UNIT 1 39 NOLAN STREET FRANKSTON VIC 3199
(Property)

VENDOR STATEMENT

Vendor: KAREN MURIEL EDMUNDS

BAYSIDE SOLICITORS VIC
36 Dandenong Road West
Frankston VIC 3199
Tel: 03 9781 4822
Fax: 03 9770 5523
Email: annabelle.brasher@baysidesolicitors.net.au
Ref: 2111239

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 1 39 NOLAN STREET FRANKSTON VIC 3199

Vendor: KAREN MURIEL EDMUNDS

_____ _____/_____/20_____
Vendor's signature Date

Purchaser:

_____ _____/_____/20_____
Purchaser's signature Date

Purchaser:

_____ _____/_____/20_____
Purchaser's signature Date

1. FINANCIAL

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

☒ Are contained in the attached certificate(s).

☐ Their total does not exceed: $

☐ Their amounts are:

Authority	Amount	Interest (if any)

There are NO amounts for which the purchaser may become liable as a consequence of the sale of which the vendor might reasonably be expected to have knowledge, which are not included in items 1.1(a), (b) or (c) above; other than:-

☒ Nil, so far as the vendor(s) are aware.

☐ As attached

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

☒ Not applicable.

☐ As attached

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.

☐ "Additional Vendor Statement" is attached.

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.

☐ "Additional Vendor Statement" is attached.

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.

☐ Attached is a copy or extract of any policy of insurance in respect of any damage to or destruction of the land.
☐ Particulars of any such policy of insurance in respect of any damage to or destruction of the land are as follows:

Name of insurance company:
Type of policy:
Policy number:
Expiry Date:
Amount insured:

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.
☐ Attached is a copy or extract of any policy of insurance required under the Building Act 1993.
☐ Particulars of any required insurance under the Building Act 1993 are as follows:

Name of insurance company:
Policy number:
Expiry date:

Note: There may be additional legislative obligations in respect of the sale of land on which there is a building or on which building work has been carried out.

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.
☐ Is as follows:

(b) Particulars of any existing failure to comply with that easement, covenant or other similar restriction are:
☐ In the attached copies of title document/s.
☐ As follows:

3.2 **Road Access**

There is:
☒ access to the property by road
☐ NO access to the property by road

3.3 **Designated Bushfire Prone Area**

The land:
☒ Is NOT in a designated bushfire prone area within the meaning of regulations made under the Building Act 1993
☐ IS in a designated bushfire prone area within the meaning of regulations made under the Building Act 1993

3.4 **Planning Scheme**

☒ Attached is a certificate with the required specified information.

☐ The Planning Scheme information required to be provided is as follows:

Name of planning scheme: Planning Scheme
Name of responsible authority:
Zoning of the land:
Name of planning overlay:

4. NOTICES

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

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

☒ Not applicable.

☐ Are contained in the attached certificates and/or statements.

☐ Are as follows:

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:

☒ Not applicable.

☐ Are contained in the attached certificates and/or statements.

☐ Are as follows:

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:

☒ Not applicable.

☐ Are contained in the attached certificates and/or statements.

☐ Are as follows:

5. BUILDING PERMITS

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

☒ Not applicable.

☐ Are contained in the attached certificates and/or statements.

☐ Are as follows:

6. OWNERS CORPORATION

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

☐ Not applicable.

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

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

☐ The owners corporation is INACTIVE

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

☒ GAIC (and Section 7) is NOT applicable on the sale of this property.

☐ GAIC (and Section 7) IS applicable on the sale of this property. Words and expressions in this section 7 have the same meaning as in Part 9B of the Planning and Environment Act 1987.

7.1 **Work-in-Kind Agreement**

This section 7.1 only applies if the land is subject to a work-in-kind agreement.

(a) ☐ The land is NOT to be transferred under the agreement
☐ The land IS to be transferred under the agreement

(b) ☐ The land is NOT land on which the works are to be carried out under the agreement (other than Crown Land)
☐ The land IS land on which the works are to be carried out under the agreement (other than Crown Land)

(c) ☐ The land is NOT land in respect of which a GAIC is imposed
☐ The land IS land in respect of which a GAIC is imposed

7.2 **GAIC Recording**

This section 7.2 only applies if there is a GAIC recording.
Any of the following certificates or notices must be attached if there is a GAIC recording. The boxes marked with an "X" indicate that such a certificate or notice that is attached:

☐ Any certificate of release from liability to pay a GAIC
☐ Any certificate of deferral of the liability to pay the whole or part of a GAIC
☐ Any certificate of exemption from liability to pay a GAIC
☐ Any certificate of staged payment approval
☐ Any certificate of no GAIC liability
☐ Any notice providing evidence of the grant of a reduction of the whole part of the liability for a GAIC or an exemption from that liability
☐ A GAIC certificate issued under Part 9B of the Planning and Environment Act 1987 must be attached if there is no certificate or notice issued under any of sub-sections 7.2(a) to (f) above

8. SERVICES

8.1 The services which are marked with an "X" in the box below are **NOT connected to the land**:

☐ Electricity supply
☐ Gas supply
☐ Water supply
☐ Sewerage
☐ Telephone services

9. TITLE

9.1 Attached are copies of the following **title documents**:

☒ 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.

☐ General Law Title. The last conveyance in the chain of title or other document which gives evidence of the vendor's title to the land.

☐ Evidence of the vendor's right or power to sell (where the vendor is not the registered proprietor or the owner in fee simple).

10. SUBDIVISION

☒ This sale is NOT affected by a subdivision and therefore Section 10 is NOT applicable.

☐ This sale IS affected by a subdivision and therefore Section 10 applies as follows:-

10.1 **Unregistered Subdivision**

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

☐ Attached is a copy of the plan of subdivision certified by the relevant municipal council if the plan is not yet registered.

☐ Attached is a copy of the latest version of the plan if the plan of subdivision has not yet been certified.

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.

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

☐ The requirements in a statement of compliance, relating to the stage in which the land is included that have not been complied with are:-

☐ attached.
☐ as follows:

☐ The proposals relating to subsequent stages that are known to the vendor are: ☐ attached.
☐ as follows:

☐ The contents of any permit under the Planning and Environment Act 1987 authorising the staged subdivision are:

☐ attached.
☐ as follows:

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.

☐ Attached is a copy of the plan which has been certified by the relevant municipal council (if the later plan has not been registered).

☐ Attached is a copy of the latest version of the plan (if the later plan has not yet been certified).

11. DISCLOSURE OF ENERGY INFORMATION

☒ Disclosure of this information is not required under section 32 of the Sale of Land Act 1962.

☐ Disclosure of this information is not required under section 32 of the Sale of Land Act 1962 but IS included in this Vendor Statement for convenience.

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

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

(b) which has a net lettable area of at least 2000m^2; (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.

☐ Are contained in the attached building energy efficiency certificate.

☐ Are as follows:

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.

☐ Is not attached.

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

VOLUME 10587 FOLIO 468

Security no : 124087568670R
Produced 15/01/2021 01:03 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 430164U.
PARENT TITLE Volume 04503 Folio 418
Created by instrument PS430164U 14/06/2001

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
KAREN MURIEL EDMUNDS of 1 39 NOLAN STREET FRANKSTON VIC 3199
AL353708Q 11/09/2014

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 PS430164U FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: UNIT 1 39 NOLAN STREET FRANKSTON VIC 3199

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION PLAN NO. PS430164U

DOCUMENT END

Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Victorian Land Registry Services.

Document Type	**Plan**
Document Identification	**PS430164U**
Number of Pages (excluding this cover sheet)	**4**
Document Assembled	**15/01/2021 13:06**

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PLAN OF SUBDIVISION

STAGE No.	LTO USE ONLY	PLAN NUMBER
/	EDITION 3	PS 430164 U

LOCATION OF LAND

PARISH: FRANKSTON

TOWNSHIP: FRANKSTON

SECTION: 10

CROWN ALLOTMENT: 6 (PART)

CROWN PORTION: —

LTO BASE RECORD: D.C.M.B.
TITLE REFERENCES: VOL 4503 FOL 418

LAST PLAN REFERENCE/S: —

POSTAL ADDRESS: 39 NOLAN STREET
(At time of subdivision) FRANKSTON 3199

AMG Co-ordinates E 335 300
(of approx centre of land in plan) N 5775 690 ZONE: 55

COUNCIL CERTIFICATION AND ENDORSEMENT

COUNCIL NAME: FRANKSTON CITY COUNCIL REF: 5582

1. This plan is certified under Section 6 of the Subdivision Act 1988.
2. ~~This plan is certified under Section 11(7) of the Subdivision Act 1988. Date of original certification under Section 6. / /~~
3. ~~This is a statement of compliance issued under Section 21 of the Subdivision Act 1988.~~

OPEN SPACE

(i) A requirement for public open space under Section 18 of the Subdivision Act 1988 has/~~has not~~ been made.

(ii) The requirement has been satisfied.

(iii) ~~The requirement is to be satisfied in Stage .....~~

Council Delegate
~~Council Seal~~
Date 7 / 2 / 2001

Re-certified under Section 11(7) of the Subdivision Act 1988.
Council Delegate
Council Seal
Date / /

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER	COUNCIL/BODY/PERSON
NIL	NIL

NOTATIONS

STAGING This is/is not a staged subdivision.
Planning permit No. 00345

DEPTH LIMITATION DOES NOT APPLY

THICK CONTINUOUS LINES DENOTE BOUNDARIES DEFINED BY BUILDINGS.

LOCATION OF BOUNDARIES DEFINED BY BUILDINGS :-

MEDIAN BOUNDARIES SHOWN THUS

EXTERIOR FACE - ALL OTHER BOUNDARIES

SURVEY THIS PLAN IS/~~IS NOT~~ BASED ON SURVEY

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No.(s) 178, 569 & 247
IN PROCLAIMED SURVEY AREA No. 16

EASEMENT INFORMATION

LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

SECTION 12 (2) OF THE SUBDIVISION ACT 1988 APPLIES TO ALL THE LAND IN THIS PLAN.

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	SEWERAGE	1·90	THIS PLAN	SOUTH EAST WATER LIMITED

LTO USE ONLY

STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT

RECEIVED ☑

DATE: 5 / 6 / 01

LTO USE ONLY

PLAN REGISTERED

TIME 8:40 A.M.

DATE 14 / 6 / 01

Assistant Registrar of Titles

SHEET 1 OF 3 SHEETS

P.G. Speedie & Associates Pty. Ltd.
SURVEYORS, ENGINEERS, PLANNERS AND DEVELOPMENT CONSULTANTS
9 Queen Street, Melbourne. Vic. 3000 Ph: (03)9629 1579
55 Marine Parade, Hastings. Vic. 3915 Ph: (03)5979 1655

LICENSED SURVEYOR (PRINT) Andrew M. LOVELOCK

SIGNATURE ..... DATE: 11/12/2000

REF 6677S VERSION 3

DATE 7 / 2 / 2001
COUNCIL DELEGATE SIGNATURE

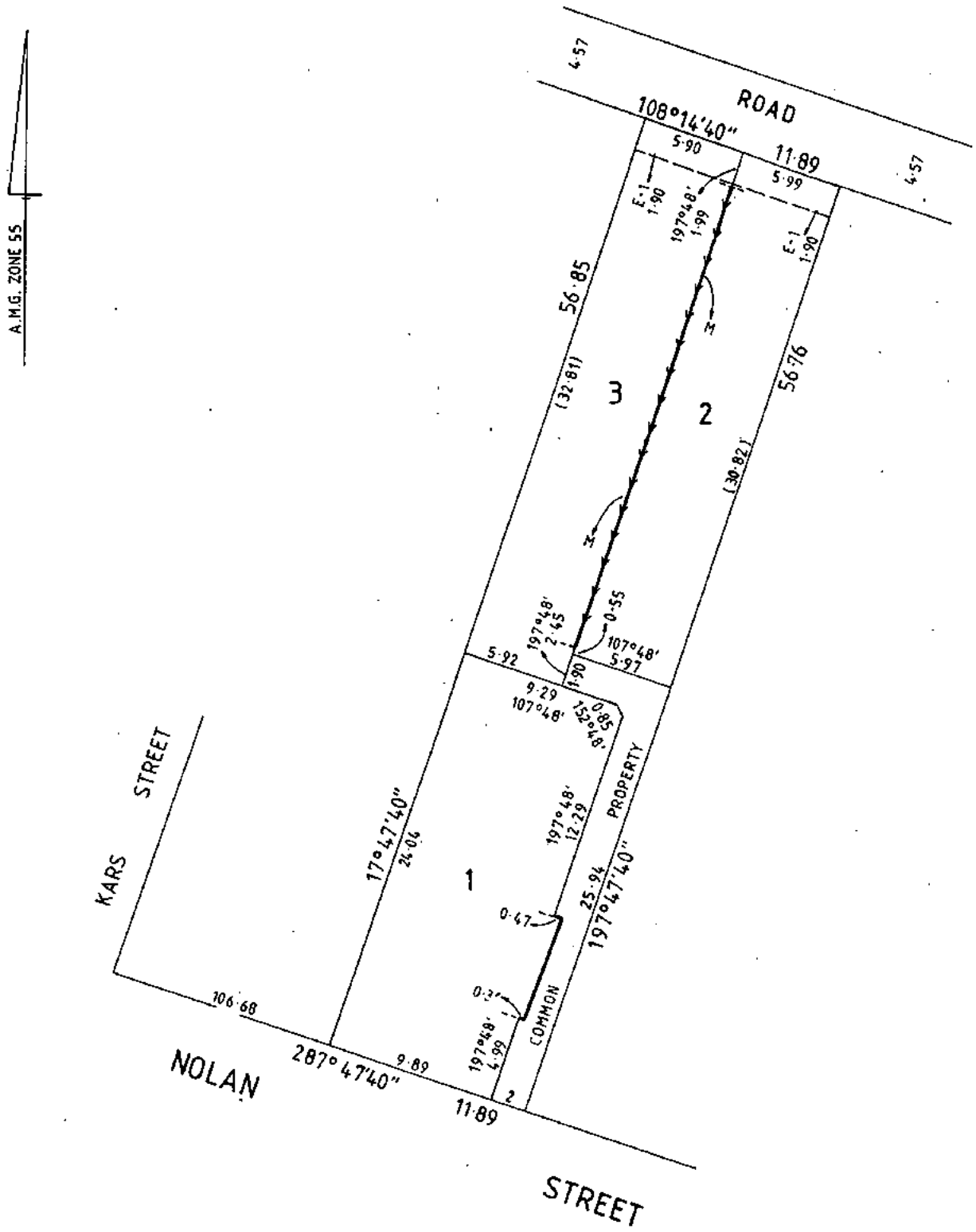
ORIGINAL SHEET SIZE A3

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PLAN OF SUBDIVISION

STAGE No. /

PLAN NUMBER **PS 430164 U**



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9 Queen Street, Melbourne. Vic. 3000 Ph:(03)9629 1579
55 Marine Parade, Hastings. Vic. 3915 Ph:(03)5979 1655

2·5 0 2·5 5 7·5 10 12·5
LENGTHS ARE IN METRES

ORIGINAL

SCALE	SHEET SIZE
1:250	A3

LICENSED SURVEYOR (PRINT) Andrew M. LOVELOCK

SIGNATURE ..... DATE 11/12/2000

REF 6677S VERSION 3

SHEET 2 OF 3 SHEETS

DATE 7 / 2 / 01

COUNCIL DELEGATE SIGNATURE

0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150mm

PS03

PS430164U

FOR CURRENT BODY CORPORATE DETAILS SEE BODY CORPORATE SEARCH REPORT

MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PLAN NUMBER

PS 430164U

AFFECTED LAND / PARCEL	LAND / PARCEL / IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
THIS PLAN		**ADDITIONAL RULES RECORDED**	**X 700820B**	10/10/01	2.15pm	**2**	GJN
THIS PLAN	-----	CHANGE OF ADDRESS	AB257373T	27.5.02		3	Greg Newman

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Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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OWNERS CORPORATION
PLAN NO. PS430164U

The land in PS430164U is affected by 1 Owners Corporation(s)

Land Affected by Owners Corporation:
Common Property, Lots 1 - 3.

Limitations on Owners Corporation:
Unlimited

Postal Address for Services of Notices:
WAL JONES BODY CORPORATE MANAGEMENT UNIT 5 10-11 PATRICK COURT SEAFORD VIC 3198

AE912822P 22/02/2007

Owners Corporation Manager:
NIL

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

Owners Corporation Rules:
1. X700820B 10/10/2001

Additional Owners Corporation Information:
NIL

Notations:
NIL

Entitlement and Liability:
NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Common Property	0	0
Lot 1	10	10
Lot 2	10	10
Lot 3	10	10
Total	**30.00**	**30.00**

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

Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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OWNERS CORPORATION
PLAN NO. PS430164U

Statement End.

PLANNING PROPERTY REPORT

From www.planning.vic.gov.au at 21 January 2021 11:29 AM

PROPERTY DETAILS

Address:	**1/39 NOLAN STREET FRANKSTON 3199**
Lot and Plan Number:	**Lot 1 PS430164**
Standard Parcel Identifier (SPI):	**1\PS430164**
Local Government Area (Council):	**FRANKSTON** www.frankston.vic.gov.au
Council Property Number:	**223340**
Planning Scheme:	**Frankston** Planning Scheme - Frankston
Directory Reference:	**Melway 100A C10**

UTILITIES

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

View location in VicPlan

STATE ELECTORATES

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

Planning Zones

GENERAL RESIDENTIAL ZONE (R1Z)



PPRZ - Public Park and Recreation

R1Z - Residential 1

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

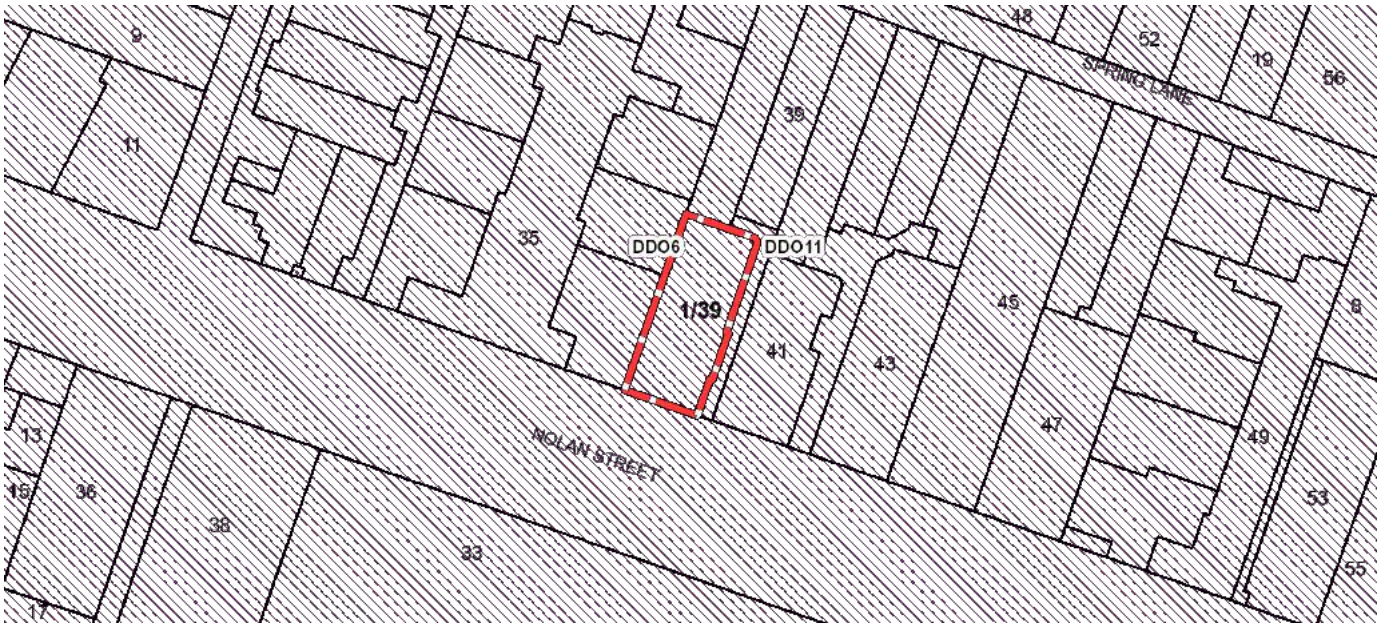
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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

PLANNING PROPERTY REPORT

Planning Overlays

DESIGN AND DEVELOPMENT OVERLAY (DDO)
DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 6 (DDO6)
DESIGN AND DEVELOPMENT OVERLAY – SCHEDULE 11 (DDO11)



0 25 m

DDO - Design and Development

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

PARKING OVERLAY (PO)
PARKING OVERLAY - PRECINCT 1 SCHEDULE (PO1)



0 25 m

PO - Parking

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

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PLANNING PROPERTY REPORT

Planning Overlays

SPECIFIC CONTROLS OVERLAY (SCO)

SPECIFIC CONTROLS OVERLAY - SCHEDULE 3 (SCO3)



0 25 m

SCO - Specific Controls

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

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

SPECIAL BUILDING OVERLAY (SBO)



0 25 m

SBO - Special Building

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

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PLANNING PROPERTY REPORT

Areas of Aboriginal Cultural Heritage Sensitivity

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

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

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

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

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

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

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



Aboriginal Cultural Heritage

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PLANNING PROPERTY REPORT

Further Planning Information

Planning scheme data last updated on 20 January 2021.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.
This report provides information about the zone and overlay provisions that apply to the selected land.
Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting 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 abut the land.
To obtain a Planning Certificate go to Titles and Property Certificates at Landata - https://www.landata.vic.gov.au

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

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

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

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Read the full disclaimer at https://www2.delwp.vic.gov.au/disclaimer

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

PLANNING PROPERTY REPORT

Designated Bushfire Prone Areas

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



Designated Bushfire Prone Areas

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

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

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

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

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website https://www.vba.vic.gov.au

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

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

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

PLANNING CERTIFICATE

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

CERTIFICATE REFERENCE NUMBER

709878

APPLICANT'S NAME & ADDRESS

BAYSIDE SOLICITORS C/- LANDATA

MELBOURNE

VENDOR

EDMUNDS, KAREN

PURCHASER

UNKNOWN, FOR VENDOR STATEMENT

REFERENCE

Edmunds

This certificate is issued for:

LOT 1 PLAN PS430164 ALSO KNOWN AS 1/39 NOLAN STREET FRANKSTON
FRANKSTON CITY

The land is covered by the:

FRANKSTON PLANNING SCHEME

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

The land:

- is included in a GENERAL RESIDENTIAL ZONE
- is within a PARKING OVERLAY - PRECINCT 1
- and a SPECIFIC CONTROLS OVERLAY - SCHEDULE 3
- and a DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 11
- and a DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 6

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

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

Additional site-specific controls may apply. The Planning Scheme Ordinance should be checked carefully.
The above information includes all amendments to planning scheme maps placed on public exhibition up to the date of issue of this certificate and which are still the subject of active consideration.

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

LANDATA®
2 Lonsdale Street
Melbourne VIC 3000
Tel: (03) 9194 0606

15 January 2021

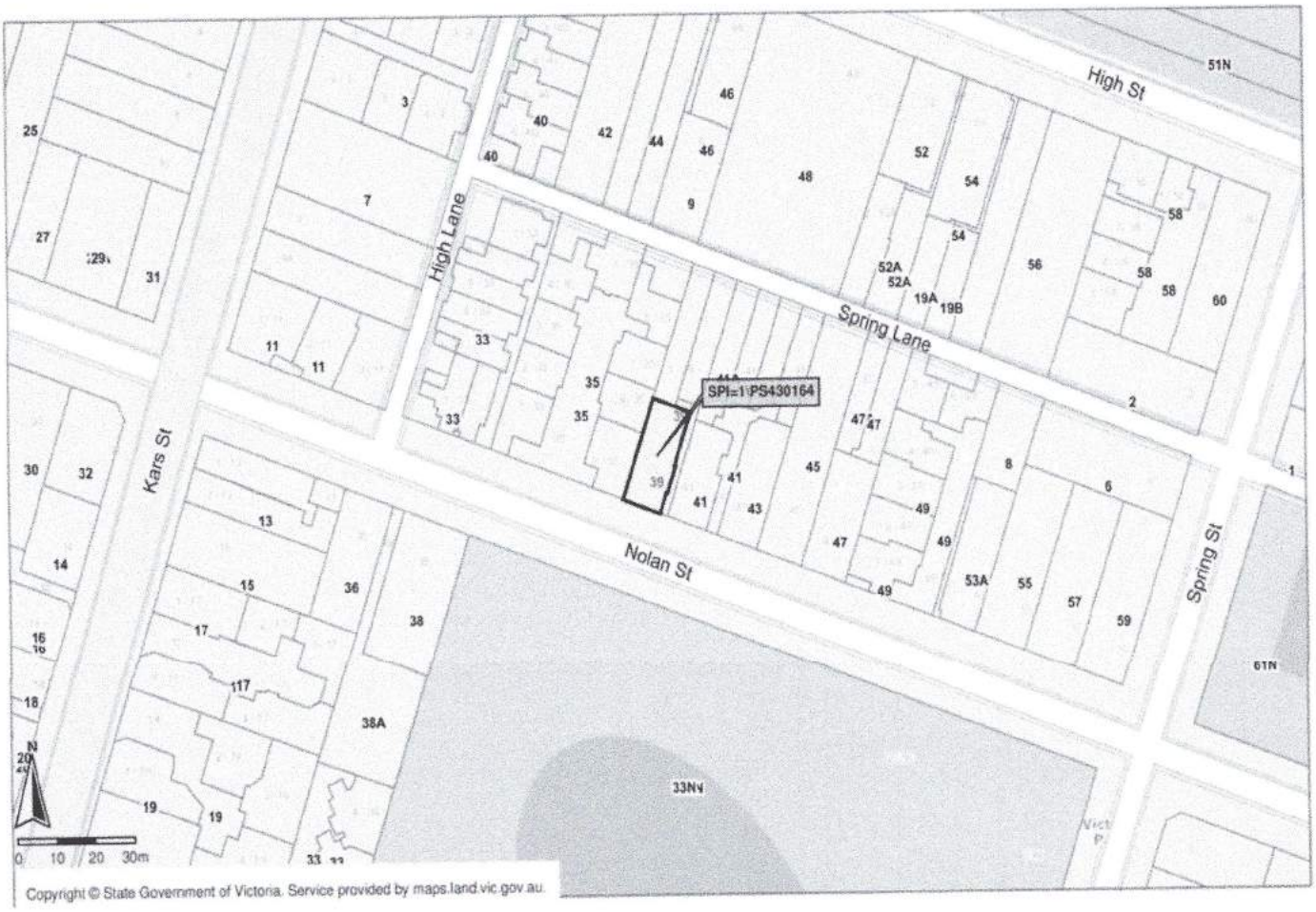
Hon. Richard Wynne MP
Minister for Planning

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

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

If this property is different to the one expected, you can phone (03) 9194 0606 or email landata.enquiries@delwp.vic.gov.au.

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



Choose the authoritative Planning Certificate

Why rely on anything less?

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

LAND INFORMATION CERTIFICATE

LOCAL GOVERNMENT ACT 1989, SECTION 229

Civic Centre, 30 Davey Street, Frankston 3199
PO Box 490, Frankston 3199
info@frankston.vic.gov.au

Contact: Rates & Valuations Department
Telephone: 1300 322 322

Cert No:100015

Issue Date:15-Jan-2021

Assessment no: 01736279

Property Owner (as recorded by Council): Karen Muriel Edmunds

Applicant's name	Landata	Effective date of valuation: Prescribed date of valuation:	01-Jul-2020 01-Jan-2020
Applicant's address	Level 1 2 Lonsdale Street MELBOURNE VIC 3000	Site Value: Capital Improved Value: Net Annual Value: **This Council uses Capital Improved Value for rating purposes**	$275,000 $830,000 $41,500

Applicants Ref: 44482311-019-3:47614

Title Particulars:	Lot 1 PS 430164 CT-10587/468
Property description	**1/39 Nolan Street, Frankston 3199**

CURRENT RATES AND CHARGES LEVIED 1st July 2020 to 30th June 2021

CURRENT General Rates & Charges Service Rates & Charges Victorian Fire Services Levy	**CHARGES** $2,097.00 $549.20 $157.80	**TOTAL LEVIED $2,804.00**
ARREARS General Rates & Charges Service Rates & Charges Victorian Fire Services Levy	**CHARGES** $0.00 $0.00 $0.00	**SUB-TOTAL ARREARS $0.00**
Arrears Legal Costs/Charges		$0.00
Legal Costs/Charges		$0.00
Interest on Current Rates to:		$0.00
Interest on Arrears of Rates to:		$0.00
PAYMENTS RECEIVED		$-1,402.00
PENSION REBATE		$0.00
PROPERTY DEBTS (A separate update is required for any property debt charges)		$0.00
OTHER CHARGES (A separate update is required for any other charges)		$0.00
Total Outstanding Any outstanding balance may be subject to interest and/or legal action, therefore please contact this office prior to settlement		**$1,402.00** BPAY **BILLER CODE: 1966** **REFERENCE NO: 01736279**

Additional information overleaf

LAND INFORMATION CERTIFICATE

LOCAL GOVERNMENT ACT 1989, SECTION 229

Civic Centre, 30 Davey Street, Frankston 3199
PO Box 490, Frankston 3199
info@frankston.vic.gov.au

Contact: Rates & Valuations Department
Telephone: 1300 322 322

Cert No:100015

Issue Date:15-Jan-2021

ADDITIONAL INFORMATION

Robyn Docker
Authorised Officer
Date: 15-Jan-2021

I acknowledge having received the sum of $27.00 for Receipt Number , dated 15-Jan-2021.

Please note:

a) Frankston City Council imposes a time limit of three months from issue date during which a certificate may be updated verbally. Council will only be held responsible for information **given in writing**, i.e. a new certificate, not for information provided or confirmed verbally.
b) Frankston City Council provides verbal updates to the **applicant only**.
c) This certificate does not include important **Building & Planning information** including **outstanding enforcement, fees, Building** & **Planning permit history** and **use.** It is highly recommended to also obtain a '**Building Permit Particulars Form**' from Council & **'Planning Certificate'** from Council's Building & Planning Departments
d) This certificate does not include information regarding Traffic Management Devices.
e) If this certificate shows costs for Service Rates & Charges, further information can be provided regarding the bin types & sizes, by contacting Frankston City Council on 1300 322 322.
f) All Notice of Acquisitions lodged must have the Date of Birth of the Purchasers.
g) Please note that the outstanding balance amount can change at any time. It is important to notify your client(s) that there may be a balance outstanding after settlement.
h) **Please ensure your client is utilising the official property address as noted in the 'Property Description' section on page one of this certificate. Where a certificate is issued over the Master Assessment then the address noted in the 'Child Property Address' section at the bottom of page one is the official address of the new property. Council is the street numbering authority and allocates numbering in accordance with AS/NZ 4819:2011 Rural and Urban Street Addressing and the Office of Geographic Names Naming Rules for Places in Victoria 2016.**

Local Government (General) Regulations 2004

Part 6 - LAND INFORMATON CERTIFICATE

Section 13. - Prescribed information

(1) A land information certificate must contain the following statements:-

(a) This certificate provides information regarding valuation, rates, charges, other moneys owing and any orders and notices made under the ***Local Government Act 1958***, the ***Local Government Act 1989*** or under a local law or by-law of the Council and the specified flood level by the Council (if any).
(b) This certificate is not required to include information regarding planning, building, health, land fill, land slip, other flooding information or service easements. Information regarding these matters may be available from the Council or the relevant authority. A fee may be charged for such information.

INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

Bayside Solicitors
E-mail: certificates@landata.vic.gov.au

Statement for property:
UNIT 1 LOT 1 39 NOLAN STREET
FRANKSTON 3199
1 PS 430164

REFERENCE NO.	YOUR REFERENCE	DATE OF ISSUE	CASE NUMBER
51J//10709/00154	LANDATA CER 44482311-033-9	15 JANUARY 2021	37941838

1. Statement of Fees Imposed

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

(a) By Other Authorities

Parks Victoria - Parks Service Charge	01/07/2020 to 30/06/2021	$79.02
Melbourne Water Corporation Total Service Charges	01/01/2021 to 31/03/2021	$26.08

(b) By South East Water

Water Service Charge	01/01/2021 to 31/03/2021	$25.53
Sewerage Service Charge	01/01/2021 to 31/03/2021	$93.02
Subtotal Service Charges		$223.65
Payments		$79.02
TOTAL UNPAID BALANCE		$144.63

- The meter at the property was last read on 20/10/2020. Fees accrued since that date may be estimated by reference to the following historical information about the property:

  Water Usage Charge **$0.39 per day**

  Sewage Disposal Charge **$0.12 per day**

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

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

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

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

AUTHORISED OFFICER:



TERRY SCHUBACH
GENERAL MANAGER
CUSTOMER SERVICE DELIVERY

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

- The total annual service fees and volumetric fees for water usage and sewerage disposal for each class of property are set out at ***www.southeastwater.com.au***.
- Updates of rates and other charges will only be provided for up to six months from the date of this statement.
- If this property has recently been subdivided from a "parent" title, there may be service or other charges owing on the "parent" which will be charged to this property, once sold, that do not appear on this statement. You must contact us to see if there are any such charges as they may be charged to this property on sale and should therefore be adjusted with the owner of the parent title beforehand.
- If the property is sold, the vendor is liable to pay all fees incurred in relation to the property until the vendor gives South East Water a Notice of Disposition of Land required by the Water (Disposition of Land) Regulations 2010. Please include the Reference Number set out above in that Notice.
- Fees relating to the property may change from year-to-year in accordance with the Essential Service Commission's Price Determination for South East Water.
- Every fee referred to above is a charge against the property and will be recovered from a purchaser of the property if it is not paid by the vendor.
- Information about when and how outstanding fees may be paid, collected and recovered is set out in the Essential Services Commission's Customer Service Code, Urban Water Businesses.
- If this Statement only sets out rates and fees levied by Parks Victoria and Melbourne Water, the property may not be connected to South East Water's works. To find out whether the property is, or could be connected upon payment of the relevant charges, or whether it is separately metered, telephone 131 694.
- For a new connection to our water or sewer services, fees / charges will be levied.

2. Encumbrance Summary

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

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

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.

ENCUMBRANCE ENQUIRY EMAIL infostatements@sew.com.au

AUTHORISED OFFICER:



TERRY SCHUBACH
GENERAL MANAGER
CUSTOMER SERVICE DELIVERY

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

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

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

Important Warnings

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

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

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

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

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

3. Disclaimer

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

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

AUTHORISED OFFICER:

TERRY SCHUBACH
GENERAL MANAGER
CUSTOMER SERVICE DELIVERY

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

ASSET INFORMATION - SEWER & DRAINAGE

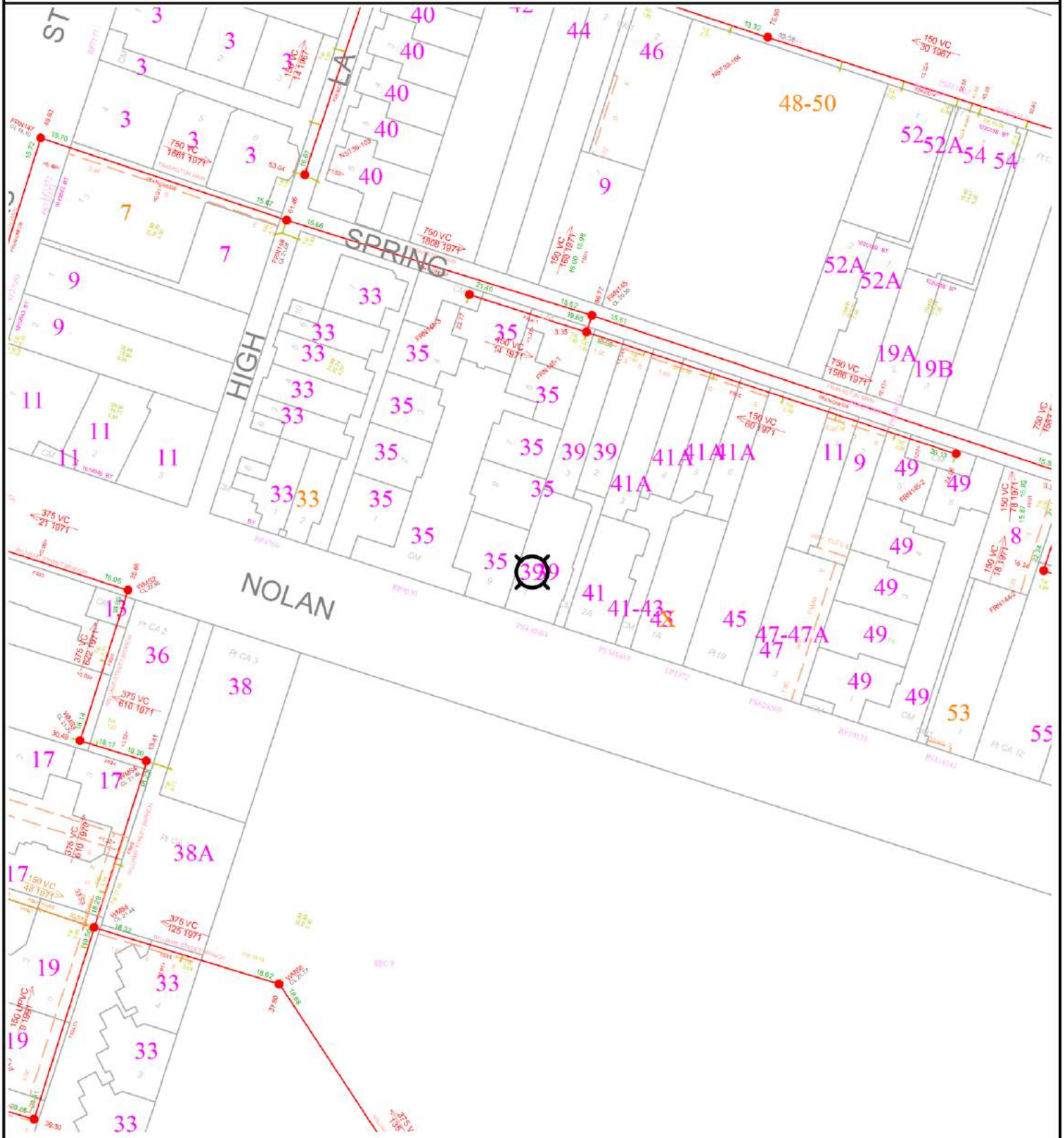
South East Water

Property: Lot 1 UNIT 1 39 NOLAN STREET FRANKSTON 3199

Case Number: 37941838

20 0 20 40
Scale in Metres

Date: 15JANUARY2021



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

Title/Road Boundary	Subject Property	Maintenance Hole
Proposed Title/Road	Sewer Main & Property Connections	Inspection Shaft
Easement	225 VC 280 MOR — Direction of Flow	<1.0> Offset from Boundary

Melbourne Water Assets

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

ASSET INFORMATION - WATER

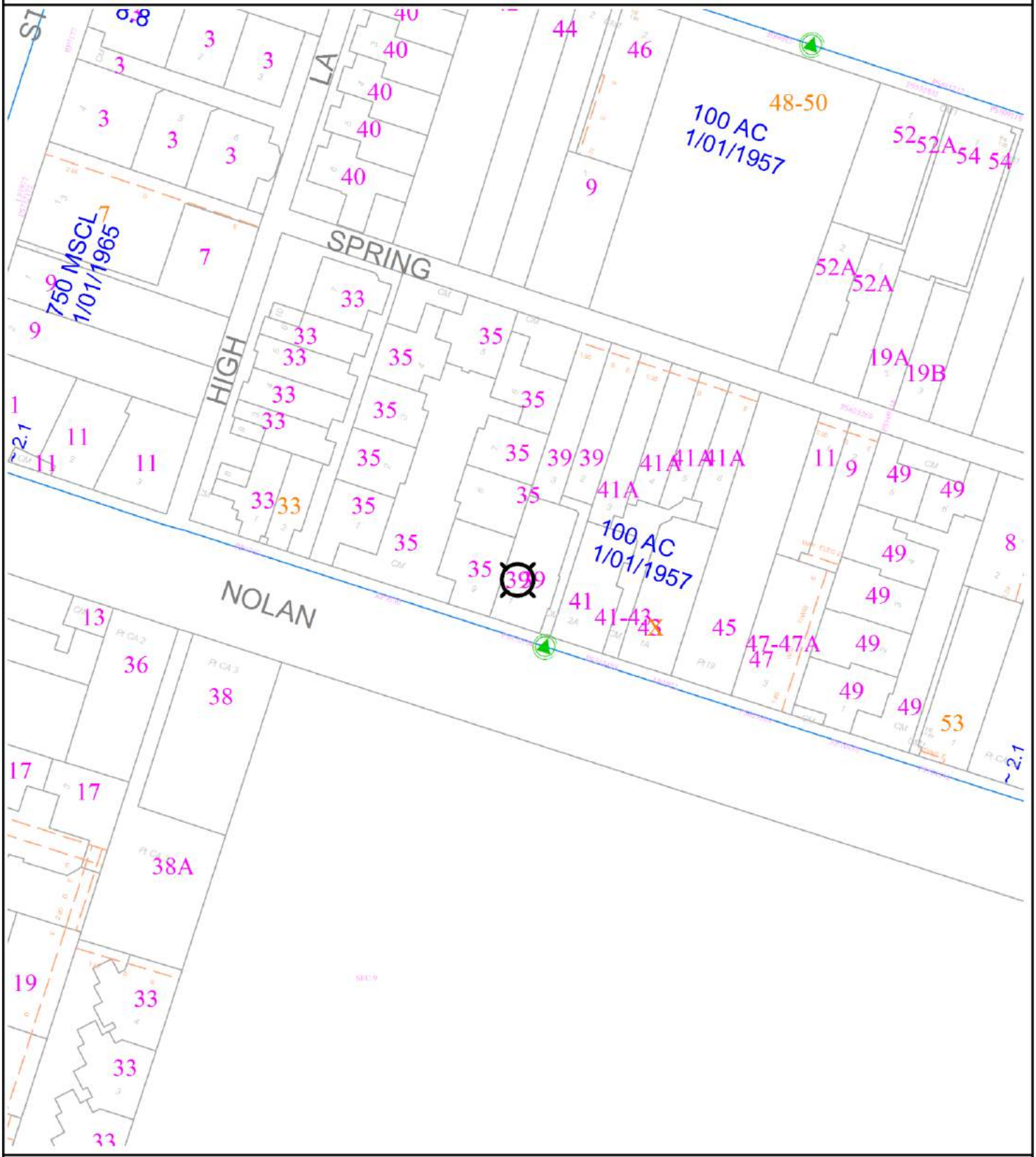
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LEGEND

- Title/Road Boundary
- Proposed Title/Road
- Easement
- Subject Property
- Water Main Valve
- Water Main & Services
- Hydrant
- Fireplug/Washout
- ~1.0 Offset from Boundary

ASSET INFORMATION - RECYCLED WATER

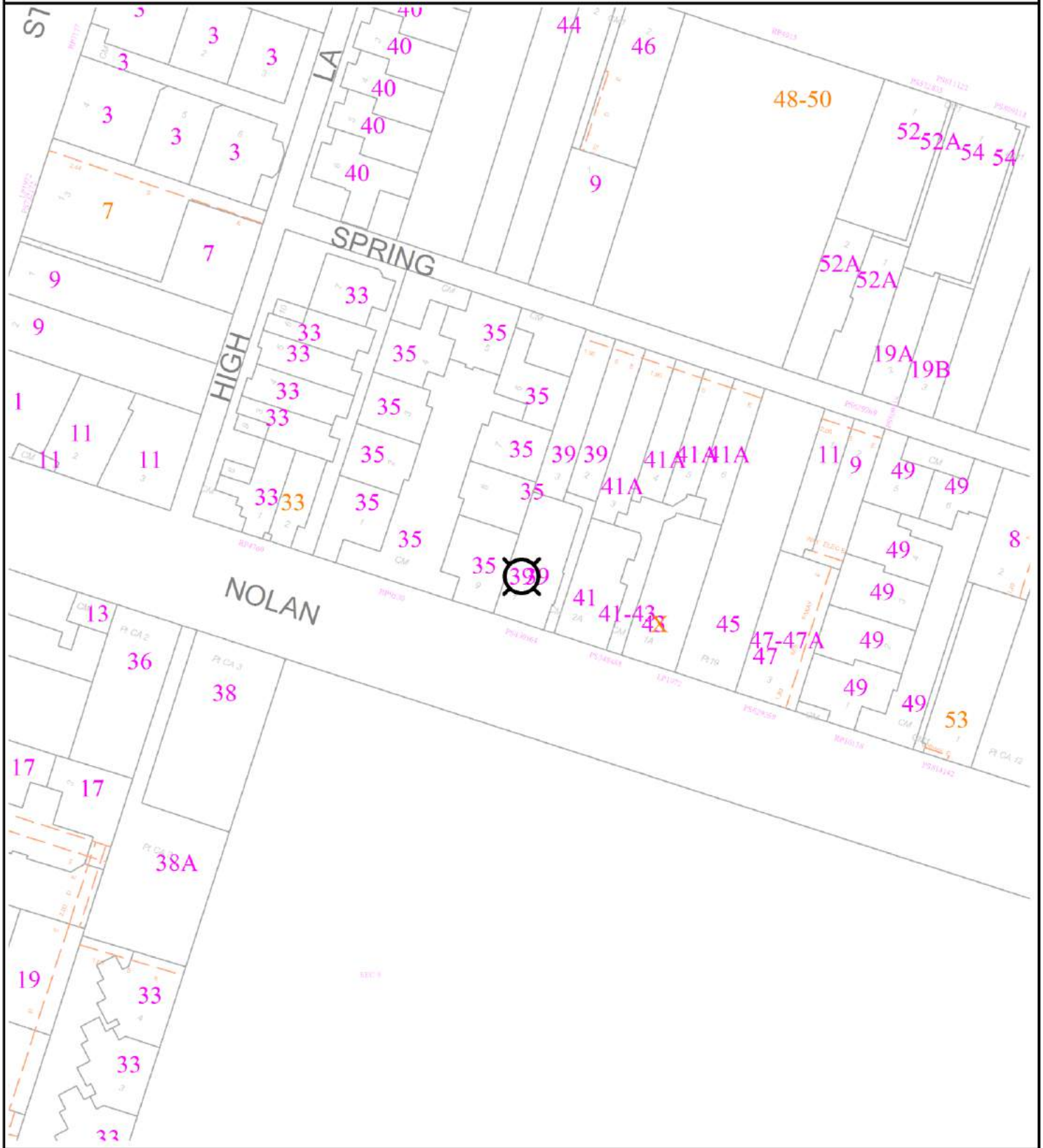
(RECYCLE WATER WILL APPEAR IF IT'S AVAILABLE)

Property: Lot 1 UNIT 1 39 NOLAN STREET FRANKSTON 3199

Case Number: 37941838

20 0 20 40
Scale in Metres

Date: 15JANUARY2021



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

LEGEND

- Title/Road Boundary
- Proposed Title/Road
- Easement
- Subject Property
- Recycled Water Main Valve
- 100 CICL 26.9.1975 — Recycled Water Main & Services
- Hydrant
- Fireplug/Washout
- ~ 1.0 — Offset from Boundary

Property Clearance Certificate

Taxation Administration Act 1997

STATE REVENUE OFFICE VICTORIA

BAYSIDE SOLICITORS

Your Reference:	LD:44482311-015-5.EDMUND
Certificate No:	41063043
Issue Date:	15 JAN 2021
Enquiries:	ESYSPROD

Land Address: UNIT 1, 39 NOLAN STREET FRANKSTON VIC 3199

Land Id	Lot	Plan	Volume	Folio	Tax Payable
28745676	1	430164	10587	468	$0.00

Vendor: KAREN EDMUNDS

Purchaser: FOR VENDOR UNKNOWN

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
MRS KAREN MURIEL EDMUNDS	2021	$275,000	$0.00	$0.00	$0.00

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

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

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 IMP VALUE:	$830,000
SITE VALUE:	$275,000
AMOUNT PAYABLE:	**$0.00**

Notes to Certificates Under Section 95AA of the *Taxation Administration Act 1997*

Certificate No: 41063043

Power to issue Certificate

1. The Commissioner of State Revenue can 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. If a purchaser of the land described in the Certificate has applied for and obtained a Certificate, the amount recoverable from the purchaser cannot exceed the 'amount payable' shown. A purchaser cannot rely on a Certificate obtained by the vendor.

Information for the vendor

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

General information

6. A Certificate showing no liability for the land does not mean that the land is exempt from land tax. It means that there is nothing to pay at the date of the Certificate.

7. An updated Certificate may be requested free of charge via our website, if:
   - The request is within 90 days of the original Certificate's issue date, and
   - There is no change to the parties involved in the transaction for which the Certificate was originally requested.

For Information Only

LAND TAX CALCULATION BASED ON SINGLE OWNERSHIP

Land Tax = $325.00

Taxable Value = $275,000

Calculated as $275 plus ($275,000 - $250,000) multiplied by 0.200 cents.

Property Clearance Certificate - Payment Options

BPAY

Biller Code: 5249
Ref: 41063043

Telephone & Internet Banking - BPAY®

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

www.bpay.com.au

CARD

Ref: 41063043

Visa or Mastercard

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

sro.vic.gov.au/paylandtax

OWNERS CORPORATION CERTIFICATE

s.151 Owners Corporation Act 2006 and r.11 Owners Corporations Regulations 2007

Owners Corporation No: 430164

Address: **39 Nolan Street, Frankston**

This certificate is issued for Lot **1** on Plan of Subdivision No: **430164**

Postal address is **1/39 Nolan Street, Frankston**

Vendor: Edmunds

Purchaser: Unknown

Applicant for the certificate is **Bayside Solicitors via Landata**

Address for delivery of certificate **Landata.online@victorianlrs.com.au**

Date that the application was received **18/1/2021**

IMPORTANT:

The information in this certificate is issued on **19/1/2021**

The Owners Corporation Certificate is valid for 30 day period only from the date of issue.

E &OE

Updates within this period to be requested **in writing.**

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

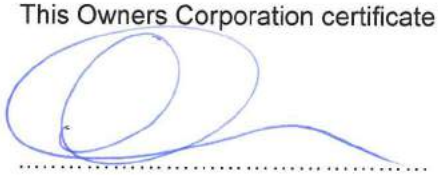
At electronic settlement of sale - B-pay details allocated to this property are **Biller Code: 16477 – Reference: 831011037101009133**

1.	The current fees for the Lot for each **quarter, half yearly, annually are $310.00 (Annually $1,240.00)** payable on **1st January, April, July & August**
2.	The date to which the fees for the Lot have been paid up to is:
	The fees are paid up to 1st April 2021
3.	The total of any unpaid fees or charges for the lot are:**$0** **(including penalty interest of $0)**
4.	The special fees or levies which have been struck, and the dates on which they were struck and are payable are: **None to Managing Agents Knowledge**
5.	Repairs, maintenance or other work which has been or is about to be performed which may incur additional charges which have not been included in above annual fees, maintenance fund and special fees are- **None to Managing Agents Knowledge** Funding Levies should current financial periods expenditure exceed revenue.

6.	The Owners Corporation has the following insurance cover: **(a)** the name of the company- **Axis** (b) the number of the policy- **P-005646** (c) the kind of policy- **Reinstatement & Replacement Insurance** (d) the building amount is- **$1,165,000.00** (e) the public liability amount- **$10,000,000.00** (f) the renewal date is- **23/3/2021**
7.	Has the Owners Corporation resolved that the members may arrange their own insurance under section 63 of the Act? No
8.	The total funds held by the owners corporation:
	The statement of financial position at the end of the last financial year of the Owners Corporation on 29/2/2020 ○ Assets: **$2,004.63** ○ Maintenance fund (if prescribed owners corporation) ○ Liabilities: **$0** ○ Maintenance plan (if prescribed Owners Corporation). **Total funds= $2,004.63**
9.	Are there any liabilities of the Owners' Corporation that are not covered by annual fees, special levies and repairs and maintenance as set out above? If so, then provide details:
	The Owners' Corporation has resolved to recover unpaid fees of members as they come into default. Currently $0 The Owners' Corporation may resolve to strike a special fee to cover the deficit and the cost of the recovery of the fees. Such costs of recovery to be sought for reimbursement from the member. **The Owners' Corporation approved the budget for 2020 to 2021 on 24/7/2020. The Owners Corporation may resolve to strike a special fee to cover the additional administrative and management costs to establish the maintenance plan and Owners' Corporation register, or to cover expenses required in excess of budgeted items.**
10.	Are there any current contracts, leases, licences or agreements affecting the common property? If so, then provide details:
	- **None to Managing Agents knowledge.**
11.	Are there any current agreements to provide services to lot owners, occupiers or the public? If so, then provide details:
	The Owners Corporation has an ongoing agreement with Wal Jones Owners Corporation Management in relation to management of the Owners Corporation.
12.	Are there any notices or orders served on the Owners Corporation in the last 12 months that have not been satisfied are? If so, then provide details:
	There are no notices or orders as at 19/1/2021

13.	Are there any legal proceedings to which the Owners' Corporation is a party and any circumstances of which the Owners' Corporation is aware that are likely to give rise to proceedings? If so, then provide details:
	The manager is not aware of any legal proceedings as at 19/1/2021
14.	Has the Owners' Corporation appointed or resolved to appoint a manager? If so, then provide details:
	A Manager is appointed. **The Manager is Wal Jones Body Corporate Management** **10 – 11 Patrick Court, Seaford.**
15.	Has an administrator been appointed for the Owners Corporation, or has been a proposal for the appointment of an administrator?
	No administrator is appointed.
16.	Documents required to be attached to the Owners Corporation certificate are:
	A copy of all resolutions made at the last annual general meeting **A copy of the consolidated rules registered at Land Victoria** **A copy of Schedule 3 of the Owners Corporations Regulations 2007 entitled *"Statement of Advice and Information for Prospective Purchasers and Lot Owners"***
17.	**NOTE:** **More information can be obtained by an inspection of the owners corporation register. Please make your request to inspect the owners corporation register in writing to:** **Wal Jones Body Corporate Management** **10 – 11 Patrick Court, Seaford.**
18.	**Owners Corporation has previously resolved to charge penalty interest on fees and charges outstanding past the 30 day grace period in accordance with Penalty Interest Act**
19.	**Owners Corporation has previously resolved to levy any member in default of payment of fees and levies, all costs incurred by the Owners Corporate in recovering funds.**
20.	**Any debts not adjusted for at settlement will transfer at settlement with the property and become the responsibility of the incoming owner. This includes charges relating to penalty interest, debt collection costs not yet levied (should the current owner be under debt collection process).**

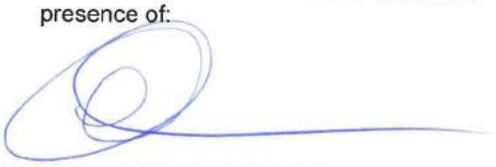
This Owners Corporation certificate was prepared by:



.....

Lyndal Phillips
Wal Jones Owners Corporation Management
as delegate of the Owners Corporation.

THE COMMON SEAL of OWNERS CORPORATION NO: 430164
was affixed in accordance with section 20 of the *Owners Corporations Act* 2006 and in the presence of:



.....

Lyndal Phillips - delegate



Date: 19/1/2021

Owners Corporation

Statement of Advice and Information for Prospective Purchasers and Lot Owners

Schedule 3, Regulation12, Owners Corporations Regulations 2007 OC 10 (12/07)

What is an Owners Corporation?

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

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

How are decisions made by an Owners Corporation?

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

Owners Corporation rules

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

You should look at the Owners Corporation rules to consider any restrictions imposed by the rules.

Lot entitlement and lot liability

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

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

Further information

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

Management of an Owners Corporation

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

IF YOU ARE UNCERTAIN ABOUT ANY ASPECT OF THE OWNERS CORPORATION OR THE DOCUMENTS YOU HAVE RECEIVED FROM THE OWNERS CORPORATION, YOU SHOULD SEEK EXPERT ADVICE.

Minutes of the Annual General Meeting
OC 430164
39 NOLAN STREET, FRANKSTON VIC 3199

Meeting held on 24/7/2020 at the office of Wal Jones Owners Corporation Management at Unit 5/10-11 Patrick Court, Seaford.

Meeting Opened:	**10.30AM**
Present:	**Managing Agent Representative, Helen Birchall**
Proxies:	**K. Edmunds to H. Birchall** **J. Reed & D Dorian to H. Birchall** **K. Orr to H. Birchall**

Meeting having a quorum of members represented will proceed under and in accordance with provisions of Section 77 of the Owners Corporation Act.

Managing Agent confirms all members are entitled to vote.

Resolved by members present that the Managing Agent Representative present, Chair the meeting and prepares minutes for meeting in accordance with terms of the management authority.

READING OF MINUTES
Minutes of previous Annual General Meeting held 15/4/2019 were tabled and adopted as a true record.

Moved:	**Orr**
Seconded:	**Dorian**
Carried:	**3/0**

REPORTS:
No committee report was presented as OC430164 is not required to have a committee.

Manager confirms current professional indemnity cover of $2,000,000.00 through AON Risk Services Australia Ltd renewing on 31st August each year.

Members resolved the following in relation to maintenance planning:

- To investigate and deal with maintenance as required on an annual basis and thus not implement a formal maintenance plan.

Managing Agent advised of complaints received throughout the financial year and action taken:

- No formal complaints were received by Owners Corporation during the year.

Moved: **Edmunds**
Seconded: **Dorian/Reed**
Carried: **3/0**
That reports as tabled be adopted.

FINANCIAL STATEMENT
Manager reported on dealings of OC430164 over the last financial period.
Financial Statements for the period to 29/2/2020 were tabled and discussed.

The opening balance in ledger was	$1,279.30
With receipts of	$4,026.00
And payments of	$3,300.67
Leaving balance of	$2,004.63 in ledger
Funds owing to OC (debtors) were	$0
Invoices (creditors) awaiting payment were	$0
Member funds paid in advance were	$0

Moved: **Orr**
Seconded: **Edmunds**
Carried: **3/0**

INSURANCE:
Managing Agent confirmed current insurance cover of the following:

Building Replacement Value:	$1,165,000.00
Public Liability:	$10,000,000.00
Renewal Date:	23/3/2021

The Manager explained the importance of continuity of cover to comply with the owners' corporation legal responsibilities. The Manager also emphasized the importance of having enough insurance to provide for replacement value and requested the members present to review the current insurance on the building and public risk.

Moved: **Dorian/Reed**
Seconded: **Edmunds**
Carried: **3/0**

Members resolved to continue the above coverage.

Members present resolved not to have a valuation completed for insurance purposes.

Moved: **Dorian/Reed**
Seconded: **Orr**
Carried: **2/1**

Members resolved not to increase the above coverage to $1,190,000.00

Moved: **Dorian/Reed**
Seconded: **Orr**
Carried: **2/1**

Wal Jones Owners Corporation Management is an authorised representative of Resolute Associates Pty Ltd t/as Resolute Insurance Brokers. The Manager and their authorised staff members are qualified to give general advice and information about insurance, not personal advice. Manager arranges and pays for insurance under instruction from the Owners Corporation.
The Owners Corporation members reconfirmed previous resolutions that the Manager automatically renews the insurance policy on the sums insured currently in force in accordance with proposals of Resolute Insurance Brokers, and that members will review the sums insured at every Annual General Meeting. Also, that if the budget provides for the insurance cost to be raised by a separate levy, the Manager is authorised to raise the levy as soon as possible after the renewal terms and invoice have been received by the Manager. Similarly if insufficient funds are held at time of receipt of renewal, Manager is authorised to strike a levy to raise funds to finance payment.
Management confirms insurance commissions are derived on insurance policies in the name of the Owners Corporation arranged through the above licensee. This arrangement contributes to a lower level of management fees and does not increase the cost of insurance to the Owners Corporation. On insurance cover for current term, commission was received by Resolute of $270.49 (excluding GST) from which Manager received $223.16 (including GST).

Financial Services Guide (FSG): It was resolved that the Financial Services Guide (FSG) be acknowledged and accepted: Copy available on request.
Product Disclosure Statement (PDS): It was resolved that the Product Disclosure Statement (PDS) be acknowledged and accepted**:** Copy available on request.

Carried: **3/0**

The policy arranged in the name of the Owners Corporation covers the accidental loss and damage to all improvements and structural fittings including fixed plant, machinery and underground services owned by the Owners Corporation.
It also covers proprietors' fixtures and fittings and improvements which form part of the building. Example: built in ovens, kitchen cupboards, baths and basins.
The Owners Corporation policy excludes contents within the individual units, such as carpets, floating floor boards, curtains, blinds, light fittings and electric appliances not actually wired into the premises. These items should be insured under a personal or landlord's contents insurance and that policy should also include landlords' liability cover.
It was also noted that the owner of any property that is subject of an insurance claim shall bear any applicable excess.
Policy holder has a duty of disclosure to insurer. Lot owners have an obligation to advise Owners Corporation should their lot be utilised by Airbnb or any similar entity.

ESTIMATES
Estimates for the ensuing financial period were tabled and discussed.

Moved: **Edmunds**
Seconded: **Orr**
Carried: **3/0**
that the following budget be accepted.

Insurance Renewal	$2,300.00
Management Fees	$ 462.00
Postage/Photocopying	$ 165.00
Domestic Lighting	$ 440.00
Bank Fees	$ 110.00
Archive storage	$ 55.00
Cyber Storage	$ 33.00
Maintenance/Repairs	$ 155.00
Total:	**$3720.00**

Fees as apportioned by liability schedule of: **$310.00 Per Quarter** (PAYABLE IN ADVANCE) shall become payable as **from 1/4/2020** and continues at the above rate until altered by a decision of members at a further meeting.

NOTE: Fees are paid on a quarterly basis and due for payment on

1st January, April, July, October
Non - receipt of fee or final fee notices forwarded by the Owners Corporation, is not an excuse for non - payment of fees by the due date.

NOTE: - under the Owners Corporation Act:

- Fee notice will be forwarded to members giving notice approximately 28 days prior to the due date. **Members have an obligation to pay fees within 28 days from the date of the notice.**
  If funds are not received within the 28 days period after the date of the fee notice, a final fee notice will be issued by the Owner Corporation.
  Continued unpaid fees will be subject to legal action for recovery through Victorian Civil and Administrative Tribunal (VCAT) proceedings.
  Unpaid fees will be subject to charging of penalty interest by the Owners Corporation in accordance with the Penalty Interest Act.
  Further to recovery of unpaid fees, member will be subject to a levy to recover costs incurred by the Owners Corporation in recovery actions (in accordance with rule of the Owners' Corporation.

Managing Agent appointment as manager continues in accordance with terms of management appointment. Delegation of powers and functions to continue as previous.

If at any time the Owners Corporation is in a deficit position, or invoices awaiting payment exceed funds held, Manager is at liberty to raise a levy in accordance with the provisions of the Owners Corporation Act.

Note: should a levy be raised by Owners Corporation further to a decision at meeting or by ballot to finance works, the matter cannot proceed until levies are paid so prompt payment of levies will allow work to proceed without delay.

ELECTION OF COMMITTEE
No committee was elected for the ensuing period in accordance with provisions of the Owners Corporation Act.

ELECTION OF CHAIRPERSON OF OWNERS CORPORATION
Nominations for election as chairperson of the Owners Corporation was requested.
No nominations were received.

SECRETARY TO OWNERS CORPORATION
Management of Owners Corporation resolved to continue in accordance with current Management Authority at annual fee approved in Estimate of Expenditure. Management re-appointed for a further term upon expiration of current term.

Moved: **Dorian/Reed**
Seconded: **Orr**
Carried: **3/0**

The following Special Resolutions were put forward for members' consideration:
Nil

The following unanimous Resolutions were put forward for members' consideration:
Nil

OTHER BUSINESS
All Owners' Corporations are governed by Model Rules.
Under the Owners Corporation Act, the Owners Corporation may also be subject to consolidated/additional rules (copies available on request).

There being no further business,

Meeting closed at 11.00AM

Model rules - Owners Corporation 430164

39 Nolan Street, Frankston

1. Health, safety and security

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

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

1.2 Storage of flammable liquids and other dangerous substances and materials

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

(2) This rule does not apply to—

(a) chemicals, liquids, gases or other material used or intended to be used for domestic purposes; or

(b) any chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.

1.3 Waste disposal

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

2. Committees and sub-committees

2.1 Functions, powers and reporting of committees and sub-committees

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

3. Management and administration

3.1 Metering of services and apportionment of costs of services

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

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

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

(a) must be claimed by the lot owner or occupier and the owners corporation has given the lot owner or occupier an opportunity to claim it and the lot owner or occupier has not done so by the payment date set by the relevant supplier; or

(b) is paid directly to the lot owner or occupier as a refund.

4. Use of common property

4.1 Use of common property

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

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

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

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

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

(6) Subrules (4) and (5) do not apply to an animal that assists a person with an impairment or disability.

4.2 Vehicles and parking on common property

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

(a) to be parked or left in parking spaces situated on common property and allocated for other lots; or

(b) on the common property so as to obstruct a driveway, pathway, entrance or exit to a lot; or

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

4.3 Damage to common property

(1) An owner or occupier of a lot must not damage or alter the common property without the written approval of the owners corporation.

(2) An owner or occupier of a lot must not damage or alter a structure that forms part of the common property without the written approval of the owners corporation.

(3) An approval under subrule (1) or (2) may state a period for which the approval is granted, and may specify the works and conditions to which the approval is subject.

(4) An owner or person authorised by an owner may install a locking or safety device to protect the lot against intruders, or a screen or barrier to prevent entry of animals or insects, if the device, screen or barrier is soundly built and is consistent with the colour, style and materials of the building.

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

5. Lots

5.1 Change of use of lots

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

Example

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

5.2 External appearance of lots

(1) An owner or occupier of a lot must obtain the written approval of the owners corporation before making any changes to the external appearance of their lot.

(2) An owners corporation cannot unreasonably withhold approval, but may give approval subject to reasonable conditions to protect quiet enjoyment of other lot owners, structural integrity or the value of other lots and/or common property.

5.3 Requiring notice to the owners corporation of renovations to lots

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

6. Behaviour of persons

6.1 Behaviour of owners, occupiers and invitees on common property

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

6.2 Noise and other nuisance control

(1) An owner or occupier of a lot, or a guest of an owner or occupier, must not unreasonably create any noise likely to interfere with the peaceful enjoyment of any other person entitled to use the common property.

(2) Subrule (1) does not apply to the making of a noise if the owners corporation has given written permission for the noise to be made.

7. Dispute resolution

(1) The grievance procedure set out in this rule applies to disputes involving a lot owner, manager, or an occupier or the owners corporation.

(2) The party making the complaint must prepare a written statement in the approved form.

(3) If there is a grievance committee of the owners corporation, it must be notified of the dispute by the complainant.

(4) If there is no grievance committee, the owners corporation must be notified of any dispute by the complainant, regardless of whether the owners corporation is an immediate party to the dispute.

(5) The parties to the dispute must meet and discuss the matter in dispute, along with either the grievance committee or the owners corporation, within 14 working days after the dispute comes to the attention of all the parties.

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

(7) If the dispute is not resolved, the grievance committee or owners corporation must notify each party of the party's right to take further action under Part 10 of the *Owners Corporations Act 2006*.

(8) This process is separate from and does not limit any further action under Part 10 of the *Owners Corporations Act 2006*.

1. *SPECIAL RULES*

Use of common property and lots

Member must not, and must ensure that the occupier of a Members lot does not:-

a) use the common property or permit the common property to be used in such a manner as to reasonably interfere with or prevent its use by other member or occupants of lots or their families or visitors; or
b) park or leave a vehicle on the common property so as to obstruct a driveway or entrance to a lot or in any place other than in a parking area specified for such purpose by the Owners Corporation; or
c) use or permit a lot affected by the Owners Corporation to be used for any purpose which may be illegal or injurious to the reputation of the development or may cause a nuisance or hazard to any other member or occupier of any lot or the families or visitors of any such member or occupier; or
d) make permit to be made any undue noise in or about the common property or any lot affected by the owners corporation; or
e) make or permit to be made noise from music or machinery which may be heard outside the owner's lot between the hours of 12 midnight and 8am; or
f) keep any animal on a lot affected by the Owners Corporation or the common property after being given notice by the Owners Corporation to remove such animal after the Owners Corporation has resolved that the animal is causing a nuisance.
g) maintain the relevant common garden areas in such a manner as to aesthetically detract from the Owners Corporation:
   - Unit 1 to maintain area adjacent to front boundary; and
   - Units 2 and 3 to maintain common pathway area and garden bed areas adjacent to Units 2 and 3 outside title boundaries.
h) complete external painting individually. All external painting to be completed under Owners Corporation controls.

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 (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.