

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

7/38 Hadley Street, Seaford 3198

Vendor's name

Jason Raath

Date

Feb 15, 2023

**Vendor's
signature**

JRaath

JRaath (Feb 15, 2023 14:48 GMT+11)

Vendor's name

Zina Raath

Date

Feb 15, 2023

**Vendor's
signature**

ZRaath

ZRaath (Feb 15, 2023 14:51 GMT+11)

**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)

See 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

	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.

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): -

Not Applicable.

3.2 Road Access

There is NO access to the property by road if the square box is marked with an 'X'

☐

3.3 Designated Bushfire Prone Area

The land is in a designated bushfire prone area under section 192A of the *Building Act* 1993 if the square box is marked with an 'X'

☐

3.4 Planning Scheme

3.4.1 FRANKSTON PLANNING SCHEME

3.4.1.1 RESIDENTIAL 1 ZONE (SUPERSEDED BY GRZ) (R1Z)

3.4.2.2 GENERAL RESIDENTIAL ZONE (R1Z)

4. NOTICES

4.1 Notice, Order, Declaration, Report or Recommendation

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

Not Applicable.

4.2 Agricultural Chemicals

There are NO notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes. However, if this is not the case, the details of any such notices, property management plans, reports or orders, are as follows:

Nil.

4.3 Compulsory Acquisition

The particulars of any notices of intention to acquire that have been served under section 6 of the *Land Acquisition and Compensation Act* 1986 are as follows:

Nil.

5. BUILDING PERMITS

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

Not Applicable.

6. OWNERS CORPORATION

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

Not Applicable.

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (“GAIC”)

Not applicable.

8. SERVICES

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

Electricity supply ☐	Gas supply ☐	Water supply ☐	Sewerage ☐	Telephone services ☐
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9. TITLE

Attached are copies of the following documents:

9.1 Register Search Statement Volume 10005 Folio 331

9.2 Copy of plan PS302409G

9.3 Owners Corporation Certificate PS302409

10. SUBDIVISION

10.1 Unregistered Subdivision

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

Not Applicable.

10.2 Staged Subdivision

This section 10.2 only applies if the land is part of a staged subdivision within the meaning of section 37 of the *Subdivision Act 1988*.

Not Applicable.

10.3 Further Plan of Subdivision

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

Not Applicable.

11. DISCLOSURE OF ENERGY INFORMATION

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

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

- (a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and
- (b) which has a net lettable area of at least 1000m²; (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.)

- ☒ Land with a Residence
- ☐ Attach Due Diligence Checklist (this will be attached if ticked)

13. ATTACHMENTS

(Any certificates, documents and other attachments may be annexed to this section 13)

(Additional information may be added to this section 13 where there is insufficient space in any of the earlier sections)

(Attached is an "Additional Vendor Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)

Register Search Statement Volume 10005 Folio 331
Copy of Plan PS302409G
Owners Corporation Certificate PS 302409G
Property Planning Report
Bushfire Prone Areas Report
Land Information Certificate
Water Information Certificate
Land Tax Certificate

Due diligence checklist

What you need to know before buying a residential property

Before you buy a home, you should be aware of a range of issues that may affect that property and impose restrictions or obligations on you, if you buy it. This checklist aims to help you identify whether any of these issues will affect you. The questions are a starting point only and you may need to seek professional advice to answer some of them. You can find links to organisations and web pages that can help you learn more, by visiting the [Due diligence checklist page on the Consumer Affairs Victoria website](http://consumer.vic.gov.au/duediligencechecklist) (consumer.vic.gov.au/duediligencechecklist).

Urban living

Moving to the inner city?

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

Is the property subject to an owners corporation?

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

Growth areas

Are you moving to a growth area?

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

Flood and fire risk

Does this property experience flooding or bushfire?

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

Rural properties

Moving to the country?

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

- Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.
- Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.
- Do you understand your obligations to manage weeds and pest animals?

Can you build new dwellings?

Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land?

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

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

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

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

Land boundaries

Do you know the exact boundary of the property?

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

Planning controls

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

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

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

Are there any proposed or granted planning permits?

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

Safety

Is the building safe to live in?

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

Building permits

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

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

Are any recent building or renovation works covered by insurance?

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

Utilities and essential services

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

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

Buyers' rights

Do you know your rights when buying a property?

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

(04/10/2016)

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

Page 1 of 2

VOLUME 10005 FOLIO 331

Security no : 124103760362C
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LAND DESCRIPTION

Lot 7 on Plan of Subdivision 302409G.
PARENT TITLE Volume 09795 Folio 514

REGISTERED PROPRIETOR

Estate Fee Simple

TENANTS IN COMMON

As to 1 of a total of 2 equal undivided shares

Sole Proprietor

JASON DAMIAN RAATH of UNIT 7 38 HADLEY STREET SEAFORD VIC 3198

AS566414K 26/09/2019

As to 1 of a total of 2 equal undivided shares

Sole Proprietor

ZINA RAATH of 25A SLADEN STREET CRANBOURNE VIC 3977 Administrator(s) of

VANESSA KATHRYN RAATH deceased

AW256262B 11/11/2022

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AS566415H 26/09/2019
WESTPAC BANKING CORPORATION

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 PS302409G FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AW251922L (E)	NOMINATION OF ECT TO LC	Completed	10/11/2022
AW256262B (E)	TRANSMISSION APPLICATION	Registered	16/11/2022

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

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

Street Address: UNIT 7 38 HADLEY STREET SEAFORD VIC 3198

ADMINISTRATIVE NOTICES

NIL

eCT Control 16977H ST GEORGE BANK
Effective from 16/11/2022

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

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OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION PLAN NO. PS302409G

DOCUMENT END

Imaged Document Cover Sheet

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

Document Type	Plan
Document Identification	PS302409G
Number of Pages (excluding this cover sheet)	4
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PLAN OF SUBDIVISION		STAGE No. —	LTO USE ONLY EDITION 3	PLAN NUMBER PS 302409 G
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LOCATION OF LAND PARISH: FRANKSTON TOWNSHIP: — SECTION: — CROWN ALLOTMENT: 43 (PART) CROWN PORTION: — LTO BASE RECORD: CHART 11 TITLE REFERENCES: VOL. 9795 FOL. 514 LAST PLAN REFERENCE/S: CP. 166544H POSTAL ADDRESS: 38 HADLEY STREET, (At time of subdivision) FRANKSTON, 3200 AMG Co-ordinates (of approx centre of land in plan) E 336 840 N 5778 740 ZONE: 55	COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME: CITY OF FRANKSTON REF: 4024 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 18 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 5 / 9 / 90 Re-certified under Section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date / /
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VESTING OF ROADS AND/OR RESERVES	
IDENTIFIER	COUNCIL/BODY/PERSON
—	—

NOTATIONS	
STAGING	This is is not a staged subdivision. Planning permit No. 90/157
DEPTH LIMITATION	DOES NOT APPLY

LOCATION OF BOUNDARIES DEFINED BY BUILDINGS:

MEDIAN: BOUNDARIES BETWEEN LOTS 1 & 2, 3 & 4 AND 6 & 7.

EXTERIOR FACE: ALL OTHER BOUNDARIES.

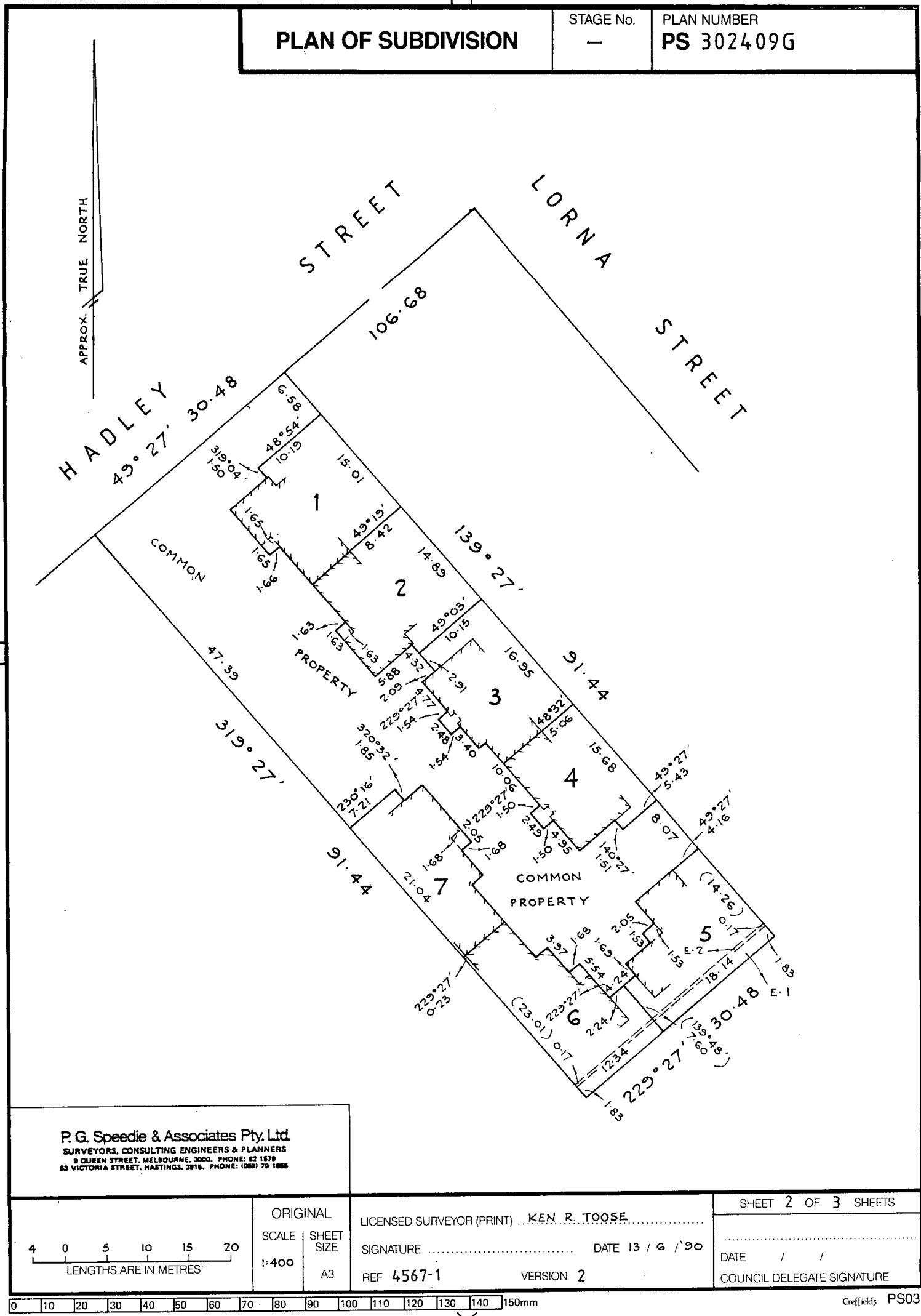
THE COMMON PROPERTY IS ALL THE LAND IN THE PLAN EXCEPT LOTS 1 TO 7.

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

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No (s) —
IN PROCLAIMED SURVEY AREA No. 16

EASEMENT INFORMATION					LTO USE ONLY	
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)					STATEMENT OF COMPLIANCE/ EXEMPTION STATEMENT	
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	RECEIVED ☒ DATE: 19 / 11 / 90	
E-1	DRAINAGE	1.83	LP. 10432	LOTS ON LP. 44624 & LP. 10432	LTO USE ONLY PLAN REGISTERED TIME DATE 27 / 2 / 91 <i>all fates</i> Assistant Registrar of Titles SHEET 1 OF 3 SHEETS	
E-1	SEWERAGE	1.83	THIS PLAN	MORNINGTON PENINSULA AND DISTRICT WATER BOARD		
E-2	SEWERAGE	0.17	THIS PLAN	MORNINGTON PENINSULA AND DISTRICT WATER BOARD.		

P. G. Speedie & Associates Pty. Ltd. SURVEYORS, CONSULTING ENGINEERS & PLANNERS 9 QUEEN STREET, MELBOURNE, 3000. PHONE: 62 1879 63 VICTORIA STREET, HASTINGS, 3615. PHONE: (0360) 79 1886	LICENSED SURVEYOR (PRINT) <u>KEN R. TOOSE</u> SIGNATURE DATE 13 / 6 / 90 REF 4567-1 VERSION 2	DATE / / COUNCIL DELEGATE SIGNATURE ORIGINAL SHEET SIZE A3
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PS302409G

FOR CURRENT BODY CORPORATE DETAILS
SEE BODY CORPORATE SEARCH REPORT

OWNERS CORPORATION CERTIFICATE

*s 151 Owners Corporations Act 2006
r 16 Owners Corporations Regulations 2018*

Owners Corporation (1) Plan No. PS 302409 G

Re: MS V K & MR J D RAATH

Property: Lot 7, 38 HADLEY STREET SEAFORD 3198

Your Ref: 22/361 - Infotrack

This certificate is issued for Lot 7 known as Unit No. 7 on Plan of Subdivision Plan No 302409 G the postal address of which is 7/ 38 HADLEY STREET SEAFORD 3198.

1. The current fees for the above Lot are \$1,221.80 per annum payable quarterly in advance and due on the 1st day of January, April, July and October of each year.
2. The fees are paid up until 31/03/2023.
3. The total of unpaid fees or charges for the Lot is: Nil.
4. The following special fees or levies and unpaid fees or charges have been struck: Nil.
5. The Owners Corporation has not performed and is not about to perform any repairs, or other work which may incur additional charges to those set out above except as outlined in the Minutes of the Annual General Meeting.
6. The Owners Corporation has the following insurance cover:

Name of Company:	SCI
No. of Policy:	VRSC21002837
Kind of Policy:	RESIDENTIAL STRATA
Buildings Amount:	\$2,228,920
Legal Liability Amount:	\$20,000,000
Buildings Covered:	ALL
Common Contents:	\$22,289
Renewal Date:	3rd May 2023
7. The Owners Corporation has not resolved that the members may arrange their own insurance under section 63 of the Act.
8. The total funds held by the Owners Corporation are made up of :-

Total Funds	\$ 7,976.23
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9. The Owners Corporation has no liabilities in addition to any liabilities shown above except the following:-
- None to our knowledge
10. The Owners Corporation has no current contracts, leases, licenses or agreements affecting the common property except the following:-
- Management contract with MBCM Strata Specialists Frankston.
11. The Owners Corporation has no current agreements to provide services to lot owners, occupiers or the public except the following:-
- None to our knowledge.

12. There have been no notices or orders served on the Owners Corporation in the last 12 months that have not been satisfied except the following :-
- **None to our knowledge.**
13. The Owners Corporation is not a party to any legal proceedings or aware of any circumstances that are likely to give rise to proceedings except the following:-
- **None to our knowledge.**
14. The Owners Corporation has appointed a manager as follows:-
Name MBCM Frankston
Address PO BOX 542 FRANKSTON 3199
15. No administrator has been appointed and there has not been a proposal for the appointment of an administrator.

Executed pursuant to sections 10 and 11 of the Owners Corporations Act 2006 by Owners Corporation
(1) Plan of Subdivision Plan No 302409 G

Dated this 9th day of February 2023



Caroline Jeanes Manager and Delegate of the Owners Corporation
For and on behalf of MBCM Frankston
PO BOX 542 FRANKSTON 3199
info@frankston.mbcm.com.au

NOTE: 1. Further information on prescribed matters can be obtained by inspection of the Owners Corporation Register. Please make your request in writing to the Owners Corporation Manager noted above.
2. Owners are recommended to engage their own building consultant for further advice on building cladding (as applicable).

Please find attached

- (i) a copy of the House Rules of the Owners Corporation
- (ii) a statement in the prescribed form providing advice and information to prospective purchasers and lot owners.
- (iii) a copy of the Minutes of the last Annual General Meeting and Managers Report
- (iv) a copy of the Interim Financial Report

THIS CERTIFICATE IS ISSUED ON THE FOLLOWING BASIS

- 1. The information contained in this certificate is correct to the best of the Manager's knowledge at the date it is given.
- 2. The information is subject to change without notice.

ELECTRONIC PAYMENT OF SETTLEMENT FUNDS

Please deposit any settlement funds for this lot, payable to the Owners Corporation, into the following account.



Biller Code: 96503

Biller Reference: 303681225 03385



MINUTES OF THE ANNUAL GENERAL MEETING

OWNERS CORPORATION PLAN NO. PS302409G

38-40 HADLEY STREET, SEAFORD, 3198

held via **ZOOM VIDEO / TELECONFERENCE**

On **21st JUNE 2022 AT 5:30PM**

Meeting Commenced at 5:30pm

Present

	Financial & entitled to vote
Unit 1, M & A Norton	☒
Unit 3, A Butcher	☒
Unit 4, D Kelly	☒

Apologies

	Financial & entitled to vote	Proxy to:
No apologies	☒	No proxies

In Attendance

Zane Khan for MBCM Strata Specialists Frankston, Manager of the Owners Corporation.

Running of Meeting

Chair:	Zane Khan	<i>All in favour</i>
Minutes:	Zane Khan	<i>All in favour</i>

Quorum

As at least 50% of the total votes, or total lot entitlements, being a quorum, were not present the meeting can still go ahead with all decisions being interim decisions in accordance with section 78 of the Owners Corporations Act 2006. The Owners Corporation can act on interim decisions after 29 days only if a petition of owners representing 25% of the total lot entitlements has not been received to call another meeting.

Adoption of Minutes of Previous Annual General Meeting

The minutes of the previous Annual General Meeting held on 20th May 2021 were taken as read and accepted as a true record of that meeting.

All in favour

The Manager's Report previously sent with the meeting notices refers to items that resulted from the previous Annual General Meeting and throughout the year and should be read in conjunction with these minutes.

The standing resolutions that were tabled in the manager's report were ratified as resolutions of the Owners Corporation that will remain in place without any further voting unless any members or the manager raises a change to any of the resolutions in the future. They are attached to these minutes and will be reported annually with the manager's report.

All in favour

MANAGERS REPORT AND GENERAL MAINTENANCE

The following matters were decided upon at this meeting:

1. LEANING TREE: It was resolved to monitor the leaning tree and for owners to discuss options with Unit 7. This will be tabled for the 2023 AGM.

RULES, GRIEVANCES AND DISPUTES

APPOINTMENT OF GRIEVANCE COMMITTEE - See standing resolutions for the dispute resolution and grievance process.

No new matters were raised at the meeting

OCCUPATIONAL HEALTH & SAFETY

CONTRACTOR MANAGEMENT - See standing resolutions for the resolution that has been made in relation to contractor management.

There have been no significant changes since the 2021 Annual General Meeting to the procedures used by MBCM Strata Specialists Frankston for Contractor Management.

SAFETY INSPECTION – See standing resolutions for the resolution that has been made in relation to safety inspections.

No new OH&S matters were reported and no changes impacting the common property have been made. Owners are to keep vigilant for any changes to the property that might be a safety hazard.

All in favour

RCD/SWITCHBOARD SAFETY CHECK - See standing resolutions for the resolution that has been made in relation to RCD and switchboard safety checks.

ASBESTOS MANAGEMENT - See standing resolutions for the resolution that has been made in relation to asbestos management

ESSENTIAL SAFETY MEASURES - See standing resolutions for the resolution that has been made in relation to Essential Safety Measures.

REVIEW OF INSURANCE

MANAGER'S PROFESSIONAL INDEMNITY INSURANCE - The Manager holds \$5m of professional indemnity insurance with CGU Professional Risks Insurer. Policy number is 03-REA-I-0000745 and expires on 31/03/2023.

OWNERS CORPORATION INSURANCE DETAILS FOR YOUR RECORDS

Insurance Company:	SCI	Policy No:	VRSC21002837
Building Cover:	\$2,228,920	Public Risk Cover:	\$20,000,000
Commission paid:	\$742.51	Renewal Date:	3/05/2023
Excess:	\$500 each claim & \$1000 Legal Defence Expenses & 10% contribution		

FINANCIAL SERVICE DECLARATION – “MBCM Strata Specialists Frankston, the Manager, is an authorised representative of CHU Underwriting Agencies P/L and Whitbread Insurance Brokers P/L and a distributor for Honan Insurance Group and Strata Community Insurance.

The Manager is qualified to give factual information and general advice only about insurance with CHU Underwriting Agencies P/L and Whitbread Insurance Brokers P/L and factual information only about insurance with Honan Insurance Group and Strata Community Insurance, which does not take into account the members' personal circumstances. The Manager cannot give personal advice. If the Owners Corporation requires specialist insurance advice the manager can refer the Owners Corporation to an insurance advisor.

If the manager recommends that your building insurance should be placed with an insurer, the Owners Corporation acknowledges and agrees that the recommendation is general advice (not personal). Before making a decision to purchase that insurance the Owners Corporation should read the Financial Services Guide and the Product Disclosure Statement which have previously been supplied to the Owners Corporation and were offered to Owners at the meeting. MBCM Strata Specialists Frankston receives a commission from the insurance company which is disclosed in the financial services guide and in the manager's report.”

LEVEL OF BUILDING REINSTATEMENT COVER - See standing resolutions for the resolution that has been made in relation to the level of building reinstatement cover.

POLICY RENEWAL - See standing resolutions for the resolution that has been made in relation to policy renewal.

PUBLIC LIABILITY - See standing resolutions for the resolution that has been made in relation to public liability cover.

EXCESS - See standing resolutions for the resolution that has been made in relation to insurance excess payments.

OWNERS CORPORATION MANAGEMENT

See standing resolutions for the resolution that has been made in relation to Owners Corporation Management.

DELEGATION OF POWERS TO THE MANAGER - See standing resolutions for the resolution that has been made in relation to the delegation of powers to the Manager.

RESOLUTION AT GENERAL MEETING - See standing resolutions for the resolution that has been made in relation to the appointment or removal of a Manager.

FEE COLLECTION PROCEDURE - See standing resolutions for the resolution that has been made in relation to the Fee Collection Procedure.

ELECTION OF COMMITTEE

It was resolved to elect a Committee for the following year. The following members were nominated: Michael Norton, Alan Butcher and Daryl Kelly.

There being no other nominations, the Chairperson declared them all duly elected unopposed.

All in favour

DELEGATION OF POWERS TO THE COMMITTEE - See standing resolutions for the resolution that has been made in relation to the delegation of powers to the Committee.

CHAIRPERSON AND SECRETARY - The Owners Corporation must elect a chairperson and may elect a secretary. This can be done now or by the Committee at the first meeting of the Committee.

APPOINTMENT OF CHAIRPERSON OF THE OWNERS CORPORATION – Michael Norton was nominated as chairperson and duly elected unopposed.

All in favour

APPOINTMENT OF SECRETARY OF THE OWNERS CORPORATION - There being no nominations the Owners Corporation Manager will fill this position as required.

All in favour

USE OF COMMON SEAL

The OC Amendments Act 2021 has changed the use of a common seal which is no longer required if so resolved.

The following motion that was included in the managers report was tabled: “It is resolved that a common seal will no longer be used by the Owners Corporation.”

All in favour

CONSIDERATION OF FINANCES

INCOME AND EXPENDITURE STATEMENT

The Income and Expenditure Statement and Balance Sheet, that was sent with the meeting notices, was adopted as a true record of the transactions of the Owners Corporation for the year ending 31/03/2022.

All in favour

BUDGET

It was resolved to set the budget at \$ 8552 pa.

All in favour

SERVICE FEES

It was resolved to set service fees at \$ 8552 pa

All in favour

Service fees are payable quarterly in advance and are next due on the first day of October 2022.

CASH FLOW

Cash flow is considered sufficient to meet the operational needs of the Owners Corporation.

All in favour

PROCUREMENT

The following resolution that was included in the manager's report was tabled as a standing resolution: "It is resolved that the Owners Corporation accepts the procurement practices adopted by MBCM Strata Specialists Frankston as being acceptable practices to ensure that goods and services are procured at competitive prices and terms."

All in favour

OTHER BUSINESS

DATE OF NEXT MEETING – Subject to confirmation of date on the agenda papers.

22nd June 2023 at 4:30pm via Zoom.

AS THERE WAS NO FURTHER BUSINESS THE MEETING CLOSED AT 5:51 PM

Meeting Chairperson
Zane Khan
MBCM Strata Specialists Frankston

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**OWNERS CORPORATION PLAN NO: PS302409G
38-40 HADLEY STREET, SEAFORD, 3198**

STANDING RESOLUTIONS

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

Item	Resolution
<u>Maintenance of Gutters and Downpipes</u>	It was resolved at the 2020 Annual General Meeting that the maintenance of gutters and downpipes to units is an individual owner's responsibility and should be attended to regularly to ensure that water is evacuated properly and does not cause flooding and resultant water damage to the interior of any units.
<u>Ground Maintenance</u>	It is resolved at the 2021 Annual General Meeting that owners will carry out ground maintenance on the common property on a volunteer basis
<u>Maintenance Plan</u>	It was resolved at the 2018 Annual General Meeting not to obtain a maintenance plan. This motion will not be tabled again unless a proposal is received by an owner requesting otherwise, in which case the proposal will be considered and decided upon at the meeting.
<u>Grievance Committee</u>	It was resolved at the 2009 Annual General Meeting that the Owners Corporation Manager would be the convenor of the Grievance Committee. The Grievance Committee will consist of any available members of the Committee if there is one or, where there is no Committee, any available members of the Owners Corporation. Note: the Owners Corporation Manager will only attend to these matters in business hours.
<u>Contractor Management</u>	It was resolved at the 2011 Annual General Meeting that the Owners Corporation accepts the procedures that MBCM Strata Specialists Frankston is using for the management of contractors as the procedures of the Owners Corporation.
<u>Safety Inspection</u>	It was resolved at the 2020 Annual General Meeting that the Owners Corporation authorises a specialist contractor to conduct a professional safety inspection of the common property at a suitable frequency, to be determined. The Manager is to arrange the inspection and to ensure that hazards identified in the report are remedied provided the associated cost is less than \$1,000, in accordance with the contract of appointment of the Manager. Where the associated cost exceeds this amount, the Manager will request approval from the Owners Corporation or the Committee. It was resolved at the 2020 Annual General Meeting that every five years would be a suitable frequency to conduct a professional safety inspection. This was last conducted on 4/09/2017. The next one is due in September 2022.
<u>RCD/Switchboard Safety Check</u>	It was resolved at the 2020 Annual General Meeting that every two years would be a suitable frequency to conduct a switchboard safety check and RCD test. This was last conducted in 1/02/2022. The next one is due in February 2024.
<u>Asbestos Management</u>	It was resolved at the 2020 Annual General Meeting as it is believed there is no asbestos on common property an asbestos survey is not required on the common property after being made aware of the associated risks, and against the strong advice of the Manager. This motion will not be tabled again unless a proposal is received by an owner requesting otherwise, in which case the proposal will be considered and decided upon at the meeting.

<u>Level of Building Reinstatement Cover</u>	It was resolved at the 2020 Annual General Meeting that the Owners Corporation obtains an insurance valuation and alters the building sum insured to the level advised by the valuer and in subsequent years changes the building sum insured annually to the level suggested by the insurer until the next valuation. It was resolved at the 2020 Annual General Meeting that subsequent insurance valuations be obtained every five years. The last one was obtained on 30/04/2021. The next one is due in April 2026.
<u>Policy Renewal</u>	It was resolved at the 2021 Annual General Meeting that the Owners Corporation seeks comparison quotes for insurance from at least three providers of comparable policies, based on the agreed level of cover and places cover with the most competitive insurer at renewal. Policies that are currently comparable are CHU, SUU, Longitude and SCI and the Owners Corporation may update these at the AGM prior to the next review. In-between quotations the existing policy will be left in place unless held by a broker in which case the policy will be placed with the provider that is recommended by the broker until such a time as comparison quotes for insurance are next sought. It was further resolved at the 2021 Annual General Meeting that the Owners Corporation seeks subsequent comparison quotes for insurance every three years. These were last obtained on 04/05/2021 and are next due in April 2024.
<u>Public Liability Cover</u>	It was resolved at the 2020 Annual General Meeting to retain Public Liability cover at \$20,000,000.
<u>Insurance Excess</u>	It was resolved at the 2020 Annual General Meeting that the excess payment attached to any claim is payable by the Unit Owner making the claim if the cause of the claim arose from within the unit or from outside the common property. If the cause is from common property then the excess will be met by the Owners Corporation.
<u>Owners Corporation Management</u>	It was resolved at the 2020 Annual General Meeting to reappoint MBCM Strata Specialists Frankston as the Owners Corporation manager for a five-year term as per the terms of the contract of appointment in accordance with Section 119 of the Owners Corporations Act 2006. The contract expires on 21/05/2025.
<u>Matters to be determined only by ordinary resolution at a General Meeting</u>	It was resolved at the 2019 Annual General Meeting that the appointment or removal of a Manager may be determined only by ordinary resolution of the Owners Corporation at a general meeting.
<u>Fee Collection procedure</u>	It was resolved at the 2021 Annual General Meeting that the fee collection procedure listed below will remain in place and the administration charge will be updated from time to time (currently \$66); a) interest will be charged against the member once fees become 28 days overdue. Interest will be charged from the due date at the penalty interest rate b) an administration charge is to be charged by the Owners Corporation Manager to handle the payment of fees that become 56 days overdue c) the Owners Corporation may recover, as a debt due from the lot owner or persons in default or breach, the costs, charges and expenses incurred by the Owners Corporation arising out of any default or breach by any lot owner, or occupier of a lot, of any obligation under the Owners Corporations Act 2006 or the Owners Corporation Regulations 2018 or the Rules of the Owners Corporation.

<u>Delegation of powers to the Committee</u>	It was resolved at the 2020 Annual General Meeting that the Owners Corporation delegates to the Committee of the Owners Corporation the powers and functions of the Owners Corporation under section 11 of the Owners Corporations Act 2006 except: a) a power or function requiring a unanimous resolution or a special resolution; or b) giving notice of an annual general meeting; or c) the power to remove the committee or officer of the Owners Corporation; or d) the power or function to terminate a Manager's Appointment unless so resolved at a general meeting of the Owners Corporation. Provided that the Committee must not exercise any of the powers and functions of the Owners Corporation unless the Committee is acting in accordance with a decision of the Committee of the Owners Corporation.
<u>Delegation of powers to the Manager</u>	It was resolved at the 2020 Annual General Meeting that the Owners Corporation delegate to the Manager all the powers and functions of the Owners Corporation (other than a power or function that requires a unanimous resolution or a special resolution or this power of delegation) that are necessary to enable the Manager to perform its duties under the Appointment.
<u>Procurement</u>	It was resolved at the 2022 Annual General Meeting that the Owners Corporation accepts the procurement practices adopted by MBCM Strata Specialists [Office] as being acceptable practices to ensure that goods and services are procured at competitive prices and terms.



**MBCM | STRATA SPECIALISTS
FRANKSTON**

HELPING STRATA COMMUNITIES THRIVE

PO Box 542, Frankston, VIC 3199
4 Silkwood Rise, Carrum Downs, VIC 3201

Phone 03 9781 4200
Email info@mbcmfrankston.com.au
Website mbcm.com.au/Frankston

**OWNERS CORPORATION PLAN NO. PS302409G
38-40 HADLEY STREET, SEAFORD, 3198**

Dear Member,

Referring to the minutes of the meeting dated 20th June 2022.

NOTICE OF INTERIM RESOLUTIONS:

As there was no quorum all decisions made at the meeting are interim decisions. These interim decisions will become decisions of the Owners Corporation if no petition (from lot owners representing at least 25% of the total lot entitlements) is received within 29 days of the interim decision or if the decisions are confirmed at a later meeting.

What you must do

If you disagree with the result of the interim decision you must, within 29 days of the above meeting date, petition the manager to call another meeting.

Kind regards,

[\[Select Manager's Signature\]](#)



OWNERS CORPORATION PLAN NO: PS302409G
38-40 HADLEY STREET, SEAFORD, 3198

MANAGERS REPORT FOR THE FEBRUARY 2022 ANNUAL GENERAL MEETING

Standing Resolutions: Please refer to the table at the end of the report for the standing resolutions of the Owners Corporation. It is important to check these resolutions as Members will be asked to ratify these at the Annual General Meeting. If, at the meeting, a proposal is received by an owner to change them, the proposal will be considered and decided upon at the meeting.

Preamble

The Importance of attending your Annual General Meeting: It is essential that you make every effort to attend your Annual General Meeting so that you can be involved in decisions relating to your property. This is the one time of the year that each of you as owners have the opportunity to meet together as a community and discuss any challenges, maintenance, improvements, required adjustments and resolutions. It is also the time to review expenditures and plan your budget for the coming year. If for some reason you are unable to attend, you have the option to appoint someone to represent you as a proxy such as a family member, another Owner or your Owners Corporation Manager.

Meeting Ground Rules: All meeting participants will speak and listen respectfully to one another, refrain from side conversations, make sure every voice is heard, speak one at a time, keep to the agenda, start and end on time, bring their humor and levity.

Financial Statements: Queries regarding the financial statements must be submitted to the Manager no less than 72 hours prior to the meeting. Any queries not submitted in this time frame may not be addressed during the meeting.

General Business: General business items for discussion must be submitted to the manager no less than 72 hours prior to the meeting. Any items not received by the manager in this time frame may not be addressed during the meeting.

REPORT ON REPAIRS AND MAINTENANCE

1. **GENERAL REPAIRS AND MAINTENANCE:** Refer to the financial report for maintenance items completed throughout the year.
2. **GUTTER MAINTENANCE:** See standing resolutions for the resolution that has been made in relation to gutter maintenance.
3. **GROUND MAINTENANCE:** See standing resolutions for the resolution that has been made in relation to ground maintenance.

SIGNIFICANT CHANGES TO THE OWNERS CORPORATION ACT 2006

CHANGE OF LEGISLATION FROM 1ST DECEMBER 2021

The most significant change to the Owners Corporations Act 2006 since its implementation has been legislated and is effective from 1st December 2021.

There will be five tiers of Owners Corporations which will have different requirements under the changes:

- Tier 1 – over 100 occupiable lots
- Tier 2 – 51 to 100 occupiable lots
- Tier 3 – 10 to 50 occupiable lots
- Tier 4 – 3 to 9 occupiable lots
- Tier 5 – 2 occupiable lots

We will be assisting your Owners Corporation with compliance and estimate that the charge for our time spent on enacting the legislative changes will be for no more than an hour on this.

REPORT ON RULES, GRIEVANCES AND DISPUTES

APPOINTMENT OF GRIEVANCE PROCEDURE: See standing resolutions for the resolution that has been made in relation to contractor management.

For the year ending 31st March 2021 no matters were reported under Part 10 of the Act and no applications were made to VCAT.

All owners are reminded that it is their responsibility to ensure all tenants and agents are provided with a copy of the Rules which are available on request from our office. All owners and tenants including their invitees are bound by the Rules.

REPORT ON OCCUPATIONAL HEALTH & SAFETY

There have been no incidents to report this year.

It is noted that contractors who work in Owners Corporations are generally required to be fully vaccinated. The manager has been progressively checking the vaccination status of existing and new contractors and will have no option but to terminate the services of non-compliant contractors.

CONTRACTOR MANAGEMENT – See standing resolutions for the resolution that has been made in relation to contractor management.

There have been no significant changes since the 2021 Annual General Meeting to the procedures used by MBCM Strata Specialists Frankston for Contractor Management.

HAZARDS – Members are reminded that they share a “Duty of Care” to inspect the Common Property on a regular basis & report any potential hazards to MBCM Strata Specialists Frankston for attention.

OIL SPILLS – Members are reminded to ensure that any oil spills / leaks from cars are removed immediately to reduce any likelihood of an incident arising leading to litigation.

SAFETY INSPECTION – The Manager recommends that a professional safety inspection be conducted to identify any potential hazards on the common property that need to be attended to and to ensure that

the property is a safe place of work for contractors and volunteers and safe for visitors. It is advised that a lay person's impression is not considered to be adequate when assessing a property for hazards. A professional inspection should be done at a suitable frequency to ensure that the property remains a safe place. Between professional inspections the owners must regularly inspect the property for hazards themselves that may have arisen.

See standing resolutions for the resolution that has been made in relation to safety inspections.

It is important that owners are vigilant for changes to the property that occur that might impact safety such as a trip hazard appearing and have these dealt with quickly.

RCD/SWITCHBOARD SAFETY CHECK – See standing resolutions for the resolution that has been made in relation to RCD and switchboard safety checks.

ASBESTOS MANAGEMENT - See standing resolutions for the resolution that has been made in relation to asbestos inspections.

ESSENTIAL SAFETY MEASURES – **The following motion will be tabled at the meeting:** "It is resolved that there are no known essential safety measures to be maintained at this property."

REPORT ON INSURANCE

MANAGER'S PROFESSIONAL INDEMNITY INSURANCE - The Manager holds \$5m of professional indemnity insurance with CGU Professional Risks Insurer. Policy number is 03-REA-I-0000745 and expires on 31/03/2022.

OWNERS CORPORATION INSURANCE DETAILS FOR YOUR RECORDS

Insurance Company:	SCI	Policy No:	VRSC21002837
Building Cover:	\$2,164,000	Public Risk Cover:	\$20,000,000
Commission paid:	\$665.58	Renewal Date:	3/05/2022
Excess:	\$500 each claim & \$1000 Legal Defence Expenses & 10% contribution		

BUILDING INSURANCE – MBCM Strata Specialists Frankston advise that the Owners Corporations Act 2006 (s.59) requires:

- (1) An Owners Corporation must take out reinstatement and replacement insurance for all buildings on the common property in accordance with this Division.
- (2) The insurance required under sub-section (1) is insurance for damage to property under which the Owners Corporation insures for -
 - a) the cost necessary to replace, repair or rebuild the property to a condition substantially the same, but not better or more extensive than its condition when new;
 - b) the payment of expenses necessarily and reasonably incurred in the removal of debris and the remuneration of architects and other persons whose services are necessary, being incidental to the replacement, repair or rebuilding of the damaged property.

LEVEL OF BUILDING REINSTATEMENT COVER – See standing resolutions for the resolution that has been made in relation to the level of building reinstatement cover.

POLICY RENEWAL - See standing resolutions for the resolution that has been made in relation to the policy renewal.

PUBLIC LIABILITY – See standing resolutions for the resolution that has been made in relation to public liability cover.

Public liability cover complies with the legal minimum under Part 3, Division 6, s 60 of the Act and will be left at its existing amount unless any members propose to change it, in which case the proposal submitted by the owner will be considered and decided upon at the meeting.

CONTENTS – Members are reminded that public liability within the Unit and owners contents such as carpet, floating floors and light fittings **ARE NOT COVERED** under the Owners Corporation policy. Separate **contents** cover should be taken by owner-occupiers or **landlords** cover for absentee owners to cover such items and these policies checked to ensure such items are covered.

SMOKE ALARMS – All residential buildings and some commercial buildings (if specified on the certificate of occupancy) are required to have smoke alarms, combining both smoke detection and alarm facilities in a single unit, installed. Smoke alarms are required to be in working order at all times. In the case of battery-operated smoke alarms, the battery (9 volt) should be replaced every 6 months. We suggest a good time would be at the start and finish of daylight saving.

EXCESS – See standing resolutions for the resolution that has been made in relation to insurance excess payments.

OWNERS CORPORATION MANAGEMENT

CONTRACT RENEWAL - See standing resolutions for the resolution that has been made in relation to Owners Corporation Management.

DISCLOSURE OF COMMISSIONS, PAYMENTS OR OTHER BENEFITS – As per below:

Name of company/supplier	Details of beneficial relationship
CHU Underwriting Agencies Pty Ltd	Commission on base premium for Strata Insurance and Executive Education
Whitbread Insurance Brokers	Commission on base premium for Strata Insurance
Honan Insurance Group Pty Ltd	Commission on base premium for Strata Insurance
Strata Community Insurance Agencies Pty Ltd	Commission on base premium for Strata Insurance
AGL	\$30 paid to MBCM Strata Specialists Franchisor per Owners Corporation which signs up to an AGL electricity or gas plan. \$20 paid to the MBCM Strata Specialists centralised marketing fund per Owners Corporation which signs up to an AGL electricity or gas plan.
Sponsors of Strata Community Australia	Sponsors may fund events provided by the SCA which may reduce event costs
MBCM Strata Specialists Franchisor	Sponsors may fund events provided by the MBCM Strata Specialists Franchisor which may reduce event costs

RESOLUTION AT GENERAL MEETING – See standing resolutions for the resolution that has been made in relation to the appointment or removal of a Manager.

FEE COLLECTION PROCEDURE

FEE COLLECTION PROCEDURE – See standing resolutions for the resolution that has been made in relation to the collection of fees.

ELECTION OF COMMITTEE & OFFICE BEARERS

The Manager encourages the Owners Corporation to form a Committee. The Committee can determine almost all matter that may be decided by ordinary resolutions of the Owners Corporation throughout the year. With a Committee, unexpected matters that arise in-between Annual General Meetings can be dealt with quickly and efficiently.

The Owners Corporations Amendments Act 2021 requires that Owners Corporations with ten or more lots (not necessarily occupiable) must have a Committee.

Owners Corporations may have up to seven members on the Committee unless a vote is passed for more in which case up to twelve Committee members are permitted.

Please consider nominating for your Committee which must be done in writing prior to the meeting if you are not attending. An email to the manager stating that you wish to nominate is acceptable.

A member of a committee or sub-committee of an owners corporation must, in the performance of the member's functions:

- (a) act honestly and in good faith; and
- (b) exercise due care and diligence; and
- (c) act in the interests of the owners corporation.

A member of a committee or sub-committee of an owners corporation must not make improper use of the member's position to gain, directly or indirectly, an advantage for the member or for any other person.

DELEGATION OF POWERS TO THE COMMITTEE - See standing resolutions for the resolution that has been made in relation to the delegation of powers to the Committee.

DELEGATION OF POWERS TO THE MANAGER - See standing resolutions for the resolution that has been made in relation to the delegation of powers to the Manager.

CHAIRPERSON AND SECRETARY - If a Committee is not formed the Owners Corporation must elect a chairperson and may elect a secretary. If a chairperson is elected either at the AGM without a Committee or later by the Committee if one is formed the owners corporation may delegate powers to the chairperson.

The following motion will be tabled: "It is resolved that the Owners Corporation delegates to the chairperson of the Owners Corporation the powers and functions of the Owners Corporation under section 11 of the Owners Corporations Act 2006 except:

- a) a power of function requiring a unanimous resolution or a special resolution; or
- b) the power or function to terminate a Manager's Appointment unless so resolved at a general meeting of the Owners Corporation. This will be a standing resolution."

USE OF COMMON SEAL

The OC Amendments Act 2021 has changed the use of a common seal which is no longer required if so resolved.

The following motion will be tabled at the meeting: “It is resolved that a common seal will no longer be used by the Owners Corporation.”

FINANCIAL REPORT

Please refer to the financial report sent with the meeting notice for the accounts up to the end of the last period 31/3/2021 and for the proposed budget for the year.

BUDGET

- **Insurance Premiums:** The budget assumes an increase in the building sum insured. An allowance has also been made for an expected premium increase of up to 15% over the next 12 months based on insurer's forecasts.
- **Additional Management Services:** Included in the budget are estimated costs for the management of matters outside the standard duties of the Manager as defined in the Contract of Appointment. Note: A copy of the contract can be provided upon request.
- **Safety Inspection:** The cost of this, as detailed in the above report, has not been included in the budget. **Unless decided otherwise at the meeting, existing funds will be used to cover this/these cost. The cost of this report is \$288**
- **Changes to the Act:** The Owners Corporations and Other Acts Amendment Act 2021 has now passed in Victorian Parliament and will take effect from 1 December 2021. Included in the budget is the anticipated cost for implementing the new changes in legislation and ensuring legal compliance.

CASH FLOW

The **account** status as of 31/05/2022 and forecast expenditure to 30/09/2022 is as follows:

Account balance	\$ 4648	
Outstanding fees	\$ 0.00	
Accumulated funds (assumes outstanding fees are paid)		\$ 4648
Estimated expenditure for this quarter		
Contractor Compliance & Archive Fee	\$ 150	
Disbursements (accrual for next financial year)	\$ 504	
Electricity	\$ 75	
Insurance (accrual for next renewal)	\$ 1222	
Legal Compliance (New Act)	\$240	
Estimated funds required this quarter		\$ 2191
Estimated funds shortfall		\$ 2457

PROCUREMENT

MBCM Strata Specialists Frankston takes pride in seeking good value for our clients. We have spent years cultivating relationships with contractors who are able to consistently deliver what our clients have told us they want: integrity, honesty, responsiveness, good communication, fair pricing, good quality workmanship and pride in what they do. Pride means doing their best to deliver well and that if they don't get something right they will do their best to rectify and improve. In a majority of cases this is all delivered. We actively promote this through reviews with contractors and annual contractor awards where the winners are selected for demonstrating these values.

Overall best value is often delivered by engaging a trusted contractor and we will continue to procure on this basis. Where works or services are not being carried out on an hourly basis and are going to cost over \$2,500 or if a quote from a regular contractor does look high then the OC will go to market. For quotes over about \$15,000 (depending on the work) if the two quotes received are not within 20% of each other then a third will be sought. For more significant work over \$50,000 three quotes will be sought.

The current resolution of the Owners Corporation for procurement of insurance involves regular market reviews.

Our view is that, based on many years of experience this represents a good approach to ensure that we procure goods and services, a competitive prices and terms in compliance with our duty.

The following resolution will be tabled as a standing resolution at the meeting: "It is resolved that the Owners Corporation accepts the procurement practices adopted by MBCM Strata Specialists Frankston as being acceptable practices to ensure that goods and services are procured at competitive prices and terms."

Zane Khan
Owners Corporation Manager

**OWNERS CORPORATION PLAN NO: PS302409G
38-40 HADLEY STREET, SEAFORD, 3198**

STANDING RESOLUTIONS

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

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<u>Maintenance Plan</u>	It was resolved at the 2018 Annual General Meeting not to obtain a maintenance plan. This motion will not be tabled again unless a proposal is received by an owner requesting otherwise, in which case the proposal will be considered and decided upon at the meeting.
<u>Grievance Committee</u>	It was resolved at the 2009 Annual General Meeting that the Owners Corporation Manager would be the convenor of the Grievance Committee. The Grievance Committee will consist of any available members of the Committee if there is one or, where there is no Committee, any available members of the Owners Corporation. Note: the Owners Corporation Manager will only attend to these matters in business hours.
<u>Contractor Management</u>	It was resolved at the 2011 Annual General Meeting that the Owners Corporation accepts the procedures that MBCM Strata Specialists Frankston is using for the management of contractors as the procedures of the Owners Corporation.
<u>Safety Inspection</u>	It was resolved at the 2020 Annual General Meeting that the Owners Corporation authorises a specialist contractor to conduct a professional safety inspection of the common property at a suitable frequency, to be determined. The Manager is to arrange the inspection and to ensure that hazards identified in the report are remedied provided the associated cost is less than \$1,000, in accordance with the contract of appointment of the Manager. Where the associated cost exceeds this amount, the Manager will request approval from the Owners Corporation or the Committee. It was resolved at the 2020 Annual General Meeting that every five years would be a suitable frequency to conduct a professional safety inspection. This was last conducted on 4/09/2017. The next one is due in September 2022.
<u>RCD/Switchboard Safety Check</u>	It was resolved at the 2020 Annual General Meeting that every two years would be a suitable frequency to conduct a switchboard safety check and RCD test. This was last conducted in 1/02/2022. The next one is due in February 2024.
<u>Asbestos Management</u>	It was resolved at the 2020 Annual General Meeting as it is believed there is no asbestos on common property an asbestos survey is not required on the common property after being made aware of the associated risks, and against the strong advice of the Manager. This motion will not be tabled again unless a proposal is received by an owner requesting otherwise, in which case the proposal will be considered and decided upon at the meeting.
<u>Level of Building Reinstatement Cover</u>	It was resolved at the 2020 Annual General Meeting that the Owners Corporation obtains an insurance valuation and alters the building sum insured to the level

	advised by the valuer and in subsequent years changes the building sum insured annually to the level suggested by the insurer until the next valuation. It was resolved at the 2020 Annual General Meeting that subsequent insurance valuations be obtained every five years. The last one was obtained on 30/04/2021. The next one is due in April 2026.
<u>Policy Renewal</u>	It was resolved at the 2021 Annual General Meeting that the Owners Corporation seeks comparison quotes for insurance from at least three providers of comparable policies, based on the agreed level of cover and places cover with the most competitive insurer at renewal. Policies that are currently comparable are CHU, SUU, Longitude and SCI and the Owners Corporation may update these at the AGM prior to the next review. In-between quotations the existing policy will be left in place unless held by a broker in which case the policy will be placed with the provider that is recommended by the broker until such a time as comparison quotes for insurance are next sought. It was further resolved at the 2021 Annual General Meeting that the Owners Corporation seeks subsequent comparison quotes for insurance every three years. These were last obtained on 04/05/2021 and are next due in April 2024.
<u>Public Liability Cover</u>	It was resolved at the 2020 Annual General Meeting to retain Public Liability cover at \$20,000,000.
<u>Insurance Excess</u>	It was resolved at the 2020 Annual General Meeting that the excess payment attached to any claim is payable by the Unit Owner making the claim if the cause of the claim arose from within the unit or from outside the common property. If the cause is from common property then the excess will be met by the Owners Corporation.
<u>Owners Corporation Management</u>	It was resolved at the 2020 Annual General Meeting to reappoint MBCM Strata Specialists Frankston as the Owners Corporation manager for a five-year term as per the terms of the contract of appointment in accordance with Section 119 of the Owners Corporations Act 2006. The contract expires on 21/05/2025.
<u>Matters to be determined only by ordinary resolution at a General Meeting</u>	It was resolved at the 2019 Annual General Meeting that the appointment or removal of a Manager may be determined only by ordinary resolution of the Owners Corporation at a general meeting.
<u>Fee Collection procedure</u>	It was resolved at the 2021 Annual General Meeting that the fee collection procedure listed below will remain in place and the administration charge will be updated from time to time (currently \$66); a) interest will be charged against the member once fees become 28 days overdue. Interest will be charged from the due date at the penalty interest rate b) an administration charge is to be charged by the Owners Corporation Manager to handle the payment of fees that become 56 days overdue c) the Owners Corporation may recover, as a debt due from the lot owner or persons in default or breach, the costs, charges and expenses incurred by the Owners Corporation arising out of any default or breach by any lot owner, or occupier of a lot, of any obligation under the Owners Corporations Act 2006 or the Owners Corporation Regulations 2018 or the Rules of the Owners Corporation.
<u>Delegation of powers to the Committee</u>	It was resolved at the 2020 Annual General Meeting that the Owners Corporation delegates to the Committee of the Owners Corporation the powers and functions of the Owners Corporation under section 11 of the Owners Corporations Act 2006 except:

	a) a power or function requiring a unanimous resolution or a special resolution; or b) giving notice of an annual general meeting; or c) the power to remove the committee or officer of the Owners Corporation; or d) the power or function to terminate a Manager's Appointment unless so resolved at a general meeting of the Owners Corporation. Provided that the Committee must not exercise any of the powers and functions of the Owners Corporation unless the Committee is acting in accordance with a decision of the Committee of the Owners Corporation.
<u>Delegation of powers to the Manager</u>	It was resolved at the 2020 Annual General Meeting that the Owners Corporation delegate to the Manager all the powers and functions of the Owners Corporation (other than a power or function that requires a unanimous resolution or a special resolution or this power of delegation) that are necessary to enable the Manager to perform its duties under the Appointment.



Owners Corporation (1) Plan of Subdivision Plan No : 302409G

38 HADLEY STREET SEAFORD 3198

1/04/2022 To 9/02/2023

Administration Fund

BUDGET ESTIMATE

FOR YEAR ENDING 31 March 2023

Item	Actual	Budget
Additional Management Services (S2.2)	\$240.00	\$240.00
Contractor Compliance & Archive Fee	\$150.00	\$150.00
Disbursements	\$504.00	\$504.00
Electricity	\$319.25	\$300.00
Insurance Premiums	\$4,248.82	\$4,398.00
Insurance Valuation	\$0.00	\$0.00
Late Payment Admin Fee	\$0.00	\$0.00
Management Fees	\$2,720.00	\$2,720.00
Repairs & Maintenance	\$0.00	\$240.00
	\$8,182.07	\$8,552.00

SCHEDULE 2.2 MANAGEMENT FEE EXPENDITURE STATEMENT

AS AT 09 February 2023

Unit No.	Activity No.	Date Paid	Work details & Payee	Expenditure
		27/06/2022	Legislation Implementation	\$240.00
			Silove Investments Pty Holding	
				\$240.00

Use of the common property and lots

A 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 unreasonably interfere with or prevent its use by other members or occupants of lots or their families or visitors.
- (b) park or leave vehicle including motor bikes on the common property so as to obstruct a driveway or entrance to a lot or in any place other than in a parking area specified for such purpose by the Body Corporate which is hereby defined for residents as being their garage only.
- (c) park or leave a vehicle at the front of another unit without the residents permission.
- (d) allow visitors to use an area other than the specified area for visitors parking.
- (e) park a vehicle or motor bike as to obstruct access to pedestrian traffic.
- (f) park trucks, earth moving equipment or other such heavy equipment on the common property or any lot affected by the body corporate.
- (g) allow motor/engine oil to leak onto driveways, parking spaces or common areas.
- (h) keep any animal on a lot affected by the body corporate or the common property after being given notice by the body corporate to remove such animal after the body corporate has resolved that the animal is causing a nuisance. If the owner or guardian fails to remove the nuisance, written notice shall be issued to remove the nuisance within (7) days.
- (i) put out rubbish bins or recycle bins for collection before the eve of the schedules pick-up day or leave the bins at the rubbish collection point after the scheduled pick-up day.
- (j) leave rubbish bins at the front of their property.
- (k) permit newspapers, junk mail, etc. to build up in their letterbox or the letterbox area.
- (l) fail to maintain the outward appearance or fail to carry out any maintenance on their lot (unit and associated area) as directed from time to time by the Body Corporate.
- (m) fail to maintain the garden at the front of their unit and fail to seek permission of the body corporate to make alterations to the area at the front of their unit.
- (n) erect outside awnings that are not in keeping with décor and colour toning of other units or have outside fittings such as garage door and spouting that are not uniform with other units.
- (o) make or permit to be made any undue noise in or about the common property or any lot affected by the body corporate.
- (p) make or permit noise to be made from music or machinery which may be heard outside the owners' lot between the hours of midnight and 8.00am.
- (q) permit ball games to be played on the driveway or common property.
- (r) permit roller blades or bikes to be ridden around the complex.
- (s) erect or permit an agent to erect "For Sale" or "For Rent" boards on the common property or any lot affected by the body corporate except where permission has been obtained in writing from the body corporate.

Model Rules for an Owners Corporation

Version No. 002 - Owners Corporations Regulations 2018 -S.R. No. 154/2018 - Incorporating amendments as at 1 December 2021

1 Health, Safety and Security

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

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

1.2 Storage of flammable liquids and other dangerous substances and materials

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

(2) This rule does not apply to—

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

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

1.3 Waste disposal

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

1.4 Smoke penetration

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

1.5 Fire safety information

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

2 Committees and Sub-Committees

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

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

3 Management and Administration

3.1 Metering of services and apportionment of costs of services

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

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

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

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

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

4 Use of Common Property

4.1 Use of common property

(1) An owner or occupier of a lot must not obstruct the lawful use and enjoyment

of the common property by any other person entitled to use the common property.

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

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

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

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

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

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

4.2 Vehicles and parking on common property

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

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

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

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

4.3 Damage to common property

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

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

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

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

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

5 Lots

5.1 Change of use of lots

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

Example

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

5.2 External appearance of lots

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

5.3 Requiring notice to the owners corporation of renovations to lots

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

6 Behaviour of Persons

6.1 Behaviour of owners, occupiers and invitees on common property

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

6.2 Noise and other nuisance control

- (1) An owner or occupier of a lot, or a guest of an owner or occupier, must not unreasonably create any noise likely to interfere with the peaceful enjoyment of any other person entitled to use the common property.
- (2) Subrule (1) does not apply to the making of a noise if the owners corporation has given written permission for the noise to be made.

7 Dispute Resolution

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

-
- (2) The party making the complaint must prepare a written statement in the approved form.
- (3) If there is a grievance committee of the owners corporation, it must be notified of the dispute by the complainant.
- (4) If there is no grievance committee, the owners corporation must be notified of any dispute by the complainant, regardless of whether the owners corporation is an immediate party to the dispute.
- (5) The parties to the dispute must meet and discuss the matter in dispute, along with either the grievance committee or the owners corporation, within 28 calendar days after the dispute comes to the attention of all the parties.
- (5A) A meeting under subrule (5) may be held in person or by teleconferencing, including by videoconference.
- (6) A party to the dispute may appoint a person to act or appear on the party's behalf at the meeting.
- (6A) Subject to subrule (6B), the grievance committee may elect to obtain expert evidence to assist with the resolution of the dispute.
- (6B) The grievance committee may obtain expert evidence to assist with the resolution of a dispute if the owners corporation or the parties to the dispute agree in writing to pay for the cost of obtaining that expert evidence.
- (7) If the dispute is not resolved, the grievance committee or owners corporation must notify each party of the party's right to take further action under Part 10 of the Owners Corporations Act 2006.
- (8) This process is separate from and does not limit any further action under Part 10 of the Owners Corporations Act 2006.
-

Owners Corporation Statement of Advice and Information for Prospective Purchasers and Lot Owners

Schedule 3, Regulation 12, 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.

PLANNING PROPERTY REPORT

From www.planning.vic.gov.au at 14 February 2023 12:56 PM

PROPERTY DETAILS

Address: **7/38 HADLEY STREET SEAFORD 3198**
Lot and Plan Number: **Lot 7 PS302409**
Standard Parcel Identifier (SPI): **7\PS302409**
Local Government Area (Council): **FRANKSTON**
Council Property Number: **224936**
Planning Scheme: **Frankston**
Directory Reference: **Melway 99 G8**

www.frankston.vic.gov.au

[Planning Scheme - Frankston](#)

UTILITIES

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

STATE ELECTORATES

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

OTHER

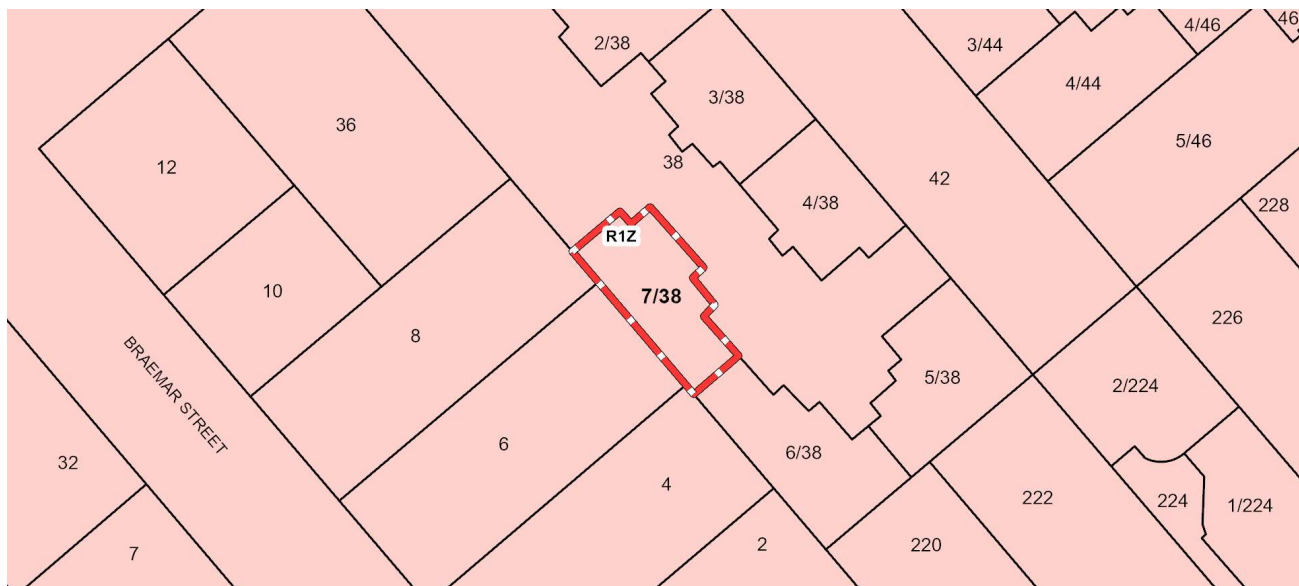
Registered Aboriginal Party: **Bunurong Land Council Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

[GENERAL RESIDENTIAL ZONE \(R1Z\)](#)

[SCHEDULE TO THE GENERAL RESIDENTIAL ZONE \(R1Z\)](#)



0 — 20 m

R1Z - Residential 1

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

Planning Overlay

None affecting this land - there are overlays in the vicinity

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)



 **ESO - Environmental Significance Overlay**

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

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.

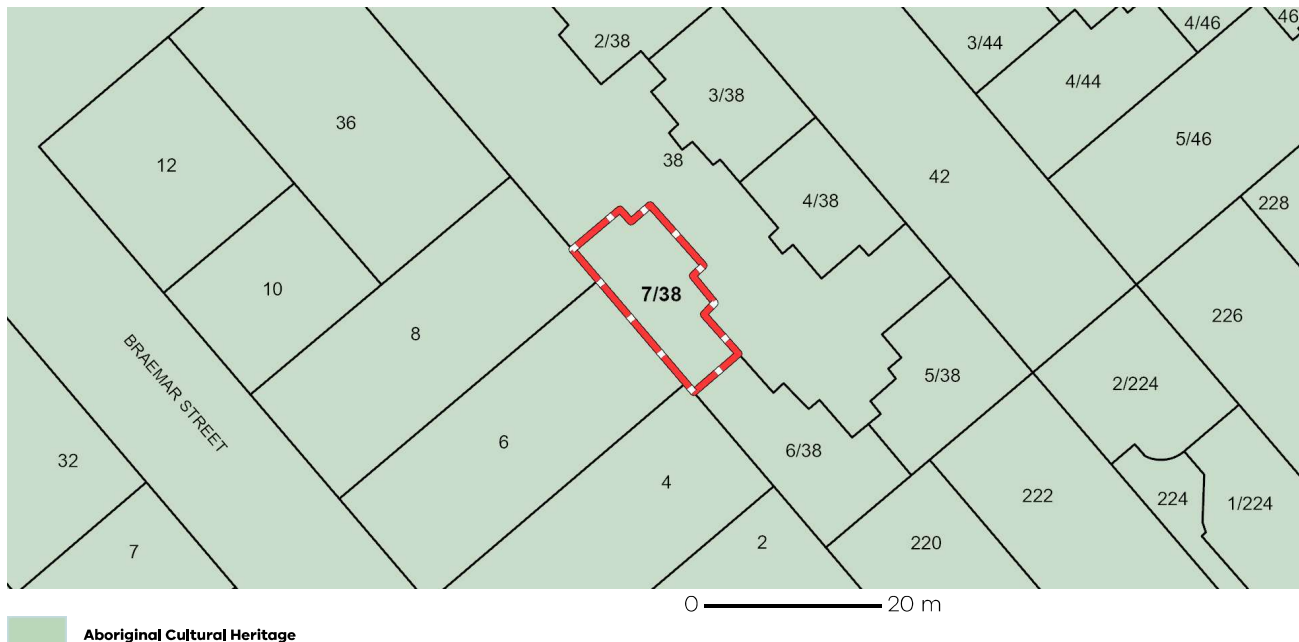
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

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.aqv.nrms.net.au/aqvQuestion1.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 8 February 2023.

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

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

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

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

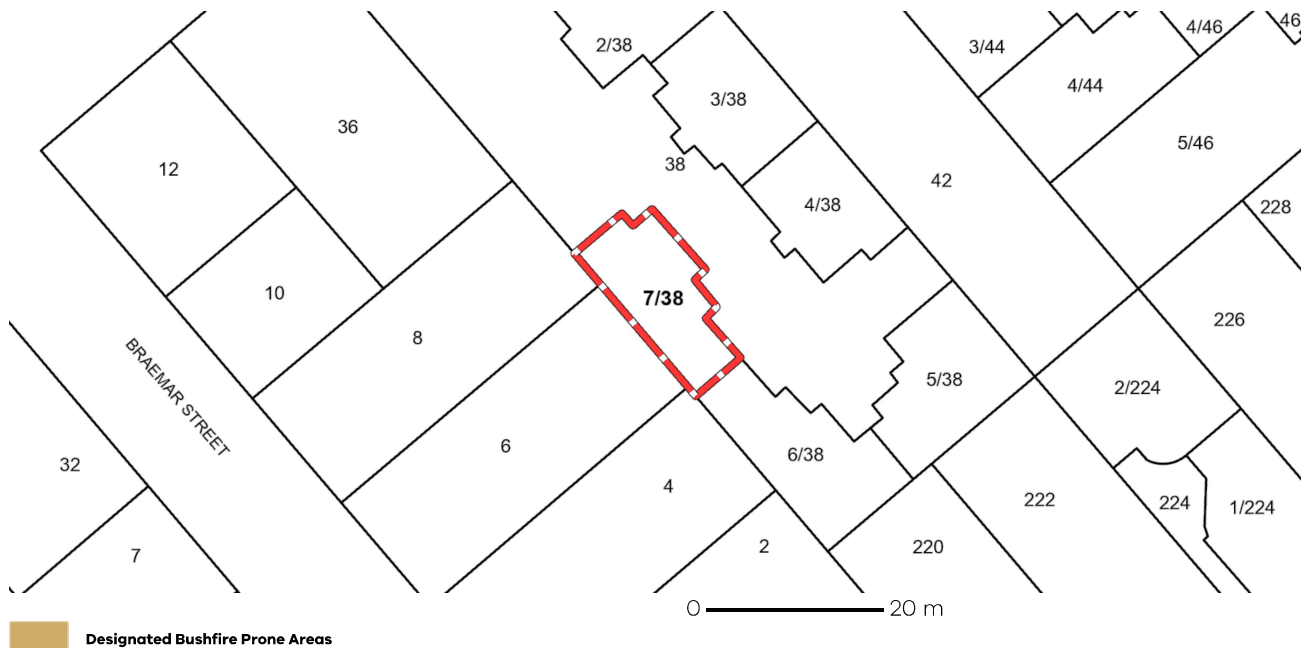
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

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 \(environment.vic.gov.au\)](#)

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: 111779

Issue Date: 03-Feb-2023

Assessment no: 00073526

Property Owner (as recorded by Council): Vanessa Kathryn Raath and Jason Damian Raath

Applicant's Name	Landata	Effective Date of Valuation	01-Jul-2022
		Prescribed Date of Valuation	01-Jan-2022
Applicant's Address	Level 1 2 Lonsdale Street MELBOURNE VIC 3000	Site Value	\$295,000
		Capital Improved Value*	\$435,000
		Net Annual Value	\$21,750
*This Council uses Capital Improved Value (CIV) for rating purposes			

Applicants Ref: 67770748-018-5:64875

Title Particulars:	Lot 7 PS 302409 CT-10005/331
Property Description	7/38 Hadley Street, Seaford 3198

CURRENT RATES AND CHARGES LEVIED 1st July 2022 to 30th June 2023

CURRENT General Rates & Charges Service Rates & Charges Victorian Fire Services Levy	CHARGES \$985.60 \$479.80 \$140.05	<u>TOTAL LEVIED \$1,605.45</u>
ARREARS General Rates & Charges Service Rates & Charges Victorian Fire Services Levy	CHARGES \$0.00 \$0.00 \$0.00	<u>SUB-TOTAL ARREARS \$0.00</u>
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		\$-803.45
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
<u>Total Outstanding</u> Any outstanding balance may be subject to interest and/or legal action, therefore please contact this office prior to settlement		<u>\$802.00</u>
		BILLER CODE: 1966 REFERENCE NO: 00073526

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: 111779

Issue Date: 03-Feb-2023

ADDITIONAL INFORMATION

Robyn Docker
Authorised Officer
Date: 03-Feb-2023

I acknowledge having received the sum of \$27.80 for Receipt Number , dated 03-Feb-2023.

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 2020

Part 6 - LAND INFORMATION 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 2020**, the **Local Government Act 1989**, the **Local Government Act 1958** or under a local law of the Council.
- (b) 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 the Council or the relevant authority. A fee may be charged for such information.

Ellison-Whyte Law C/- InfoTrack (LEAP)
E-mail: certificates@landata.vic.gov.au

Statement for property:
UNIT 7 LOT 7 38 HADLEY STREET
SEAFORD 3198
7 PS 302409

REFERENCE NO.	YOUR REFERENCE	DATE OF ISSUE	CASE NUMBER
51N//11057/121	LANDATA CER 67770748-030-7	03 FEBRUARY 2023	43358918

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	01/07/2022 to 30/06/2023	\$81.60
Melbourne Water Corporation Total Service Charges	01/01/2023 to 31/03/2023	\$27.42

(b) By South East Water

Water Service Charge	01/01/2023 to 31/03/2023	\$20.93
Sewerage Service Charge	01/01/2023 to 31/03/2023	\$91.94
Subtotal Service Charges		\$221.89
Payments		\$81.74
TOTAL UNPAID BALANCE		\$140.15

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

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

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

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

- The total annual service fees and volumetric fees for water usage and sewerage disposal for each class of property are set out at www.southeastwater.com.au.
- Updates of rates and other charges will only be provided for up to six months from the date of this statement.

AUTHORISED OFFICER:



MIKALA HEHIR
GENERAL MANAGER
CUSTOMER & COMMUNITY ENGAGEMENT

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

- 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

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.

AUTHORISED OFFICER:

A handwritten signature in black ink, appearing to read "Mikala Hehir".

MIKALA HEHIR
GENERAL MANAGER
CUSTOMER & COMMUNITY ENGAGEMENT

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

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

Important Warnings

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

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

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

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

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

3. Disclaimer

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

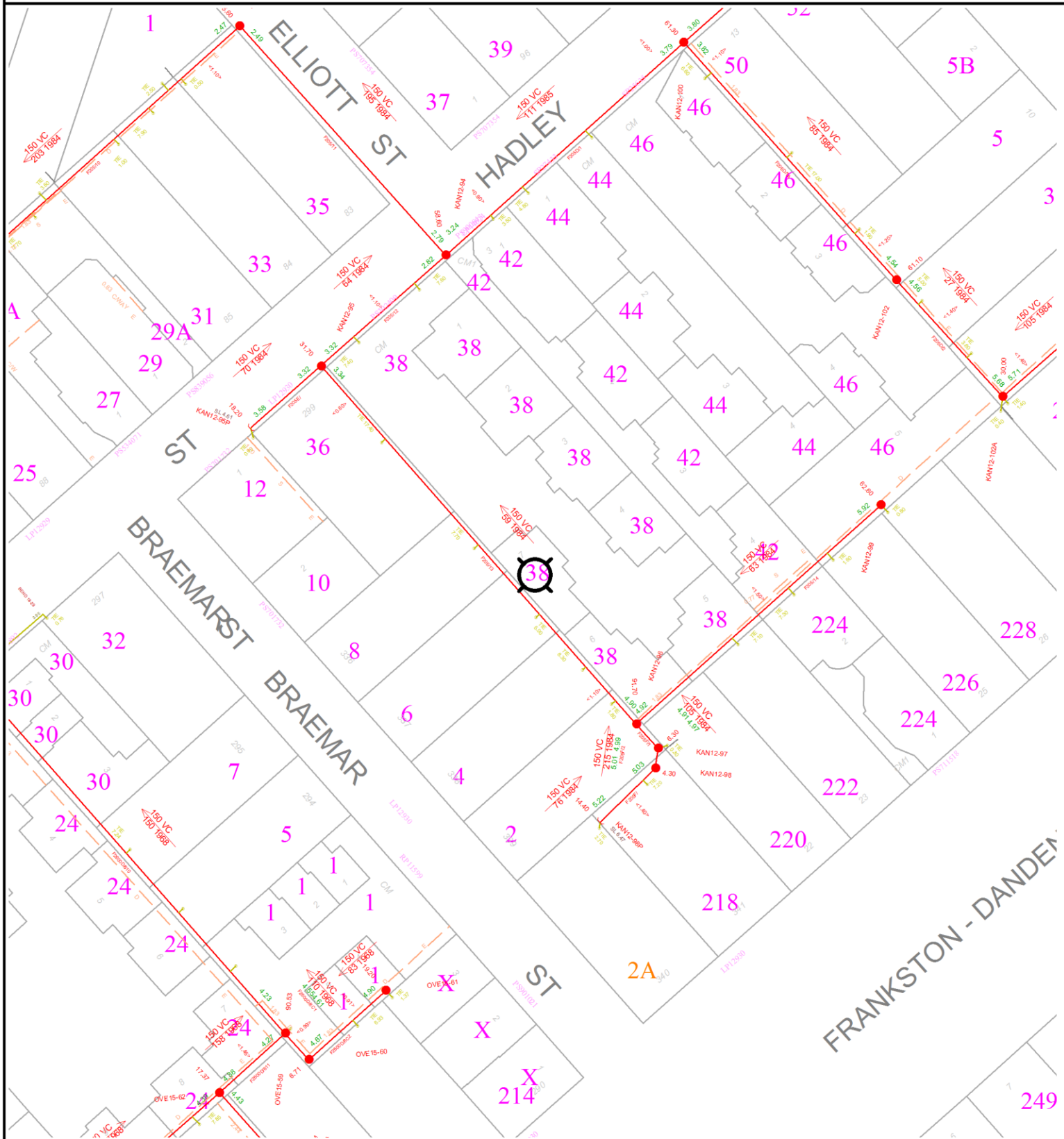
South East Water has prepared the information in this Statement with due care and diligence. It cannot and does not accept liability for any loss or damage arising from reliance on the information given, beyond the extent set out in section 155 of the Water Act 1989 and sections 18 and 29 of the Australian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

AUTHORISED OFFICER:

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

MIKALA HEHIR
GENERAL MANAGER
CUSTOMER & COMMUNITY ENGAGEMENT

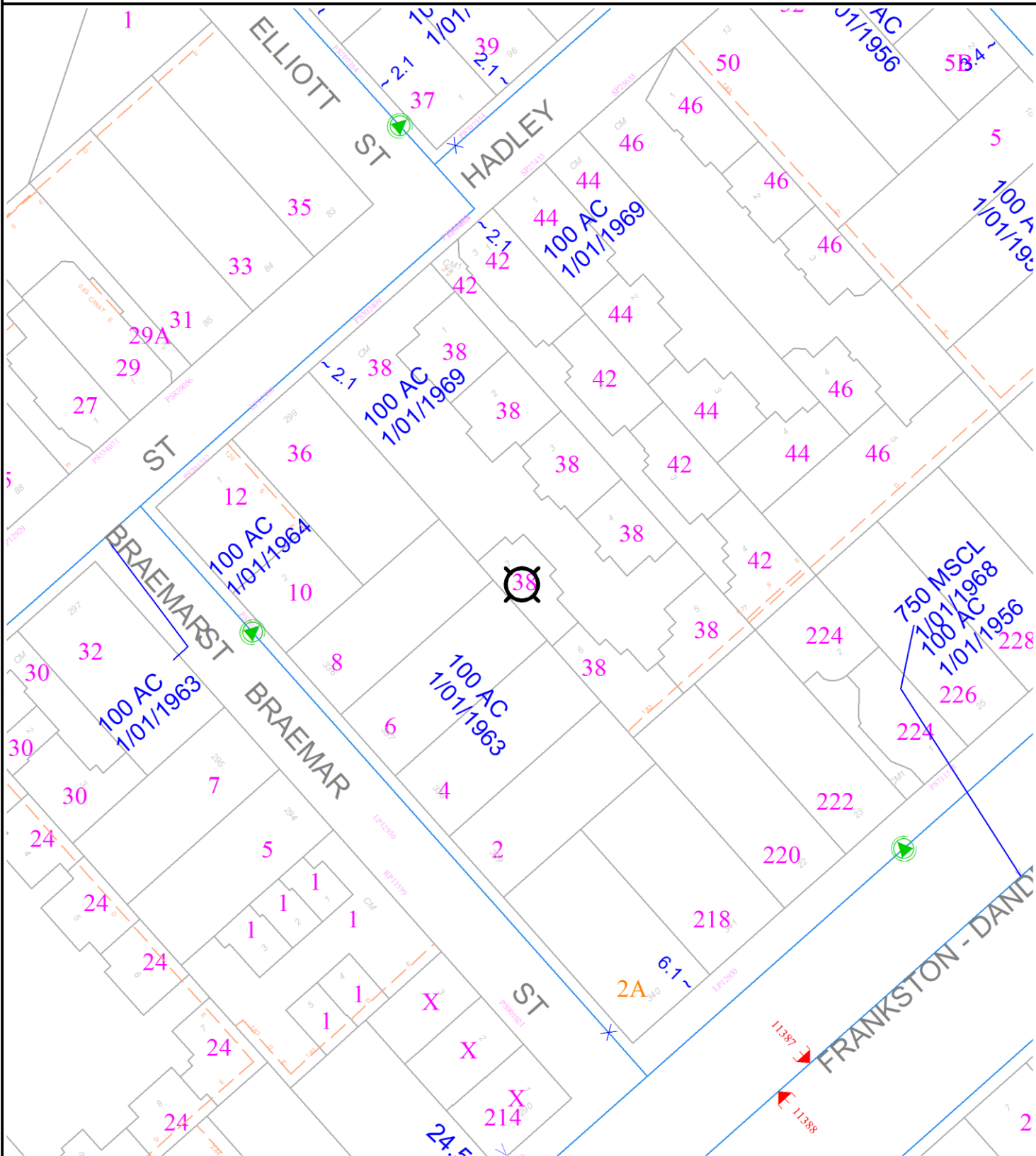
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WARNING: This plan is issued solely for the purpose of assisting you in identifying South East Water's and Melbourne Water's specified assets through further investigation only. It is not to be used for any other purpose, including to identify any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

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

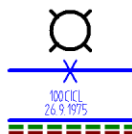
	Sewer Main		Underground Drain		Natural Waterway
	Maintenance Hole		Channel Drain		Underground Drain M.H.



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.

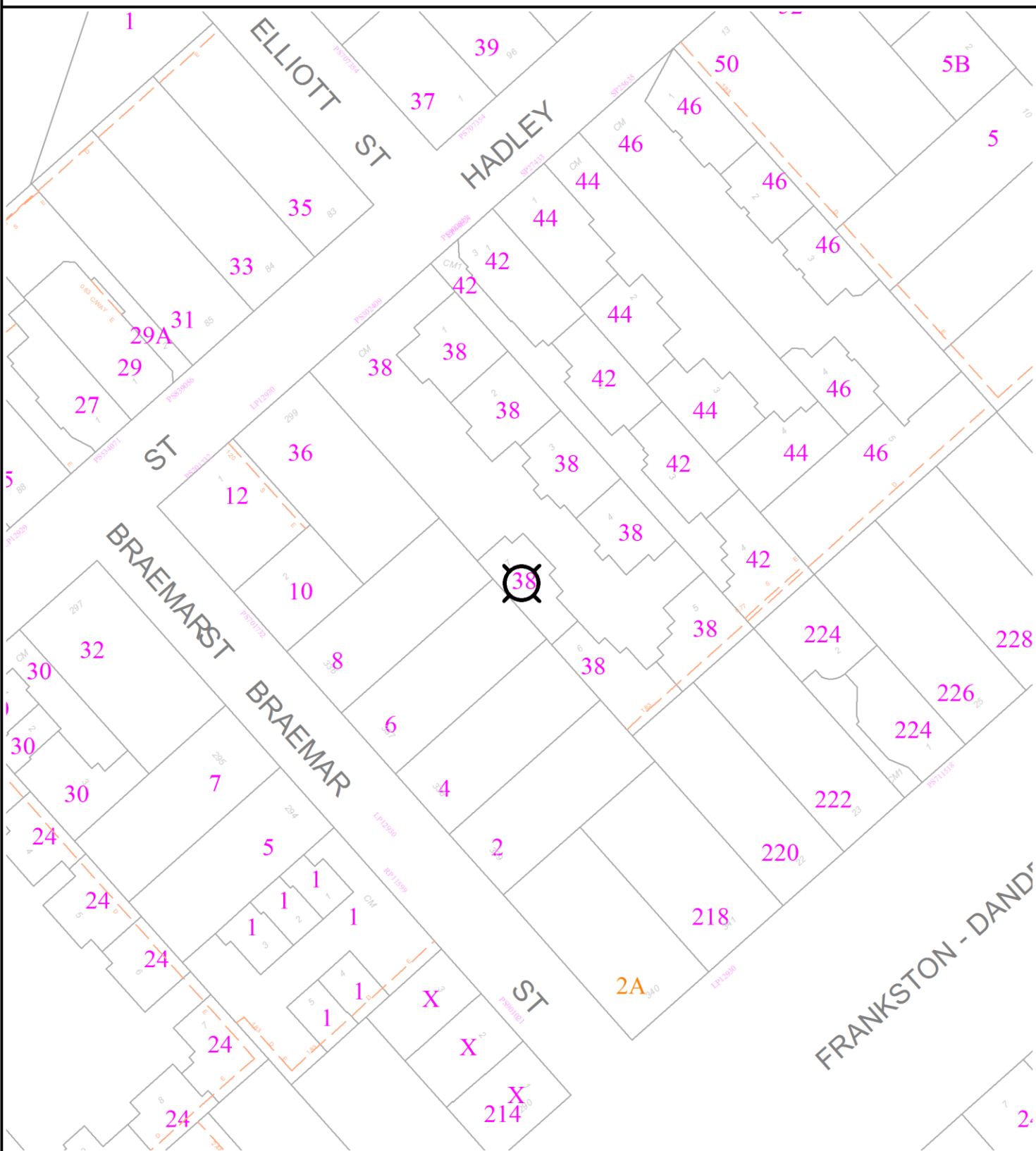
LEGEND

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



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

- Hydrant
- Fireplug/Washout
- Offset from Boundary



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
Recycled Water Main & Services

- 
 Hydrant

 Fireplug/Washout
 ~ 1.0 Offset from Boundary

Property Clearance Certificate

Taxation Administration Act 1997



INFOTRACK / ELLISON-WHYTE LAW

Your Reference:	22/361
Certificate No:	59741778
Issue Date:	14 FEB 2023
Enquiries:	ERC0

Land Address: UNIT 7, 38 HADLEY STREET SEAFORD VIC 3198

Land Id	Lot	Plan	Volume	Folio	Tax Payable
22540086	7	302409	10005	331	\$402.17

Vendor: ZINA RAATH & JASON RAATH
Purchaser: FOR INFORMATION PURPOSES

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
ESTATE OF MS VANESSA KATHRYN R/	2023	\$295,000	\$0.00	\$0.00	\$0.00

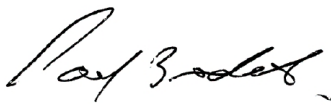
Comments: Property is exempt: LTX Principal Place of Residence.

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

Arrears of Land Tax	Year	Proportional Tax	Penalty/Interest	Total
MR MARCO ZOVIC	2019	\$402.17	\$0.00	\$402.17

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:	\$435,000
SITE VALUE:	\$295,000
AMOUNT PAYABLE:	\$402.17



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

Certificate No: 59741778

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 = \$0.00

Taxable Value = \$295,000

Calculated as \$0 plus (\$295,000 - \$0) multiplied by 0.000 cents.

Property Clearance Certificate - Payment Options

BPAY



Billers Code: 5249
Ref: 59741778

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: 59741778

Visa or Mastercard

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

sro.vic.gov.au/paylandtax

Vendor's Statement s32 - Unit 7, 38 Hadley Street, SEAFORD 3198

Final Audit Report

2023-02-15

Created:	2023-02-15
By:	Sukanya Ellison-Whyte (sue@ellisonwhytelaw.com.au)
Status:	Signed
Transaction ID:	CBJCHBCAABAACRqlcfrrl4uyxSgmVRIYx3bKZNtF5y2

"Vendor's Statement s32 - Unit 7, 38 Hadley Street, SEAFORD 3198" History

 Document created by Sukanya Ellison-Whyte (sue@ellisonwhytelaw.com.au)
2023-02-15 - 3:36:57 AM GMT

 Document emailed to Jr R (jraath@gmail.com) for signature
2023-02-15 - 3:39:08 AM GMT

 Email viewed by Jr R (jraath@gmail.com)
2023-02-15 - 3:46:04 AM GMT

 Signer Jr R (jraath@gmail.com) entered name at signing as JRaath
2023-02-15 - 3:47:58 AM GMT

 Document e-signed by JRaath (jraath@gmail.com)
Signature Date: 2023-02-15 - 3:48:00 AM GMT - Time Source: server

 Document emailed to zraath@gmail.com for signature
2023-02-15 - 3:48:03 AM GMT

 Email viewed by zraath@gmail.com
2023-02-15 - 3:49:21 AM GMT

 Signer zraath@gmail.com entered name at signing as ZRaath
2023-02-15 - 3:51:03 AM GMT

 Document e-signed by ZRaath (zraath@gmail.com)
Signature Date: 2023-02-15 - 3:51:05 AM GMT - Time Source: server

 Agreement completed.
2023-02-15 - 3:51:05 AM GMT