
VENDOR STATEMENT

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

Vendor: Linette Lily TURNBULL

Property: Unit 15 13 Vista Court, Gembrook VIC 3783

LJ CONVEYANCING

1/1A Palmerston Grove Oakleigh VIC 3166

Tel: 03 9563 2025

Fax: 03 9564 7991

Email: info@ljconveyancing.com.au

Ref: S:3630

1. FINANCIAL

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

Are contained in the attached document(s)/certificate(s).

Authority	Amount	Interest (if any)
Cardinia Shire Council	Refer attachment	
Yarra Valley Water	Refer attachment	
Somersault Network Pty Ltd	Refer attachment	
Land Tax	Refer attachment	

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

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

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

Not applicable.

1.3 **Terms Contract**

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

Not applicable.

1.4 **Sale Subject to Mortgage**

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

Not applicable.

2. INSURANCE

2.1 **Damage and Destruction**

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

Not applicable.

2.2 **Owner-Builder**

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

Not applicable.

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

3. LAND USE

- 3.1 **Easements, Covenants or Other Similar Restrictions**
(a) A description of any easement, covenant or other similar restriction affecting the land (whether registered or unregistered): -
 Is in the attached copies of title document/s.
- (b) Particulars of any existing failure to comply with that easement, covenant or other similar restriction are:
 To the best of the Vendor's knowledge there is no existing failure to comply with the terms of any easement, covenant or other similar restriction.
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.
- 3.2 **Road Access**
There is:
 access to the property by road
- 3.3 **Designated Bushfire Prone Area**
The land:
 IS in a designated bushfire prone area within the meaning of regulations made under the Building Act 1993
- 3.4 **Planning Scheme**
 Attached is a certificate with the required specified information.

4. NOTICES

- 4.1 **Notice, Order, Declaration, Report or Recommendation**
Particulars of any notice, order, declaration, report or recommendation of a public authority or government department or approved proposal directly and currently affecting the land, being a notice, order, declaration, report, recommendation or approved proposal of which the vendor might reasonably be expected to have knowledge:
 None to the Vendor's knowledge.
- 4.2 **Agricultural Chemicals**
There are NO notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes. However, if this is not the case, the details of any such notices, property management plans, reports or orders, are as follows:
 Not applicable.
- 4.3 **Compulsory Acquisition**
The particulars of any notices of intention to acquire that have been served under section 6 of the Land Acquisition and Compensation Act 1986 are as follows:
 Not applicable.

5. BUILDING PERMITS

- 5.1 **Particulars of any building permit** issued under the Building Act 1993 in the preceding 7 years (required only where there is a residence on the land):
 Not applicable.

6. OWNERS CORPORATION

- 6.1 This section 6 only applies if the land is **affected by an owners corporation** within the meaning of the Owners Corporations Act 2006.
- Attached is a current owners corporation certificate with its required accompanying documents and statements, issued in accordance with section 151 of the Owners Corporations Act 2006.

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (“GAIC”)

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

8. SERVICES

- 8.1 The services which are marked with an "X" in the box below are **NOT connected to the land**:
- Electricity supply
 - Gas supply
 - Water supply
 - Sewerage
 - Telephone services (available)

NOTE: The Purchaser should make all enquiries in relation to the availability of all services prior to settlement as some services may be disconnected by the Vendor should the Vendor or Tenant (if applicable) vacate the premises before settlement. The Purchaser will be responsible for payment of the reconnection of any services or the cost of connecting any services not connected or available to the property.

9. TITLE

- 9.1 Attached are copies of the following **title documents**:
- A Register Search Statement and the document, or part of a document, referred to as the “diagram location” in that statement which identifies the land and its location.

10. SUBDIVISION

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

11. DISCLOSURE OF ENERGY INFORMATION

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

Vendor Statement

The Vendor makes this statement in respect of the land in accordance with Section 32 of the *Sale of Land Act 1962*.

The statement must be signed by the Vendor and given to the purchase before the purchaser signs the Contract. The Vendor may sign by electronic signature.

DATE OF THIS STATEMENT

/ /20

Name of the Vendor

Linette Lily TURNBULL

Signature/s of the Vendor

x

linette turnbull
linette turnbull (Sep 30, 2022 10:25 GMT+10)

The Purchaser acknowledges being given this statement signed by the Vendor with the attached documents before the Purchaser signed any contract.

The Purchaser further acknowledges being directed to the DUE DILIGENCE CHECKLIST.

DATE OF THIS ACKNOWLEDGMENT

/ /20

Name of the Purchaser

Signature/s of the Purchaser

x

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

Page 1 of 2

VOLUME 11324 FOLIO 261

Security no : 124100630409Y
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LAND DESCRIPTION

Lot 14 on Plan of Subdivision 633872J.
PARENT TITLE Volume 11300 Folio 132
Created by instrument PS633872J Stage 3 21/12/2011

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
LINETTE LILY TURNBULL of 14 VISTA COURT GEMBROOK VIC 3783
AS088580F 12/04/2019

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AS088581D 12/04/2019
NATIONAL AUSTRALIA BANK LTD

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.

AGREEMENT Section 173 Planning and Environment Act 1987
AH685840W 21/12/2010

AGREEMENT Section 173 Planning and Environment Act 1987
AJ351561X 02/12/2011

DIAGRAM LOCATION

SEE PS633872J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: UNIT 15 13 VISTA COURT GEMBROOK VIC 3783

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LTD
Effective from 12/04/2019

OWNERS CORPORATIONS

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

Page 2 of 2

The land in this folio is affected by
OWNERS CORPORATION 1 PLAN NO. PS633872J
OWNERS CORPORATION 2 PLAN NO. PS633872J

DOCUMENT END



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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OWNERS CORPORATION 1
PLAN NO. PS633872J

The land in PS633872J is affected by 2 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Property 1, Lots 1 - 20.

Limitations on Owners Corporation:

Unlimited

Postal Address for Services of Notices:

80 WAVERLEY ROAD MALVERN EAST VIC 3145

PS633872J/S2 05/09/2011

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:

OC009740J 31/01/2011

Notations:

Only the members of Owners Corporation 2 are entitled to use Common Property No. 1.

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 1	100	100
Lot 2	100	100
Lot 3	100	100
Lot 4	100	100
Lot 5	100	100
Lot 6	100	100



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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OWNERS CORPORATION 1
PLAN NO. PS633872J

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Lot 7	100	100
Lot 8	100	100
Lot 9	100	100
Lot 10	100	100
Lot 11	100	100
Lot 12	100	100
Lot 13	100	100
Lot 14	100	100
Lot 15	100	100
Lot 16	100	100
Lot 17	100	100
Lot 18	100	100
Lot 19	100	100
Lot 20	100	100
Total	2000.00	2000.00

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. PS633872J

The land in PS633872J is affected by 2 Owners Corporation(s)

Land Affected by Owners Corporation:

Common Property 1, Lots 2, 3, 5 - 20.

Limitations on Owners Corporation:

Limited to Common Property

Postal Address for Services of Notices:

11-15 VISTA COURT GEMBROOK VIC 3783

OC011807P 05/09/2011

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:

OC011807P 05/09/2011

Notations:

Members of Owners Corporation 2 are also affected by Owners Corporation 1. Folio of the Register for Common Property No. 1 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 1	0	0
Lot 2	100	100
Lot 3	100	100
Lot 5	100	100
Lot 6	100	100
Lot 7	100	100



Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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OWNERS CORPORATION 2
PLAN NO. PS633872J

Entitlement and Liability:

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

Land Parcel	Entitlement	Liability
Lot 8	100	100
Lot 9	100	100
Lot 10	100	100
Lot 11	100	100
Lot 12	100	100
Lot 13	100	100
Lot 14	100	100
Lot 15	100	100
Lot 16	100	100
Lot 17	100	100
Lot 18	100	100
Lot 19	100	100
Lot 20	100	100
Total	1800.00	1800.00

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.



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Application by a Responsible Authority for the making of a Recording of an Agreement

Section 181 Planning and Environment Act 1987

AJ351561X



Form 18

Lodged by:

Name: MADDOCKS
Phone: 9288 0555
Address: Level 6, 140 William Street, Melbourne, Victoria, 3000
Ref: MYM:LMR:LGC:5859891
Customer Code: 1167E

The Responsible Authority having made an agreement referred to in section 181(1) of the *Planning and Environment Act 1987* requires a recording to be made in the Register.

Land: part of Certificate of Title Volume 11300 Folio 132 and more particularly being Lots 5-20 on the proposed plan attached

Responsible Authority: Cardinia Shire Council of Henty Way, Pakenham, Victoria

Section and Act under which agreement made: Section 173 of the *Planning and Environment Act 1987* /

A copy of the Agreement is attached to this Application

Date: 28/11/11

Signature for Responsible Authority:

Brett Jackson

Name of officer:

Brett Jackson

Position Held:

Acting Manager - Development Services

PLAN OF SUBDIVISION	STAGE No. 3	LRS use only EDITION	Plan Number
----------------------------	-----------------------	--------------------------------	-------------

Location of Land
 Parish: GEMBROOK
 Township: -
 Section: -
 Crown Allotment: A¹ (PART)
 Crown Portion: -
 LRS Base Record: DCMB
 Title Reference:
 Last Plan Reference: LOT 59 ON PS 639872J
 Postal Address: 11 - 15 VISTA COURT,
 (at time of subdivision) GEMBROOK 3783
 MGA Co-ordinates E 372 790 Zone 55
 (of approx. centre of land N 5 798 395
 in plan)

Council Certification and Endorsement
 Council Name: CARDINIA SHIRE COUNCIL
 Ref:
 1. This plan is certified under section 6 of the Subdivision Act 1988.
 2. This plan is certified under section 11(7) of the Subdivision Act 1988.
 Date of original certification under section 6 / /
 3. This is a statement of compliance issued under section 21 of Subdivision Act 1988.
OPEN SPACE
 (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/has not been made.
 (ii) The requirement has been satisfied.
 (iii) The requirement is to be satisfied in Stage.....
 Council Delegate
 Council Seal
 Date / /
 Re-certified under section 11(7) of the Subdivision Act 1988
 Council Delegate
 Council Seal
 Date / /

LRS use only
 Statement of Compliance/
 Exemption Statement
 Received
 Date / /

LRS use only
 PLAN REGISTERED
 TIME
 Date / /
 Assistant Registrar of Titles

Vesting of roads and/or Reserves	
Identifier	Council/Body/Person
NIL	NIL

Notations
 Survey: This plan is based on survey.
 This survey has been connected to permanent marks no(s)
 In proclaimed Survey Area No. -

Staging: This is a staged Subdivision.
 Planning Permit No. T090672a

Easement Information

Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

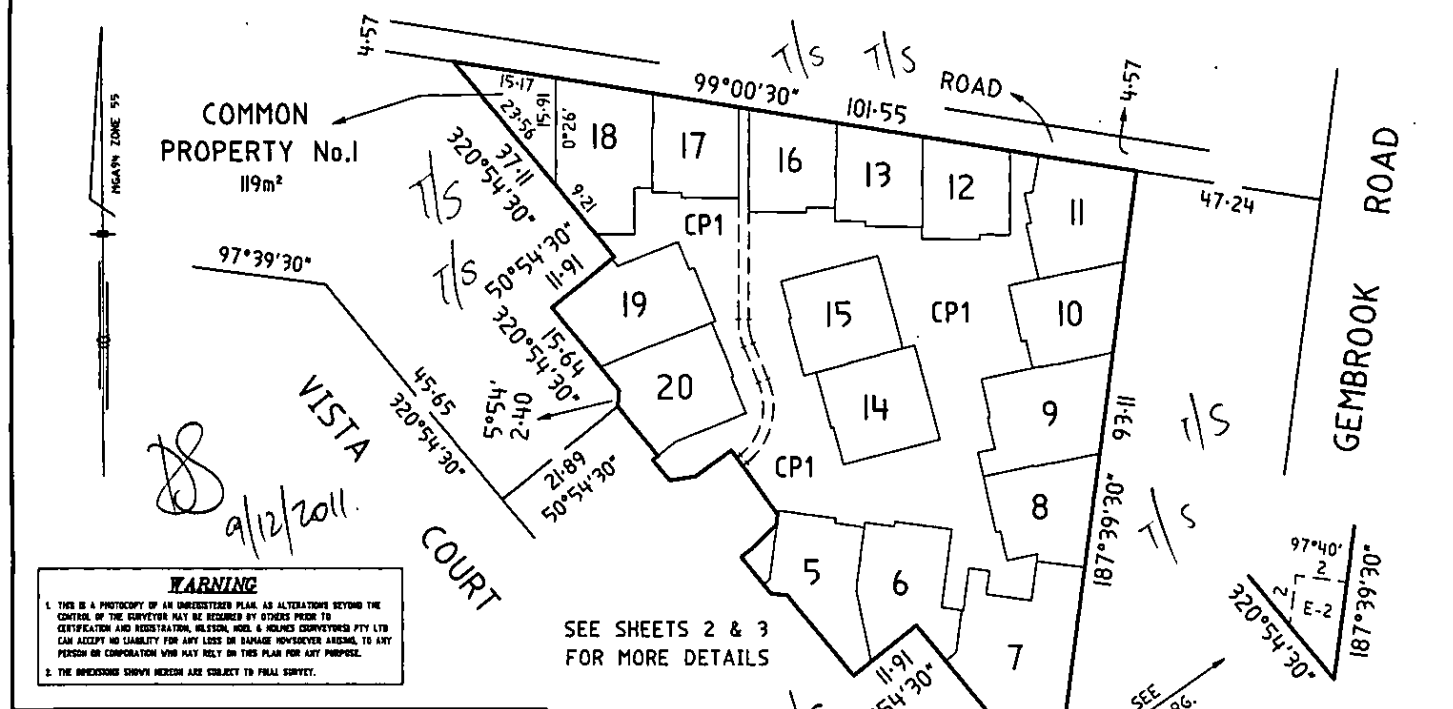
Depth Limitation:
 DOES NOT APPLY

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

Easement Reference	Purpose	Width (metres)	Origin	Land benefited/in favour of
E-1	ELECTRICITY	1.50	PS 639872J (STAGE 1) & SEC.88 OF THE ELECTRICITY INDUSTRY ACT 2000	SPI ELECTRICITY PTY. LTD.
E-2	DRAINAGE	2	PS 549188R	CARDINIA SHIRE COUNCIL
E-3	PARTY WALL	SEE DIAG.	THIS PLAN	THE RESPECTIVE ADJUTING LOT

AJ351561X

02/12/2011 \$107.50 173



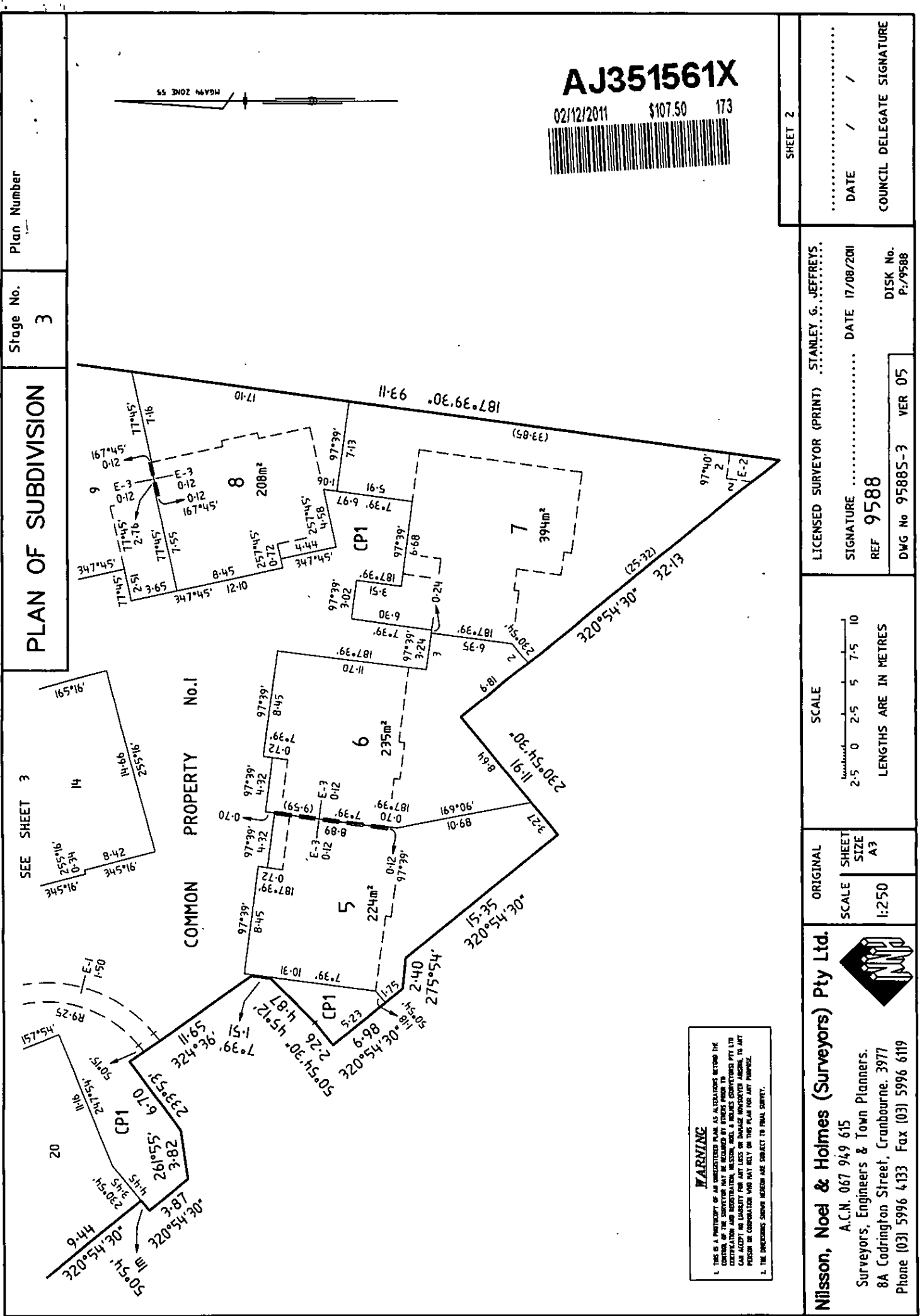
Nilsson, Noel & Holmes (Surveyors) Pty Ltd.
 A.C.N. 067 949 615
 Surveyors, Engineers & Town Planners.
 8A Cadrington Street, Cranbourne 3977
 Phone (03) 5996 4133 Fax (03) 5996 6119

ORIGINAL	SCALE	<p>LENGTHS ARE IN METRES</p>
SCALE 1:750	SHEET SIZE A3	

LICENSED SURVEYOR (PRINT) **STANLEY G. JEFFREYS.**
 SIGNATURE DATE 17/08/2011
 REF **9588**
 DWG No. 9588S-3 VER 05 DISK No. P./9588

Sheet 1 of 5 sheets

.....
 DATE / /
 COUNCIL DELEGATE SIGNATURE



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02/12/2011 \$107.50 173



PLAN OF SUBDIVISION

Stage No. 3

Plan Number

SHEET 2
 DATE / /
 COUNCIL DELEGATE SIGNATURE

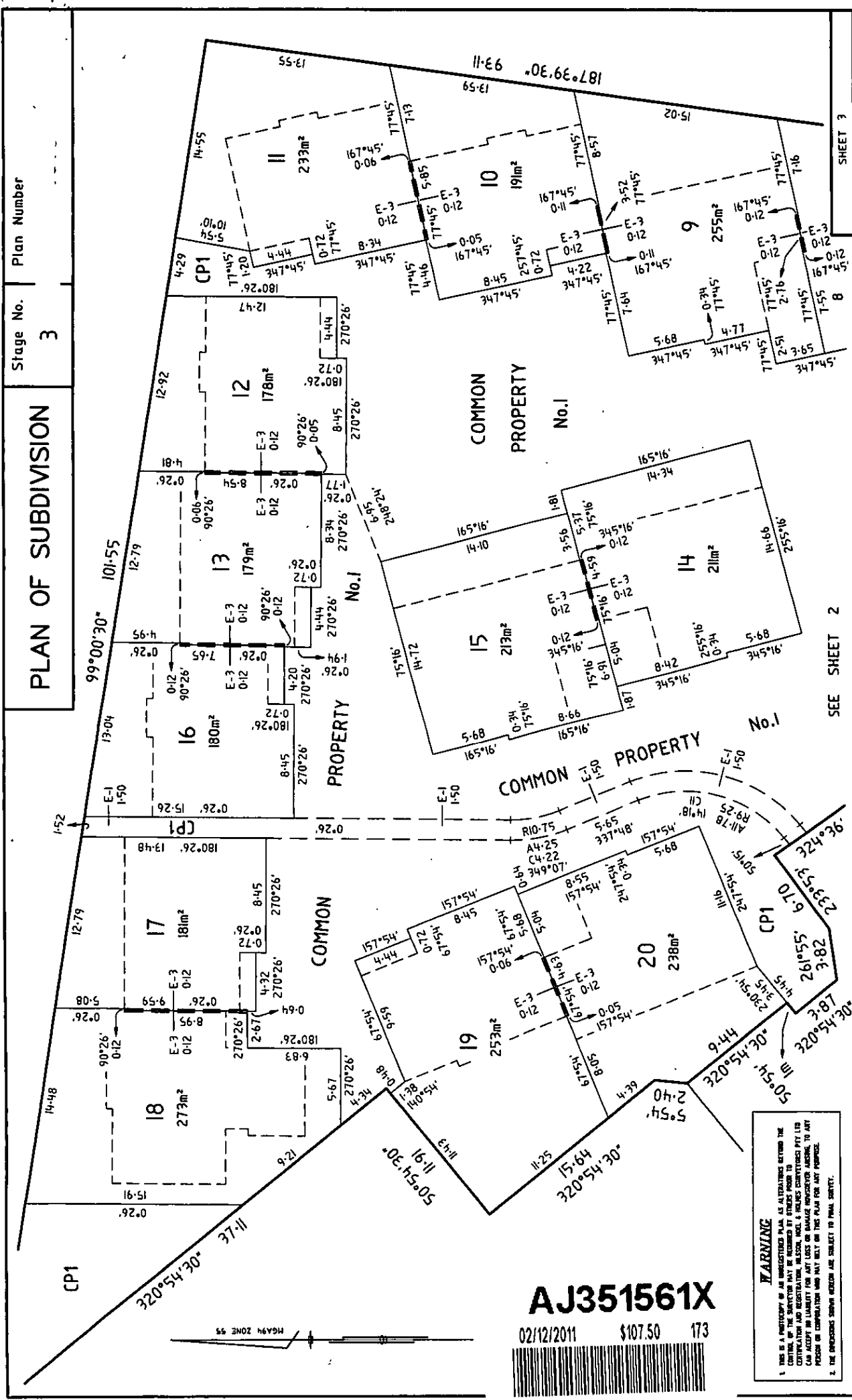
LICENSED SURVEYOR (PRINT) STANLEY G. JEFFREYS.
 SIGNATURE DATE 17/08/2011
 REF 9588
 DWG No 9588S-3 VER 05 DISK No. P:/9588

SCALE
 2.5 0 2.5 5 7.5 10
 LENGTHS ARE IN METRES

ORIGINAL SCALE SHEET SIZE
 1:250 A3

Nilsson, Noel & Holmes (Surveyors) Pty Ltd.
 A.C.N. 067 949 615
 Surveyors, Engineers & Town Planners.
 8A Codrington Street, Cranbourne, 3977
 Phone (03) 5996 4133 Fax (03) 5996 6119

WARNING
 1. THIS IS A PRELIMINARY PLAN AS ALTERATIONS BETWEEN THE CONTROL OF THE SURVEYOR MAY BE REQUIRED BY FINANCIAL INSTITUTIONS OR OTHER INTERESTED PARTIES. THE SURVEYOR'S OFFICE WILL NOT BE RESPONSIBLE FOR ANY LOSSES OR DAMAGES INCURRED ARISING IN ANY PERSON OR CORPORATION WHO MAY RELY ON THIS PLAN FOR ANY PURPOSE.
 2. THE DIMENSIONS SHOWN HEREIN ARE SUBJECT TO FINAL SURVEY.



PLAN OF SUBDIVISION

Stage No. 3

Plan Number

SEE SHEET 2

SCALE

ORIGINAL SHEET SIZE A3

SCALE 1:250

LENGTHS ARE IN METRES

LICENSED SURVEYOR (PRINT) STANLEY G. JEFFREYS

SIGNATURE DATE 21/02/2011

REF 9588

DWG No 9588S-3 VER 04

DISK No. USB016

COUNCIL DELEGATE SIGNATURE

DATE / /

Nilsson, Noel & Holmes (Surveyors) Pty Ltd.
 A.C.N. 067 949 615
 Surveyors, Engineers & Town Planners.
 8A Codrington Street, Cranbourne. 3977
 Phone (03) 5996 4133 Fax (03) 5996 6119

WARNING

1. THIS IS A COPY OF AN UNREGISTERED PLAN AS ALTERED BY THE CONTROL OF THE SURVEYOR. THE SURVEYOR HAS NOT BEEN ADVISED BY THE OWNER OF ANY CHANGES TO THE PLAN. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY CHANGES TO THE PLAN. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY CHANGES TO THE PLAN.

2. THE ENDORSEMENT SIGNATURE ARE SUBJECT TO FINAL SURVEY.

AJ351561X

02/12/2011 \$107.50 173

OWNERS CORPORATION SCHEDULE	Stage No. 3	Plan Number
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Owners Corporation 1 **Plan No. ~~PS-677872J~~**

Land affected by Owners Corporation: LOTS 1 & 4 (STAGE 1), 2 - 3 (STAGE 2), 5 - 20 (BOTH INCL.) AND COMMON PROPERTY No.1

Limitations of Owners Corporation: UNLIMITED

Notations:
 THE PURPOSE OF OWNERS CORPORATION 1 PLAN No. PS677872J IS:
 1. TO MANAGE THE LAND AFFECTED BY THE OWNERS CORPORATION.
 2. TO MANAGE THE COMMON DRAINAGE, SEWERAGE AND WATER SUPPLY SERVICES.
 ONLY THE MEMBERS OF OWNERS CORPORATION 2 ARE ENTITLED TO USE COMMON PROPERTY No.1.

WARNING

1. THIS IS A PHOTOCOPY OF AN UNREGISTERED PLAN. AS ALTERATIONS BEYOND THE CONTROL OF THE SURVEYOR MAY BE REQUIRED BY OTHERS PRIOR TO CERTIFICATION AND REGISTRATION, NILSSON, NOEL & HOLMES (SURVEYORS) PTY LTD CAN ACCEPT NO LIABILITY FOR ANY LOSS OR DAMAGE HOWSOEVER ARISING, TO ANY PERSON OR CORPORATION WHO MAY RELY ON THIS PLAN FOR ANY PURPOSE.
 2. THE DIMENSIONS SHOWN HEREON ARE SUBJECT TO FINAL SURVEY.


Lot Entitlement and Lot Liability

Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability
LOTS 1&4 (STAGE 1)	200	200						
LOTS 2&3 (STAGE 2)	200	200						
5	100	100						
6	100	100						
7	100	100						
8	100	100						
9	100	100						
10	100	100						
11	100	100						
12	100	100						
13	100	100						
14	100	100						
15	100	100						
16	100	100						
17	100	100						
18	100	100						
19	100	100						
20	100	100						
TOTAL	2000	2000						

AJ351561X

02/12/2011 \$107.50 173



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	<p>DWG No. 9588S-3 VER 05</p>	<p>DISK No. P:/9588</p>

OWNERS CORPORATION SCHEDULE	Stage No. 3	Plan Number
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Owners Corporation 2 Plan No. ~~PS 63387ZJ~~

Land affected by Owners Corporation: LOTS 2-3 (STAGE 2), 5 - 20 (BOTH INCL.) AND COMMON PROPERTY No.1

Limitations of Owners Corporation: LIMITED TO COMMON PROPERTY No.1

Notations:
 LOTS IN THE TABLE BELOW ARE ALSO AFFECTED BY OWNERS CORPORATION 1.
 CERTIFICATE OF TITLE FOR COMMON PROPERTY No.1 IS IN THE NAME OF OWNERS CORPORATION 1.

WARNING

1. THIS IS A PHOTOCOPY OF AN UNREGISTERED PLAN. AS ALTERATIONS BEYOND THE CONTROL OF THE SURVEYOR MAY BE REQUIRED BY OTHERS PRIOR TO CERTIFICATION AND REGISTRATION, NILSSON, NOEL & HOLMES (SURVEYORS) PTY LTD CAN ACCEPT NO LIABILITY FOR ANY LOSS OR DAMAGE HOWEVER ARISING, TO ANY PERSON OR CORPORATION WHO MAY RELY ON THIS PLAN FOR ANY PURPOSE.

2. THE DIMENSIONS SHOWN HEREIN ARE SUBJECT TO FINAL SURVEY.

Lot Entitlement and Lot Liability

Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability
LOTS 2-3 (STAGE 2)	200	200						
5	100	100						
6	100	100						
7	100	100						
8	100	100						
9	100	100						
10	100	100						
11	100	100						
12	100	100						
13	100	100						
14	100	100						
15	100	100						
16	100	100						
17	100	100						
18	100	100						
19	100	100						
20	100	100						
TOTAL	1800	1800						

AJ351561X

02/12/2011 \$107.50 173

<p>Nilsson, Noel & Holmes (Surveyors) Pty Ltd.</p> <p>A.C.N. 067 949 615 Surveyors, Engineers & Town Planners. 8A Codrington Street, Cranbourne 3977 Phone (03) 5996 4133 Fax (03) 5996 6119</p>	<p>LICENSED SURVEYOR (PRINT) STANLEY G. JEFFREYS</p> <p>SIGNATURE DATE 17/08/2011</p> <p>REF 9588</p>	<p>SHEET 5</p> <p>.....</p> <p>DATE / /</p> <p>COUNCIL DELEGATE SIGNATURE</p>
	<p>DWG No. 9588S-3 VER 05</p>	<p>DISK No. P:/9588</p>



Maddocks

Lawyers
140 William Street
Melbourne Victoria 3000 Australia
Telephone 61 3 9288 0555
Facsimile 61 3 9288 0666

info@maddocks.com.au
www.maddocks.com.au

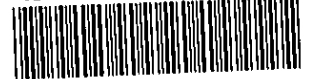
DX 259 Melbourne

Date 28 / 11 / 2011

Agreement under section 173 of the Planning and Environment Act 1987 Subject Land: part of 11-15 Vista Court, Gembrook

AJ351561X

02/12/2011 \$107.50 173



Cardinia Shire Council
and

Gembrook Views Estate Pty Ltd
ACN 076 151 463



Maddocks

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- 6. **Owner's warranties** 4
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Maddocks

Signing Page

Signed, sealed and delivered as a deed by the Parties.

Signed by and on behalf, and with the authority, of the **Cardinia Shire Council** by Jan Cussen in the exercise of a power conferred by an Instrument of Delegation dated 19 November 2009, in the presence of:

)
)
) *Jan Cussen*
)

L. McKinnon
.....
Witness

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Executed by **Gembrook Views Estate Pty Ltd** ACN 076 151 463 in accordance with section 127(1) of the Corporations Act 2001 by being signed by the authorised person for the company:)
)
)
)
)

Colin James Pochas
.....
80 Waverley Road
Malvern East Vic 3145

Sole Director and Sole Company Secretary
Full name
Usual address

Mortgagee's Consent

National Australia Bank Ltd as Mortgagee under Instrument of mortgage No. AG292327J consents to the Owner entering into this Agreement and in the event that the Mortgagee becomes mortgagee-in-possession, agrees to be bound by the covenants and conditions of this Agreement.

Karen Sandry
.....

KAREN SANDRY
PARTNER





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FORM 18
Section 181

**APPLICATION BY A RESPONSIBLE AUTHORITY FOR THE
MAKING OF A RECORDING OF AN AGREEMENT**

Planning and Environment Act 1987

AH685840W

Lodged by:

Name: Baker Jones, Lawyers
Phone: (03) 9614 5866
Address: Level 10, 160 Queen Street, Melbourne, Victoria 3000
Ref: DAB:TC:100249
Customer Code: 1118T



The Authority, having made an agreement referred to in section 181(1) of the *Planning and Environment Act 1987*, requires a recording to be made in the Register for the land.

Land: *CT 11121-237*

Authority: *Cardinia Shire Council
Henty Way, Pakenham, Victoria, 3810*

Section and Act under which agreement made:
Section 173 of the Planning and Environment Act 1987

A copy of the Agreement is attached to this Application.

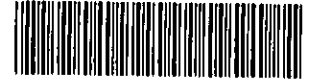
Signature for the Authority:

Name of Officer: *JAN CUSSEN*

Date: *16 DECEMBER 2010*

AH685840W

21/12/2010 \$105.20 173



CARDINIA SHIRE COUNCIL

- and -

**GEMBROOK VIEWS ESTATE
ACN 076 151 463**

- and -

**NATIONAL AUSTRALIA BANK LIMITED
ACN 004 044 937**

Section 173 Agreement

bakerjones
lawyers

Ref:DAB:TC:100249
S173 Agreement 101209

This Section 173 Agreement [this "Agreement"] is made on the date set out in Item 1 of the Schedule

BETWEEN:

CARDINIA SHIRE COUNCIL
of Henty Way, Pakenham, Victoria 3810
[the "Council"].



- and -

GEMBROOK VIEWS ESTATE
ACN 076 151 463
of 80 Waverley Road, Malvern East, Victoria 3145
[the "Owner"]

- and -

NATIONAL AUSTRALIA BANK LIMITED
ACN 004 044 937
of 800 Bourke Street, Docklands, Victoria 3008
[the "Mortgagee"].

RECITALS:

- A. The Council is the responsible authority for the purposes of administering the Shire of Cardinia Planning Scheme (as defined below).
- B. The Owner is the registered proprietor of the Land (as defined below).
- C. The Land comprises land authorised to be developed as a retirement village pursuant to the Planning Permit (as defined below).
- D. Condition 7 of the Planning Permit (as defined below) requires the Owner to enter into this Agreement to provide for the matters set out in that condition.
- E. The Land is subject to the Mortgage (as defined below).
- F. This Agreement is entered into between the Council, the Owner and the Mortgagee pursuant to the provisions of Section 173 of the Act (as defined below) in order to restrict the use of the Land to that of a retirement village and to advance the objectives of planning in Victoria.

AGREEMENT:

1. Definitions and Interpretation

1.1 Definitions

In this Agreement unless the context clearly indicates otherwise:

- (a) "Act" means the *Planning and Environment Act 1987* (Vic);
- (b) "Business Day" means any day that is not a Saturday, Sunday, gazetted public holiday or bank holiday in Melbourne;
- (c) "Encumbrance" includes any mortgage, charge, lien, pledge, hypothecation, bill of sale (other than a bill of sale which immediately disposes of the entire legal and equitable interest in property which is the subject of a bill of sale), title retention arrangement and/or trust reserved in or over an interest in any asset by way of security for the payment of a debt or other monetary obligation or the performance of any other obligation;

- (d) "GST" means any tax imposed pursuant to the GST Act (as defined below);
- (e) "GST Act" means the *A New Tax System (Goods and Services Tax) Act 1999* (Cth);
- (f) "Land" means the land set out in Item 2 of the Schedule.
- (g) "Planning Permit" means the permit set out in Item 3 of the Schedule;
- (h) "Planning Scheme" means the Cardinia Planning Scheme; and
- (i) "Plan of Subdivision" means the plan of subdivision set out in Item 4 of the Schedule.

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1.2 Interpretation

In this Agreement unless the context clearly indicates otherwise:

- (a) the singular includes the plural and *vice versa*;
- (b) a reference to any gender includes all genders;
- (c) a reference to a time is to that time in Victoria;
- (d) monetary amounts are expressed in Australian dollars;
- (e) a reference to an individual person includes a corporation, partnership, firm, joint venture, association, authority, trust, State or government;
- (f) a reference to a recital, clause, schedule or annexure is a reference to a recital, clause, schedule or annexure of or to this Agreement;
- (g) a reference to any agreement or document is to that agreement or document (and where applicable any of its provisions) as amended, novated, supplemented or replaced from time to time;
- (h) a reference to any legislation, subordinate legislation, regulation and/or statutory rule is a reference to that piece of legislation, subordinate legislation, regulation and/or statutory rule as amended, updated or replaced from time to time;
- (i) a reference to any party to this Agreement includes that party's executors, administrators, substitutes, successors and permitted assigns;
- (j) if any party to this Agreement consists of more than one person then the liability of those persons in all respects under this Agreement is a joint liability of all of those persons and a several liability of each of those persons;
- (k) clause headings are for convenient reference only and shall not affect the interpretation of this Agreement; and
- (l) where any obligation under this Agreement falls to be performed on a day other than a Business Day this Agreement shall be construed as requiring that obligation to be performed on the next Business Day.

2. Owner's Covenants and Warranties

2.1 The Owner covenants with the Council that:

- (a) the Land shall only be used for the purpose of constructing a retirement village and that any dwellings constructed on the Land shall only be owned and/or occupied by:
 - (i) persons aged 55 years or over;
 - (ii) persons who are the spouse of a person who has reached the age of 55 years or over; or
 - (iii) persons who are the widow or widower of a spouse of a person who was previously a resident and had attained the age of 55 years or over; and

- (b) the Owner shall not sell, transfer, dispose of, assign, further mortgage or otherwise part with possession of the Land or any part of the Land without providing to its successors on title a copy of this Agreement.

2.2 The Owner warrants to the Council that:

- (a) the Owner is the registered proprietor of the Land;
- (b) there are no undisclosed Encumbrances affecting the Land or any part of the Land save as disclosed on a title search for the Land as at the date of this Agreement; and
- (c) neither the Land or any part of the Land is subject to any rights obtained by adverse possession or any easement rights or encumbrances of the type described in Section 42 of the *Transfer of Land Act 1958* (Vic).

3. Registration of Agreement

- 3.1 On execution of this Agreement the Owner shall make an immediate application to the Victorian Registrar of Titles to record this Agreement on the title of the Land in accordance with Section 181 of the Act.
- 3.2 The Council shall do all things reasonably necessary to enable the Owner to comply with its obligation under sub-clause 3.1 above.

4. Goods and Services Tax

- 4.1 Any payment obligation referred to in this Agreement does not include GST.
- 4.2 If GST is imposed on any supply made by any party to another party under or in connection with this Agreement the consideration for that supply is increased by an amount equal to the amount of that consideration multiplied by the rate at which GST is imposed in respect of that supply.
- 4.3 The supplier shall provide to the recipient a GST invoice as required by the GST Act.
- 4.4 The recipient may deduct from any payment which may be payable under this Agreement any amount which it reasonably considers that it is required to deduct by law and will pay or remit those deductions to the appropriate government agency.

5. Costs

- 5.1 The Owner shall pay the Council's reasonable legal costs of and incidental to entering into this Agreement.
- 5.2 The Owner shall reimburse the Council for the costs of and incidental to registration of this Agreement with the Victorian Land Titles Office.

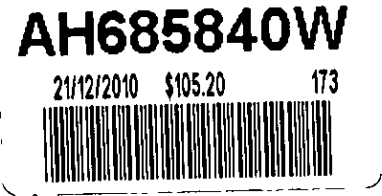
6. General Provisions

- 6.1 Any notice which is required to be given by any party in writing may be signed by any authorised agent and may be served by hand-delivery, e-mail, fax and/or post to the last known address and the notice shall in the case of posting be deemed to have been served on the second Business Day following the day on which it was posted.
- 6.2 This Agreement shall be governed by and construed in accordance with the laws of the State of Victoria and the parties irrevocably submit to the jurisdiction of any Court of that State and/or the Victorian Civil and Administrative Tribunal.
- 6.3 The failure or omission of any party at any time and from time to time to enforce or require strict compliance with any provision of this Agreement shall not affect or impair such provision in any way or the rights of such party to avail itself of such remedies as it may have in respect of any breach or breaches of any such provision(s).
- 6.4 No variation, modification or waiver of any provision of this Agreement shall be of any force or effect unless the same shall be confirmed in writing and signed by all parties and then such variation, modification, waiver or consent shall be effective only to the extent for which it may be made or given.



- 6.5 If any provision of this Agreement shall be invalid or not enforceable in accordance with its terms all other provisions which are self-sustaining and capable of separate enforcement without regard to the invalid or unenforceable provision(s) shall be and continue to be valid and enforceable in accordance with their terms.
- 6.6 Each party shall do and execute all acts and documents required by this Agreement to be done or executed by any other party at such time as may be necessary and/or is reasonably required for the fulfilment by the parties of their respective rights and/or obligations under this Agreement.
- 6.7 All rights and obligations of each of the parties respectively as contemplated by this Agreement shall to the extent that they may still be relevant survive the termination of this Agreement.

EXECUTED as an agreement:



Signed, by and on behalf, and with the authority of the **CARDINIA SHIRE COUNCIL** by Jan Cussen, in the exercise of power conferred by an instrument of delegation dated 19 November 2009, in the presence of:

J. Cussen

 (Signature of Jan Cussen)

B. Jackson

 (Signature of Witness)

BRETT JACKSON

 (Name of Witness - please print)

HENRY WAY PAKENITAM

 (Usual address of Witness - please print)

SIGNED for and on behalf of **GEMBROOK VIEWS ESTATE PTY LTD** pursuant to Sub-Section 127(1) of the *Corporations Act 2001* by its duly authorised officers:

.....
 (Signature of Director/sole Director)

.....
 (Name of Director/sole Director - please print)

.....
 (Usual address of Director/sole Director - please print)

A. Parker

 (Signature of Director/Secretary - if applicable)

Colin Parker

 (Name of Director/Secretary - please print)

50 Waverley Road Malvern East

 (Usual address of Director/Secretary - please print)

NATIONAL AUSTRALIA BANK LIMITED as Mortgagee under Mortgage No. AG292327J acknowledges and agrees to be bound by the terms of this Agreement:

Karen Jane Sandby

 (Signature of Authorised Officer)

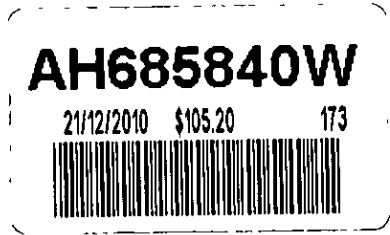
Karen Jane Sandby

 (Name of Authorised Officer - please print)

107 Main St, Mornington, Vic

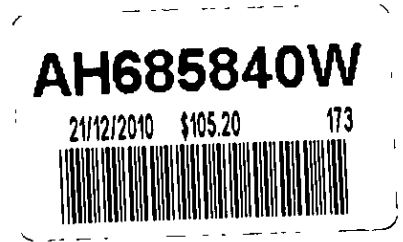
 (Usual address of Authorised Officer - please print)

Schedule



Item 1	Date of this Agreement:	<u>16 December 2010</u>
Item 2	Land:	11-15 Vista Court, Gembrook, Victoria 3783, known as Lot S2 on Plan of Subdivision PS549188R, being that parcel of land more particularly described in Certificate of Title Volume 11121 Folio 237
Item 3	Planning Permit:	Amended Permit No. T080447a dated 4 November 2009, as set out in Attachment 1
Item 4	Plan of Subdivision:	PS549188R, as set out in Attachment 2

Attachment 1 – Planning Permit



AMENDED PERMIT

Form 4

Permit No: T080447a
Planning Scheme: Cardinia Planning Scheme
Responsible Authority: Cardinia Shire Council

ADDRESS OF THE LAND:

Lot 2 PS427100R, Gembrook Road, Gembrook

THE PERMIT ALLOWS:

The use and development of the land for the purpose of twenty dwellings to be used as a retirement village (over 55's) and associated earthworks exceeding one (1) metre (in three (3) stages) generally in accordance with the approved plan/s.

Date amended:	What has been amended?
4/11/2009	The preamble and Conditions 1 and 6 of the original permit have been amended.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- The development must not be commenced until three (3) copies of amended plans have been submitted to and approved by the Responsible Authority. The plans must be drawn to scale and dimensioned in metric. The plans must be generally in accordance with the submitted plans but modified to show:
 - All dimensions, setbacks and driveway widths.
 - Minimum setback along the east boundary of 2.5 metres.
 - Details of excavation works including depths for the dwellings.
 - Finished floor levels and natural ground levels.
 - Delete the proposed front fence and gates.
 - Front side and rear boundary fence treatments.
 - Colours and materials of the proposed dwellings.
 - Lighting.
 - The staging plan amended to extend stage 2 metres further to the north in front of Unit 19 allowing a three point turn to be undertaken by vehicles using the visitor car parking space to the north of Unit 15.

To the satisfaction of the Responsible Authority.

- The layout of the site and the size of the proposed buildings and works, as shown on the approved plans, must not be altered or modified without the consent of the Responsible Authority.
- Once the development has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.
- The use/s of the site, as described in this permit and on the approved plan, must not be changed without the consent in writing of the responsible authority.

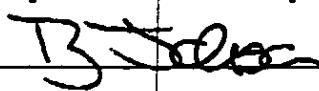
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Date Issued: 17 December 2008
Date Amended: 4 November 2009

Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.

Signature for the Responsible Authority:
Page 1 of 7



AMENDED PERMIT

Form 4

Permit No: T080447a
Planning Scheme: Cardinia Planning Scheme
Responsible Authority: Cardinia Shire Council

ADDRESS OF THE LAND: Lot 2 PS427100R, Gembrook Road, Gembrook

THE PERMIT ALLOWS: The use and development of the land for the purpose of twenty dwellings to be used as a retirement village (over 55's) and associated earthworks exceeding one (1) metre (in three (3) stages) generally in accordance with the approved plan/s.

Date amended:	What has been amended?
4/11/2009	The preamble and Conditions 1 and 6 of the original permit have been amended.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

5. No vegetation may be removed, destroyed or lopped without the consent in writing of the responsible authority.
6. The following must occur:
 - The areas set aside on the approved plans for access and car parks for each stage must be constructed, sealed, drained and delineated prior to the use of each stage. The area must be maintained in accordance with these requirements once constructed;
 - All landscaping plans shown on the approved plans must have been completed prior to the use of stage three. The landscaped areas must then be maintained to these requirements;
 - All of the premises in each stage must be connected to a reticulated sewerage system of a sewerage authority prior to the use of each stage;
 - All fencing treatments for the boundaries of the site and the individual units within each stage must be completed prior to the use of each stage;
 - The construction of a footpath for the pedestrian access to the laneway to the north of the site must be completed prior to the use of stage three.

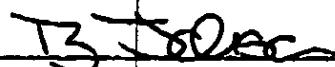
To the satisfaction of the responsible authority.

7. Prior to the commencement of the development, the permit holder must enter into a Section 173 Agreement with the responsible authority to specify that the land must only be used for the purpose of a retirement village for persons of an age of 55 years or over, or persons who are the spouse of a person who has reached the age of 55 years of the widow or widower of a spouse who was a resident. The form and content of the agreement must be to the


Date Issued: 17 December 2008
Date Amended: 4 November 2009

Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.

Signature for the Responsible Authority:
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21/12/2010 \$105.20 173



AMENDED PERMIT

Form 4

Permit No: T080447a
Planning Scheme: Cardinia Planning Scheme
Responsible Authority: Cardinia Shire Council

ADDRESS OF THE LAND: Lot 2 PS427100R, Gembrook Road, Gembrook

THE PERMIT ALLOWS: The use and development of the land for the purpose of twenty dwellings to be used as a retirement village (over 55's) and associated earthworks exceeding one (1) metre (in three (3) stages) generally in accordance with the approved plan/s.

Date amended:	What has been amended?
4/11/2009	The preamble and Conditions 1 and 6 of the original permit have been amended.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- satisfaction of the responsible authority, and all costs relating to the preparation and registration of the agreement on title must be met by the permit holder.
8. Prior to the occupation of the retirement village, any landscape works on the road reserve is to be bonded for a 24 month maintenance period. Refund of the bond will be conditional upon final completion being achieved to the satisfaction of the responsible authority.
 9. The developer shall engage the services of a suitably experienced Engineer to design a system that will reduce the intensity of the storm water discharge entering Council's drainage system (ie: a detention system). The stormwater detention system shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%. Calculations and a plan shall be submitted to Council for approval prior to construction. The storm water detention system must be constructed prior to the occupation of the proposed development.
 10. The development of the site must be provided with stormwater works which incorporates the use of water sensitive urban design principles to improve stormwater runoff quality and which also retains on site any increase in runoff as a result of the approved development. The system must be maintained to the satisfaction of the Responsible Authority. Council's development engineers can advise on satisfactory options to achieve these desired outcomes which may include the use of an infiltration or bioretention system, rainwater tanks connected for re-use and a detention system (If a storm water detention system is incorporated in the design it shall provide for the same five (5) year ARI peak discharge as that for a standard house lot with no storm water detention. A standard house lot is assumed to have a fraction impervious area of 35%)
 11. Before the development commences a stormwater management plan showing the stormwater works to the nominated point of discharge must be prepared to the satisfaction of the Responsible Authority. The stormwater management plan must be prepared by a qualified

Date Issued: 17 December 2008
Date Amended: 4 November 2009

Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.

Signature for the Responsible Authority:
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AMENDED PERMIT

Form 4

Permit No: T080447a
Planning Scheme: Cardinia Planning Scheme
Responsible Authority: Cardinia Shire Council

ADDRESS OF THE LAND:

Lot 2 PS427100R, Gembrook Road, Gembrook

THE PERMIT ALLOWS:

The use and development of the land for the purpose of twenty dwellings to be used as a retirement village (over 55's) and associated earthworks exceeding one (1) metre (in three (3) stages) generally in accordance with the approved plan/s.

Date amended:	What has been amended:
4/11/2009	The preamble and Conditions 1 and 6 of the original permit have been amended.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- person and show details of the proposed stormwater works including all existing and proposed features that may have impact (eg. Trees to be retained, crossings, services, fences, abutting buildings, existing boundary levels etc.)
12. Stormwater works must be provided on the site so as to prevent overflows onto adjacent properties.
 13. A vehicle crossing permit must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.
 14. The area/s shown on the approved plan for car parking must not be used for any other purpose.
 15. The areas shown on the approved plan for access, car parking and landscaping must not be used for any other purpose and must be maintained to the satisfaction of the responsible authority.
 16. All earthworks must be undertaken in a manner that minimises soil erosion, and any exposed areas of soil must be stabilised to prevent soil erosion to the satisfaction of the Responsible Authority.
 17. All wastewater must be discharged into the reticulated sewerage system to the satisfaction of the Responsible Authority.
 18. The landscaping shown on the approved plan/s must be carried out within six (6) months of the commencement of the use (spring or autumn) and thereafter maintained to the satisfaction of the responsible authority.

Date Issued: 17 December 2008
Date Amended: 4 November 2009

Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.

Signature for the Responsible Authority:
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Responsible Authority: Cardinia Shire Council

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Date amended:	What has been amended?
4/11/2009	The preamble and Conditions 1 and 6 of the original permit have been amended.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- 19. Garbage receptacles must be stored out of general view and storage areas maintained in a neat condition to the satisfaction of the responsible authority.
- 20. The amenity of the area must not be detrimentally affected by the use or development through the:
 - a) Transport of materials, goods or commodities to or from the land;
 - b) Appearance of any building, works or materials;
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil;
 - d) Presence of vermin.
 To the satisfaction of the responsible authority.
- 21. The site must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.
- 22. Noise levels from the site must not exceed the permissible levels specified in the relevant State Environment Protection Policy or Environment Protection Authority Guideline.
- 23. Nuisance or annoyance must not be caused by the operation of the use to persons beyond the site.
- 24. The site must be so ordered and maintained as not to prejudicially affect the amenity of the locality by reason of appearance.

Date Issued: 17 December 2008
Date Amended: 4 November 2009

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Signature for the Responsible Authority:
Page 5 of 7

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AMENDED PERMIT

Form 4

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Planning Scheme: Cardinia Planning Scheme
Responsible Authority: Cardinia Shire Council

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Date amended:	What has been amended?
4/11/2009	The preamble and Conditions 1 and 6 of the original permit have been amended.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

25. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the building, including the roof, must be of a non-reflective nature.
26. Entry and exit direction sign/s, each not more than 0.3 m² in area, must be provided at access points to clearly indicate the direction of traffic movement and location of parking area/s.
27. All plumbing work, sewer pipes etc. associated with the development must be concealed from general view.
28. Power and telephone lines to all new dwellings must be placed underground from the main point of service supplied by the authority outside the boundaries of the site
29. Mail boxes must be provided at the front of each dwelling to the satisfaction of the Responsible Authority and Australia Post.
30. A clothesline must be provided for each dwelling and must be located to the satisfaction of the Responsible Authority so as not to be detrimental to the visual amenity of the neighbourhood.
31. Lighting standard must be provided near the front entrance of each dwelling to the satisfaction of the Responsible Authority.

Expiry of permit

In accordance with Section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:

- (a) The development and use are not started within two (2) years of the date of the permit.

Date Issued: 17 December 2008
Date Amended: 4 November 2009

Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.

Signature for the Responsible Authority:
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AMENDED PERMIT

Form 4

Permit No: T080447a
Planning Scheme: Cardinia Planning Scheme
Responsible Authority: Cardinia Shire Council

ADDRESS OF THE LAND: Lot 2 PS427100R, Gembrook Road, Gembrook

THE PERMIT ALLOWS: The use and development of the land for the purpose of twenty dwellings to be used as a retirement village (over 55's) and associated earthworks exceeding one (1) metre (in three (3) stages) generally in accordance with the approved plan/s.

Date amended:	What has been amended?
4/11/2009	The preamble and Conditions 1 and 6 of the original permit have been amended.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

(b) The development and use are not completed within four (4) years of the date of the permit.

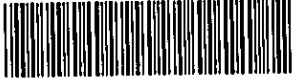
(Note: The starting of the subdivision is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of a plan, and completion is regarded as the registration of the plan.)

Permit Note

No advertising signage is to be erected without further planning permission.

AH685840W

21/12/2010 \$105.20 173



Date Issued: 17 December 2008
Date Amended: 4 November 2009

Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.


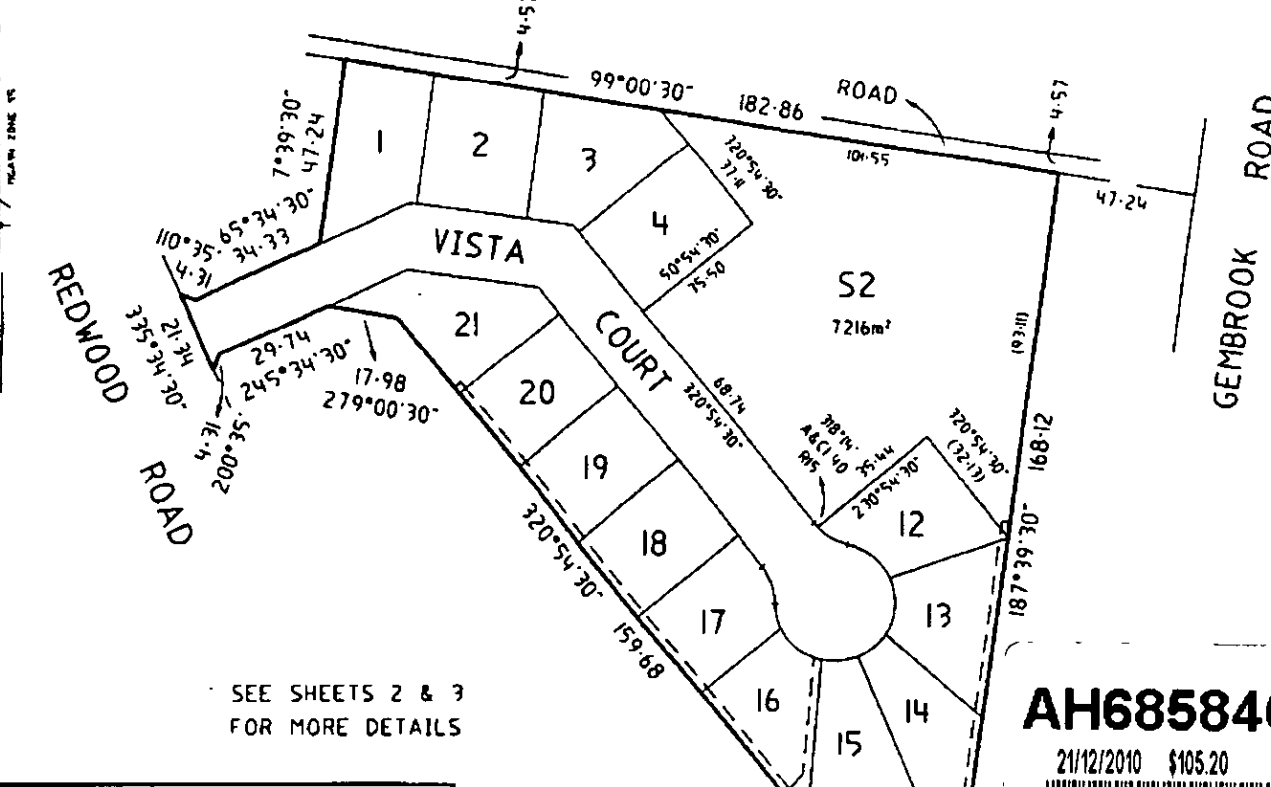

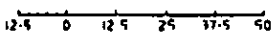

Signature for the Responsible Authority:
 Page 7 of 7



Attachment 2 – Plan of Subdivision

AH685840W
21/12/2010 \$105.20 173

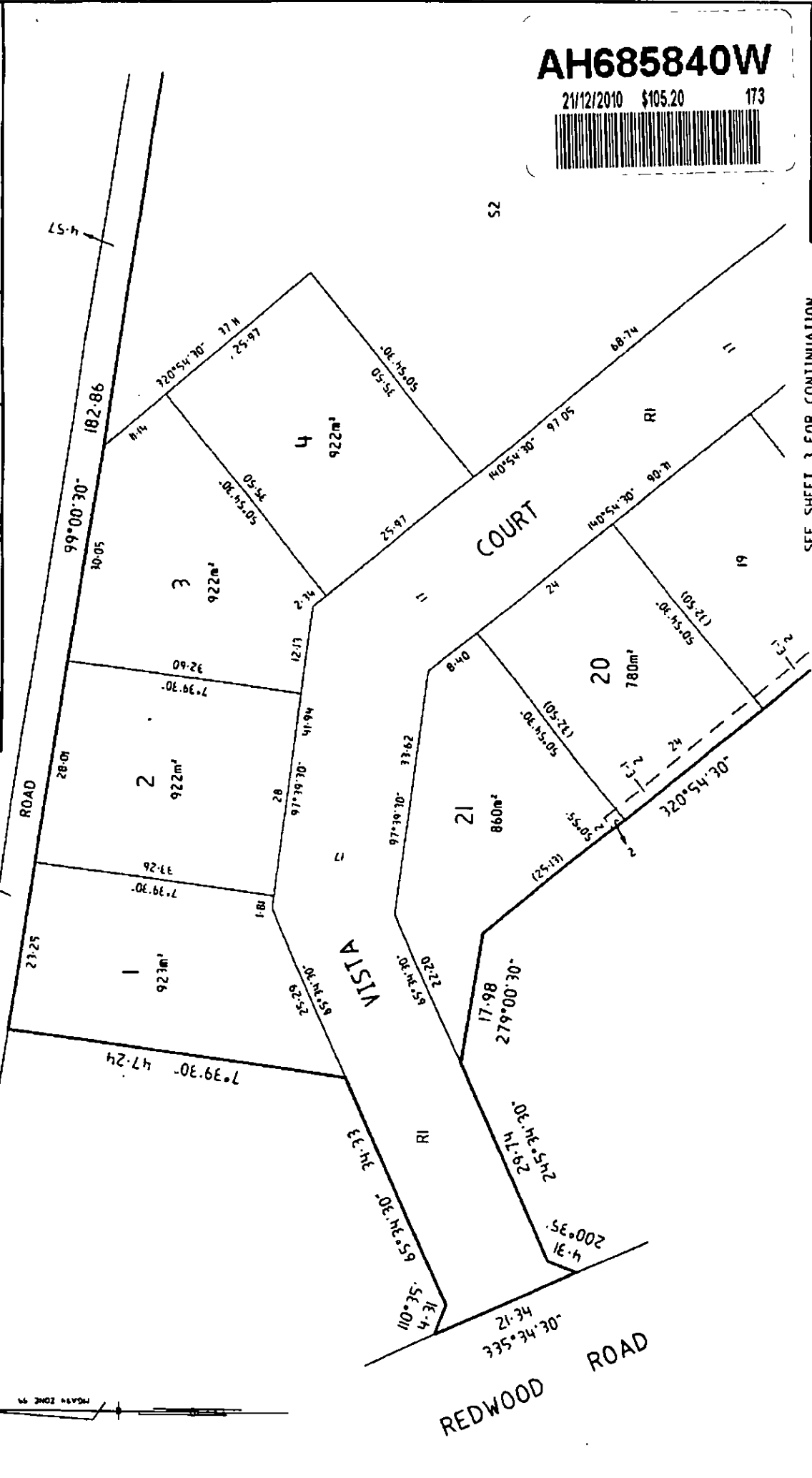

Delivered by LANDATA®. Land Victoria timestamp 04/06/2009 16:14 Page 1 of 5
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PLAN OF SUBDIVISION		STAGE NO 1	LRS use only EDITION 1	PS549188R 26/02/2009 \$245140 PS 				
Location of Land Parish GEMBROOK Township: - Section: - Crown Allotment: A* (PART) Crown Portion: - LRS Base Record: DCMB Title Reference: VOL 10551 FOL 359 Last Plan Reference: LOT 2 ON PS 427100R Postal Address: REDWOOD ROAD, (at time of subdivision) GEMBROOK 3783 MGA Co-ordinates E 372 750 Zone 55 (at approx. centre of land N 5 798 320 in plan)		Council Certification and Endorsement Council Name: CARDINIA SHIRE COUNCIL Ref: 508154 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 1(7) of the Subdivision Act 1988. Date of original certification under section 6 19 A / 08 3. This is a statement of compliance issued under section 21 of Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/had not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage Council Delegate Council Seal Date		Statement of Compliance/ Exemption Statement Received <input checked="" type="checkbox"/> Date 02/03/2008 LRS use only PLAN REGISTERED TIME 10.31am Date 02/03/2009 Mark Cagdas Assistant Registrar of Titles				
Vesting of roads and/or Reserves <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">Identifier</th> <th>Council/Body/Person</th> </tr> <tr> <td>ROAD R1</td> <td>CARDINIA SHIRE COUNCIL</td> </tr> </table>		Identifier	Council/Body/Person	ROAD R1	CARDINIA SHIRE COUNCIL	Re-certified under section 1(7) of the Subdivision Act 1988 Council Delegate S Squires Council Seal Date 18/2/09		Notations Survey This plan is based on survey This survey has been connected to permanent marks (no)s 77 & 153 In proclaimed Survey Area No. - Staging This is a staged Subdivision. Planning Permit No. 1060229A Depth Limitation DOES NOT APPLY Lots 5 - 11 have been omitted from this plan. Other Purpose of Plan: CREATION OF RESTRICTION SEE SHEETS 4 & 5.
Identifier	Council/Body/Person							
ROAD R1	CARDINIA SHIRE COUNCIL							
Easement Information								
Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)								
Easement Reference	Purpose	Width (metres)	Origin	Land benefited/in favour of				
E-1	DRAINAGE	SEE DIAG.	THIS PLAN	CARDINIA SHIRE COUNCIL				
								
SEE SHEETS 2 & 3 FOR MORE DETAILS								
Nilsson, Noel & Holmes (Surveyors) Pty Ltd. A.C.N. 067 949 615 Surveyors, Engineers & Town Planners. 8A Codrington Street, Cranbourne 3977 Phone (03) 5996 4133 Fax (03) 5996 6119 								
ORIGINAL	SCALE	LICENSED SURVEYOR (PRINT) STANLEY G. JEFFREYS.		Sheet 1 of 5 sheets				
SCALE SHEET SIZE 1:1250 A3	 LENGTHS ARE IN METRES	SIGNATURE <i>S G Jeffreys</i> DATE 13/02/2009		AH685840W 21/12/2010 \$105.20 173 				
		REF 5533						
		DWG No. 5533S-1 VER 04		DATE 18/02/09 COUNCIL DELEGATE SIGNATURE				
		DISK No. CD008						

PLAN OF SUBDIVISION

Stage No. 1

Plan Number PS 549188R



AH685840W

21/12/2010 \$105.20 173

Sheet 2

Stanley G. Jeffreys

DATE 18/02/09

COUNCIL DELEGATE SIGNATURE

SEE SHEET 3 FOR CONTINUATION

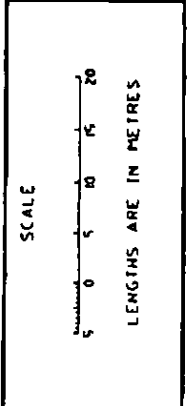
LICENSED SURVEYOR (PRINT) STANLEY G. JEFFREYS.

SIGNATURE *Stanley G. Jeffreys* DATE 17/02/2009

REF 5533

DWG No 5533S-1 VER 04

DISK No. C0008



ORIGINAL SCALE SHEET SIZE 1:500 A3

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A.C.N 067 949 615

Surveyors, Engineers & Town Planners

8A Cadrington Street, Cranbourne. 3977

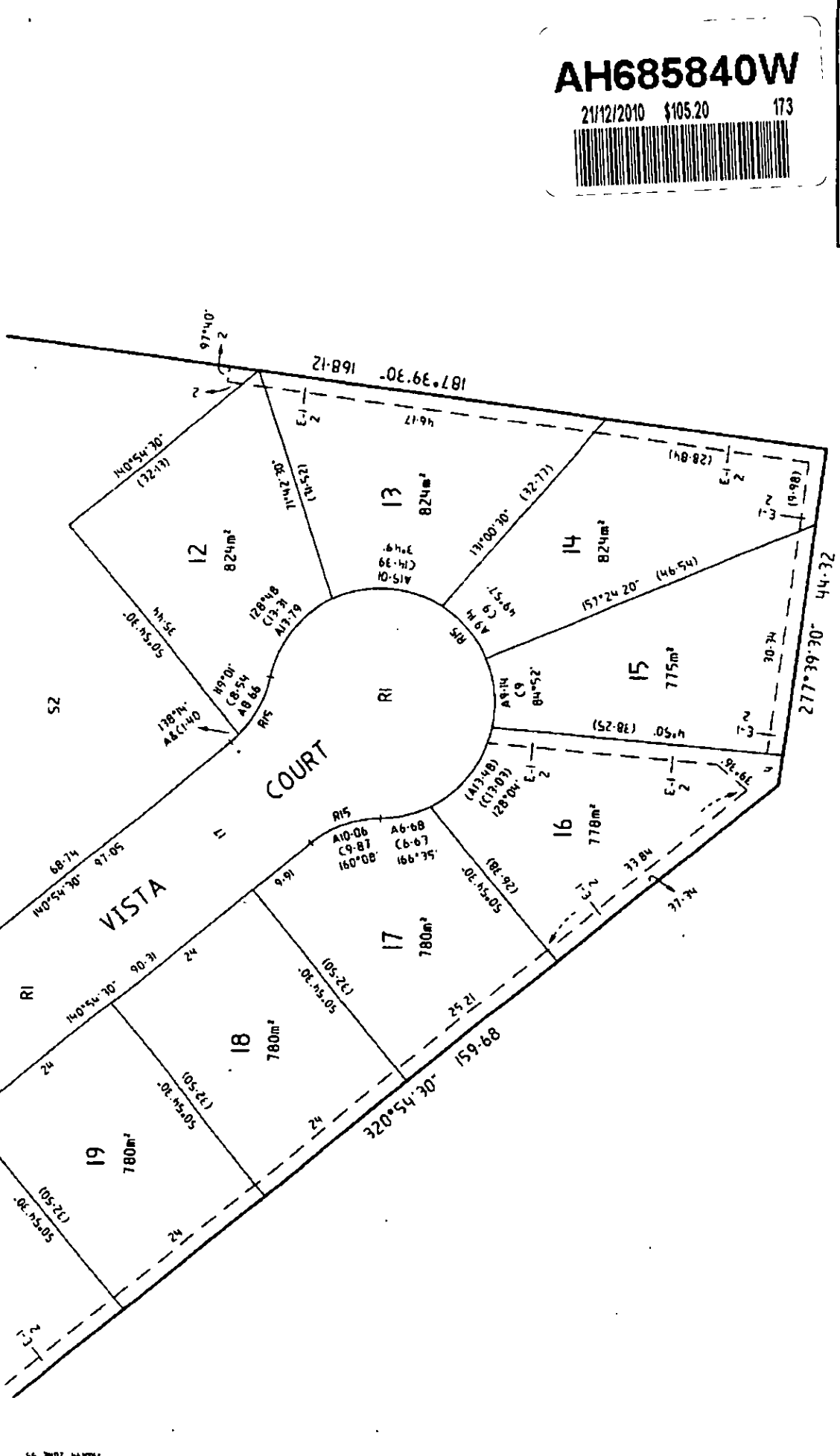
Phone (03) 5996 4133 Fax (03) 5996 6119

PLAN OF SUBDIVISION

SEE SHEET 2 FOR CONTINUATION

Stage No. 1

Plan Number PS 549188R



AH685840W
 21/12/2010 \$105.20 173

Sheet 3

 DATE 18/02/09
 COUNCIL DELEGATE SIGNATURE

LICENSED SURVEYOR (PRINT) STANLEY G. JEFFEREYS
 SIGNATURE DATE 17/02/2009
 REF 5533
 DWG No 5533S-1 VER 04 DISK No. CD008

SCALE

 LENGTHS ARE IN METRES

ORIGINAL SCALE 1:500 SHEET SIZE A7

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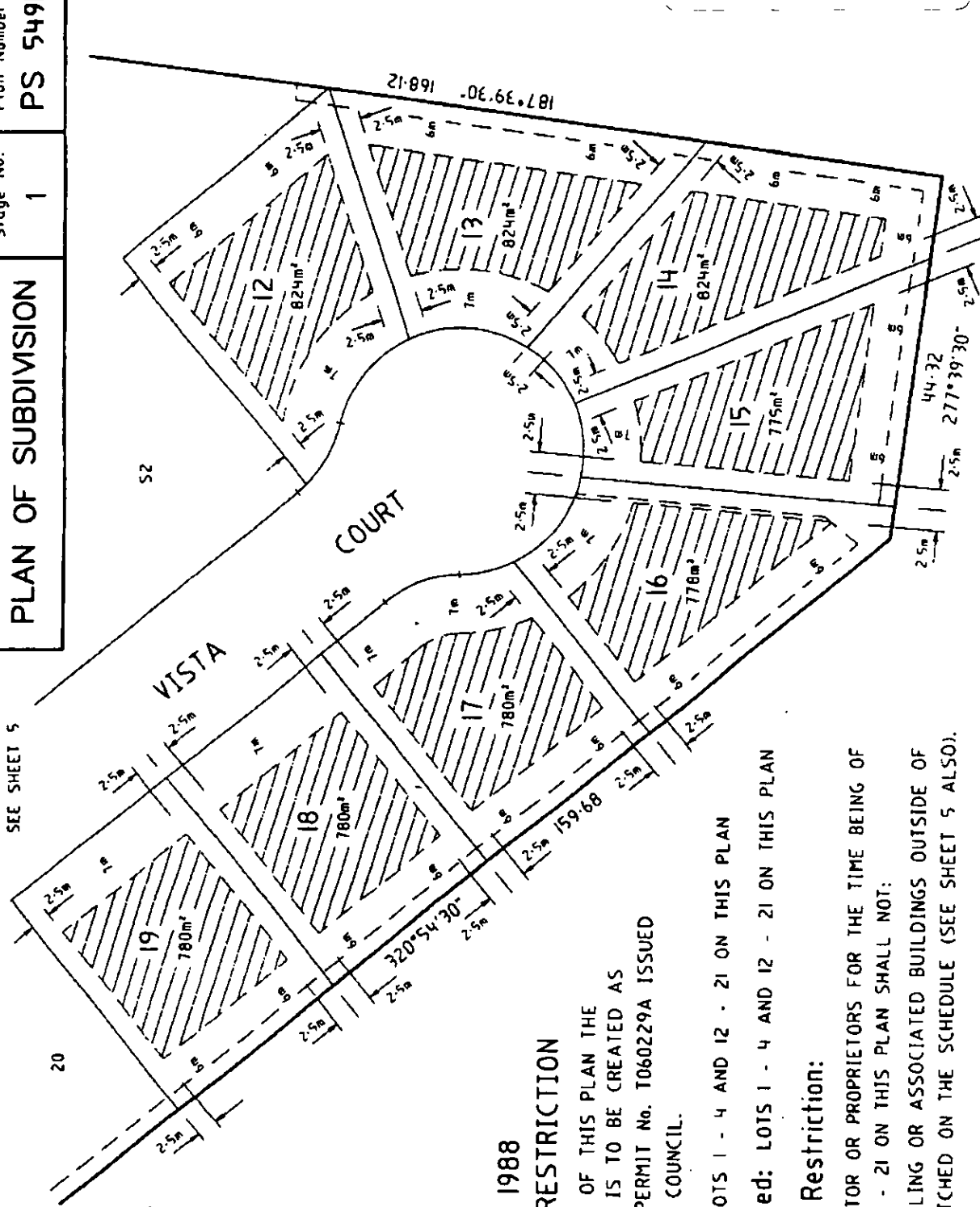
SCHEDULE

SEE SHEET 5

PLAN OF SUBDIVISION

Stage No. 1

Plan Number PS 549188R




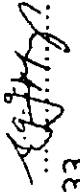
AH685840W


21/12/2010 \$105.20 173



Sheet 4



 DATE 18/02/09
 COUNCIL DELEGATE SIGNATURE

LICENSED SURVEYOR (PRINT) STANLEY G. JEFFREYS.
 SIGNATURE  DATE 17/02/2009
 REF 5533
 DWG No 5533S-1 VER 04 DISK No. CD008

SCALE

 LENGTHS ARE IN METRES

ORIGINAL
 SCALE SHEET SIZE
 1:500 A3

Nilsson, Noel & Holmes (Surveyors) Pty Ltd.
 A.C.N. 067 949 615
 Surveyors, Engineers & Town Planners.
 8A (Admington Street, Cranbourne. 3977
 Phone (03) 5996 4133 Fax (03) 5996 6119



SUBDIVISION ACT 1988

CREATION OF A RESTRICTION

UPON THE REGISTRATION OF THIS PLAN THE FOLLOWING RESTRICTION IS TO BE CREATED AS DIRECTED IN PLANNING PERMIT No. T060229A ISSUED BY THE CARDINIA SHIRE COUNCIL.

Land to Benefit: LOTS 1 - 4 AND 12 - 21 ON THIS PLAN

Land to be Burdened: LOTS 1 - 4 AND 12 - 21 ON THIS PLAN

Description of the Restriction:

THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF LOTS 1 - 4 AND LOTS 12 - 21 ON THIS PLAN SHALL NOT:

1. CONSTRUCT ANY DWELLING OR ASSOCIATED BUILDINGS OUTSIDE OF THE AREA SHOWN HATCHED ON THE SCHEDULE (SEE SHEET 5 ALSO).



Imaged Document Cover Sheet

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

Document Type	Plan
Document Identification	PS633872J
Number of Pages (excluding this cover sheet)	5
Document Assembled	27/09/2022 15:02

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PLAN OF SUBDIVISION	STAGE No.	LRS use only EDITION 3
----------------------------	-----------	----------------------------------

PS633872J

12/01/2011 \$1029.30 PS

Location of Land

Parish: GEMBROOK
 Township: -
 Section: -
 Crown Allotment: A II (PART)
 Crown Portion: -
 LRS Base Record: DCMB
 Title Reference:
 Last Plan Reference: LOT A ON PS 549188R
 Postal Address: II - 15 VISTA COURT,
 (at time of subdivision) GEMBROOK 3783
 MGA Co-ordinates E 372 790 Zone 55
 (of approx. centre of land in plan) N 5 798 335

Council Certification and Endorsement

Council Name: CARDINIA SHIRE COUNCIL
 Ref: 509/196

1. This plan is certified under section 6 of the Subdivision Act 1988.
 2. This plan is certified under section 11(7) of the Subdivision Act 1988.
 Date of original certification under section 6 9/9/2010

3. This is a statement of compliance issued under section 21 of Subdivision Act 1988.

OPEN SPACE

(i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/has not been made.
 (ii) The requirement has been satisfied.
 (iii) The requirement is to be satisfied in Stage.....

Council Delegate
 Council Seat
 Date

Statement of Compliance/
 Exemption Statement

Received

Date 12 / 1 / 2011

THIS IS A LAND
 VICTORIA
 COMPILED PLAN

FOR DETAILS SEE
 MODIFICATION TABLE
 HEREIN

Vesting of roads and/or Reserves

Identifier	Council/Body/Person
NIL	NIL

Re-certified under section 11(7) of the Subdivision Act 1988

Council Delegate *cmurphy*
 Council Seat
 Date 28/1/2011

Notations

Survey This plan is based on survey
 This survey has been connected to
 permanent marks no(s)
 In proclaimed Survey Area No. -

Staging This is a staged
 Subdivision. Planning Permit No. T090672a

Easement Information

Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Depth Limitation
 DOES NOT APPLY

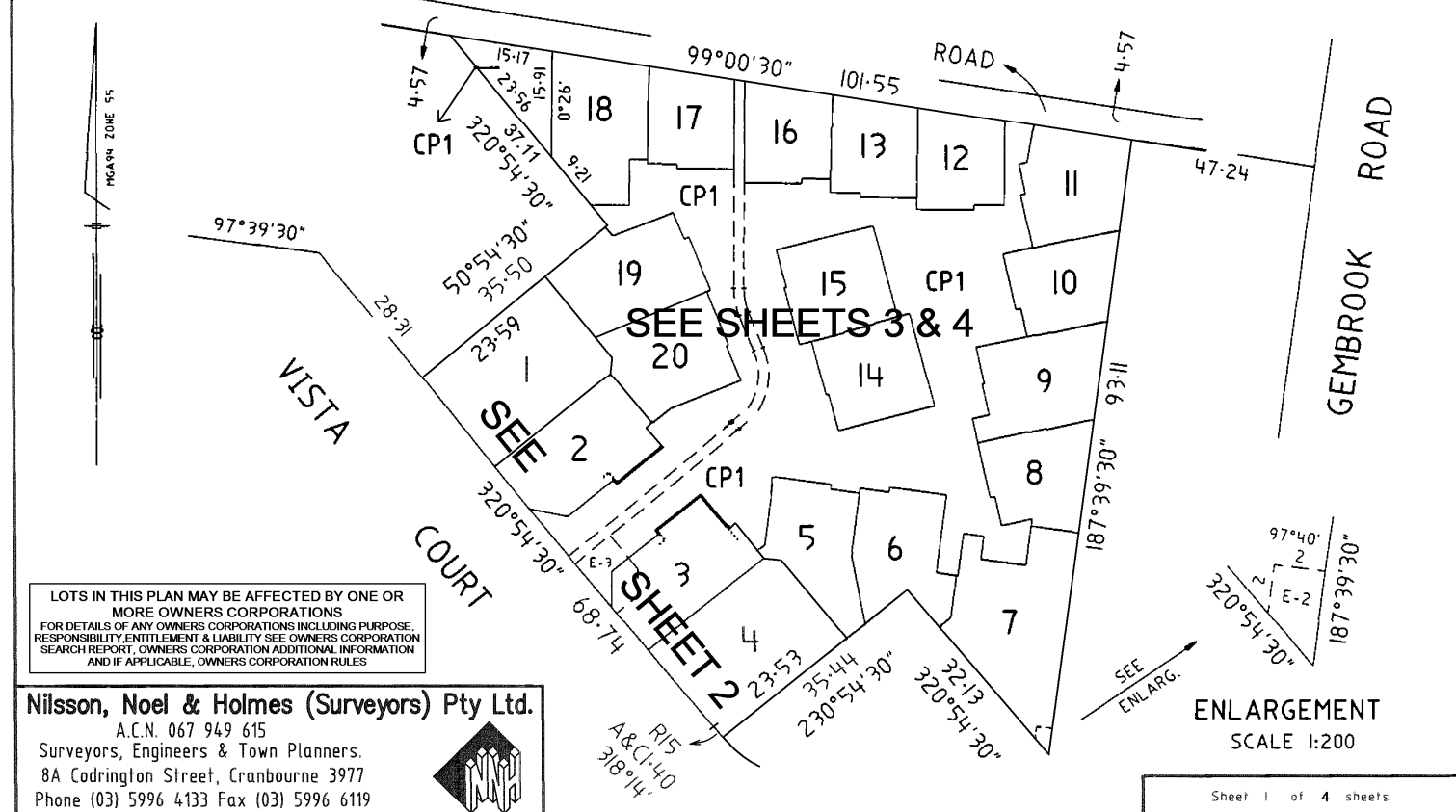
SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLIES TO ALL LAND IN THIS PLAN.

Easement Reference	Purpose	Width (metres)	Origin	Land benefited/in favour of
E-1	POWERLINE	1.50	PS 633872J (STAGE 1) & SEC.88 OF THE ELECTRICITY INDUSTRY ACT 2000	SPI ELECTRICITY PTY. LTD.
E-2	DRAINAGE	2	PS 549188R	CARDINIA SHIRE COUNCIL
E-3	SEWERAGE	SEE DIAG.	PS 633872J (STAGE 2)	YARRA VALLEY WATER LIMITED
E-4	PARTY WALL	SEE DIAG.	PS 633872J (STAGE 3)	THE RELEVANT ABUTTING LOT

Boundaries shown by continuous thick lines are defined by buildings.

Location of Boundaries Defined by Buildings.

Exterior Face: ALL BOUNDARIES
 CP1: DENOTES COMMON PROPERTY No.1



LOTS IN THIS PLAN MAY BE 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 CORPORATION RULES

Nilsson, Noel & Holmes (Surveyors) Pty Ltd.
 A.C.N. 067 949 615
 Surveyors, Engineers & Town Planners.
 8A Codrington Street, Cranbourne 3977
 Phone (03) 5996 4133 Fax (03) 5996 6119

ENLARGEMENT
 SCALE 1:200

ORIGINAL

SCALE

SCALE SHEET SIZE 1:750 A3

LENGTHS ARE IN METRES

LICENSED SURVEYOR (PRINT) STANLEY G. JEFFREYS

SIGNATURE *[Signature]* DATE 28/01/2011

REF 9588

DWG No. 9588S-1 VER 04

DISK No. USB016

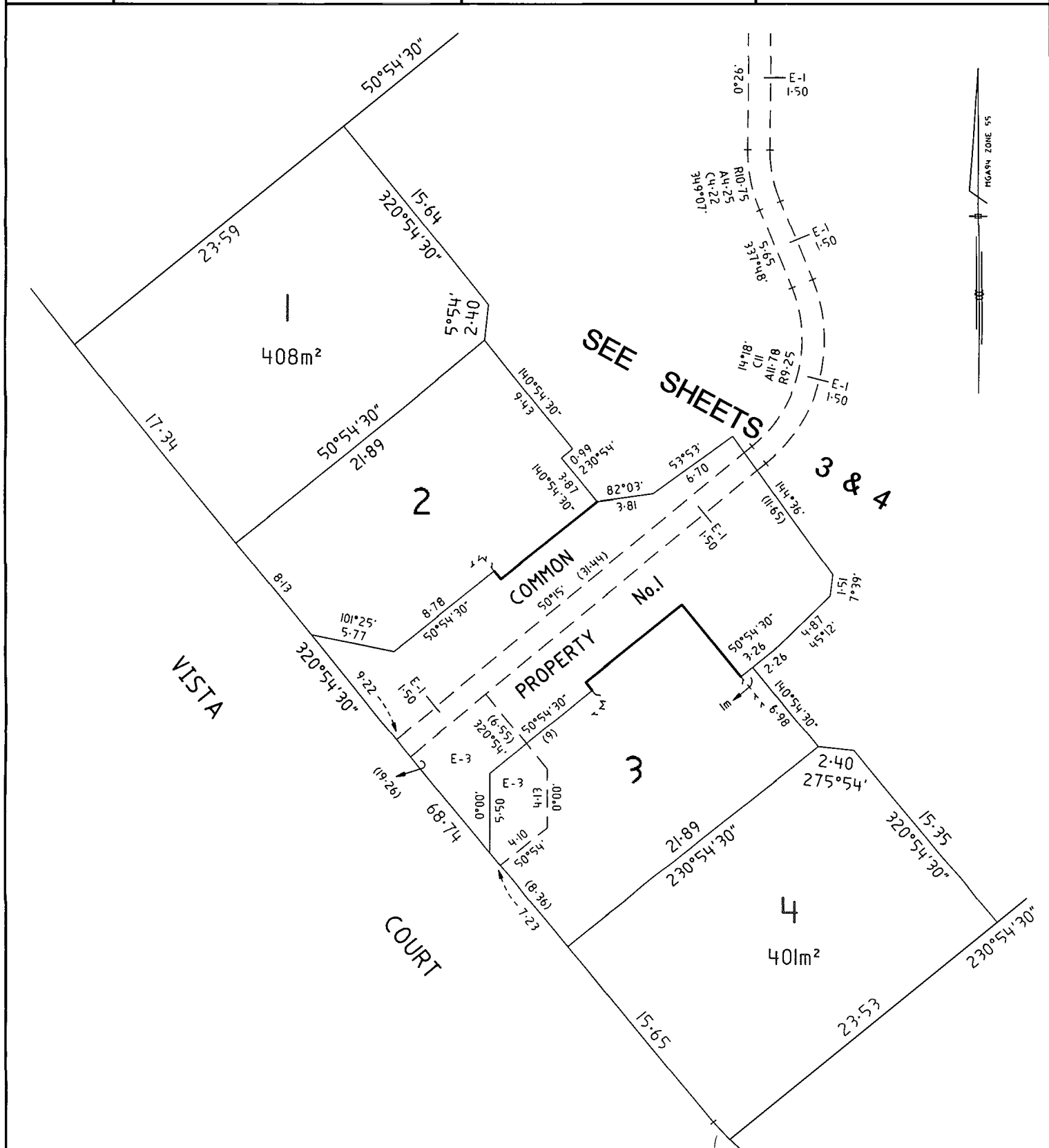
Sheet 1 of 4 sheets

cmurphy

DATE 28/1/2011

COUNCIL DELEGATE SIGNATURE

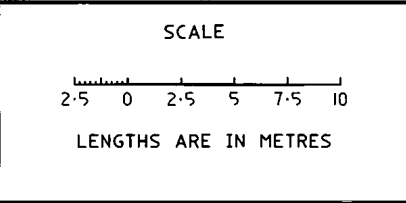
PLAN OF SUBDIVISION	Stage No.	Plan Number PS 633872J
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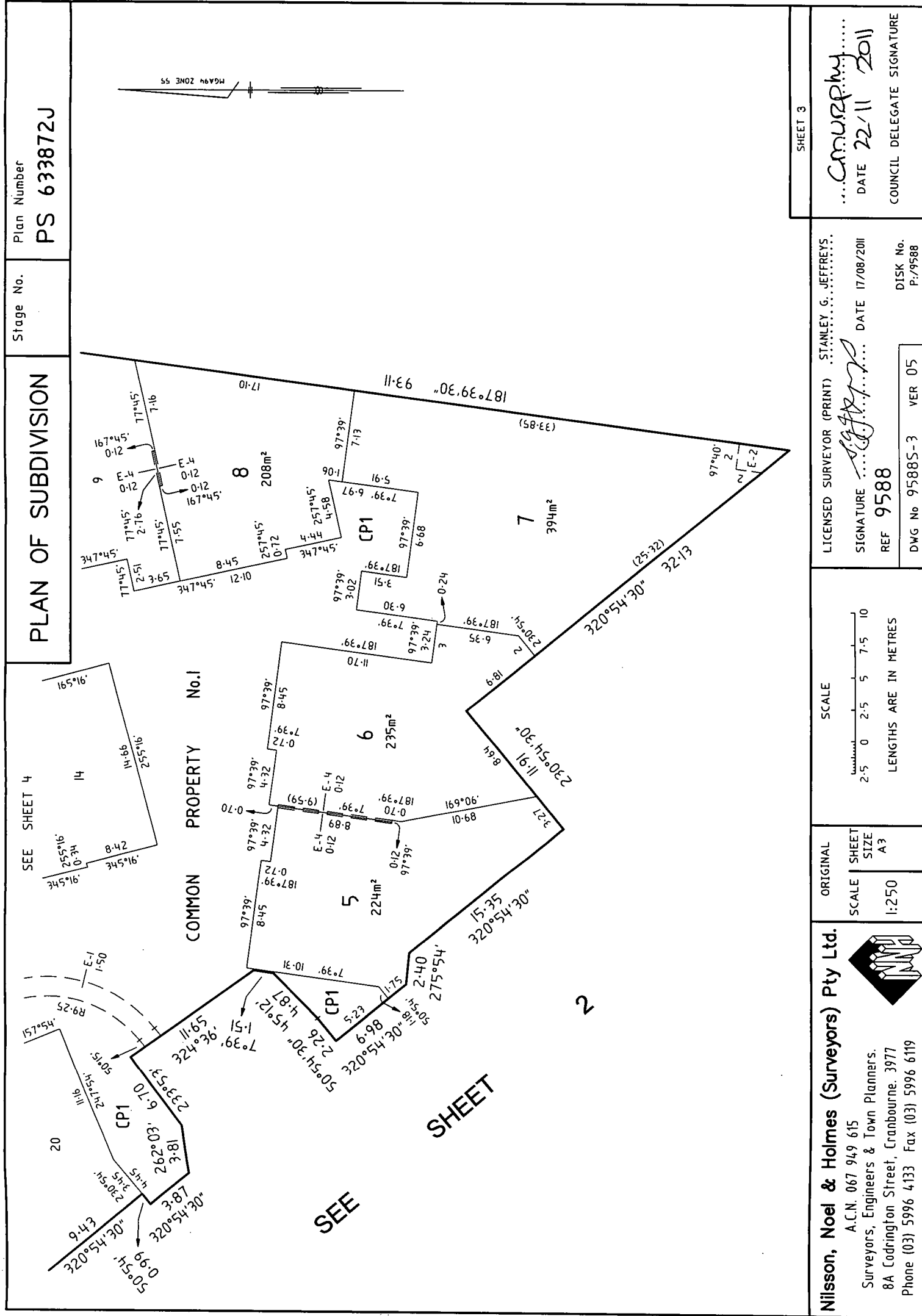
ORIGINAL
 SCALE
 SHEET SIZE
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LICENSED SURVEYOR (PRINT) **STANLEY G. JEFFREYS**
 SIGNATURE *[Signature]* DATE 10/08/2011
 REF **9588**
 DWG No. 9588S-2 VER 05

SHEET 2

[Signature]
 DATE 23/8/2011
 COUNCIL DELEGATE SIGNATURE
 Original sheet size A3



PLAN OF SUBDIVISION

Stage No. **PS 633872J**

Plan Number **PS 633872J**


SHEET 3
 ...*C. Murphy*...
 DATE 22/11/2011
 COUNCIL DELEGATE SIGNATURE

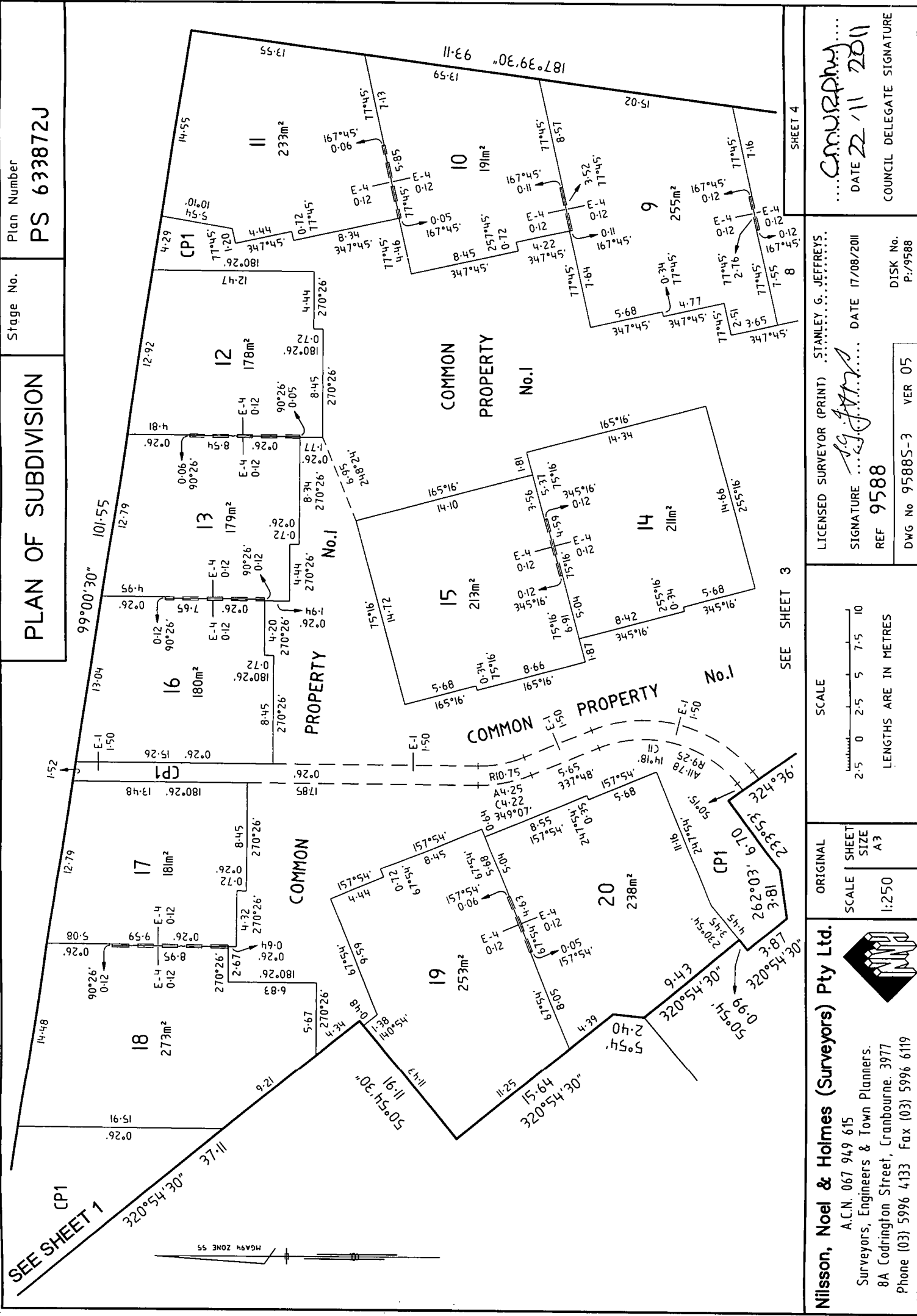
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 SIGNATURE *[Signature]* DATE 17/08/2011
 REF 9588
 DWG No 9588S-3 VER 05
 DISK No. P./9588

SCALE
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 LENGTHS ARE IN METRES

ORIGINAL SHEET SIZE A3
 SCALE 1:250

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PLAN OF SUBDIVISION
 Stage No. PS 633872J
 Plan Number

.....*Stanley G. Jeffrey*.....
 DATE 22/11/2011
 COUNCIL DELEGATE SIGNATURE

LICENSED SURVEYOR (PRINT) STANLEY G. JEFFREYS
 SIGNATURE *Stanley G. Jeffrey*
 DATE 17/08/2011
 REF 9588
 DWG No 9588S-3 VER 05
 DISK No. P./9588

SCALE
 2.5 0 2.5 5 7.5 10
 LENGTHS ARE IN METRES

ORIGINAL SHEET SIZE A3
 SCALE 1:250

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 A.C.N. 067 949 615
 Surveyors, Engineers & Town Planners.
 8A Codrington Street, Cranbourne. 3977
 Phone (03) 5996 4133 Fax (03) 5996 6119

SEE SHEET 1
 CP1
 320°54'30"

SEE SHEET 3

SHEET 4

Valuation, rates and charges notice

For period 1 July 2022 to 30 June 2023



Cardinia

ABN 32 210 906 807

Turnbull, L
c/- Ranges First National
1-3 Bayview Rd
BELGRAVE VIC 3160

Date of issue 12/08/2022
Property number 5000010420

Instalment 1
Due 30
September 2022 \$415.00

028

Rates and valuation information for your property

Description and location of property

U 15/13 Vista Ct
Gembrook 3783
L14 PS633872 V11324 F261

Capital Improved Value (CIV) as at 1 January 2022 \$525,000

Site Value (SV) \$42,500

Net Annual Value (NAV) \$26,250

Land Use Classification Residential

Australian Valuation Property Classification Code (AVPCC)

120 : Multiple Occupation (within residential development) - Single Unit/Villa Unit/Townhouse

Instalment 2 Due 30 November 2022	\$415.00
Instalment 3 Due 28 February 2023	\$415.00
Instalment 4 Due 31 May 2023	\$415.23

Any arrears shown on this notice are overdue and payable immediately and may continue to accrue interest at 10% p.a. until paid in full

Rates and Charges

Base Rate	525000 x \$0.002264	\$1,188.60
120lt Garbage & Recycling Charge	1 x \$326.80	\$326.80
State Fire Services Property Levy	525000 x \$0.000053 + \$117.00	\$144.83
Total		\$1,660.23

Payment options



Bill code: 858944
Ref: 50000104203

BPAY @ this payment via internet or phone banking
BPAY View @ - view and pay this bill via internet banking
BPAY View registration number:50000104203



Set up regular direct debit payments
at cardinia.vic.gov.au/rates



Billpay Code: 0860
Ref: 5000 0104 2000 003

Call 131 816 to pay over the phone
Go to postbillpay.com.au or visit an Australia Post store



Instalment *860 500001042000003



Set up regular Centrelink deductions from your Centrelink payments at
www.humanservices.gov.au/centrepay CRN: 555 012 959V



Pay in person at our Customer Service Centre
20 Siding Avenue, Officer. (Open Monday to Friday, 8.30am-5pm).



Call 131 816 to pay by credit card over the phone



To have your notice emailed
Register at cardinia.enotices.com.au
Reference No: 8D25082C9L

Financial Hardship

If you are experiencing financial hardship which is affecting your ability to pay your rates, please visit www.cardinia.vic.gov.au/rateshelp or call us to discuss your options.

To access free financial counselling and advice visit the National Debt Helpline's website www.ndh.org.au or call them on 1800 007 007.

Payment Arrangements

Choose how much you want to pay and when with a weekly, fortnightly or monthly payment plan. Set up a direct debit payment plan at www.cardinia.vic.gov.au/flexipay or call us to discuss other payment plan options.

What if I don't pay my rates instalment by the due date?

In accordance with Section 172 of the *Local Government Act 1989* you need to pay each rates instalment by its due date to avoid being charged interest (10% per year as set by the Attorney-General of Victoria). Legal action may also be taken for recovery of unpaid rates and may incur additional costs.

Concessions & rebates

I have a Pensioner Concession Card or Department of Veterans' Affairs Gold Card. Do I get a discount on my rates?

Yes, if the rateable property is your principal place of residence and you don't receive this concession on any other property. The concession doesn't apply to Health Care Card holders.

To apply for this concession go to www.cardinia.vic.gov.au/rates for a link to the 'Municipal rates concession' web page on the Department of Human Services website (DHHS). Please complete the application form on the DHHS website and post or email it to Council.

If you receive Jobseeker payments you may be eligible for the Jobseeker rebate provided by Council. To apply for the Jobseeker rebate go to www.cardinia.vic.gov.au/rates, download the Jobseeker rate rebate application form and return the completed form by post or email to Council.

What should I do if my mailing address or property ownership details have changed?

If your mailing address has changed please go to www.cardinia.vic.gov.au/rates to update your details. Property owners are legally required to advise Council of changes in ownership by way of a Notice of Acquisition or copy of title.

The Victorian Government's rate cap

Council has complied with the Victorian Government's rates cap of 1.75%. The cap applies to the average annual increase of rates. The rates for your property may have increased or decreased by a different percentage amount for the following reasons:

- (i) the valuation of your property relative to the valuation of other properties in the municipal district;
- (ii) the application of any differential rate by Council;
- (iii) the inclusion of other rates and charges not covered by the Victorian Government's rates cap, e.g. waste charges and State Fire Services Property Levy.

What is the 'rate in the dollar'?

This is calculated by dividing the total rates Council needs for the financial year by the total CIV for Cardinia Shire.

Are there different rate categories?

Yes. A different rate is applied depending on the type of property you own, such as residential, agricultural, commercial and industrial, and vacant or unoccupied land. These categories are the fairest way to determine the rates contribution to be made by owners of different property classes.

Differential rate	Rate in dollar
Base rate	0.002264
Farm land	0.001698
Urban farm land	0.001924
Urban commercial and industrial land	0.003283
Urban residential	0.002422
Urban vacant land	0.005185

What is the Australian Valuation Property Classification Code (AVPCC)?

Independent property valuers assign this code to your property according to the land's use. The code is used to determine your property's Land Use Classification, in accordance with the *Fire Services Property Levy Act 2012*.

What is the Land Use Classification?

This classification is used to calculate the Fire Services Property Levy amount payable. It does not refer to the zoning of the property or how rates are calculated.

What is the Fire Services Property Levy?

This is a Victorian Government levy to fund fire services. The rate varies depending on the property's classification and CIV. You have the legal right to apply for a waiver, deferral or discount on the levy amount under Section 27 of the *Fire Services Property Levy Act 2012* for rateable land, and under Section 28 for non-rateable residential land. For more information visit www.firelevy.vic.gov.au

Can I request a review of my rates or charges, property valuation or land use classification?

Yes - you have the legal right to appeal for a review of your rates and/or charges, associated differential rating and the valuation and/or AVPCC (Australian Valuation Property Classification Code) applied to your property, within 60 days of receiving this notice.

Capital Improved Value (CIV) *The property's total value including land & buildings.*

Site Value (SV) *The land value only (included in the CIV)*

Net Annual Value (NAV) *Estimated annual market rent for commercial or industrial properties, or 5% of CIV for other properties.*

For more information about rates and your legal rights and responsibilities visit www.cardinia.vic.gov.au/rates, or contact us on 1300 787 624 or mail@cardinia.vic.gov.au

Privacy statement

Personal information collected by Council is used for municipal purposes as specified in the *Local Government Act 1989*. Personal information will be held securely and used solely by Council for these purposes and/or directly related purposes. Council may disclose this information to other organisations if required or permitted by legislation.

29th September 2022

LJ CONVEYANCING.

Dear LJ CONVEYANCING.,

RE: Application for Water Information Statement


Property Address:	15/13 VISTA COURT GEMBROOK 3783
Applicant	LJ CONVEYANCING.
Information Statement	30724690
Conveyancing Account Number	1863967638
Your Reference	3630

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

- Yarra Valley Water Property Information Statement
- Melbourne Water Property Information Statement
- Asset Plan
- Conditions of Connection and Consent
- Rates Certificate

If you have any questions about Yarra Valley Water information provided, please phone us on **1300 304 688** or email us at the address enquiry@yvw.com.au. For further information you can also refer to the Yarra Valley Water website at www.yvw.com.au.

Yours sincerely,



Steve Lennox
GENERAL MANAGER
RETAIL SERVICES

Yarra Valley Water Property Information Statement

Property Address	15/13 VISTA COURT GEMBROOK 3783
------------------	---------------------------------

STATEMENT UNDER SECTION 158 WATER ACT 1989

THE FOLLOWING INFORMATION RELATES TO SECTION 158(3)

Sewerage services have been provided to this property as part of Yarra Valley Water's Community Sewerage Program. To confirm whether the property is connected to sewerage services, please contact Yarra Valley Water on 1300 853 811. For properties not currently connected to sewerage services, please contact Yarra Valley Water on 1300 651 511 to apply to connect.

Existing sewer mains will be shown on the Asset Plan.

THE FOLLOWING INFORMATION RELATES TO SECTION 158(4)

This property is connected to a pressure sewer system. As such, it is subject to special terms and conditions which are contained within the document titled "Your Pressure Sewer System - An Owners Guide". Copies of this document are available upon request by calling 1300 304 688 or can be downloaded from our website at www.yvw.com.au/pressureguide

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

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

Melbourne Water Property Information Statement

Property Address	15/13 VISTA COURT GEMBROOK 3783
------------------	---------------------------------

STATEMENT UNDER SECTION 158 WATER ACT 1989

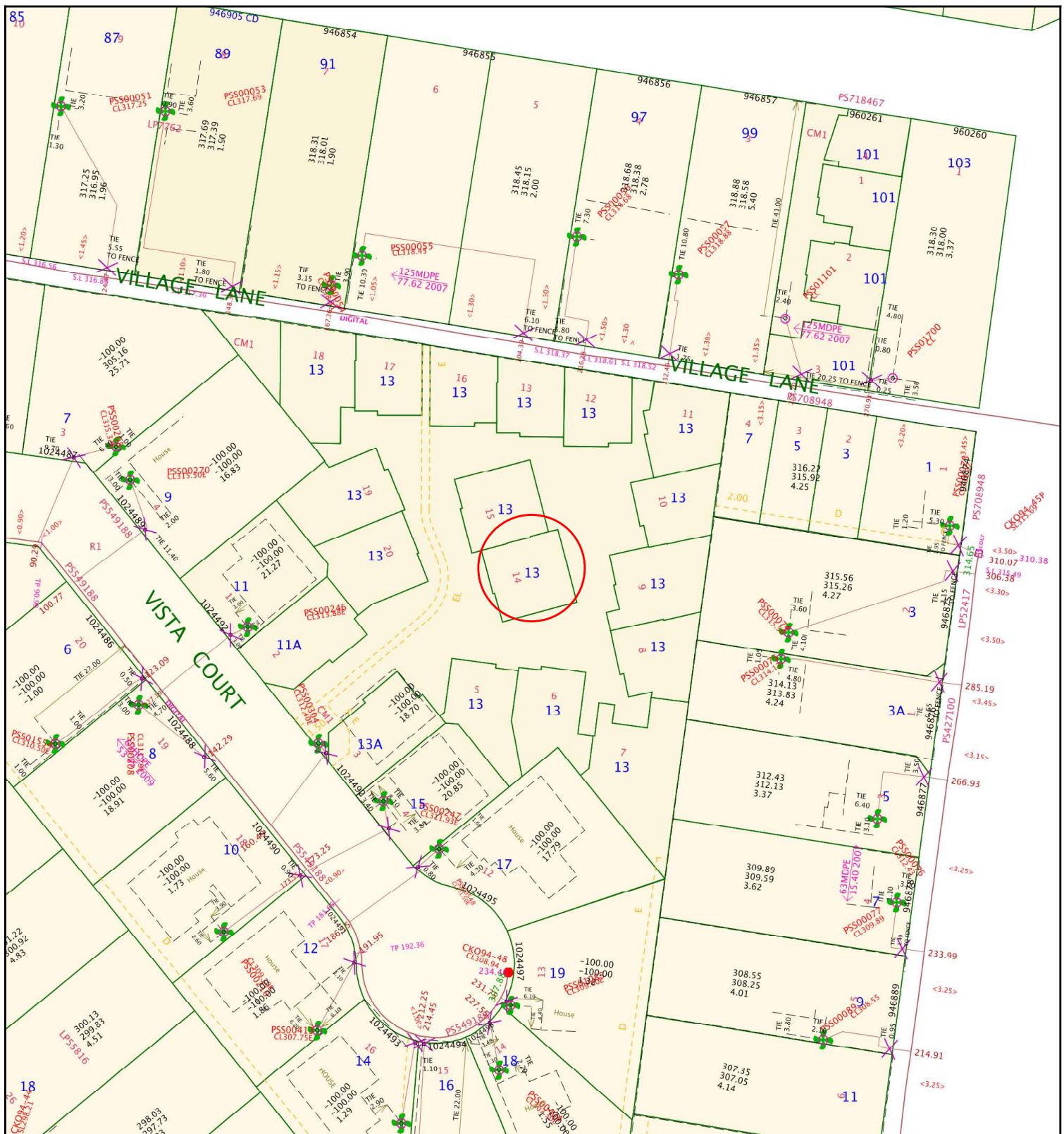
THE FOLLOWING INFORMATION RELATES TO SECTION 158(4)

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

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

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

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



**Yarra Valley Water
Information Statement
Number: 30724690**

Address	15/13 VISTA COURT GEMBROOK 3783
Date	29/09/2022
Scale	1:1000



ABN 93 066 902 501

Existing Title	Access Point Number	GLV2-42	MW Drainage Channel Centreline	
Proposed Title	Sewer Manhole		MW Drainage Underground Centreline	
Easement	Sewer Pipe Flow		MW Drainage Manhole	
Existing Sewer	Sewer Offset		MW Drainage Natural Waterway	
Abandoned Sewer	Sewer Branch			

Disclaimer: This information is supplied on the basis Yarra Valley Water Ltd:
 - Does not warrant the accuracy or completeness of the information supplied, including, without limitation, the location of Water and Sewer Assets;
 - Does not accept any liability for loss or damage of any nature, suffered or incurred by the recipient or any other persons relying on this information;
 - Recommends recipients and other persons using this information make their own site investigations and accommodate their works accordingly;

7th October 2013

Application ID: 116339



YARRA VALLEY WATER
ABN 93 066 902 501

Lucknow Street
Mitcham Victoria 3132

Private Bag 1
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

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

LJ CONVEYANCING,
ping.wang@ljconveyancing.com.au

RATES CERTIFICATE

Account No: 8109957317
Rate Certificate No: 30724690

Date of Issue: 29/09/2022
Your Ref: 3630

With reference to your request for details regarding:

Property Address	Lot & Plan	Property Number	Property Type
UNIT 15/13 VISTA CT, GEMBROOK VIC 3783	14\PS633872	5008520	Residential

Agreement Type	Period	Charges	Outstanding
Residential Water Service Charge	01-07-2022 to 30-09-2022	\$19.90	\$19.90
Residential Water Usage Charge <i>Step 1 – 9.000000kL x \$2.47490000 = \$2.36</i> <i>Step 1 – 0.000000kL x \$2.48510000 = \$20.00</i> Estimated Average Daily Usage \$0.26	21-06-2022 to 14-09-2022	\$22.36	\$22.36
Residential Sewer Service Charge	01-07-2022 to 30-09-2022	\$113.69	\$113.69
Residential Sewer Usage Charge <i>9.000000kL x 1.000000 = 9.000000 x 0.900000 = 0.857647 x</i> <i>\$1.14260000 = \$0.98</i> <i>9.000000kL x 1.000000 = 9.000000 x 0.900000 = 7.242353 x</i> <i>\$1.15400000 = \$8.36</i> Estimated Average Daily Usage \$0.11	21-06-2022 to 14-09-2022	\$9.34	\$9.34
Drainage Fee	01-07-2022 to 30-09-2022	\$27.65	\$27.65

Other Charges:	
Interest	No interest applicable at this time
	No further charges applicable to this property
Balance Brought Forward	\$0.00
Total for This Property	\$192.94
Total Due	\$192.94

GENERAL MANAGER
RETAIL SERVICES

Note:

1. Invoices generated with Residential Water Usage during the period 01/07/2017 – 30/09/2017 will include a Government Water Rebate of \$100.
2. This statement details all tariffs, charges and penalties due and payable to Yarra Valley Water as at the date of this statement and also includes tariffs and charges (other than for usage charges yet to be billed) which are due and payable to the end of the current financial quarter.

3. All outstanding debts are due to be paid to Yarra Valley Water at settlement. Any debts that are unpaid at settlement will carry over onto the purchaser's first quarterly account and follow normal credit and collection activities - pursuant to section 275 of the Water Act 1989.
4. If the total due displays a (-\$ cr), this means the account is in credit. Credit amounts will be transferred to the purchaser's account at settlement.
5. Yarra Valley Water provides information in this Rates Certificate relating to waterways and drainage as an agent for Melbourne Water and relating to parks as an agent for Parks Victoria - pursuant to section 158 of the Water Act 1989.
6. The charges on this rates certificate are calculated and valid at the date of issue. To obtain up to date financial information, please order a Rates Settlement Statement prior to settlement.
7. From 01/07/2022, Residential Water Usage is billed using the following step pricing system: 248.51 cents per kilolitre for the first 44 kilolitres; 316.53 cents per kilolitre for 44-88 kilolitres and 467.00 cents per kilolitre for anything more than 88 kilolitres
8. From 01/07/2022, Residential Recycled Water Usage is billed 184.89 cents per kilolitre
9. From 01/07/2022, Residential Sewage Disposal is calculated using the following equation: Water Usage (kl) x Seasonal Factor x Discharge Factor x Price (cents/kl) 115.40 cents per kilolitre
10. From 01/07/2022, Residential Recycled Sewage Disposal is calculated using the following equation: Recycled Water Usage (kl) x Seasonal Factor x Discharge Factor x Price (cents/kl) 115.40 cents per kilolitre
11. The property is a serviced property with respect to all the services, for which charges are listed in the Statement of Fees above.

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

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



YARRA VALLEY WATER
ABN 93 066 902 501

Lucknow Street
Mitcham Victoria 3132

Private Bag 1
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

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

Property No: 5008520

Address: UNIT 15/13 VISTA CT, GEMBROOK VIC 3783

Water Information Statement Number: 30724690

HOW TO PAY



Biller Code: 314567
Ref: 81099573171

**Amount
Paid**

**Date
Paid**

**Receipt
Number**

Property Clearance Certificate

Taxation Administration Act 1997



LJ CONVEYANCING

Your Reference: LD:66242064-019-0.3630

Certificate No: 57698474

Issue Date: 27 SEP 2022

Enquiries: ESYSPROD

Land Address: UNIT 15, 13 VISTA COURT GEMBROOK VIC 3783

Land Id	Lot	Plan	Volume	Folio	Tax Payable
39496468	14	633872	11324	261	\$0.00

Vendor: LINETTE TURNBULL

Purchaser: NIL NIL

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
MRS LINETTE LILY TURNBULL	2022	\$30,000	\$0.00	\$0.00	\$0.00

Comments:

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

Comments:

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

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

Paul Broderick
Commissioner of State Revenue

CAPITAL IMP VALUE: \$355,000

SITE VALUE: \$30,000

AMOUNT PAYABLE: \$0.00

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

Certificate No: 57698474

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 = \$30,000

Calculated as \$0 plus (\$30,000 - \$0) multiplied by 0.000 cents.

Property Clearance Certificate - Payment Options

BPAY



Billers Code: 5249
Ref: 57698474

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: 57698474

Visa or Mastercard

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

sro.vic.gov.au/paylandtax

OWNERS CORPORATION CERTIFICATE

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

Owners Corporation 2 No PS633872J

Address: Unit 15/ 13 Vista Court Gembrook, Victoria 3783

This certificate is issued for Lot 14 on Plan of Subdivision No PS633872J

Postal address is 321 Koornang Road Carnegie

Applicant for the certificate is LJ Conveyancing

Address for delivery of certificate: ping.wang@ljconveyancing.com.au

Date that the application was received: 26/9/22

IMPORTANT:

The information in this certificate is issued on 27/9/22 You can inspect the owners corporations register for additional information and you should

obtain a new certificate for current information prior to settlement.

1.	The current annual fees for the lot are:
	\$1243.12 per annum
2.	The date to which the fees for the lot have been paid up to is:
	30/6/22
3.	The total of any unpaid fees or charges for the lot are:
	\$310.78 DUE ON 1/10/22 covering 1/7/22 to 30/9/22
4.	The special fees or levies which have been struck, and the dates on which they were struck and are payable are:
	No
5.	The repairs, maintenance or other work which has been or is about to be performed which may incur additional charges which have not been included above annual fees, maintenance fund and special fees are:
	Not applicable
6.	The owners corporation has the following insurance cover:
	(a) the name of the company – longitude Insurance Pty Ltd (b) the number of the policy – LNG-STR-581385
	Refer attached certificate of insurance for the following details:
	(c) the kind of policy
	(d) the buildings covered
	(e) the building amount
	(f) the public liability amount
	(g) the renewal date 1/5/23
7.	Has the owners corporation resolved that the members may arrange their own insurance under section 63 of the Act? If so then provide the date of that resolution:
	No
8.	The total funds held by the owners corporation:
	\$9,744.80
9.	Are there any liabilities of the owners corporation that not covered by annual fees, special levies and repairs and maintenance as set out above? If so, then provide details:
	No
10.	Are there any current contracts, leases, licences or agreements affecting the common property. If so, then provide details:
	Yes, Contract of Appointment with Somersault Network Pty Ltd
11.	Are there any current agreements to provide services to lot owners, occupiers or the

	public? If so, then provide details:
	No
12.	Are there any notices or orders served on the owners corporation in the last 12 months that have not been satisfied? If so, then provide details:
	No
13.	Are there any legal proceedings to which the owners corporation is a party and any circumstances of which the owners corporation is aware that are likely to give rise to proceedings? If so, then provide details:
	No
14.	Has the owners corporation has appointed or resolved to appoint a manager? If so, then provide details:
	Yes, Somersault Network Pty Ltd
15.	Has an administrator has been appointed for the owners corporation, or has been a proposal for the appointment of an administrator?
	No
16.	Documents required to be attached to the owners corporation certificate are:
	<p>1. A copy of any rules registered at Land Victoria. There are no rules registered at Land Victoria – model rules apply (attached)</p> <p>2. A copy of all resolutions made at the last annual general meeting. Attached is the Managers Report as no formal AGM was held. Owners agreed to accept what was on hand due to Covid Restrictions. Owners all issued with Managers Report , Insurance document and Profit and Loss Document.</p> <p>3. A copy of Form 2 of the Owners Corporations Regulations 2007 entitled "Statement of Advice and Information for Prospective Purchasers and Lot Owners"</p>

This owners corporation certificate was prepared by Somersault Network Pty Ltd as delegate of the Owners Corporation.

THE COMMON SEAL of OWNERS CORPORATION 2 NO PS633872J was affixed in accordance with section 20 of the *Owners Corporations Act 2006* by and in the presence of the delegate of the owners corporation



Signature of Colin Parkes on behalf of Somersault Network Pty Ltd, delegate of the owners corporation



(Insert seal above)

Date:.....27/9/22.....



Countrywide Insurance Group Pty Ltd
 abn 49 625 733 539 afsl 511363
 PO Box 9055 Scoresby Vic 3179
 Level 2, 35 Dalmore Drive Scoresby Vic 3179

i 03 9835 1300
 f 03 9763 5932
 e info@abcountrywide.com.au
 w abcountrywide.com

Repaid OC. 27/5/22

The Manager
 Owners Corporation PS 633872J
 C/- Mark O'Reilly
 Po Box 9055
 SCORESBY VIC 3179

Renewal of Cover	
TAX INVOICE	10914956

Our Reference : CWT MEL 06605 0770579/007
Invoice Date : 21.04.2022
Class : Residential Strata Title Insurance
Insurer : Longitude Insurance Pty Ltd
Policy No. : LNGSTR581385
Cover Period : 01.05.2022 to 01.05.2023

Premium	11,453.17
Underwriting Agency Fee	225.00
Premium GST	1,167.82
Stamp Duty	1,259.85
Broker Fee	603.78
Fee GST	60.38

Total Amount	14,770.00
---------------------	------------------

PLEASE READ THE IMPORTANT DISCLOSURES BEFORE PROCEEDING WITH THIS COVER

We draw your attention to the important notices on the next page. Where property is insured, please review all sums insured to ensure they represent full replacement value.

Where vehicles are insured, please advise us of any vehicle modifications, non-standard accessories, traffic infringements and/or other convictions.

Your Account Manager is Nia Diamantikos

Direct Phone Number 03 9835 1317

Please forward payment within 14 days from the effective date. Also refer to your DUTY OF DISCLOSURE or DUTY NOT TO MISREPRESENT obligations and other important notices overleaf. Claims must be notified immediately as late notification may cause denial of liability in some instances. Unless we tell you otherwise and in writing, we receive commission in addition to any broker fee mentioned above. Please ask us for any further information.

PAYMENT OPTIONS

Total Amount Due \$ 14,770.00



Credit Card

Go to: <https://payments.ebix.com.au/OPG/abcountrywide> ovg/
 Client Reference : CWTMEL06605
 Invoice Reference : 10914956
 A surcharge will apply to all Card payments



EFT - Internet Banking

BSB: 083-032 Account: 592339147
 Reference: 109149567



Billor Code : 297531
 Reference : 109149567

BPAY® - Telephone & Internet Banking

Contact your bank or financial institution to make payment from your cheque, savings, debit or transaction account. More info: www.bpay.com.au



Cheque

Post cheque and payment slip to: PO Box 9055 Scoresby Vic 3179
 Made payable to Austbrokers Countrywide

Pay Monthly
<p>We can assist with your premium:-</p> <p>Should you wish to obtain a Funding Quote for this invoice, please contact your Account Manager on 03 9835 1300</p>

COVERAGE SUMMARY

Owners Corporation PS 633872J
 Residential Strata Title Insurance

STRATA INSURANCE

*** NETT RATED - NO COMMISSION APPLIES ***

Please note that this Tax Invoice has been calculated on a "Nett Basis". This means that we are not receiving commission from the Underwriters and are charging a fee for services.

INSURED:

Owners Corporation 633872J

INTERESTED PARTIES:

No Other Interested Parties

SITUATION:

11-13 Vista Court, Gembrook VIC 3783

SECTION 1 - PROPERTY: PHYSICAL LOSS, DESTRUCTION OR DAMAGE

Costs incurred by the Body Corporate:

Buildings	\$ 5,769,412
Common Contents	\$ 57,694

Optional Additional Benefits:

Loss of Market Value	Not Insured
Flood	Insured

Costs Incurred by the Lot Owner:

All sub-sections 5.16 (a) - (i) combined	\$ 1,442,353
Lot Owners fixtures and fittings (per lot)	\$ 300,000
Temporary Accommodation & Loss of Rent	\$ 865,412

Lot Owners Optional Additional Benefits:

Paint & Wallpaper (applies to NSW & ACT only)	Not Insured
Floating Floorboards	Insured

Catastrophe Cover (sub-section 5.1):

Buildings	\$ 865,412
Common Contents	\$ 865,412
Costs Incurred by the Lot Owner	\$ 865,412
Additional Benefits	\$ 865,412

Excesses:

Excess each and every claim	\$ 1,000
Flood	\$ 1,000

SECTION 2 - VOLUNTARY WORKERS PERSONAL ACCIDENT

Accidental Death & Disablement	\$ 200,000
Weekly Benefits	up to \$2,000 per week for Total Disablement and up to \$1,000 per week for Partial Disablement as outlined in the Table of Benefits



NAB Internet Banking

New bill payment - bank acknowledgement

Acknowledgement details

Status report: Paid ⓘ
Confirmation number: H0635027410
Created: 27/05/22

From account: OC Business Account #4346/083-781 15-582-4346
Biller code: 297531
Biller name: COUNTRYWIDE INSURANCE GROUP PTY LTD
Customer reference no: 109149567
Amount: 14,770.00
Payment date: 27/05/22

End of Report

Date 27/05/22 Time 11:29
National Australia Bank Limited A.B.N. 12 004 044 937

Managers and Chairman's Report for Gembrook Village Owners Corporations Year ended 30th of June 2021.

General:

After near two years of COVID there appears light at the end of the tunnel now.

This is good news for all.

Everyone has a story here and we are thankful the virus did not take significant hold in our town of Gembrook. Our village was blessed we had no outbreak and that was a result of luck and our residents and owners being on the ball throughout the crisis.

However not that we escaped totally, I pass on sympathies to those of our members who did suffer loss of loved ones or close friends. We all were affected in this regard.

Particularly condolences to OC member Grant in the passing of his partner Jennifer. Grant cared for Jennifer over many years of her illness and we recognise his mighty effort with our warmest regards.

On a brighter note we welcome all the new members and look forward to working with you all when we are free to meet again without restrictions.

We hope to catch up at a Village Xmas gathering. The date will be announced very soon by Fay Templer.

Financials:

In respect to the OC matters please see attached copies of financial accounts for the financial year ended 30th of June 2021.

We had \$20,730.90 in the bank as at 30th of June. Some deferred management fees will need to be paid from this as we held back charging during the COVID period just in case we needed to attend to deep cleaning etc. and therefore chose to have a reserve to support the OC in that way.

We expect no change to the finances for the year ahead all units are up to date with their current OC levies. Two special levies are yet to be remitted and we will be seeking to get these paid in the next few months.

There is no price increase in the OC levy for the next year.

Insurance:

The insurance notice is attached. All cover on the units has been revised in keeping with current replacement building costs. We sought as usual quotes via our broker for the best arrangement and chose the insurer accordingly.

If any Owner has an insurance query, please ring our broker Mark O'Reilly from AB Insurance on

0409 705 931

Maintenance:

The standard of presentation of the Village has been maintained to a high standard during the many lockdowns.

Recently the common gardens have undergone a major "haircut". Stone edging has been introduced to save mulch spillage and also to improve the appearance of the common areas.

During the year we attended to the replacement of all the night security lights due to the age of the previous. We have one light near unit 10 which still needs fixing. Issues with underground cabling on this particular light.

Future Maintenance:

Only some minor fence repairs near the rotunda, a small retainer wall and a drain need to be put in near Fay Templer's unit. Small concrete repairs on the driveway also need to be attended to in the coming months. Painting is ongoing now as the unit's fences are some 7 to 8 years old.

We aim to get all the concrete driveways pressure washed over this summer to refresh them as well.

Nomination for office bearers.

We have the existing committee of Fay Templer, Mark Cully and Myself who offered to remain plus new owner in unit 3 Christine Diemar would like to join the committee. If no one objects, the committee would welcome Christine on board.

Future AGM's

We look forward to next year holding the normal AGM and if owner has any specific questions regarding anything mentioned in this report please call me on 0429 793 275.

Best Wishes

Colin Parkes

Manager Gembrook Village.

MODEL RULES FOR AN OWNERS CORPORATION

1 Health, safety and security

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

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

1.2 Storage of flammable liquids and other dangerous substances and materials

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

1.3 Waste disposal

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

2 Management and administration

2.1 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.

3 Use of common property

3.1 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.

3.2 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.

3.3 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.

4 Lots

4.1 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 Behaviour of persons

5.1 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.

5.2 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.

6 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 1&2 No PS633872J

Manager - Somersault Network Pty Ltd

Shop 1 321 Koornang Road,

CARNEGIE VIC 3163

Property: 13 Vista Court, Gembrook, VIC 3783

Balance Sheet [Last Year Analysis]

June 2021

03/11/2021

3:05:35 PM

	This Year	Last Year
Assets		
Current Assets		
Cash At Bank		
NAB Cheque Account	\$20,594.40	\$11,039.81
Transfer Clearing Account	\$145.50	\$145.50
Total Cash At Bank	\$20,739.90	\$11,185.11
Levy Fees Receivable	\$4,915.27	\$4,876.11
Levy Fees Receivable - Special	\$44,358.22	\$44,358.22
Total Current Assets	\$70,013.39	\$60,419.44
Total Assets	<u>\$70,013.39</u>	<u>\$60,419.44</u>
Liabilities		
Current Liabilities		
Management Fees Payable	\$13,199.04	\$13,199.04
Management Fees Payable - Spec	\$37,296.85	\$37,296.85
GST Liabilities		
GST Paid	-\$1,474.63	-\$837.37
Total GST Liabilities	-\$1,474.63	-\$837.37
Total Current Liabilities	\$49,021.26	\$49,658.52
Current Liabilities		
Somersault Network Pty Ltd	-\$52,991.99	-\$52,991.99
Total Current Liabilities	-\$52,991.99	-\$52,991.99
Total Liabilities	<u>-\$3,970.73</u>	<u>-\$3,333.47</u>
Net Assets	<u>\$73,984.12</u>	<u>\$63,752.91</u>
Members Funds		
Retained Earnings	\$63,752.91	\$22,797.29
Current Year Surplus	\$10,231.21	\$40,955.62
Total Members Funds	<u>\$73,984.12</u>	<u>\$63,752.91</u>

Owners Corporation 1&2 No PS633872J

Manager - Somersault Network Pty Ltd

Shop 1 321 Koomang Road,

CARNEGIE VIC 3163

Property: 13 Vista Court, Gembrook, VIC 3783

Profit & Loss [Last Year Analysis]

July 2020 through June 2021

03/11/2021
3:08:59 PM

	This Year	Last Year
Income		
Levy Fees	\$23,540.16	\$39,405.26
Management Fees	\$0.00	\$8,312.14
Income from Equity Sales	\$0.00	\$2,714.77
Miscellaneous Income	\$350.00	\$0.00
Levy Fees - Special Levy	\$0.00	\$8,094.96
Total Income	<u>\$23,890.16</u>	<u>\$58,527.13</u>
Cost of Sales		
Gross Profit	<u>\$23,890.16</u>	<u>\$58,527.13</u>
Expenses		
Bank Charges	\$120.00	\$120.00
Electricity	\$663.89	\$656.51
Fees Paid	\$100.00	\$0.00
Insurance	\$5,998.19	\$7,490.91
Maintenance & Repairs	\$3,235.88	\$480.00
Management Fees	\$3,500.00	\$11,300.00
Water	\$40.99	\$40.99
Total Expenses	<u>\$13,658.95</u>	<u>\$20,088.41</u>
Operating Profit	<u>\$10,231.21</u>	<u>\$38,438.72</u>
Other Income		
Interest Income	\$0.00	\$2,516.90
Other Expenses		
Net Profit / (Loss)	<u>\$10,231.21</u>	<u>\$40,955.62</u>

PLANNING CERTIFICATE

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

CERTIFICATE REFERENCE NUMBER

876207

APPLICANT'S NAME & ADDRESS

LJ CONVEYANCING C/- LANDATA
MELBOURNE

VENDOR

TURNBULL, LINETTE

PURCHASER

NIL, NIL

REFERENCE

3630

This certificate is issued for:

LOT 14 PLAN PS633872 ALSO KNOWN AS 15/13 VISTA COURT GEMBROOK
CARDINIA SHIRE

The land is covered by the:

CARDINIA PLANNING SCHEME

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

The land:

- is included in a NEIGHBOURHOOD RESIDENTIAL ZONE - SCHEDULE 1
- is within a SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 1
- and a DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 2
- and a VEGETATION PROTECTION OVERLAY - SCHEDULE 2

A detailed definition of the applicable Planning Scheme is available at :

<http://planningschemes.dpcd.vic.gov.au/schemes/cardinia>

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

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

27 September 2022

Ms. Lizzie Blandthorn MP
Minister for Planning

Additional site-specific controls may apply.
The Planning Scheme Ordinance should be checked carefully.

The above information includes all amendments to planning scheme maps placed on public exhibition up to the date of issue of this certificate and which are still the subject of active consideration

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

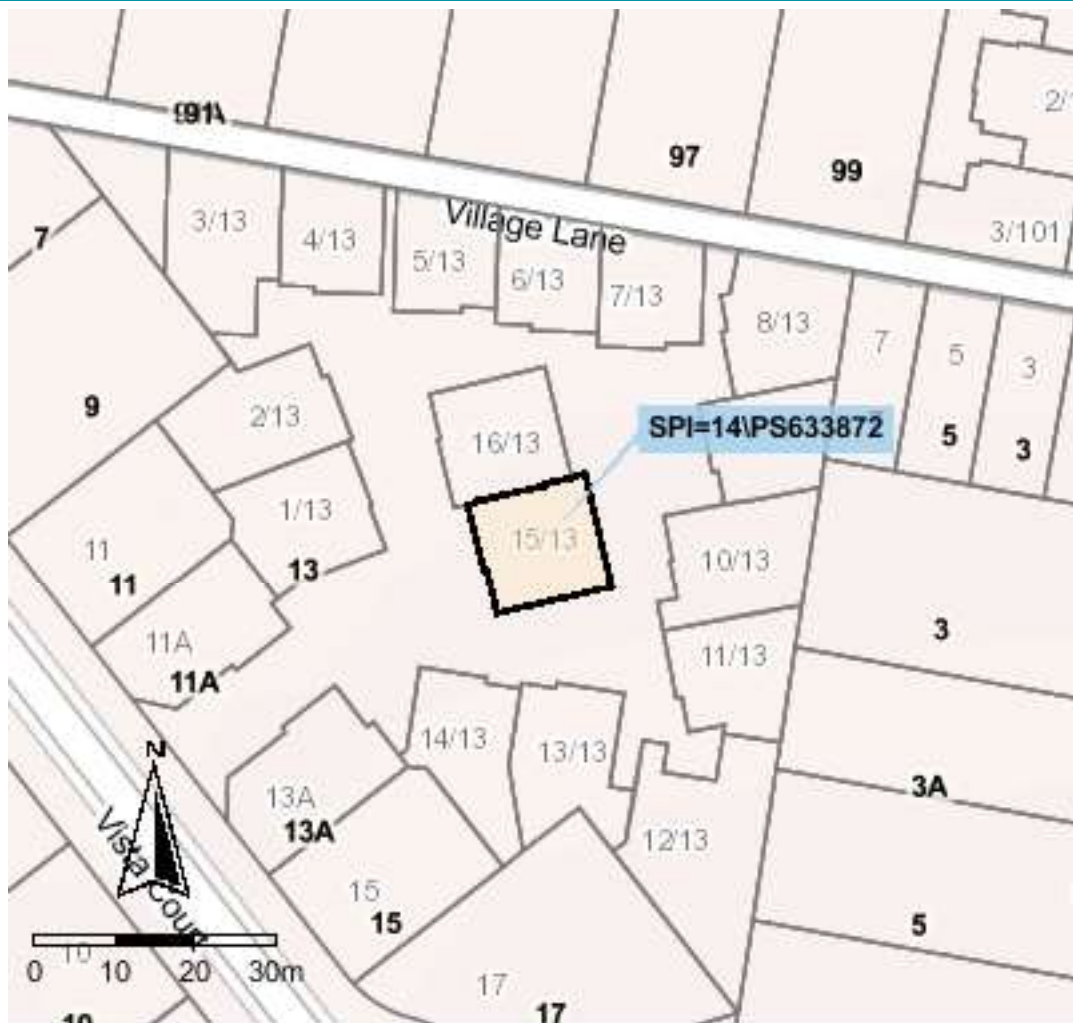
LANDATA@
T: (03) 9102 0402
E: landata.enquiries@servictoria.com.au

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

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

If this property is different to the one expected, you can phone (03) 9102 0402 or email landata.enquiries@servictoria.com.au

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



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Choose the authoritative Planning Certificate

Why rely on anything less?

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

Privacy Statement

The information obtained from the applicant and used to produce this certificate was collected solely for the purpose of producing this certificate. The personal information on the certificate has been provided by the applicant and has not been verified by LANDATA®. The property information on the certificate has been verified by LANDATA®. The zoning information on the certificate is protected by statute. The information on the certificate will be retained by LANDATA® for auditing purposes and will not be released to any third party except as required by law.

PROPERTY DETAILS

Address: **15/13 VISTA COURT GEMBROOK 3783**
Lot and Plan Number: **Lot 14 PS633872**
Standard Parcel Identifier (SPI): **14\PS633872**
Local Government Area (Council): **CARDINIA**
Council Property Number: **5000010420**
Directory Reference: **Melway 312 K10**

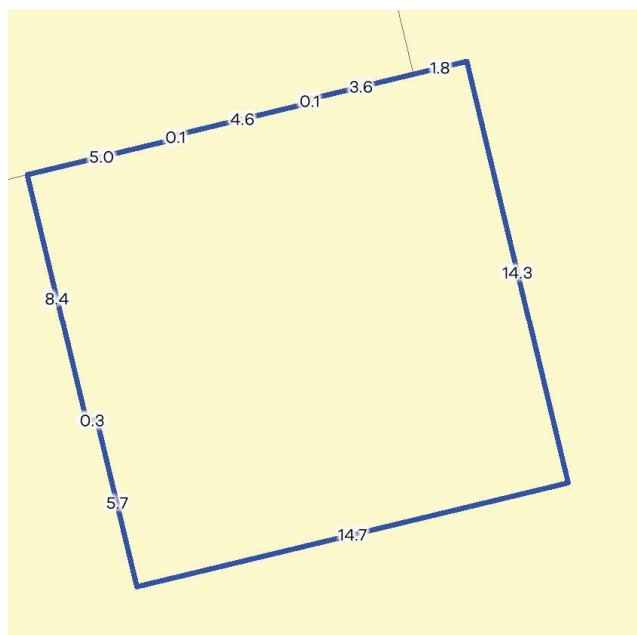
www.cardinia.vic.gov.au

This property is in a designated bushfire prone area.
Special bushfire construction requirements apply. Planning provisions may apply.

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

SITE DIMENSIONS

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



Area: 211 sq. m

Perimeter: 59 m

For this property:

— Site boundaries

— Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available.

Calculating the area from the dimensions shown may give a different value to the area shown above

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

UTILITIES

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

STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
Legislative Assembly: **GEMBROOK**

PLANNING INFORMATION

Planning Zone [NEIGHBOURHOOD RESIDENTIAL ZONE \(NRZ\)](#)
[NEIGHBOURHOOD RESIDENTIAL ZONE - SCHEDULE 1 \(NRZ1\)](#)

Planning Overlay [DESIGN AND DEVELOPMENT OVERLAY \(DDO\)](#)
[DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 2 \(DDO2\)](#)
[SIGNIFICANT LANDSCAPE OVERLAY \(SLO\)](#)
[SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 1 \(SLO1\)](#)
[VEGETATION PROTECTION OVERLAY \(VPO\)](#)
[VEGETATION PROTECTION OVERLAY - SCHEDULE 2 \(VPO2\)](#)

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

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

PROPERTY REPORT

Planning scheme data last updated on 20 September 2022.

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>

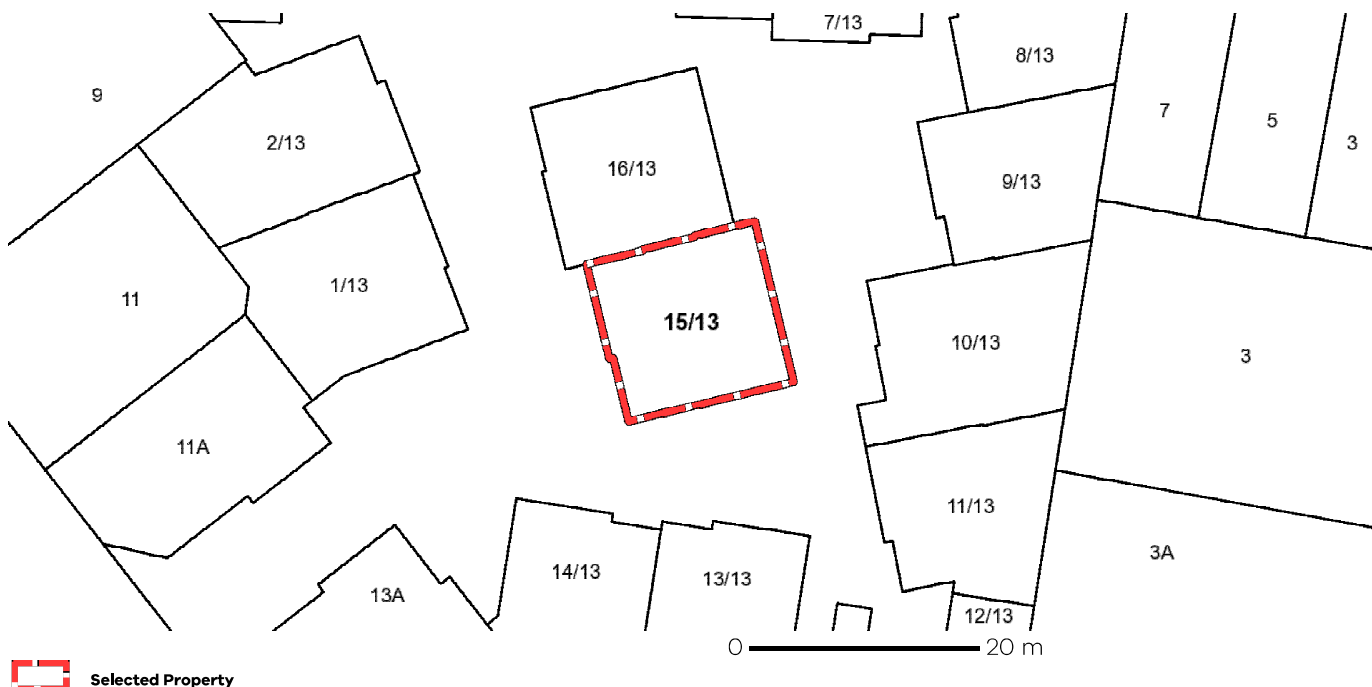
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For details of surrounding properties, use this service to get the Reports for properties of interest.

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

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

Area Map



From www.planning.vic.gov.au at 27 September 2022 03:55 PM

PROPERTY DETAILS

Address: **15/13 VISTA COURT GEMBROOK 3783**
Lot and Plan Number: **Lot 14 PS633872**
Standard Parcel Identifier (SPI): **14\PS633872**
Local Government Area (Council): **CARDINIA**
Council Property Number: **5000010420**
Planning Scheme: **Cardinia**
Directory Reference: **Melway 312 K10**

www.cardinia.vic.gov.au

[Planning Scheme - Cardinia](#)

UTILITIES

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

STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
Legislative Assembly: **GEMBROOK**

OTHER

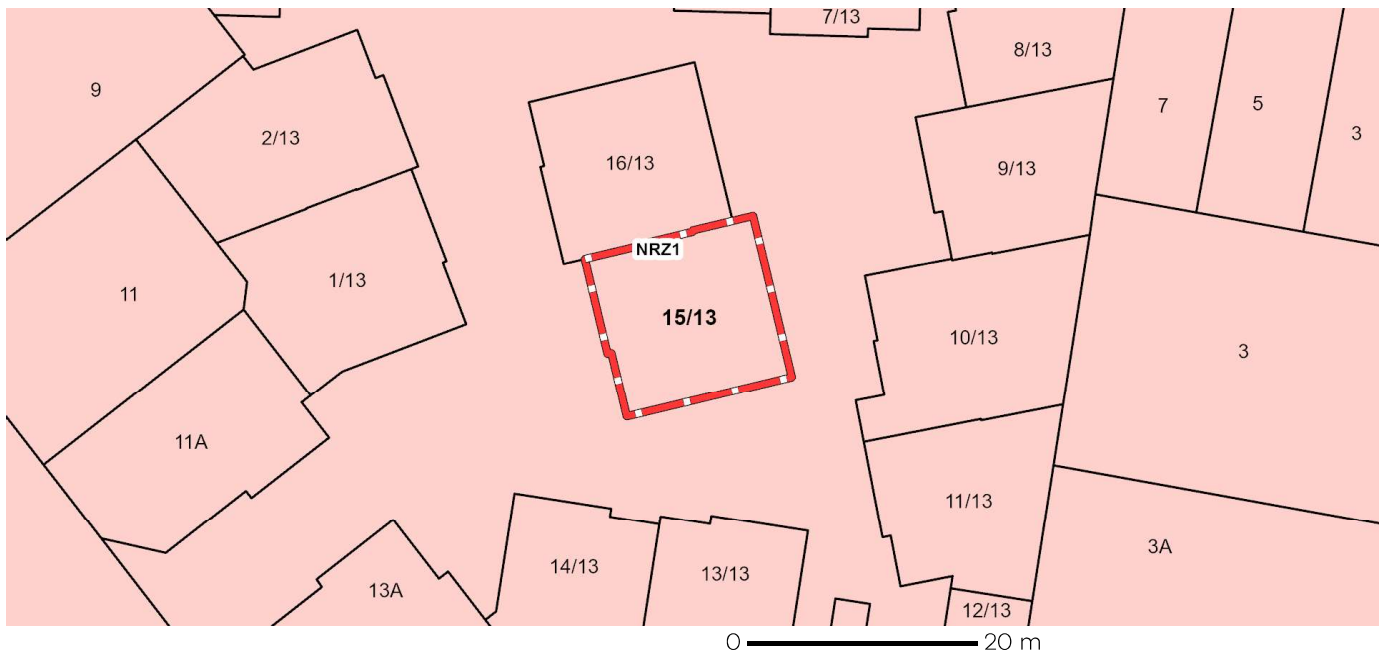
Registered Aboriginal Party: **Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

[NEIGHBOURHOOD RESIDENTIAL ZONE \(NRZ\)](#)

[NEIGHBOURHOOD RESIDENTIAL ZONE - SCHEDULE 1 \(NRZ1\)](#)



NRZ - Neighbourhood Residential

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

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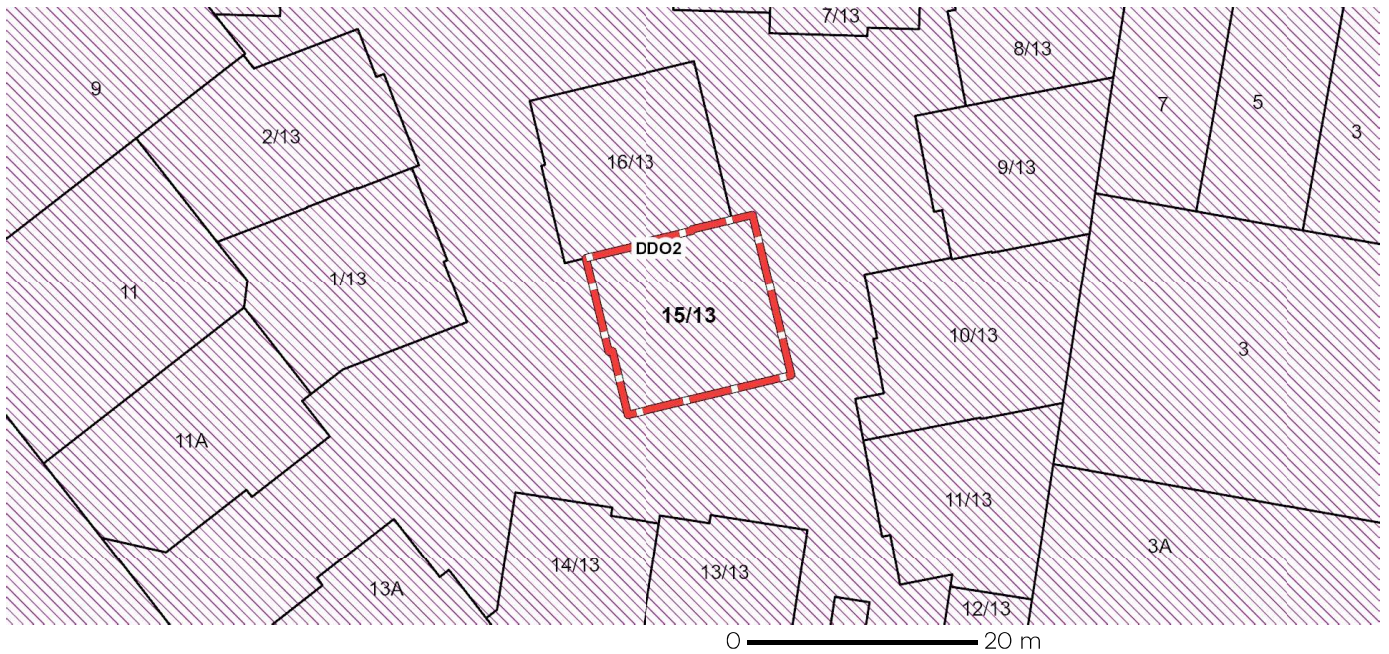
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Read the full disclaimer at <https://www.delwp.vic.gov.au/disclaimer>

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Planning Overlays

DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 2 (DDO2)

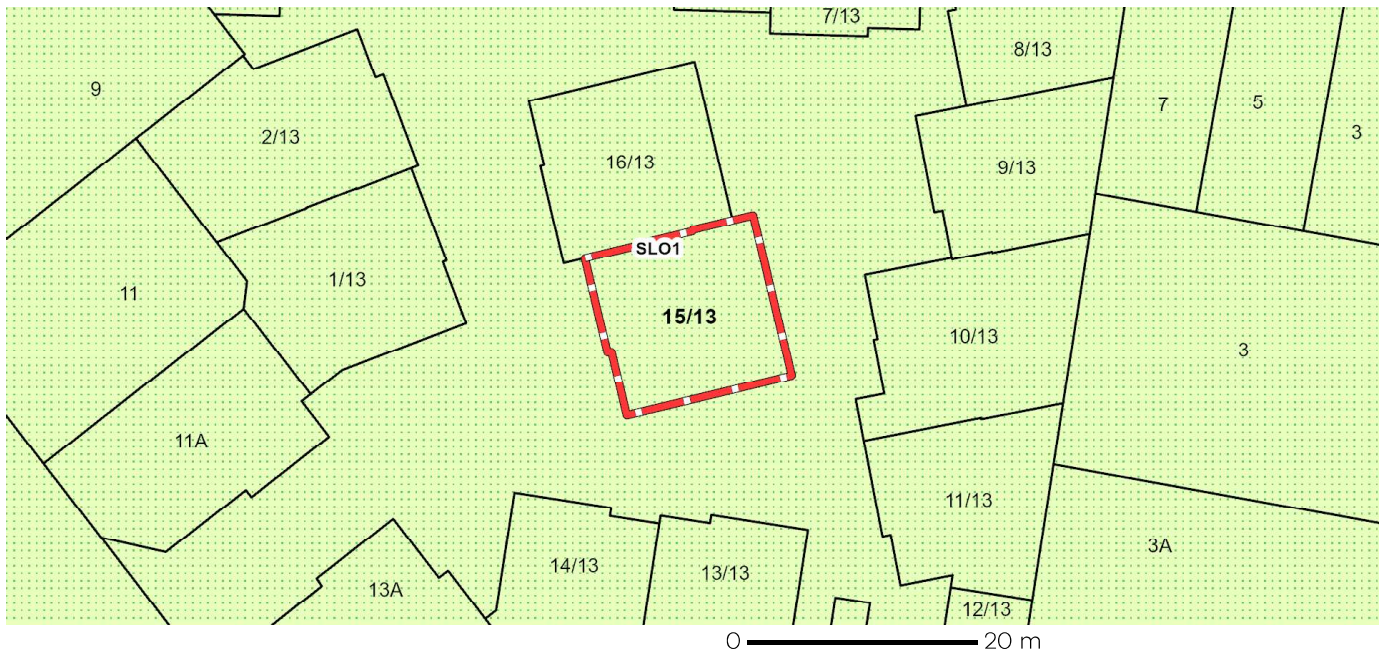


 **DDO - Design and Development Overlay**

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

SIGNIFICANT LANDSCAPE OVERLAY (SLO)

SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 1 (SLO1)



 **SLO - Significant Landscape Overlay**

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

Planning Overlays

VEGETATION PROTECTION OVERLAY (VPO)

VEGETATION PROTECTION OVERLAY - SCHEDULE 2 (VPO2)



 **VPO - Vegetation Protection Overlay**

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

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

BUSHFIRE MANAGEMENT OVERLAY (BMO)



 **BMO - Bushfire Management Overlay**

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 20 September 2022.

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>

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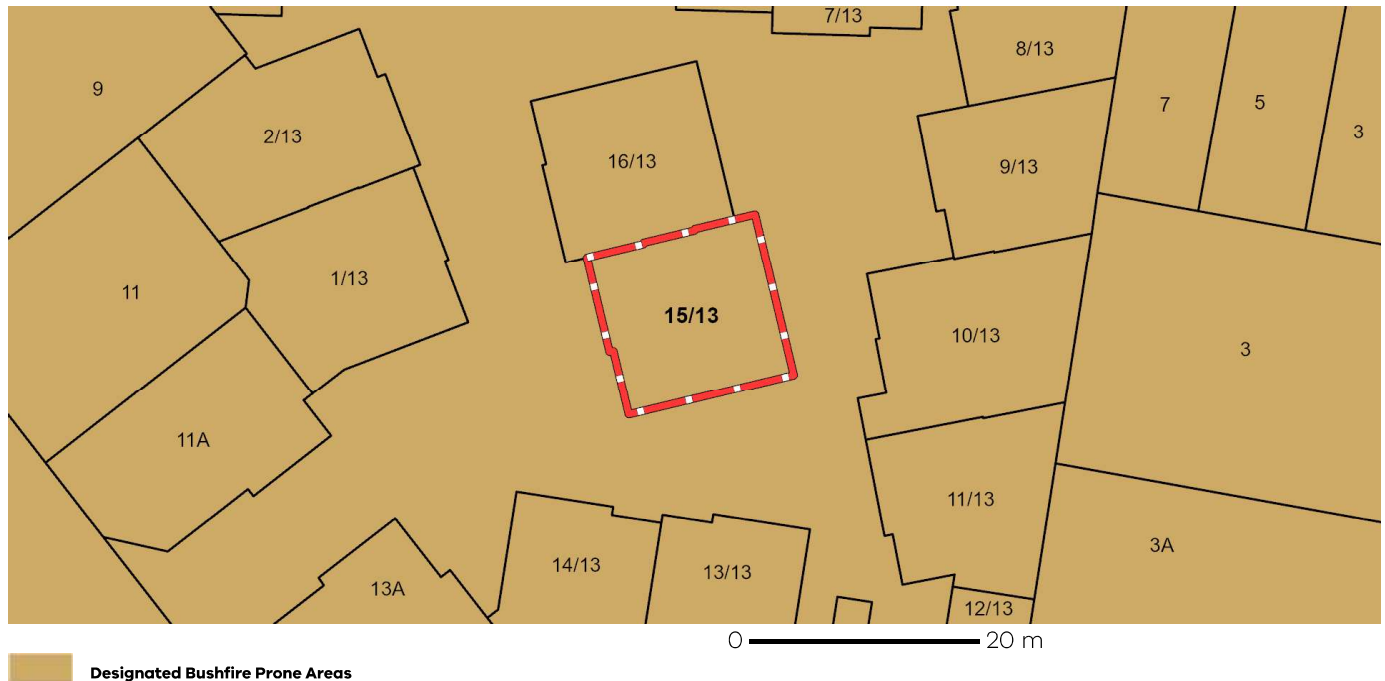
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](#) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](#)