

DATED

2025

**NORBIL BAY PTY LTD ACN 604164552 AND  
PASCUZZI CONSTRUCTION PTY LTD ACN 007 387 215**

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**VENDOR STATEMENT**

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**Property: Unit 4/19 Hamilton Road, Bayswater North VIC 3153**

Portelli & Co.  
Solicitors  
127 Carinish Road  
CLAYTON VIC 3168  
Tel: (03) 9544 5322  
Fax: (03) 9544 6040  
P.O. Box 5202, Clayton VIC 3168  
Ref: AC:S251628

# 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.

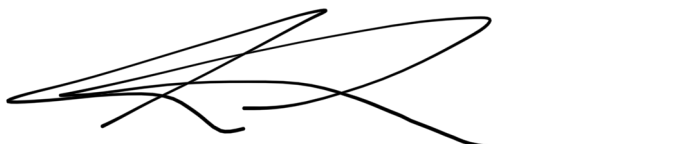
**Land**

UNIT 4 / 19 HAMILTON ROAD, BAYSWATER NORTH VIC  
3153

Vendor's name Norbil Bay Pty Ltd ACN 604164552

Date  
/ /

Vendor's signature


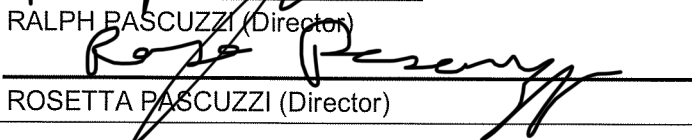


KENNETH NORMAN THOMAS (Director)

Vendor's name Pascuzzi Construction Pty Ltd ACN 007 387 215

Date  
/ /

Vendor's signature

  
RALPH PASCUZZI (Director)  
  
ROSETTA PASCUZZI (Director)

Purchaser's name

Date  
/ /

Purchaser's signature

\_\_\_\_\_

Purchaser's name

Date  
/ /

Purchaser's signature

\_\_\_\_\_

## 1. FINANCIAL MATTERS

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

- (a) ☒ Are contained in the attached certificate/s. – Please note the council rates are not yet separately rated. The vendors are not aware of any other outgoings which the purchaser will be liable for other than Owners Corporation fees and Council & water supplementary notices. The purchaser may be liable for land tax if the property is not a principal place of residence.

### 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

\$None to the knowledge of the vendor	To	
Other particulars (including dates and times of payments):		

### 1.3 Terms Contract

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

Not Applicable

### 1.4 Sale Subject to Mortgage

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

Not Applicable

### 1.5 Commercial and Industrial Property Tax Reform Act 2024 (Vic) (CIPT Act)

(a) The Australian Valuation Property Classification Code (within the meaning of the CIPT Act) most recently allocated to the land is set out in the attached Municipal rates notice or property clearance certificate or is as follows	AVPC No.
(b) Is the land tax reform scheme land within the meaning of the CIPT Act?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(c) If the land is tax reform scheme land within the meaning of the CIPT Act, the entry date within the meaning of the CIPT Act is set out in the attached Municipal rates notice or property clearance certificate or is as follows	Date: OR <input checked="" type="checkbox"/> Not applicable

## 2. INSURANCE

### 2.1 Damage and Destruction

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

Not Applicable

### 2.2 Owner Builder

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

Not Applicable

### 3. LAND USE

#### 3.1 Easements, Covenants or Other Similar Restrictions

- (a) A description of any easement, covenant or other similar restriction affecting the land (whether registered or unregistered):
- ☒ Is in the attached copies of title document/s
- (b) Particulars of any existing failure to comply with that easement, covenant or other similar restriction are:
- To the best of the Vendor's knowledge there is no existing failure to comply with the terms of any easements, covenants 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 section 192A of the *Building Act* 1993 if the square box is marked with an 'X' ☐

#### 3.4 Planning Scheme

- ☒ Attached is a certificate with the required specified information.

### 4. NOTICES

#### 4.1 Notice, Order, Declaration, Report or Recommendation

Particulars of any notice, order, declaration, report or recommendation of a public authority or government department or approved proposal directly and currently affecting the land, being a notice, order, declaration, report, recommendation or approved proposal of which the vendor might reasonably be expected to have knowledge:

- ☒ Are as follows  
None to the knowledge of the vendors.

#### 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:

None to the knowledge of the vendors.

#### 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:

None to the knowledge of the vendors.

### 5. BUILDING PERMITS

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

- ☒ Are as follows:  
As per attached copy Building Permit

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

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

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

Not Applicable

## 8. SERVICES

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

Electricity supply <input type="checkbox"/>	Gas supply <input checked="" 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.

(a) Attached is a copy of the plan for the first stage if the land is in the second or subsequent stage.

(b) The requirements in a statement of compliance relating to the stage in which the land is included that have Not been complied With are As follows:

NIL

(c) The proposals relating to subsequent stages that are known to the vendor are as follows:

NIL

(d) The contents of any permit under the *Planning and Environment Act* 1987 authorising the staged subdivision are:

NIL

### 10.3 Further Plan of Subdivision

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

Not Applicable

## 11. DISCLOSURE OF ENERGY INFORMATION

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

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

(a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and

(b) which has a net lettable area of at least 1000m<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

1. Register Search Statement – (Volume: 12610 Folio: 931);
  2. Plan of Subdivision PS 909310Tt;
  3. Property Report;
  4. Planning Certificate;
  5. Maroondah City Council Information Certificate (parent title);
  6. Yarra Valley Water Property Information Statement;
  7. State Revenue Office Property Clearance Certificate;
  8. Vic Roads Property Certificate;
  9. Planning Permit;
  10. Builders Warranty Insurance;
  11. Building Permit;
  12. Occupancy Permit.
-

# 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.





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

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

Page 1 of 2

VOLUME 12610 FOLIO 931

Security no : 124125200172K  
Produced 10/06/2025 04:08 PM

### LAND DESCRIPTION

Lot 4 on Plan of Subdivision 909310T.  
PARENT TITLE Volume 08120 Folio 360  
Created by instrument PS909310T 10/05/2025

### REGISTERED PROPRIETOR

Estate Fee Simple  
TENANTS IN COMMON  
As to 1 of a total of 2 equal undivided shares  
Sole Proprietor  
PASCUZZI CONSTRUCTION PTY LTD of 1640 CENTRE ROAD SPRINGVALE VIC 3171  
As to 1 of a total of 2 equal undivided shares  
Sole Proprietor  
NORBIL BAY PTY LTD of 10 HOME STREET BAYSWATER NORTH VIC 3153  
PS909310T 10/05/2025

### 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 PS909310T FOR FURTHER DETAILS AND BOUNDARIES

### ACTIVITY IN THE LAST 125 DAYS

NUMBER	PLAN OF SUBDIVISION	STATUS	DATE
PS909310T (B)		Registered	10/05/2025

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

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

Street Address: UNIT 4 19 HAMILTON ROAD BAYSWATER NORTH VIC 3153

### ADMINISTRATIVE NOTICES

NIL

eCT Control 19328G PORTELLI & CO  
Effective from 10/05/2025

### OWNERS CORPORATIONS

The land in this folio is affected by



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

Page 2 of 2

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OWNERS CORPORATION 1 PLAN NO. PS909310T

DOCUMENT END



# Imaged Document Cover Sheet

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

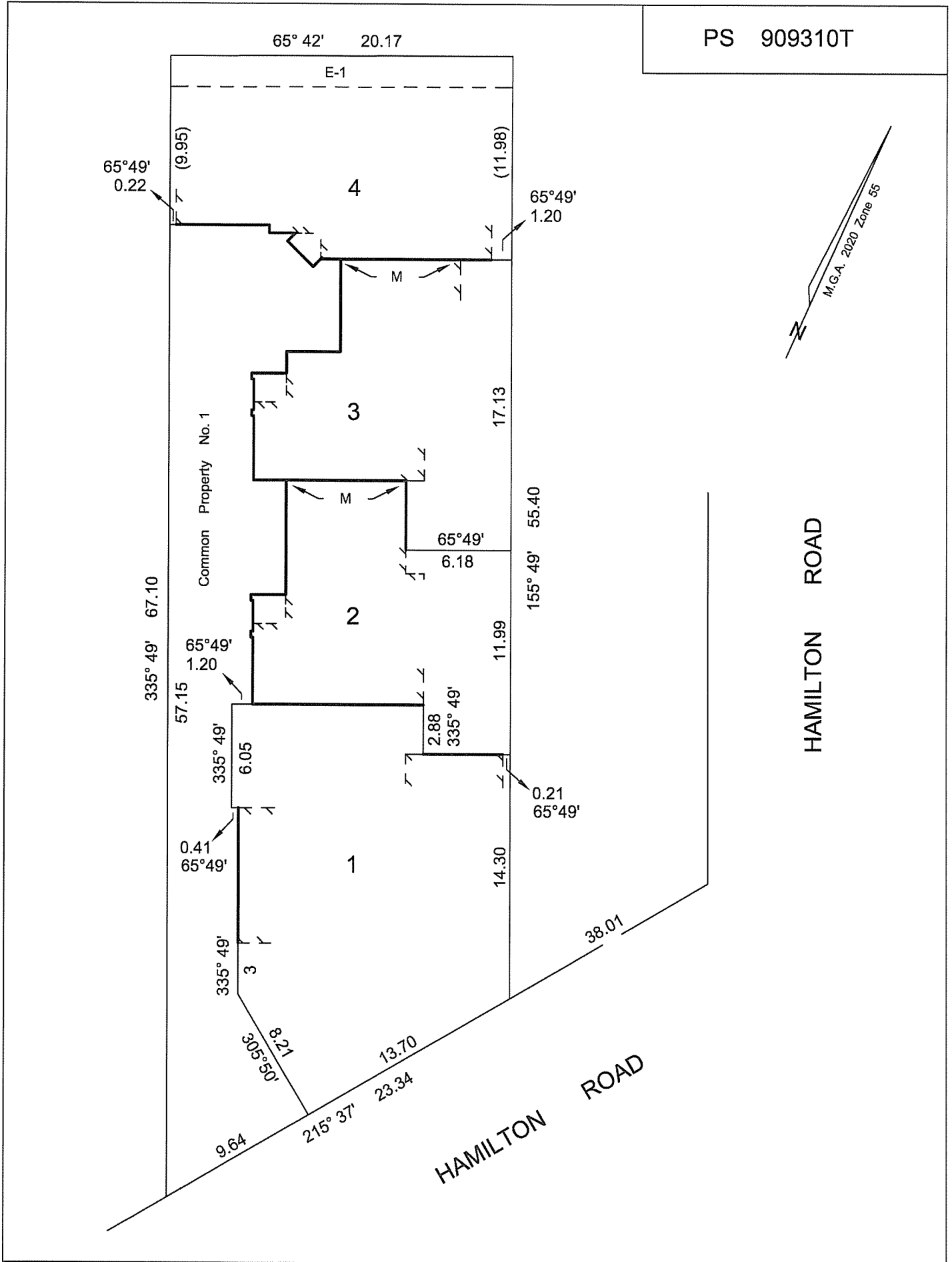
Document Type	<b>Plan</b>
Document Identification	<b>PS909310T</b>
Number of Pages (excluding this cover sheet)	<b>2</b>
Document Assembled	<b>10/06/2025 16:08</b>

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

PLAN OF SUBDIVISION				EDITION 1		PS 909310T	
<div>LOCATION OF LAND</div> <div>PARISH: RINGWOOD</div> <div>TOWNSHIP:</div> <div>SECTION:</div> <div>CROWN ALLOTMENT: 36 (PART)</div> <div>CROWN PORTION:</div> <div>TITLE REFERENCES: VOL. 8120 FOL. 360</div> <div>LAST PLAN REFERENCE/S: LOT 1, LP 46410</div> <div>POSTAL ADDRESS: 19 HAMILTON ROAD, (At time of subdivision) BAYSWATER NORTH, 3153.</div> <div>MGA 2020 Co-ordinates E 348 440 ZONE : 55 (of approx. centre of land N 5 811 210 in plan)</div>				<div>Council Name: Maroondah City Council</div> <div>Council Reference Number: S/2024/128 Planning Permit Reference: M/2024/890 SPEAR Reference Number: S240532M</div> <div>Certification</div> <div>This plan is certified under section 6 of the Subdivision Act 1988</div> <div>Public Open Space</div> <div>A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has been made and the requirement has not been satisfied at Certification</div> <div>Digitally signed by: Linda Arranga for Maroondah City Council on 17/01/2025</div> <div>Statement of Compliance issued: 17/04/2025</div> <div>Public Open Space</div> <div>A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has been made and the requirement has been satisfied at Statement of Compliance</div>			
VESTING OF ROADS AND/OR RESERVES				NOTATIONS			
IDENTIFIER		COUNCIL/BODY/PERSON		<div>LOTS IN THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS.</div> <div>For details of Owners Corporation(s) including: purpose, responsibility and entitlement and liability, see Owners Corporation search report, Owners Corporation rules and Owners Corporation additional information.</div> <div>Boundaries shown by thick continuous lines are defined by buildings.</div> <div>Location of boundaries defined by buildings: Median: Boundaries between lots shown marked 'M' Exterior Face: All other boundaries</div>			
NIL		NIL					
NOTATIONS							
DEPTH LIMITATION : DOES NOT APPLY							
<div>SURVEY:</div> <div>This plan is based on survey</div> <div>STAGING</div> <div>This is not a staged subdivision</div> <div>Planing permit No.</div> <div>This survey has been connected to permanent marks No(s): 10</div> <div>In Proclaimed Survey Area No.</div>							
EASEMENT INFORMATION							
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)							
Easements and rights implied by Section 12(2) of the Subdivision Act 1988 apply to the whole on the land on this plan.							
Easement Reference	Purpose	Width (metres)	Origin	Land Benefited/In Favour Of			
E-1	DRAINAGE	1.83	LP 35602	LOTS ON LP 35602			
BRIAN MOXHAM SURVEYING P.L Licensed Land Surveyor, 80 Moores Road, Monbulk, 3793 Ph. 9752 0361		SURVEYORS FILE REF: 21-03-05		ORIGINAL SHEET SIZE A3	SHEET 1 OF 2 SHEETS		
		Digitally signed by: Brian Moxham, Licensed Surveyor, Surveyor's Plan Version (03), 16/01/2025, SPEAR Ref: S240532M		Land Use Victoria Plan Registered 02:23 PM 10/05/2025 Assistant Registrar of Titles			



PS 909310T

<p>BRIAN MOXHAM SURVEYING P.L. Licensed Land Surveyor, 80 Moores Road, Monbulk, 3793 Ph. 9752 0361</p>	<p>REF: 21-03-05</p>	<p>SCALE 1:200</p> <p>2 0 2 4 6 8 LENGTHS ARE IN METRES</p> <p>Digitally signed by: Brian Moxham, Licensed Surveyor, Surveyor's Plan Version (03), 16/01/2025, SPEAR Ref: S240532M</p>	<p>ORIGINAL SHEET SIZE A3</p> <p>Digitally signed by: Maroondah City Council, 17/01/2025, SPEAR Ref: S240532M</p>	<p>SHEET 2</p>
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# Department of Environment, Land, Water & Planning

## Owners Corporation Search Report

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Produced: 10/06/2025 04:08:11 PM

**OWNERS CORPORATION 1**  
**PLAN NO. PS909310T**

The land in PS909310T is affected by 1 Owners Corporation(s)

### Land Affected by Owners Corporation:

Common Property 1, Lots 1 - 4.

### Limitations on Owners Corporation:

Unlimited

### Postal Address for Services of Notices:

19 HAMILTON ROAD BAYSWATER VIC 3153

PS909310T 10/05/2025

### 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:

PS909310T 10/05/2025

### 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	25	25
Lot 2	25	25
Lot 3	25	25
Lot 4	25	25
<b>Total</b>	<b>100.00</b>	<b>100.00</b>



# Department of Environment, Land, Water & Planning

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## Owners Corporation Search Report

Produced: 10/06/2025 04:08:11 PM

<b>OWNERS CORPORATION 1</b> <b>PLAN NO. PS909310T</b>
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From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation.

Statement End.

# PROPERTY REPORT



Energy,  
Environment  
and Climate Action

From [www.land.vic.gov.au](http://www.land.vic.gov.au) at 11 June 2025 10:40 AM

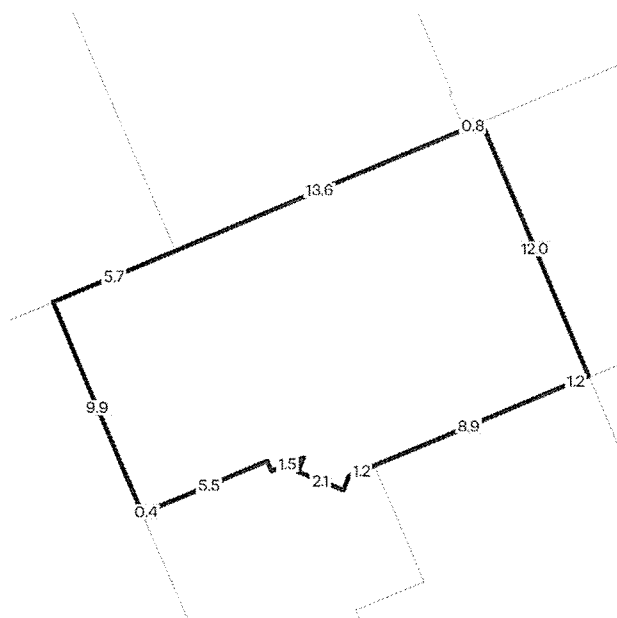
## PROPERTY DETAILS

Address: **4/19 HAMILTON ROAD BAYSWATER NORTH 3153**  
Lot and Plan Number: **Lot 4 PS909310**  
Standard Parcel Identifier (SPI): **4\PS909310**  
Local Government Area (Council): **MAROONDAH**  
Council Property Number: **270876**  
Directory Reference: **Melway 64 J1**

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

## SITE DIMENSIONS

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



**Area:** 227 sq. m

**Perimeter:** 65 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.

3 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**  
Melbourne Water Retailer: **Yarra Valley Water**  
Melbourne Water: **Inside drainage boundary**  
Power Distributor: **AUSNET**

## STATE ELECTORATES

Legislative Council: **NORTH-EASTERN METROPOLITAN**  
Legislative Assembly: **CROYDON**

## 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>

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PROPERTY REPORT: 4/19 HAMILTON ROAD BAYSWATER NORTH 3153

Page 1 of 2

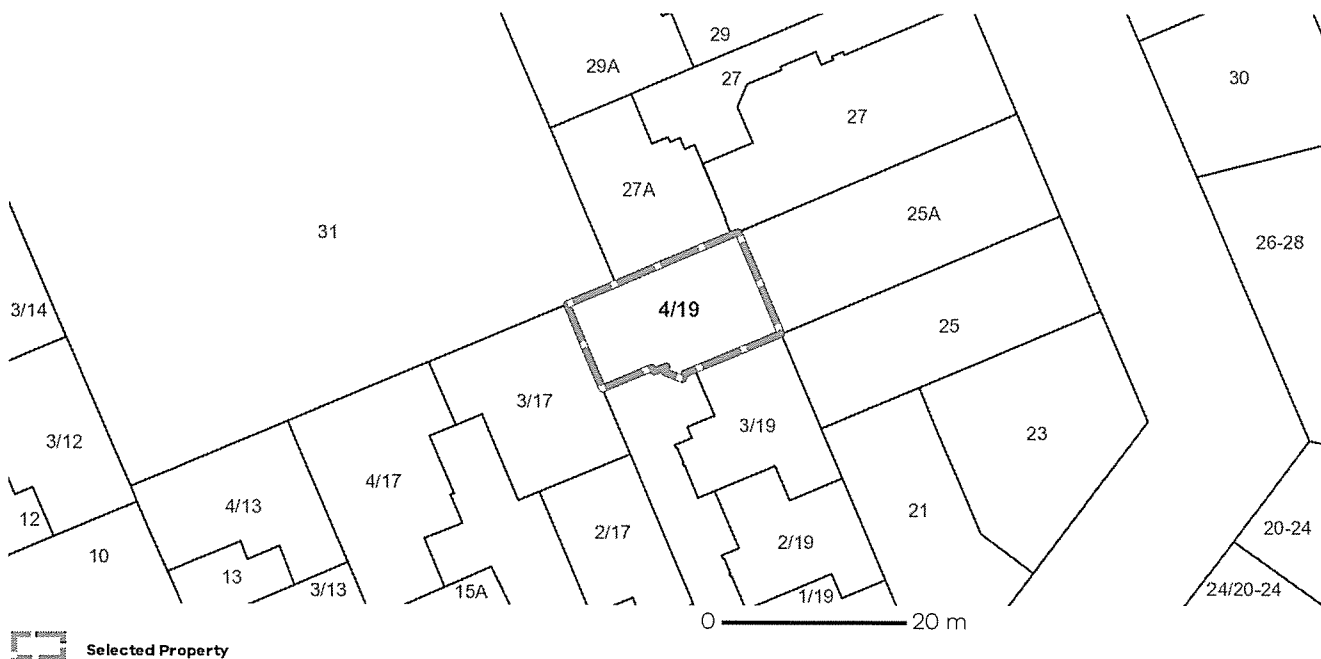


# PROPERTY REPORT



Energy,  
Environment  
and Climate Action

## Area Map



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PROPERTY REPORT: 4/19 HAMILTON ROAD BAYSWATER NORTH 3153

# PLANNING PROPERTY REPORT



Department  
of Transport  
and Planning

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 11 June 2025 10:40 AM

## PROPERTY DETAILS

Address: **4/19 HAMILTON ROAD BAYSWATER NORTH 3153**  
Lot and Plan Number: **Lot 4 PS909310**  
Standard Parcel Identifier (SPI): **4\PS909310**  
Local Government Area (Council): **MAROONDAH**  
Council Property Number: **270876**  
Planning Scheme: **Maroondah**  
Directory Reference: **Melway 64 J1**

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

[Planning Scheme - Maroondah](#)

## UTILITIES

Rural Water Corporation: **Southern Rural Water**  
Melbourne Water Retailer: **Yarra Valley Water**  
Melbourne Water: **Inside drainage boundary**  
Power Distributor: **AUSNET**

## STATE ELECTORATES

Legislative Council: **NORTH-EASTERN METROPOLITAN**  
Legislative Assembly: **CROYDON**

## OTHER

Registered Aboriginal Party: **Wurundjeri Woi Wurrung Cultural  
Heritage Aboriginal Corporation**

[View location in VicPlan](#)

## Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ)

GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)



**GRZ - General Residential**

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

## Planning Overlays

No planning overlay found

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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).

## Areas of Aboriginal Cultural Heritage Sensitivity

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

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

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

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

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

For further information about whether a Cultural Heritage Management Plan is required go to <http://www.oav.nrms.net.au/oavQuestion1.aspx>

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



## Further Planning Information

Planning scheme data last updated on .

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

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

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

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

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

## Designated Bushfire Prone Areas

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

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

1146310

## APPLICANT'S NAME & ADDRESS

PORTELLI & CO C/- LANDATA  
DOCKLANDS

## VENDOR

PASCUZZI CONSTRUCTION PTY LTD

## PURCHASER

PURPOSES, SALE

## REFERENCE

AC NORBIL

This certificate is issued for:

LOT 4 PLAN PS909310 ALSO KNOWN AS 4/19 HAMILTON ROAD BAYSWATER NORTH  
MAROONDAH CITY

The land is covered by the:

MAROONDAH PLANNING SCHEME

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

The land:

- is included in a GENERAL RESIDENTIAL ZONE - SCHEDULE 1

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

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

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

10 June 2025

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](mailto:landata.enquiries@servictoria.com.au)



**LAND INFORMATION CERTIFICATE**

Local Government (General) Regulations 2015  
Section 229 Local Government Act 1989



**SERV**  
**DX250639**  
**Melbourne**

**Certificate No:** 97510  
**Applicant Ref:** 75961078-014-6:81031  
**Date:** 25 February 2025

This certificate PROVIDES information regarding valuation, rates, charges, other moneys owing and any orders and notices made under the **Local Government Act 2020**, the **Local Government Act 1989**, the **Local Government Act 1958**, the **Fire Services Property Levy Act 2012** or under a Local 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.

This certificate is current at the time of printing however is subject to change at any time due to supplementary rates, alteration to charges, interest or legal costs being incurred. Council will only be held responsible for information provided in writing, not information provided or confirmed verbally. The validity of this Certificate is 90 days during which time Council will assist in providing up to date financial information as requested.

**SUNDRY INFORMATION**

**General Rates, Charges & Fire Services Property Levy:** In full payments must be paid by 15 February in the year ending 30 June 2025 unless paying by instalments. Instalment due dates are 30 September, 30 November, 28 February, and 31 May of the current financial year. Any payment received at this office after the applicable due date will incur penalty interest and may result in legal action being taken for the recovery of unpaid rates. A person who becomes the owner of the land will be liable for any outstanding rates and charges whether current or in arrears including interest on late payments.

**PROPERTY INFORMATION**

**Assessment number:** 129291

**Property Location:** 19 Hamilton Road  
Bayswater North VIC 3153  
Lot 1 LP 46410

**Title Details:** CT-8120/360

**AVPCC/Land Use:** 100 - Vacant Residential Dwelling Site/Surveyed Lot

**Valuations**

**Site Value:** \$875,000  
**Capital Improved Value** \$875,000  
**Nett Annual Value:** \$43,750  
**Relevant Date:** 1<sup>st</sup> January 2024

**ADDITIONAL INFORMATION**

**Please Note – This property is currently being subdivided – For information on street addressing for the proposed properties, please contact Council on 1300 882 233.**

**Contact us**

**Phone** 1300 88 22 33 or 9298 4598 **Fax** 9298 4345

maroondah@maroondah.vic.gov.au | www.maroondah.vic.gov.au | PO Box 156, Ringwood 3134 | DX 38068, Ringwood

ABN 98 606 522 719



RE: 19 Hamilton Road  
Bayswater North VIC 3153

Certificate No:

97510

### **FINANCIAL INFORMATION**

<b>Assessment No:</b>	1292911		
<b><u>RATES &amp; CHARGES</u></b>	<b><u>LEVIED</u></b>	<b><u>REBATES</u></b>	<b><u>BALANCE</u></b>
Arrears			0.00
General Rate	2,511.25	0.00	2,511.25
Waste Service Charge	0.00	0.00	0.00
State Government Fire Levy MFB	0.00	0.00	0.00
State Government Fire Levy CFA	208.10	0.00	208.10
Municipal Charge	0.00	0.00	0.00
Legal Costs	0.00	0.00	0.00
Copy Notice/Administration fee	0.00		0.00
Interest - Current			0.00
Interest - Arrears			0.00
Legal/Other Costs - Current			0.00
Legal/Other Costs - Arrears			0.00
Refund			0.00
Less Payments			-2,719.35
Less Overpayments			0.00
<b><u>ASSESSMENT TOTAL</u></b>			<b><u>\$0.00</u></b>

### **TOTAL BALANCE**

**\$0.00**

#### **BPAY Payment Details**

**Bill Code:** 118992

**Reference Number:** 0012929113

Please ensure a **Notice of Acquisition**  
is sent directly to Council at:  
[maroondah@maroondah.vic.gov.au](mailto:maroondah@maroondah.vic.gov.au)

### **POTENTIAL LIABILITIES**

I acknowledge having received the sum of \$29.70 being the fee for this certificate.

Revenue Services  
Maroondah City Council

Contact us

Phone 1300 88 22 33 or 9298 4598 Fax 9298 4345

[maroondah@maroondah.vic.gov.au](mailto:maroondah@maroondah.vic.gov.au) | [www.maroondah.vic.gov.au](http://www.maroondah.vic.gov.au) | PO Box 156, Ringwood 3134 | DX 38068, Ringwood

ABN 98 606 522 719



YARRA VALLEY WATER  
ABN 53 666 502 501

Lucknow Street  
Mitcham Victoria 3132

Private Bag 1  
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

E [enquiry@yvw.com.au](mailto:enquiry@yvw.com.au)  
[yvw.com.au](http://yvw.com.au)

10th June 2025

Portelli & Co C/- LANDATA  
LANDATA

Dear Portelli & Co C/- LANDATA,

**RE: Application for Water Information Statement**

<b>Property Address:</b>	4/19 HAMILTON ROAD BAYSWATER NORTH 3153
<b>Applicant</b>	Portelli & Co C/- LANDATA LANDATA
<b>Information Statement</b>	30946918
<b>Conveyancing Account Number</b>	7959580000
<b>Your Reference</b>	AC NORBIL

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

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

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

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lisa Anelli'.

Lisa Anelli  
GENERAL MANAGER  
RETAIL SERVICES

**Yarra Valley Water Property Information Statement**

Property Address	4/19 HAMILTON ROAD BAYSWATER NORTH 3153
------------------	---

STATEMENT UNDER SECTION 158 WATER ACT 1989

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

Existing sewer mains will be shown on the Asset Plan.

**THE FOLLOWING INFORMATION RELATES TO SECTION 158(4)**

This Property is a part of a development that is serviced by private water and/or sewer infrastructure. This infrastructure (or pipeline) is known as a private extension and may extend some distance in length from your property before connecting to Yarra Valley Water infrastructure. Any maintenance or supply issues associated with the private extension are the responsibility of the property owners. Yarra Valley Water is responsible for maintaining the water service from the water main up to and including the development main meter or manifold, and the sewer service from the sewer main up to the sewer branch including the inspection opening.

Where the property is serviced through a private fire service the property owner is fully responsible for the maintenance of this service including the isolating valve connected to our water main.

Yarra Valley Water does not guarantee the continuity of service or supply, water quality or water pressure within the private extension.

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

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

**Melbourne Water Property Information Statement**

Property Address	4/19 HAMILTON ROAD BAYSWATER NORTH 3153
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STATEMENT UNDER SECTION 158 WATER ACT 1989

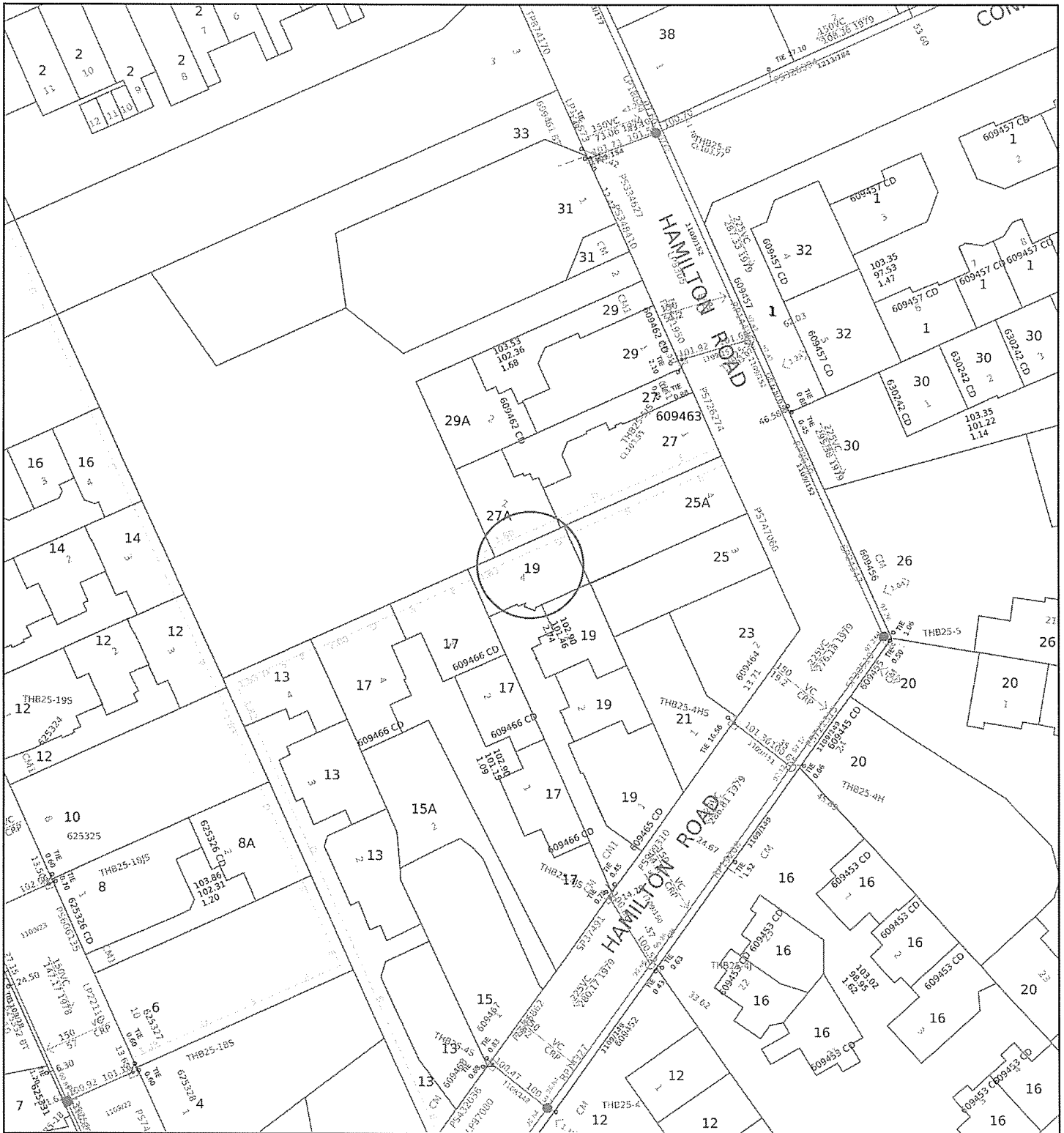
**THE FOLLOWING INFORMATION RELATES TO SECTION 158(4)**

















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

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

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

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



<b>Yarra Valley Water</b> <b>Information Statement</b> <b>Number: 30946918</b>	<b>Address</b> 4/19 HAMILTON ROAD BAYSWATER NORTH 3153		 <b>Yarra Valley Water</b> ABN 93 066 902 501
	<b>Date</b> 10/06/2025		
	<b>Scale</b> 1:1000		
<b>Existing Title</b> 	<b>Access Point Number</b> GLV2-42 	<b>MW Drainage Channel Centreline</b> 	<b>Disclaimer:</b> This information is supplied on the basis Yarra Valley Water Ltd: - Does not warrant the accuracy or completeness of the information supplied, including, without limitation, the location of Water and Sewer Assets; - Does not accept any liability for loss or damage of any nature, suffered or incurred by the recipient or any other persons relying on this information; - Recommends recipients and other persons using this information make their own site investigations and accommodate their works accordingly;
<b>Proposed Title</b> 	<b>Sewer Manhole</b> 	<b>MW Drainage Underground Centreline</b> 	
<b>Easement</b> 	<b>Sewer Pipe Flow</b> 	<b>MW Drainage Manhole</b> 	
<b>Existing Sewer</b> 	<b>Sewer Offset</b> 	<b>MW Drainage Natural Waterway</b> 	
<b>Abandoned Sewer</b> 	<b>Sewer Branch</b> 		



YARRA VALLEY WATER  
ABN 53 066 502 501

Lucknow Street  
Mitcham Victoria 3132

Private Bag 1  
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

E enquiry@yvw.com.au  
yvw.com.au

Portelli & Co C/- LANDATA  
LANDATA  
certificates@landata.vic.gov.au

## RATES CERTIFICATE

Account No: 9935136738  
Rate Certificate No: 30946918

Date of Issue: 10/06/2025  
Your Ref: AC NORBIL

With reference to your request for details regarding:

Property Address	Lot & Plan	Property Number	Property Type
UNIT 4/19 HAMILTON RD, BAYSWATER NORTH VIC 3153	4\PS909310	5267399	Residential

Agreement Type	Period	Charges	Outstanding
Residential Water Service Charge	22-05-2025 to 30-06-2025	\$9.07	\$9.07
Residential Water and Sewer Usage Charge <i>Step 1 – 12.000000kL x \$3.43420000 = \$41.21</i>	21-02-2025 to 22-05-2025	\$41.21	\$41.21
Estimated Average Daily Usage \$0.46			
Residential Sewer Service Charge	22-05-2025 to 30-06-2025	\$51.96	\$51.96
<b>Other Charges:</b>			
Interest	No interest applicable at this time		
	No further charges applicable to this property		
Balance Brought Forward			\$0.00
Total for This Property			\$102.24

The property above forms part of the property for which the charges below are applicable

Property Address	Lot & Plan	Property Number	Property Type
19 HAMILTON RD, BAYSWATER NORTH VIC 3153	1\LP46410	1379497	Superseded

Agreement Type	Period	Charges	Outstanding
<b>Other Charges:</b>			
Interest	No interest applicable at this time		
	No further charges applicable to this property		
Balance Brought Forward			\$79.33
Total for This Property			\$79.33

GENERAL MANAGER  
RETAIL SERVICES

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**Note:**

1. From 1 July 2023, the Parks Fee has been charged quarterly instead of annually.
2. From 1 July 2023, for properties that have water and sewer services, the Residential Water and Sewer Usage charge replaces the Residential Water Usage and Residential Sewer Usage charges.
3. This statement details all tariffs, charges, and penalties due and payable to Yarra Valley Water as of the date of this statement and includes tariffs and charges (other than for usage charges yet to be billed) which are due and payable to the end of the current financial quarter.
4. All outstanding debts are due to be paid to Yarra Valley Water at settlement. Any debts that are unpaid at settlement will carry over onto the purchaser's first quarterly account and follow normal credit and collection activities - pursuant to section 275 of the Water Act 1989.
5. If the total due displays a (-\$ cr), this means the account is in credit. Credit amounts will be transferred to the purchaser's account at settlement.
6. Yarra Valley Water provides information in this Rates Certificate relating to waterways and drainage as an agent for Melbourne Water and relating to parks as an agent for Parks Victoria - pursuant to section 158 of the Water Act 1989.
7. The charges on this rates certificate are calculated and valid at the date of issue. To obtain up-to-date financial information, please order a Rates Settlement Statement prior to settlement.
8. From 01/07/2024, Residential Water Usage is billed using the following step pricing system: 256.31 cents per kilolitre for the first 44 kilolitres; 327.60 cents per kilolitre for 44-88 kilolitres and 485.34 cents per kilolitre for anything more than 88 kilolitres. From 1 July 2023, this charge is applicable for properties with water service only.
9. From 01/07/2024, Residential Water and Sewer Usage is billed using the following step pricing system: 343.42 cents per kilolitre for the first 44 kilolitres; 450.59 cents per kilolitre for 44-88 kilolitres and 523.50 cents per kilolitre for anything more than 88 kilolitres. From 1 July 2023, this charge is applicable for residential properties with both water and sewer services.
10. From 01/07/2024, Residential Recycled Water Usage is billed 192.59 cents per kilolitre.
11. From 01/07/2022 up to 30/06/2023, Residential Sewer Usage was calculated using the following equation: Water Usage (kl) x Seasonal Factor x Discharge Factor x Price (/kl) 1.1540 per kilolitre. From 1 July 2023, this charge will no longer be applicable for residential customers with both water and sewer services.
12. The property is a serviced property with respect to all the services, for which charges are listed in the Statement of Fees above.



YARRA VALLEY WATER  
ABN 93 055 932 501

Lucknow Street  
Mitcham Victoria 3132

Private Bag 1  
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

E enquiry@yvw.com.au  
yvw.com.au

**To ensure you accurately adjust the settlement amount, we strongly recommend you book a Special Meter Reading:**

- Special Meter Readings ensure that actual water use is adjusted for at settlement.
- Without a Special Meter Reading, there is a risk your client's settlement adjustment may not be correct.

**Property No:** 5267399

**Address:** UNIT 4/19 HAMILTON RD, BAYSWATER NORTH VIC 3153

**Water Information Statement Number:** 30946918

#### HOW TO PAY



Billers Code: 314567  
Ref: 99351367384

Amount  
Paid

Date  
Paid

Receipt  
Number



# Property Clearance Certificate

## Land Tax



PORTELLI & CO

**Your Reference:** LD:77045704-012-5.AC NORB

**Certificate No:** 91707095

**Issue Date:** 10 JUN 2025

**Enquiries:** ESYSPROD

**Land Address:** UNIT 4, 19 HAMILTON ROAD BAYSWATER NORTH VIC 3153

Land Id	Lot	Plan	Volume	Folio	Tax Payable
9549532	4	909310	12610	931	\$3,712.34

**Vendor:** NORBIL BAY PTY LTD & PASCUZZI CONSTRUCTION PTY LTD

**Purchaser:** SALE PURPOSES

Current Land Tax	Year Taxable Value (SV)	Proportional Tax	Penalty/Interest	Total	
PASCUZZI CONSTRUCTION PTY LTD	2025	\$362,587	\$4,949.79	\$0.00	\$3,712.34

**Comments:** Land Tax of \$4,949.79 has been assessed for 2025, an amount of \$1,237.45 has been paid.

Current Vacant Residential Land Tax	Year Taxable Value (CIV)	Tax Liability	Penalty/Interest	Total
-------------------------------------	--------------------------	---------------	------------------	-------

**Comments:**

Arrears of Land Tax	Year	Proportional Tax	Penalty/Interest	Total
---------------------	------	------------------	------------------	-------

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

**Paul Broderick**  
Commissioner of State Revenue

CAPITAL IMPROVED VALUE (CIV):	\$362,587
SITE VALUE (SV):	\$362,587
CURRENT LAND TAX AND VACANT RESIDENTIAL LAND TAX CHARGE:	\$3,712.34

# Notes to Certificate - Land Tax

Certificate No: 91707095

## 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 by the Commissioner cannot exceed the amount set out in the certificate, described as the "Current Land Tax Charge and Vacant Residential Land Tax Charge" overleaf. A purchaser cannot rely on a Certificate obtained by the vendor.

## Information for the vendor

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.

## Apportioning or passing on land tax to a purchaser

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

## General information

7. A Certificate showing no liability for the land does not mean that the land is exempt from land tax. It means that there is nothing to pay at the date of the Certificate.
8. 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 = \$1,537.76

Taxable Value = \$362,587

Calculated as \$1,350 plus ( \$362,587 - \$300,000) multiplied by 0.300 cents.

VACANT RESIDENTIAL LAND TAX CALCULATION

Vacant Residential Land Tax = \$3,625.87

Taxable Value = \$362,587

Calculated as \$362,587 multiplied by 1.000%.

## Land Tax - Payment Options

<b>BPAY</b>	
	Billers Code: 5249 Ref: 91707095
<b>Telephone &amp; Internet Banking - BPAY®</b>	
Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.	
<a href="http://www.bpay.com.au">www.bpay.com.au</a>	

<b>CARD</b>	
	Ref: 91707095
<b>Visa or Mastercard</b>	
Pay via our website or phone 13 21 61. A card payment fee applies.	
<a href="http://sro.vic.gov.au/paylandtax">sro.vic.gov.au/paylandtax</a>	

# Property Clearance Certificate

## Commercial and Industrial Property Tax



PORTELLI & CO

Your Reference: LD:77045704-012-5.AC NORBIL

Certificate No: 91707095

Issue Date: 10 JUN 2025

Enquires: ESYSPROD

**Land Address:** UNIT 4, 19 HAMILTON ROAD BAYSWATER NORTH VIC 3153

Land Id	Lot	Plan	Volume	Folio	Tax Payable
9549532	4	909310	12610	931	\$0.00

AVPCC	Date of entry into reform	Entry interest	Date land becomes CIPT taxable land	Comment
N/A	N/A	N/A	N/A	The AVPCC allocated to the land is not a qualifying use.

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

**Paul Broderick**  
Commissioner of State Revenue

CAPITAL IMPROVED VALUE:	\$362,587
SITE VALUE:	\$362,587
CURRENT CIPT CHARGE:	\$0.00

# Notes to Certificate - Commercial and Industrial Property Tax

Certificate No: 91707095

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

## Australian Valuation Property Classification Code (AVPCC)

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

## Commercial and industrial property tax information

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

## Change of use of tax reform scheme land

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

must be given to the Commissioner within 30 days of the change of use.

## Commercial and industrial property tax is a first charge on land

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

## Information for the purchaser

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

## Information for the vendor

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

## Passing on commercial and industrial property tax to a purchaser

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

## General information

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

# Property Clearance Certificate

## Windfall Gains Tax



PORTELLI & CO

Your Reference: LD:77045704-012-5.AC NORBIL

Certificate No: 91707095

Issue Date: 10 JUN 2025

Land Address: UNIT 4, 19 HAMILTON ROAD BAYSWATER NORTH VIC 3153

Lot	Plan	Volume	Folio
4	909310	12610	931

Vendor: NORBIL BAY PTY LTD & PASCUZZI CONSTRUCTION PTY LTD

Purchaser: SALE 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.

A handwritten signature in black ink, appearing to read "Paul Broderick".

Paul Broderick  
Commissioner of State Revenue

CURRENT WINDFALL GAINS TAX CHARGE:

\$0.00

# Notes to Certificate - Windfall Gains Tax

Certificate No: 91707095

## 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 by the Commissioner is the amount set out in the certificate, described as the "Current Windfall Gains Tax Charge" overleaf.
5. If the certificate states that a windfall gains tax is yet to be assessed, note 4 does not apply.
6. A purchaser cannot rely on a Certificate obtained by the vendor.

## Information for the vendor

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.

## Passing on windfall gains tax to a purchaser

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

## General information

9. 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.
10. An updated Certificate may be requested free of charge via our website, if:
  - The request is within 90 days of the original Certificate's issue date, and
  - There is no change to the parties involved in the transaction for which the Certificate was originally requested.
11. Where a windfall gains tax liability has been deferred, interest accrues daily on the deferred liability. The deferred interest shown overleaf is the amount of interest accrued to the date of issue of the certificate.

## Windfall Gains Tax - Payment Options

### BPAY



Billers Code: 416073  
Ref: 91707091

### 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: 91707091

### 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.



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

## ROADS PROPERTY CERTIFICATE

The search results are as follows:

Portelli & Co  
127 Carinish Road  
CLAYTON 3168

Client Reference: AC 251431 NORBIL

NO PROPOSALS. As at the 25th February 2025, VicRoads has no approved proposals requiring any part of the property described in your application. You are advised to check your local Council planning scheme regarding land use zoning of the property and surrounding area.

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

19 HAMILTON ROAD, BAYSWATER NORTH 3153  
CITY OF MAROONDAH

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

Date of issue: 25th February 2025

Telephone enquiries regarding content of certificate: 13 11 71

[Vicroads Certificate] # 75961078 - 75961078115907 'AC 251431  
NORBIL'



### **OWNERS CORPORATION CERTIFICATE**

**s.151(4)(a) Owners Corporation Act 2006 and r.16 Owners Corporations Regulations 2018**

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

**Owners Corporation Number: PS 909310T**

**Address of Property: Lot 4 / 19 Hamilton Road Bayswater North VIC 3153**

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

**Applicant for this certificate: Portelli & Co Lawyers & Consultants  
PO Box 5202  
Clayton, VIC, 3168**

**Ref: Anna Kupic**

**Vendor: Norbil Bay Pty Ltd & Pascuzzi Construction Pty Ltd**

**Purchaser:**

This Certificate is issued for Lot 4 on Owners Corporation Plan No. PS 909310T. The postal address of which is Unit 4 / 19 Hamilton Road Bayswater North VIC 3153 on 14<sup>th</sup> May 2025

1. The present contribution fees for the above are \$1,999.00 per annum payable in advance quarterly \$499.75 (including \$Nil Sinking Fund) on 26<sup>th</sup> day of, May, August, November & February each year
- 2 The fees are paid up to **Nil**
- 3 Fee outstanding: Insurance adjustment levy: \$1,163.88  
OC Levy due \$499.75  
**Total \$1,663.63**
- 3a The following are the total funds held by the Owner Corporation as at 14<sup>th</sup> May 2025  
Administration Funds \$0.00  
Sinking Fund \$0.00  
Total Fund \$0.00
- 4 The following special fees or levies have been struck and are payable on the dates indicated below: Nil
- 5 The Owners Corporation has performed or is about to perform the following repairs, work or act which may incur an additional charge to that set out above: Nil
- 6 The Owners Corporation presently has the following insurance cover:  
Brokers: Body Corporate Brokers Pty Ltd  
Insures: Chu Underwriting Agencies Pty Ltd  
Kind of Policy: Strata Insurance  
Policy No: HU0006146829  
Buildings: \$2,600,000.00  
Public Liability: \$20,000,000.00  
Office Bearers: \$100,000.00  
Fidelity Guarantee: \$100,000.00  
Excess: Refer Policy

**Telephone: 1300 887 695  
Email: [admin@ubcm.com.au](mailto:admin@ubcm.com.au)**

**PO Box 8130 Burwood Heights 1  
Victoria 3151.**



Renewal Date:

22.04.26

- 6a Has the owner's corporation resolved that the members may arrange their own insurance under section 61A of the act? If so, provide the date of that resolution: No
- 7 The Owners Corporation has not submitted any additional rules to the Registrar of Titles. *Standard Model Rules apply*
- 8 The Owners Corporation has not any contingent liabilities not otherwise shown or budgeted for in Items 1, 4 and 5.
- 9 The Owners Corporation has not granted any lease, contract license or special privilege affecting the common property.
- 9a There is a contract of appointment to provide Owners Corporation Management services is currently held with Urban Body Corporate Management:
- 10 The following are the details of any current agreement to provide services to lot owners, occupiers or the public: Nil
- 11 The Owners Corporation is not party to any proceedings or aware of any circumstances which may give rise to proceedings.
- 11a Are there any notices or orders served on the owner's corporation in the last 12 months that have not been satisfied? Nil
- 12 No proposal has been made for the appointment of an administrator.
- 13 The Owners Corporation has resolved to appoint a manager.  
Urban Body Corporate Management  
Po Box 8130, Burwood Heights, Vic, 3151  
Phone: 1300 887 695  
Email: [admin@ubcm.com.au](mailto:admin@ubcm.com.au)
- 14 Information has been provided with the attached documents further information on prescribed matters can be obtained by inspection of the owner's corporation register. (Upon payment of appropriate fee with a written request must be made prior to inspection). Attached documents:  
- A copy of the minutes of the last Annual General Meeting of the Owners Corporation  
- A copy of the model rules  
- A copy of schedule 3 of the Owners Corporations Regulations 2018 – "Statement of Advice and Information for Prospective Purchasers and Lot Owners"
- 15 The common seal of Owners Corporation No PS909310T was affixed and witnessed by and in the presence of the registered manager in accordance with Section 20(1) and Section 21(2A) of the Owners Corporations Act 2006.



Harry Singh  
Dated 14<sup>th</sup> May 2025  
On behalf of Owners Corporation



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

**THIS CERTIFICATE IS ISSUED ON THE FOLLOWING BASIS:**

The information provided within this certificate is correct to the best of our knowledge as at the date of issue and valid on the date issued. Circumstances can change daily and information may be altered without notice and

**Telephone: 1300 887 695**  
**Email: [admin@ubcm.com.au](mailto:admin@ubcm.com.au)**

**PO Box 8130 Burwood Heights 2**  
**Victoria 3151.**

without our control or knowledge. Urban Body Corporate Management accept no liability whatsoever for information that is incorrectly provided. The onus is on Vendors/Purchasers to verify the status of fees outstanding (1300 887 695) and request a new certificate prior to settlement

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

# Statement of advice and information for prospective purchasers and lot owners

Schedule 3, Regulation 17, Owners Corporations Regulations 2018

## 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.

#### **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**

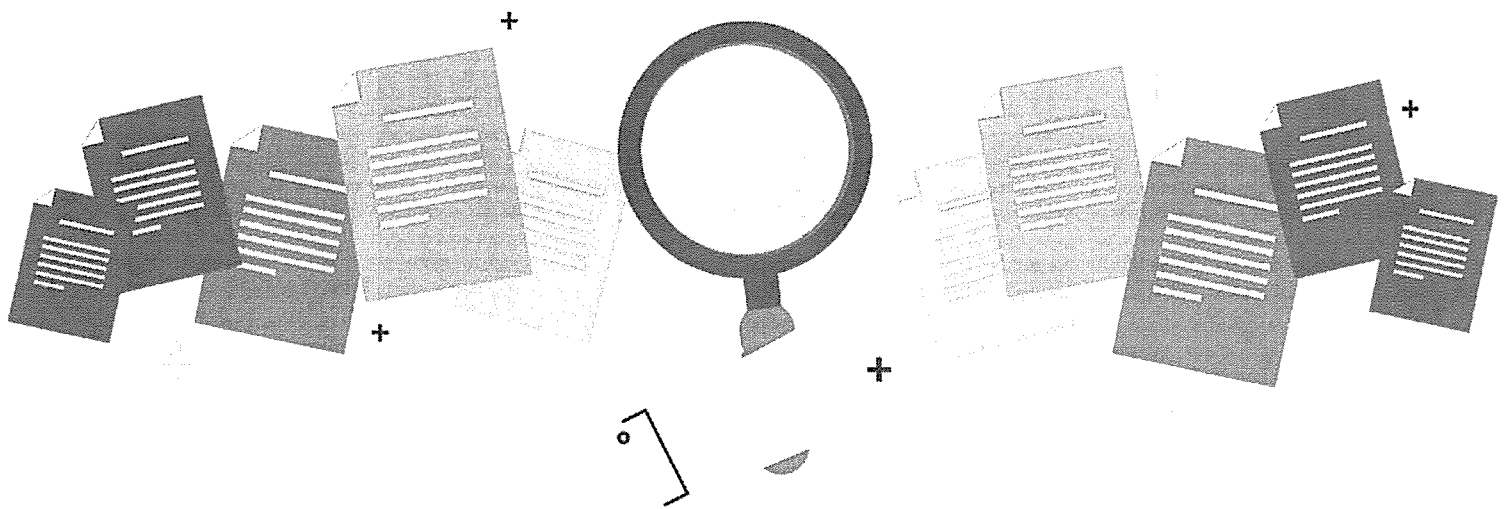
- (1) An owner or occupier of a lot, or a guest of an owner or occupier, must not unreasonably create any noise likely to interfere with the peaceful enjoyment of any other person entitled to use the common property.
- (2) Subrule (1) does not apply to the making of a noise if the owners corporation 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 14 working days after the dispute comes to the attention of all the parties.
  - (5A) A meeting under subrule (5) may be held in person or by teleconferencing, including by videoconference.
- (6) A party to the dispute may appoint a person to act or appear on the party's behalf at the meeting.
  - (6A) Subject to subrule (6B), the grievance committee may elect to obtain expert evidence to assist with the resolution of the dispute.
  - (6B) The grievance committee may obtain expert evidence to assist with the resolution of a dispute if the owners corporation or the parties to the dispute agree in writing to pay for the cost of obtaining that expert evidence.
- (7) If the dispute is not resolved, the grievance committee or owners corporation must notify each party of the party's right to take further action under Part 10 of the *Owners Corporations Act 2006*.
- (8) This process is separate from and does not limit any further action under Part 10 of the *Owners Corporations Act 2006*.



# **MINUTES OF INAUGURAL GENERAL MEETING Monday, 12 May 2025**



**PS909310T  
19 Hamilton Road  
Bayswater North VIC 3153**



**MINUTES OF INAUGURAL MEETING OF OWNERS CORPORATION 1**  
*Owners Corporations Act 2006, Owners Corporations Regulations 2018.*

**OWNERS CORPORATION No 1**  
**PLAN NO. PS909310T**  
**19 Hamilton Road Bayswater North VIC 3153**

**HELD AT:**      **LOCATION:**      **Teleconference, Urban Body Corporate Management**  
**DATE:**              **Monday 12<sup>th</sup> 2025**  
**TIME:**              **01.00pm**

**1 Attendance**

It was noted that the plan of subdivision number PS 909310T has been registered by the Registrar of Titles and that the registered proprietor of all Lots is Norbit Bay Pty Ltd and Pascuzzi Construction Pty Ltd, who is the only member of the Owners Corporation and the requirement for 14 days' notice before this Inaugural General Meeting is hereby waived. Accordingly, Norbit Bay Pty Ltd and Pascuzzi Construction Pty Ltd has all the voting entitlements of the Owners Corporation.

**Members Present:**

Lots 1-4, Mr Ken Thomas for Norbit Bay Pty Ltd and Pascuzzi Construction Pty Ltd

**Proxies Presented**

Nil

**Non-Members In Attendance:**

Nil

Harry Singh representing Urban Body Corporate Management Pty Ltd

**2 Appointment of Chairperson and Minute Taker**

Harry Singh was elected to chair the meeting and record the minutes of the meeting for distribution to the members of the Owners Corporation.

For: Unanimous	Against: 0	Outcome: Passed
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**3 Entitlement to Vote**

All lot owners and/or their proxies as present are entitled to vote.

**4 Voting method**

Pursuant to Section 91 and 92 (1) the voting method will be by show of hands.

For: Unanimous	Against: 0	Outcome: Passed
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**5 Quorum Declaration**

Upon presentation of all proxies and noting the people present, it was declared that;

Upon presentation of all proxies and noting the people present, it was declared that; a quorum was present, and that all ordinary, special, and unanimous resolutions would be final, in accordance with Section 77, 92, 95 & 96 of the Owners Corporation Act.

## 6 Tabling of Documents:

The following documents tabled at the meeting as required under Section 67 of the Owners Corporation Act:

- a) the owners corporation register;
- b) any accounts or records made on behalf of the owners corporation;
- c) books to enable the owners corporation to keep the necessary minutes, accounts and other records;
- d) the maintenance plan (if any);
- e) a copy of the plan of subdivision and all related building plans, planning documents and other similar documents;
- f) a copy of the Owners Corporations Act 2006 and Owners Corporations Regulations 2018 and the Subdivision Act 1988 and the Regulations Subdivision (Permit and Certification Fees) Regulations 2000, Subdivision (Procedures) Regulations 2000, Subdivision (Registrar's Fees) Regulations 2004;
- g) all contracts, leases and licenses binding on or benefiting the owners corporation;
- h) Insurance policies in force taken out under section 9AAA of the Sale of Land Act 1962;
- i) the names of the companies, tradespeople or suppliers who provided a warranty or other guarantee on any matter for which the owners corporation is responsible and copies of those warranties and guarantees if applicable
- j) the common seal of the owners corporation.

***The following ordinary resolutions were passed:***

## 7 Resolution 1 - Appointment of Manager

That the Owners Corporation appoint Owners Urban Body Corporate Management Pty Ltd in accordance with the Contract of Appointment for an initial Term of three (3) years and that the Owners Corporation execute and affix its common seal in accordance with Sections 20 and 21 of the *Owners Corporations Act 2006* to the contract of appointment for the owners corporation manager.

For: Unanimous	Against: 0	Outcome: Passed
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## 8 Resolution 2 – Delegation

That the Owners Corporation delegates to the Manager in accordance with Sections 11 & 120 of the Owners Corporation Act 2006, all the powers and functions that may be delegated under these sections to enable the Manager to perform the duties and make decisions on the behalf of the Owners Corporation under the Contract of Appointment to ensure the efficient and effective operation of the Owners Corporation. The delegation does not include a power or function that requires a Unanimous or Special resolution. The delegation includes the power to sign and seal on behalf of the Owners Corporation, certificates in accordance with Owners Corporation Certificate and Notice of Address Change in the Schedule to the Regulations and any other contracts or documents not requiring the seal of the Owners Corporation.

For: Unanimous	Against: 0	Outcome: Passed
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## 9 Resolution 3 - Owners Corporation Sign

In accordance with Regulation 17 of the *Owners Corporations Regulations 2018* that a sign displaying the managers name and mailing address of the Owners Corporation be displayed at an appropriate place (as determined by the Manager) on the common property.

For: Unanimous	Against: 0	Outcome: Passed
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#### 10 Resolution 4 –Insurance

That the Manager arrange Insurance cover for the Owners Corporation and any other limited Owners Corporations where OC1 is required to do so by its functions and obligations as listed in Section 27C of the *Subdivision Act 1988* as required and by Part 3, Division 6 of the *Owners Corporations Act 2006*, and that where necessary the premium be adjusted by the purchasers of the lots at settlement. Details of which are outlined below:

Name of Broker:	Body Corporate Brokers Pty Ltd
Name of Company:	CHU Underwriting Agencies
Policy Number:	HU0006146829
Building Insurance	\$2,600,000.00
Public Liability	20,000,000.00
Renewal date:	22 <sup>nd</sup> April 2026

Members may contact Brokers directly to obtain a Certificate of Currency for their Mortgagees.

- Lot Owners, please make note to arrange your own Landlords/contents Insurance as applicable

For: Unanimous	Against: 0	Outcome: Passed
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#### 11 Resolution 5 - Insurance Disclosure

That the Owners Corporation Manager may receive a commission not greater than 15% of the base premium from year to year for the management of the insurance.

##### Product Disclosure Statement

In accordance with the Financial Services Reform Act, the manager presented the new Product Disclosure Statement from Body Corporate Brokers Pty Ltd for the insurance policy to the Chairperson of the Owners Corporation.

For: Unanimous	Against: 0	Outcome: Passed
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#### 12 Resolution 6 – Collection of Fees and Bank Account

That the Manager (or the Manager's delegate), pursuant to its appointment as Manager for the Owners Corporation, is authorized to collect the fees for the Owners Corporation and to operate a bank account (as defined by Section 3 of the *Owners Corporations Act 2006*) on behalf of the Owners Corporation.

For: Unanimous	Against: 0	Outcome: Passed
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#### 13 Resolution 7 - Penalty Interest and Fee for Arrears

Pursuant to Section 29 of the *Owners Corporations Act 2006* that the Owners Corporation charge the penalty interest rate prescribed by Section 2 of the *Penalty Interest Rates Act 1983* on any fees owed by a member of the Owners Corporation after the due date for fees and charges.

For: Unanimous	Against: 0	Outcome: Passed
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#### 14 Resolution 8 – Recovery of Fees & Levies

Pursuant to Section 30 of the *Owners Corporations Act 2006* that the Owners Corporation delegates the Manager authority to seek arrears (recovery of outstanding fees) through the engagement of a debt collection company and those costs incurred by Owners Corporation in recovering fees and levies due under Section 32 of Owners Corporation Act 2006 Act No. 69/2006, 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.

For: Unanimous	Against: 0	Outcome: Passed
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#### 15 Resolution 9 - Building Valuation

Pursuant to Section 65 of the *Owners Corporations Act 2006* that the Owners Corporation not obtain a building valuation, utilizing the developer's valuation for current building value, and review requirement for new valuation at the proposed General Meeting with owners in 2026.

For: Unanimous	Against: 0	Outcome: Passed
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#### 16 Resolution 10– Maintenance Plan

Pursuant to Section 36 of the *Owners Corporations Act 2006* that the Owners Corporation prepare a Maintenance Plan forecast or a Maintenance Plan and implement a Maintenance Plan if required to do so.

For: Unanimous	Against: 0	Outcome: Passed
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#### 17 Resolution 11- Appointment of Committee and Office Bearers

Pursuant to Sections 100 of the *Owners Corporations Act 2006* that the Owners Corporation appoint a Committee; and

That the following members be appointed to the committee.  
No committee was selected

Pursuant to Section 11 of the *Owners Corporations Act 2006* that the committee appoints Mr Ken Thomas as Chairperson of the Owners Corporation Committee and The Manager as Secretary of the Owners Corporation Committee; and

Pursuant to Section 11 of the *Owners Corporations Act 2006* that the Owners Corporation delegate all the powers and functions of the Owners Corporation that can be delegated (other than a power or function that requires a Special or Unanimous Resolution) to the Committee of the Owners Corporation.

For: Unanimous	Against: 0	Outcome: Passed
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#### 18 Resolution 12- Annual Budget & Owners Corporation Fees

Pursuant to Section 23 of the *Owners Corporations Act 2006* the Owners Corporation adopted the budget totaling \$7,996.00 (incl GST) for the administration fund and \$0.00 (incl GST) for the maintenance fund for Owners Corporation 1 and

that the Owners Corporation Financial Year will be from 1 May 2025; to 30 April 2026;; and

that the administrative contributions be set at \$7,996.00 (incl GST) per annum to commence on the 1 May 2025 on a pro rata basis for OC 1; and

that the administrative contributions be set at \$7,966.00 (incl GST) per annum to commence on the 1 May 2025; that the maintenance contributions be set at \$0.00 (incl GST) per annum to commence on the 1 May 2025; and

that the administrative contributions be paid in advance in quarterly, instalment/s, the first instalment being due on 1 May 2025; and

that the standard quarterly contributions will be due on the first day of May, August, November, and February each year; and

MOTION: It was resolved that the contributions be set at \$7,996.00 (inclusive GST) for OC 1 per annum to commence on the 1 May 2025; and that the contributions be paid in advance in Quarterly instalments, the first instalment being due on 1 May 2025 and will continue at the same rate on a quarterly basis until changed by a resolution of the Owners Corporation; and that no adjustment levy is required for the administration fund in this financial year.

That the Owners Corporation register for ABN /GST as applicable, and that the Manager will arrange for the Business Activity Statements to be completed and lodged each quarter if applicable

**Notation:** The developer has paid the first-year insurance premium in full. The insurance will be disbursed at settlement on a pro-rata basis for the first-year insurance.

For: Unanimous	Against: 0	Outcome: Passed
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**19 Resolution 13 –Receiving Fee Notices & Correspondence**

MOTION: It was resolved To ensure lot owners receive timely information from the Owners Corporation and reduce the impact to the environment, all notices and correspondence have been set up to be issued via email. However, if you wish to receive hard copy of notices and or/correspondence, please email your details to [admin@ubcm.com.au](mailto:admin@ubcm.com.au) and we will update your preference on your behalf

For: Unanimous	Against: 0	Outcome: Passed
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**20 Resolution 14 –Caretaking services**

It was resolved that to appoint caretakers for Owners corporation/ common areas as applicable

For: Unanimous	Against: 0	Outcome: Passed
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**21 Resolution 15 – Owners Corporation Certificate**

Pursuant to section 151 of the Owners Corporations Act 2006 that the Owners Corporation charge the maximum prescribed fee for the supply of the Owners Corporation certificate within the time specified.

For: Unanimous	Against: 0	Outcome: Passed

**22 Resolution 16 – Owners Corporation Certificate**

That the Owners Corporation engage the following contractors for the indicated services; TBA

For: Unanimous	Against: 0	Outcome: Passed
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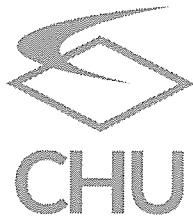
**23 Next Meeting**

The next Annual General Meeting of the Owners Corporation is to be held at a time and date to be set by the Manager at the end of the financial period.

For: Unanimous	Against: 0	Outcome: Passed
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There being no more business to discuss, the meeting was closed at 01.30 pm.

**Manager: Harry Singh for and on behalf of Owners Corporation No 1 Plan No. PS 909610T**



Level 21, 150 Lonsdale Street  
Melbourne VIC 3000

GPO 3208, Melbourne VIC 3001

## Certificate of Currency

### CHU Residential Strata Insurance Plan

<b>Policy No</b>	<b>HU0006146829</b>
<b>Policy Wording</b>	CHU RESIDENTIAL STRATA INSURANCE PLAN
<b>Period of Insurance</b>	22/04/2025 to 22/04/2026 at 4:00pm
<b>The Insured</b>	OWNERS CORPORATION PLAN NO. PS 909310
<b>Situation</b>	19 HAMILTON ROAD BAYSWATER NORTH VIC 3153

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#### Policies Selected

##### Policy 1 – Insured Property

Building: \$2,600,000

Common Area Contents: \$0

Loss of Rent & Temporary Accommodation (total payable): \$390,000

##### Policy 2 – Liability to Others

Sum Insured: \$20,000,000

##### Policy 3 – Voluntary Workers

Death: \$200,000

Total Disablement: \$2,000 per week

##### Policy 4 – Fidelity Guarantee

Sum Insured: \$100,000

##### Policy 5 – Office Bearers' Legal Liability

Sum Insured: \$100,000

##### Policy 6 – Machinery Breakdown

Not Selected

##### Policy 7 – Catastrophe Insurance

Not Selected

##### Policy 8 – Government Audit Costs and Legal Expenses

Government Audit Costs: \$25,000

Appeal expenses – common property health & safety breaches: \$100,000

Legal Defence Expenses: \$50,000

##### Policy 9 – Lot owners' fixtures and improvements (per lot)



Sum Insured: \$250,000

**Flood Cover is included.**

Date Printed

22/04/2025

This certificate confirms this policy is in force for the Period of Insurance shown, subject to the policy terms, conditions and exclusions. It is a summary of cover only (for full details refer to the current policy wording QM562-1023 and schedule). It does not alter, amend or extend the policy. This information is current only at the date of printing.



URBAN  
BODY CORPORATE  
MANAGEMENT

Owners Corporations Act 2006 Section 31, Owners Corporations Regulations 2018 and Owners Corporation Rules

## Notice of Levies

### Invoice

Urban Body Corporate Management  
ABN 18 656 712 077

P: 1300 887 695  
F: (03) 9872 5844

www.ubcm.com.au

Issued 14/05/2025 on behalf of:

Owners Corp - 909310T

19 Hamilton Road  
BAYSWATER NORTH VIC 3153

Norbil Bay Pty Ltd & Pascuzzi Construction Pty  
10 Home Street  
BAYSWATER NORTH VIC 3153

for Lot 4 Unit  
Norbil Bay Pty Ltd & Pascuzzi Construction Pty  
Ltd  
Unit 4 / 19 Hamilton Road  
BAYSWATER NORTH VIC 3153

The following fees/charges are due (All amounts listed include GST unless otherwise specified)  
Payment is due within 28 days of the date of this Notice or by the due date specified below

Due date	Details	Amounts due (\$)		Total
		Admin Fund	Sinking Fund	
26/05/2025	O/C Contributions for 26/05/2025 - 25/08/2025	499.75	0.00	499.75
26/05/2025	Insurance adjustment levy from 26.05.25 to 22.04.26	1,163.88	0.00	1,163.88
	Total due in month	1,663.63	0.00	1,663.63

Total of this notice 1,663.63 (including nil GST)

Arrears	0.00
Interest on arrears	0.00
Outstanding owner invoices	0.00
Subtotal of amount due	1,663.63
Prepaid	0.00
<b>Total amount due</b>	<b>\$1,663.63</b>

Interest will be charged on any overdue fees/charges at an annual rate of 10%.  
The rate of interest has been calculated in accordance with the current rate under the  
Penalty Interest Rates Act 1983(Vic). This rate is subject to change.

Levy Payment due 26/05/2025



**DEFT**  
PAYMENT SYSTEMS

\*Registration is required for payments from cheque or savings  
accounts. Please complete registration at [www.deft.com.au](http://www.deft.com.au). You do  
not need to re-register for the internet service if already registered.

Norbil Bay Pty Ltd & Pascuzzi

Owners Corporation 909310T

Lot 4 Unit



Bill code 96503



Pay over the Internet from your  
Bank account. Register at  
[www.deft.com.au](http://www.deft.com.au)



Credit card payments can be made  
over the internet. Log onto  
[www.deft.com.au](http://www.deft.com.au) and follow the  
instructions. A surcharge will be  
applicable if you use this option



Pay in-store at Australia Post by  
cheque or EFTPOS.

Contact your participating financial institution to make a BPAY payment  
from your cheque or savings account. Enter the biller code and your  
DEFT reference number. To use the QR code, use the reader within your  
mobile banking app. More info: [www.bpay.com.au](http://www.bpay.com.au)

Urban Body Corporate Management

DEFT Reference Number

25825059673721

Amount Due

\$1,663.63

Due Date

26/05/2025

Amount Paid

\$



\*496 258250596 73721



## Important information on fees and charges

### This section is part of the fee notice

#### Enquiries

If you have enquiries on the fees listed in this notice you can contact the owners corporation on the telephone number or at the address listed on the first page of this form.

#### Payment Plans and financial hardship

If you are experiencing financial hardship and struggling to pay your owners corporation levies and fees on time, contact your owners corporation and owners corporation manager as soon as possible. Ask them to have a payment plan put in place. The [National Debt Helpline – Debt Problems - Strata Levies](http://www.ndh.org.au/debt-problems/strata-levies) ([www.ndh.org.au/debt-problems/strata-levies](http://www.ndh.org.au/debt-problems/strata-levies)) page has a step-by-step guide on how to do this. Owners corporations are called strata in some other states. It also has information about other payment options, what to do if you can't come to an agreement, and what to do if legal action is being threatened or has commenced against you.

If you're feeling overwhelmed and need help to deal with financial issues, you can get free, independent, and confidential advice from a community based financial counsellor. To speak to a financial counsellor, call the National Debt Helpline on 1800 007 007 or visit the [National Debt Helpline's find a financial counsellor page](http://www.ndh.org.au/financial-counselling/find-a-financial-counsellor) ([www.ndh.org.au/financial-counselling/find-a-financial-counsellor](http://www.ndh.org.au/financial-counselling/find-a-financial-counsellor)) to find a financial counsellor near you.

#### Disputes

*The Owners Corporations Act 2006 (the Act)*, Owners Corporations Regulations 2018 (the Regulations) and the owners corporation rules (the rules) provide a number of options in dealing with disputes regarding owners corporations, managers, lot owners and occupiers. These are:

- the owners corporation internal dispute resolution process
- conciliation through the Dispute Settlement Centre of Victoria (DSCV)
- applications to the Victorian Civil and Administrative Tribunal (VCAT).

#### Internal dispute resolution process

If you believe the manager, a lot owner or occupier has breached their obligations under the Rules, Act, or Regulations, you can try to resolve the problem through the owners corporation internal dispute resolution process.

The internal dispute resolution process is set out in the Rules. Unless the Rules state differently, the following summary applies:

- You can lodge a complaint by completing an 'Owners corporation complaint' form (available from the owners corporation).
- A meeting will be held to discuss the matter with all persons involved in the dispute and representatives of the owners corporation. The meeting must be held within 14 days of all persons being notified of the dispute.
- Persons involved in the dispute will be notified of decisions by the owners corporation.
- If you are not satisfied with the outcome you can contact DSCV or VCAT (see below).

#### Resolving disputes through the Dispute Settlement Centre of Victoria

You can contact DSCV to seek assistance to resolve your dispute. DSCV may suggest that you use the internal dispute resolution process and may decline to consider your matter if you have not done so. It is not compulsory to seek DSCV's assistance before applying to the Victorian Civil and Administrative Tribunal (VCAT). However, DSCV may be able to help resolve the issue more quickly and at a lower cost. DSCV can only try to resolve a dispute if all parties agree to take part in this process. Visit the [DSCV website](http://disputes.vic.gov.au) ([disputes.vic.gov.au](http://disputes.vic.gov.au))

#### Applications to the Victorian Civil and Administrative Tribunal (VCAT)

For all disputes that affect the owners corporation you can apply directly to the Victorian Civil and Administrative Tribunal (VCAT) to hear your case and make an order. For more information on VCAT applications call 1300 01 8228 (1300 01 VCAT) or visit the [Victorian Civil and Administrative Tribunal website](http://vcat.vic.gov.au) ([vcat.vic.gov.au](http://vcat.vic.gov.au)). Calling this number costs the same as a local call. Additional charges may apply if you call from overseas, on a mobile or payphone.

- **PLANNING PERMIT M/2021/429 ISSUED  
30/09/2021**
- **BUILDERS WARRANTY INSURANCE**
- **BUILDING PERMIT ISSUED 23/06/2023**
- **OCCUPANCY PERMIT**

# PLANNING PERMIT



Permit No: M/2021/429

Page 1 of 14

Planning scheme: Maroondah Planning Scheme

Responsible authority: Maroondah City Council

**Address of the land:**

19 Hamilton Road, Bayswater North

**The Permit allows:**

Construction of 4 double-storey dwellings and removal of a street tree in accordance with the endorsed plans

**The following conditions apply to this permit:**

**Amended Plans**

1. Before the development starts, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will form part of the permit. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the advertised plans Revision B, dated 29 June 2021, prepared by Peter Thomas Building Design, but modified to show:
  - a) All amendments as shown on the submitted ground and first-floor sketch plans, prepared by Peter Thomas Building Design and dated 3 September 2021 Revision D. The main amendments to include:
    - i) First floor layout for Dwelling 3 has been redesigned to achieve a minimum 3.5 metres separation between Dwelling 3 and 4.
    - ii) First floor layout for Dwelling 1 has been redesigned to achieve 5.21 metres to 5.91 metres separation between Dwelling 1 and 2.
    - iii) Dwelling 1 provides for a 5 metres x 5 metres clear area for canopy tree planting within the SPOS.
    - iv) Ground floor north-western setback of garage for Dwelling 4 increased to a minimum 3.5 metres.
  - b) Revised Garden Area plan that shows the modifications required in Condition 1 (a) of this permit which must demonstrate compliance with Clause 32.08-4 of the Maroondah Planning Scheme. The plan must highlight the areas (in m<sup>2</sup>) and annotate the length and width dimensions that are used to calculate the 35% garden areas requirement. Any modification to the design and layout of the dwellings to ensure compliance is allowed with no further reduction in setbacks to side and rear boundaries to the satisfaction of the Responsible Authority.
  - c) Details of acoustic treatment (ie acoustic wall insulation) to Dwelling 2 south-eastern wall abutting the Secluded Private Open Space of Dwelling 1

Signature for the responsible authority:

Date Issued: 30 September 2021

A handwritten signature in black ink, appearing to be "N. M. J.", written over a horizontal line.

# PLANNING PERMIT



Permit No: M/2021/429

Page 2 of 14

Planning scheme: Maroondah Planning Scheme

Responsible authority: Maroondah City Council

that ensures internal amenity for the habitable areas of Dwelling 2 will be protected to the satisfaction of the Responsible Authority.

- d) Landscaping must be no higher than 150mm in height, to prevent damage to vehicles in the following areas:
  - i) Within the garden bed 300mm west of communal driveway edge opposite Dwellings 2 and 3.
  - ii) Within the garden bed 300mm east of communal driveway edge as it adjacent to Dwelling 2 porch and corner turn in.
  - iii) Within the 300mm vehicle clearance envelopes protruding into the landscaping adjacent sections of the accessway for Garages 1 and 4.
- e) Reduce height of fencing within the 2.5 metre x 2.0 metre pedestrian site triangles adjacent to the driveway of Dwelling 1 to 0.9 metres in height or less.
- f) Notation of the proposed finished levels and grades of the driveway with directional arrows, to the satisfaction of the Responsible Authority, ensuring compliance with the Australian Standard / New Zealand Standard 2890.1:2004 Parking Facilities - Part 1: Off-street car parking and/or the Maroondah Parking Scheme, including the maximum permissible grade of 1:8 in any location where it is reasonably expected that a vehicle will reverse and maximum grade of 1:10 within 5.0 metres of the frontage.
- g) Boundary fence and trellis extension height dimensions as shown on ground and first-floors plan to be correctly shown on elevation drawings.
- h) A schedule of materials, colours and finish of all external walls, roofs, fascias, window frames, and paving (including driveway surfacing).
- i) Non-reflective colours and finishes to all external walls, roofs, fascias, window frames, and paving (including driveway surfacing).
- j) Landscape Plan in accordance with Condition 13.
- k) Tree Protection Plan in accordance with Condition 18.
- l) Water Sensitive Urban Design measures in accordance with Condition 23.
- m) Illumination Plan in accordance with Condition 24.

Signature for the responsible authority:

Date Issued: 30 September 2021

A handwritten signature in black ink, appearing to be 'Kim YF'.

# PLANNING PERMIT



Permit No: M/2021/429

Page 3 of 14

Planning scheme: Maroondah Planning Scheme

Responsible authority: Maroondah City Council

<b>Layout not altered</b>	<b>2.</b> The layout of the development as shown on the endorsed plans must not be altered without the prior written consent of the responsible authority
<b>Screening</b>	<b>3.</b> Before the occupation of any dwelling, the measures designed to limit overlooking as shown on the endorsed plans must be installed to the satisfaction of the responsible authority. The measures must be maintained to the satisfaction of the responsible authority for the life of the building.
<b>Underground services (to new dwellings only)</b>	<b>4.</b> Before the development is completed, all utility services to the development approved as part of this permit must be provided underground to the satisfaction of the responsible authority.
<b>Walls on boundary</b>	<b>5.</b> Before the development is occupied, the new walls on the boundary of the adjoining properties must be finished to the satisfaction of the responsible authority.
<b>Construction plans for paving required</b>	<b>6.</b> Before any building or works start, construction plans for all parking areas and access lanes to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. Once approved, the construction plans will be endorsed and will form part of this permit. The construction plans must be consistent with the endorsed development plans and landscaping plans.
<b>Car park and access lanes</b>	<b>7.</b> Before the development is occupied, the area(s) set aside for the vehicle parking, access lanes and driveways as shown on the endorsed plans must be:  a) Constructed.  b) Surfaced with a durable all-weather seal.  c) Drained to the nominated legal point of discharge.  to the satisfaction of the responsible authority.
<b>Construction of vehicle crossing</b>	<b>8.</b> Before the development is occupied, the owner must at its cost fully remove the existing vehicle crossing and construct two new concrete vehicle crossings to Council Standards, at right angles to the road to suit the proposed driveways in accordance with the endorsed plans to the satisfaction of the responsible authority. The vehicle crossings must be a

Signature for the responsible authority:

Date Issued: 30 September 2021

A handwritten signature in black ink, appearing to be 'Kam YF'.

# PLANNING PERMIT



Permit No: M/2021/429

Page 4 of 14

Planning scheme: Maroondah Planning Scheme

Responsible authority: Maroondah City Council

	minimum 1.0 metre offset from any existing tree or utility service assets.
<b>Car parking to be kept available</b>	<b>9.</b> Car spaces, access lanes and driveways shown on the endorsed plans must be kept available for these purposes at all times.
<b>Construction plans for drainage required</b>	<b>10.</b> Before any building or works start, Drainage Plans (including calculations) prepared by a suitably qualified drainage engineer to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the Drainage Plans will be endorsed and will form part of this permit. The Drainage Plans must show:  a) All drainage works associated with the development including any drainage works required outside the land.  b) The nominated legal point of discharge.  c) The conveyance of stormwater runoff by means of underground drains to the nominated legal point of discharge.  d) The mechanisms used to prevent overland flows from having a detrimental effect on the land, the environment or adjoining properties;  e) The mechanisms used to limit the Permissible Site Discharge (PSD) to the lesser of:  i) the equivalent of a 35% impervious site coverage; or  ii) the pre-developed discharge rate.  f) Stormwater detention storage that limits the maximum discharge rate to the PSD.
<b>Drainage works required</b>	<b>11.</b> Before the development is occupied, the drainage and associated works shown on the endorsed Drainage Plans must be constructed in accordance with those plans. Within 14 days of the completion of the drainage works, certification from a suitably qualified engineer must be submitted to the responsible authority certifying that works have been completed in accordance with the endorsed Drainage Plans all to the satisfaction of the responsible authority.
<b>Control sediment laden run off</b>	<b>12.</b> During the construction of the development, methods to control sediment laden runoff in the Urban Stormwater Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999) must be

Signature for the responsible authority:

Date Issued: 30 September 2021

A handwritten signature in black ink, appearing to be 'Kam Yip'.

# PLANNING PERMIT



Permit No: M/2021/429

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implemented to the satisfaction of the responsible authority to minimise sediment laden runoff and stormwater pollution from leaving the land.

## Landscape plan required

13. Before the development starts, a landscape plan to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the landscape plan will be endorsed and will then form part of this permit. The landscape plan must be drawn to scale and its content must reconcile with all other plans which form part of this permit. The landscape plan must show:
- a) The accurate location of existing canopy trees on the land and within 5m of the property boundary, clearly indicating if each tree is to be retained or removed. Each tree shall be identified by species and with any corresponding ID number as provided in the Arborist Report by Hetrick (2021).
  - b) For each tree shown to be retained on the land or on neighbouring land, a Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) calculated in accordance with the Australian Standard for Protection of Trees on Development Sites (AS4970-2009).
  - c) TPZs may need to be expanded where development works encroach. Any such expansion must be accommodated on the land taking the benefit of this permit.
  - d) Low impact construction measures consistent with that shown on the concept Drainage Design Plan. All low impact construction measures must be detailed through cross-section drawings.
  - e) All pathways and pavements not used for vehicle access be constructed of flexible / porous materials.
  - f) Sympathetically planted garden beds to the fullest extent of TPZs as is practical while providing for:
    - i) reasonable pedestrian access around the completed development.
    - ii) reasonable recreational opportunity in the secluded private open space of each dwelling.
  - g) Landscape details for all open spaces, demonstrating a balance of planted garden beds, lawns and hard surfaces.
  - h) Landscaping treatments within the front setback that complement the

Signature for the responsible authority:

Date Issued: 30 September 2021

A handwritten signature in black ink, appearing to be 'Kim J. ...'.

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prevailing character of the surrounding area.

- i) Provision of hedge style screen planting along Dwelling 2 south-eastern wall abutting the Secluded Private Open Space of Dwelling 1.
- j) At least 1 canopy tree which will achieve a mature height in excess of 8m (minimum 2m tall when planted) provided in the rear private open space of each Dwelling.
- k) At least 1 canopy tree which will achieve a mature height in excess of 5m (minimum 2m tall when planted) provided in the rear private open space of each Dwelling.
- l) At least 3 canopy trees which will achieve a mature height in excess of 10-12m (minimum 2m tall when planted) provided in the front open space of Dwelling 1.
- m) At least 2-canopy trees which will achieve a mature height in excess of 8m (minimum 2m tall when planted) provided in the common property area.
- n) New canopy trees must be located to optimise their long-term growth and development. In this regard, trees must be located:
  - i) at least 3.5m from the wall of any building.
  - ii) be shown at least 1m from any fence, pavement or retaining wall.
  - iii) beyond the canopy of any existing canopy tree.
  - iv) at least 3m from any other replacement tree.
  - v) in to a mulched area or garden bed at least 1m wide (to provide at least a 0.5m radial area around the tree's stem which is mulched and free of lawn).
- o) Screen plantings along side and rear boundaries of open space areas to a minimum height of 2.5m.
- p) Vehicle sightlines (ie driveway splays) indicating that all structures and planting heights are limited to 900mm in height.
- q) Adequate storage facilities for each dwelling with convenient access to at least 6-cubic metres of externally accessible, secure storage space. Sheds must be installed on a concrete slab.

Signature for the responsible authority:

Date Issued: 30 September 2021

A handwritten signature in black ink, appearing to be 'Kim YF'.



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	<ul style="list-style-type: none"><li>r) Utilities, including: clothe lines, storage facilities and rainwater tanks must be located outside the SRZ of any retained trees and only encroach less than 10% of their TPZ, unless otherwise demonstrated that greater encroachment can be tolerated (and the tree will remain viable), as in accordance with the Australian Standard for Protection of Trees on Development Sites (AS4970-2009).</li><li>s) Clothes lines, service and refuse bin storage areas and shed storage provided with suitable hard surfacing and access pathways to them.</li><li>t) All rainwater tanks are to be shown as installed on a concrete slab.</li><li>u) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. All species selected must be to the satisfaction of the responsible authority.</li></ul>
<b>Completion and maintenance of landscaping works</b>	<p>14. Before the development is occupied, the landscaping as shown on the endorsed landscape plans must be carried out and completed to the satisfaction of the responsible authority. Landscaping must then be maintained to the satisfaction of the responsible authority, including that any dead, diseased or damaged plants are to be replaced.</p>
<b>No vegetation removal</b>	<p>15. Unless with the prior written consent of the responsible authority, vegetation shown as retained on the endorsed landscape plans must not be felled, lopped, topped, ringbarked or otherwise destroyed or removed.</p>
<b>Removal and Replacement of street tree(s)</b>	<p>16. The removal and replacement of Tree 1 <i>Callistemon</i> must be undertaken by the responsible authority or by its contractors at the cost of the owner. The fee for the removal and replacement of the street tree(s) must be paid before the commencement of works including vehicle crossing</p>
<b>Construction Management Plan</b>	<p>17. Before any site works (including demolition and excavation) start, a Construction Management Plan (CMP) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When endorsed, the CMP will form part of this permit and must be implemented and complied with to the satisfaction of the responsible authority. The CMP must include, be not be limited to, details of the following:</p> <ul style="list-style-type: none"><li>a) Hours of demolition and construction activity (including deliveries).</li></ul>

Signature for the responsible authority:

Date Issued: 30 September 2021

A handwritten signature in black ink, appearing to be 'Kim JF'.

# PLANNING PERMIT



**Permit No:** M/2021/429

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- b) The construction program.
- c) A traffic management plan (including a Department of Transport Memorandum of Authorisation, if required).
- d) The movement of construction vehicles to and from the land and measures to minimise any adverse impact.
- e) A swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction.
- f) A plan showing:
  - i) the location of any site sheds, on-site amenities, building waste storage and the like;
  - ii) the location of parking areas for construction and sub-contractors' vehicles on and surrounding the land, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay.
  - iii) the location and design of construction vehicle washing facilities.
  - iv) the location of delivery and unloading points.
- g) Measures to contain dust, dirt, mud within land, and the method and frequency of clean-up procedures.
- h) Measures to protect the stormwater drainage system so that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system.
- i) Measures for prevention of the unintended movement of building waste and hazardous materials and other pollutants on or off the land, whether by air, water or other means.
- j) An outline of requests to occupy public footpaths or roads, and anticipated disruptions to local services.
- k) The processes to be adopted for the separation, re-use and recycling of demolition and construction materials.

Signature for the responsible authority:

Date Issued: 30 September 2021

A handwritten signature in black ink, appearing to be 'Kim J. J.', written over a horizontal line.

# PLANNING PERMIT



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- l) Measures to minimise noise and other amenity impacts from mechanical equipment and demolition/construction activities, especially outside of daytime hours.
- m) Measures to ensure the avoidance of any damage to street trees as a consequence of the movement of large vehicles and machinery (including cranes and excavators) to from the land or as a consequence of the operation of these vehicles and machines in association with the construction of the proposed building, including excavation of the land.
- n) Measures to ensure construction staff, including sub-contractors/tradespersons, operating on the site are aware of:
  - i) the contents of the CMP;
  - ii) the trees to be retained or protected and of the tree protection measures set out in the endorsed Tree Management Plan required by this Permit, where relevant.
- o) Contact details of a liaison officer for the construction staff.
- p) Any other relevant matters.

## Tree Protection Plan

18. Concurrent with the endorsement of plans required by Condition 1 and prior to the commencement of any works at the site (including demolition and excavation whether or not a planning permit is required), a Tree Protection Plan (TPP) to the satisfaction of the responsible authority, must be submitted to and approved by the responsible authority. The TPP must be prepared by a suitably qualified arborist and clearly show:
- a) for each tree shown to be retained on the land or on neighbouring land, a Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) calculated in accordance with the Australian Standard for Protection of Trees on Development Sites (AS4970-2009).
  - b) the development layout, all built features, including: pavement, retaining walls; and drainage infrastructure.
  - c) tree protection requirements for retained trees within and adjoining the subject site (including the road reserve), in accordance with the Australian Standards for the Protection of Trees on Development Sites (AS 4970-2009), including tree protection fence alignments and areas of ground protection, ie where fencing cannot adequately afford tree protection or

Signature for the responsible authority:

Date Issued: 30 September 2021

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# PLANNING PERMIT



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	<p>access across the TPZ is required.</p> <p>d) any other specific tree protection requirements (eg low impact construction measures) or where these cannot be adequately shown reference to more detailed documentation/plans be provided.</p>
<b>Tree Protection Plan implemented</b>	<p>19. Prior to the commencement of any building and or demolition works on the land, Tree Protection Measures as detailed on the approved Tree Protection Plan, must be established and subsequently maintained until completion of all buildings and works, including landscaping, to the satisfaction of the responsible authority.</p> <p>a) The project arborist must advise the responsible authority in writing that the Tree Protection measures have been installed to their satisfaction.</p> <p>b) The TPP must be printed on A2 weatherproof paper.</p> <p>c) The TPP must be highly visible on the site and be displayed at the site entry.</p>
<b>Engagement of Site Project Arborist</b>	<p>20. Before works start (including demolition and excavation), notice in writing must be provided to the responsible authority from the Project Arborist confirming his or her engagement to oversee all relevant tree protection works. The Project Arborist must be an appropriately experienced and qualified professional (minimum Cert IV or equivalent in experience).</p>
<b>Installation of Tree Protection Fences</b>	<p>21. Prior to the commencement of any works at the site (including demolition and excavation), the Project Arborist must advise the responsible authority in writing that the tree protection fences have been installed and pre-construction measures required to be implemented to their satisfaction.</p>
<b>Project Arborist Log Books</b>	<p>22. The Project Arborist must visit the site and must maintain a log book detailing all site visits. The log book must be made available to the responsible authority within 24 hours of any request.</p>
<b>Water Sensitive Urban Design (WSUD) – 100% best practice on site</b>	<p>23. Concurrent with the endorsement of plans referred to in condition 1, the applicant must provide a Water Sensitive Urban Design Response. All proposed treatments included within the response must also reconcile with all other plans which form part of this permit. The response must include:</p> <p>a) A STORM Rating Report or similar showing that the development meets best practice performance objectives for stormwater quality, in the Urban</p>

Signature for the responsible authority:

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A handwritten signature in black ink, appearing to be 'Kim J' followed by a flourish.

# PLANNING PERMIT



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Stormwater Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999), unless otherwise agreed. A STORM Rating of 100% or more will demonstrate best practice.

- b) The impervious areas in this report must match the development plans.
- c) The roof areas connected to the water tanks must be maximised; and
- d) The water tanks must be connected to the toilets.

Note: Raingardens, buffer strips, wetlands, ponds or infiltration sand will not be supported on this site.

## Illumination Plan

- 24.** Concurrent with the submission of amended plans required by Condition 1, an illumination plan for the pedestrian path must be developed by a suitably qualified electrical engineer in accordance with Australian Standard / New Zealand Standard 1158:3.1:2005 Lighting for roads and public spaces – Part 3.1: Pedestrian area (Category P) lighting – to ensure the road space is adequately lit for pedestrians to identify vehicles and other obstructions on the roadway. The lighting must:
- a) Be operational between 5pm to 7:30am.
  - b) Be lit to a PR5 standard in accordance with AS/NZS1158.3.1:2020.
  - c) Consider appropriate baffles and designs to reduce upward light spill.
  - d) The lighting design must consider overspill light on the residential properties and mitigating measures (if required) to ensure overspill is accordance with the requirements of AS/NZS 4282:2019

## Cultural Heritage Management Plan

- 25.** The Cultural Heritage Management Plan (CHMP) prepared by A B Heritage Consulting, dated 2 June 2021 and approved on 8 June 2021 must be readily accessible to the sponsor and their employees and contractors when carrying out the activity on the land.

## Time limit – development only

- 26.** This permit will expire if any of the following circumstances applies:
- a) the development is not started within two years of the date of this permit, or
  - b) the development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to above if a request is

Signature for the responsible authority:

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A handwritten signature in black ink, appearing to be 'K. Smith'.

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	<p>made in writing:</p> <ul style="list-style-type: none"><li>• before the permit expires; or</li><li>• within six months afterwards if the development has not yet started; or</li><li>• within 12 months afterwards if the development lawfully started before the permit expired.</li></ul>
<b>NOTES</b>	
<b>Submission of plans</b>	<p>Plans and documents that must be endorsed by Council under this permit can be submitted for assessment via email to: <a href="mailto:maroondah@maroondah.vic.gov.au">maroondah@maroondah.vic.gov.au</a></p> <p>If your information is too large to email, please contact Planning Administration on 9298 4287 to access our online lodgement portal.</p> <p>If the plans or documents do not comply with the relevant condition, Council will require changes to be made and re-lodgement of the plans or document for re-assessment.</p>
<b>Engineering</b>	
<b>Legal Point of Discharge Required</b>	<p>Prior to preparing Drainage Plans, a legal point of discharge (LPD) is to be obtained in accordance with Building Regulation 133. A copy of the LPD must be submitted with the Engineering plans. Requests for an LPD must be made via Maroondah City Council's Property Information application form, which incurs a fee in accordance with the Building Regulations and is available on Maroondah City Council's website and at all Customer Service outlets.</p>
<b>Asset Protection Permit Required</b>	<p>At least seven (7) days before any works start, an Asset Protection Permit must be obtained from Council. Council infrastructure must be maintained in a safe condition during the construction period. Any damage caused by these works to Council assets must be reinstated to the satisfaction of the Council prior to the completion of works.</p>
<b>Paving &amp; Drainage Plan Requirements</b>	<p>Information regarding Council's requirements for the preparation of paving and drainage plans can be found on Council's website: <a href="http://www.maroondah.vic.gov.au/DevelopmentDesignGuidelines.aspx">www.maroondah.vic.gov.au/DevelopmentDesignGuidelines.aspx</a></p> <p>Plans must be submitted by emailing <a href="mailto:maroondah@maroondah.vic.gov.au">maroondah@maroondah.vic.gov.au</a></p>
<b>Engineering Inspection</b>	<p>Conditions 6 &amp; 10 requires that prior to the occupation of the development Council must inspect engineering works shown on the endorsed engineering plan to confirm compliance with the permit. Please telephone Engineering services on 9298- 4292 to arrange inspection of the engineering works. Please note that</p>

Signature for the responsible authority:

Date Issued: 30 September 2021

A handwritten signature in black ink, appearing to be 'Kam YP'.

# PLANNING PERMIT



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certification must be submitted and accepted by Council prior to booking this inspection.

## Landscape Inspection

Condition 14 requires that prior to the occupation of the development Council must inspect landscaping works shown on the endorsed landscaping plan to confirm compliance with the permit. Please telephone Statutory Planning on 9298-4287 to arrange inspection of the landscaping works.

Signature for the responsible authority:

Date Issued: 30 September 2021

A handwritten signature in black ink, appearing to be 'Kim J' followed by a flourish.

## Important information about this permit

### What has been decided?

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#### The responsible authority has issued a permit

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

### Can the responsible authority amend this permit?

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The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**. Please check with the responsible authority that this permit is current and can be acted upon.

### When does a permit begin?

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A permit operates:

- from the date specified in the permit, or
- if no date is specified, from:
  - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
  - (ii) the date on which it was issued, in any other case.

### When does a permit expire?

---

1. A permit for the development of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

### What about reviews?

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- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Signature for the responsible authority:

Date Issued: 30 September 2021





# Domestic Building Insurance

## Certificate of Insurance

**NORBIL BAY PTY LTD**

10 Home St  
BAYSWATER NORTH  
VIC 3153

Policy Number:

**C782896**

Policy Inception Date:

**20/04/2023**

Builder Account Number:

**010673**

A contract of insurance complying with the Ministerial Order for Domestic Building Insurance issued under Section 135 of the Building Act 1993 (Vic) (Domestic Building Insurance) has been issued by the insurer Victorian Managed Insurance Authority a Statutory Corporation established under the Victorian Managed Insurance Authority Act 1996 (Vic), in respect of the domestic building work described below.

### Policy Schedule Details

Domestic Building Work: **C03: New Multi-Dwelling Construction**

At the property: **Unit 4 19 Hamilton Rd BAYSWATER NORTH VIC 3153 Australia**

Carried out by the builder: **PASCUZZI CONSTRUCTION PTY LTD**

Builder ACN: **007387215**

**!** If the builder's name and/or its ABN/ACN listed above does not exactly match with the information on the domestic building contract, please contact the VMIA. If these details are incorrect, the domestic building work will not be covered.

For the building owner(s): **NORBIL BAY PTY LTD**

Pursuant to a domestic building contract dated: **20/04/2023**

For the contract price of: **\$ 263,750.00**

Type of Cover: **Cover is only provided if PASCUZZI CONSTRUCTION PTY LTD has died, becomes insolvent or has disappeared or fails to comply with a Tribunal or Court Order \***

The maximum policy limit for claims made under this policy is: **\$300,000 all inclusive of costs and expenses \***

The maximum policy limit for non-completion claims made under this policy is: **20% of the contract price limited to the maximum policy limit for all claims under the policy\***

### PLEASE CHECK

If the information on this certificate does not match what's on your domestic building contract, please contact the VMIA immediately on 1300 363 424 or email [dbi@vmia.vic.gov.au](mailto:dbi@vmia.vic.gov.au)

### IMPORTANT

This certificate must be read in conjunction with the policy terms and conditions and kept in a safe place. These documents are very important and must be retained by you and any successive owners of the property for the duration of the period of cover.

\* The cover and policy limits described in this certificate are only a summary of the cover and limits and must be read in conjunction with, and are subject to the terms, conditions, limitations and exclusions contained in the policy terms and conditions.

### Period of Cover

Cover commences on the earlier of the date of the domestic building contract or date of building permit for the domestic building work and concludes:

- Two years from completion of the domestic building work or termination of the domestic building contract for non structural defects\*
- Six years from completion of the domestic building work or termination of the domestic building contract for structural defects\*

Subject to the Building Act 1993, and the Ministerial Order and the conditions of the insurance contract, cover will be provided to the building owner named in the domestic building contract and to the successors in title to the building owner in relation to the domestic building work undertaken by the Builder.

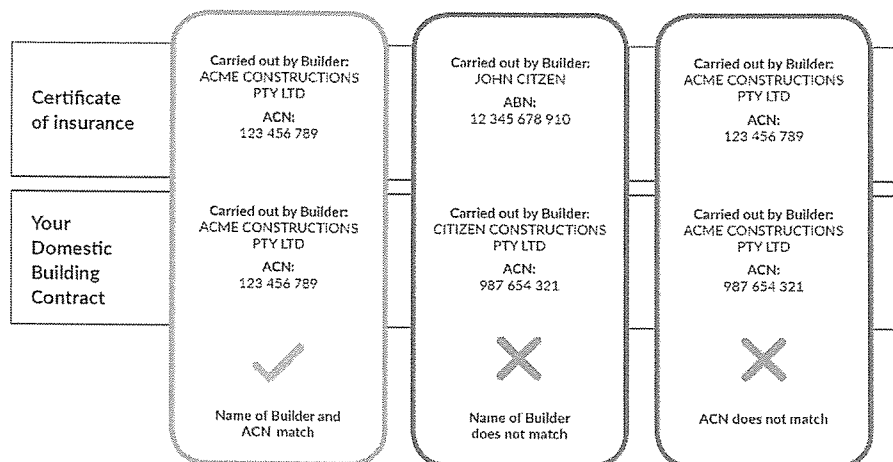
Issued by Victorian Managed Insurance Authority (VMIA)

### Domestic Building Insurance Premium and Statutory Costs

Base DBI Premium:	\$1,949.00
GST:	\$194.90
Stamp Duty:	\$214.39
<b>Total:</b>	<b>\$2,358.29</b>

**If the information on the certificate does not match exactly what is on your domestic building contract, please contact VMIA on 1300 363 424**

*Below are some example of what to look for*



# BUILDING SURVEYING VICTORIA

E: info@bsvic.com.au P: 03 9707 4443 M: PO Box 629, Beaconsfield VIC 3807

## BUILDING PERMIT - FORM 2

Building Act 1993, Building Regulations 2018, Regulation 37

**Job Reference Number: 024064**

Building Permit Number: 2230191808140 Issued: 23/06/2023

### Property Details:

Address: **19 Hamilton Road, BAYSWATER NORTH** Postcode: **3153**  
Allotment: **1** LP/PS: **LP46410**  
Municipality: **Maroondah City Council**

### Issued To:

Name: **Peter Thomas Building Design** Phone: **0413 731 101**  
Address: **12 Edinburgh Drive, BEACONSFIELD** Postcode: **3807**  
Email: **peter@ptbuildingdesign.com.au**

*The above address is the 'Address for Serving or Giving of Documents' unless noted otherwise.*

### Ownership Details:

Name: **Norbil Bay Pty Ltd & Pascuzzi Construction Pty Ltd** Phone: **0414 511 114**  
Address: **1640 Centre Road, SPRINGVALE** Postcode: **3171**  
Email: **kensdevelopments@gmail.com**

### Builder:

Name: **Pascuzzi Construction Pty Ltd** Phone: **0414 511 114**  
Address: **1640 Centre Road, SPRINGVALE** Postcode: **3171**  
Building practitioner registration no: **CDB-U 52534** ACN: **007 387 215**

### Natural person for service of directions, notices and orders:

Name: **Ralph Pascuzzi** Phone: **0414 511 114**  
Address: **1640 Centre Road, SPRINGVALE** Postcode: **3171**

### Building practitioner or architects engaged to prepare documents for this permit:

Name	Category / Class	Registration number
Peter Thomas	Drafting	DP-AD 1670
Mark Steller	Civil Engineer	PE0003363

### Nature of Building Works: Construction of four (4) double storey dwellings

Building Classification:	Part of Building	BCA Classification
	Dwellings	1a(a)
	Garages	10a

Total new floor area:	499m <sup>2</sup>	Stage of work permitted:	All
Cost of Works:	\$1,055,000	Version of BCA applicable:	NCC 2019

Details of Relevant Planning Permit (if applicable): Planning Permit No: M/2021/429 Date: 30/09/2021

Details of Domestic Building Work Insurance: VMIA C782893/C782894/C782895/C782896

**PHONE 9707 4443 TO BOOK INSPECTIONS - MINIMUM 24 HOURS NOTICE REQUIRED**

The mandatory notification stages for inspection are:

BORED PIERS  
SLAB STEEL & STRIP FOOTINGS  
FRAME  
FINAL

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

BUILDING SURVEYING VICTORIA PTY LTD ABN 59 881 876 191

### Commencement and Completions:

This building work must commence by: **23/06/2024**

If the building work to which this building permit applies is not commenced by this date, this building permit will lapse unless an extension is applied for and granted by the relevant building surveyor *before* this date under regulation 59 of the Building Regulations 2018.

This building must be completed by: **23/06/2025**

If the building work to which this building permit applies is not completed by this date, this building permit will lapse unless an extension is applied for and granted by the relevant building surveyor *before* this date under regulation 59 of the Building Regulations 2018.

### Occupancy of Building:

An Occupancy Permit (whole) is required prior to the occupation or use of this building in relation to which the building work is carried out.

### Protection work:

Protection work is not required in relation to the building work proposed in this permit.

*Where the above indicates protection works are not required, this is based on the documentation provided at time of assessment indicating that no risk of significant damage to any adjoining property was evident. In this instance, the person in charge of carrying out building works is to notify the relevant building surveyor should a risk of significant damage become apparent.*

### General Building Permit Conditions

- Under Regulation 41, the person in charge of carrying out of the building work on an allotment must ensure that a copy of approved documents are available on-site at all times and take all reasonable steps to ensure that the registration numbers and contact details of the builder and building surveyor and date of issue of this permit are displayed in a conspicuous position accessible to the public before and during the building work to which this permit applies.
- The mandatory inspection notification stages of work are (a) before placing a footing; (b) before pouring an in situ reinforced concrete member; (c) the completion of framework; (e) final, on the completion of all building work. Inspection requirements listed on the previous page are common terms used to describe the mandatory stages but do not over-ride these requirements. Building work must not continue past a mandatory notification stage without written approval of that stage first being issued by BSV (s33(2)).
- The relevant building surveyor must be notified without delay after completion of each mandatory stage including any additional stage specified in this permit.
- All materials & work practices shall comply with, but not limited to, the Building Regulations 2018, the National Construction Code and all relevant current Australian Standards (as amended) referred to therein.
- The person in charge of carrying out the building work must ensure that the building work does not encroach over the title boundaries of the subject allotment.
- Where plumbing and/or electrical work for which required the issue of a compliance certificate is carried out in conjunction with the building work included in this permit, a copy of that certificate must be supplied to the relevant building surveyor along with the application for occupancy permit (Form 15) prior to the issue of any Occupancy Permit.
- Where insulation and energy efficiency requirements are applicable, certificates / declaration must be provided to the building surveyor prior to the issuance of a final certificate / occupancy permit.
- Where waterproofing of wet area works are carried out a certificate must be provided to the building surveyor prior to the issuance of a final certificate / occupancy permit.
- Where any prefabricated items such as Roof trusses, Wall framing and/or Floor joists are applicable the layouts and design certificate must be provided to BSV *prior* to the frame inspection being undertaken.**
- Where a termite management system is required it shall be carried out in accordance with AS 3660.1 - 2014. If there is any doubt regarding methods required to achieve compliance the relevant building surveyor must be consulted. Certificates showing the system/s used and locations installed must be provided to the building surveyor prior to a final certificate / occupancy permit being able to be issued. It is the owners responsibility to carry out regular inspections of the building for evidence of termite activity.

### Prescribed reporting authority

The following bodies are prescribed reporting authorities for the purposes of the application for this permit in relation to the matters set out below.

Reporting authority	Regulation number	Matter reported on or consented to
Maroondah City Council	Reg. 133(2)	Point of discharge of storm water

### Additional Permit Conditions / Notes

Section 10(2) of the Building Act 1993 has been applied as NCC 2019 will be adopted for this project on the basis that substantial design had progressed prior to the 01 May 2023 when NCC 2022 was adopted.

Floor Area: Dwelling 1 - 121m2, Dwelling 2 - 124m2, Dwelling 3 - 125m2 and Dwelling 4 - 129m2

### Performance Solutions

A performance solution was used to determine compliance with the following performance requirements of the BCA that relate to the building to which this permit applies (Regulation 38):

- P2.1.1, A performance solution has been accepted in relation to NCC2019 BCA Volume 2 performance requirements. The performance  
P2.2.2 solution proposes utilising the Nasahi Panel Wall System as an external wall cladding. This performance solution has been accepted based on the Evidence of Suitability provided by the applicant being CodeMark approval CM40172 Rev 1.

Relevant Building Surveyor: BRETT THRELFALL

Registration No: BS-U 30045

Signature:



Date of Issue: 23/06/2023

# BUILDING SURVEYING VICTORIA

E: info@bsvic.com.au P: 03 9707 4443 M: PO Box 629, Beaconsfield VIC 3807

## OCCUPANCY PERMIT - FORM 16

Building Act 1993, Building Regulations 2018, Regulation 192

### For Building Permit Number: 2230191808140 Unit 4

**Property Details:** 19 Hamilton Road  
BAYSWATER NORTH 3153  
Lot: 1 LP/PS: LP46410  
Municipal district: Maroondah City Council

**Nature of Building Works** Construction of four (4) double storey dwellings  
**Allowable Floor Loading:** 1.5 kPa  
**Version of BCA** NCC 2019

Building Description	Part of Building	BCA Class
	Dwellings	1a(a)
	Garages	10a

Reporting Authority	Matter Reported On	Regulations
Maroondah City Council	Point of discharge of storm water	Reg. 133(2)

#### Performance Solutions

A performance solution was used to determine compliance with the following performance requirements of the BCA that relate to the building to which this permit applies:

- P2.1.1, A performance solution has been accepted in relation to NCC2019 BCA Volume 2 performance requirements. The  
P2.2.2 performance solution proposes utilising the Nasahi Panel Wall System as an external wall cladding. This  
performance solution has been accepted based on the **Evidence of Suitability** provided by the applicant being  
CodeMark approval CM40172 Rev 1.

#### Maintenance Determination

The requirement for maintenance determinations does not apply to these works, as such a maintenance determination is **not** required to be prepared in accordance with regulation 215 of the Building Regulations 2018.

#### Conditions

- All cooking appliances, hot water appliances and if applicable the rain water tank to be operational prior to occupation. All services to be connected prior to occupation.
- All landscaping works to maintain a minimum distance from below weep holes of 150mm to soil; or 75mm to paving; or 50mm to paving graded away from the building with a roof covering.
- The owner's attention is drawn to the document published by the Victorian Building Authority - 'Minimising Foundation Movement and Damage to Your House' and further to the requirements of AS 2870, both of which indicate the owner's responsibilities with regard to the regular maintenance of the building, site drainage, plumbing leaks, excessive or irregular watering of gardens adjacent to the building, and vegetation plantation and growth.

#### Suitability for Occupation

- At the date this occupancy permit is issued, the building to which this permit applies is suitable for occupation.
- This Occupancy Permit does not constitute a statement of compliance with the Building Act 1993 or the Building Regulations 2018.

**Certificate Number: 024064/4**

**Relevant Building Surveyor: BRETT THRELFALL**

**Registration No: BS-U 30045**

**Signature:**



**Date of Issue: 22 April 2025**

**Inspection Approval Dates****Inspection Type**

SLAB STEEL &amp; STRIP FOOTINGS - Garage only

BORED PIERS &amp; FOOTING

SLAB STEEL

FRAME

FINAL

**Approval Date**

02/08/2023

03/08/2023

18/08/2023

25/01/2024

16/04/2025