

# SECTION 32 STATEMENT

PURSUANT TO DIVISION 2 OF PART II  
SECTION 32 OF THE SALE OF LAND ACT 1962 (VIC)

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**Vendor:** Linda Young and Clifford Charles Young

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**Property:** 23 Tasman Street MILDURA VIC 3500

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**VENDORS REPRESENTATIVE**  
Mildura Property Transfers Pty Ltd

PO Box 1012  
MILDURA VIC 3502

Tel: 03 5022 9300

Email: [jenni@mildurapropertytransfers.com.au](mailto:jenni@mildurapropertytransfers.com.au)

Ref: Jenni Foster

SECTION 32 STATEMENT  
23 TASMAN STREET MILDURA VIC 3500

1. **FINANCIAL MATTERS**

- (a) Information concerning any rates, taxes, charges or other similar outgoings AND any interest payable on any part of them is contained in the attached certificate/s and as follows-

Provider	Amount (& interest if any)	Period
Mildura Rural City Council	\$1,991.36	Per annum
Lower Murray Water	\$173.95	Per quarter
Owners Corporation	\$249.15	Per quarter

Any further amounts (including any proposed Owners Corporation Levy) for which the Purchaser may become liable as a consequence of the purchase of the property are as follows:- None to the vendors knowledge

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

- (b) The particulars of any Charge (whether registered or not) over the land imposed by or under an Act to secure an amount due under that Act, including the amount owing under the charge are as follows:- Not Applicable

2. **INSURANCE**

- (a) Where the Contract does not provide for the land to remain at the risk of the Vendor, particulars of any policy of insurance maintained by the Vendor in respect of damage to or destruction of the land are as follows: - Not Applicable
- (b) Where there is a residence on the land which was constructed within the preceding six years, and section 137B of the *Building Act 1993* applies, particulars of the required insurance are as follows:- Not Applicable

No such Insurance has been effected to the Vendors knowledge.

3. **LAND USE**

(a) **RESTRICTIONS**

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

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

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

SECTION 32 STATEMENT  
23 TASMAN STREET MILDURA VIC 3500

(b) BUSHFIRE

This land is not in a designated bushfire- prone area within the meaning of the regulations made under the *Building Act 1993*.

(c) ROAD ACCESS

There is access to the Property by Road.

(d) PLANNING

Planning Scheme:

Responsible Authority: Mildura Rural City Council      See attached Property Report

Zoning:

Planning Overlay/s:

4. NOTICES

- (a) 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 of which the Vendor might reasonably be expected to have knowledge are:- None to the Vendors knowledge however the Vendor has no means of knowing all decisions of the Government and other authorities unless such decisions have been communicated to the Vendor
- (b) The Vendor is not aware of any Notices, Property Management Plans, Reports or Orders in respect of the land issued by a Government Department or Public Authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes.

Particulars of any Notice of intention to acquire served under Section 6 of the *Land Acquisition and Compensation Act, 1986* are: Not Applicable

5. BUILDING PERMITS

Particulars of any Building Permit issued under the *Building Act 1993* during the past seven years (where there is a residence on the land):-

No such Building Permit has been granted to the Vendors knowledge.

6. OWNERS CORPORATION

Attached is a copy of the current Owners Corporation Certificate issued in respect of the land together with all documents and information required under section 151 of the *Owners Corporations Act 2006*.

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (GAIC)

- (1) The land, in accordance with a work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987* is NOT –
- land that is to be transferred under the agreement.
  - land on which works are to be carried out under the agreement (other than Crown land).
  - land in respect of which a GAIC is imposed

~~(2) Attached is a copy of a notice or certificate in the case of land where there is a GAIC recording (within the~~

SECTION 32 STATEMENT  
23 TASMAN STREET MILDURA VIC 3500

meaning of Part 9B of the *Planning and Environment Act 1987*;

- ~~— any certificate of release from liability to pay;~~
- ~~— any certificate of deferral of the liability to pay;~~
- ~~— any certificate of exemption from the liability to pay;~~
- ~~— any certificate of staged payment approval;~~
- ~~— any certificate of no GAIC liability;~~
- ~~— any notice given under that Part providing evidence of the grant of a reduction of the whole or part of the liability to pay;~~
- ~~— any notice given under that Part providing evidence of an exemption of the liability to pay;~~

OR

- ~~— a GAIC certificate relating to the land issued by the Commissioner under the *Planning and Environment Act 1987*.~~

**8. SERVICES**

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

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

**9. TITLE**

Attached are the following document/s concerning Title:

- (a) In the case of land under the *Transfer of Land Act 1958* a copy of the Register Search Statement/s and the document/s, or part of the document/s, referred to as the diagram location in the Register Search Statement/s that identifies the land and its location.
- (b) In any other case, a copy of -
  - (i) the last conveyance in the Chain of Title to the land; or
  - (ii) any other document which gives evidence of the Vendors title to the land.
- (c) Where the Vendor is not the registered proprietor or the owner of the estate in fee simple, copies of the documents bearing evidence of the Vendor's right or power to sell the land.
- (d) In the case of land that is subject to a subdivision -
  - (i) a copy of the Plan of Subdivision which has been certified by the relevant municipal council (if the Plan of Subdivision has not been registered), or
  - (ii) a copy of the latest version of the plan (if the Plan of Subdivision has not been certified).
- (e) In the case of land that is part of a staged subdivision within the meaning of Section 37 of the *Subdivision Act 1988* -
  - (i) if the land is in the second or a subsequent stage, a copy of the plan for the first stage; and
  - (ii) details of any requirements in a Statement of Compliance relating to the stage in which the land is included that have not been complied with; and
  - (iii) details of any proposals relating to subsequent stages that are known to the Vendor; and
  - (iv) a statement of the contents of any permit under the *Planning and Environment Act 1987* authorising the staged subdivision.

**SECTION 32 STATEMENT**  
**23 TASMAN STREET MILDURA VIC 3500**

- (f) In the case of land that is subject to a subdivision and in respect of which a further plan within the meaning of the *Subdivision Act 1988* is proposed -
- (i) if the later plan has not been registered, a copy of the plan which has been certified by the relevant municipal council; or
  - (ii) if the later plan has not yet been certified, a copy of the latest version of the plan.

**10. DUE DILLIGENCE 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 the 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 but the checklist has been attached as a matter of convenience.

**DATE OF THIS STATEMENT**

/  /20

**Name of the Vendor**

Linda Young and Clifford Charles Young

**Signature/s of the Vendor**

x  

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

**DATE OF THIS ACKNOWLEDGMENT**

/  /20

**Name of the Purchaser**

**Signature/s of the Purchaser**

x

**IMPORTANT NOTICE - ADDITIONAL DISCLOSURE REQUIREMENTS**

**Undischarged mortgages – S32A(a)**

Where the land is to be sold subject to a mortgage (registered or unregistered) which is not to be discharged before the purchaser becomes entitled to possession or receipt of rents and profits, then the vendor must provide an additional statement including the particulars specified in Schedule 1 of the *Sale of Land Act 1962*.

**Terms contracts – S32A(d)**

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

Register Search Statement - Volume 10833 Folio 687

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

VOLUME 10833 FOLIO 687

Security no : 124082956807L  
Produced 06/05/2020 11:34 AM

LAND DESCRIPTION

Lot 43 on Plan of Subdivision 515746Y.  
PARENT TITLE Volume 09464 Folio 709  
Created by instrument PS515746Y 08/10/2004

REGISTERED PROPRIETOR

Estate Fee Simple  
Joint Proprietors  
CLIFFORD CHARLES YOUNG  
LINDA YOUNG both of 23 TASMAN COURT MILDURA VIC 3500  
AE578828K 31/08/2006

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AH027413R 10/02/2010  
BENDIGO AND ADELAIDE BANK LTD

COVENANT AD781122D 29/07/2005

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 PS515746Y FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 23 TASMAN COURT MILDURA VIC 3500

ADMINISTRATIVE NOTICES

NIL

eCT Control 03500L BENDIGO AND ADELAIDE BANK LTD - SAFE CUSTODY

Effective from 21/07/2017

OWNERS CORPORATIONS

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The land in this folio is affected by  
OWNERS CORPORATION 1 PLAN NO. PS515746Y

DOCUMENT END

**Delivered from the LANDATA® System by SAI Global Property Division Pty Ltd  
Delivered at 06/05/2020, for Order Number 62139811. Your reference: WW: 123-20.**



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<b>PLAN OF SUBDIVISION</b>		Stage No.	LTO use only	PLAN NUMBER
		EDITION 1	PS 515746Y	

<p><b>Location of Land</b>          Parish: MILDURA          Township: _____          Section: _____          Crown Allotment: _____          Crown Portion: 2 (PART)</p> <p>LTO base record: VICMAP DIGITAL PROPERTY          Title References: Vol 9464 Fol 709</p> <p>Last Plan Reference: T.P.678009K (LOT 2)          Postal Address: CORNER SAN MATEO AVENUE          &amp; SIXTEENTH STREET          MILDURA, 3500.</p> <p>AMG Co-ordinates: E 604050          (OI approx. centre of plan) N 6212950 Zone 54</p>	<p style="text-align: center;"><b>Council Certification and Endorsement</b></p> <p>Council Name: MILDURA RURAL CITY COUNCIL Ref: 50623</p> <p><del>1. This plan is certified under section 6 of the Subdivision Act 1988.</del></p> <p>2. This plan is certified under section 11(7) of the Subdivision Act 1988.          Date of original certification under section 6 12/02/04</p> <p>3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.</p> <p style="text-align: center;"><b>Open Space</b></p> <p>(i) A requirement for public open space under section 18 Subdivision Act 1988 has / <del>has not</del> been made.</p> <p>(ii) The requirement has been satisfied.</p> <p><del>iii) The requirement is to be satisfied in Stage</del></p> <p>Council Delegate  <del>Council seal</del></p> <p>Date / /</p> <p>Re-certified under section 11(7) of the Subdivision Act 1988</p> <p>Council Delegate  <del>Council seal</del></p> <p>Date 29/1/04</p>
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Vesting of Roads or Reserves	
Identifier	Council/Body/Person
ROAD RI RESERVE No.1	MILDURA RURAL CITY COUNCIL MILDURA RURAL CITY COUNCIL

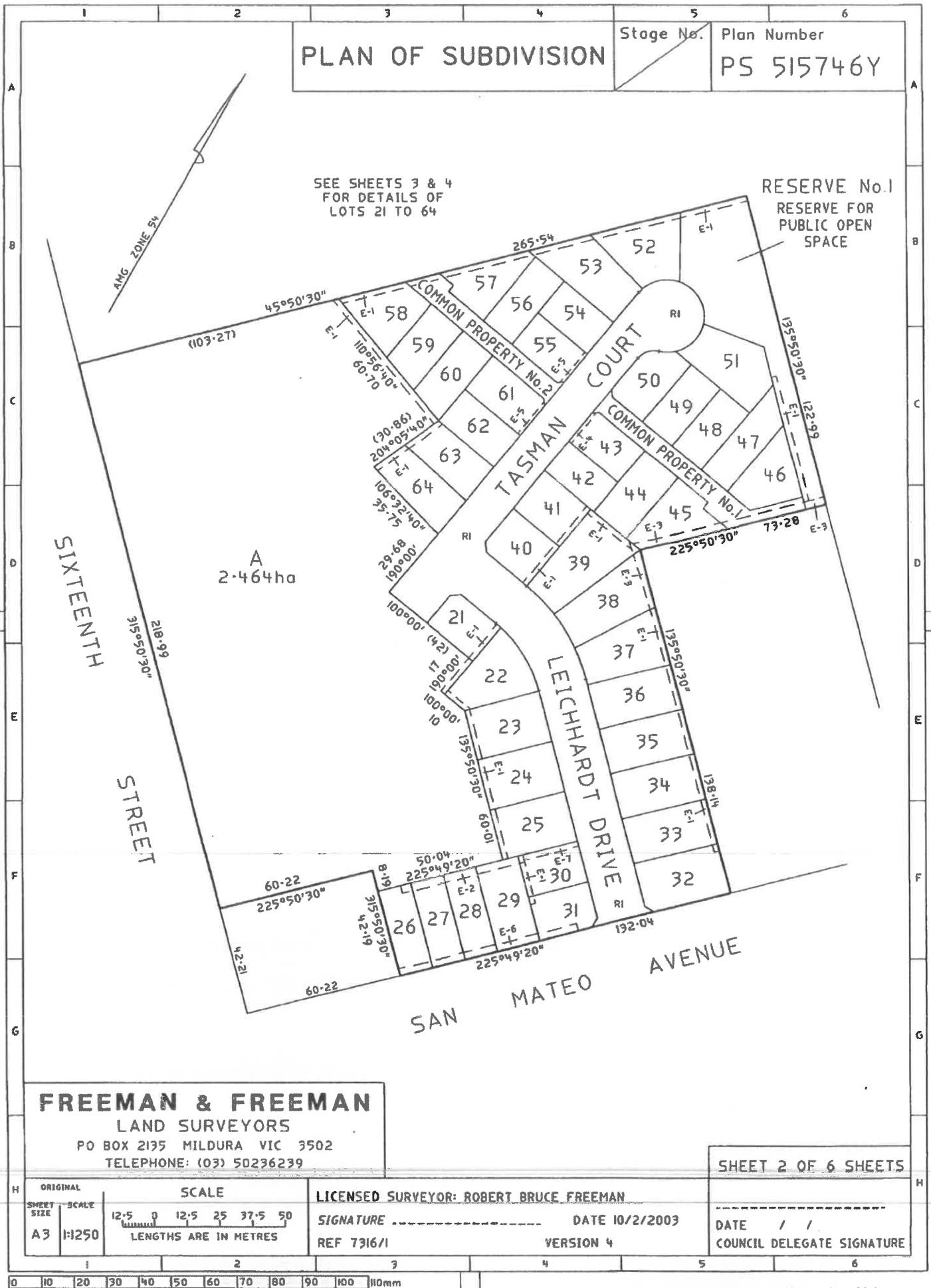
Notations	
<p>Depth Limitation: DOES NOT APPLY</p> <p><b>OTHER NOTATIONS:</b>          THE RESERVATIONS &amp; CONDITIONS CONTAINED IN TRANSFER 274761 AFFECTS ALL THE LAND ON THIS PLAN.</p> <p><b>OTHER PURPOSE OF PLAN:</b>          TO REMOVE THE EXISTING CHANNEL EASEMENT ON C/T, VOL 9464 FOL 709 CREATED ON L.P.14935.</p> <p><b>GROUNDS FOR REMOVAL:</b>          BY DIRECTION OF PLANNING PERMIT P02/285 (MILDURA RURAL CITY COUNCIL)</p>	<p>Staging      This <del>is</del> is not a staged subdivision          Planning Permit No. P02/285</p> <p>LOTS 1 TO 20 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN</p> <p>Survey:- This plan is / <del>is not</del> based on survey.          To be completed where applicable.          This survey has been connected to permanent marks no(s). 174,341,862, 864 &amp; 1075          In Proclaimed Survey Area no. _____</p>

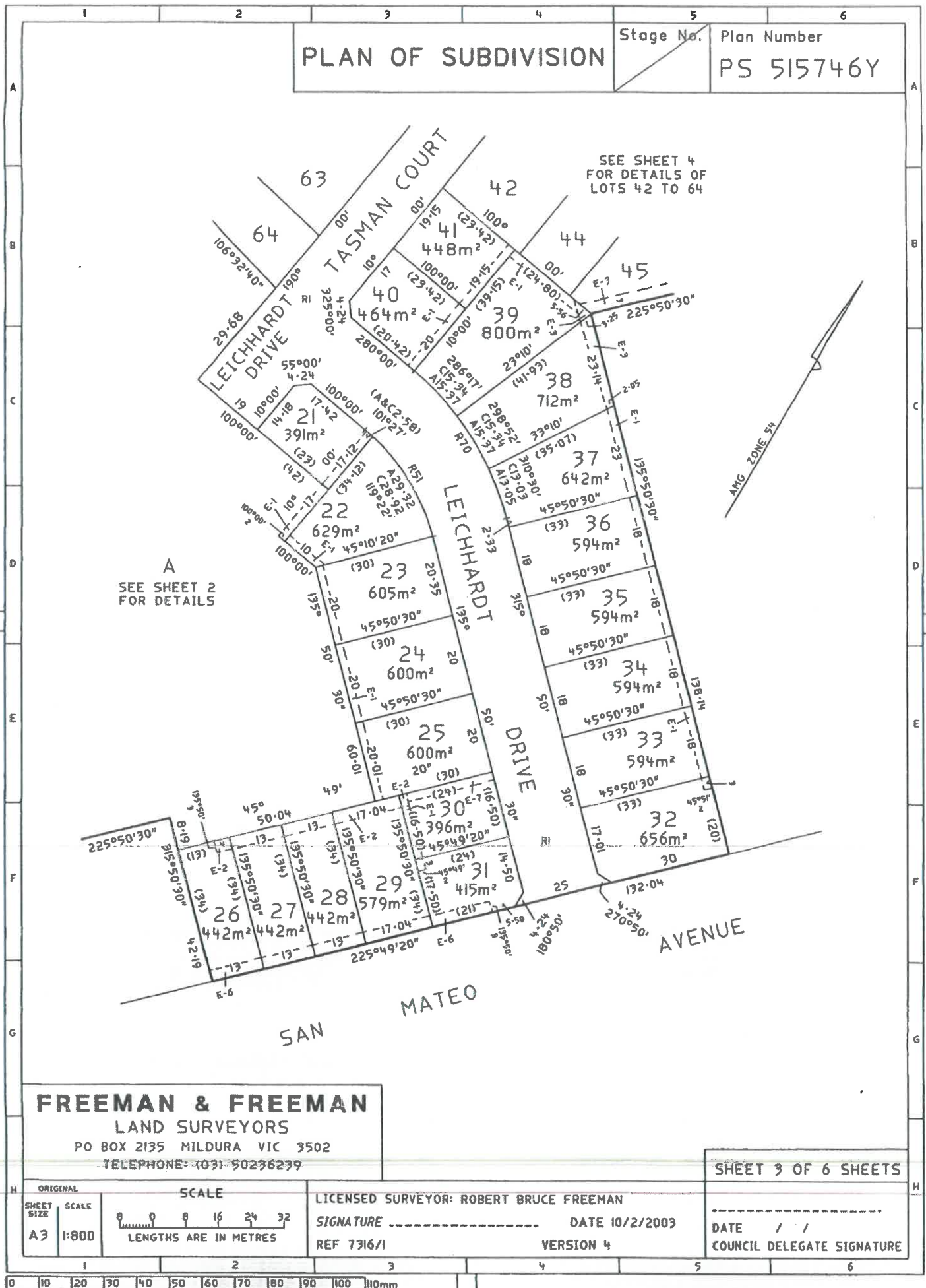
  

Easement Information				
<p><b>Legend:</b>    E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement          A - Appurtenant Easement    R - Encumbering Easement (Road)</p>				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	SEWERAGE	2	THIS PLAN	LOWER MURRAY REGION WATER AUTHORITY
E-2	SEWERAGE DRAINAGE	3	THIS PLAN	LOWER MURRAY REGION WATER AUTHORITY
E-3	SEWERAGE	SEE DIAG.	THIS PLAN	MILDURA RURAL CITY COUNCIL
E-4	THE SUPPLY OF GAS & ELECTRICITY	1	THIS PLAN	LOWER MURRAY REGION WATER AUTHORITY
E-5	THE SUPPLY OF GAS & ELECTRICITY	1	THIS PLAN	LOTS 42 TO 50 (INCLUSIVE) ON THIS PLAN
E-6	WATER SUPPLY	3	L.P.139315	LOTS 54 TO 62 (INCLUSIVE) ON THIS PLAN
E-7	DRAINAGE	2	THIS PLAN	LOTS ON L.P.139315
RI	WAY, DRAINAGE & SEWERAGE AND THE SUPPLY OF WATER, GAS, ELECTRICITY & TELECOMMUNICATIONS.	SEE DIAG.	THIS PLAN	MILDURA RURAL CITY COUNCIL
				LOTS ON THIS PLAN

<p>LICENSED SURVEYOR: ROBERT BRUCE FREEMAN</p> <p>REF 7316/1    VERSION 4    DATE 10/2/2003    SIGNATURE _____</p> <p style="text-align: center;"><b>FREEMAN &amp; FREEMAN</b>          LAND SURVEYORS          PO BOX 2135 MILDURA VIC 3502          TELEPHONE: (03) 50236239</p>	<p>LTO use only</p> <p>Statement of Compliance / Exemption Statement</p> <p>Received <input checked="" type="checkbox"/></p> <p>Date 1/10/04</p> <p>LTO use only</p> <p>PLAN REGISTERED</p> <p>TIME 15:48</p> <p>DATE 8/10/04</p> <p><i>Helen Lyndhouse</i>          Assistant Registrar of Titles</p> <p>Sheet 1 of 6 Sheets</p> <p>DATE 29/1/04</p> <p>COUNCIL DELEGATE SIGNATURE</p> <p>Original sheet size A3</p>
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# PLAN OF SUBDIVISION

Stage No.

Plan Number

PS 515746Y

RESERVE No.1  
RESERVE FOR  
PUBLIC OPEN  
SPACE  
2041m<sup>2</sup>

COMMON  
PROPERTY  
No.2  
582m<sup>2</sup>

A  
SEE SHEET 2  
FOR DETAILS

SEE SHEET 3  
FOR DETAILS OF  
LOTS 21 TO 41

COMMON  
PROPERTY  
No.1  
727m<sup>2</sup>

**FREEMAN & FREEMAN**

LAND SURVEYORS

PO BOX 2135 MILDURA VIC 3502

TELEPHONE: (03) 50236239

ORIGINAL

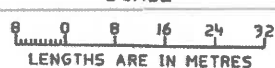
SHEET

SIZE

A3

1:800

SCALE



LICENSED SURVEYOR: ROBERT BRUCE FREEMAN

SIGNATURE

DATE 10/2/2003

REF 7316/1

VERSION 4

SHEET 4 OF 6 SHEETS

DATE

/ /

COUNCIL DELEGATE SIGNATURE

0 10 20 30 40 50 60 70 80 90 100 110mm

PS515746Y

**Owners corporation information  
formerly contained on Sheets**

**5, 6**

**of this plan is now available in the Owners  
Corporation Search Report**

**Sheets**

**6**

**have been removed from this plan**



## Department of Environment, Land, Water & Planning

### Owners Corporation Search Report

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Produced: 06/05/2020 11:40:59 AM

**OWNERS CORPORATION 1**  
**PLAN NO. PS515746Y**

The land in PS515746Y is affected by 2 Owners Corporation(s)

**Land Affected by Owners Corporation:**  
Common Property 1, Lots 42 - 50.

**Limitations on Owners Corporation:**  
Unlimited

**Postal Address for Services of Notices:**  
BODY CORPORATE STRAT GROUP 123 CHURCH STREET HAWTHORN VIC 3122  
  
AL853171V 01/05/2015

**Owners Corporation Manager:**  
NIL

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

**Owners Corporation Rules:**  
NIL

**Additional Owners Corporation Information:**  
NIL

**Notations:**  
NIL

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

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 42	10	10
Lot 43	10	10
Lot 44	10	10
Lot 45	10	10
Lot 46	10	10
Lot 47	10	10



## Department of Environment, Land, Water & Planning

### Owners Corporation Search Report

Produced: 06/05/2020 11:40:59 AM

OWNERS CORPORATION 1  
PLAN NO. PS515746Y

#### Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Lot 48	10	10
Lot 49	10	10
Lot 50	10	10
Total	90.00	90.00

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

Statement End.



## Department of Environment, Land, Water & Planning

### Owners Corporation Search Report

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Produced: 06/05/2020 11:41:03 AM

**OWNERS CORPORATION 2**  
**PLAN NO. PS515746Y**

The land in PS515746Y is affected by 2 Owners Corporation(s)

**Land Affected by Owners Corporation:**  
Common Property 2, Lots 54 - 62.

**Limitations on Owners Corporation:**  
Unlimited

**Postal Address for Services of Notices:**  
BODY CORPORATE STRAT GROUP 123 CHURCH STREET HAWTHORN VIC 3122

AL853171V 01/05/2015

**Owners Corporation Manager:**  
NIL

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

**Owners Corporation Rules:**  
NIL

**Additional Owners Corporation Information:**  
NIL

**Notations:**  
NIL

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

Land Parcel	Entitlement	Liability
Common Property 2	0	0
Lot 54	10	10
Lot 55	10	10
Lot 56	10	10
Lot 57	10	10
Lot 58	10	10
Lot 59	10	10





## Department of Environment, Land, Water & Planning

### Owners Corporation Search Report

Produced: 06/05/2020 11:41:03 AM

**OWNERS CORPORATION 2**  
**PLAN NO. PS515746Y**

#### Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Lot 60	10	10
Lot 61	10	10
Lot 62	10	10
<b>Total</b>	<b>90.00</b>	<b>90.00</b>

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

Statement End.

# TRANSFER OF LAND

Section 45 Transfer of Land Act 1958

\$ 5256

Lodged by:

Name: GALLAGHER HOLCROFT

Phone:

Address:

Ref:

Customer Code: 34834



P  
The  
col  
and  
ma  
reg  
Victorian Land Registry.

AD781122D

29/07/2005 \$484 45

MADE AVAILABLE / CHANGE CONTROL

Office Use Only

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed-

- together with any easements created by this transfer;
- subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer; and
- subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land: (volume and folio reference)

Certificates of Title Volume 10833 Folio 687. Volume 10833 Folio 688 and Volume 10833 Folio 689

Estate and Interest: (e.g. "all my estate in fee simple")

all its estate and interest in fee simple

Consideration:

Transferor: (full name)

MQH INVESTMENTS PTY LTD ACN 081 510 778



Transferee: (full name and address including postcode)

L M & M TIERNEY PTY LTD ACN 446 977 373 the Registered Office of which is 234 Deakin Avenue Mildura VIC 3500

Directing Party: (full name)

Creation and/or Reservation and/or Covenant :

AND THE SAID L M & M TIERNEY PTY LTD ACN 446 977 373 for itself and its transferees the registered proprietors for the time being of the land transferred and every part thereof DO HEREBY as a separate covenant COVENANT with the said MQH INVESTMENTS PTY LTD ACN 081 510 778 and the other registered proprietor or proprietors for the time being of the land comprised in Plan of Subdivision 515746Y and every part thereof (other than the land hereby transferred) as follows:

1. They will not erect or cause or suffer to be erected upon the said lot more than one main building which shall not be less than one hundred and thirty five square metres (135m2) in floor and that such building and lot or any part thereof shall not be further subdivided under the provisions of the Subdivision Act 1988 or any amendment, modification or re-enactment of or substitution of that Act.

Continued on T2 Page 2/3

Approval No: 2001049A

ORDER TO REGISTER  
Please register and issue title to

T2



Signed

Cust. Code:

STOP PAYEE TRANSFERING as Quayles

DRS AP 185

Vic Duty \$5,258.00

Consideration \$159,933.00

Trans No. 946/2005

Endorse Date 25/07/2005

Section

QUAYLES Signature

\* Law Perfect Pty Ltd

29 JUL 2005

THE BACK OF THIS FORM MUST NOT BE USED  
Land Registry, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010

2. They will not erect or cause or suffer to be erected upon the said lot any dwelling house (except for the usual outbuildings) with more than fifty per centum of the external walls of any material other than brick (which definition shall not be extended to mean mud-brick), brick veneer, stone, hebel panel or texture coated compressed sheet and shall not roof such dwelling with materials other than tiles, colourbond steel or zinc aluminium and that such roof including any garage or carport shall not be pitched at an angle less than ten degrees.

3. They will not erect or cause or suffer to be erected on the said lot any transportable, prefabricated or moveable dwelling house or any existing dwelling house moved in whole or in part from another site or place on construction.

4. They will not erect or cause or suffer to be erected on the rear boundary or any side boundary within the building alignment of the said lot any fence other than a fence of a minimum height of 1.80 metres of zincalume steel panel type construction with an oven baked finish such as colourbond.

AND IT IS HEREBY AGREED AS FOLLOWS :-

That the benefit of the foregoing covenant shall be attached to and run at law and in equity with the land comprised in the said Plan of Subdivision other than the land hereby transferred and that the burden thereof shall be annexed to and run at law and in equity to the said land hereby transferred and that the same shall be noted and appear on every future Certificate of Title to the said lot any every part thereof as an encumbrance affecting the said land and every part thereof.

Dated: 19.07.2005

Execution and attestation

THE COMMON SEAL of MOH INVESTMENTS )  
PTY LTD was affixed in the presence of authorised )  
persons: )

.....  
Sole Director and Sole Company Secretary  
Paul Anthony Lock  
14 Grandview Way Mildura VIC 3500

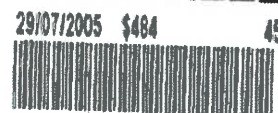


Approval No: 2001049A

T2 Page 2



AD781122D



\* Law Perfect Pty Ltd

THE BACK OF THIS FORM MUST NOT BE USED  
Land Registry, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010

## ANNEXURE PAGE

Transfer of Land Act 1958

This is page 3 of *Approved Form T2* dated 19/07/2005  
between MQH DEVELOPMENTS PTY LTD ACN 081 510 778 AND L M  
& M TIERNEY PTY LTD ACN 446 977 373

**Privacy Collection Statement**  
The information from this form is collected under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes in the Victorian Land Registry.

Signatures of the parties

### Panel Heading

THE COMMON SEAL of L M & M TIERNEY  
PTY LTD was affixed in the presence of the  
authorised person:



Sole Director & Sole Company Secretary  
LUKE MARTIN TIERNEY  
17 Federation Drive Mildura VIC 3500



AD781122D-3-9

Approval No: 2001049A

# A1



\* Law Perfect Pty Ltd

1. If there is insufficient space to accommodate the required information *Form* insert the words "See Annexure Page 2" (or as the case may be) on the Annexure Page under the appropriate panel heading. **THE PAGE IS NOT TO BE USED**
2. If multiple copies of a mortgage are lodged, original Annexure Page
3. The Annexure Pages must be properly identified and signed by the person to which it is annexed.
4. All pages must be attached together by being stapled in the top left corner.

## AD781122D

29/07/2005 \$484 45



Land Registry, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010



Mildura Rural City Council

Internal Use Only



TAX INVOICE



Ms L & Mr C C Young  
23 Tasman Court  
MILDURA VIC 3500



033  
RD\_480750

**Total Rates & Charges For this Year**  
**\$1,991.38**

Refer below for payment options

## Rate and Valuation Notice

1 July 2019 to 30 June 2020

Property Location & Description  
23 Tasman Court MILDURA VIC 3500  
Lot 43 PS 515746Y Sec 49 Bk F

AVPGC: 110 - Detached Home

### RATING DETAILS

Rebates / Concession

Residential Rate

Waste Management

0.0064303	277000	-\$235.15Cr
366.04	1	\$1,781.19
		\$366.04

### VICTORIAN STATE GOVERNMENT FIRE SERVICES PROPERTY LEVY

Residential Fire Levy (Fixed)

Residential Fire Levy (Variable)

Concession

111.00	1	\$111.00
0.000068	277000	\$18.28
		-\$50.00Cr

**TOTAL AMOUNT**

**\$1,991.38**

Payment in full	Or	1st Instalment	2nd Instalment	3rd Instalment	4th Instalment
Due 15 Feb 2020 \$1,991.38		Due 30 Sep 2019 \$497.84	Due 30 Nov 2019 \$497.84	Due 29 Feb 2020 \$497.84	Due 31 May 2020 \$497.84

Note: If full payment of the 1st instalment isn't received by the due date, this account will automatically default to the Payment in Full option and you will not receive reminder instalment notices.  
Please refer to the reverse side of this notice for information relating to penalties for late payment.

## Payment Slip

Ms L & Mr C C Young  
23 Tasman Court MILDURA VIC 3500  
Assessment No: 30195

Payment in Full: \$1,991.38  
Or 1st Instalment: \$497.84



Bill code: 93922  
Ref: 301952

POST Billpay



Full Payment 41 301952



Post Bill code: 0041  
Ref: 301952

Pay in person at any post office, phone  
13 18 16 or go to [postbillpay.com.au](http://postbillpay.com.au)

Centrepay Ref:  
555 054 7308



SPAY this payment via internet or phone banking.  
SPAY View View and pay this bill using internet banking  
SPAY View Registration No.: 301952

Internal Use Only



**MILDURA**

741 - 759 Fourteenth Street Mildura 3500  
 PO Box 1438 Mildura 3502  
 AUSDOC DX 50023  
 Tel: (03) 5051 3400 Fax: (03) 5051 3480  
 Office Hours 8.00am - 5.00pm Monday - Friday  
**SWAN HILL**  
 73 Beveridge Street Swan Hill 3585  
 PO Box 1447 Swan Hill 3585  
 AUSDOC DX 30164  
 Tel: (03) 5036 2150 Fax: (03) 5036 2180  
 Office Hours 8.00am - 5.00pm Monday - Friday

**KERANG**

56 Wellington Street Kerang 3579  
 PO Box 547 Kerang 3579  
 AUSDOC DX 57905  
 Tel: (03) 5450 3960 Fax: (03) 5450 3967  
 Office Hours 8.00am - 1.00pm Monday - Friday



**24 Hour Supply Emergency**  
**1800 808 830**

ABN 18 475 808 826  
[www.lmw.vic.gov.au](http://www.lmw.vic.gov.au)

**Reference No. 042079**

**URBAN ACCOUNT**

**Amount Due \$124.54**

**Due Date 20-MAY-2020**

Date Of Issue 16/04/2020

Tariffs and Charges Notice

4th Quarter 2019/20

01/04/2020 - 30/06/2020

**POST** \*850 700420797

**MR CC YOUNG & MRS L YOUNG**  
**23 TASMAN COURT**  
**MILDURA VIC 3500**

Property Address : 23 TASMAN COURT MILDURA VIC 3500 (Prop:42079) - Urban Account  
 Lot 43 PS 515746Y Blk F Sec 49 Vol 10833 Fol 687

	Charge	Concession	Balance
Water Service Tariff	51.76	-24.47	27.29
Water by Measure Chg-Info on reverse	32.83		32.83
Sewerage Service Tariff	122.19	-57.77	64.42

**TOTAL OWING \$124.54**

Pension Concessions granted for the current Financial year total \$328.90  
 Payments/Credits since last Notice \$114.66  
 Urban customers are advised that Stage 1 water restrictions are currently in effect



### Payment Slip - Methods of Payment

Online at [lmw.vic.gov.au](http://lmw.vic.gov.au) - Pay your Account



**Direct Debit**  
 Please contact your local office.



**Centrepay**  
 Use Centrepay to arrange regular deductions from your Centrelink payment, simply call any Lower Murray Water Office.



**Billpay Code: 0850**  
**Ref: 7004 2079 7**

Pay in person at any Post Office.



**Biller Code: 78477**  
**Ref: 7004 2079 7**

Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: [www.bpay.com.au](http://www.bpay.com.au)

042079

23 TASMAN COURT MILDURA VIC 3500 (Prop:42079) - Urban Account



\*850 700420797

\$124.54



**Biller Code: 78477**  
**Ref: 7004 2079 7**

**BPAY®** - Make this payment via internet or phone banking.

**BPAY View®** - Receive, view and pay this bill using internet banking.

**BPAY View** Registration No: 7004 2079 7

**Amount Due**

**\$124.54**

Payment Ref: 7004 2079 7



**By Phone**  
 Pay by phone (03) 8672 0582.  
 Standard call charges apply.

**See reverse for In Person and By Mail options**

**OC No 515746oc1**

**Tasman Court MILDURA VIC 3500  
Lot 43 (Unit 43)**

## **OWNERS CORPORATION CERTIFICATE**

**03 5022 0959**

**ISSUED: 29 April 2020**

**If you wish to make payment of the settlement amount via EFT please utilise the BPAY  
details located on the attached Contribution Notice.**

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# Owners Corporation Certificate

Section 151 Owners Corporation Act 2006 and Reg 11 Owners Corporation Regulations 2007  
Subdivision Act 1988

Owners Corporation No. 1 Strata Plan No. 515746oc1  
Registered Address: Tasman Court MILDURA VIC 3500  
Lot Address: As above

Vendor Name: Mr. C. C. and Mrs L. Young  
Reference: Not Available

Purchaser Name:  
Contact Details:

This certificate is issued for Lot 43 / Unit 43 on Plan No. 515746oc1

The postal address of which is c/- Body Corporate Strata Group PO Box 7078 Hawthorn Vic 3122

**IMPORTANT:** The information in this certificate is issued on 29 April 2020. You should obtain a new certificate for current information prior to settlement.

1. The present fees for the above Lot are \$996.57 per annum for the year commencing 01 July 2019 paid Quarterly. (The annual contribution fee is subject to change depending on the budget set for the year.)

Due Date	Contribution Amount
01 July 2019	\$249.12
01 October 2019	\$249.15
01 January 2020	\$249.15
01 April 2020	\$249.15

**NOTE:** The contribution amounts shown may vary slightly due to rounding.

2. The fees are paid up until 31 March 2020. If settlement should occur on or after any due date a further contribution fee will be due and payable plus the top up fee if the budget increases at the AGM.

3. The total of any Unpaid fees is now \$0.88. The total of any Unpaid Special Levy fees is \$0.00.

4. The following adjustment levy has been struck and is payable on the date indicated below:  
Nil

5. The following special fees or levies have been struck and are payable on the dates indicated below:  
Nil

6. The repairs, maintenance or other work or act which has been or is about to be performed which may incur an additional charges which have not been included in the annual fees and special levy fees are as follows:  
Nil

7. The Owners Corporation has the following insurance cover:

Insurance Broker Name:	Strata Insurance
Insurance Valuation Supplier Name:	WBP Property Group
Last Valuation Date:	01 March 2019
Amount At Last Valuation Date:	\$3,070,000.00
Next Insurance Valuation Due Date:	01 March 2022
Insurance Underwriter:	Strata Insurance - CHU
Policy Number:	HU0005205
Sum Insured:	\$3,223,500.00
Premium:	\$5,606.87
Policy Renewal Date:	01 May 2021



This summary is not a policy document and is only an outline of the coverage.  
The terms, conditions and limitations of the Insurers policy shall prevail at all times.

**Policy Type:** Residential Strata Insurance  
**Insured:** OC No. 515746OC1  
**Situation:** 16-24 Tasman Court, Mildura VIC 3500  
**Covering:**

Cover Selected	Sum Insured
POLICY 1	
INSURED PROPERTY (Building)	3,223,500
Loss of Rent/Temp Accommodation (15%)	483,525
INSURED PROPERTY (Common Area Contents)	27,608
FLOOD	Selected
Excess 5 Any event of any kind. \$500	
Excess Flood excess \$500	
POLICY 2	LIABILITY TO OTHERS 30,000,000
POLICY 3	VOLUNTARY WORKERS 200,000/2,000
POLICY 4	WORKERS COMPENSATION (NSW, ACT, TAS & WA ONLY) Not selected
POLICY 5	FIDELITY GUARANTEE 250,000
POLICY 6	OFFICE BEARER'S LEGAL LIABILITY 5,000,000
POLICY 7	MACHINERY BREAKDOWN Not selected
	Loss of Rent/Temp Accommodation (20%) Not selected
POLICY 8	CATASTROPHE INSURANCE (Insured Property) Not selected
	Extended cover – Rent/Temp Accommodation Not selected
	Escalation in Cost of Temp Accommodation Not selected
	Cost of Storage and Evacuation Not selected
POLICY 9	Government Audit Costs 25,000
	Appeal expenses - common property health & safety breaches 100,000
	Legal Defence Expenses 50,000
	Excess Legal Defence Expenses \$1,000
POLICY 10	LOT OWNER'S FIXTURES AND IMPROVEMENTS (per lot) 250,000

Strata Solutions International Pty Ltd trading as Strata Insurance ABN 58 080 071 307 AFS Licence no 234722

Suite 4 232-236 Bluff Road Sandringham VIC 3191 Tel: 03 9597 0357

Email: [contacts@stratainsurance.net](mailto:contacts@stratainsurance.net)

Web: [www.stratainsurance.net](http://www.stratainsurance.net)

EXCESSES

As per policy wording

**Special Conditions/  
Endorsements** Nil

**Insurer:** Strata Insurance - CHU

**Support Insurer:** QBE Insurance (Australia) Limited  
82 Pitt Street  
SYDNEY NSW 2000  
AFSL LICENCE No: 239545

**Proportion:** 100%

#### Insurance Brokers Code of Practice & External Disputes Resolution Service

Strata Solutions International Pty Ltd Trading as Strata Insurance subscribe to the Insurance Brokers Code of Practice and the Australian Financial Complaints Authority. AFCA is an administer an independent and free external dispute resolution service for our clients. Please visit [www.stratainsurance.net](http://www.stratainsurance.net) or contact our office for further details.

Strata Solutions International Pty Ltd trading as Strata Insurance ABN 58 080 071 307 AFS Licence no 234722

Suite 4 232-236 Bluff Road Sandringham VIC 3191 Tel: 03 9597 0357

Email: [contacts@stratainsurance.net](mailto:contacts@stratainsurance.net)

Web: [www.stratainsurance.net](http://www.stratainsurance.net)

8. The Owners Corporation has resolved that members may arrange their own insurance under Section 63 of the Act as follows:  
Nil

9. The total funds held by the Owners Corporation as at 29 April 2020 are:

Admin Fund: \$530.08

Maintenance Fund: \$0.00

Total Fund Held: \$530.08

10. The Owners Corporation has liabilities that are not covered by annual fees, special levies and repairs and maintenance as set out above as follows:

None known as of this stage except that the Manager has the authority to raise a cash flow levy at any stage should the Owners Corporation hold insufficient funds to meet the building insurance premium and/or ongoing working capital requirements of the common property.

11. The Owners Corporation has granted contracts, leases, licenses or agreements affecting the common property as follows:  
Nil

12. The Owners Corporation has made agreement to provide services to members and occupiers for a fee as follows:  
Nil

13. The Owners Corporation has notices or orders served within in the last 12 months that have not been satisfied as follows:  
Nil

14. The Owners Corporation is party to any proceedings or aware of any notices or orders which may give rise to proceedings as follows:  
Nil

15. The Owners Corporation has resolved to appoint a manager.

16. No proposal has been made for the appointment of an administrator.

17. Any other Information:

This Certificate is valid for sixty (60) days from the date of this Certificate.

If you wish to make payment of the settlement amount via EFT please utilise the BPAY details located on the attached Contribution Notice.

18. The following documents are attached:

1. OC Certificate Pack Front Cover
2. Minutes Of Most Recent Meeting
3. Model Rules
4. Statement of Advice and Information

Signed on behalf of the Owners Corporation 515746ec1 by



Miranda Boxshall

Body Corporate Strata Group

PO Box 7078 Hawthorn Vic 3122



In capacity as Manager pursuant to an instrument of delegation made by the Owners Corporation  
Further information can be obtained by an inspection of the owners corporation register

## Notice to Owners

<b>Owners Corporation</b>	515746oc1
<b>Property Address</b>	Tasman Court MILDURA VIC 3500
<b>Meeting Date</b>	Wednesday, 24 July 2019
<b>Meeting Location</b>	The Setts Business Centre, 110-114 Eighth Street, Mildura Vic 3500
<b>Meeting Commenced</b>	2:30 PM
<b>Rep by</b>	Miranda Bauer
<b>Members Present</b>	Nil
<b>Proxies</b>	Nil
<b>Apologies</b>	Mr. C. C. and Mrs L. Young (43), Patricia Annette McKenzie (48)
<b>Non Attendance</b>	Alexander Robert Lochhead (42), Mr P F and Mrs H L Kay (44), Fei Wu (45), Ms Peta J Rouse (46), Wayne James McDonough & Della Victoria Josephine McDonough (47), Ms G M A Dean (49), Ms T C Arney (50)
<b>Non Financial Attendee</b>	Nil

We refer to the recent Annual General Meeting scheduled on Wednesday, 24 July 2019 and advise the following as no owners were present.

### 1. Declaration Of A Quorum

As a quorum was not present either in person or by proxy, all decisions at this meeting will remain interim decisions for a period of 28 days. They will become the resolutions of the Owners Corporation on the 29th day provided no objections are received in writing during this period.

### 2. Financial Reports

Financial reports have been prepared and circulated by Body Corporate Strata Group.

Year ending: 30-Jun-2019

Bank balance (Administration): \$1,048.78

Bank balance (Sinking/Investment): \$0.00

### 3. Building Insurance

#### General Advice Warning

The Product Disclosure Statement (PDS) for the building insurance policy is available at [www.bodycorporatestrata.com.au](http://www.bodycorporatestrata.com.au). The Manager recommends that the Members of the Owners Corporation refer to the PDS to make an assessment on whether the product satisfies your building needs and objectives.

The following cover will be continued with the present insurance company:

P:2

Insurance Broker Name:	Strata Insurance
Insurance Valuation Supplier Name:	WBP Property Group
Last Valuation Date:	01-Mar-2019
Last Valuation Amount:	\$3,070,000.00
Next Insurance Valuation Due Date:	01-Mar-2022
Insurer	Strata Insurance - CHU
Policy Number:	HU0005205
Sum Insured:	\$3,070,000.00
Premium:	\$4,884.75
Insurance Policy Expiry Date:	01-May-2020

A copy of the full Insurance policy is available on StrataPortl at <https://bcsg.strataport.com.au>.

The Members of the Owners Corporation resolved by ordinary resolution to accept the suggested building insured amount, inclusive of office bearers liability insurance, upon renewal.

Members further resolve that the Manager may engage a broker or agent in the future to source the insurance cover on behalf of the Owners Corporation.

#### 4. OHS Requirements

The Members of the Owners Corporation resolved by ordinary resolution that an OH&S inspection and assessment is not to be undertaken this year.

#### 5. Annual Budget

##### Admin Fund

Description	Proposed Amount	Amended Amount Subtotal	Amended Amount GST	Amended Amount Total
Common water	\$115.00	\$104.55	\$10.45	\$115.00
Disbursement charge	\$459.00	\$417.27	\$41.73	\$459.00
Insurance	\$5,500.00	\$5,000.00	\$500.00	\$5,500.00
Legislative & Compliance fee	\$420.00	\$381.82	\$38.18	\$420.00
Management fees	\$2,183.00	\$1,984.55	\$198.45	\$2,183.00
Professional Services - accounting legal other	\$55.00	\$50.00	\$5.00	\$55.00
Schedule 2.2 charges	\$237.60	\$216.00	\$21.60	\$237.60
<b>Sub Total</b>	<b>\$8,969.60</b>	<b>\$8,154.18</b>	<b>\$815.42</b>	<b>\$8,969.60</b>

##### Maintenance (Sinking) Fund

Description	Proposed Amount	Amended Amount Subtotal	Amended Amount GST	Amended Amount Total
<b>Nil Maintenance (Sinking) Fund items</b>				
<b>Sub Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Grand Total</b>	<b>\$8,969.60</b>	<b>\$8,154.18</b>	<b>\$815.42</b>	<b>\$8,969.60</b>

#### 6. Owners Corporation Contributions

Instalment Number	Date
-------------------	------

Instalment Number	Date
1	01-Jul-2019
2	01-Oct-2019
3	01-Jan-2020
4	01-Apr-2020

Lot No	Owners	Proposed (Annual)	Amended (Annual)	Proposed (Quarterly)	Amended (Quarterly)
42	Alexander Robert Lochhead (UOL: 10)	\$996.62	\$996.62	\$249.16	\$249.16
43	Mr. C. C. and Mrs L. Young (UOL: 10)	\$996.62	\$996.62	\$249.16	\$249.16
44	Mr P F and Mrs H L Kay (UOL: 10)	\$996.62	\$996.62	\$249.16	\$249.16
45	Fei Wu (UOL: 10)	\$996.62	\$996.62	\$249.16	\$249.16
46	Ms Peta J Rouse (UOL: 10)	\$996.62	\$996.62	\$249.16	\$249.16
47	Wayne James McDonough & Della Victoria Josephine McDonough (UOL: 10)	\$996.62	\$996.62	\$249.16	\$249.16
48	Patricia Annette McKenzie (UOL: 10)	\$996.62	\$996.62	\$249.16	\$249.16
49	Ms G M A Dean (UOL: 10)	\$996.62	\$996.62	\$249.16	\$249.16
50	Ms T C Arney (UOL: 10)	\$996.62	\$996.62	\$249.16	\$249.16
Grand Total:		\$8,969.60	\$8,969.60		

The Members of the Owners Corporation resolved by ordinary resolution to approve the Owners Corporation Contributions as proposed, which reflects the units of liability as detailed on the Plan of Subdivision.

## 7. Penalty Interest

The Members of the Owners Corporation resolved by ordinary resolution to apply Penalty Interest in accordance with the Owners Corporation Act 2006 Part 3, Section 29 (1&2). The rate of interest charged will change from time to time depending on the market rate but will not exceed the maximum rate of interest payable under the Penalty Interests Rates Act 1983.

The Members of the Owners Corporation resolved by ordinary resolution to refer all requests for the removal of Penalty Interest from a Contributions Notice to the Committee and/or the Chairperson. No Penalty Interest will be removed without a reasonable explanation by the lot owner making the request. The Committee and/or the Chairperson undertake to act in good faith at all times.

## 8. Arrears

The Members of the Owners Corporation resolved by ordinary resolution that all Contributions overdue by 30 days from the due date will be liable for a \$42 Overdue Administration Fee and that all Contributions overdue by 60 days from the due date will be liable for a \$142 Overdue Administration Fee, payable to the Manager.

The Members of the Owners Corporation further resolved by ordinary resolution that, at its discretion, the Manager will submit accounts in arrears to its legal representatives for debt collection. In accordance with the Owners Corporation Act 2006 Section 32 the costs, including all associated legal fees, incurred in recovering fees, charges and interest owing will be fully recoverable by the indebted lot owner.

## 9. Appointment Of The Manager

In line with the terms of the Contract of Appointment, Body Corporate Strata Group will continue as the Manager.

## **10. Instrument Of Delegation**

P:4

The Members of the Owners Corporation resolved by ordinary resolution to delegate the powers and functions of the Owners Corporation to the elected members of the Committee and/or the Chairperson in accordance with the Owners Corporation Act 2006 Section 11, except where a special or unanimous resolution is required. This Instrument will remain in force until the next Annual General Meeting when the Committee and/or Chairperson are elected.

The Owners Corporation further delegates all the powers and functions to the Manager that are necessary for it to perform its duties as Manager, in accordance with Section 3.2 of the Contract of Appointment. This Instrument will remain in force for the duration of the Contract of Appointment.

The Members further resolved that two persons who are owners (or a director of a corporation who is a lot owner) of separate lots and are Members of the Owners Corporation will execute an Instrument of Delegation and approve the affixing of the seal.

After Hours Contact — Tymaline Building Services (for emergency common property issues only) — contact 0418 362 023.

## **Schedule 2—Model rules for an owners corporation**

Regulation 11

### **1 Health, safety and security**

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

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

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

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

(2) This rule does not apply to—

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

#### **1.3 Waste disposal**

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

**2 Committees and sub-committees**

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

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

**3 Management and administration**

**3.1 Metering of services and apportionment of costs of services**

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



#### **4 Use of common property**

##### **4.1 Use of common property**

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

##### **4.2 Vehicles and parking on common property**

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

- (a) to be parked or left in parking spaces situated on common property and allocated for other lots; or
- (b) on the common property so as to obstruct a driveway, pathway, entrance or exit to a lot; or

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

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

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

### **5 Lots**

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

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

##### **Example**

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

**5.2 External appearance of lots**

- (1) An owner or occupier of a lot must obtain the written approval of the owners corporation before making any changes to the external appearance of their lot.
- (2) An owners corporation cannot unreasonably withhold approval, but may give approval subject to reasonable conditions to protect quiet enjoyment of other lot owners, structural integrity or the value of other lots and/or common property.

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

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

**6 Behaviour of persons**

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

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

**6.2 Noise and other nuisance control**

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

## **7 Dispute resolution**

- (1) The grievance procedure set out in this rule applies to disputes involving a lot owner, manager, or an occupier or the owners corporation.
- (2) The party making the complaint must prepare a written statement in the approved form.
- (3) If there is a grievance committee of the owners corporation, it must be notified of the dispute by the complainant.
- (4) If there is no grievance committee, the owners corporation must be notified of any dispute by the complainant, regardless of whether the owners corporation is an immediate party to the dispute.
- (5) The parties to the dispute must meet and discuss the matter in dispute, along with either the grievance committee or the owners corporation, within 14 working days after the dispute comes to the attention of all the parties.
- (6) A party to the dispute may appoint a person to act or appear on the party's behalf at the meeting.
- (7) If the dispute is not resolved, the grievance committee or owners corporation must notify each party of the party's right to take further action under Part 10 of the **Owners Corporations Act 2006**.
- (8) This process is separate from and does not limit any further action under Part 10 of the **Owners Corporations Act 2006**.

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

Schedule 3, Regulation 12, Owners Corporations Regulations 2007

## What is an owners corporation?

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

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

## How are decisions made by an owners corporation?

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

## Owners corporation rules

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

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

## Lot entitlement and lot liability

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

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

## Further information

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

## Management of an owners corporation

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

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



Myecho Investments Pty Ltd (trading as)  
Body Corporate Strata Group  
ABN 54 139 544 826

Mulgrave 03 7020 6300  
Keilor East 03 9331 5022  
Glen Iris 03 9889 5681  
Boronia 03 9762 9401  
Hawthorn 03 9482 5055  
Geelong 03 5221 3774  
Mildura 0488 175 552

### Tax Invoice

Owners Corporation 515746oc1  
ABN 95 274 864 944

Mr. C. C. and Mrs L. Young  
23 Tasman Crt  
MILDURA VIC 3500

Date of Notice 29/04/2020  
Ref 13597

## OWNERS CORPORATION FEE NOTICE

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

RE: Owners Corporation Number 515746oc1  
Lot 43, Tasman Court  
MILDURA VIC 3500

Notice is hereby given by the Owners Corporation Plan of Subdivision 515746oc1 pursuant to Section 31 of The Owners Corporations Act 2006, that the following fees, extraordinary fees, charges or other contributions are due and payable within 28 days of the date of this Notice.

Details	Admin	Sinking	Interest	Due Date	Total
Standard Fee Contribution Schedule (01/04/20 - 30/06/20)	\$0.88	\$0.00	\$0.00	01/04/2020	\$0.88
				Amount Payable \$0.88	
No GST has been charged				Amount Payable if paid at Australia Post \$3.63	

Payments made at Australia Post will incur a \$2.75 Processing Fee. This fee is in addition to the Amount Payable shown above. If you choose not to pay the Processing Fee it will result in a shortfall in the actual amount paid to your owners corporation. Please note the fee is applied by DEFT Payment Systems and not Body Corporate Strata Group.

Interest will accrue daily on overdue fees and charges by 10.00% until paid. The amount of interest has been calculated in accordance with the current rate under the Penalty Interest Rates Act 1983 (VIC). This rate is subject to change. Notices overdue by 30 days from the due date will be liable for a \$42 Overdue Administration Fee and Notices overdue by 60 days from the due date will be liable for a \$142 Overdue Administration Fee. Notices that are overdue may be subject to legal proceedings against the indebted lot owner. The costs incurred by the Owners Corporation in recovering fees and levies due under Section 32 of the Owners Corporation Act 2006 will be fully recoverable from the indebted lot owner. This includes administrative fees charged to the Owners Corporation by the Manager and all legal fees incurred as a result of the failure to pay levies, fees and charges due.

Check your BPAY Reference below as it may have changed



\*Payments by phone or Internet from your cheque or savings account require registration. Please complete a Customer Initiated Direct Debit registration form available at [www.deft.com.au](http://www.deft.com.au) or call 18 00 672 162. Payments by Credit Card do not require registration and a surcharge may apply.

Pay over the Internet from your Credit Card or pre-registered bank account at <a href="http://www.deft.com.au">www.deft.com.au</a> .		Biller Code: 96503 Ref: 272462136 135971	Account: 515746Y1Â TASMAN Owner: Mr. C. C. and Mrs L. Young OC: 515746oc1 Lot No: 43
Pay by phone from your Credit Card or pre-registered bank account, Call 1300 30 10 90 or Int ++612 8 232 7395	Contact your financial institution to make a BPAY payment from your cheque or savings account.		
Pay by mailing this payment slip with your Cheque to: DEFT Payment Systems GPO Box 2174, Melbourne VIC 3001		Pay in person at any Australia Post Office, using Cash, Cheque or EFTPOS Payments made at Australia Post incur a \$2.75 DEFT processing fee. The amount payable if paid at Australia Post is \$3.63	All Cheques must be made payable to: Owners Corp: 515746Y1Â TASMAN
 *442 272462136 135971 DEFT Reference Number: 272462136 135971			<b>Total Due \$0.88</b> Amount Payable if paid at Australia Post \$3.63

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

## Important information on fees and charges

### BPAY Biller Code and Reference

Please check that you use the BPAY Biller Code and individual reference number shown on Page 1 of this Notice. It may have changed from previous Notices. If your payment references incorrect details your funds may be delayed in reaching your Owners Corporation bank account, or not received at all.

### Payment Due Date

Your Owners Corporation must receive your payment by the due date. Payment is due within 28 days of the date of this Fee Notice.

### Overdue Payments

If your payment is not received on or before the due date, overdue fees may be applied to your ledger and are required to be paid by you in addition to your Contribution Fees. Fees that are 30 days overdue incur a \$42.00 overdue charge and Fees more than 60 days overdue incur a \$142.00 overdue charge.

### Enquiries

If you would like further information on how Fees are set by your Owners Corporation, refer to the Minutes of the most recent Annual General Meeting. You can access these minutes, and other important information relating to your Owners Corporation at our owners portal, StrataPort.

If you cannot locate your log-in details or do not know how to access StrataPort, go to <https://bcsg.strataport.com.au/Support/StrataPort.aspx>

Alternatively, contact your Owners Corporation Manager on the phone number listed at the top of Page 1.

### Disputes

The Owners Corporation Act 2006 (the Act), Owners Corporation Regulations (the Regulations) and the Owners Corporation Rules (the Rules) provide a number of options in dealing with disputes regarding Owners Corporations, Managers, Lot Owners and Occupiers: These are:

- The Owners Corporation Internal Dispute Resolution Process
- Conciliation through Consumer Affairs Victoria
- Applications to the Victorian Civil and Administrative Tribunal (VCAT)

### Internal Dispute Resolution process

If you believe the manager, a lot owner or occupier has breached their obligations under the Act, Regulations or Rules, you can try to resolve the problem through the Owners Corporation Internal Dispute Resolution process.

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

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

### Conciliation through Consumer Affairs Victoria

At any time you can lodge a complaint with Consumer Affairs Victoria. There may be times when Consumer Affairs Victoria will advise you to use the internal dispute resolution process if you have not already done so. For more information on complaints or general enquiries call 1300 55 81 81 or go to [www.consumer.vic.gov.au](http://www.consumer.vic.gov.au)

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

For all disputes that affect the Owners Corporation you can apply directly to the Victorian Civil and Administrative Tribunal (VCAT) to hear your case and make an order. For more information on VCAT applications call 1800 133 055 or go to [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au)

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) on 06 May 2020 11:36 AM

## PROPERTY DETAILS

Address: 23 TASMAN COURT MILDURA 3500  
Lot and Plan Number: Lot 43 PS515746  
Standard Parcel Identifier (SPI): 43\PS515746  
Local Government Area (Council): MILDURA  
Council Property Number: 30195  
Planning Scheme: Mildura  
Directory Reference: VicRoads 534 K12

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

[planning-schemes.delwp.vic.gov.au/schemes/mildura](http://planning-schemes.delwp.vic.gov.au/schemes/mildura)

## UTILITIES

Rural Water Corporation: Lower Murray Water  
Urban Water Corporation: Lower Murray Water  
Melbourne Water: outside drainage boundary  
Power Distributor: POWERCOR

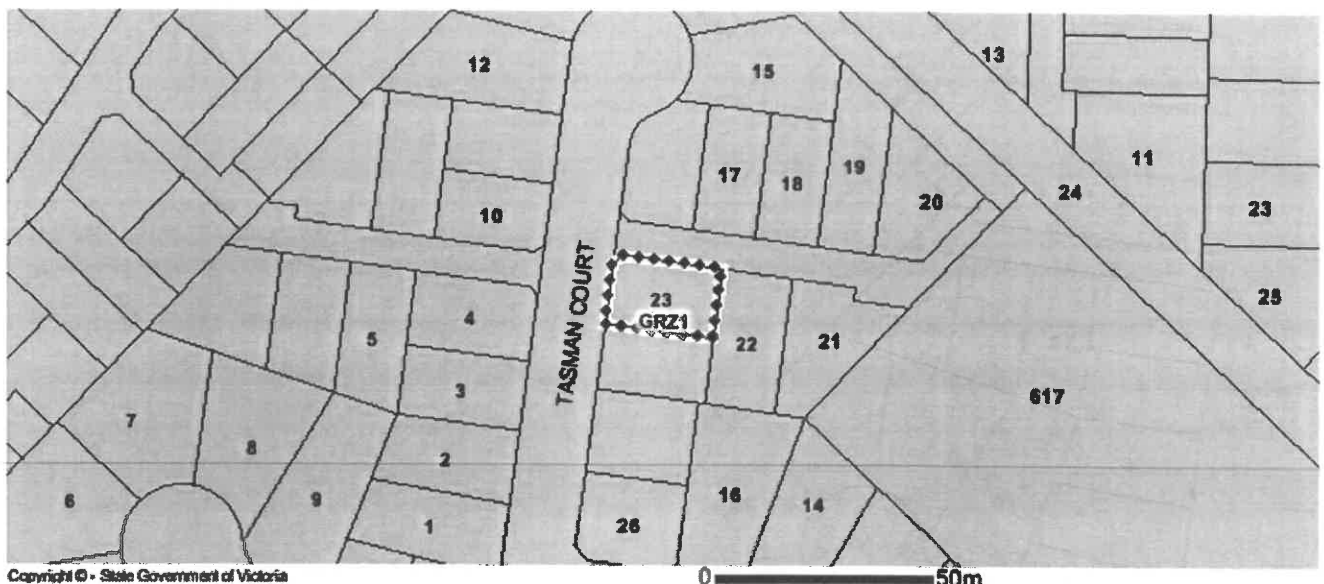
## STATE ELECTORATES

Legislative Council: NORTHERN VICTORIA  
Legislative Assembly: MILDURA

## Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ)

GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)



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GRZ - General Residential

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

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

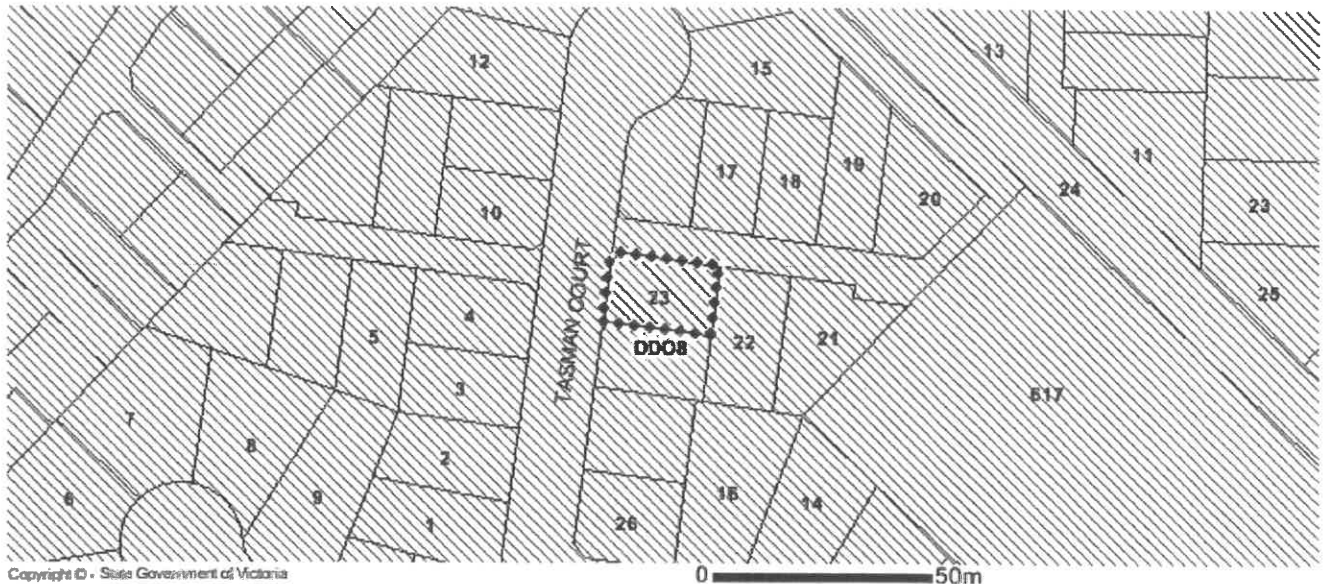
PLANNING PROPERTY REPORT: 23 TASMAN COURT MILDURA 3500



## Planning Overlays

### DESIGN AND DEVELOPMENT OVERLAY (DDO)

#### DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 8 (DDO8)



 DDO - Design and Development

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

### DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY (DCPO)

#### DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 1 (DCPO1)

#### DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 2 (DCPO2)



 DCPO - Development Contributions Plan

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

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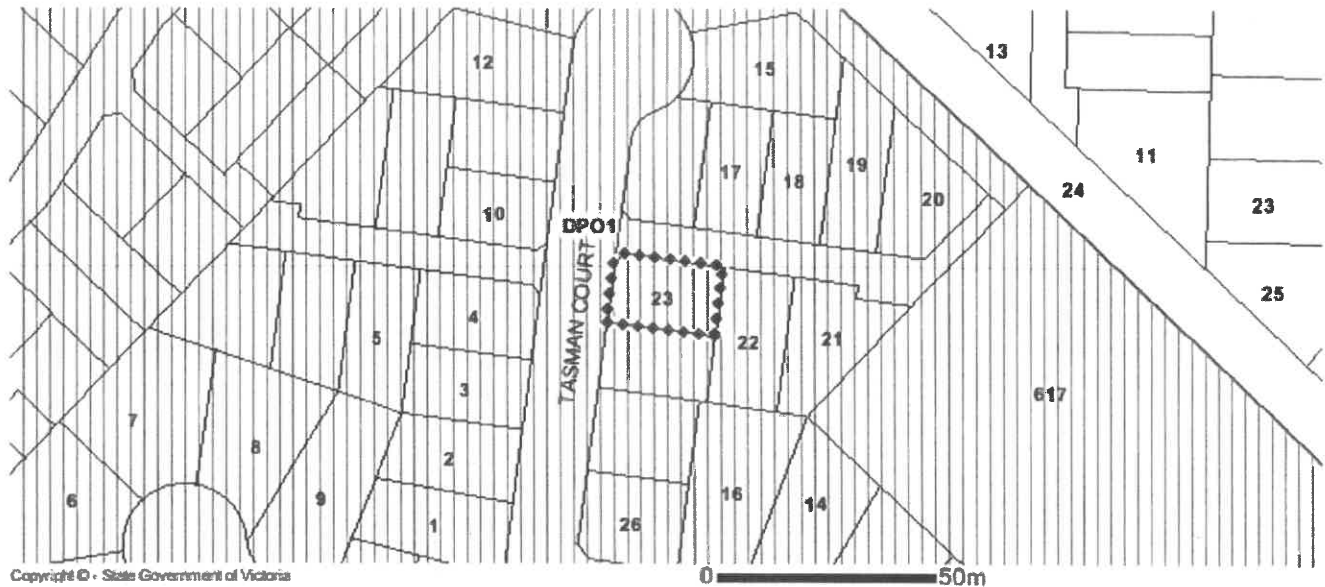
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## Planning Overlays

### DEVELOPMENT PLAN OVERLAY (DPO)

#### DEVELOPMENT PLAN OVERLAY - SCHEDULE 1 (DPO1)

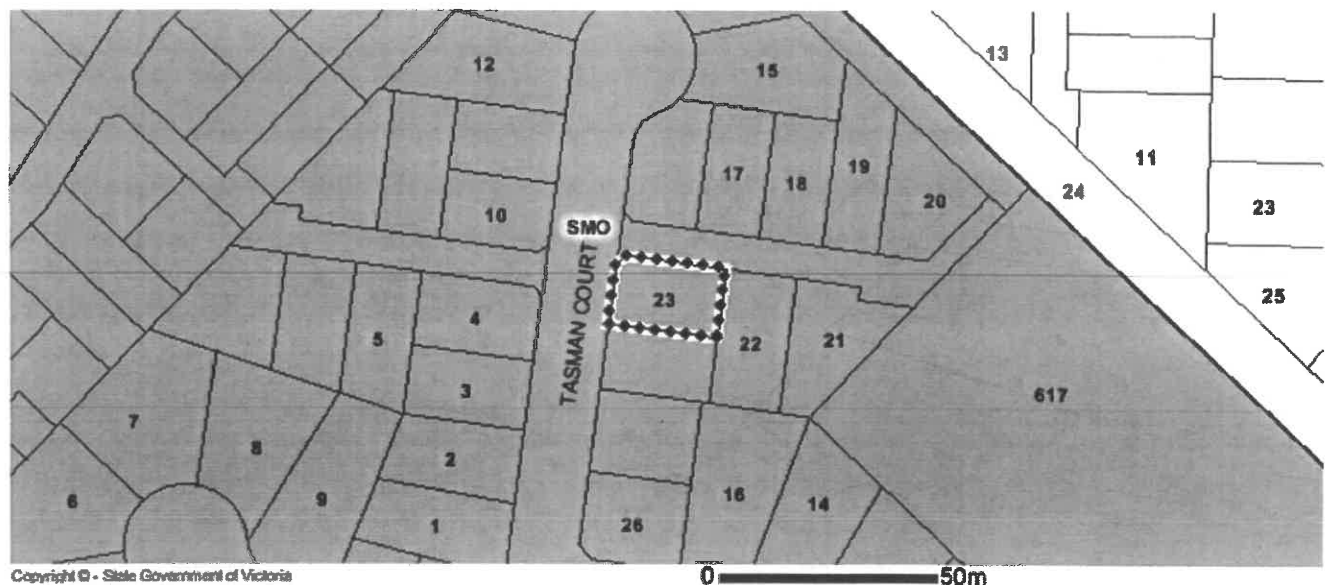


 DPO - Development Plan

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

### SALINITY MANAGEMENT OVERLAY (SMO)

#### SALINITY MANAGEMENT OVERLAY SCHEDULE (SMO)



 SMO - Salinity Management

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

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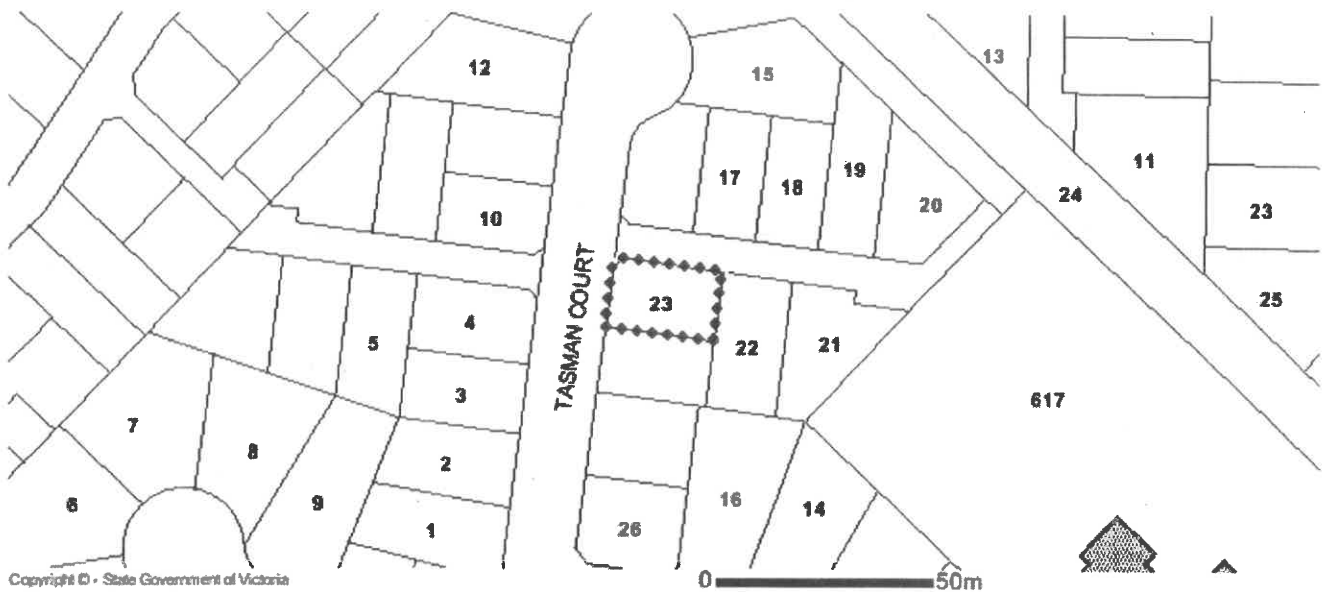
Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

## Planning Overlays

### OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

#### HERITAGE OVERLAY (HO)



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 HO - Heritage

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

## Further Planning Information

Planning scheme data last updated on 29 April 2020.

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>

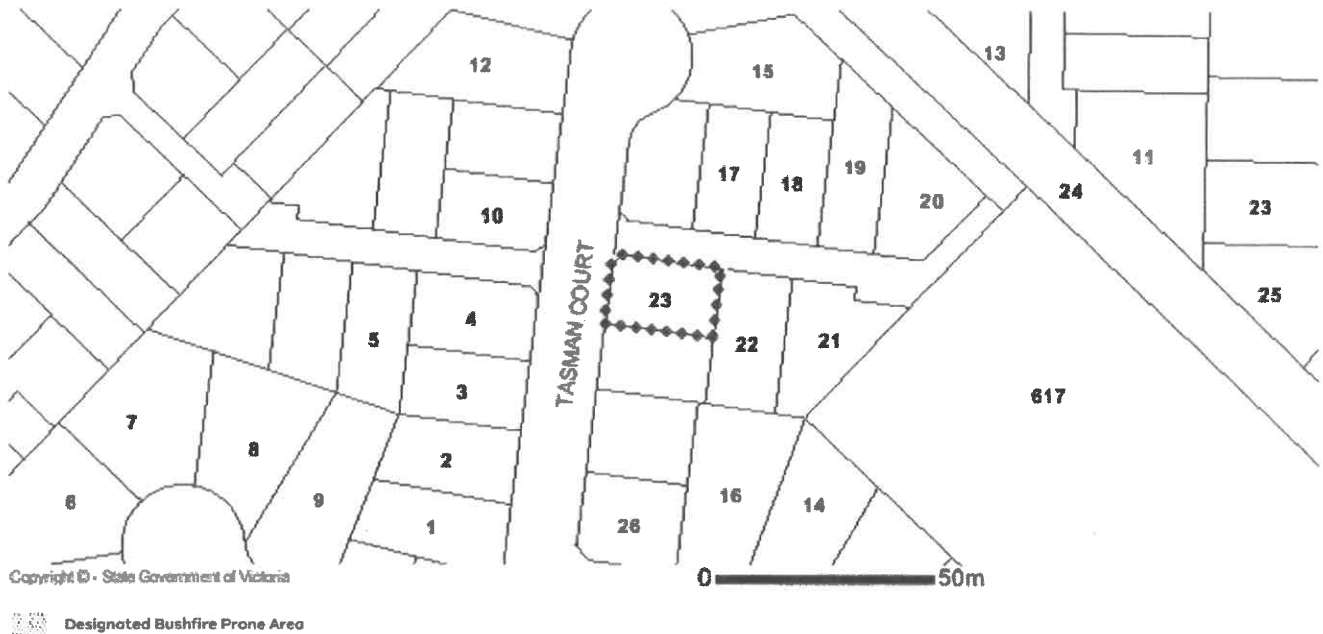
For details of surrounding properties, use this service to get the Reports for properties of interest.

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

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

## Designated Bushfire Prone Area

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



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

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

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

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

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

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

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

# 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.