



Section 32 Statement

Vendor: Jennine Cassandra Campbell

Property: Unit 2, 11 Rathmullen Road, Boronia VIC 3155

Vendor's Representative

SF Conveyancing

20 Winyard Drive, Mooroolbark Vic 3138

PO Box 52, Chirnside Park Vic 3116

Ph: 0402 606 298

Email: admin@sfconveyancing.com.au

Our Reference: 2504_23



Vendors Statement to the Purchaser of Real Estate Pursuant to Section 32 of the Sale of Land Act ("the Act")

Vendor: Jennine Cassandra Campbell

Property: Unit 2, 11 Rathmullen Road, Boronia VIC 3155

1. Financial matters in respect of the land

Information concerning any rates, taxes, charges or other similar outgoings AND any interest payable on any part of them is contained in the attached certificates.

Any further amounts (including any proposed Owners Corporation Levy) for which the Purchaser may become liable as a consequence of the purchase of the property are as follows:-

None to the Vendors knowledge

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

Land Tax may be applicable if land value exceeds the threshold, or a change of use occurs. A purchaser will remain liable for any adjusted increase in a new assessment after the 31 December.

2. Insurance details in respect of the land

(a) if the contract provides that the land does not remain at the vendor's risk before the purchaser is entitled to possession or receipt of rents and profits:

No such insurance has been effected

(b) if there is a residence on the land which was constructed within the preceding 6 years and section 137B of the **Building Act 1993** applies to the residence:

No such insurance has been effected.

3. Matters relating to land use

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

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

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

(b) This land may be within a bushfire prone area within the meaning of the regulations made under the **Building Act 1993** – refer Planning Property Report attached

(c) There is access to the property by road.

(d) In the case of land to which a planning scheme applies:-

Planning Scheme: refer attached property report

Responsible Authority: refer attached property report

Zoning: refer attached property report

Planning Overlay/s: refer attached property report

4. Notices made in respect of land

- (a) Other than those disclosed in the attachments (if any), the Vendor is not aware of any Notices, Declarations, Property Management Plans, Reports, Recommendations or Orders in respect of the land issued by a Government Department or Public Authority or any approved proposal directly and currently affecting the land however the Vendor has no means of knowing all decisions of the Government and other authorities unless such decisions have been communicated to the Vendor.
- (b) Other than those disclosed in the attachments (if any), the Vendor is not aware of any Notices, Property Management Plans, Reports or Orders in respect of the land issued by a Government Department or Public Authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes.
- (c) Other than those disclosed in the attachments (if any), the Vendor is not aware of any Notice of intention to acquire served under Section 6 of the ***Land Acquisition and Compensation Act, 1986***.

5. Building permits

Particulars of any building permit issued during the past seven years under the ***Building Act 1993*** (where the property includes a Residence):

Is contained in the attached certificate/s:

6. Information relating to any owners corporation

The land is affected by an Owners Corporation within the meaning of the ***Owners Corporations Act 2006***.

- (a) unless paragraph (b) below applies—
- (i) attach a copy of the current owners corporation certificate issued in respect of the land under section 151 of the ***Owners Corporations Act 2006***; and
 - (ii) attach a copy of the documents specified in section 151(4)(b)(i) and (iii) of the ***Owners Corporations Act 2006*** that are required to accompany an owners corporation certificate under that Act; **or**
- (b) if the owners corporation is inactive, specify the owners corporation is inactive:
INACTIVE – 2 lot exempt

7. Growth areas infrastructure contribution

The land, in accordance with a work-in-kind agreement (within the meaning of Part 9B of the ***Planning and Environment Act 1987*** is NOT –

- land that is to be transferred under the agreement.
- land on which works are to be carried out under the agreement (other than Crown land).
- land in respect of which a GAIC is imposed

8. Disclosure of non-connected services

Service	Status
Electricity supply	Connected
Gas supply	Connected
Water supply	Connected
Sewerage	Connected
Telephone services	Connected

Connected indicates that the service is provided by an authority and operating on the day of sale. The Purchaser should be aware that the Vendor may terminate any account with a service provider before settlement, and the purchaser may need to have the service reconnected.

9. Evidence of title

Attached are the following document/s concerning Title:

A copy of the Register Search Statement/s and the document/s, or part of the document/s, referred to as the diagram location in the Register Search Statement/s that identifies the land and its location.

The day of this Statement is 02 October 2023

Signed by the Vendor

Print Name:

DocuSigned by:

Jennine Cassandra Campbell

EG1AF47BDB0CA462

Jennine Cassandra Campbell

The Purchaser acknowledges being given a duplicate of this Statement signed by the Vendor before the Purchaser signed any Contract.

The day of this Acknowledgement is the day of 20

Signed by the Purchaser/s

Print Name:

IMPORTANT NOTICE – ADDITIONAL DISCLOSURE REQUIREMENTS:

Where the property is to be sold subject to a Mortgage that is not to be discharged by the date of possession (or receipt of rents and profits) of the property and/or sold on Terms – the Vendor must provide an additional Statement containing the particulars specified in Schedules 1 and 2 of the Act.

Where the land is to be sold pursuant to a terms contract which obliges the purchaser to make two or more payments to the vendor after the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land, then the vendor must provide an additional statement containing the information specified in Schedule 2 of the *Sale of Land Act 1962*.

If the property sold contains a dwelling house it is the Purchaser's responsibility to ensure that the dwelling is fitted with approved smoke alarms pursuant to Clause E1.7 of the Building Code of Australia and Regulation 4.14 of the Building Regulations 1994 within 30 days of settlement of this Contract.

In the event that a swimming pool/spa/pond is on the land herein described the Purchaser may be required to comply with the provisions of the Building Act 1993 and the Building Regulations 1994 and in particular Regulation 5.13, requiring provision of barriers to restrict access to the pool/spa/pond, within 30 days of completion of the Contract. The Purchaser will not call upon the Vendor to comply with any of the above requirements and acknowledges they are responsible for any costs associated therein

Vendor/supplier GST withholding notice

Pursuant to section 14-255 Schedule 1 *Taxation Administration Act 1953* (Cwlth)

Property: Unit 2, 11 Rathmullen Road, Boronia VIC 3155

Vendor: Jennine Cassandra Campbell

The Purchaser/recipient is not required to make a payment under section 14-250 of Schedule 1 of the *Taxation Administration Act 1953* (Cwlth) in relation to the supply of the above property.

OR

~~The Purchaser/recipient is required to make a payment of the amount under section 14-250 of Schedule 1 of the Taxation Administration Act 1953 (Cwlth) as follows in relation to the supply of the above property:~~

~~Withholding amount: \$_____~~

~~The purchaser/recipient will be required to pay the withholding amount on the day of settlement.~~

~~Vendor/supplier ABN: _____~~

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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 12489 FOLIO 262

Security no : 124109459273H
Produced 02/10/2023 03:06 PM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 811796G.
PARENT TITLE Volume 08964 Folio 790
Created by instrument PS811796G 12/07/2023

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

JENNINE CASSANDRA CAMPBELL of UNIT 61 903 DAVID LOW WAY MARCOOLA QLD 4564
AX312761N 02/10/2023

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE PS811796G FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
PS811796G (B)	PLAN OF SUBDIVISION	Registered	12/07/2023
AX278329M (E)	DISCHARGE OF MORTGAGE	Registered	21/09/2023
AX278556A (E)	TRANSFER CONTROL OF ECT	Completed	21/09/2023
AX293440K (E)	NOMINATION OF ECT TO LC	Completed	26/09/2023
AX312761N (E)	TRANSFER	Registered	02/10/2023

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

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

Street Address: UNIT 2 11 RATHMULLEN ROAD BORONIA VIC 3155

ADMINISTRATIVE NOTICES

NIL

eCT Control 19032E SF CONVEYANCING
Effective from 02/10/2023

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION 1 PLAN NO. PS811796G

DOCUMENT END



Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	Plan
Document Identification	PS811796G
Number of Pages (excluding this cover sheet)	1
Document Assembled	27/07/2023 13:00

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The document is invalid if this cover sheet is removed or altered.

PLAN OF SUBDIVISION				EDITION 1	PS 811796G
<p style="text-align: center;">LOCATION OF LAND</p> <p>PARISH : Scoresby TOWNSHIP : - SECTION : - CROWN ALLOTMENT : 40 (Part) CROWN PORTION : - TITLE REFERENCE : V.8964 F.790 LAST PLAN REFERENCE : Lot 6, LP 96716</p> <p>POSTAL ADDRESS : 11 Rathmullen Road, Boronia 3155 (At time of subdivision)</p> <p>MGA94 Co-ordinates E 347 190 ZONE: 55 (of approx centre of land N 5 808 220 GDA 94 in plan)</p>				<p>Council Name: Knox City Council</p> <p>Council Reference Number: CRT/2018/8159 Planning Permit Reference: VS/2018/9120 SPEAR Reference Number: S126222V</p> <p>Certification</p> <p>This plan is certified under section 6 of the Subdivision Act 1988</p> <p>Public Open Space</p> <p>A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made</p> <p>Digitally signed by: Marina Paola Pegoraro for Knox City Council on 02/10/2018</p> <p>Statement of Compliance issued: 06/06/2023</p>	
VESTING OF ROADS AND/OR RESERVES					
IDENTIFIER		COUNCIL/BODY/PERSON			
Nil		Nil			
Common Property No.1 is all the land in the plan except the lots					
<p>Boundaries shown as thick continuous hatched lines are defined by buildings. Hatching within a parcel indicates that the structure of the relevant wall is contained in that parcel</p> <p>Location of Boundaries defined by Buildings:</p> <p>Exterior Face: All boundaries</p>					
EASEMENT INFORMATION				NOTATIONS	
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				DEPTH LIMITATION Does not apply	
Easements and rights implied by Section 12(2) of the Subdivision Act 1988 apply to the whole of the land in this plan				Survey: This plan is based on survey.	
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	
E-1	Drainage & Sewerage	3.05	LP 96716	Lots on LP 96716	
E-1	Drainage	3.05	LP 56501	Lots on LP 56501	
E-1	Drainage	3.05	LP 56503	Lots on LP 56503	
E-1	Sewerage	3.05	This plan	South East Water Corporation	
				<p>This survey has been connected to permanent marks no(s) In Proclaimed Survey Area No: 21</p> <p>STAGING This is not a staged subdivision. Planning Permit No: VS/2018/9120</p>	
<p>B.R.SMITH SURVEYORS P O Box 14, Ringwood East 3135 Ph: (03) 9870 6602 E: office@brsmith.com.au www.brsmith.com.au</p>		<p>SCALE 1:250</p> <p>2.5 0 2.5 5 7.5 10 LENGTHS ARE IN METRES</p>		<p>ORIGINAL SHEET SIZE: A3</p> <p>SHEET 1 OF 1 SHEETS</p>	
<p>SURVEYORS FILE REF: 4396 VERSION: 03</p>		<p>Digitally signed by: Matthew Heemskerck, Licensed Surveyor, Surveyor's Plan Version (3), 20/09/2018, SPEAR Ref: S126222V</p>		<p>PLAN REGISTERED TIME: 1:42 PM DATE: 12/07/2023</p> <p style="text-align: right;">G. Gornall Assistant Registrar of Titles</p>	



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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Produced: 27/07/2023 01:00:55 PM

OWNERS CORPORATION 1
PLAN NO. PS811796G

The land in PS811796G is affected by 1 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Property 1, Lots 1, 2.

Limitations on Owners Corporation:

Unlimited

Postal Address for Services of Notices:

11 RATHMULLEN ROAD BORONIA VIC 3155

OC059213B 12/07/2023

Owners Corporation Manager:

NIL

Rules:

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

Owners Corporation Rules:

NIL

Additional Owners Corporation Information:

OC059213B 12/07/2023

Notations:

NIL

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 1	50	50
Lot 2	50	50
Total	100.00	100.00

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



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 27/07/2023 01:00:55 PM

OWNERS CORPORATION 1 PLAN NO. PS811796G
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Statement End.

PLANNING PROPERTY REPORT



From www.planning.vic.gov.au at 02 October 2023 03:14 PM

PROPERTY DETAILS

Address: 2/11 RATHMULLEN ROAD BORONIA 3155
Lot and Plan Number: Lot 2 PS811796
Standard Parcel Identifier (SPI): 2\PS811796
Local Government Area (Council): KNOX
Council Property Number: 182462
Planning Scheme: Knox
Directory Reference: Melway 64 E9

www.knox.vic.gov.au

[Planning Scheme - Knox](#)

UTILITIES

Rural Water Corporation: Southern Rural Water
Melbourne Water Retailer: South East Water
Melbourne Water: Inside drainage boundary
Power Distributor: AUSNET

STATE ELECTORATES

Legislative Council: NORTH-EASTERN METROPOLITAN
Legislative Assembly: BAYSWATER

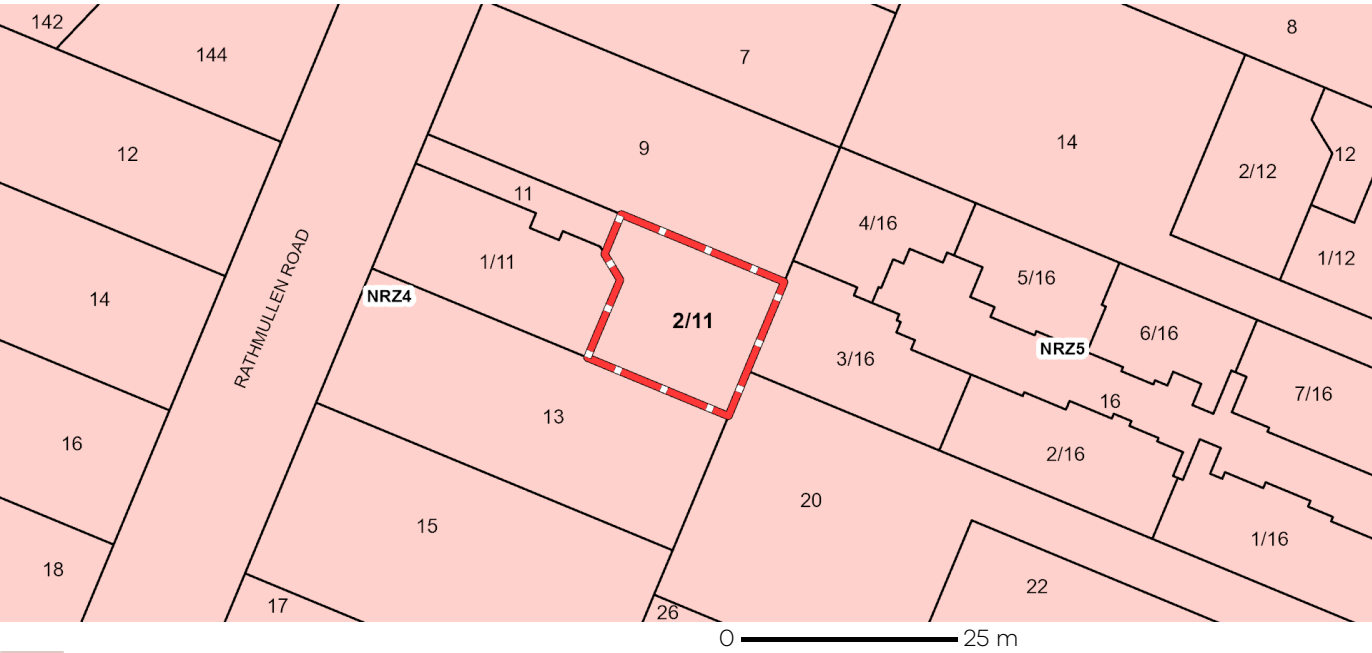
OTHER

Registered Aboriginal Party: Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation

[View location in VicPlan](#)

Planning Zones

[NEIGHBOURHOOD RESIDENTIAL ZONE \(NRZ\)](#)
[NEIGHBOURHOOD RESIDENTIAL ZONE - SCHEDULE 4 \(NRZ4\)](#)



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

PLANNING PROPERTY REPORT



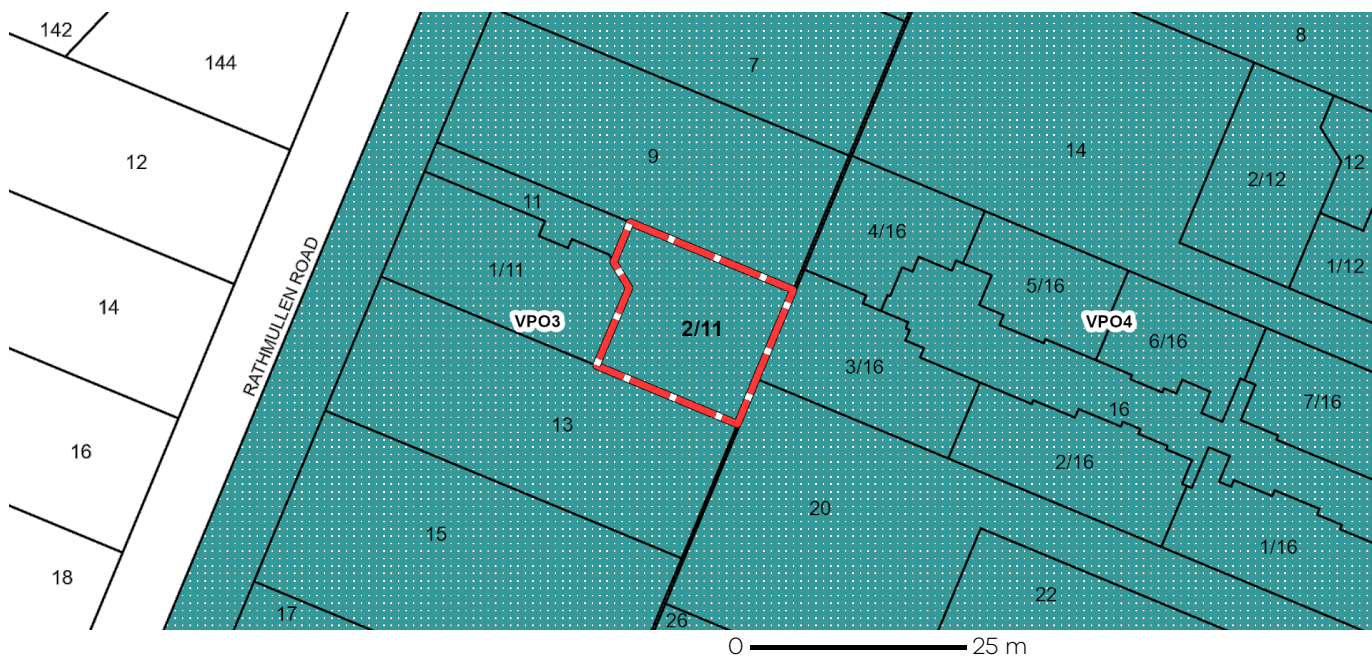
VICTORIA
State
Government

Environment,
Land, Water
and Planning

Planning Overlay

[VEGETATION PROTECTION OVERLAY \(VPO\)](#)

[VEGETATION PROTECTION OVERLAY - SCHEDULE 3 \(VPO3\)](#)



VPO - Vegetation Protection Overlay

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

Further Planning Information

Planning scheme data last updated on 27 September 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>

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

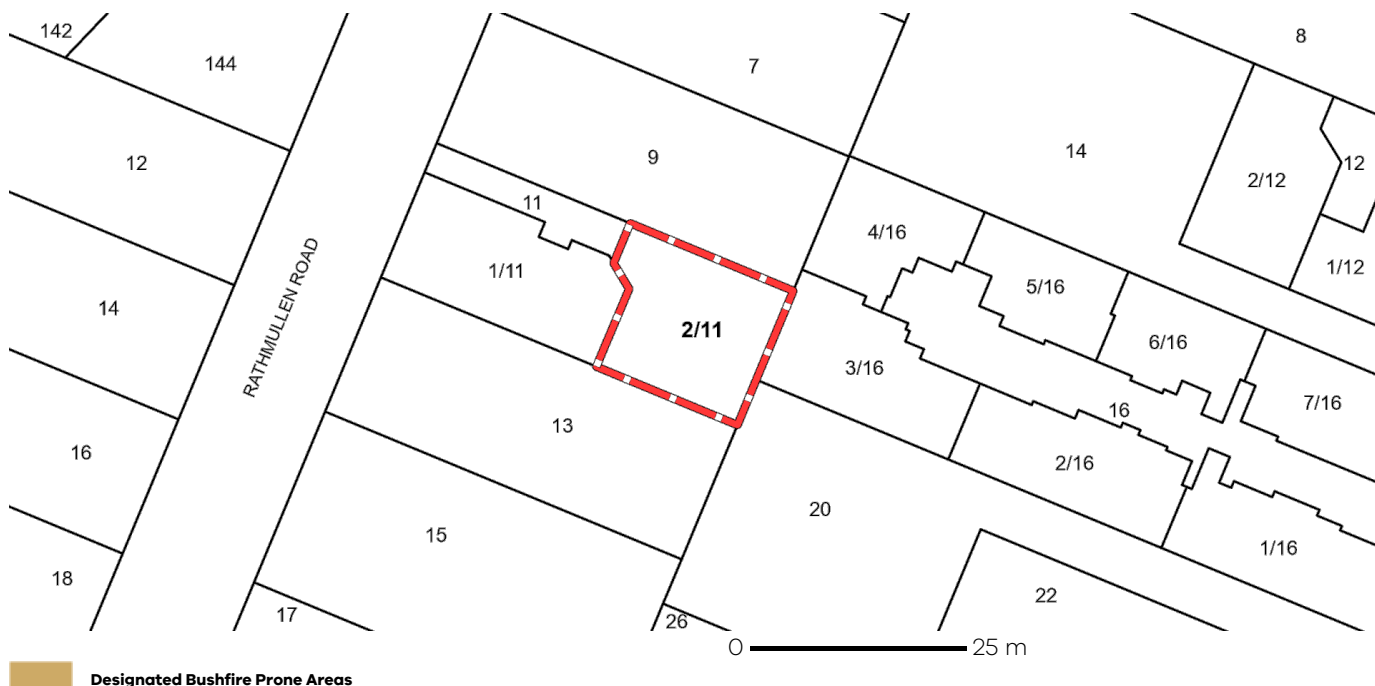
PLANNING PROPERTY REPORT

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 [Native vegetation \(environment.vic.gov.au\)](#) or please contact your relevant council.

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

PLANNING CERTIFICATE

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

CERTIFICATE REFERENCE NUMBER

948945

APPLICANT'S NAME & ADDRESS

SF CONVEYANCING PTY LTD C/- TRICONVEY2 (RESELLER)
C/- LANDATA
DOCKLANDS

VENDOR

CAMPBELL, CHRISTOPHER PAUL

PURCHASER

N/A, N/A

REFERENCE

719133

This certificate is issued for:

LOT 2 PLAN PS811796 ALSO KNOWN AS 2/11 RATHMULLEN ROAD BORONIA
KNOX CITY

The land is covered by the:

KNOX PLANNING SCHEME

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

The land:

- is included in a NEIGHBOURHOOD RESIDENTIAL ZONE - SCHEDULE 4
- is within a VEGETATION PROTECTION OVERLAY - SCHEDULE 3

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

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

27 July 2023

Sonya Kilkeny
Minister for Planning

Additional site-specific controls may apply.
The Planning Scheme Ordinance should be
checked carefully.

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

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

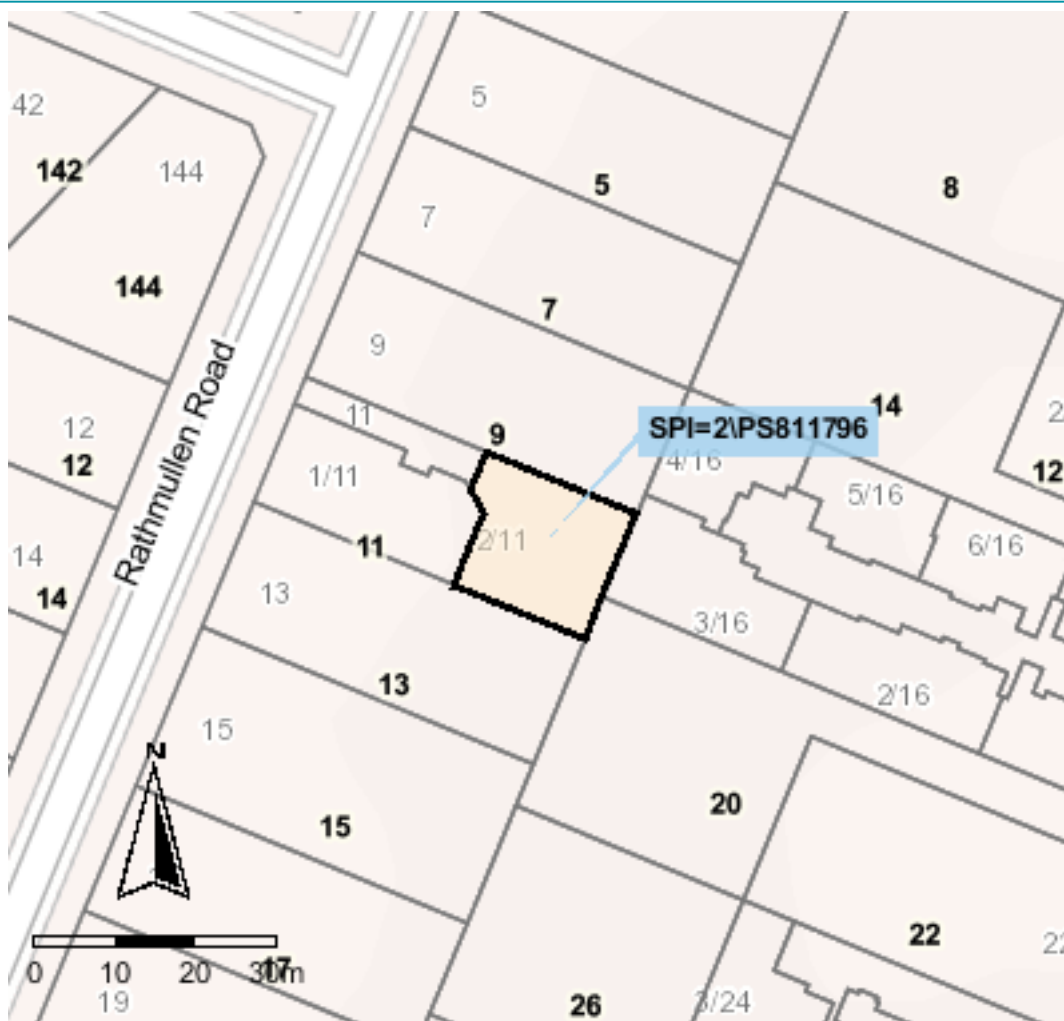
LANDATA®
T: (03) 9102 0402
E: landata.enquiries@servictoria.com.au

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

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

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

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



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Choose the authoritative Planning Certificate

Why rely on anything less?

As part of your section 32 statement, the authoritative Planning Certificate provides you and / or your customer with the statutory protection of the State of Victoria.
Order online before 4pm to receive your authoritative Planning Certificate the same day, in most cases within the hour.
Next business day delivery, if further information is required from you.

Privacy Statement

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



LAND INFORMATION CERTIFICATE
SECTION 121 LOCAL GOVERNMENT ACT 2020
LOCAL GOVERNMENT (LAND INFORMATION) REGULATIONS 2021

Landata (Web Service)
LEVEL 12/2 Lonsdale St
MELBOURNE VIC 3000

THE LAND REFERRED TO IN YOUR APPLICATION IS NOT YET RATED SEPARATELY THEREFORE NO SEPARATE CHARGES ARE CURRENTLY APPLICABLE. DETAILS OF CHARGES RELATING TO THE WHOLE PROPERTY ARE AS SHOWN ON THIS CERTIFICATE

APPLICANT REFERENCE: 69703061-016-5:45195
DATE: 27-Jul-2023
CERTIFICATE NO. 98460



BILLER CODE: 18077
REF. NO. 1117598

This certificate PROVIDES information regarding valuations, rates, charges, other moneys owing and any orders and notices made under the Local Government Act 1958, Local Government Act 1989, Local Government Act 2020 or under a local law or by law of the Council.

This certificate IS NOT REQUIRED to include information regarding planning, building, health, land fill, land slip, flooding information or service easements. Information regarding these matters may be available from Council or the relevant Authority. A fee may be charged for such information.

ASSESSMENT NO: Pt 1117598
Proposed 2/11 Rathmullen Rd (Lot 2 Ps 811796) is currently part of the above assessment (Refer Over to Additional Information)

PROPERTY LOCATION: 11 Rathmullen Road
BORONIA VIC 3155

VALUATIONS

TITLE DETAILS: LOT 6 LP 96716

SITE VALUE: \$590,000

CAPITAL IMPROVED VALUE: \$725,000

NET ANNUAL VALUE: \$36,250

RELEVANT DATE: 01/01/2023

OPERATIVE DATE: 01/07/2023

CONFIRMATION OF RATES & CHARGES SHOWN ON THIS CERTIFICATE WILL BE GIVEN FOR 90 DAYS AFTER ISSUE DATE.

CERTIFICATE SHOULD BE UPDATED IMMEDIATELY PRIOR TO SETTLEMENT. INCORRECT SETTLEMENT CHEQUES MAY BE RETURNED.

PROPERTY RATES & CHARGES FOR THE FINANCIAL YEAR ENDING 30/6/2024

RATES & CHARGES	LEVIED \$	BALANCE \$
ARREARS (RATES, WASTE, INTEREST, FSPL, LLCC) B/F 30/6/2023 DUE AND PAYABLE IMMEDIATELY		\$15,648.40
INTEREST	\$0.00	
LEGAL COSTS	\$0.00	
GENERAL RATES	\$1,104.10	
OPTIONAL GARBAGE CHARGES	\$61.70	
RESIDENTIAL GARBAGE CHARGES	\$434.90	
OPTIONAL GREEN WASTE CHARGE	\$0.00	
STATE FIRE SERVICES PROPERTY LEVY	\$158.35	
SUB TOTAL RATES AND CHARGES DUE	\$1,759.05	\$17,407.45
PENSION REBATE	\$0.00	
RECEIPTS	\$0.00	
TOTAL RATES AND CHARGES DUE		\$17,407.45
SPECIAL RATES/SPECIAL CHARGES		
		\$0.00
OPEN SPACE CONTRIBUTION		
TOTAL OUTSTANDING		\$ 17,407.45

RATES NOT BEING PAID BY INSTALMENTS ARE DUE AND PAYABLE IN FULL BY 15 FEBRUARY 2024 AND INTEREST AT THE RATE OF 10% WILL CONTINUE TO ACCRUE ON ANY OVERDUE RATES AND CHARGES UNTIL PAID IN FULL

LAND INFORMATION CERTIFICATE
SECTION 121 LOCAL GOVERNMENT ACT 2020
LAND INFORMATION CERTIFICATE REGULATIONS 2021

CERTIFICATE NO: 98460

The Local Government Act 1989, Section 175, requires all arrears amounts to be paid in full immediately upon settlement.

PROPERTY LOCATION LOT 6 LP 96716

NOTICES AND ORDERS

There are no conditions associated with this property.

FLOOD LEVEL

THIS COUNCIL DOES NOT SPECIFY FLOOD LEVELS

Information in regard to any designated Flood Level may be obtained from Land Development Team Melbourne Water.

POTENTIAL LIABILITIES

Notices and Orders issued as described above:

NOTE: Directions to clear FIRE HAZARDS will be issued to all owners of vacant land during the high fire danger period. Although there may be no charge shown on this Certificate it is possible that a charge will exist by the settlement date.

ADDITIONAL INFORMATION

SUPPLEMENTARY VALUATION - THE LAND REFERRED TO IN YOUR APPLICATION IS NOT YET RATED SEPARATELY THEREFORE NO SEPARATE CHARGES ARE CURRENTLY APPLICABLE. DETAILS OF CHARGES RELATING TO THE WHOLE PROPERTY ARE AS SHOWN ON THIS CERTIFICATE

I acknowledge having received the sum of \$28.90 being the fee for this certificate.

Delegated Officer: .



Authorised By: ta



INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

SF Conveyancing Pty Ltd C/-
Triconvey2 (Reseller)
E-mail: certificates@landata.vic.gov.au

Statement for property:
REAR DWELLING LOT 2 11
RATHMULLEN ROAD BORONIA 3155
2 PS 811796

REFERENCE NO.	YOUR REFERENCE	DATE OF ISSUE	CASE NUMBER
56K//17471/00101	LANDATA CER 69703061-025-7	27 JULY 2023	44594820

1. Statement of Fees Imposed

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

(a) By Other Authorities

(b) By South East Water

Usage Charges*	Billed until 10/7/2023	\$708.05
TOTAL UNPAID BALANCE		\$708.05

- The meter at the property was last read on 10/07/2023. Fees accrued since that date may be estimated by reference to the following historical information about the property:

Water Usage Charge **\$1.87 per day**

- Financial Updates (free service) are only available online please go to (type / copy the complete address shown below): <https://secureapp.southeastwater.com.au/PropertyConnect/#/order/info/update>

* Please Note: if usage charges appear above, the amount shown includes one or more of the following:

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

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

- The total annual service fees and volumetric fees for water usage and sewerage disposal for each class of property are set out at www.southeastwater.com.au.
- Updates of rates and other charges will only be provided for up to six months from the date of this statement.
- If this property has recently been subdivided from a "parent" title, there may be service or other charges owing on the "parent" which will be charged to this property, once sold, that do not appear on this statement.

AUTHORISED OFFICER:

LARA SALEMBIER
GENERAL MANAGER
CUSTOMER EXPERIENCE

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



INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

You must contact us to see if there are any such charges as they may be charged to this property on sale and should therefore be adjusted with the owner of the parent title beforehand.

- If the property is sold, the vendor is liable to pay all fees incurred in relation to the property until the vendor gives South East Water a Notice of Disposition of Land required by the Water (Disposition of Land) Regulations 2020. Please include the Reference Number set out above in that Notice.
- Fees relating to the property may change from year-to-year in accordance with the Essential Service Commission's Price Determination for South East Water.
- Every fee referred to above is a charge against the property and will be recovered from a purchaser of the property if it is not paid by the vendor.
- Information about when and how outstanding fees may be paid, collected and recovered is set out in the Essential Services Commission's Customer Service Code, Urban Water Businesses.
- If this Statement only sets out rates and fees levied by Parks Victoria and Melbourne Water, the property may not be connected to South East Water's works. To find out whether the property is, or could be connected upon payment of the relevant charges, or whether it is separately metered, telephone 131 694.
- For a new connection to our water or sewer services, fees / charges will be levied.

2. Encumbrance Summary

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

South East Water's responsibility for the sewer connection point (branch) will terminate at the maintenance hole no. BHM33-38.. The owner/s are responsible for the portion of the sewer connection point from maintenance hole no. BCM33-38 wall to the end of the branch.

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

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

A structure has been constructed over our easement or within 1 metre of a South East Water Asset without South East Water's prior consent. Any subsequent damage caused to South East Water's asset resulting from these works, or if access to the asset is required for maintenance or replacement of the asset, the property owner will be responsible for all associated costs.

AUTHORISED OFFICER:

A handwritten signature in black ink, appearing to read 'Lara Salembier'.

LARA SALEMBIER
GENERAL MANAGER
CUSTOMER EXPERIENCE

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



INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

ENCUMBRANCE ENQUIRY EMAIL infostatements@sew.com.au

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

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

Important Warnings

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

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

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

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

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

3. Disclaimer

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

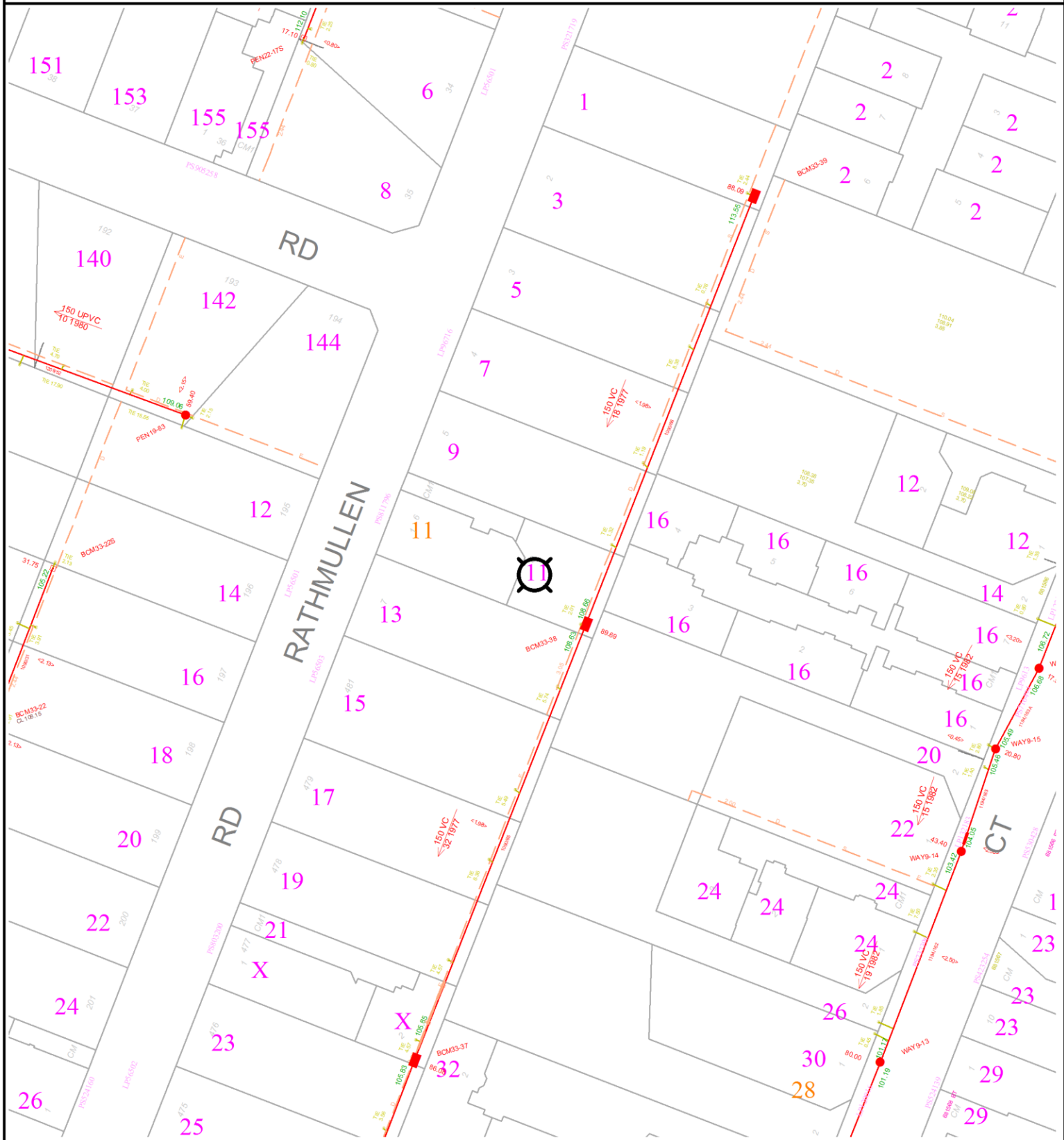
South East Water has prepared the information in this Statement with due care and diligence. It cannot and does not accept liability for any loss or damage arising from reliance on the information given, beyond the extent set out in section 155 of the Water Act 1989 and sections 18 and 29 of the Australian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

AUTHORISED OFFICER:










A handwritten signature in black ink, appearing to read 'Lara Salembier'.







LARA SALEMBIER
GENERAL MANAGER
CUSTOMER EXPERIENCE

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



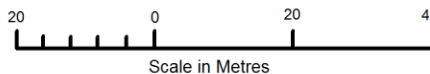
WARNING: This plan is issued solely for the purpose of assisting you in identifying South East Water's and Melbourne Water's specified assets through further investigation only. It is not to be used for any other purpose, including to identify any other assets, property boundaries or dimensions. Accordingly, the location of all assets should be proven by hand on site prior to the commencement of any work. (Refer to attached letter for further details). Assets labelled AC may contain asbestos and therefore works on these assets must be undertaken in accordance with OH&S Regulations. Abandoned and currently unused assets are shown in orange.

	Title/Road Boundary		Subject Property		Maintenance Hole
	Proposed Title/Road		Sewer Main & Property Connections		Inspection Shaft
	Easement		Direction of Flow		Offset from Boundary

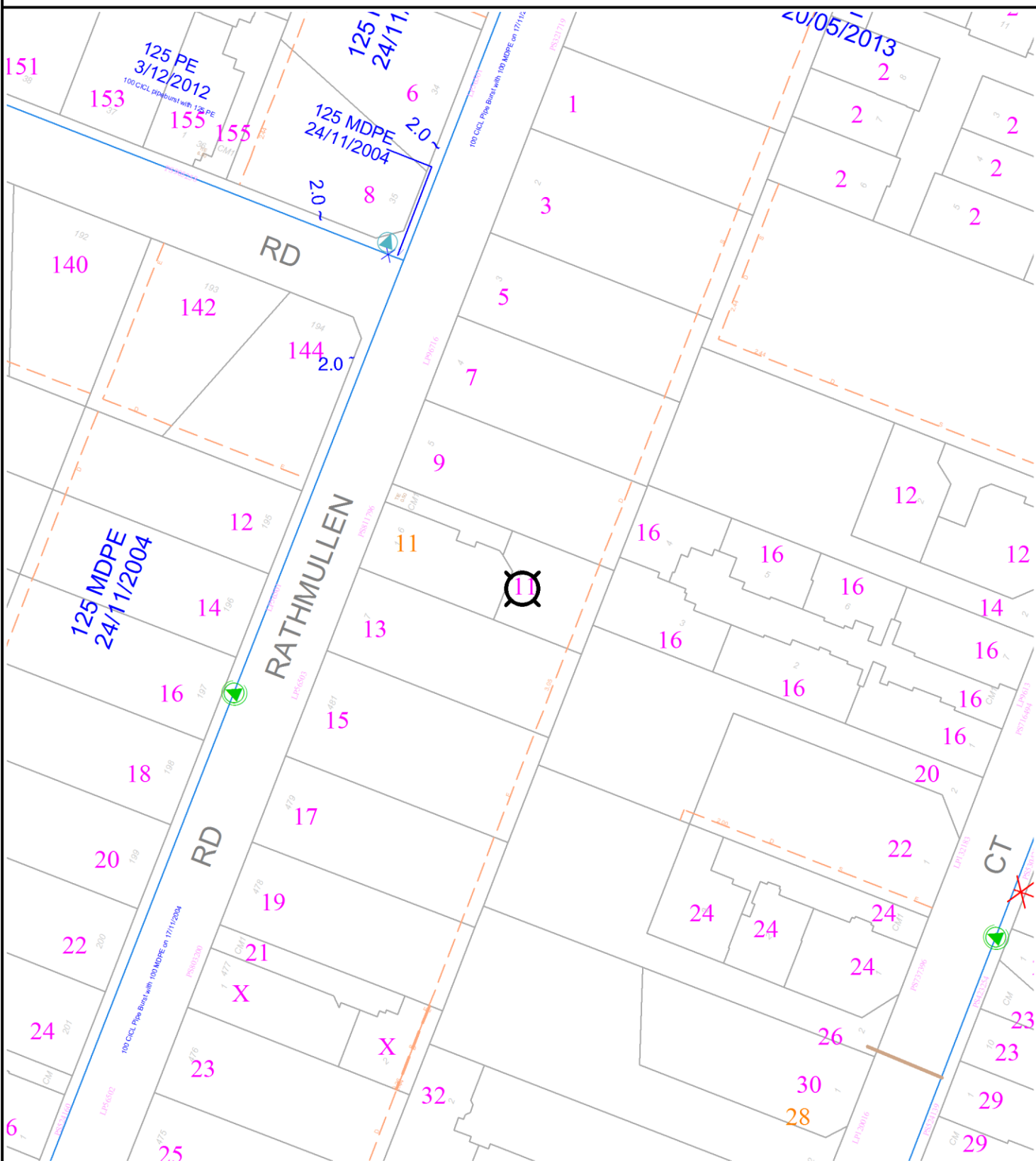
	Sewer Main		Underground Drain		Natural Waterway
	Maintenance Hole		Channel Drain		Underground Drain M.H.

Property: Lot 2 11 RATHMULLEN ROAD BORONIA 3155

Case Number: 44594820






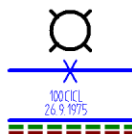
Date: 27 JULY 2023

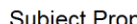
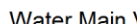
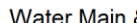





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LEGEND

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



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

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

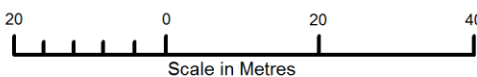
A1-9A7F-2B902658F716 | **REGISTRATION - RECYCLED WATER**

(RECYCLE WATER WILL APPEAR IF IT'S AVAILABLE)

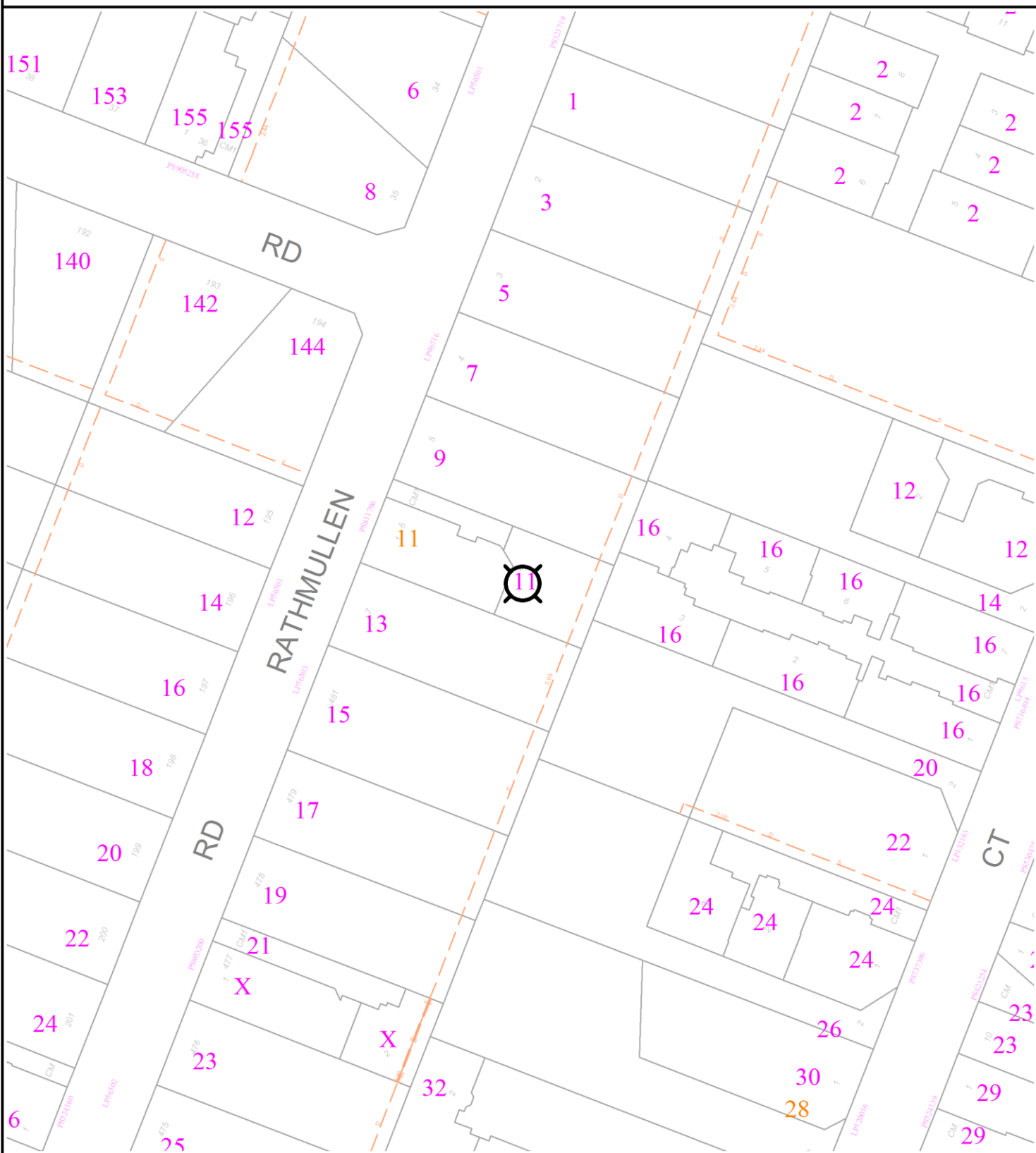
Property: Lot 2 11 RATHMULLEN ROAD BORONIA 3155



Case Number: 44594820



Date: 27JULY2023



WARNING: This plan is issued solely for the purpose of assisting you in identifying South East Water's and Melbourne Water's specified assets through further investigation only. It is not to be used for any other purpose, including to identify any other assets, property boundaries or dimensions. Accordingly, the location of all assets should be proven by hand on site prior to the commencement of any work. (Refer to attached letter for further details). Assets labelled AC may contain asbestos and therefore works on these assets must be undertaken in accordance with OH&S Regulations. Abandoned and currently unused assets are shown in orange.

LEGEND

- Title/Road Boundary
 Proposed Title/Road
 Easement



~~100 CICL~~
26.9.1975

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



Hydrant



Fireplug/Washout

 ~ 1.0

Offset from Boundary

Property Clearance Certificate

Land Tax



INFOTRACK / SF CONVEYANCING PTY LTD

Your Reference:	2504_23
Certificate No:	66340088
Issue Date:	27 JUL 2023
Enquiries:	ESYSPROD

Land Address:	UNIT 2, 11 RATHMULLEN ROAD BORONIA VIC 3155
---------------	---

Land Id	Lot	Plan	Volume	Folio	Tax Payable
4321086	2	811796	12489	262	\$0.00

Vendor: JENNINE CAMPBELL & CHRISTOPHER CAMPBELL
Purchaser: FOR INFORMATION PURPOSES

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
MR CHRISTOPHER PAUL CAMPBELL	2023	\$448,396	\$0.00	\$0.00	\$0.00

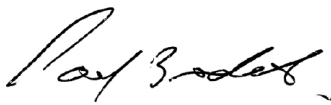
Comments: Property is exempt: LTX Principal Place of Residence.

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:	\$535,294
SITE VALUE:	\$448,396
CURRENT LAND TAX CHARGE:	\$0.00



Notes to Certificate - Land Tax

Certificate No: 66340088

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 = \$671.79

Taxable Value = \$448,396

Calculated as \$375 plus (\$448,396 - \$300,000) multiplied by 0.200 cents.

Land Tax - Payment Options

BPAY



Billers Code: 5249
Ref: 66340088

Telephone & Internet Banking - BPAY®

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

www.bpay.com.au

CARD



Ref: 66340088

Visa or Mastercard

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

sro.vic.gov.au/paylandtax

Property Clearance Certificate

Windfall Gains Tax



INFOTRACK / SF CONVEYANCING PTY LTD

Your Reference:	2504_23
Certificate No:	66340088
Issue Date:	27 JUL 2023

Land Address: UNIT 2, 11 RATHMULLEN ROAD BORONIA VIC 3155

Lot	Plan	Volume	Folio
2	811796	12489	262

Vendor: JENNINE CAMPBELL & CHRISTOPHER CAMPBELL

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: 66340088

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: 66340084

Telephone & Internet Banking - BPAY®

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

www.bpay.com.au

CARD



Ref: 66340084

Visa or Mastercard

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

sro.vic.gov.au/payment-options

Important payment information

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

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

28 July 2023

Property Information Certificate
BUILDING ACT 1993
Building Regulations 2018 (Regulation 51)

Landata
DX 250639
MELBOURNE

Property Address:	Lot: 2 No: 2/11 Rathmullen Road, BORONIA VIC 3155
Your Ref:	69703061-018-9 Part 1
Council Ref:	PIC/2023/1220

Details of any building permits issued in the preceding ten (10) years:

Council File Reference No:	Building Permit Date of Issue:	Description of Building Works:	Occupancy Permit/ Final Certificate No:	Approval Date of Issue:
PBS/2013/3805	4/08/2015	Proposed construction of a double storey dwelling and garage behind an existing dwelling, carport to the existing dwelling and retaining walls	OP: 20155523/0	08/02/2023
The above permit was issued by: ARKI Building Surveyors				

Are there any outstanding Building Orders or Notices issued against the property?		NO
--	--	-----------

We trust the above information will be of assistance. For further information, please contact us on 03 9298 8125.

Regards,
Business Support - City Planning and Building
Knox City Council

For further information about this property you can also visit: [Property and parcel search \(land.vic.gov.au\)](https://land.vic.gov.au)

OCCUPANCY PERMIT

*Building Act 1993 Building Regulations 2018 Regulation 192 Form 16***ISSUED TO**

Christopher Campbell, 11 Rathmullen Road Boronia Vic 3155 Australia

ADDRESS FOR SERVING OR GIVING OF DOCUMENTSName: Christopher Campbell, 11 Rathmullen Road Boronia Vic 3155 Australia
Phone: 0410 266 164**OWNERSHIP DETAILS**

Christopher Campbell, 11 Rathmullen Road Boronia Vic 3155 Australia

PROPERTY DETAILS

Lot 6, 11 Rathmullen Road Boronia VIC 3155

Municipal District: Knox City Council

Allotment Area (m2): 744.81

New floor Area (m2): 182.68

Lot No: 6

SPI No: 6\LP96716

Section No: N/A

Folio: 790

Volume: 08964

LP/PS: LP096716

NATURE OF BUILDING WORKS

Proposed Construction of a Double Storey Dwelling and Garage behind an Existing Dwelling, Carport to the Existing Dwelling and Retaining Walls - All Parts as per Approved Plans - PERMIT LAPSED

BUILDING PERMIT DETAILS

Building Permit number: BS-U 20045/20155523/0

Version of NCC applicable to the Building Permit: 2019

BUILDING DETAILS (Description: Residential)

BCA Class	Building Part	Allowable Live Load
10a,10b,1a(i)	Ground Floor, First Floor - All Parts as per Approved Plans	1.5kPa

SUITABILITY OF OCCUPATION

The building to which this permit applies is suitable for occupation.

CONDITIONS TO WHICH THIS PERMIT IS SUBJECT

- It is the owner's responsibility to ensure that the dwelling's energy efficiency fixtures (such as external door weather-strips, door jamb seals, energy efficient lighting and self-closing mechanical exhaust vents) are maintained in accordance with the endorsed drawings.
- It is the owner's responsibility to maintain the property in accordance with the Guide to Home Owners on Foundation Maintenance and Footing Performance. Failure to do so may cause the dwelling to deteriorate and may result in defects occurring.
- A notice in accordance with AS 3660.1 - 2014 shall be permanently fixed at the entrance to the sub-floor in the case of slab-on-ground construction, in the meter box printed on durable material indicating that the premises have been treated for termite protection in accordance with AS 3660.1-2014.
- Only working smoke alarms save lives. It is the home owner's responsibility to ensure that smoke alarms are maintained in accordance with AS 3786.

PERMIT NUMBER

20155523/0

PERMIT DATE

08/02/2023

MANDATORY INSPECTION RECORDS

Inspection Type	Approved Date
Re-Prior to pouring in-situ reinforced concrete (strip footings)	10/08/2016
Stump holes	27/03/2017
Completion of Framework - Subfloor	04/04/2017
Completion of Re-Framework	26/05/2017
Re-Final, upon completion of all building work	03/02/2023

PERFORMANCE SOLUTION

- An alternative solution was used to determine compliance with the following Performance Requirements of the National Construction Code that relates to this project as set out below:
 - To allow provision for the use of a Polystyrene External Insulation and Wall Finish System (EIFS) based on approval under Part 1.2.2(a)(i) to (vi) of the Building Code of Australia Vol. 2.
 - Performance provision P2.2.2 has been satisfied via independent testing as allowed by Part 1.2.2 of the Building Code of Australia Vol. 2

RELEVANT BUILDING SURVEYOR

Name: Duro Vranjes

Address: Office 15.01, Level 15, 401 Docklands Drive, Docklands VIC 3008

Email: permits@arkibuildingsurveyors.com.au

Building practitioner registration no.: BS-U 20045

Occupancy Permit no.: 20155523/0

Date of issue: 08/02/2023

Signature:



Statement of advice and information for prospective purchasers and lot owners

Schedule 3, Regulation 12, Owners Corporations Regulations 2007

What is an owners corporation?

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

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

How are decisions made by an owners corporation?

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

Owners corporation rules

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

You should look at the owners corporation rules to consider any restrictions imposed by the rules.

Lot entitlement and lot liability

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

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

Further information

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

Management of an owners corporation

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

If you are uncertain about any aspect of the owners corporation or the documents you have received from the owners corporation, you should seek expert advice.

Model rules for an owners corporation

1. Health, safety and security

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

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

1.2 Storage of flammable liquids and other dangerous substances and materials

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

1.3 Waste disposal

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

2. Management and administration

2.1 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.

3. Use of common property

3.1 Use of common property

1. An owner or occupier of a lot must not obstruct the lawful use and enjoyment of the common property by any other person entitled to use the common property.
2. An owner or occupier of a lot must not, without the written approval of the owners corporation, use for his or her own purposes as a garden any portion of the common property.
3. An approval under subrule (2) may state a period for which the approval is granted.
4. If the owners corporation has resolved that an animal is a danger or is causing a nuisance to the common property, it must give reasonable notice of this resolution to the owner or occupier who is keeping the animal.
5. An owner or occupier of a lot who is keeping an animal that is the subject of a notice under subrule (4) must remove that animal.
6. Subrules (4) and (5) do not apply to an animal that assists a person with an impairment or disability.

3.2 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.

3.3 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.

4. Lots

4.1 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. Behaviour of persons

5.1 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.

5.2 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.

6. Dispute resolution

1. The grievance procedure set out in this rule applies to disputes involving a lot owner, manager, or an occupier or the owners corporation.
2. The party making the complaint must prepare a written statement in the approved form.
3. If there is a grievance committee of the owners corporation, it must be notified of the dispute by the complainant.
4. If there is no grievance committee, the owners corporation must be notified of any dispute by the complainant, regardless of whether the owners corporation is an immediate party to the dispute.
5. The parties to the dispute must meet and discuss the matter in dispute, along with either the grievance committee or the owners corporation, within 14 working days after the dispute comes to the attention of all the parties.
6. A party to the dispute may appoint a person to act or appear on his or her behalf at the meeting.
7. If the dispute is not resolved, the grievance committee or owners corporation must notify each party of his or her 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*.

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 consumer.vic.gov.au/duediligencechecklist.

Urban living

Moving to the inner city?

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

Is the property subject to an owners corporation?

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

Growth areas

Are you moving to a growth area?

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

Flood and fire risk

Does this property experience flooding or bushfire?

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

Rural properties

Moving to the country?

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

- Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.
- Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.
- Do you understand your obligations to manage weeds and pest animals?
- Can you build new dwellings?
- Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land?

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

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

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

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



Land boundaries

Do you know the exact boundary of the property?

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

Planning controls

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

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

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

Are there any proposed or granted planning permits?

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

Safety

Is the building safe to live in?

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

Building permits

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

There are laws and regulations about how buildings and retaining walls are constructed, which you may wish to investigate to ensure any completed or proposed building work is approved. The local council may be able to give you information about any building permits issued for recent building works done to the property, and what you must do to plan new work. You can also commission a private building surveyor's assessment.

Are any recent building or renovation works covered by insurance?

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

Utilities and essential services

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

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

Buyers' rights

Do you know your rights when buying a property?

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