

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

This document is prepared from a precedent intended solely for use by legal practitioners with the knowledge, skill and qualifications required to use the precedent to create a document suitable to meet the vendor's legal obligation to give certain statements and documents to a purchaser before the purchaser signs a contract to purchase the land. This document incorporates the requirements in section 32 of the *Sale of Land Act 1962* as at 1 October 2014.

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.

PROPERTY: 153 Madden Avenue, Mildura

VENDOR'S NAME: **TCR Earthmoving & Concreting Pty Ltd**
ACN 161 570 921

VENDOR'S SIGNATURE:



DATE: 7-5-2021

PURCHASER'S NAME:

PURCHASER'S SIGNATURE:

DATE: _____

**VENDORS STATEMENT TO THE PURCHASER OF REAL ESTATE
PURSUANT TO SECTION 32 OF THE SALE OF LAND ACT ("the Act")**

**Vendor: TCR Earthmoving & Concreting Pty Ltd
ACN 161 570 921**

**Property: 153 Madden Avenue, Mildura
Lot 8 on PS 622864U being the whole of the land in
Certificate of Title Volume 11194 Folio 770**

1. Financial matters in respect of the land

Information concerning the amount of Rates, Taxes, Charges and other similar outgoings affecting the property and interest (if any) payable thereon (including any Owners Corporation Charges and Interest):

- (a) are contained in the attached certificate/s.
are as follows :

<u>Authority</u>	<u>Amount</u>	<u>Interest</u>
1. Mildura Rural City Council – 153 Madden Ave	\$5,733.24	per annum 2020/2021
2. Mildura Rural City Council - 101/153 Madden Ave	\$1,687.12	per annum 2020/2021
3. Lower Murray Water- Urban	\$ 175.05	per quarter 2020/2021 (tariff only)
4. Owners Corporation	See attached	

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: Usual Adjustment of outgoings and water by measure

- (a) ~~Their total does not exceed \$~~
- (b) The particulars of any Charge (whether registered or not) over the property imposed by or under any Act to secure an amount due under that Act are as follows:

2. Insurance details in respect of the land

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

No such insurance has been effected
~~Particulars of vendor's insurance policy:~~

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

~~No such insurance has been effected.~~
Particulars of vendor's required insurance:

3. Matters relating to land use

- (a) Information concerning any easement, covenant or similar restriction affecting the property, registered or unregistered, are as follows:
 - (i) Description:
 - (ii) Particulars of any existing failure to comply with the terms of that easement, covenant and/or restriction are as follows:
- (b) This land is not within a bushfire prone area within the meaning of the regulations made under the *Building Act 1993*
- (c) There is access to the property by road.
- (d) In the case of land to which a planning scheme applies a statement specifying—
 - (i) name of the planning scheme: See attached
 - (ii) name of the responsible authority: See attached
 - (iii) zoning of the land: See attached
 - (iv) name of any planning overlay affecting the land: See attached
 - (v) Salinity – See attached
- (e) Tenancy Agreement – See attached for commercial property

4. Notices made in respect of land

- (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 property of which the vendor might reasonably be expected to have knowledge:

~~Is contained in the attached certificate/s and/or statement/s.~~

Is as follows: Vendor received notification in 2019 of development plans for the land on the Corner of Eleventh Street and Madden Avenue

~~None to the Vendor's knowledge~~

- (b) Whether there are 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:

~~Is contained in the attached certificate/s and/or statement/s.~~

~~Is as follows:~~

~~None to the Vendor's knowledge~~

- (c) Particulars of any notice of intention to acquire served under section 6 of the ***Land Acquisition and Compensation Act 1986***.

~~Is contained in the attached certificate/s and/or statement/s.~~

~~Is as follows:~~

~~None to the Vendor's knowledge~~

5. Building permits

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

~~No such Building permit has been granted to the Vendor's knowledge~~

~~Is contained in the attached certificate/s.~~

~~Is as follows:~~

6. Information relating to any Owners Corporation

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

(a) Unless paragraph (b) below applies—

either—

~~(A) specify the information prescribed for the purposes of section 151(4)(a) of the *Owners Corporations Act 2006* relating to the Owners Corporation; or~~

(B) (i) attach a copy of the current Owners Corporation certificate issued in respect of the land under section 151 of the *Owners Corporations Act 2006*; and

(ii) attach a copy of the documents specified in section 151(4)(b)(i) and (iii) of the *Owners Corporations Act 2006* that are required to accompany an Owners Corporation certificate under that Act; or

~~(b) If the Owners Corporation is inactive, specify the Owners Corporation is inactive as the Owners Corporation HAS NOT in the previous 15 months:-~~

~~(i) had an annual general meeting;~~

~~(ii) fixed any fees; and~~

~~(iii) held any insurance.~~

7. Growth areas infrastructure contribution

There is not a work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987*) –

Particulars of work-in-kind agreement:

Is contained in the attached certificate/s and / or notice/s:

8. Disclosure of non-connected services

The following services are **not** connected to the land—

~~(a) electricity supply;~~

~~(b) gas supply;~~

~~(c) water supply;~~

~~(d) sewerage;~~

~~(e) telephone services.~~

9. Evidence of title

Attached are copies of 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 and the document, or part of the document, referred to as the diagram location in the Register Search Statement 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 vendor's title to the land;~~

~~(c) if the vendor is not the registered proprietor of the land or the owner of the estate in fee simple in the land, evidence of the vendor's right or power to the sell the land;~~

~~(d) in the case of land that is subject to a subdivision—~~

~~(i) if the plan of subdivision has not been registered, a copy of the plan of subdivision which has been certified by the relevant municipal council; or~~

~~(ii) if the plan of subdivision has not yet been certified, a copy of the latest version of the plan;~~

~~(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.~~

~~(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 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 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.

IMPORTANT NOTICE – ADDITIONAL DISCLOSURE REQUIREMENTS:

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

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

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

VOLUME 11194 FOLIO 770

Security no : 124089362445L
Produced 19/04/2021 01:13 PM

LAND DESCRIPTION

Lot 8 on Plan of Subdivision 622864U.

PARENT TITLES :

Volume 02274 Folio 788	Volume 04511 Folio 035	
Volume 05919 Folio 613	to Volume 05919 Folio 615	
Volume 05983 Folio 543	Volume 06046 Folio 100	Volume 06103 Folio 434
Volume 06249 Folio 739	Volume 06875 Folio 953	Volume 07713 Folio 155
Volume 08048 Folio 338	to Volume 08048 Folio 339	
Volume 08119 Folio 840	Volume 08300 Folio 902	

Created by instrument PS622864U 06/04/2010

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

TCR EARTHMOVING & CONCRETING PTY LTD of 873 KARADOC AVENUE IRYMPLE VIC 3498
AK956690E 12/03/2014

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AK956691C 12/03/2014
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 PS622864U 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)

ADMINISTRATIVE NOTICES

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION
Effective from 23/10/2016

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION 1 PLAN NO. PS622864U

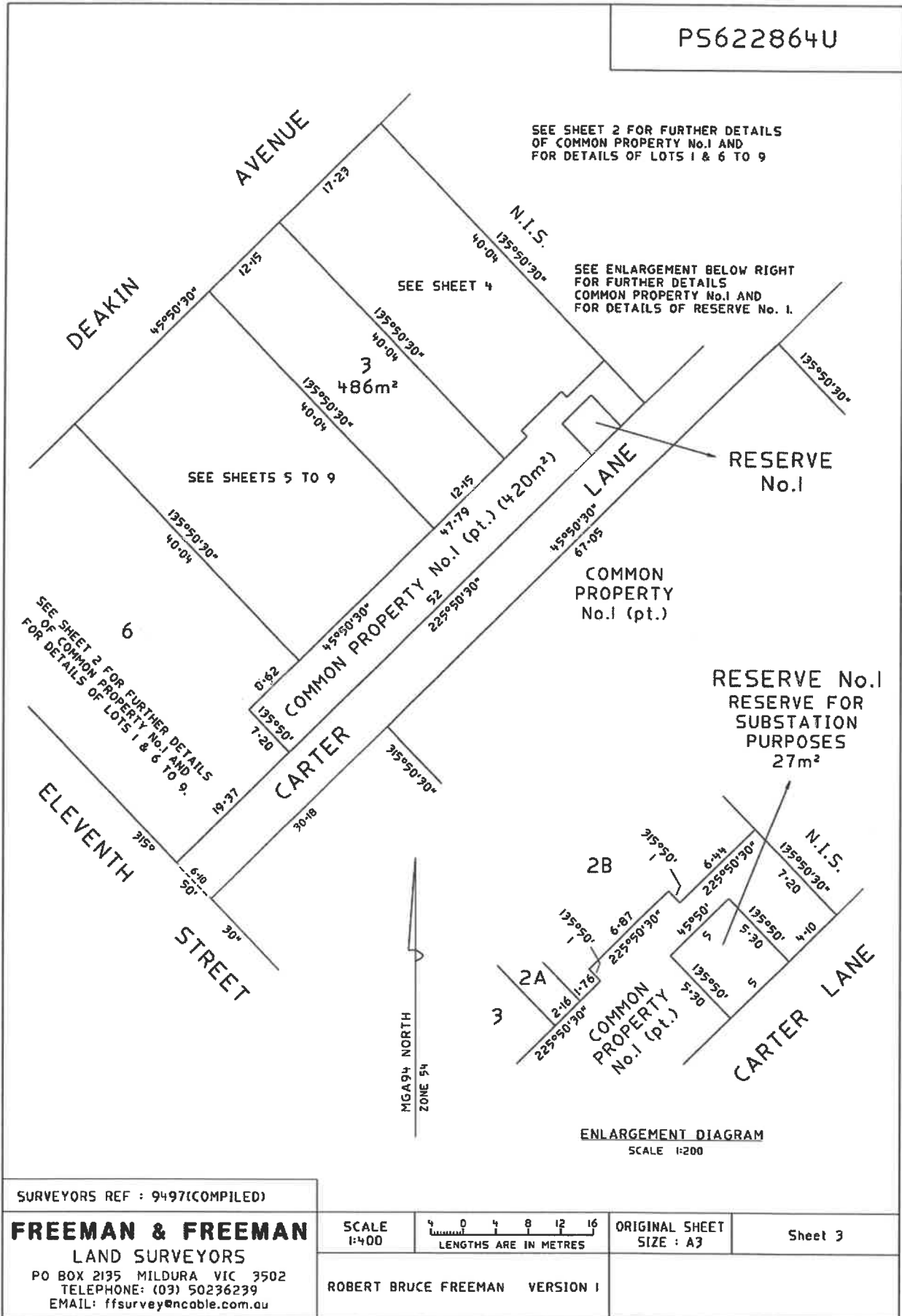
DOCUMENT END

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PLAN OF SUBDIVISION		LR use only EDITION 3	PS622864U	
Location of Land Parish: MILDURA Township: _____ Section: _____ Crown Allotment: _____ Crown Portion: I (PART) Title References: Val 5919 Fol 613, Val 5919 Fol 614, Val 5919 Fol 615, Val 6046 Fol 100, Val 8300 Fol 902, Val 4511 Fol 035, Val 6875 Fol 953, Val 8048 Fol 338, Val 8048 Fol 339, Val 2274 Fol 788, Val 6249 Fol 739, Val 6103 Fol 434, Val 5983 Fol 543 Val 8119 Fol 840 & Val 7713 Fol 155. Last Plan Reference: LP 138H (LOTS 1 TO 3) AND LOTS 7 TO 11, 13 TO 16, 17(pt.), 31(pt.) & 32 TO 37, BLOCK D, SECTION 69 ON LP 2144. Postal Address: 134-164 DEAKIN AVENUE & 145-157 MADDEN AVENUE, MILDURA, 3500. MGA94 Co-ordinates: E 602980 (01 approx. centre of plan) N 6214260 Zone 54		COUNCIL NAME : MILDURA RURAL CITY COUNCIL		
Vesting of Roads or Reserves		Notations		
Identifier	Council/Body/Person			
RESERVE No.1	POWERCOR AUSTRALIA LIMITED			
Notations		BOUNDARIES SHOWN AS CONTINUOUS THICK LINES ARE DEFINED BY BUILDINGS. LOCATION OF BOUNDARIES DEFINED BY BUILDINGS: MEDIAN : BOUNDARIES MARKED M BOUNDARIES MARKED U : UPPER FACE OF SUSPENDED CEILING HATCHING WITHIN A PARCEL INDICATES THAT THE STRUCTURE OF THE RELEVANT WALL, FLOOR, CEILING, DOOR, WINDOW, BALLUSTRADE, ROOF (OR OTHER) IS CONTAINED IN THAT PARCEL. VERTICAL BOUNDARIES SHOWN AS THICK BROKEN LINES IN THE CROSS SECTIONS ARE VERTICAL PROJECTIONS OF THE EXTERIOR FACE OF THE RELEVANT WALL OR BALLUSTRADE. NON-BOUNDARY STRUCTURES ARE SHOWN --- C.P. = COMMON PROPERTY LOTS IN THIS PLAN ARE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS. FOR DETAILS OF ANY OWNERS CORPORATIONS INCLUDING PURPOSE, RESPONSIBILITY, ENTITLEMENT & LIABILITY SEE OWNERS CORPORATION SEARCH REPORT, OWNERS CORPORATION ADDITIONAL INFORMATION AND IF APPLICABLE, OWNERS CORPORATIONS RULES. EASEMENTS E-1 & E-2 (CARRIAGEWAY) ARE LIMITED TO 2 METRES ABOVE THE UPPER STRUCTURAL SURFACE AT THE PARTICULAR LEVEL. SEE CROSS SECTIONS D-D', F-F' AND J-J'.		
Depth Limitation: DOES NOT APPLY				
Survey:- This plan is / is not based on survey. To be completed where applicable. This survey has been connected to permanent marks no(s). 407 & 721 In Proclaimed Survey Area no. _____ Staging This is not a staged subdivision Planning Permit No. _____				
Easement Information				
Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement A - Appurtenant Easement R - Encumbering Easement (Road) SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLIES TO ALL THE LAND IN THIS PLAN				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	CARRIAGEWAY (INGRESS & EGRESS) (LIMITED TO HEIGHT & DEPTH. SEE CROSS SECTIONS D-D' AND F-F')	SEE DIAG.	THIS PLAN	LOT 48 IN THIS PLAN
E-2	CARRIAGEWAY (INGRESS & EGRESS) (LIMITED TO HEIGHT & DEPTH. SEE CROSS SECTIONS D-D' AND J-J')	SEE DIAG.	THIS PLAN	LOT 5C IN THIS PLAN
FREEMAN & FREEMAN LAND SURVEYORS PO BOX 2135 MILDURA VIC 3502 TELEPHONE: (03) 50236239 EMAIL: ffsurvey@ncable.com.au		SURVEYORS REF : 9497(COMPILED)		ORIGINAL SHEET SIZE : A3
		ROBERT BRUCE FREEMAN VERSION 1		Sheet 1 of 9 Sheets THIS IS A LAND USE VICTORIA COMPILED PLAN FOR DETAILS SEE MODIFICATION TABLE HEREIN



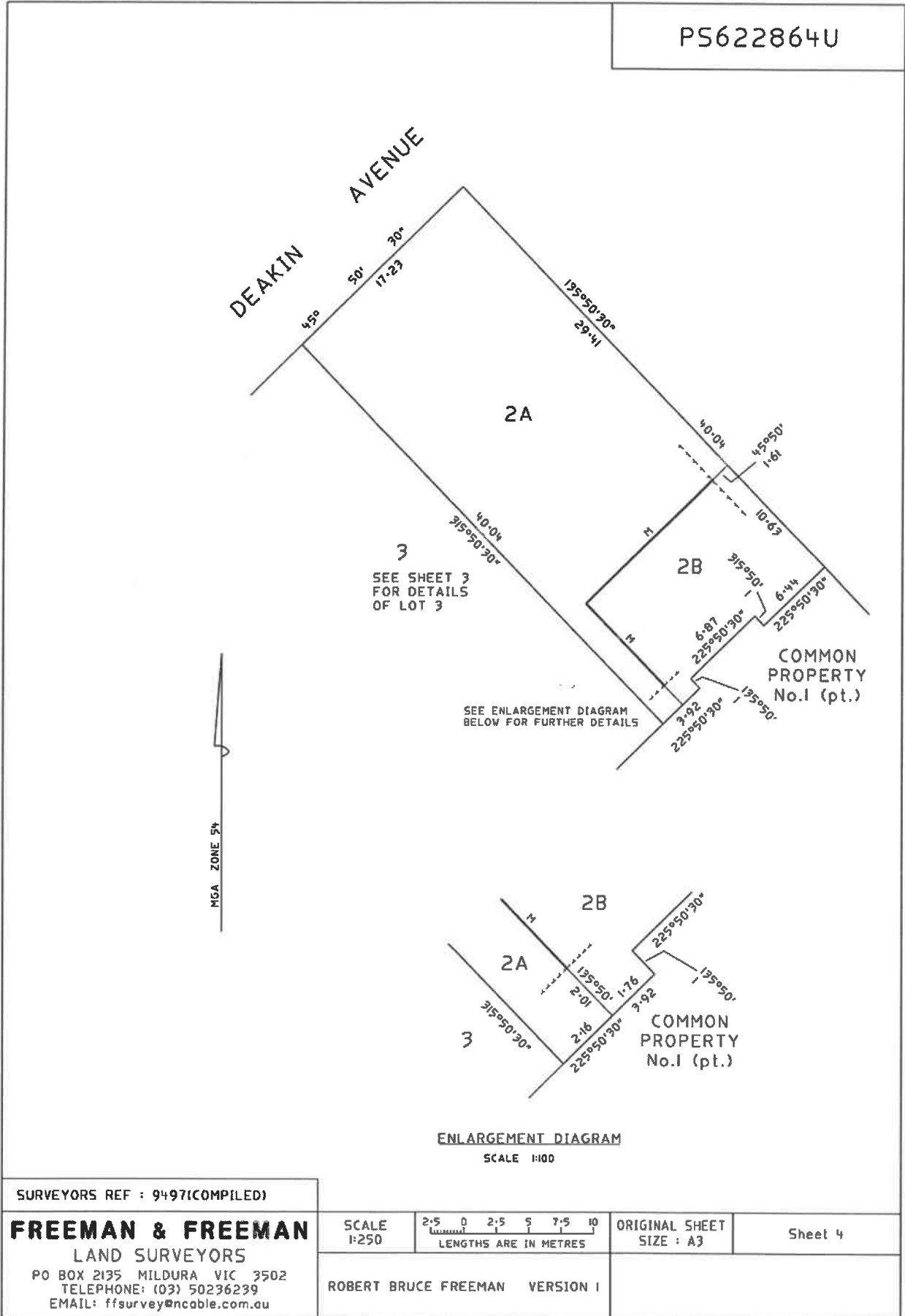
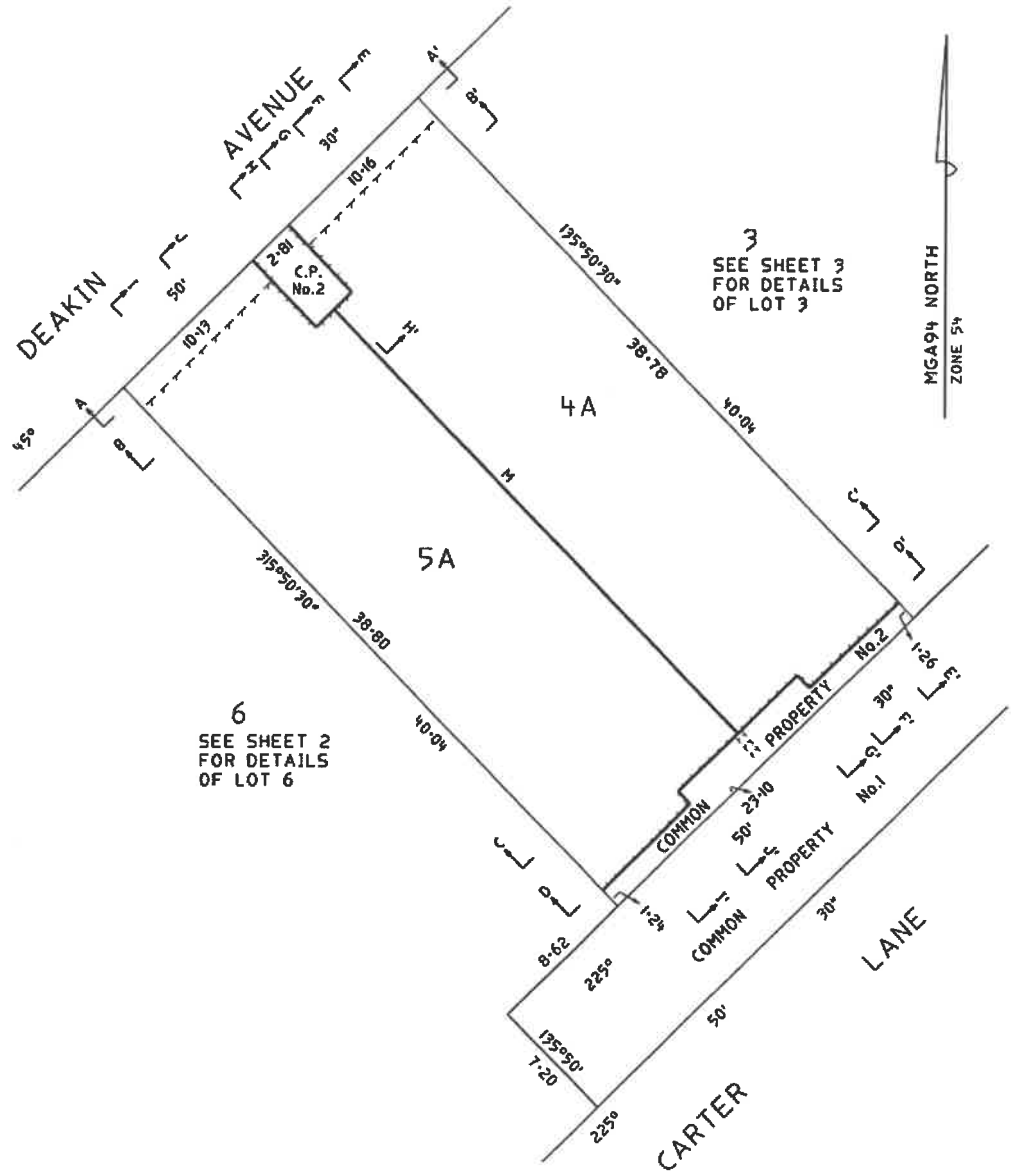


DIAGRAM I
GROUND STOREY

PS622864U

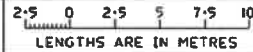


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FREEMAN & FREEMAN

LAND SURVEYORS
PO BOX 2135 MILDURA VIC 3502
TELEPHONE: (03) 50236239
EMAIL: ffsurvey@ncable.com.au

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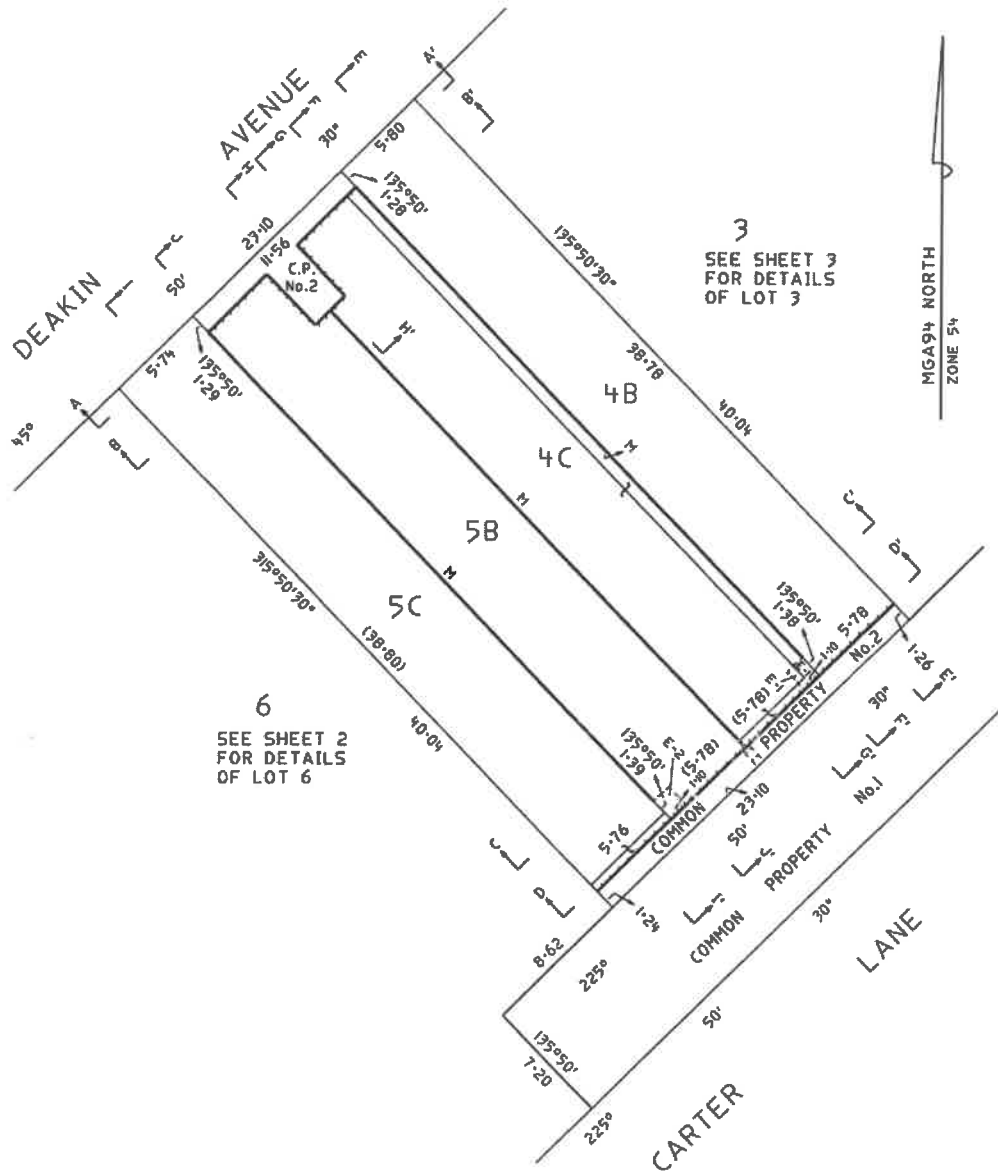
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Sheet 5

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DIAGRAM 2
TOPMOST STOREY

PS622864U



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LAND SURVEYORS
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EMAIL: ffsurvey@ncable.com.au

SCALE 1:250

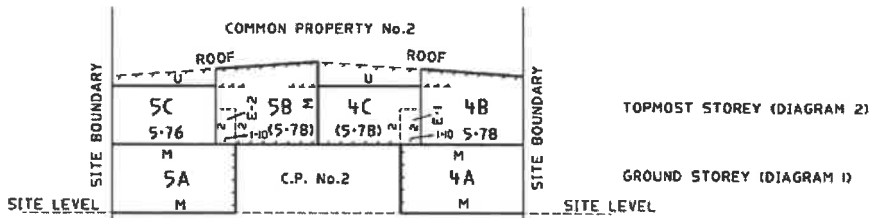
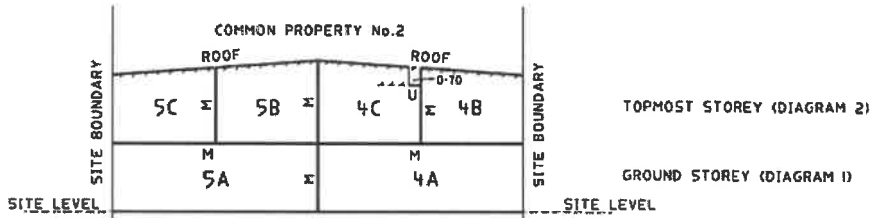
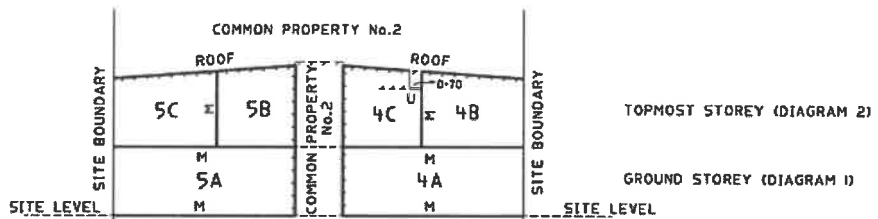
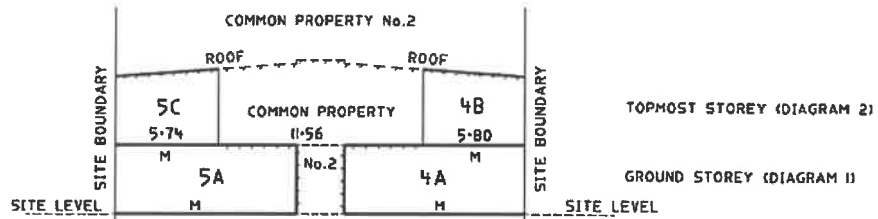
2.5 0 2.5 5 7.5 10
LENGTHS ARE IN METRES

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PS622864U



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TELEPHONE: (03) 50236239
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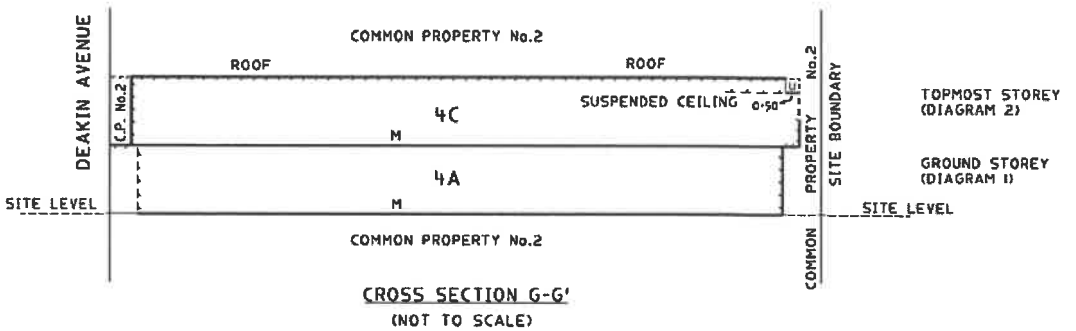
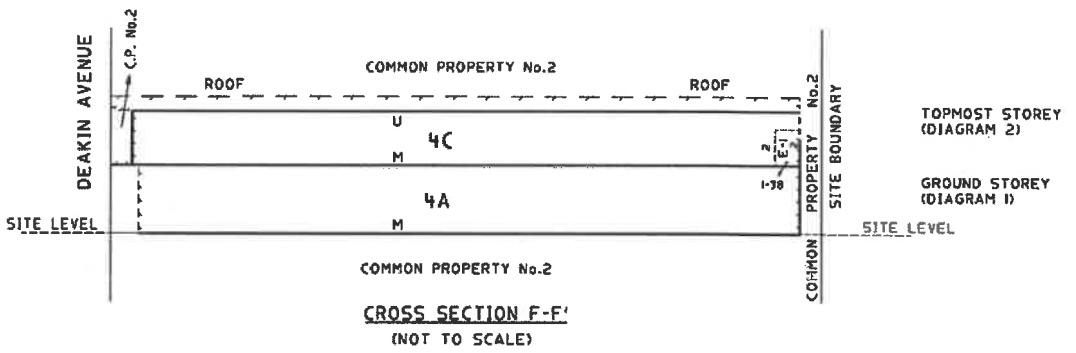
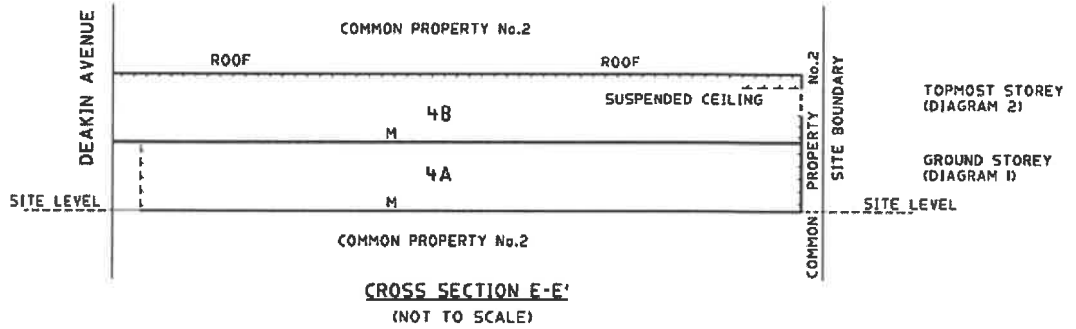


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EMAIL: ffsurvey@ncoble.com.au

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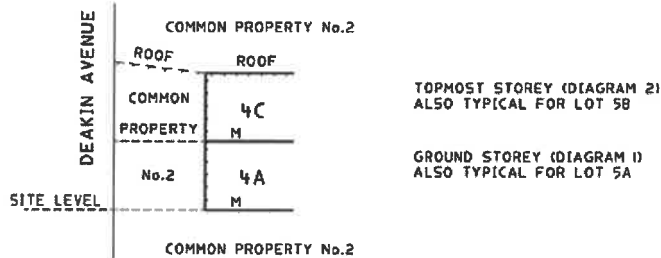


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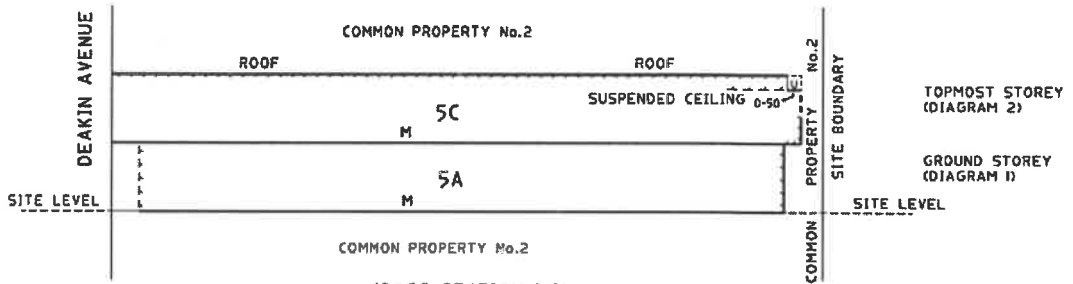
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ROBERT BRUCE FREEMAN VERSION 1

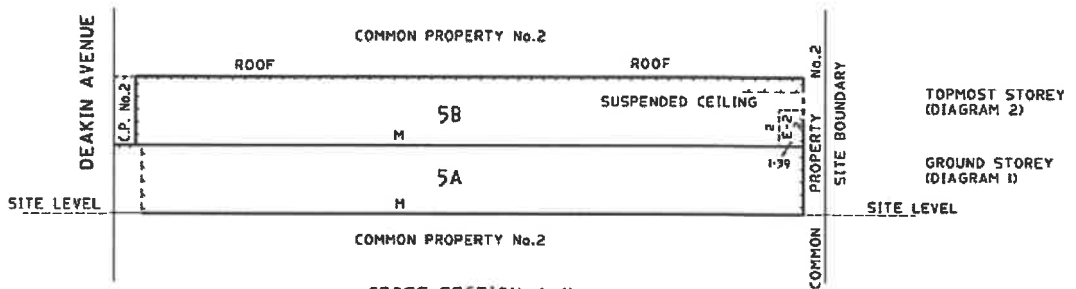
PS622864U



CROSS SECTION H-H'
(NOT TO SCALE)



CROSS SECTION I-I'
(NOT TO SCALE)



CROSS SECTION J-J'
(NOT TO SCALE)

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LAND SURVEYORS

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Sheet 9

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Owners Corporation Search Report

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**OWNERS CORPORATION 1
PLAN NO. PS622864U**

The land in PS622864U is affected by 2 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Properties 1, 2, Lots 1, 2A, 2B, 3, 4A, 4B, 4C, 5A, 5B, 5C, 6 - 9.

Limitations on Owners Corporation:

Unlimited

Postal Address for Services of Notices:

102 EIGHTH STREET MILDURA VIC 3500

PS622864U/D2 20/12/2019

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:

OC007214S 06/04/2010

Notations:

Folio of the Register for Common Property No. 2 is in the name of Owners Corporation 1. Only the members of Owners Corporation 2 are entitled to use Common Property No. 2.

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Common Property 2	0	0
Lot 1	164	164
Lot 2A	74	74
Lot 2B	22	22
Lot 3	77	77



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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OWNERS CORPORATION 1
PLAN NO. PS622864U

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Lot 4A	46	46
Lot 4B	32	32
Lot 4C	31	31
Lot 5A	46	46
Lot 5B	32	32
Lot 5C	32	32
Lot 6	260	260
Lot 7	46	46
Lot 8	92	92
Lot 9	46	46
Total	1000.00	1000.00

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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OWNERS CORPORATION 2
PLAN NO. PS622864U

The land in PS622864U is affected by 2 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Property 2, Lots 4A, 4B, 4C, 5A, 5B, 5C.

Limitations on Owners Corporation:

Limited to Common Property

Postal Address for Services of Notices:

6/102 EIGHTH STREET MILDURA VIC 3500

OC046262K 20/12/2019

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:

OC046262K 20/12/2019

Notations:

Members of Owners Corporation 2 are also affected by Owners Corporation 1. Folio of the Register for Common Property No. 2 is in the name of Owners Corporation 1.

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Common Property 2	0	0
Lot 4A	46	46
Lot 4B	32	32
Lot 4C	31	31
Lot 5A	46	46
Lot 5B	32	32



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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OWNERS CORPORATION 2
PLAN NO. PS622864U

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Lot 5C	32	32
Total	219.00	219.00

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.

FORM 2
Building Act 1993
Building Regulations 2006
Regulation 313

~AMENDED COMMERCIAL~

BUILDING PERMIT WITH CONDITIONS

PERMIT NO: BS-U 29378-20150014/0

ISSUED TO:-

Agent: TCR Earthmoving and Concreting 873 Karadoc Avenue IRYMPLE VIC 3498
Pty Ltd
Phone: 0407 212 404

OWNERSHIP DETAILS:-

Owners: TCR Earthmoving and Concreting 873 Karadoc Avenue IRYMPLE VIC 3498
Pty Ltd

PROPERTY DETAILS:-

Lot: 8 No: 153 Madden Avenue MILDURA VIC 3500
Municipality: Mildura Rural City Council
Title Details: PS:622864 Volume: 11194 Folio: 770
Site Area: 333m2

BUILDER:-

Builder: TCR Earthmoving and Concreting 873 Karadoc Avenue IRYMPLE VIC 3498
Pty Ltd
Phone: 0407 212 404

DETAILS OF DOMESTIC BUILDING WORK INSURANCE:- Not Applicable

DETAILS OF RELEVANT PLANNING PERMIT:-

Planning Permit No: 005.2014.00000067.001 Planning Permit Issue Date: 25/08/2014

NATURE OF BUILDING WORK:-

Commercial Office Building
Project Classification: 5
Project Use: Office, Storage and Balcony
Total New Floor Area: 638.20m2
Project Estimated Value: \$600,000
No of Storeys: 2
Allowable Live Load: 5kPa

PRESCRIBED REPORTING AUTHORITIES:-

The following bodies are prescribed reporting authorities for the purposes of the application for this permit in relation to the matters set out below: Not Applicable

INSPECTION REQUIREMENTS:-

Prior to placing strip/pad footings
After excavation and prior to the placement of any footings
Prior to pouring in situ concrete slab steel
Completion of structural steel framework
Completion of timber framework
Final upon completion of all building work

OCCUPATION OR USE OF BUILDING:-

An Occupancy Permit is required at completion of works

COMMENCEMENT AND COMPLETION:-

Building work is to be commenced by: 20/01/2016 and is to be completed by 20/01/2018

BUILDING APPEALS BOARD DETERMINATIONS AND ORDERS

The following determinations and orders of the Building Appeals Board (the BAB) relate to the building work to which this permit applies: Not Applicable

PRESCRIBED REPORTING AUTHORITIES:

The following bodies are prescribed reporting authorities for the purposes of the application for this permit in relation to the matters set out below: Not Applicable

PROTECTION WORK:-

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

INSPECTION REQUIREMENTS:

The mandatory notification stages are:

Completion of timber framework
Final upon completion of all building work

OCCUPATION OR USE OF BUILDING:

An Occupancy Permit is required prior to the occupation or use of this building.

If an occupancy permit is required, the permit is required for the whole of the building in relation to which the building work is carried out.

COMMENCEMENT AND COMPLETION:

Building work is to be commenced by: **23/07/2019**

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

This building work must be completed by: **23/07/2021**

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

CONDITIONS:

This permit is subject to the following conditions:

1. GENERAL

All works authorised by this Building Permit shall comply with the provisions of the Building Act 1993, Building Interim Regulations 2017, Building Code of Australia (BCA) current edition, other relevant codes and any local laws of the municipality. No variation from the approved documents shall be permitted without the consent of the Relevant Building Surveyor. The owner and/or builder is responsible to obtain any other relevant permits or consents prior to commencing work.

2. COMPLIANCE WITH APPROVED PLANS

Approved plans that have details highlighted are to be complied with.

3. INSURANCE

Home Warranty Insurance applies in relation to building work approved by this permit.

4. CONSTRUCTION REQUIREMENTS

All construction shall meet the performance requirements of Section 2, B.1 as applicable of the Building Code of Australia.

5. TIMBER FRAMING

All timber framing to comply with Australian Standard 1684.2 – National Timber Manual 2010

6. TERMITE CONTROL

The building is an area designated by the municipality as likely to be subject to infestation by termites and shall be protected in accordance with Building Code of Australian B1.4(i).

~AMENDED COMMERCIAL~
BUILDING PERMIT CONDITIONS

PERMIT NO: BS-U 29378-20150014/0

- 1. GENERAL**
All works authorised by this Building Permit shall comply with the provisions of the Building Act 1993, Building Regulations 2006, Building Code of Australia (BCA) current edition, other relevant codes and any local laws of the municipality. No variation from the approved documents shall be permitted without the consent of the Relevant Building Surveyor. The owner and/or builder is responsible to obtain any other relevant permits or consents prior to commencing work.
- 2. COMPLIANCE WITH APPROVED PLANS**
Approved plans that have details highlighted are to be complied with.
- 3. SANITARY FACILITIES**
Sanitary facilities for workmen shall be provided on the construction site for the duration of the project.
- 4. BOUNDARY LOCATION**
The owner and/or builder shall be responsible to define, the boundaries of the allotment.
- 5. CONSTRUCTION REQUIREMENTS**
All construction shall meet the performance requirements of Section 2, B.1 as applicable of the Building Code of Australia.
- 6. TIMBER FRAMING**
All timber framing to comply with Australian Standard 1684.2 – National Timber Manual 2010
- 7. TERMITE CONTROL**
The building is an area designated by the municipality as likely to be subject to infestation by termites and shall be protected in accordance with Building Code of Australian B1.4(i).
- 8. FLAMMABILITY OF MATERIALS**
All materials used within the building must fully comply with Clause C1.10 of the Building Code of Australia 2006 which relates to Flammability Spread of Fire and Smoke Development Indexes. Note: All air handling duct work must comply with the Australian Standard 4254 - 1995.
- 9. TERMITE CONTROL**
The building is an area designated by the municipality as likely to be subject to infestation by termites and shall be protected in accordance with Building Code of Australian B1.4(i).
- 10. VENTILATION**
Mechanical ventilation system provided to comply with Australian Standard 1668.2 - 2012.
- 11. HOARDING PERMIT**
Hoardings are to be provided for protection of the public. A Hoarding Permit must be obtained from Mildura Rural City Council prior to commencement of works.
- 12. DISCHARGE/COMMISSIONING TEST - EMERGENCY LIGHTING/EXIT SIGNS**
Discharge/Commissioning Test of the emergency lighting and exit signs in accordance with Clause 2.6 of Australian Standard 2293.1 - 2005 and Clause E4.4 of the Building Code of Australia to be provided at completion of works.
- 13. CONFORMITY OF ENDORSED PLANS & SPECIFICATIONS**
The work must be carried out strictly in accordance with the endorsed plans and specifications, a copy of which must be kept on site and made available for inspection whilst the works are in progress.
- 14. SAFETY GLASS**
All glass below 1m sight line should be Grade A safety glass.
- 15. ACCESSIBLE SANITARY FACILITIES**
Accessible sanitary facility is to be installed in accordance with Australian Standard 1428.1 (2009).
- 16. WATERPROOFING**
Waterproofing of wet areas to be in accordance with Australian Standard 3740.
- 18. FIRE EXTINGUISHERS**
Fire extinguishers to be installed in accordance with Australian Standard 2444 - 2001, Portable Fire Extinguishers, Selection and Location.

~ END OF CONDITIONS ~

SIGNATURE:



REGISTRATION NO: BS-U 29378

ISSUE DATE: 20/01/2015

Page 3 of 3

FORM 6
Building Act 1993
Building Regulations 2006
Regulation 1006

~COMMERCIAL~
OCCUPANCY PERMIT
WITH CONDITIONS

To:-
Owner: TCR Earthmoving and Concreting Pty Ltd
873 Karadoc Avenue
IRYMPLE VIC 3498

Agent: TCR Earthmoving and Concreting Pty Ltd
873 Karadoc Avenue
IRYMPLE VIC 3498

From:-
Private Building Surveyor: Tim Anderson
Anderson Group Building Surveyors & Consultants
Registration No: BS-U 29378

Property details: Lot 8 Madden Avenue MILDURA
Title Details:- PS: 622864 Volume 11194 Folio 770
Municipality:- Mildura Rural City Council

Project Description:- Commercial Building - (GROUND FLOOR ONLY)
Project Use:- Offices
BCA Classification:- 5
Allowable Live Load:- 5kpa
Persons Accommodated for:- 10

Reporting Authorities:- Mildura Rural City Council


Display of Occupancy Permit: For a building or place of public entertainment which has a required Essential Safety Measure the approved location for display of this permit and the Annual Essential Safety Measure Report is:-
Front Entrance/Reception

Suitability for Occupancy:- The building or part of a building to which this certificate applies is suitable for occupation.

Occupancy Permit Inspection Date: 5th May 2017

Direction: Any directions under Division 5 of Part 4 of the Building Act 1993 have been complied with.

Name: TIM ANDERSON
Registration No: BS-U 29378
Business Name: Anderson Group Building Surveyors & Consultants
Address: 133b Lime Avenue MILDURA VIC 3500

Signature: 

Date of Issue: 08 May 2017

Job No: 201400332

This Occupancy Permit is in reference to Building Permit No: 20150014/0 dated 20/01/2015

~OCCUPANCY PERMIT CONDITIONS~

This Occupancy Permit is in reference to Building Permit No: 20150014/0 dated 20/01/2015

Property details:- Lot 8 Madden Avenue MILDURA
Title Details:- PS: 622864 Volume: 11194 Folio: 770
Municipality:- Mildura Rural City Council

Project Description:- Commercial Building - Office

Occupation is subject to the following conditions:-

1. Maintenance of the following Essential Safety Measures-

Essential Safety Measures	BCA or other provision to which essential service has been installed and is to operate	Frequency and type of maintenance required
Air conditioning systems	BCA E2.2, AS 1668	Quarterly to AS 1851 - 2005, AS 3666 - 1995
Emergency lighting	BCA Part E4.2, E4.4, AS 2293.1	Six (6) monthly to AS 2293.2 - 1995
Exit Doors	BCA D1.6, D2.19 to D2.21, D2.23	Three (3) monthly inspection to confirm exit doors are intact, operational & fitted with conforming hardware
Exit signs (including directional signs)	BCA Part E4.5, E4.6, E4.8, Specification D1.12, AS 2293.1	Six (6) monthly to AS 2293.2 - 1995
Fire brigade connections	BCA Specification E1.7, Vic H101.9, Vic H103, AS 1670	Weekly to AS 1851.8
Fire Extinguishers (portable)	BCA E1.6, AS 2444	Six (6) monthly to AS 1851 - 2005 Section 15.4
Fire hose reels	BCA E1.4	Six (6) monthly to AS 1851 - 2005 Section 14
Fire Indices for materials	BCA C1.10, AS 1530.3	Annual inspection to confirm no materials with potentially non-conforming fire indices occur
Fire rated control joints	BCA Section C	Annual inspection
Fire rated materials applied to building elements	BCA Section C, D1.12	Annual inspection
Paths of Travel to Exits	BCA Section D	Three (3) monthly inspections to confirm travel paths are intact
Termite inspection	B1.4, F1.9, AS 3660.1	Six (6) monthly to detect termite activity in accordance with AS 3660.1
Discharge from exits (including paths of travel from open spaces to the public roads to which they are connected)	D1.7, D1.9 to D1.11, D2.12, G4.3, G4.6, G4.7	Three (3) monthly inspection to ensure there are no obstructions and no alterations

2. External office walls are to be provided with a minimum R -Value of R2.8.

Name: TIM ANDERSON
Registration No: BS-U 29378
Business Name: Anderson Group Building Surveyors & Consultants
Address: 133b Lime Avenue Street
 MILDURA VIC 3500

Signature:



Date of Issue:

08 May 2017

FORM 2
 Regulation 37 (1)
 Building Act 1993
 Building Regulations 2018

~COMMERCIAL~

BUILDING PERMIT WITH CONDITIONS

PERMIT NO: BS-U 29378-20180273/0

ISSUED TO:

Agent:	TCR Earthmoving & Concreting Pty Ltd		
ABN:	16 161 570 921		
Postal Address:	PO Box 1985 MILDURA VIC 3502		
Email:	justine@tcrearthmoving.com.au		
Address for serving or giving of documents:	PO Box 1985 MILDURA VIC 3502		
Contact Person:	Justine James	Telephone:	0438 252 979

OWNERSHIP DETAILS:

Owner:	TCR Earthmoving & Concreting Pty Ltd		
ABN:	16 161 570 921		
Postal Address:	PO Box 1985 MILDURA VIC 3502		
Email:	justine@tcrconcreting.com.au		
Contact Person:	Justine James	Telephone:	0438 252 979

PROPERTY DETAILS:

Number: 153	Street/Road: Madden Avenue	Suburb: MILDURA	Postcode: 3500
Lot: 2	PS: 622864U	Volume: 11194	Folio: 770
Crown Allotment: n/a	Section: n/a	Parish: n/a	County: n/a
Municipal District:	Mildura Rural City Council		

BUILDER:

Name:	B C & B L LEE PTY LTD	Telephone:	0418 558 229
ACN	064 580 874		
Building Practitioner Registration No:	DB-U 3549		
Postal Address	PO Box 1215 MILDURA VIC 3502		

Building Practitioner or architect engaged to prepare documents for this permit

Name	Category/Class	Registration No.
Duncan Hocking	Drafting	DP-AD 27413

Details of domestic building work Insurance

Name of Builder:	BC & BJ Lee Pty Ltd		
Insurance Provider Name:	VMIA Victorian Managed Insurance Authority		
Policy No:	C360646	Policy Cover:	\$178,097

DETAILS OF RELEVANT PLANNING PERMIT: Not Applicable**NATURE OF BUILDING WORK:**

Residence / Fit Out to Upper Level	
Storeys contained:	1
Rise in storeys: (Class 2-9 only)	1
Version of BCA applicable to permit:	2016 Vol 1
Stage of building work permitted:	All Parts
Cost of building work:	\$178,097
Total floor area of new building work:	199m ²

BUILDING CLASSIFICATION:

Dwelling (Above a commercial Building)	4
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PERFORMANCE SOLUTION:

A Performance Solution was used to determine compliance with the following performance requirements of the BCA that relate to the building to which this permit applies: Not Applicable

APPROVED DOCUMENTS:-

Architectural Drawings:	Duncan Hocking	08/09/2014	ID14-49 AO1 to A109 (9 sheets)
Fire Services:	Duncan Hocking	16/01/2015	ID14-49 - AO1
Structural Drawings:	A Seaton-Stewart	22/10/2014	243235-0001-DW-SS-0000 to DW-SS-0013 (13 sheets)
Structural Computations:	Brett Reilly	23/10/2014	243235-01 (57 pages)
Section J:	John Fisher	13/09/2014	HER 07614 (17 pages)

PRIVATE BUILDING SURVEYOR:-

TIM ANDERSON

REGISTRATION NO: BS-U 29378

SIGNATURE:



ISSUE DATE: 20/01/2015

NOTES:-

- Note 1:** Under Regulation 317, the person in charge of the carrying out of building work on an allotment must take all reasonable steps to ensure that a copy of this permit and one set of any approved plans, specifications and documents are available for inspection at the allotment while the building work is in progress. They must also take all reasonable steps to ensure the registration numbers and contact details of the builder and building surveyor and the number and date of this permit are displayed in a conspicuous position accessible to the public before and during the building work to which the permit applies.
- Note 2:** Under Regulation 318, an owner of a building or land, for which a building permit has been issued, must notify the relevant building surveyor within 14 days after any change in the name of address of the owner or of the builder carrying out the building work. The penalty for non-compliance is 10 penalty units.
- Note 3:** Include building practitioners with continuing involvement in the building work.
- Note 4:** Include only building practitioners with no further involvement in the building work.
- Note 5:** Domestic builders carrying out domestic building work forming part of this permit (where the contract price for that work is more than \$12 000) must be covered by an insurance policy as required under section 135 of the Building Act 1993.

FORM 16
 Regulation 192
 Building Act 1993
 Building Regulations 2018

~COMMERCIAL~
OCCUPANCY PERMIT

This occupancy permit must be displayed in the following approved location:
 Not Applicable

Property Details

Site Address: 153 Madden Avenue MILDURA VIC 3500
 Title Details: Lot 2 PS: 622864U Volume: 11194 Folio: 770
 Municipality: Mildura Rural City Council

Building Permit Details:

Building Permit Number: 20180273
 Version of BCA applicable to building permit: NCC BCA 2016 Volume 2

Building Details:

Building to which permit applies: Residence / Fit out to Upper Level
 Permitted Use: Occupation
 BCA Class of Building: 4
 Maximum permissible floor Live Load: 1.5Kpa
 Maximum Persons Accommodated for: N/a
 Storeys Contained: 2
 Rise in Storeys (Class 2-9 Buildings): 2
 Effective Height: 2.7m

Reporting Authorities:

Not Applicable

Conditions to which this permit is subject:

Occupation is subject to the following conditions -

1. Essential Safety Measures

The following essential safety measures must be inspected, tested and maintained in accordance with the maintenance requirements set out in the following table:

Essential Safety Measures	BCA or other provision to which essential service has been installed and is to operate	Frequency and type of maintenance required
Air conditioning systems	BCA E2.2, AS 1668	Quarterly to AS 1851 - 2005, AS 3666 - 1995
Mechanical ventilation systems	BCA E2.2, G3.8, Specification H1.3, AS 1668	Monthly to AS 1851.6, AS 3666
Paths of Travel to Exits	BCA Section D	Three (3) monthly inspections to confirm travel paths are intact
Termite inspection	B1.4, F1.9, AS 3660.1	Six (6) monthly to detect termite activity in accordance with AS 3660.1

Suitability for Occupancy:

The building or part of a building to which this certificate applies is suitable for occupation.

Relevant Building Surveyor:

Name:	TIM ANDERSON
Address:	133B Lime Avenue Mildura VIC 3500
Email:	tim@andersongroupmildura.com.au
Building Practitioner Registration No:	BS-U 29378
Address:	133b Lime Avenue MILDURA VIC 3500
Occupancy Permit No.:	20180273
Date of Issue:	05 June 2019
Date of Final Inspection:	05 June 2019

Signature:



Domestic Building Insurance

Certificate of Insurance

TCR Earthmoving and Concreting Pty Ltd
873 Karadoc Ave
IRYMPLE
VIC 3498

COPY

Policy Number:
C360646

Policy Inception Date:
03/05/2018

Builder Account Number:
012369

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

Policy Schedule Details

Domestic Building Work: **C04: Alterations/Additions/Renovations - Structural**
At the property: **153 Madden Ave MILDURA VIC 3500 Australia**
Carried out by the builder: **BC & BJ LEE PTY LTD**
Builder ACN: **064580874**

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

For the building owner(s): **TCR Earthmoving and Concreting Pty Ltd**

Pursuant to a domestic building contract dated: **03/05/2018**

For the contract price of: **\$ 178,097.00**

Type of Cover: **Cover is only provided if BC & BJ LEE PTY LTD has died, becomes insolvent or has disappeared or fails to comply with a Tribunal or Court Order ***

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

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

PLEASE CHECK

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

IMPORTANT

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

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

OWNERS CORPORATION CERTIFICATE

Owners Corporations Act 2006, s.151 Owners Corporations Act 2006, Owners Corporations Regulations 2018

As at 12th April 2021

1. OWNERS CORPORATION DETAILS

Plan Number: PS622864U 1
Address of Plan: 134-164 Deakin Avenue Mildura Vic 3500
Lot Number this statement relates to: 8
Unit Number this statement relates to: 153 Madden
Postal Address: PO Box 3377 MILDURA VIC 3502

2. CERTIFICATE DETAILS

Vendor: TCR Earthmoving & Concreting Pty Ltd
Postal Address for Lot 8: PO Box 1985 Mildura Vic 3502
Purchaser:
Person requesting Certificate: TCR Earthmoving & Concreting Pty Ltd
Reference:
Address: PO Box 1985 Mildura Vic 3502
Fax:
E-mail: [Owners email](#)

3. CURRENT ANNUAL LEVY FEES FOR LOT 8

ADMINISTRATIVE FUND

The annual administrative levy fees for Lot 8, commencing on 1 April 2021, are to be determined at the AGM scheduled for 13/05/2021. Levies for this plan are raised over 4 periods. **Please refer to Item 17 for more information regarding levies.**

Period	Amount	Due Date	Status
01/04/20 to 30/06/20	690.00	15/07/20	Paid
01/07/20 to 30/09/20	690.00	14/09/20	Paid
01/10/20 to 31/12/20	690.00	12/11/20	Paid
01/01/21 to 31/03/21	690.00	12/02/21	Paid

Maintenance Fund

There are currently no annual Maintenance Fund levy fees payable for Lot 8.

OWNERS CORPORATION CERTIFICATE

(Continued)

As at 12th April 2021

For Plan No. PS622864U 1 - Lot 8

4. CURRENT LEVY POSITION FOR LOT 8

Fund	Balance	Paid To
Administrative	0.00	31 March 2021
Maintenance Fund	0.00	
BALANCE	0.00	

5. SPECIAL LEVIES

There are currently no special levy fees due for Lot 8.

6. OTHER CHARGES

There are currently no additional charges payable by Lot 8 that relate to work performed by the owners corporation or some other act that incurs additional charge.

7. FUNDS HELD BY OWNERS CORPORATION

The owners corporation holds the following funds as at 12 April 2021:

Account / Fund	Amount
Administrative Fund	21,574.10
Maintenance Fund	0.00
TOTAL FUNDS HELD AS AT 12 APRIL 2021	\$21,574.10

8. INSURANCE

The owners corporation currently has the following insurance cover in place:

Policy	
Policy No.	CAC0000346
Expiry Date	1-April-2022
Insurance Company	CHU Underwriting Agencies Pty Ltd
Broker	Resolute Property Protect Pty Ltd
Premium	2296.33
Cover Type	Amount of Cover
Common Area Contents	2,500
Community Property	250,000
Community Property (Community Income)	37,500
Damage (i.e. Building) Policy	0.00
Fidelity Guarantee Insurance	100,000
Government Audit Costs	25,000
Government Audit Costs - Appeal Expenses	100,000
Government Audit Costs - Legal Defense Expenses	50,000
Property, Death and Injury (Public Liability)	20,000,000
Voluntary Workers Insurance	300,000/3,000

OWNERS CORPORATION CERTIFICATE

(Continued)

As at 12th April 2021

For Plan No. PS622864U 1 - Lot 8

9. CONTINGENT LIABILITIES

The owners corporation has no contingent liabilities arising from legal proceedings not otherwise shown or budgeted for in items 3, 5 or 6 above.

10. CONTRACTS OR AGREEMENTS AFFECTING COMMON PROPERTY

The owners corporation has entered into or intends to enter in the foreseeable future the following contracts affecting the common property:

Date of Contract	Name of Contractor	Status	Brief Description
29/01/2013	Officeworks Superstores Pty Ltd	Current	Licence for exclusive use of portions of common property.
08/11/2017	Mildura Rural City Council	Current	Road Safety Act 1986 Section 90D Agreement re Parking

11. AUTHORITIES OR DEALINGS AFFECTING COMMON PROPERTY

The following authorities or dealings affecting the common property has been granted by the owners corporation:

Date of Resolution	Granted to	Lot	Area of Common Property Affected	Type of Authority or Dealing
29/01/2013	Office Works		Trolley Bay area, Pylon Sign area and Restricted common property area as defined in Mildura Licence Ref: LGA:2013845	License of common property
11/05/2017	Mildura Rural City Council		Car Parks sign posted as Permit Parking.	Other

12. AGREEMENTS TO PROVIDE SERVICES

The owners corporation has made the following agreements to provide services to lot owners and occupiers or the general public for a fee:

Date of Agreement	Name of Service Provider	Agreement provided to	Status	Brief Description
08/11/2017	Mildura Rural City Council		Current	Road Safety Act 1986 Section 90D Agreement re Parking

13. NOTICES OR ORDERS

The owners corporation currently has no orders or notices served in the last 12 months that have not been satisfied.

14. CURRENT OR FUTURE PROCEEDINGS

The owners corporation is not currently a party to any proceedings or is aware of any circumstances which may give rise to proceedings.

OWNERS CORPORATION CERTIFICATE

(Continued)

As at 12th April 2021

For Plan No. PS622864U 1 - Lot 8

15. APPOINTMENT OF AN ADMINISTRATOR

The owners corporation is not aware of an application or a proposal for the appointment of an administrator.

16. PROFESSIONAL MANAGER DETAILS

Name of Manager: Ace Body Corporate Management (Mildura)
ABN / ACN: ABN 64 110 072 092 /
Address of Manager: 143 Langtree Avenue MILDURA VIC 3500
Telephone: 03 5021 3421
Facsimile:
E-mail Address: mildura@acebodycorp.com.au

17. ADDITIONAL INFORMATION

The owners corporation provides the following information for the benefit of the purchaser:

PLEASE NOTE: There is only Common Property & Public Liability Insurance coverage on the Policy and individual lot owners are responsible for their own Building, contents & personal liability exposure Insurance.

PLEASE NOTE: The current fees for the 2021/2022 financial year will be set at the Annual General Meeting, which is scheduled for 13/05/2021. As an indication the fees for the 2020/2021 financial year were \$2760.00. The financial year is 01/04/2021 to 31/03/2022.

PLEASE NOTE: The Owners Corporation is subject to Mildura College Lease 12-69-D (MCL 1277) at a current rental of \$14,190 per annum, including any GST. Such amount is included in the Owners Corporation budget.

SIGNING

The common seal of Plan No. PS622864U 1, was affixed and witnessed by and in the presence of the registered manager in accordance with Section 20(1) and Section 21(2A) of the Owners Corporations Act 2006.



Registered Manager

Full name: Bruce Watson
Company: ABC Training & Business Services Pty Ltd
Address of registered office: 143 Langtree Avenue MILDURA VIC 3500

13/04/2021

Date



Common Seal
of Owners Corporation



Ace Body Corporate Management (Mildura)

Phone: 03 5021 3421 Fax: 03 5021 3377
Email: mildura@acebodycorp.com.au
Postal: PO Box 3377 Mildura VIC 3502
ACN: 110 072 092

Professional Personal Service

www.acebodycorp.com.au

TCR Earthmoving & Concreting Pty Ltd
PO Box 1985
Mildura Vic 3502

13th April 2021

Dear TCR Earthmoving & Concreting Pty Ltd

Re: OWNERS CORPORATION CERTIFICATE - LOT 8, PLAN NO. PS622864U 1

In response to your request, we now attach an Owners Corporation Certificate for Lot 8 in Plan No. PS622864U 1 dated 12th April 2021. This certificate is intended for use for the purpose of section 151 of the *Owners Corporations Act 2006* ("**Act**").

Pursuant to section 151(4)(b) of the Act, we also attach the following:

- (a) A copy of the Rules for this Owners Corporation;
- (b) A statement of advice and information for prospective purchasers of a strata title lot in Victoria in accordance with Regulation 17 of the *Owners Corporations Regulations 2018*; and
- (c) A copy of the minutes of the last annual general meeting of the Owners Corporation showing all resolutions passed at that meeting.

Please note that if you require any further information on the matters reported in the attached Owners Corporation Certificate, you may inspect a copy of the Owners Corporation Register in accordance with section 150 of the Act. An inspection of the Register must be booked in advance by contacting our office during business hours or via email at mildura@acebodycorp.com.au. Please note the inspection of the Register may require the payment of a fee.

Yours faithfully

Registered Manager

Full name: Bruce Watson
Company: ABC Training & Business Services Pty Ltd
Address of registered office: 143 Langtree Avenue MILDURA VIC
3500

13/04/2021

Date

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

Schedule 3, Regulation 17, Owners Corporations Regulations 2018

What is an Owners Corporation?

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

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

How are decisions made by an Owners Corporation?

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

Owners Corporation rules

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

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

Lot entitlement and lot liability

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

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

Further information

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

Management of an Owners Corporation

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

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

Model rules as applying to Owners Corporation

1. Health, safety and security

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

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

1.2 Storage of flammable liquids and other dangerous substances and materials

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

1.3 Waste disposal

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

2. 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 his or her own purposes as a garden any portion of the common property.
3. An approval under subrule (2) may state a period for which the approval is granted.
4. If the owners corporation has resolved that an animal is a danger or is causing a nuisance to the common property, it must give reasonable notice of this resolution to the owner or occupier who is keeping the animal.
5. An owner or occupier of a lot who is keeping an animal that is the subject of a notice under subrule (4) must remove that animal.
6. Subrules (4) and (5) do not apply to an animal that assists a person with an impairment or disability.

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 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 his or her behalf at the meeting.
7. If the dispute is not resolved, the grievance committee or owners corporation must notify each party of his or her right to take further action under Part 10 of the *Owners Corporations Act 2006*.
8. This process is separate from and does not limit any further action under Part 10 of the *Owners Corporations Act 2006*.



Owners Corporation No. 1 PS622864U (Deakin Central #1)

134-164 Deakin Avenue Mildura Vic 3500

11th June 2020

Dear Owner

Below are the **Minutes** of the Annual General Meeting (AGM) of Owners Corporation No. 1 PS622864U (Deakin Central #1) held at 11.00am on Friday 5th June 2020 at Ace Body Corporate Management Mildura, 102 Eighth Street, Mildura, VIC, 3500.

Minutes of Annual General Meeting

1. Meeting attendance

a. Present

Gina Panuccio (Lots 4A, 4B, 4C, 5A, 5B & 5C), Louis Krelle (Lot 6), Graeme Gerlach (Colleague of Louis), Ty Ransome (Lot 8), Peter Veniamakis (Lot 2b) and Bruce Watson of Ace Body Corporate Management (Mildura).

b. Proxies

TCR Earthmoving Pty Ltd (Lot 8) in favour of Ty Ransome and Veniamakis Pty Ltd (Lot 2b) in favour of Peter Veniamakis.

c. Apologies

Nil

d. Quorum & Entitlement to Vote

A quorum was achieved. As such, all decisions made at the meeting will be final.

2. Election of Chairperson for the AGM

Resolution: That Bruce Watson is elected Chairperson for the Annual General Meeting.

For: all, **Against:** None

3. Confirm receipt and approve minutes for the previous AGM held 27th May 2019.

Resolution: That the Owners Corporation acknowledge and accept the minutes of previous meeting as a true and correct record of proceedings.

For: 7, **Against:** 1

4. Confirm receipt and approve Manager's Report

Resolution: That the Owners Corporation acknowledge and accept the Manager's Report as presented by the Manager.

For: all, **Against:** None

5. Confirm receipt and approve financial statements for the year ending 31st March 2020.

Resolution: That the Owners Corporation acknowledge and accept the financial statements as presented by the Manager.

A question was raised as to whether the OC may qualify for some financial relief in relation to the College Lease payment under the COVID 19 packages. Considered by the meeting the OC would not be eligible for any assistance as we are not an entity which trades for profit or is registered as not for profit.

For: all, **Against:** None

6. Building & liability insurance

- a. Discussed insurance cover details
- b. Sought approval to renew the insurance policy when premium becomes due.
- c. Insurance replacement valuation report was discussed to ensure property is adequately insured

This is currently a Community Association Policy covering Community Property and the common property area public liability only. It is the lot owner's individual responsibility to ensure they hold sufficient building and contents cover.

Note: A copy of the Product Disclosure Statement (PDS) and Financial Services Guide (FSG) for this insurance will be available at the AGM or can be downloaded from www.chu.com.au. A copy of the Financial Services Guide (FSG) for Resolute Property Protect Pty Ltd is available by contacting the office of ACE Body Corporate Management (Mildura). ACE Body Corporate Management (Mildura) does receive a commission for insurance products.

Duty of Disclosure: The law requires an owners corporation to tell an insurer everything that they know (or could reasonably be expected to know in the circumstance) which is relevant to the insurers decision to insure the owners corporation and the terms on which the insurer offers insurance to the owners corporation. The duty applies before the owners corporation enters into a contract with the insurer (that is, before the insurer accepts the owners corporation application) and also each time the owners corporation alters or renews the policy. If the Owners Corporation does not tell an Insurer everything that is relevant, they may reduce or refuse to pay a claim, cancel the policy or if the owners corporation acts dishonestly, invalidate the policy from its beginning and not be bound by it.

Resolution: That the Owners Corporation **DOES NOT** obtain an insurance valuation report.

For: all, **Against:** None

Resolution: The Owners Corporation resolves to renew the existing insurance policy in line with the rate of building cover currently held with the insurer.

Manager to refer to the Committee when insurance renewal comes in next year, should the premium requested exceed the approved budget or a more favourable offer is received through our broker.

For: all, **Against:** None

7. Repairs, maintenance, works & other matters

- a) **Grounds/Garden Maintenance:** - **Resolved** to continue with HB's Lawn & Garden Care on the "as needed" basis.
- b) **Gutter Cleaning:** - This is a lot owners' responsibility.
- c) **White Ant/Pest Inspections:** - This is a lot owners' responsibility however it was noted by the meeting that some evidence of white ants had been found by one of the lot owners which has now been treated.
- d) **Other Maintenance Issues:** -
 - Noted by meeting that as the complex contained a booster then a formal fire block plan needed to be prepared by a licenced contractor and a copy placed inside the cabinet. It was also noted that the cabinet itself was not in good condition and needed replacing. A quote of \$2244- has been obtained by the Manager from Regional Fire Services to prepare the plan and replace the cabinet. **Resolved** that the quote received be accepted with **Manager** to arrange completion by the contractor. Cost is to be absorbed from surplus funds.
 - Noted by meeting that traffic flow past the rear of Intersport and around the Madden Avenue buildings was a bit confusing and needed better directions. **Resolved that the Manager** would arrange a No Entry sign on the Eleventh Street side of the Intersport laneway and entry/exit signs for the Madden Avenue roadways. Ground direction arrows to be refreshed as well, if needed.
 - Noted by meeting that the bin area is being respected and kept tidy. However, the committee will continue to monitor as this could change if tenancy arrangements were to alter and more bins were needed.
 - A question was raised in relation to the current Lot Liabilities and Entitlements as to whether these are fair and if they could be changed. Manager explained that these could be reassessed and changed, however this exercise would need to be completed by appropriately qualified parties and require an unanimous resolution by the OC for approval. It would take some time to achieve and attract additional cost to the OC. This exercise was not something that could be discussed and approved at an AGM. **Resolved that Lou and Graeme** would do some initial investigation through their professional contacts at no cost, and report back to the Manager. Once this information is received it would be circulated around the Committee for a decision on the next course of action.

- Question of car parking raised and whether there was room for the issue of more permits for use by tenants in the designated areas. Noted that the overall parking problem had eased since the completion of the Madden Avenue road works and that the permit areas appeared to have more space available. **Resolved** that a lot owner could apply to the Manager for extra permit/s which would be considered by the committee on a case by case basis.

For: all, **Against:** None

8. Safety Assessment Report

An Owners Corporation (owners/residents), has a duty of care, as far as practical, to ensure the common property is presented as a safe environment for persons to enter and exist and should any hazards or risks come to the attention of owners, they should be promptly reported to the office of the Manager for attention.

Please Note: A common property safety assessment was carried out in November 2019 by Pro Safe Solutions.

It was noted –

- That signage was needed for the fire safety points. **Manager** to arrange.
- The outside electricity cabinets were not locked, which should be a common electrical key. **Manager** to investigate and arrange.
- There were some low risk trip hazards identified. **Manager and Committee** will monitor.

Motion: That the Owners Corporation **DOES NOT** undertake a common property safety inspection on common property this year.

For: all, **Against:** None

9. Annual Budget – 2020/2021 Financial Year

The following budget was approved.

	Last budget 2019/2020	Actual 2019/2020	Approved Budget 2020/2021
Admin Fees & Charges - MyStrata	\$154.00	\$154.00	\$154.00
Admin – Management Fees - Standard	\$2,400.00	\$2,400.00	\$2,400.00
Admin – Management Fees - Disbursements	\$600.00	\$600.00	\$600.00
Administrative Fee & Charges – Other	\$0.00	\$88.00	\$0.00
Common Property – General Maintenance	\$2,000.00	\$2,149.65	\$2,000.00
Consultant – OH & S	\$0.00	\$577.50	\$0.00
Electricity	\$4,000.00	\$3,126.70	\$4,000.00
Fire Protection Services	\$650.00	\$0.00	\$650.00
Garden/Lawn Maintenance	\$2,000.00	\$775.50	\$2,000.00
Hire & Rental – Mildura College Lease Rental	\$14,190.00	\$14,190.00	\$14,190.00
Insurance Premiums 1.	\$2,100.00	\$0.00	\$2,100.00
Insurance Claim – excess	\$0.00	\$500.00	\$0.00
Water	\$600.00	\$223.71	\$600.00
Total	\$28,694.00	\$24,785.06	\$28,694.00

1. Insurance paid in previous financial year

Motion: That the Owners Corporation approve the budget as proposed by the Manager. Further, that the Manager has the authority to raise a special levy if there are insufficient funds to meet the ongoing working capital requirements for the Owners Corporation.

For: all, **Against:** None

10. Lot Owner Fees – 2020/2021 Financial Year

The contributions per lot are calculated by multiplying each owners' lot liability by the total to be Raised as per below.

Lot No.	Address	Lot Liability	Approved Annual fee 2020/2021
1	134 Deakin	164	\$4,920.00
2A	146 Deakin	72	\$2,160.00
2B	32 Carters Lane	24	\$720.00
3	150 Deakin	77	\$2,310.00
4A	152A Deakin	46	\$1,380.00
4B	152B Deakin	32	\$960.00
4C	152C Deakin	31	\$930.00
5A	154A Deakin	46	\$1,380.00
5B	154B Deakin	32	\$960.00
5C	154C Deakin	32	\$960.00
6	164 Deakin	260	\$7,800.00
7	151 Madden	46	\$1,380.00
8	153 Madden	92	\$2,760.00
9	155 Madden	46	\$1,380.00
Total to be Raised		1000	\$30,000.00

Motion: That the Owners Corporation approve the lot owner fees as proposed by the Manager and that the fees be payable in quarterly instalments as follows: June 2020, August 2020, November 2020, and February 2021.

For: all, **Against:** None

11. General Business

a. Election of Committee & Chairperson for the Owners Corporation

Motion: That the Owners Corporation elect the following Committee and Chairperson (lot owner or person who holds proxy for a lot owner): Rocco Panuccio (Lot 4A), Gina Panuccio (Lot 5A), Louis Krelle (Lot 6), Ty Ransome (Lot 8) and Peter Veniamakis (Lot 2b) with Gina Panuccio re-elected as Chairperson.

For: all, **Against:** None

b. Election of Secretary for the Owners Corporation

Motion: That the Owners Corporation appoint Ace Body Corporate Management (Mildura) as Secretary of the Owners Corporation, but with no voting rights.

For: all, **Against:** None

c. Overdue contributions (arrears)

- i. Presented arrears report
- ii. Discussed approval for manager to recover debts

Motion: That the Owners Corporation allow the Manager, at its discretion and when required, to submit accounts in arrears to its legal representatives for debt collection. In accordance with the Owners Corporations 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.

For: all, **Against:** None

d. **Penalty interest** – discussed whether owners want penalty interest levied for late payment of fees

Motion: That the Owners Corporation apply penalty interest in accordance with the Owners Corporations Act 2006 Part 3, Section 29 (1&2). The rate of interest charged will be equal to the maximum rate of interest payable under the Penalty Interests Rates Act 1983. Further that the Owners Corporation refer all requests for the removal of Penalty Interest 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.

For: all, **Against:** None

e. **Report Disputes to Meeting – (Part 10, Owners Corporations Act 2006)**

There are no complaints, disputes or breaches of rules reported to the Manager.

f. **Special & unanimous resolutions – none proposed**

g. **Delegations**

Resolution: That the Owners Corporation 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 Corporations Act 2006 Section 11, except where a special or unanimous resolution is required. This delegation will remain in force until the next Annual General Meeting when the Committee and/or Chairperson are elected.

For: all, **Against:** None

h. **Other business – Nil**

i. **Close of meeting** – as there was no further business to discuss, the meeting was closed at 12:25 PM

Property Clearance Certificate

Taxation Administration Act 1997



INFOTRACK / ALLSTATE CONVEYANCING SERVICES (MILDURA)

Your Reference: 21270 TCR EARTHMOVING &

Certificate No: 46246272

Issue Date: 21 APR 2021

Enquiries: AXH7

Land Address: 153 MADDEN AVENUE MILDURA VIC 3500

Land Id	Lot	Plan	Volume	Folio	Tax Payable
47127201	8	622864	11194	770	\$0.00

Vendor: JUSTINE EMMA JAMES, TY CONLAN RANSOME & 1 OTHER(S)

Purchaser: FOR INFORMATION PURPOSES

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
TCR EARTHMOVING & CONCRETING P	2021	\$110,000	\$0.00	\$0.00	\$0.00

Comments:

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

Arrears of Land Tax	Year	Proportional Tax	Penalty/Interest	Total
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This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

Paul Broderick
Commissioner of State Revenue

CAPITAL IMP VALUE:	\$624,000
SITE VALUE:	\$110,000
AMOUNT PAYABLE:	\$0.00

of the *Taxation Administration Act 1997*

Certificate No: 46246272

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 = \$110,000

Calculated as \$0 plus (\$110,000 - \$0) multiplied by 0.000 cents.

Property Clearance Certificate - Payment Options

BPAY



Billers Code: 5249
Ref: 46246272

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: 46246272

Visa or Mastercard

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

sro.vic.gov.au/paylandtax