyd Lewis sent his apologies.

**Events during the year:**

The Manager's Report is comprehensive and requires no further expansion.

**Units sold during the year:**

I am not aware of any units being sold since Unit 4 in April 2022.

Information regarding units which have been sold or are on the market can be found on numerous real estate websites, including <https://www.propertyvalue.com.au>

**New Residents:**

Historically, Welcome Packs have been given to new residents of Maskrey Lodge. The pack included emergency services information, OC Rules and forms to return which included contact details and emergency contact information. However, not one new resident has returned the forms for almost three years and it has become impossible to maintain the list of residents.

Since people seem uninterested in providing their information the only purpose of the forms is to determine entitlement to park in the centre car park and to maintain the list of car port entitlements- which hasn't been updated since 2022.

**Car port entitlement:**

The next person inline for a carport is Tony Watts (Unit 10), followed by Wendy Shapcott (43), Karen McDowell (14), Graeme Lambert (22), Tony Willman (42), Emmy Ulang (1), Alan Irvine (33), and Ann Wright (21). The list is not maintained after Ann.

A policy for allocation of car port entitlements beyond this list will need to be established.

In lieu of a welcome pack, I am now delivering a one-page letter to new residents.

Comings & Goings:

New residents this year:

No information.

Residents departed this year:

Unit 27- Peter Wilson vacated in October 2022 and has since passed away.

Unit 4- Patricia Datsun vacated in January 2023.

Unit 30- Owner Hans Strating has vacated his unit and it is on the market for rent.

Current Committee:

Tony Willman (Chairman)  
Mick Frankland  
Pat Wisby  
Lloyd Lewis

Social Committee:

I understand the Social Committee is defunct and there are no plans to hold any future social functions.

Tony Willman  
Chairman  
Unit 42  
12/09/2023

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

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

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

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

(2) This rule does not apply to—

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

**1.3 Waste disposal**

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

**1.4 Smoke penetration**

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

**1.5 Fire safety information**

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

**2 Committees and sub-committees****2.1 Functions, powers and reporting of committees and sub-committees**

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

**3 Management and administration****3.1 Metering of services and apportionment of costs of services**

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

**4 Use of common property****4.1 Use of common property**

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

**4.2 Vehicles and parking on common property**

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

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

#### **4.3 Damage to common property**

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

### **5 Lots**

#### **5.1 Change of use of lots**

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

##### **Example**

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

#### **5.2 External appearance of lots**

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

#### **5.3 Requiring notice to the owners corporation of renovations to lots**

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

### **6 Behaviour of persons**

#### **6.1 Behaviour of owners, occupiers and invitees on common property**

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

#### **6.2 Noise and other nuisance control**

- (1) An owner or occupier of a lot, or a guest of an owner or occupier, must not unreasonably create any noise likely to interfere with the peaceful enjoyment of any other person entitled to use the common property.
- (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 28 calendar days after the dispute comes to the attention of all the parties.
- (5A) A meeting under subrule (5) may be held in person or by teleconferencing, including by videoconference.
- (6) A party to the dispute may appoint a person to act or appear on the party's behalf at the meeting.
- (6A) Subject to subrule (6B), the grievance committee may elect to obtain expert evidence to assist with the resolution of the dispute.
- (6B) The grievance committee may obtain expert evidence to assist with the resolution of a dispute if the owners corporation or the parties to the dispute agree in writing to pay for the cost of obtaining that expert evidence.
- (7) If the dispute is not resolved, the grievance committee or owners corporation must notify each party of the party's right to take further action under Part 10 of the Owners Corporations Act 2006.
- (8) This process is separate from and does not limit any further action under Part 10 of the Owners Corporations Act 2006.



**Ace Body Corporate Management (Gippsland Region)**

Phone: 03 5115 8300  
Email: [info.gippsland@acebodycorp.com.au](mailto:info.gippsland@acebodycorp.com.au)  
Postal: PO Box 2006, Traralgon, Vic, 3844  
ABN: 23 431 923 108

*Professional Personal Service*

[www.acebodycorp.com.au](http://www.acebodycorp.com.au)

**RE: Minutes of Annual General Meeting**

Find attached minutes from the Annual General Meeting.

There was NO quorum present, all decisions of this meeting are interim decisions.

The decisions set out in these minutes are interim decisions and these minutes, forwarded to all members within 14 days of the meeting, constitute notice of those decisions. Unless a petition is received from members representing at least 25% of the total lot entitlement within 28 days of the meeting, for a Special General Meeting to be held, the decisions become resolutions of the Owners Corporation from the date of the interim resolutions. (OC Act 2006 - Section 78 (4)(a))

Please let us know if you prefer to get these minutes via email.

Please contact me if you have any questions in relation to the attached

Kind Regards,

Stephen Nippers  
Ace Body Corporate



2

New Rules.

## MASKREY LODGE BODY CORPORATE 29453W

### BODY CORPORATE RULES

#### *Use of common property and lots*

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

- (a) use the common property or permit the common property to be used in such a manner as to unreasonably interfere with or prevent its use by other members or occupants of lots or their families or visitors;
- (b) park or leave a vehicle or permit a vehicle to be parked or left on the common property so as to obstruct a driveway or entrance to a lot or in any place other than in a parking area specified for such purpose by the body corporate;
- (c) use or permit a lot affected by the body corporate to be used for any purpose which may be illegal or injurious to the reputation of the development or may cause a nuisance or hazard to any other member or occupier of any lot or the families or visitors of any such member or occupier;
- (d) make or permit to be made any undue noise in or about the common property or any lot affected by the body corporate;
- (e) make or permit to be made noise from music or machinery which may be heard outside the owner's lot between the hours of midnight and 8.00 am;
- (f) keep any animal on the common property after being given notice by the body corporate to remove the animal after the body corporate has resolved that the animal is causing a nuisance.
- (g) Allow any person under the age of 50 years to occupy the lot for any period longer than 14 days (two weeks) without the approval of the Body Corporate's Committee of Management;
- (h) Allow any visitor or guest to park a vehicle within the Body Corporate's grounds – emergencies excepted.



DX847119E-3-2

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

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

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

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

(2) This rule does not apply to—

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

**1.3 Waste disposal**

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

**1.4 Smoke penetration**

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

**1.5 Fire safety information**

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

**2 Committees and sub-committees****2.1 Functions, powers and reporting of committees and sub-committees**

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

**3 Management and administration****3.1 Metering of services and apportionment of costs of services**

(1) The owners corporation must not seek payment or reimbursement for a cost or charge from a lot owner or occupier that is more than the amount that the supplier would have charged the lot owner or occupier for the same goods or services.

(2) If a supplier has issued an account to the owners corporation, the owners corporation cannot recover from the lot owner or occupier an amount which includes any amount that is able to be claimed as a concession or rebate by or on behalf of the lot owner or occupier from the relevant supplier.

(3) Subrule (2) does not apply if the concession or rebate—

- (a) must be claimed by the lot owner or occupier and the owners corporation has given the lot owner or occupier an opportunity to claim it and the lot owner or occupier has not done so by the payment date set by the relevant supplier; or
- (b) is paid directly to the lot owner or occupier as a refund.

**4 Use of common property****4.1 Use of common property**

(1) An owner or occupier of a lot must not obstruct the lawful use and enjoyment of the common property by any other person entitled to use the common property.

(2) An owner or occupier of a lot must not, without the written approval of the owners corporation, use for the owner or occupier's own purposes as a garden any portion of the common property.

(3) An approval under subrule (2) may state a period for which the approval is granted.

(4) If the owners corporation has resolved that an animal is a danger or is causing a nuisance to the common property, it must give reasonable notice of this resolution to the owner or occupier who is keeping the animal.

(5) An owner or occupier of a lot who is keeping an animal that is the subject of a notice under subrule (4) must remove that animal.

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(7) The owners corporation may impose reasonable conditions on a lot owner's right or an occupier's right to access or use common property to protect the quiet enjoyment, safety and security of other lot owners, including but not limited to imposing operating hours on facilities such as gymnasiums and swimming pools.

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- (c) in any place other than a parking area situated on common property specified for that purpose by the owners corporation.

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- (5) The owner or person referred to in subrule (4) must keep any device, screen or barrier installed in good order and repair.

### 5 Lots

#### 5.1 Change of use of lots

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

##### Example

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

#### 5.2 External appearance of lots

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

#### 5.3 Requiring notice to the owners corporation of renovations to lots

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

### 6 Behaviour of persons

#### 6.1 Behaviour of owners, occupiers and invitees on common property

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

#### 6.2 Noise and other nuisance control

- (1) An owner or occupier of a lot, or a guest of an owner or occupier, must not unreasonably create any noise likely to interfere with the peaceful enjoyment of any other person entitled to use the common property.
- (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 28 calendar days after the dispute comes to the attention of all the parties.
- (5A) A meeting under subrule (5) may be held in person or by teleconferencing, including by videoconference.
- (6) A party to the dispute may appoint a person to act or appear on the party's behalf at the meeting.
- (6A) Subject to subrule (6B), the grievance committee may elect to obtain expert evidence to assist with the resolution of the dispute.
- (6B) The grievance committee may obtain expert evidence to assist with the resolution of a dispute if the owners corporation or the parties to the dispute agree in writing to pay for the cost of obtaining that expert evidence.
- (7) If the dispute is not resolved, the grievance committee or owners corporation must notify each party of the party's right to take further action under Part 10 of the Owners Corporations Act 2006.
- (8) This process is separate from and does not limit any further action under Part 10 of the Owners Corporations Act 2006.

## **Schedule 3—Statement of advice and information for prospective purchasers and lot owners**

Regulation 17

### **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 Use 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 ANY DOCUMENTS YOU HAVE RECEIVED IN RELATION TO THE OWNERS CORPORATION YOU SHOULD SEEK EXPERT ADVICE.**

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# Rates Instalment Notice

For the period 1 July 2023 to 30 June 2024



034 08655

Mrs W D Shapcott  
43/18 Gwalia St  
TRARALGON VIC 3844

Assessment number: **442681**

Issue date: 11/01/2024

Instalment 3  
**Due: 28 Feb 2024**

Property: 43/18 Gwalia Street, TRARALGON VIC 3844

**\$235.50**

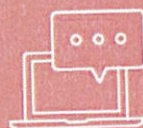
## Any questions?



1300 367 700  
Weekdays  
8.30am to 5.15pm



In person at our service  
centres and libraries  
Note that we are closed  
on public holidays.



[latrobe.vic.gov.au/rates](http://latrobe.vic.gov.au/rates)



[rates@latrobe.vic.gov.au](mailto:rates@latrobe.vic.gov.au)

### Churchill

9-11 Philip Parade  
Mon – Fri: 8.30am to 5.15pm  
Closed at  
lunchtimes: 12pm to 1pm

### Moe

1-29 George Street  
Mon – Fri: 8.30am to 5.15pm  
Sat: 9am to 12pm

### Morwell

141 Commercial Road  
Mon – Fri: 9am to 5pm  
63-65 Elgin Street (Library)  
Credit card only, no cash or cheques  
Mon – Fri: 8.30am to 5.15pm  
Sat: 9am to 12pm

### Traralgon

34-38 Kay Street  
Mon – Fri: 8.30am to 5.15pm  
Sat: 9am to 12pm

Assessment number: 442681  
☐ Full Payment: \$235.50

Property: 43/18 Gwalia Street, TRARALGON VIC 3844



Online  
Payment

Ref: 442681

Online: [www.latrobe.vic.gov.au/pay](http://www.latrobe.vic.gov.au/pay)



Billers Code: 6072  
Ref: 442681

Pay 24 hours a day by phone or internet,  
direct from your bank account or via BPAY View.



Post  
Billpay

Billers Code: 0359  
Ref: 442681

Pay 24 hours a day by credit card:  
Online: [www.auspost.com.au/postbillpay](http://www.auspost.com.au/postbillpay)  
Phone: 13 18 16



### Direct debit

To arrange regular deductions,  
including weekly, fortnightly or  
monthly, from your bank account.  
Visit [www.latrobe.vic.gov.au/directdebit](http://www.latrobe.vic.gov.au/directdebit)  
or call 1300 367 700  
to obtain a direct debit form.

### In person

At any Latrobe City Service Centre or  
Library, (locations as shown above)  
or Australia Post outlet.

Please retain this notice for your records as a fee of \$21.00 may be charged for  
replacement copies. Or, see the reverse side of this notice for instructions on how to  
register for electronic notices in order to obtain a replacement copy free of charge.

Council Use Only



### Mail

Detach this slip and send with  
payment to: Latrobe City Council  
PO BOX 264, Morwell VIC 3840.

### Centrepay

To arrange regular deductions from  
your Centrelink payment, please use your  
Centrelink online account, Express  
Plus Centrelink mobile app or you can contact  
Centrelink in person or by phone and quote  
reference number (CRN): 555 070 553H.

More  
information  
overpage



S008655001 009405 #89128





**Gippsland  
Water**



W Shapcott  
43/18 Gwalia St  
TRARALGON VIC 3844



034  
1000532  
R1\_1215

Customer enquiries  
1800 050 500

Faults & emergencies 24hrs  
1800 057 057

[www.gippswater.com.au](http://www.gippswater.com.au)

Account number:

**0015539404**

Amount due:

**\$273.42**

Pay by:

**22 February 2024**

Date of issue: 25 January 2024

Tax invoice: 6758545

Service address:

43/18 Gwalia St Traralgon Vic 3844

Previous balance	\$247.86
Payments received up to 25 January 2024	\$247.86 CR
Balance	\$0.00
Current charges (over page)	\$390.49
Concession entitlement	\$117.07 CR
<b>Total amount due</b>	<b>\$273.42</b>
Total includes GST of	\$0.00

Payment assistance is available

If you are having difficulty paying your  
bill, we can help. Call us on  
1800 050 500.

We issue invoices three times per year.



## How to pay



### Direct Debit

To register for direct debit call us or visit  
[www.gippswater.com.au/direct-debit](http://www.gippswater.com.au/direct-debit)



### BPAY

Bill Code: 3475  
Ref: 3680 0000 1553 9404 8



### Centrepay

Use Centrepay to make regular deductions  
from your Centrelink payment. Centrepay is  
a voluntary and easy payment option  
available to Centrelink customers.  
Go to [servicesaustralia.gov.au/centrepay](http://servicesaustralia.gov.au/centrepay) for  
more information on how to set up your  
Centrepay deductions.



### Online

Scan the QR code with your smartphone  
or go to [my.gippswater.com.au/pay-now](http://my.gippswater.com.au/pay-now)  
to pay with Visa or Mastercard.



### Phone

Call 1800 050 500 and select Option 1.



### Post Office

Pay in person at any Australia Post outlet.



To mail your payment, detach the  
bottom section of the next page and  
mail with your cheque to:  
PO Box 348 TRARALGON VIC 3844.

# Property Clearance Certificate

## Land Tax



INFOTRACK / LITTLETON HACKFORD

Your Reference: 230417

Certificate No: 69858357

Issue Date: 05 FEB 2024

Enquiries: ESYSPROD

Land Address: UNIT 43, 18 GWALIA STREET TRARALGON VIC 3844

Land Id	Lot	Plan	Volume	Folio	Tax Payable
27767609	43	29453	10325	7	\$0.00

Vendor: WENDY DIANE SHAPCOTT

Purchaser: FOR INFORMATION PURPOSES

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
MRS WENDY DIANE SHAPCOTT	2024	\$30,000	\$0.00	\$0.00	\$0.00

Comments: Property is exempt: LTX Principal Place of Residence.

Current Vacant Residential Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
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Comments:

Arrears of Land Tax	Year	Proportional Tax	Penalty/Interest	Total
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This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

Paul Broderick  
Commissioner of State Revenue

CAPITAL IMPROVED VALUE: \$280,000

SITE VALUE: \$30,000

CURRENT LAND TAX CHARGE: \$0.00

# Notes to Certificate - Land Tax

Certificate No: 69858357

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## Power to issue Certificate

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

## Amount shown on Certificate

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

## Land tax is a first charge on land

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

## Information for the purchaser

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

## Information for the vendor

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

## General information

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

## For Information Only

LAND TAX CALCULATION BASED ON SINGLE OWNERSHIP

Land Tax = \$0.00

Taxable Value = \$30,000

Calculated as \$0 plus ( \$30,000 - \$0) multiplied by 0.000 cents.

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## Land Tax - Payment Options

### BPAY



Billir Code:5249  
Ref: 69858357

### Telephone & Internet Banking - BPAY®

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

[www.bpay.com.au](http://www.bpay.com.au)

### CARD



Ref: 69858357

### Visa or Mastercard

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

[sro.vic.gov.au/paylandtax](http://sro.vic.gov.au/paylandtax)



# Property Clearance Certificate

## Windfall Gains Tax



INFOTRACK / LITTLETON HACKFORD

Your Reference:	230417
Certificate No:	69858357
Issue Date:	05 FEB 2024

Land Address: UNIT 43, 18 GWALIA STREET TRARALGON VIC 3844

Lot	Plan	Volume	Folio
43	29453	10325	7

Vendor: WENDY DIANE SHAPCOTT  
Purchaser: FOR INFORMATION PURPOSES

WGT Property Id	Event ID	Windfall Gains Tax	Deferred Interest	Penalty/Interest	Total
		\$0.00	\$0.00	\$0.00	\$0.00

Comments: No windfall gains tax liability identified.

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

Paul Broderick  
Commissioner of State Revenue

CURRENT WINDFALL GAINS TAX CHARGE:
\$0.00



# Notes to Certificate - Windfall Gains Tax

Certificate No: 69858357

## Power to issue Certificate

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

## Amount shown on Certificate

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

## Windfall gains tax is a first charge on land

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

## Information for the purchaser

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

## Information for the vendor

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

## General information

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

## Windfall Gains Tax - Payment Options

### BPAY



Billers Code: 416073  
Ref: 69858355

### Telephone & Internet Banking - BPAY®

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

[www.bpay.com.au](http://www.bpay.com.au)

### CARD



Ref: 69858355

### Visa or Mastercard

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

[sro.vic.gov.au/payment-options](http://sro.vic.gov.au/payment-options)

### Important payment information

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

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



## 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.

(04/10/2016)

DATED

2024

WENDY DIANE SHAPCOTT

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VENDORS STATEMENT

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Property: Unit 43/18-34 Gwalia Street, Traralgon 3844

Littleton Hackford  
Lawyers  
115-119 Hotham Street  
Traralgon Vic 3844  
Tel: 0351445600  
Fax:

Ref: CC:230417