# **VENDOR STATEMENT**

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

Vendor: Joon LEE

Property: Unit 14 13 Logie Street Oakleigh VIC 3166

## LJ CONVEYANCING PTY LTD

1/1A Palmerston Grove Oakleigh VIC 3166 Tel: 03 9563 2025 Fax: 03 9564 7991

Email: info@ljconveyancing.com.au

Ref: S:4934

### 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

Monash City Council Refer attached
South East Water Refer attached
Access Strata Management Refer attached

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:-

 $\boxtimes$  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.

### 1.5 Commercial and Industrial Property Tax Reform Act 2024 (Vic) (CIPT Act)

(a) The Australian Valuation Property Classification Code (within the meaning of the CIPT Act) most recently allocated to the land is set out in the attached Municipal rates notice or property clearance certificate or is as follows.

☑ AVPC No. 125

- (c) If the land is tax reform scheme land within the meaning of the CIPT Act, the entry date within the meaning of the CIPT Act is set out in the attached Municipal rates notice or property clearance certificate or is as follows:

 $extrm{ iny{Not applicable.}}$ 

# 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): -
- $\boxtimes$  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:
- $\boxtimes$  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:

 $oxed{\boxtimes}$  access to the property by road

## 3.3 Designated Bushfire Prone Area

The land:

oximes Is NOT 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:

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

### 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

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 <b>NOT connected the land</b> :	tc
	□ 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 appliable) 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

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

# 11. DISCLOSURE OF ENERGY INFORMATION

 $\boxtimes$  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

DATE OF THIS STATEMENT	/ /20
Name of the Vendor	
Joon LEE	
Signature/s of the Vendor	
×	
The Purchaser acknowledges being given the documents before the Purchaser signed any contents to the purchaser signed and	his statement signed by the Vendor with the attached ontract.
The Purchaser further acknowledges being dire	ected to the DUE DILIGENCE CHECKLIST.
DATE OF THIS ACKNOWLEDGMENT	/ /20
Name of the Purchaser	
Signature/s of the Purchaser	
×	



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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders,

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

Page 1 of 1

VOLUME 11104 FOLIO 837

Security no : 124123537533C Produced 09/04/2025 08:39 AM

## LAND DESCRIPTION

Lot 14 on Plan of Subdivision 612539N. PARENT TITLE Volume 08150 Folio 619 Created by instrument PS612539N 26/11/2008

### REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
 JOON LEE of 26 COLLINS STREET CHADSTONE VIC 3148
AM790483P 19/05/2016

### ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

### DIAGRAM LOCATION

SEE PS612539N 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 14 13 LOGIE STREET OAKLEIGH VIC 3166

### OWNERS CORPORATIONS

The land in this folio is affected by OWNERS CORPORATION 1 PLAN NO. PS612539N

DOCUMENT END

Title 11104/837 Page 1 of 1



# Department of Environment, Land, Water & Planning

## **Owners Corporation Search Report**

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Produced: 09/04/2025 08:39:08 AM

OWNERS CORPORATION 1 PLAN NO. PS612539N

The land in PS612539N is affected by	1 Owners Corporation(s)	3
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### Land Affected by Owners Corporation:

Common Property 1, Lots 1 - 18.

### **Limitations on Owners Corporation:**

Unlimited

### **Postal Address for Services of Notices:**

VICTORIA BODY CORPORATE SERVICES PTY LTD 64 FENNEL STREET PORT MELBOURNE VIC 3207

AQ649232X 19/01/2018

### **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:**

OC002971B 26/11/2008

### Notations:

NIL

## **Entitlement and Liability:**

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

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 1	75	75
Lot 2	98	98
Lot 3	115	115
Lot 4	103	103
Lot 5	102	102
Lot 6	129	129





# Department of Environment, Land, Water & Planning

# **Owners Corporation Search Report**

Produced: 09/04/2025 08:39:08 AM

OWNERS CORPORATION 1 PLAN NO. PS612539N

### **Entitlement and Liability:**

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

Land Parcel	Entitlement	Liability
Lot 7	123	123
Lot 8	99	99
Lot 9	105	105
Lot 10	74	74
Lot 11	74	74
Lot 12	79	79
Lot 13	79	79
Lot 14	66	66
Lot 15	66	66
Lot 16	65	65
Lot 17	73	73
Lot 18	65	65
Total	1590.00	1590.00

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.



# **Imaged Document Cover Sheet**

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

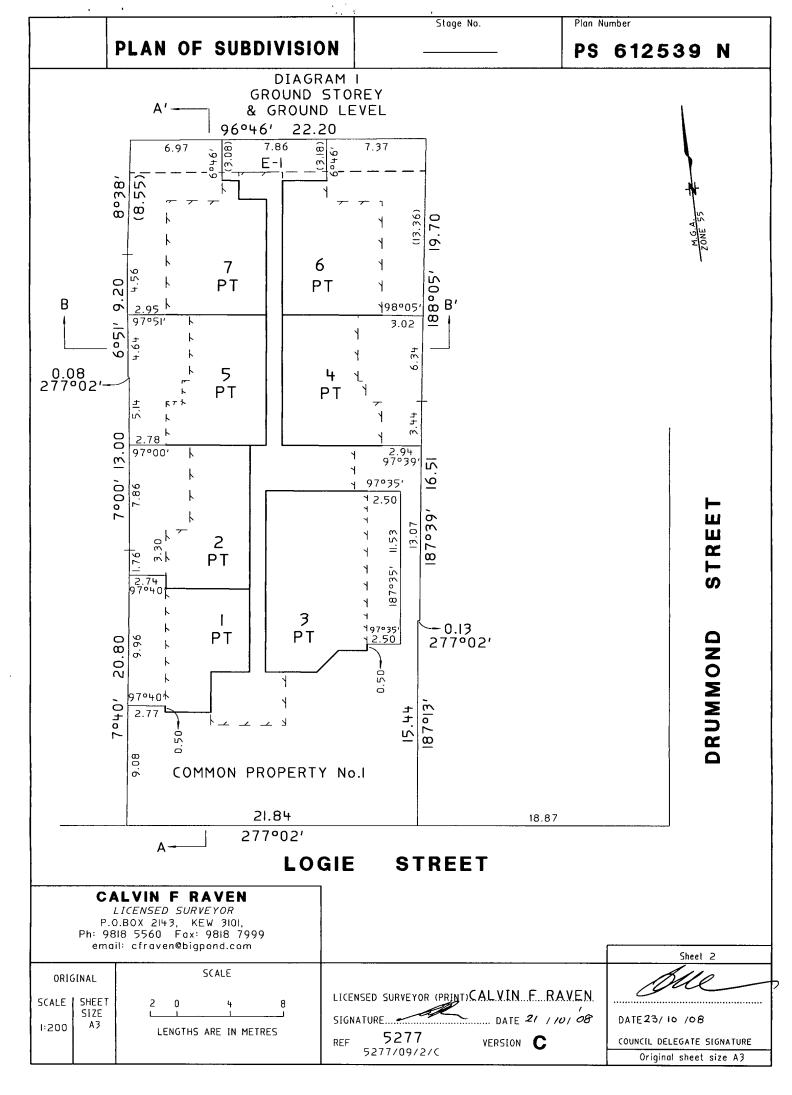
Document Type	Plan
Document Identification	PS612539N
Number of Pages	6
(excluding this cover sheet)	
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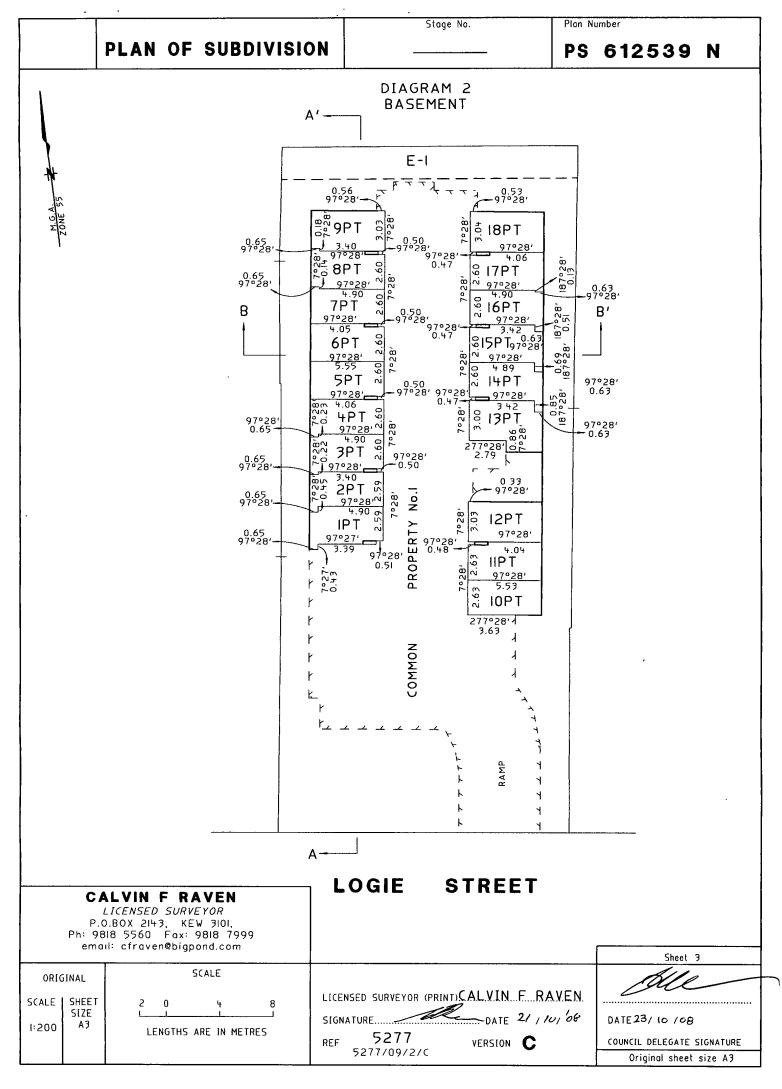
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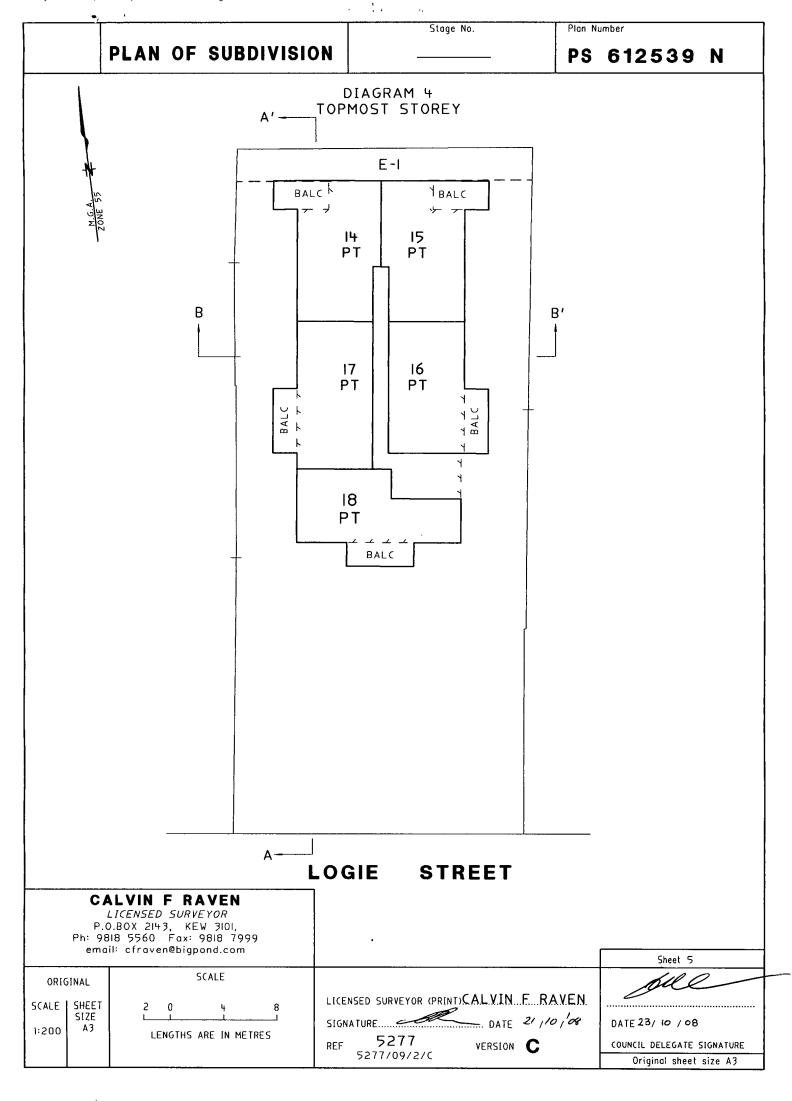
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# **Land Information Certificate**

Local Government Act 2020 - Section 121 Certificate Number: 90872

Issued: 10 April 2025

This certificate **provides** information regarding valuation, rates, charges, other moneys owing and any orders and notices made under the Local Government Act 1958, Local Government Act 1989 and Local Government Act 2020 or under a local law or by-law of the council, as at the above date.

This certificate is **not required** to include information regarding planning, building, health, land fill, land slip, other flooding information or service easements. Information regarding these matters may be available from the Council or the relevant authority. A fee may be charged for such information.

### **Property Information:**

Property location: 14/13 Logie Street OAKLEIGH VIC 3166
Title details: Lot 14 PS 612539N Parish of Mulgrave

AVPCC/Land Use: Land Use: 125 - Strata unit or flat

### Valuation details:

Current level of value date: 1 January 2024 Valuation date operative for 1 July 2024

rating purposes:

Capital Improved Value: 400,000
Site Value: 102,000
Net Annual Value: 20,000

This Council uses the 'Capital Improved Value' of the property for rating purposes.

### **Due Dates for Payment:**

- Arrears Rates & Charges & Arrears Legal Immediately <u>PLEASE NOTE</u> If this certificate has Arrears Rates & Charges greater than \$100.00 or any Arrears Legal then the owner must contact Council's recovery agency Maddocks Recoveries on 03 9258 3847 to discuss this debt as further legal action may be pending and additional costs incurred.
- 2. Legal/Bank fees/Interest raised current year Immediately.
- 3. In Full 17 February 2025. If amount unpaid after this date refer to point 1 above.
- 4. Four Instalments 30 September 2024, 2 December 2024, 28 February 2025 & 2 June 2025.
- 5. **Ten Instalments** Commencing 2 September 2024 ending 2 June 2025.

# <u>Rates & Charges - Multiple assessments may apply (see below) for the year ending:</u> <u>30 June 2025:</u>

### Assessment No. 1777606

Charges:	
Residential/Supplementary Rate	546.70
Recycle and Waste Levy	52.00
Fire Services Levy - State Government	166.80

Pension Rebates (if applicable):					
Residential/Supplementary Rate - Government					
Residential/Supplementary Rate -	Council	0.00			
Recycle and Waste Levy		0.00			
Fire Services Levy - State Governm	ent	0.00			
Additional information and amou	mtc.				
Additional information and amou	III.S.				
Arrears Rates & Charges	B/Fwd 01/07/2024	0.00			
Arrears Legal B/Fwd 01/07/2024					
Interest raised current year on	Arrears Rates & Charges	0.00			
Interest raised current year on	Overdue Instals/General/Supp Rates	0.00			

BALANCE OWING	Assessment No. 1777606	\$0.00
Refunds		0.00
Overpayments		0.00
Payments		-765.50
Legal/Bank Fees		0.00
Interest raised current year on	Overdue Instals/General/Supp Rates	0.00
interest raised current year on	Arrears hates & Charges	0.00

The Local Government Act 1989, Section 175, requires all arrears/interest/legal fees amounts to be paid in full immediately upon settlement.

Section 175 of the Local Government Act 1989 refers to the purchasers' responsibilities for payments upon becoming the owner of the land.

To confirm the amount payable please contact Customer Service on (03) 9518 3555. Please note, overdue amounts continue to accrue interest at 10.00% pa until payment in full is received by Council.

### Notices, Orders, Outstanding or Potential Liability / Subdivisional:

- A. Potential liability for rates under the Cultural and Recreational Land Act 1963:
  - N/A
- B. Potential liability for property to become rateable under Section 173 or 174A of the Local Government Act 1989:
  - N/A
- C. Outstanding monies required to be paid under Section 18 of the Subdivision Act 1988 or the Local Government 
  Act 1958, 1989 or 2020:
  - N/A
- D. Monies owed under Section 227 of the Local Government Act 1989 or Section 119 of the Local Government Act 2020:
  - N/A
- E. Flood levels specified by Council:
  - N/A
- F. Any money owned in relation to the land under section 94(5) of the Electricity Industry Act 2000
  - N/A
- G. Other Information under Section 121 (4) of the Local Government Act 2020:
  - A notice may be/has been served on the owner to clear a potential fire hazard non-compliance
    with this notice will result in a charge being levied. Council's Local Law No. 3 requires the
    owners of the land shall keep it free of vegetation and any other materials which are likely to
    constitute a fire hazard. Enquiries to Local Laws on (03) 9518 3555.

### H. Landfill Gas Risk Area

The Property has been identified in proximity to a designated post-closure landfill buffer zone within the City of Monash. Pursuant to the Environment Protection Authority Victoria's 'Publication 1642: Assessing planning proposals within the buffer of a landfill', a landfill gas risk assessment or environmental audit under section 210 of the Environment Protection Act 2017 may be required for any proposed alterations to the Property.

•

### **IMPORTANT TO NOTE:**

- Verbal confirmation of any variation to this certificate **will not** be given after 9 July 2025. A new certificate **must be** applied for after this date.
- No liability will be accepted for verbal updates given or for any changes that occur after the issue date
- In all cases Council recommends a new Certificate be applied for to have written updated information.
- Amounts shown as paid on this certificate may be subject to clearance by a Bank.
- Overdue amounts accrue interest on a daily basis at 10.00% pa.
- All Notice of Acquisitions documents are to be sent to <u>mail@monash.vic.gov.au</u>

HOW AND WHERE TO PAY OUTSTANDING RATES							
IN PERSON TO THE CASHIER MON- FRI 8.30AM to 5.00PM:			BY MAIL:		Biller Code: 1826		
GLEN WAVERLEY OFFICE 293 SPRINGVALE RD GLEN WAVERLEY	H OFFICE FON RD H	CITY OF MONASH PO BOX 1 GLEN WAVERLEY 3150	PAY	REF: 0001777606 \$0.00 Total Outstanding: \$0.00			
CREDIT CARD					, com carcamang your		
By Phone Call Council on (03) 9518 3555 and Pay Online			e At: ash.vic.gov.au/payments	Telephone & Internet Banking – BP. Call your bank, credit union or buildi society to make this payment from y cheque, savings or credit card accou			
1777606 - \$0.00 1777606			- \$0.00	More info	: www.bpay.com.au		

<u>PLEASE NOTE</u>: The prescribed fee for a Land Information Certificate effective from 1 July 2024 is \$29.70.

I confirm I have received the sum of \$29.70 being the fee for this Certificate.

### **Applicant details:**

Landata GPO Box 527 MELBOURNE VIC 3001

Reference date: 09/04/2025

Reference no: 76431668-018-8:57963

**Document summary:** 

Margaret D Spencert

Manager Customer Experience

**MARGARET SPOWART** 



# **INFORMATION STATEMENT**

STATEMENT UNDER SECTION 158, WATER ACT 1989

LJ Conveyancing E-mail: certificates@landata.vic.gov.au

Statement for property: UNIT 14 LOT 14 13 LOGIE STREET OAKLEIGH 3166 14 PS 612539

REFERENCE NO.

27B//07137/00068

YOUR REFERENCE

**LANDATA CER 76431668-**029-4

DATE OF ISSUE

09 APRIL 2025

CASE NUMBER

49058155

## **Statement of Fees Imposed**

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

(a) By Other Authorities		
Parks Victoria - Parks Service Charge	01/04/2025 to 30/06/2025	\$21.79
Melbourne Water Corporation Total Service Charges	01/04/2025 to 30/06/2025	\$30.52
(b) By South East Water		
Water Service Charge	01/04/2025 to 30/06/2025	\$22.58
Sewerage Service Charge	01/04/2025 to 30/06/2025	\$98.05
Subtotal Service Charges	_	\$172.94
TC	TAL UNPAID BALANCE	\$172.94

- Financial Updates (free service) are only available online please go to (type / copy the complete address shown below): https://secureapp.southeastwater.com.au/PropertyConnect/#/order/info/update
- \* Please Note: if usage charges appear above, the amount shown includes one or more of the following:

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

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

- The total annual service fees and volumetric fees for water usage and sewerage disposal for each class of property are set out at www.southeastwater.com.au.
- Updates of rates and other charges will only be provided for up to six months from the date of this statement.
- If this property has recently been subdivided from a "parent" title, there may be service or other charges owing on the "parent" which will be charged to this property, once sold, that do not appear on this statement.

AUTHORISED OFFICER:

**Information Statement Applications** PO Box 2268, Seaford, VIC 3198

South East Water

LARA SALEMBIER GENERAL MANAGER CUSTOMER EXPERIENCE



# INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

You must contact us to see if there are any such charges as they may be charged to this property on sale and should therefore be adjusted with the owner of the parent title beforehand.

- If the property is sold, the vendor is liable to pay all fees incurred in relation to the property until the vendor gives South East Water a Notice of Disposition of Land required by the Water (General) Regulations 2021, please include the Reference Number set out above in that Notice.
- Fees relating to the property may change from year-to-year in accordance with the Essential Service Commission's Price Determination for South East Water.
- Every fee referred to above is a charge against the property and will be recovered from a purchaser of the property if it is not paid by the vendor.
- Information about when and how outstanding fees may be paid, collected and recovered is set out in the Essential Services Commission's Customer Service Code, Urban Water Businesses.
- If this Statement only sets out rates and fees levied by Parks Victoria and Melbourne Water, the property may not be connected to South East Water's works. To find out whether the property is, or could be connected upon payment of the relevant charges, or whether it is separately metered, telephone 131 694.
- For a new connection to our water or sewer services, fees / charges will be levied.

### 2. Encumbrance Summary

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

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

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

### ENCUMBRANCE ENQUIRY EMAIL infostatements@sew.com.au

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

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

**Important Warnings** 

AUTHORISED OFFICER:

LARA SALEMBIER GENERAL MANAGER CUSTOMER EXPERIENCE South East Water Information Statement Applications

PO Box 2268, Seaford, VIC 3198



# INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

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

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

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

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

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

### 3. Disclaimer

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

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

AUTHORISED OFFICER:

LARA SALEMBIER GENERAL MANAGER CUSTOMER EXPERIENCE South East Water Information Statement Applications

PO Box 2268, Seaford, VIC 3198

# **ASSET INFORMATION - SEWER & DRAINAGE** South East Water Property: Lot 14 UNIT 14 13 LOGIE STREET OAKLEIGH 3166 Date: 09APRIL2025 Case Number: 49058155 Scale in Metres 1392 1394 1398 1400 1402 112 111 $114^{\frac{57.98}{55.32}}$ 15 116 17 LOGIE ST 443 X LOGIE 118 Ĩ22 WARNING: This plan is issued solely for the purpose of assisting you in identifying South East Water's and Melbourne Water's specified assets through further investigation only. It is not to be used for any other purpose, including to identify any other assets, property boundaries or dimensions. Accordingly, the location of all assets should be proven by hand on site prior to the commencement of any work. (Refer to attached letter for further details). Assets labelled AC may contain asbestos and therefore works on these assets must be undertaken in accordance with OH&S Regulations. Abandoned and currently unused assets are shown in orange. Title/Road Boundary Subject Property Maintenance Hole Proposed Title/Road Sewer Main & Property Connections Inspection Shaft Direction of Flow <1.0> Offset from Boundary Easement Melbourne Water Assets Natural Waterway Sewer Main Underground Drain Underground Drain M.H. Maintenance Hole Channel Drain

# **ASSET INFORMATION - WATER** South East Property: Lot 14 UNIT 14 13 LOGIE STREET OAKLEIGH 3166 Date: 09APRIL2025 Case Number: 49058155 Scale in Metres 1392 1398 1394 1400 150 CICL 1402 16/04/1969 100 CI 12/12/1890 112 CL 1/01/1978 5A 111 15 5.5 116 17 2. X LOGIE 15 7.6 WARNING: This plan is issued solely for the purpose of assisting you in identifying South East Water's and Melbourne Water's specified assets through further investigation only. It is not to be used for any other purpose, including to identify any other assets, property boundaries or dimensions. Accordingly, the location of all assets should be proven by hand on site prior to the commencement of any work. (Refer to attached letter for further details). Assets labelled AC may contain asbestos and therefore works on these assets must be undertaken in accordance with OH&S Regulations. Abandoned and currently unused assets are shown in orange. **LEGEND** Title/Road Boundary Subject Property Hydrant Proposed Title/Road Water Main Valve Fireplug/Washout ~ 1.0 Offset from Boundary Easement Water Main & Services

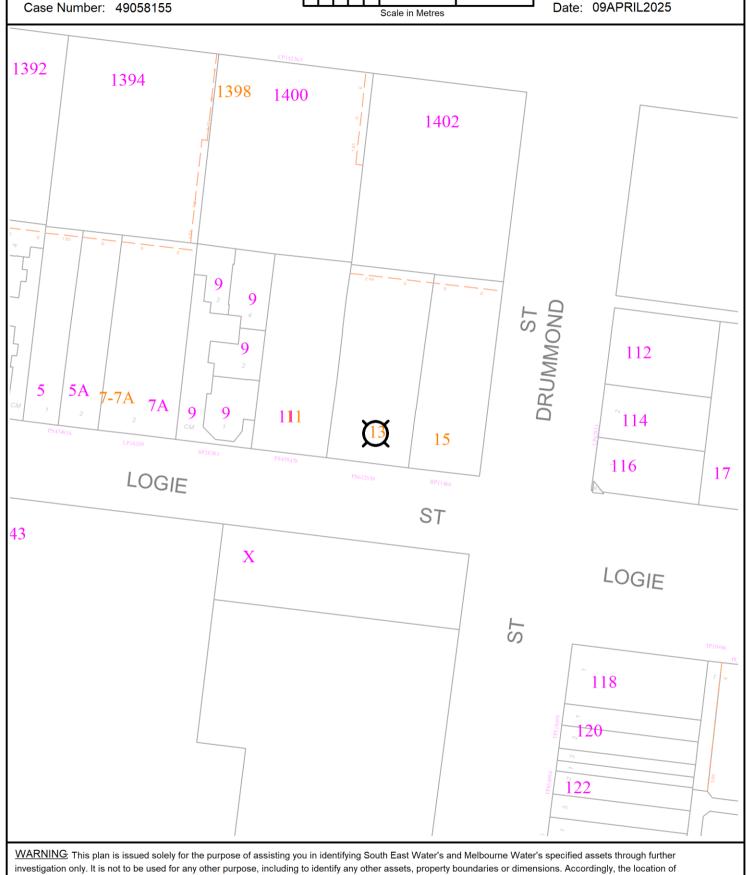
# South East

# ASSET INFORMATION - RECYCLED WATER

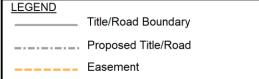
(RECYCLE WATER WILL APPEAR IF IT'S AVAILABLE)

Property: Lot 14 UNIT 14 13 LOGIE STREET OAKLEIGH 3166



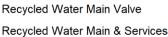


all assets should be proven by hand on site prior to the commencement of any work. (Refer to attached letter for further details). Assets labelled AC may contain asbestos and therefore works on these assets must be undertaken in accordance with OH&S Regulations. Abandoned and currently unused assets are shown in orange.





Subject Property





Hydrant



Fireplug/Washout

Offset from Boundary

# **Property Clearance Certificate**

# Land Tax



LJ CONVEYANCING

Your Reference: LD:76431668-014-0.S4934

**Certificate No:** 89439458

Issue Date: 09 APR 2025

**Enquiries: ESYSPROD** 

Land Address: UNIT 14, 13 LOGIE STREET OAKLEIGH VIC 3166

Land Id Folio Tax Payable Lot Plan Volume 36845692 14 612539 11104 837 \$975.00

Vendor: JOON LEE Purchaser: **NIL NIL** 

**Current Land Tax** Year Taxable Value (SV) Proportional Tax Penalty/Interest Total

MR JOON LEE 2025 \$102,000 \$975.00 \$0.00 \$975.00

Comments: Land Tax will be payable but is not yet due - please see notes on reverse.

**Current Vacant Residential Land Tax** Year Taxable Value (CIV) Tax Liability Penalty/Interest **Total** 

Comments:

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

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

SITE VALUE (SV): \$102,000

**CURRENT LAND TAX AND** \$975.00 **VACANT RESIDENTIAL LAND TAX CHARGE:** 

CAPITAL IMPROVED VALUE (CIV):

\$400,000



# **Notes to Certificate - Land Tax**

Certificate No: 89439458

### Power to issue Certificate

 Pursuant to section 95AA of the Taxation Administration Act 1997, the Commissioner of State Revenue must 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

- 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. Pursuant to section 96 of the Land Tax Act 2005, if a purchaser of the land described in the Certificate has applied for and obtained a certificate, the amount recoverable from the purchaser by the Commissioner cannot exceed the amount set out in the certificate, described as the "Current Land Tax Charge and Vacant Residential Land Tax Charge" overleaf. A purchaser cannot rely on a Certificate obtained by the vendor.

#### Information for the vendor

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

### Apportioning or passing on land tax to a purchaser

6. A vendor is prohibited from apportioning or passing on land tax including vacant residential land tax, interest and penalty tax to a purchaser under a contract of sale of land entered into on or after 1 January 2024, where the purchase price is less than \$10 million (to be indexed annually from 1 January 2025, as set out on the website for Consumer Affairs Victoria).

### General information

- 7. 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.
- 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 = \$975.00

Taxable Value = \$102,000

Calculated as \$975 plus (\$102,000 - \$100,000) multiplied by 0.000 cents.

VACANT RESIDENTIAL LAND TAX CALCULATION

Vacant Residential Land Tax = \$4,000.00

Taxable Value = \$400,000

Calculated as \$400,000 multiplied by 1.000%.

### **Land Tax - Payment Options**

## BPAY



Biller Code: 5249 Ref: 89439458

### 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: 89439458

### Visa or Mastercard

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

sro.vic.gov.au/paylandtax

# **Property Clearance Certificate**



# Commercial and Industrial Property Tax

LJ CONVEYANCING

Your Reference: LD:76431668-014-0.S4934

Certificate No: 89439458

Issue Date: 09 APR 2025

Enquires: ESYSPROD

Land Address:	UNIT 14, 13 LOGIE STREET OAKLEIGH VIC 3166						
<b>Land Id</b> 36845692	<b>Lot</b> 14	<b>Plan</b> 612539	<b>Volume</b> 11104	<b>Folio</b> 837	Tax Payable \$0.00		
AVPCC	Date of entry into reform	Entry interest	Date land becomes CIPT taxable land	Comment			
125	N/A	N/A	N/A	The AVPCC allocated to the land is not a qualifying use.			

This certificate is subject to the notes found on the reverse of this page. The applicant should read these notes carefully.

Paul Broderick

Commissioner of State Revenue

CAPITAL IMPROVED VALUE: \$400,000

SITE VALUE: \$102,000

CURRENT CIPT CHARGE: \$0.00



# **Notes to Certificate - Commercial and Industrial Property Tax**

Certificate No: 89439458

### **Power to issue Certificate**

 Pursuant to section 95AA of the Taxation Administration Act 1997, the Commissioner of State Revenue must 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**

The Certificate shows any commercial and industrial property tax (including interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue.

### Australian Valuation Property Classification Code (AVPCC)

- The Certificate may show one or more AVPCC in respect of land described in the Certificate. The AVPCC shown on the Certificate is the AVPCC allocated to the land in the most recent of the following valuation(s) of the land under the Valuation of Land Act 1960:
  - · a general valuation of the land;
  - a supplementary valuation of the land returned after the general valuation.
- 4. The AVPCC(s) shown in respect of land described on the Certificate can be relevant to determine if the land has a qualifying use, within the meaning given by section 4 of the Commercial and Industrial Property Tax Reform Act 2024 (CIPT Act). Section 4 of the CIPT Act Land provides that land will have a qualifying use if:
  - the land has been allocated one, or more than one, AVPCC in the latest valuation, all of which are in the range 200-499 and/or 600-699 in the Valuation Best Practice Specifications Guidelines (the requisite range);
  - the land has been allocated more than one AVPCC in the latest valuation, one or more of which are inside the requisite range and one or more of which are outside the requisite range, and the land is used solely or primarily for a use described in an AVPCC in the requisite range; or
  - the land is used solely or primarily as eligible student accommodation, within the meaning of section 3 of the CIPT Act.

## Commercial and industrial property tax information

- If the Commissioner has identified that land described in the Certificate is tax reform scheme land within the meaning given by section 3 of the CIPT Act, the Certificate may show in respect of the land:
  - the date on which the land became tax reform scheme land;
  - whether the entry interest (within the meaning given by section 3 of the Duties Act 2000) in relation to the tax reform scheme land was a 100% interest (a whole interest) or an interest of less than 100% (a partial interest); and
  - the date on which the land will become subject to the commercial and industrial property tax.
- 6. A Certificate that does not show any of the above information in respect of land described in the Certificate does not mean that the land is not tax reform scheme land. It means that the Commissioner has not identified that the land is tax reform scheme land at the date of issue of the Certificate. The Commissioner may identify that the land is tax reform scheme land after the date of issue of the Certificate.

### Change of use of tax reform scheme land

7. Pursuant to section 34 of the CIPT Act, an owner of tax reform scheme land must notify the Commissioner of certain changes of use of tax reform scheme land (or part of the land) including if the actual use of the land changes to a use not described in any AVPCC in the range 200-499 and/or 600-699. The notification must be given to the Commissioner within 30 days of the change of use.

### Commercial and industrial property tax is a first charge on land

8. Commercial and industrial property tax (including any interest and penalty tax) is a first charge on the land to which the commercial and industrial property tax is payable. 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 unpaid commercial and industrial property tax.

### Information for the purchaser

9. Pursuant to section 27 of the CIPT Act, if a bona fide purchaser for value of the land described in the Certificate applies for and obtains a Certificate in respect of the land, the maximum amount recoverable from the purchaser is the amount set out in the Certificate. A purchaser cannot rely on a Certificate obtained by the vendor.

### Information for the vendor

10. Despite the issue of a Certificate, the Commissioner may recover a commercial and industrial property tax liability from a vendor, including any amount identified on this Certificate.

## Passing on commercial and industrial property tax to a purchaser

11. A vendor is prohibited from apportioning or passing on commercial and industrial property tax to a purchaser under a contract of sale of land entered into on or after 1 July 2024 where the purchase price is less than \$10 million (to be indexed annually from 1 January 2025, as set out on the website for Consumer Affairs Victoria).

### General information

- 12. Land enters the tax reform scheme if there is an entry transaction, entry consolidation or entry subdivision in respect of the land (within the meaning given to those terms in the CIPT Act). Land generally enters the reform on the date on which an entry transaction occurs in respect of the land (or the first date on which land from which the subject land was derived (by consolidation or subdivision) entered the reform).
- 13. The Duties Act includes exemptions from duty, in certain circumstances, for an eligible transaction (such as a transfer) of tax reform scheme land that has a qualifying use on the date of the transaction. The exemptions apply differently based on whether the entry interest in relation to the land was a whole interest or a partial interest. For more information, please refer to www.sro.vic.gov.au/CIPT.
- 14. A Certificate showing no liability for the land does not mean that the land is exempt from commercial and industrial property tax. It means that there is nothing to pay at the date of the Certificate.
- 15. 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.

# **Property Clearance Certificate**

# Windfall Gains Tax



LJ CONVEYANCING

Your Reference: LD:76431668-014-0.S4934

Certificate No: 89439458

Issue Date: 09 APR 2025

Land Address: UNIT 14, 13 LOGIE STREET OAKLEIGH VIC 3166

**Lot Plan Volume Folio**14 612539 11104 837

Vendor: JOON LEE
Purchaser: NIL NIL

WGT Property Id Event ID Windfall Gains Tax Deferred Interest Penalty/Interest Total

\$0.00 \$0.00 \$0.00

Comments: No windfall gains tax liability identified.

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

**CURRENT WINDFALL GAINS TAX CHARGE:** 

\$0.00

**Paul Broderick** 

Commissioner of State Revenue



# **Notes to Certificate - Windfall Gains Tax**

Certificate No: 89439458

### **Power to issue Certificate**

 Pursuant to section 95AA of the *Taxation Administration Act 1997*, the Commissioner of State Revenue must 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**

- The Certificate shows in respect of the land described in the Certificate:
  - Windfall gains tax that is due and unpaid, including any penalty tax and interest
  - Windfall gains tax that is deferred, including any accrued deferral interest
  - Windfall gains tax that has been assessed but is not yet due
  - Windfall gains tax that has not yet been assessed (i.e. a WGT event has occurred that rezones the land but any windfall gains tax on the land is yet to be assessed)
  - Any other information that the Commissioner sees fit to include such as the amount of interest accruing per day in relation to any deferred windfall gains tax.

### Windfall gains tax is a first charge on land

3. Pursuant to section 42 of the Windfall Gains Tax Act 2021, windfall gains tax, including any accrued interest on a deferral, 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 unpaid windfall gains tax.

### Information for the purchaser

- 4. Pursuant to section 42 of the Windfall Gains Tax Act 2021, if a bona fide purchaser for value of land applies for and obtains a Certificate in respect of the land, the maximum amount recoverable from the purchaser by the Commissioner is the amount set out in the certificate, described as the "Current Windfall Gains Tax Charge" overleaf.
- 5. If the certificate states that a windfall gains tax is yet to be assessed, note 4 does not apply.
- 6. A purchaser cannot rely on a Certificate obtained by the vendor.

### Information for the vendor

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

### Passing on windfall gains tax to a purchaser

8. A vendor is prohibited from passing on a windfall gains tax liability to a purchaser where the liability has been assessed under a notice of assessment as at the date of the contract of sale of land or option agreement. This prohibition does not apply to a contract of sale entered into before 1 January 2024, or a contract of sale of land entered into on or after 1 January 2024 pursuant to the exercise of an option granted before 1 January 2024.

### **General information**

- A Certificate showing no liability for the land does not mean that the land is exempt from windfall gains tax. It means that there is nothing to pay at the date of the Certificate.
- 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.
- 11. Where a windfall gains tax liability has been deferred, interest accrues daily on the deferred liability. The deferred interest shown overleaf is the amount of interest accrued to the date of issue of the certificate.

### **Windfall Gains Tax - Payment Options**

# BPAY



Biller Code: 416073 Ref: 89439459

## Telephone & Internet Banking - BPAY®

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www.bpay.com.au

### CARD



Ref: 89439459

### Visa or Mastercard

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

sro.vic.gov.au/payment-options

## Important payment information

Windfall gains tax payments must be made using only these specific payment references.

Using the incorrect references for the different tax components listed on this property clearance certificate will result in misallocated payments.



### **OWNERS CORPORATION CERTIFICATE**

s.151(4)(a) Owners Corporation Act 2006 and r.11 Owners Corporations Regulations 2007

Owners Corporation 1 on Plan No. PS612539 13 Logie Street, Oakleigh, Victoria 3166

This certificate is issued for: Owners Corporation 1 on Plan of Subdivision No. PS612539

Lot 14/13 Logie Street Oakleigh VIC 3166

The postal address is: Unit 14/13 Logie Street

Oakleigh VIC 3166

Applicant for certificate: LJ Conveyancing Pty Ltd

Delivery address for certificate: info@ljconveyancing.com.au

### **IMPORTANT:**

The information in this certificate is issued on 16.04.25. A new certificate should be obtained for current information prior to settlement. You can inspect the Owners Corporations Register for additional information if required.

(a) The current annual fees for Owners Corporation 1 for the above lot are \$3,688.82 Payable quarterly in advance. The due dates for annual fees in the current financial year are 1st July 2024, 1st October 2024, 1st January 2025, 1st April 2025.

Due Date	Levy Description	Admin Fund	Maint Fund	Status
01.01.25	Quarterly Levy for period 01.01.25-31.03.25	\$871.70	\$74.71	Paid
01.04.25	Quarterly Levy for period 01.04.25-30.06.25	\$871.70	\$74.71	Paid

- (b) The date up to which the fees for the lot have been paid to: 30th June 2025
- (c) The total of any unpaid fees or charges for the lot is: NIL.
- (d) The special fees or levies which have been struck, the dates on which they were struck and the dates they are payable are: **NIL.**
- (e) Are there any repairs, maintenance or other work which has been, or is about to be, performed which may incur additional charges to those set out in (a) to (d) above?

The owners corporation completed the agreed below listed works carried out during 2022 and 2023 at the property. These works were funded using the Special Levy raised for window replacements. At the time these works were approved there were not enough funds to complete the works required to the Northern Elevation windows and doors, these works will need to be completed in the future and funds may be required to be raised. These works have also been placed on hold until an engineer's report is obtained in relation to the building movement.

- Common Area Front Stairwell Window (West Elevation)
- Unit Window Repairs Rear of Property (Southern Elevation)
- Common Area Upper-Level Walkway Repairs
- Painting
- Gutters/Downpipes and Stormwater
- Laundry
- Repairs
- Fencing

It has been identified that there are

The site is subject to a building notice and building order. As we have recently taken over this site we are working through a suitable outcome, scope and quoting process to resolve the issues. We have requested an extension of time with council.

To date we do not have a quantum of costs.



There are known issues with a couple of the balconies which includes structure and therefore that component will be OC responsibility. We await final quotes for this work.

(f) The Owners Corporation has the following insurance cover:

**Insurer:** CGU Insurance

Broker: Strata Unit Underwriting Agency Pty Ltd

**Policy No.** 06S2724907

Class of Policy: Residential Strata Insurance

The Insured: Owners Corporation PLAN NO. PS612539

**Period of Insurance:** 01.12.24 to 01.06.25

**COVER DETAILS:** 

 Building:
 \$8,668,068

 Loss of Rent:
 \$1,300,210

 Legal Liability:
 \$20,000,000

 Fidelity Guarantee:
 \$100,000

 Government Audit Costs:
 \$25,000

Please refer to attached copy of the Certificate of Currency for further information.

- (g) Has the Owners Corporation resolved that the members may arrange their own insurance under section 63 of the Act?

  The Owners Corporation has NOT resolved that members may arrange their own insurance under section 63 of the Act.
- (h) The total funds held by Owners Corporation 1 as at 16.04.25 are: \$36,083.35
- (i) Are there any liabilities of the Owners Corporation that are not covered by annual fees, special levies and repairs and maintenance as set out in (a) to (e) above?

The owners corporation completed the agreed below listed works carried out during 2022 and 2023 at the property. These works were funded using the Special Levy raised for window replacements. At the time these works were approved there were not enough funds to complete the works required to the Northern Elevation windows and doors, these works will need to be completed in the future and funds may be required to be raised.

- Common Area Front Stairwell Window (West Elevation)
- Unit Window Repairs Rear of Property (Southern Elevation)
- Common Area Upper-Level Walkway Repairs
- Painting
- Gutters/Downpipes and Stormwater
- Laundry Repairs
- Fencing

These works have also been placed on hold until an engineer's report is obtained in relation to the building movement.

(j) Are there any current contracts, leases, licences, or agreements affecting the common property?

There are no leases or licences existing over common property however the following agreements have been entered into by the Owners Corporation:

- Access Strata Management Pty Ltd
- Linkfire
- (k) Are there any current agreements to provide services to lot owners, occupiers, or the public?

  None known to the Owners Corporation Manager as at 16.04.25.
- (I) Are there any notices or orders served on the owner's corporation in the last 12 months that have not been satisfied?

  Yes Building Notice and Building Order Minor Work attached
- (m) Are there any legal proceedings to which the owner's corporation is a party and any circumstances of which the Owners Corporation is aware that are likely to give rise to proceedings?

  None known to the Owners Corporation Manager as at 16.04.25.



(n) Has the Owners Corporation appointed, or resolved to appoint, a manager?

The Manager is Access Strata Management Pty Ltd Level 1, 20 Monomeeth Drive Mitcham Victoria 3132 (PO Box 369) Lilydale Victoria 3140

T: 03 9070 8299

E: info@accessstrata.com.au

(o) Has an administrator been appointed for the Owners Corporation, or has there been a proposal for the appointment of an administrator?

The Owners Corporation has not appointed, or is seeking a proposal for the appointment of an administrator.

(p) Documents required to be attached to the Owners Corporation Certificate are:

A copy of Schedule 3 of the Owners Corporations Regulations 2007 entitled "Statement of Advice and Information for Prospective Purchasers and Lot Owners;"

A copy of the Balance Sheet as at 16.04.25.

A copy of the Insurance Schedule for the period 01.12.24 to 01.06.25

A copy of the Annual General Meeting Minutes 03.09.24.

A copy of the Model Rules

A copy of the Building Order Minor Work RS-01-103-BOMW-002

A copy of the Building Notice RS-01-103

### NOTE:

More information on prescribed matters may be obtained from an inspection of the Owners Corporation Register by making a written application to the Manager at the address listed below. This Certificate is issued on the following basis:

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

Date: 16th April 2025

This Owners Corporation Certificate was prepared by:

\*\*\*

On behalf of Owners Corporation 1 on Plan of Subdivision No. PS612539

Klair Jones – Managing Director Access Strata Management Pty Ltd Level 1, 20 Monomeeth Drive Mitcham Victoria 3132 (PO Box 369) Lilydale Victoria 3140



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

Schedule 3, Regulation12, Owners Corporations Regulations 2007

OC 10 (12/07)

### What is an Owners Corporation?

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

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

### How are decisions made by an Owners Corporation?

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

### **Owners Corporation rules**

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

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

### Lot entitlement and lot liability

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

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

### Further information

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

### Management of an Owners Corporation

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

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

#### Balance Sheet

#### As at 16/04/2025

Account Classification		Amount(\$) 16/04/2025
<u>Assets</u>		
Administrative Fund		
Accounts Receivable		
Owner Regular Contributions		96.97 4,213.21
-	<del></del>	4,310.18
Cash at Bank -> AccNo:240594473		
Presented	<del></del>	13,057.33
Maintenance Fund		13,057.33
Accounts Receivable Regular Contributions		428.76
		428.76
Cash at Bank -> AccNo:240594473		
Presented		22,218.49
Unallocated Fund		22,218.49
Cash at Bank -> AccNo:240594473  Presented		807.53
		807.53
	• Total Assets	\$40,822.29
<u>Less Liabilities</u>		
Administrative Fund		
GST Clearing		2,056.90
		2,056.90
Maintenance Fund		
GST Clearing		688.46
		688.46
Unallocated Fund		
Prepaid- Contributions		807.53
		807.53
	<b>⊙</b> Total Liabilities	\$3,552.89
Net Assets		\$37,269.40
<u>Equity</u>		
Administrative Fund		

13 LOGIE STREET OAKLEIGH VIC 3166 (ABN: 38 446 495 653)

Account Classification		Amount(\$)
		16/04/2025
Owners' Equity		(14,983.31)
Operating Surplus/(Deficit)		30,293.92
		15,310.61
Maintenance Fund		
Owners' Equity		15,410.36
Operating Surplus/(Deficit)		6,548.43
		21,958.79
	<b>⊙</b> Total Equity	\$37,269.40
Net Owners' Fund	<u> </u>	\$37,269.40

13 LOGIE STREET OAKLEIGH VIC 3166 (ABN: 38 446 495 653)

# Owner Ledger

Start Date : 16/04/2022 End Date : 16/04/2027

Lot 14	
Unit 14	
_	
Lee	

Levies										
Levy No.	Due date	Sys. Entered Date	Details	Levy Amount	Paid	Interest Paid	Interest on arrears	Levy Levy Type Balance	<b>Levy Туре</b>	Status
_	01/01/2025	27/11/2024	Administrative Fund Levy Contribution 01/01/25 - 31/03/25	\$871.70	\$871.70	\$0.00	\$0.00	\$0.00	\$0.00 Q - Regular Levy	≻
2	01/01/2025	27/11/2024	Maintenance Fund Levy Contribution 01/01/25 - 31/03/25	\$74.71	\$74.71	\$0.00	\$0.00	\$0.00	\$0.00 Q - Regular Levy	≻
ω	01/04/2025	19/02/2025	Administrative Fund Levy Contribution 01/04/25 - 30/06/25	\$871.70	\$871.70	\$0.00	\$0.00	\$0.00	\$0.00 Q - Regular Levy	≻
4	01/04/2025	19/02/2025	Maintenance Fund Levy Contribution 01/04/25 - 30/06/25	\$74.71	\$74.71	\$0.00	\$0.00	\$0.00	Q - Regular Levy	≻

# Current position as at 16/04/2025

Prepaid :	\$0.00	Levy Arrears & Ow	Levy Arrears & Owner Invoices Due :	\$0.00	Interest on Levy Arrears :	\$0.00	\$0.00 Total Arrears :	\$0.00
Receipts								
							<b>A II .</b> .	

3,4	\$0.00	\$946.41	25	06/03/2025	126817
1,2	\$0.00	\$946.41	24	17/12/2024	103451
Allocated Levies	Receipt Balance	atus Amount	Date Status	No. Receipt Date	Receipt No.
					Receipts

13 LOGIE STREET OAKLEIGH VIC 3166 (ABN: 38 446 495 653)	Prepared for Owners Corporation 13 Logie Street [PS612539]
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Page 2 of 2

# CERTIFICATE OF CURRENCY



To whom it may concern,

Strata Unit Underwriting Agency Pty Ltd
T/A Strata Unit Underwriters | ABN 30 089 201 534 | AFSL 246719
Level 14/141 Walker Street, North Sydney, New South Wales 2060
info@suu.com.au | www.suu.com.au | T: 1300 668 066 | F: 1300 668 166

**Date:** 4/12/2024

Reference No: DOC0000874844

This policy referred to is current at the date of issue of this certificate and whilst a due date has been indicated, it should be noted that the policy may be cancelled in the future. Accordingly, reliance should not be placed on the expiry date. This is to certify cover has been granted in terms of the Insurers Standard Policy, a copy of which is available on request. This certificate is not a substitute for the Policy of Insurance issued to you. The Policy, not this certificate, details your rights and obligations and the extents of your insurance cover.

Insured: Owners Corporation 612539 Policy Number: 06S2724907

Type of Insurance: Residential Strata Period of Insurance: From 4:00<sub>PM</sub> 01/12/2024

To 4:00<sub>PM</sub> 01/06/2025

#### **OVERVIEW**

Insured:	Owners Corporation 612539	
Situation:	13 LOGIE STREET, OAKLEIGH VIC 3166	
Section 1:	Building including common contents	\$8,668,068
	Loss of Rent/Temporary Accommodation (15%)	\$1,300,210
	Catastrophe or Emergency (15%)	\$1,300,210
	Additional Loss of Rent/Temporary Accommodation	Not included
	Additional Catastrophe or Emergency	Not included
	Floating Floors	Included
	Flood	Not included
Section 2:	Glass	Automatically Included
Section 3:	Theft	Automatically Included
Section 4:	Liability	\$ 20,000,000
Section 5:	Fidelity Guarantee	\$100,000
Section 6:	Office Bearers Liability	Not included
Section 7:	Voluntary Workers (Weekly/Capital Benefit)	\$2,000/\$200,000
Section 8:	Government Audit Costs	\$25,000
Section 9:	Legal Expenses	Not Insured
Section 10:	Workplace, Health and Safety Breaches	\$100,000
Section 11:	Machinery Breakdown	Not Insured
Section 12:	Lot Owners Improvements (Per Lot)	\$250,000
Section 13:	Workers Compensation	Not included

# CERTIFICATE OF CURRENCY



Policy Number: 06S2724907

**Insured:** Owners Corporation 612539

#### **EXCESSES**

#### **Section 1 - Building including Common Contents**

\$2,500.00 all other claims + as per policy wording

\$3,000.00 bursting, leaking, discharging or overflowing of pipes and/or apparatus and any resultant damage \$3,000.00 water damage claims

Section 2 - Glass

\$2,500.00 all claims

**Section 3 - Theft** 

\$2,500.00 all claims

#### SPECIAL TERMS/CONDITIONS

#### **Building Defects (applicable to all sections)**

We will not pay any claims for Damage to Insured Property, Personal Injury, Property Damage, Loss, or Legal Expenses caused directly or indirectly by, contributed by or arising from defect in any item, structural defect, faulty design, faulty workmanship, error or omission as outlined within the Building Order issued by Victorian Building Authority dated 29/05/2023.

# CERTIFICATE OF CURRENCY



#### IMPORTANT NOTICES

It is important to read and consider the Product Disclosure Statement when deciding whether to purchase this insurance. You should consider whether this product is appropriate for your financial circumstances, objectives and needs. After reading this notice if any matter relating to your policy is unclear to you or you have any questions at all in relation to the insurance, please contact us for an answer or explanation as soon as possible.

Strata Unit Underwriting Agency Pty Limited T/A Strata Unit Underwriters (SUU) hereby gives notice that this contract is issued under an authority by the Insurer/s named on Your Quotation or Policy Schedule. SUU is an agent of the Insurer and not the Insured.

Clients who are not fully satisfied with our services should contact our Internal Disputes Resolution Officer. SUU also subscribes to the Australian Financial Complaints Authority, a free customer service. Further information is available within the Product Disclosure Statement (PDS) or via our website.

Please review the sums insured as noted on your Quotation or Policy Schedule to ensure they are up-to-date and take into account your objectives, financial situation, needs and requirements of any relevant legislation.

When answering our questions you must be honest, as the answers will form the basis of our decision to insure you. Your answers apply to you and to anyone else that may be insured under the policy. If you have not answered our questions in this way, we may reduce or refuse to pay a claim, or cancel the policy.

#### GENERAL ADVICE WARNING

The general advice provided has not taken into account your objectives, financial situation or needs. You must therefore assess whether it is appropriate, in the light of your own individual objectives, financial situation or needs, to act upon this advice.



### **INTERIM DECISIONS OF** ANNUAL GENERAL MEETING

**OWNERS CORPORATION PLAN NO. 612539** AT 13 LOGIE STREET, OAKLEIGH, VIC 3166

> **Prepared by: Lyn Fox** Phone: 8531 8100 Email: gfox@vbcs.com.au

**Date of Meeting: 3 September 2024** 



#### **INTERIM DECISIONS OF ANNUAL GENERAL MEETING**

**Owners Corporation Plan No: 612539** 

Address: 13 LOGIE STREET, OAKLEIGH, VIC 3166

Held: Microsoft Teams Video / Phone Conference,

**Date:** 3 September 2024 at 05:00 PM

PRESENT: Name Unit

Cassandra Murphy 3, 9
Meagan Kemp 4
Mario PEREIRA 5
Benjamin Birkensleigh 7
Shona O'CONNELL 11

PRESENT BY PROXY: Proxy Name Unit

Cassandra Murphy was appointed 3, 9

as proxy for Tzouvelis Corporate

Holdings Pty Ltd

**IN ATTENDANCE:** Lyn Fox, Victoria Body Corporate Services

Motion 1.	Chairperson for the Meeting	Ordinary Resolution
IT WAS RESOLV	VED THAT Lyn Fox be appointed to act as the Chairperson of	of the Meeting.

Motion 2.	Minutes	Ordinary Resolution

**IT WAS RESOLVED THAT** the Minutes of the previous Annual General Meeting held on 10/08/2023 be confirmed as a true and accurate account of proceedings at that Meeting.

Motion 3.	Financial Statements & Position	Ordinary Resolution

**IT WAS RESOLVED THAT** the Statement of Financial Performance and the Statement of Financial Position prepared by Victoria Body Corporate Services Pty Ltd for the period ending 30/06/2024 be adopted.

Motion 4. Annual Budget & Contributions Ordinary Resolution

**IT WAS RESOLVED THAT** pursuant to Section 23 of the *Owners Corporations Act 2006*, the Owners Corporation adopts the Proposed Budget for the period 01/07/2024 to 30/06/2025 (circulated with the notice of this meeting) and adopts amounts be raised to meet the anticipated expenses for the current financial year of the Owners Corporation as follows:

Administrative Fund: \$80,500.00 Maintenance Fund: \$7,200.00

This Fund is to remain in force until the next Annual General Meeting.

**FURTHER**, the Owners Corporation acknowledges the recommendation from VBCS that the Administration Fund be set in accordance with the amounts contained in the notice of the meeting, which was proposed to meet the anticipated running expenses for the financial year. Should the Owners Corporation's funds not be sufficient to meet incoming expenses, the Manager is authorised to convene a special general meeting (at additional cost to the Owners Corporation) to raise a special levy.

**Manager's Note:** Because invoices for  $2^{nd}$  quarter of financial year (due 1/10/24) has been issued already, there will be an additional invoice sent to top up amount to the approved by AGM budget as outlined in Motion 5.

		5.

#### Fees Due - Administration Fund

**Ordinary Resolution** 

**IT WAS RESOLVED THAT** pursuant to Section 31 of the *Owners Corporations Act 2006* the Manager will issue Administration Fund fee notices in accordance with the following schedule:

#### **Administration Fund**

Levy Status	Financial Period	Period From	Period To	Due	Admin Fund	Per Lot Liability
Already Issued	01/07/2024 to 30/09/2024	1 Jul 2024	30 Sep 2024	1 Jul 2024	\$17,500.02	\$11.00629
Already Issued	01/10/2024 to 31/12/2024	1 Oct 2024	31 Dec 2024	1 Oct 2024	\$20,999.99	\$13.20754
To be Issued	01/01/2025 to 31/03/2025	1 Jan 2025	31 Mar 2025	1 Jan 2025	\$20,999.99	\$13.20754
To be Issued	01/04/2025 to 30/06/2025	1 Apr 2025	30 Jun 2025	1 Apr 2025	\$21,000.00	\$13.20755
Total		1 Jul 2024	30 Jun 2025		\$80,500.00	\$50.62892

#### **Interim Periods**

Levy Status	Financial Period	Period From	Period To	Due	Admin Fund	Per Lot Liability
To be Issued	01/07/2025 to 30/09/2025	1 Jul 2025	30 Sep 2025	1 Jul 2025	\$20,125.00	\$12.65723
Total		1 Jul 2025	30 Sep 2025		\$20,125.00	\$12.65723

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141	OLIO	11 O.	

#### Fees Due - Maintenance / Sinking Fund

**Ordinary Resolution** 

**IT WAS RESOLVED THAT** pursuant to Section 31 of the *Owners Corporations Act 2006* the Manager will issue Maintenance / Sinking Fund fee notices in accordance with the following schedule:

Maintenance / Sinking Fund

Levy Status	Financial Period	Period From	Period To	Due	Maintenance Fund	Per Lot Liability
Already Issued	01/07/2024 to 30/09/2024	1 Jul 2024	30 Sep 2024	1 Jul 2024	\$1,799.99	\$1.13207
Already Issued	01/10/2024 to 31/12/2024	1 Oct 2024	31 Dec 2024	1 Oct 2024	\$1,799.99	\$1.13207
To be Issued	01/01/2025 to 31/03/2025	1 Jan 2025	31 Mar 2025	1 Jan 2025	\$1,800.01	\$1.13208
To be Issued	01/04/2025 to 30/06/2025	1 Apr 2025	30 Jun 2025	1 Apr 2025	\$1,800.01	\$1.13208
Total		1 Jul 2024	30 Jun 2025		\$7,200.00	\$4.52830

#### **Interim Periods**

Levy Status	Financial Period	Period From	Period To	Due	Maintenance Fund	Per Lot Liability
To be Issued	01/07/2025 to 30/09/2025	1 Jul 2025	30 Sep 2025	1 Jul 2025	\$1,799.99	\$1.13207
Total		1 Jul 2025	30 Sep 2025		\$1,799.99	\$1.13207

**IT WAS RESOLVED THAT** the Owners Corporation approve pursuant to the *Owners Corporations Act* 2006 (including Sections 29, 31 & 32) for the purpose of collecting levy contributions to authorise Victoria Body Corporate Services Pty Ltd to do any one or more of the following:

- 1. To issue arrears notices, reminder notices and/or letters to seek recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs/expenses and arrange and monitor payment plans;
- 2. To charge Lot Owners interest on any levies which are overdue, such interest is at a rate of 10% per annum, pursuant to Section 29 of the *Owners Corporations Act 2006*.

#### **Important Note:**

The Owners Corporation may recover as a debt due from the Lot Owner/s in default or breach, the cost and charges incurred by the Owners Corporation arising out of any default or breach under the *Owners Corporations Act 2006*, the *Owners Corporation Regulations 2007* or the Owners Corporation Rules

- 3. To engage or appoint the services of a debt collection agency, obtain legal advice and/or retain legal representation and/or experts on behalf of the Owners Corporation;
- 4. To issue demands, commence, pursue, continue or defend any court, tribunal or any other proceedings against any Lot Owner, mortgagee in possession and/or former Lot Owner in relation to all matters arising out of the recovery of levy contributions and the recovery of other debts, including penalties, interest, legal and other costs;
- 5. Enter and enforce any judgement obtained in the collection of levy contributions including issuing writ for levy of property (personal and real property), garnishee orders, examination notices/orders/hearings, bankruptcy notices, statutory demands and commencing and maintaining bankruptcy proceedings or winding up proceedings;
- 6. Liaise, instruct and prepare all matters with the Owners Corporations debt collection agents, lawyers and experts in relation to any levy recovery proceedings; and
- 7. Any Lot Owner/s who fails to pay on their Final Fee Notice shall reimburse the Owners Corporation for any/all administrative, legal or other charges that may apply in the recovery of the debt. This includes any costs associated with recovery of the debt through VCAT, debt collection agency or enforcement of any Orders made against the Lot Owner/s.

Motion 8.	Appointment of Owners Corporation Manager -	Ordinary Resolution
	Victoria Body Corporate Service Pty Ltd	

**IT WAS RESOLVED THAT** in accordance with Section 119 of the *Owners Corporations Act 2006* that:

- Victoria Body Corporate Services Pty Ltd be appointed as Owner's Corporation Manager of the Owners Corporation for term of 12 months;
- The Owners Corporation execute the written agreement to give effect to this appointment and have two members be authorised to sign the agreement on behalf of the Owners Corporation in accordance with Section 20 of the Owners Corporations Act 2006;
- The delegation is subject to the conditions and limitations set out in the Agreement; and
- That upon execution on the Agreement, the Owners Corporation and the Victoria Body Corporate Services Pty Ltd mutually agrees that this Agreement supersedes and cancels all previous delegations and Agreements between the Owners Corporation and Victoria Body Corporate Services Pty Ltd.

Motion 9.		Delegation t	o Manager	Ordinary Resolution
WAS DESCRI	/		44 611 0	 4 4 2006 11 0

**IT WAS RESOLVED THAT** pursuant to Section 11 of the *Owners Corporations Act 2006* the Owners Corporation delegate powers and functions to the Manager as set out in the minutes of this meeting and the Contract of Appointment.

Motion 10.	Confirmation of Insurance	Ordinary Resolution
Motion 10.	Confirmation of Insurance	Ordinary Resolution

**IT WAS RESOLVED THAT** pursuant to part 3 Division 6 of the *Owners Corporations Act 2006*, the Manager continue the cover as per the schedule contained in the explanatory notes in the Notice of Annual General Meeting on all the land and property in which the Owner Corporation has an insurable interest with the current Insurer.

#### **Schedule of Insurance**

Policy Number	Underwriter	<b>Current To</b>	Risk Type	Coverage Amount
06S2724907			BUILDING	\$8,255,303.00
			PUBLIC LIABILITY	\$20,000,000.00
			CATASTROPHE	\$1,238,295.00
			FLOATING FLOORS	Insured
	SUU	01 Dec 2024	VOLUNTARY WORKERS	\$200,000.00 / \$2,000.00
			FIDELITY GUARANTEE	\$100,000.00
			LOT OWNERS FIXTURES	\$250,000.00 (per lot)
			GOVERNMENT AUDIT	\$25,000.00
			APPEAL EXPENSES WHS	\$100,000.00
			LEGAL DEFENCE	\$50,000.00
			LOSS RENT/TEMP ACCOM	\$1,238,295.00

Motion 11.	Renewal of Insurance Policy	Ordinary Resolution

**IT WAS RESOLVED THAT** the Manager arrange for a broker to provide comparative quotations for insurance cover prior to renewal. The Manager is requested to send comparative quotations from the broker to the Committee for its consideration. Should the Committee not respond prior to the due date for renewal, the Manager has a standing direction to place cover with the Insurer as recommended by the broker.

Motion 12.	Insurance Excess Payment	Ordinary Resolution
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**IT WAS RESOLVED THAT** if an excess is applied to any claim made on an insurance policy held by the Owners Corporation, the excess will be payable by the party responsible for the damage and for the avoidance of doubt the following will apply:

- where damage is caused by an event or action on common property or by a shared service and rectification to common property and/or a lot or lots is required because of that action, the Owners Corporation will meet the excess; or
- where damage is caused by an event or action from within a lot or a service specific to one lot, and rectification is required to common property and/or a lot or lots, the Owners Corporation will apply the benefit principle pursuant as set out in Section 24 of the Owners Corporations Act 2006. In that the lot/s responsible for the damage will be required to meet the amount of the insurance excess, and that the Owners Corporation may require that the excess is paid either to the Owners Corporation or the contractor undertaking the works prior to works commencing.

**DEFEATED BY SIMPLE MAJORITY THAT** the Owners Corporation instructs the Manager to engage a suitably qualified and insured building consultant to conduct an inspection of the common property and prepare a common property safety report which meets the requirements of the Occupational Health & Safety Act 2004 identifying any matters on common property which the Owners Corporation is required to attend, to comply with the relevant legislation and safety obligations under common law.

The Manager reminded members that compliance with the OH&S regulations is an ongoing obligation. Members should regularly monitor the property and advise the Manager of any new issues that may arise.

Motion 14.	Engagement of Contractors	Ordinary Resolution

**IT WAS RESOLVED THAT** the Manager is to instruct works to be undertaken on behalf of the Owners Corporation, by contractors who have provided to the Manager details of all insurances and if required, licensing.

Motion 15.	Approved Minor Works	Ordinary Resolution

**IT WAS RESOLVED THAT** the Manager is authorised to approve works for non-urgent matters where the cost is anticipated to be less than \$1,000.00 inclusive of GST without obtaining the prior approval of the Owners Corporation.

Motion 16.	After Hours Service	Ordinary Resolution

**IT WAS RESOLVED THAT** pursuant to section 24(2A) of the *Owners Corporations Act 2006* that the Owners Corporation will strike a special levy for the cost of administration and attendance in responding to a call made to the after-hours service provided by the manager where the call is in not in regard to common property but to a lot with the levy apportioned to the caller's lot based upon the benefit principle.

Item 17.	Committee Report	
There was no Cor	nmittee Report.	

Motion 18.	Delegation to Committee/Chairperson	Ordinary Resolution

**IT WAS RESOLVED THAT** the Owners Corporation delegates by these minutes to the incoming elected Committee/Chairperson of the Owners Corporation all the powers it may properly delegate pursuant to the provisions of Section 11 of the *Owners Corporations Act 2006* with the exclusion of a unanimous resolution, a special resolution, a resolution at a General Meeting.

Motion 19.	Election of Owners Corporation	Ordinary Resolution
	Committee/Chairperson of Owners Corporation	

**IT WAS RESOLVED THAT** in accordance with Sections 98.1 and 100 of the *Owners Corporations Act 2006*, the election of the Owners Corporation Committee/Chairperson of the Owners Corporation takes place and that:

- The Chairperson of the meeting announce the names of the candidates already nominated in writing for election to the Owners Corporation Committee; and
- The Chairperson of the meeting calls for any oral nominations of candidates eligible/ financial for elections to the Owners Corporation Committee;
- The Chairperson of the meeting declares that nominations are closed;
- That the number of members to the Owners Corporation Committee or Chairperson of the Owners Corporation be set;
- That the elected Committee may determine that notice to be given for committee meeting and is not required to give three (3) days notice as set down in Section 109 of the *Owners Corporations Act 2006*; and
- Where a Committee or Chairperson of the Owners Corporation is not elected, the Chairperson of the meeting will advise members that the Owners Corporation is in breach of Part 5 (including Section 98.1) of the Owners Corporations Act and any decision of the Owners Corporation will be determined by Postal Ballot.

Piotion 20.	n 20.			
Election of Ordina	Election of Ordinary Member			
IT WAS RESOLVE	IT WAS RESOLVED THAT the following Members be appointed until the next Annual General Meeting.			
Name		Unit	Details	
Meagan Kemp		4		
Mario PEREIRA		5		
Benjamin Birkenslei	gh	7		
Cassandra Murphy f Corporate Holdings		9		
Shona O'CONNELL		11		

Members

Item 21.	General Business	

#### **MATTERS FOR DISCUSSION:**

Member present discussed status of project initially managed by Defect Fix. Manager advised that she requested update from the project manager Lazaros Mavridis, and it is expected to be received and distributed to all owners for their reference.

THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 06:07 PM

Galyna Fox

Motion 20.

VICTORIA BODY CORPORATE SERVICES MANAGER

Dated: 3 September 2024

#### Notice pursuant to Section 78 of the Owners Corporations Act 2006

As the general meeting did not have a quorum, Section 78 of the *Owners Corporations Act 2006* determines that the resolutions passed at that meeting are interim resolutions and take effect in accordance with that Section. We set out subsections (78(1) to 78(4) inclusive and draw your attention to Section 78(4).

- (1)Subject to subsection (4), if there is not a quorum, the general meeting may proceed but all resolutions are interim resolutions.
- (1A)Subject to subsections (1B) and (1C), the Manager of an Owners Corporation may pass an interim resolution at a general meeting of the Owners Corporation if no lot Owner is present (whether in person or by proxy) at the meeting.
- (1B)The Manager must not pass an interim resolution under subsection (1) that—
- (a) affects the contract of appointment of the Manager; or
- (b)involves an amount that is greater than 10% of the annual budget of the Owners Corporation; or
- (c)if the annual budget has not been set for the relevant year, involves an amount that is greater than 10% of the annual budget of the Owners Corporation for the previous year.
- (1C)An Owners Corporation, by ordinary resolution, may exclude or alter the power of the Manager to make an interim resolution under subsection (1A).
- (2)Notice of all interim resolutions and the minutes of the meeting at which the interim resolution is made must be forwarded to all lot Owners within 14 days of the meeting.
- (3)The minutes must be accompanied by a notice setting out the effect of subsection (4).
- (4)Interim resolutions become resolutions of the Owners Corporation—
- (a) subject to paragraphs (b) and (c), 29 days from the date of the interim resolution; or
- (b)if notice of a special general meeting is given within that 29 day period and the meeting is held within 28 days after the notice is given, only if confirmed at that meeting; or
- (c)if notice of a special general meeting is given within that 29 day period and the meeting is not held within 28 days after the notice is given, at the end of that 28 day period.

#### Note

The effect of subsection (4) is that an interim resolution cannot be acted on for 29 days after it is made but if notice of a special general meeting is given within that 29 day period, the interim resolution cannot be acted on until the resolution is confirmed at that meeting (which must be held within 28 days after the notice is given) or if the meeting is not held, until the end of that 28 day period.





#### **Insurance**

- 1. The Building and Public Liability policy is arranged in the name of the Owners Corporation for common property.
- 2. Most Owners Corporations are also required to insure all of the building affected by the Owners Corporation. Company share and stratum estate service companies are usually required by the company constitution or service agreement to insure all buildings within the development.
- 3. The policy covers the accidental loss and/or damage to the building and legal liability in relation to Owners Corporation common property.
  - The cover does <u>not</u> include wear and tear, or damage arising from inadequate or improper maintenance. An example of excluded cover would be water damage from porous bathroom tiles.
- 4. The building insurance policy covers damage to fixtures but not fittings.

  The Owners Corporation policy does not extend to cover owner's contents such as furniture, carpets, floating floors, curtains, blinds, light fittings or electrical appliances that are not built in to or integral to the premises. If, for example, a fire causes damage to a kitchen, the Owners Corporation insurance policy covers damage to walls and ceilings, kitchen cupboards, bench tops and built-in appliances such as cook top, wall oven and dishwasher. These items are covered because they are fixtures which are considered part of the building.

Damage caused to the carpets, curtains and personal furnishings would not be covered under the Owners Corporation policy because those items are fittings, and are specifically excluded even if the loss is caused by the same act that damaged the fixtures. This exclusion extends to personal possessions such as furniture, electrical goods, bedding and clothing.

Any fixtures or fittings which a tenant is entitled to remove at the end of a tenancy are not part of a building and are not covered by the Owners Corporation building cover. Lot owners should ensure they, or their or tenant, have cover for such items.

5. The public liability policy only covers parties injured on common property where the Owners Corporation is found to be liable.

Areas of common property are set out in the plan of subdivision and may include stairwells, lifts, lobbies, gymnasiums and swimming pools. The public liability policy does not extend to cover injuries sustained by parties such as owners, visitors and friends which occur inside an apartment, courtyard, on a balcony or terrace, car space or storage unit.

- 6. All owners, whether resident or absentee, should have appropriate contents insurance policy which includes personal liability cover for injuries sustained inside a unit, the owner's car space or other area within the lot boundary.
- 7. The loss of rent cover provides compensation if an apartment is rendered uninhabitable due to an event under the policy. For an owner who occupies a premises, this cover provides for rental of a comparable accommodation whilst their lot is uninhabitable. For premises subject to a tenancy agreement, it provides compensation of the rent payable under the agreement during the period the premises are uninhabitable. If a building is not insured by the Owners Corporation, the loss of rent cover is not available.

For this cover to operate there is a requirement that the premises are not fit for habitation, not merely that damage causes inconvenience or a lessened rental opportunity. For example, a fire in a kitchen which damaged part of the kitchen cabinets but did not render an apartment uninhabitable would not give rise to a loss of rent.

8. Any excess applicable to a claim is met by the party making the claim or determined by the committee. If the claim is for damage to common property, the Owners Corporation meets the excess. Where the claim is for damage to a member's unit, the excess is met by the member making the claim.

#### **Owners Portal & Website Information**



#### Website

On our website <a href="www.vbcs.com.au">www.vbcs.com.au</a> you will find useful information relating to your property, background on VBCS and helpful links to make your Strata experience as simple and easy.

#### **Owners Portal**

Victoria Body Corporate Services' online portal provides you with free access to all important information about your property 24 hours a day, seven days a week. This information is only accessible to clients of VBCS.

Information for Owners:

Minutes of AGM	✓ Notices of AGM	✓ Registered Rules
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✓ Insurance valuation & report
✓ VBCS Newsletter
✓ Account balance & fin. status

Information for Committee Members (in addition to the Owners reports):

✓ Financial reports (all owners)✓ Aged balance list✓ Committee reports

#### How can I access the portal?

- 1) Visit our website at <a href="https://www.vbcs.com.au">www.vbcs.com.au</a> and click on "Owners Login" on the top right corner.
- 2) Click "CREATE" and enter your StrataMax ID which is your StrataPay reference number from your levy notice excluding the last digit.
- 3) Enter your "Password" that has been sent to you by mail.
- 4) Click "UPGRADE" and follow the instruction to activate your account.

#### Already have an account?

If you already have a User Account setup; login to your account, click on "My properties" and link your property using the ID and Password you have received via mail.

#### I have multiple properties, how do I link them to my account?

Please log in to your account and go to "My properties". Link your property using the ID and Password you have received via mail.

#### What if I can't remember my password?

Please visit www.vbcs.com.au and click on "Owners Login".

On the Sign-In box please click on "Having problems logging in?" to reset your password instantly. The new password will be sent to your email address.

If you encounter any issues regarding the portal we are happy to assist you.

Tel: 03 8531 8100 Email: <u>vbcs@vbcs.com.au</u>

Regulation 180, Building Regulations 2018

File number: RS-01-103

#### **BUILDING NOTICE**

This Building Notice is served pursuant to sections 106 and 108 of the *Building Act 1993*.

THIS NOTICE HAS BEEN SERVED IN ACCORDANCE WITH SECTION 236(4A) OF THE **BUILDING ACT 1993**. UNDER SECTION 236(7) OF THAT ACT, IT IS AN OFFENCE FOR A PERSON TO REMOVE OR DEFACE THIS NOTICE WITHOUT THE PRIOR CONSENT OF THE RELEVANT BUILDING SURVEYOR, THE RELEVANT COUNCIL OR THE VICTORIAN BUILDING AUTHORITY. THE MAXIMUM PENALTY FOR THIS OFFENCE IS 500 PENALTY UNITS FOR A NATURAL PERSON AND 2500 PENALTY UNITS FOR A BODY CORPORATE.

TO:

The owner(s): Owners Corporation 1 Plan of Subdivision No. PS612539N

of: Victoria Body Corporate Services Pty Ltd

64 Fennel Street, Port Melbourne VIC 3207

**AND TO:** each owner of a lot or lots forming part of the land and building

of: 13 Logie Street, Oakleigh VIC 3166

FROM:

#### Victorian Building Authority Municipal Building Surveyor Delegate

I am the duly authorised delegate, performing Municipal Building Surveyor functions on behalf of the Victorian Building Authority.

Pursuant to section 190 of the *Building Act 1993* (Vic) (the **Act**), the Victorian Building Authority was declared to carry out the functions of a Municipal Building Surveyor for the building located at 13 Logie Street, Oakleigh VIC 3166 (the **Building**) by a Ministerial Declaration dated 17 February 2019, published in Victorian Government Gazette No. S93 on 15 March 2019.

I am authorised, under Division 2 of Part 8 of the Act, to serve a Building Notice on you, as owner(s) of the building to which this notice applies.

#### **PROPERTY DETAILS**

Location of the building to which this notice applies:

Address: 13 Logie Street, Oakleigh VIC 3166

Title particulars:

Lot(s): Common Property 1, Lots 1 – 18 Plan of Subdivision: PS612539N

Volume: 11395, 11104 Folio: 421, 824, 826 - 842

Parish: Mulgrave Section: 8

Crown allotment: 6 (Part)

Municipality: City of Monash

#### **INSPECTION DETAILS**

The date and time of any inspection(s) relied on by me, as the duly authorised Victorian Building Authority Municipal Building Surveyor Delegate, for the purpose of making this order, and the name and qualifications of the person or persons who conducted the inspection, are:





Regulation 180, Building Regulations 2018

Time of inspection: commenced 10:00am

Date of inspection:22 March 2023Name of person/persons:Nicholas Eastmure

**Qualification(s) of person/persons:** Building Inspector – Unlimited

Registered building practitioner no: IN-U 73637

#### REASON(S) WHY THIS NOTICE WAS MADE

In accordance with section 106 of the Act, I believe that the following circumstances exist:

- Building work carried out in contravention of the Building Regulations 2018 (this includes building work carried out in contravention of the Building Code of Australia)
- The Building is a danger to life, safety or health
- Safety or emergency services, installations or equipment have not been maintained in accordance with the occupancy permit and the Building Regulations 2018.
  - 1. The safety or emergency services, installations, or equipment (Essential Safety Measures/ESMs) have not been maintained and/or documented in accordance with the requirements of Part 15 of the Building Regulations 2018 (Vic).
  - 2. The lift motor cabinet is located in the basement, and it is not adequately fire separated from the remainder of the building (with required construction of a minimum 120/120/120 FRL and a self-closing fire door –/120/30 FRL) contravening the requirements of Clause C2.12 of the National Construction Code 2007 (BCA/NCC 2022 Clause C3D13). Furthermore, it is located adjacent to the egress path which further intensifies the safety risk.
  - 3. The public corridors within the building exceed the maximum allowable limits of 40m in length and are not divided at intervals with smoke-proof walls, contradicting the requirements of Clause C2.14 of the National Construction Code 2007 (BCA/NCC 2022 Clause C3D15).
  - 4. There is no evidence that the Sole Occupancy Unit entrance doors throughout the building have an FRL of -/60/30, contrary to the requirements of Clause C3.11(d) of the National Construction Code 2007 (BCA/NCC 2022 Clause C4D12).
  - 5. The rear egress stair unobstructed height is less than 2m above the nose line, contradicting the requirements of Clause D1.6 of the National Construction Code 2007 (BCA/NCC 2022 Clause D2D7).
  - 6. The width of the basement rear stair is 930mm in lieu of 1m minimum required, contravening the requirements of Clause D1.6 of the National Construction Code 2007 (BCA/NCC 2022 Clause D2D8).
  - 7. The egress from the basement consists of two designated paths of travel, namely the rear stair and the stair that leads directly outside. The current arrangement causes occupants to divert from the basement rear stair to the Ground level and merge with the primary egress route, which contradicts the requirements of Clause D1.5, Clause D1.9, and Clause D1.10 of the National Construction Code 2007 (BCA/NCC 2022 Clause D2D6, Clause D2D14 and Clause D2D15).
  - 8. The winders / angled steps in lieu of the landings present in the rear stair, internal "middle" stair, and basement stair that leads outside of the building, which pose a danger to occupants during evacuation and do not comply with the requirements of Clause D2.13(viii) of the National Construction Code 2007 (BCA/NCC 2022 Clause D3D14(h)).
  - 9. The fire hose reel cupboards contain electrical and communication cables contravening the requirements of Section 10.4.4 of Australian Standard AS2441 2005 and Clause E1.4 of the National Construction Code 2007 (BCA/NCC 2022 Clause E1D3).
  - 10. An external hydrant and booster cabinet is located 2.5 meters away from a 415V high voltage cabinet, contradicting Clause 7.3 (f) of AS2419.1 2005.





Regulation 180, Building Regulations 2018

#### **SHOW CAUSE PROCESS**

Under section 108 of the Act, you are required to show cause by 5pm on 28 August 2023 as to why:

- you should not be required to carry out the building work, protection work or work required by the Building Regulations 2018 identified in this notice in relation to the Building.
  - 1. Inspect, test, and maintain (including associated repairs) all Essential Safety Measures as required by the Occupancy Permit and Certificate of Final Inspection. Provide a current copy of the Essential Safety Measures maintenance records including logbooks and the Annual Essential Safety Measures Report (AESMR) in accordance with Regulations 223, 224, 225 and 226. The AESMR statement must accurately reflect that all ESMs within the building, including those within the apartments (i.e., self-closing, smoke sealed doors etc.), have been adequately maintained and comply with the above-mentioned regulations and AS1851.
  - 2. Enclose the motor cabinet located in the basement in fire rated construction of not less than 120/120/120 FRL and provide a self-closing-/120/30 FRL fire door as required by Clause C2.12 of the National Construction Code 2007 (BCA/NCC 2022 Clause C3D13).
  - 3. Provide smoke segregation at not more than 40m intervals for the combined length of the residential corridors in accordance with Clause C2.14 of the National Construction Code 2007 (BCA/NCC 2022 Clause C3D15).
  - 4. Provide self-closing fire doors of a minimum -/60/30 FRL to the entrance of all Sole Occupancy Units as required by Clause C3.11(d) of the National Construction Code 2007 (BCA/NCC 2022 Clause C4D12).
  - 5. Carry out works to the rear stair to archive a minimum clear unobstructed height of 2 m, measured vertically from the stair nose line to any overhead obstruction, to comply with the requirements of Clause D1.6 of the National Construction Code 2007 (BCA/NCC 2022 Clause D2D7).
  - 6. Engage a Relevant Building Surveyor and/or a registered Fire Safety Engineer to assess and justify the compliance of the rear basement stair width (currently 930mm in lieu of 1m minimum required) in accordance with Clause D1.6 of the National Construction Code 2007 (BCA/NCC 2022 Clause D2D8).
  - 7. Provide an alternative path of travel to an exit to ensure evacuation routes from the basement do not converge at the ground floor level, as required by Clause D1.5, Clause D1.9, and Clause D1.10 of the National Construction Code 2007 (BCA/NCC 2022 Clause D2D6, Clause D2D14 and Clause D2D15).
  - 8. Rectify non-compliant winders and provide landings in the rear stair, internal "middle" stair, and basement stair that leads outside of the building, to comply with the requirements of Clause D2.13(viii) of the National Construction Code 2007 (BCA/NCC 2022 Clause D3D14(h)).
  - 9. Remove all non-fire related services and equipment from within the fire hose reel enclosure to comply with Section 10.4.4 of Australian Standard AS2441 2005 and Clause E1.4 of the National Construction Code 2007 (BCA/NCC 2022 Clause E1D3).
  - 10. Obtain a Fire Rescue Victoria report and consent for the location of a hydrant and booster cabinet, which is currently positioned 2.5 meters away from a 415V high voltage cabinet, contradicting Clause 7.3 (f) of AS2419.1 2005.

#### Specified period for making representations

Representations must be submitted no later than **5pm on 28 August 2023**.

Please email your written representations to the matters in this notice to <a href="mailto:mbs@vba.vic.gov.au">mbs@vba.vic.gov.au</a>, with the following subject: Representations in response to Building Notice No. RS-01-103-BN-001.





Regulation 180, Building Regulations 2018

#### **BUILDING NOTICE MADE AND SERVED BY:**

Duly authorised delegate performing Municipal Building Surveyor functions on behalf of the Victorian Building Authority

Name: David Kotsiakos

Address: 733 Bourke Street, Docklands VIC 3008

Email: mbs@vba.vic.gov.au

**Building Notice number:** RS-01-103-BN-001

Docusigned by:

David Lotsiakos

**Signature:** ...... **Date of making:** 29 May 2023

CC: Colin Milson

Owners Corporation Manager Victoria Body Corporate Services via email only: <u>blo@vbcs.com.au</u>

Municipal Building Surveyor Monash City Council

via email only: mail.monash@monash.vic.gov.au





Regulation 180, Building Regulations 2018

#### **NOTES**

#### Representations by owner(s)

 Under section 109 of the Building Act 1993, an owner may make representations to the duly authorised Victorian Building Authority Municipal Building Surveyor Delegate about the matters contained in the Building Notice. Any representations must be made within the specified period and in the manner specified in the notice.

#### Cancellation

2. Under section 110 of the Act, the duly authorised Victorian Building Authority Municipal Building Surveyor Delegate may cancel a Building Notice if they consider it appropriate to do so after considering any representations made under section 109 of the Act.

#### **Building Order**

3. Subject to section 107 of the Act, a Municipal Building Surveyor or a private building surveyor may make a Building Order, under section 111, after the end of the time allowed, by the Building Notice, for making representations.

#### **Appeal rights**

4. Under section 142(1) of the Act, an owner of a building or land may appeal to the Building Appeals Board against a decision to serve a Building Notice and/or a failure within a reasonable time, or refusal, to cancel a Building Notice. For the purpose of section 146(1)(a) of the Act, the prescribed appeal period under regulation 271 of the Building Regulations 2018 is **30 days** after the day this Building Notice is served on the owner.

Information about the appeal process can be obtained by contacting the Building Appeals Board:

website: <u>buildingappeals.vic.gov.au</u>

phone: 1300 421 082

email: <a href="mailto:registry@buildingappeals.vic.gov.au">registry@buildingappeals.vic.gov.au</a>

#### Subsequent owner

5. Under section 236(6) of the Act, this Building Notice is binding on every subsequent owner of the land

#### **Owners corporations**

6. If this notice is to be served on an owner of a lot affected by an owners corporation, the notice may be served on the owners corporation and if so served is taken to be served on the owner. An owners corporation on whom a notice is served must provide a copy of the notice to each lot owner affected by the notice within a reasonable time after receiving the notice. Penalty: 60 penalty units.

#### **Building permit**

7. Please note that a building permit may be required for the works set out in this Building Notice. In accordance with section 119 of the Act, the persons carrying out the building work, in accordance with this order, must obtain a building permit.





Regulation 182(3), Building Regulations 2018

File number: RS-01-103

### **BUILDING ORDER – MINOR WORK**

This Building Order is served pursuant to sections 113 and 114 of

the Building Act 1993.

THIS NOTICE HAS BEEN SERVED IN ACCORDANCE WITH SECTION 236(4A) OF THE **BUILDING ACT 1993**. UNDER SECTION 236(7) OF THAT ACT, IT IS AN OFFENCE FOR A PERSON TO REMOVE OR DEFACE THIS NOTICE WITHOUT THE PRIOR CONSENT OF THE RELEVANT BUILDING SURVEYOR, THE RELEVANT COUNCIL OR THE VICTORIAN BUILDING AUTHORITY. THE MAXIMUM PENALTY FOR THIS OFFENCE IS 500 PENALTY UNITS FOR A NATURAL PERSON AND 2500 PENALTY UNITS FOR A BODY CORPORATE.

TO:

The owner(s): Owners Corporation 1 Plan of Subdivision No. PS612539N

of: Victoria Body Corporate Services Pty Ltd

64 Fennel Street, Port Melbourne VIC 3207

**AND TO:** each owner of a lot or lots forming part of the land and building

of: 13 Logie Street, Oakleigh VIC 3166

FROM:

#### Victorian Building Authority Municipal Building Surveyor Delegate

I am the duly authorised delegate, performing Municipal Building Surveyor functions on behalf of the Victorian Building Authority.

Pursuant to section 190 of the *Building Act 1993* (Vic) (the **Act**), the Victorian Building Authority was declared to carry out the functions of a Municipal Building Surveyor for the building located at 13 Logie Street, Oakleigh VIC 3166 (the **Building**) by a Ministerial Declaration dated 17 February 2019, published in Victorian Government Gazette No. S93 on 15 March 2019.

I am authorised to serve a Building Order – Minor Work on the owner(s) of the building to which this order applies, under section 113 of the Act.

#### **PROPERTY DETAILS**

Location of the building to which this notice applies:

Address: 13 Logie Street, Oakleigh VIC 3166

Title particulars:

Lot(s): Common Property 1, Lots 1 – 18 Plan of Subdivision: PS612539N

Volume: 11395, 11104 Folio: 421, 824, 826 - 842

Parish: Mulgrave Section: 8

Crown allotment: 6 (Part)

Municipality: City of Monash

#### ORDER

I, as the duly authorised Victorian Building Authority Municipal Building Surveyor Delegate, order

- by 5.00pm on **28 July 2023**, the owner(s) of the Building **MUST** carry out the following work:
  - 1. Carry out necessary remedial works to the balconies located above Apartment 7 to address the deterioration of the balcony lining.





Regulation 182(3), Building Regulations 2018

- 2. Install a self-closing mechanism on the entry door of Apartment 9 to ensure the door returns to the closed position after each opening.
- 3. Carry out works using tested systems, installed in accordance with manufacturer's requirements, to protect all service penetrations through building elements required to have an FRL, as required by Clauses C4D13, C4D15 and Specification C13 of the National Construction Code (BCA/NCC) 2022. Note the services shafts have penetrations that extend the full height without any fire stopping measures in place. Please be aware that if the proposed modifications involve structural works, a Building Permit will be required to carry out those works.
- 4. Enclose the communications and electrical meters cupboards located in the residential public corridors in non-combustible enclosures and smoke seal in accordance with Clause D3D8 of the National Construction Code (BCA/NCC) 2022.
- 5. Install balustrades with a minimum height of 1m for the internal "middle" stair between levels 3 and 2 and the external basement stair leading outside of the building as required by Clause D3D18 of the National Construction Code (BCA/NCC) 2022.
- 6. Install a handrail along the basement stair leading outside to ensure compliance with Clause D3D22 of the National Construction Code 2022 (BCA/NCC).
- 7. Install a solid decal on the front entry glass panels (door and side panels) that is not less than 75mm wide at a height between 900mm and 1000mm above the finished floor level in accordance with Clause D4D13 of the National Construction Code 2022 (BCA/NCC) and Clause 6.6 of AS1428.1 2009.
- 8. Remove storage of all materials and goods within the fire hose reel cabinets as required by section 10.4.4 of AS2441-2005.
- 9. Carry out alterations to the fire hydrant outlet located on the second floor to ensure that the connection point is not more than 35°below the horizontal surface as required by Section 3.2.2.1 of Australian Standard AS2419.1-2021.
- 10. Relocate the fire extinguisher on the ground floor near the main entry and FIP to a position that is not higher than 1.2m (currently 1.3m) and ensure that the signage is positioned higher than 2m (currently lower), in accordance with the mounting height requirements for portable fire extinguishers and location of signs specified in sections 3.2 and 3.3 of Australian Standard 2444-2001.
- 11. Relocate (or rotate 90°) the exit sign positioned near the internal "middle" stair on the ground level to ensure clear visibility and proper guidance provided towards the exit, in compliance with AS2293.1 2018 and Part E4 of the National Construction Code 2022 (NCC/BCA).
- 12. Provide emergency lighting in the vicinity of apartments 12 and 13 on Level 1 to achieve the sufficient coverage in accordance with Australian Standard AS2293.1 2018 and Part E4 of the National Construction Code 2022 (BCA/NCC).

#### **INSPECTION DETAILS**

The date and time of any inspection(s) relied on by me, as the duly authorised Victorian Building Authority Municipal Building Surveyor Delegate, for the purpose of making this order, and the name and qualifications of the person or persons who conducted the inspection, are:

**Time of inspection:** commenced 10:00am

Date of inspection:22 March 2023Name of person/persons:Nicholas Eastmure

**Qualification(s) of person/persons:** Building Inspector – Unlimited

Registered building practitioner no: IN-U 73637

#### **TYPE OF WORK REQUIRED:**

In accordance with section 113 of the Act, I believe that the work required by this order is of a minor nature





Regulation 182(3), Building Regulations 2018

#### . Building work of a minor nature is required to be carried out

The building work required by this order is described above.

The reason why building work of a minor nature is required to be carried out is to increase the safety of building occupants by ensuring that the ESMs for the building subject to this order:

- 1. operate and are maintained in a state that enables each ESM to fulfil its purpose; and
- 2. are inspected, tested, and maintained in accordance with the *Building Act 1993* and the Building Regulations 2018.

All work outlined in this order must comply with the Building Regulations. A building permit is not required to carry out the work.

#### **BUILDING ORDER MADE AND SERVED BY:**

Duly authorised delegate performing Municipal Building Surveyor functions on behalf of the Victorian Building Authority

Name: David Kotsiakos

Address: 733 Bourke Street, Docklands VIC 3008

Email: mbs@vba.vic.gov.au

Building Order - Minor Work number: RS-01-103-BOMW-002

David Kotsiakos

Signature: Date of making: 29 May 2023

CC: Colin Milson

Owners Corporation Manager Victoria Body Corporate Services via email only: blo@vbcs.com.au

Municipal Building Surveyor Monash City Council

via email only: mail.monash@monash.vic.gov.au





Regulation 182(3), Building Regulations 2018

#### **NOTES**

#### **Duration of Building Order**

1. Under section 117 of the *Building Act 1993* (the Act), a Building Order remains in force, and, if amended, remains in force as amended, until it is complied with or it is cancelled by the duly authorised Victorian Building Authority Municipal Building Surveyor Delegate or Building Appeals Board.

#### Amendment or cancellation

2. Under section 116 of the Act, if there is a change in circumstances after the service of a building order, the owner may request the duly authorised Victorian Building Authority Municipal Building Surveyor Delegate to amend or cancel the Building Order.

#### Penalty for failure to comply

3. Under section 118(1) of the Act, a person to whom a building order is directed must comply with that order: 500 penalty units in the case of a natural person and 2500 penalty units in the case of a body corporate.

#### **Appeal rights**

4. Under section 142(2) of the Act, an owner of a building or land may appeal to the Building Appeals Board against: a decision to make a Building Order; a decision to impose any conditions on a Building Order; or a failure, within a reasonable time, to amend or cancel a Building Order, refuse to amend or cancel a Building Order or require that a Building Order is fully complied with.

For the purpose of section 146(1)(a) of the Act, the prescribed appeal period, under regulation 271 of the Building Regulations 2018, against the making of this Building Order, is **30 days** after the day this Building Order is served on the person to whom it is directed. In the case of an appeal against the imposition of a condition on this order, the prescribed period is **30 days** after the order is served on the person to whom it is directed. In the case of an appeal against a refusal to amend or cancel this Building Order, the prescribed period is **30 days** after the day the owner is notified of the refusal or the day the duly authorised Victorian Building Authority Municipal Building Surveyor Delegate is deemed to have refused to amend or cancel this order. In the case of an appeal against a requirement that this order be fully complied with, the prescribed period is **30 days** after the day the owner is notified of the requirement.

Information about the appeal process can be obtained by contacting the Building Appeals Board:

website: buildingappeals.vic.gov.au

phone: 1300 421 082

email: registry@buildingappeals.vic.gov.au

#### Subsequent owners

5. Under section 236(6) of the Act, this Building Order is binding on every subsequent owner of the land.

#### **Owners corporations**

6. If this order is to be served on an owner of a lot affected by an owners corporation, the order may be served on the owners corporation and, if so served, is taken to be served on the owner. An owners corporation on whom an order is served must provide a copy of the order to each lot owner affected by the order within a reasonable time after receiving the order. Penalty: 60 penalty units.

#### **Building permit**

7. Please note that a building permit may be needed for the works set out in this Building Order – Minor Work. In accordance with section 119 of the Act, the persons carrying out the building work, in accordance with this order, must obtain a building permit.





#### 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.

#### 1.4 Smoke penetration

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

#### 1.5 Fire safety information

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

#### 2. Committees and sub-committees

#### 2.1 Functions, powers and reporting of committees and subcommittees

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

#### 3. Management and administration

#### 3.1 Metering of services and apportionment of costs of services

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

#### 4. Use of common property

#### 4.1 Use of common property

- (1) An owner or occupier of a lot must not obstruct the lawful use and enjoyment of the common property by any other person entitled to use the common property.
- (2) An owner or occupier of a lot must not, without the written approval of the owners corporation, use for the owner or occupier's own purposes as a garden any portion of the common property.
- (3) An approval under subrule (2) may state a period for which the approval is granted.
- (4) If the owners corporation has resolved that an animal is a danger or is causing a nuisance to the common property, it must give reasonable notice of this resolution to the owner or occupier who is keeping the animal.
- (5) An owner or occupier of a lot who is keeping an animal that is the subject of a notice under subrule (4) must remove that animal.
- (6) Subrules (4) and (5) do not apply to an animal that assists a person with an impairment or disability.
- (7) The owners corporation may impose reasonable conditions on a lot owner's right or an occupier's right to access or use common property to protect the quiet enjoyment, safety and security of other lot owners, including but not limited to imposing operating hours on facilities such as gymnasiums and swimming pools.

#### 4.2 Vehicles and parking on common property

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

- (a) to be parked or left in parking spaces situated on common property and allocated for other lots; or
  - (b) on the common property so as to obstruct a driveway, pathway, entrance or exit to a lot; or
- (c) in any place other than a parking area situated on common property specified for that purpose by the owners corporation.

#### 4.3 Damage to common property

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

#### 5. Lots

#### 5.1 Change of use of lots

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

#### **Example**

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

#### 5.2 External appearance of lots

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

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

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

#### 6. Behaviour of persons

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

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

#### 6.2 Noise and other nuisance control

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

#### 7. Dispute resolution

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

### PLANNING CERTIFICATE

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

#### **CERTIFICATE REFERENCE NUMBER**

1128204

**APPLICANT'S NAME & ADDRESS** 

LJ CONVEYANCING C/- LANDATA

**MELBOURNE** 

**VENDOR** 

LEE, JOON

**PURCHASER** 

NIL, NIL

**REFERENCE** 

S4934

This certificate is issued for:

LOT 14 PLAN PS612539 ALSO KNOWN AS 14/13 LOGIE STREET OAKLEIGH MONASH CITY

The land is covered by the:

MONASH PLANNING SCHEME

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

The land:

- is included in a GENERAL RESIDENTIAL ZONE - SCHEDULE 2

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

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

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

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

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

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

**LANDATA®** 

T: (03) 9102 0402

E: landata.enquiries@servictoria.com.au

09 April 2025 Sonya Kilkenny Minister for Planning

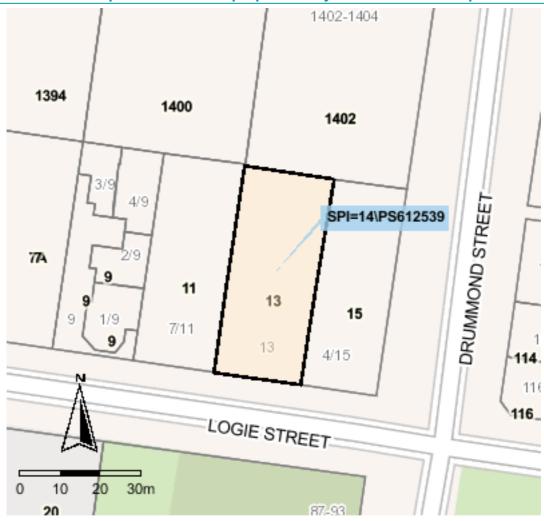


The attached certificate is issued by the Minister for Planning of the State of Victoria and is protected by statute.

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

If this property is different to the one expected, you can phone (03) 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**







#### **Property Information Certificate**

#### Regulation 51(1)

Your Ref: 76431668-019-5:57962

Our Ref: CERT1 No. 83137

09-Apr-2025

PROPERTY: 14/13 Logie Street OAKLEIGH VIC 3166

Thank you for your request for property information relating to the above property address.

#### **Building Permit Details:**

Building Permits, Occupancy Permits and Certificates of Final Inspection issued in preceding 10 years are as follows:

No Permits or Certificates have been issued.

#### **Notices/Orders:**

There are no current Notices or Orders issued by Council under the Building Act or Building Regulations.

The following Notices and/or Orders have been issued by a private surveyor under the Building Act or Building Regulations:

Notice / Order Type:	Section 113 - Private Surveyor
Date Issued:	29-May-2023
Notice / Order Type:	Section 106 - Private Surveyor
Date Issued:	29-May-2023

#### **Smoke Detectors:**

All dwellings/units are required to be fitted with self-contained smoke alarms in accordance with Regulation 145 of the Building Regulations 2018.

#### **Swimming Pools & Spas:**

The property owner is responsible for providing and maintaining pool/spa barriers in accordance with the Building Regulations 2018. Your pool can be inspected and a Certificate of Compliance issued on request – a fee is applicable. Swimming pools/spas that don't comply may incur a fine and/or a Building Notice.

#### Part 5 - Siting

Part 5 of the Building Regulations 2018 applies to the construction of a Class 1 or 10 building on this allotment. Scheduled variations to Regulations 74, 75, 76, 77, 79, 80, 86 and 89 apply within the City of Monash.

City Planning Support Team



#### ROADS PROPERTY CERTIFICATE

The search results are as follows:

LJ Conveyancing 1/1A Palmerston Grove OAKLEIGH 3166

Client Reference: S4934

NO PROPOSALS. As at the 9th April 2025, VicRoads has no approved proposals requiring any part of the property described in your application. You are advised to check your local Council planning scheme regarding land use zoning of the property and surrounding area.

This certificate was prepared solely on the basis of the Applicant-supplied address described below, and electronically delivered by LANDATA®.

Unit 14 13 LOGIE STREET, OAKLEIGH 3166 CITY OF MONASH

This certificate is issued in respect of a property identified above. VicRoads expressly disclaim liability for any loss or damage incurred by any person as a result of the Applicant incorrectly identifying the property concerned.

Date of issue: 9th April 2025

Telephone enquiries regarding content of certificate: 13 11 71

[Vicroads Certificate] # 76431668 - 76431668083541 'S4934'

VicRoads Page 1 of 1

#### PLANNING PROPERTY REPORT



From www.planning.vic.gov.au at 16 April 2025 10:17 AM

#### **PROPERTY DETAILS**

Address: 14/13 LOGIE STREET OAKLEIGH 3166

Lot and Plan Number: Lot 14 PS612539 Standard Parcel Identifier (SPI): 14\PS612539

Local Government Area (Council): MONASH www.monash.vic.gov.au

Council Property Number: 250684

Planning Scheme - Monash Planning Scheme: Monash

Directory Reference: Melway 69 F6

**UTILITIES STATE ELECTORATES** 

Rural Water Corporation: **Southern Rural Water** Legislative Council: **SOUTHERN METROPOLITAN** 

**South East Water** Legislative Assembly: **OAKLEIGH** Melbourne Water Retailer:

Melbourne Water: Inside drainage boundary

Power Distributor: **UNITED ENERGY OTHER** 

Registered Aboriginal Party: Wurundjeri Woi Wurrung Cultural

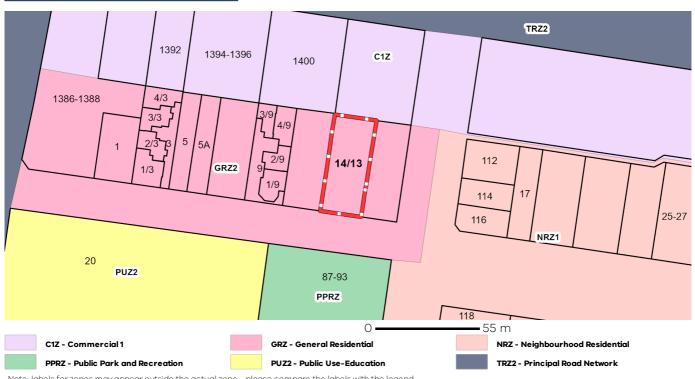
**Heritage Aboriginal Corporation** 

View location in VicPlan

#### **Planning Zones**

GENERAL RESIDENTIAL ZONE (GRZ)

GENERAL RESIDENTIAL ZONE - SCHEDULE 2 (GRZ2)



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

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

#### PLANNING PROPERTY REPORT



#### **Planning Overlay**

None affecting this land - there are overlays in the vicinity

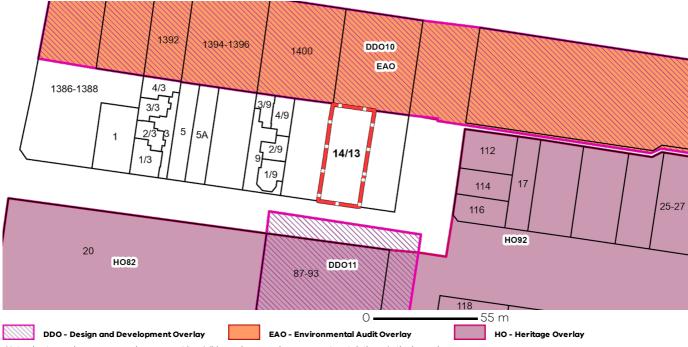
OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

DESIGN AND DEVELOPMENT OVERLAY (DDO)

ENVIRONMENTAL AUDIT OVERLAY (EAO)

HERITAGE OVERLAY (HO)



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 11 April 2025.

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

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

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

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

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

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#### PLANNING PROPERTY REPORT

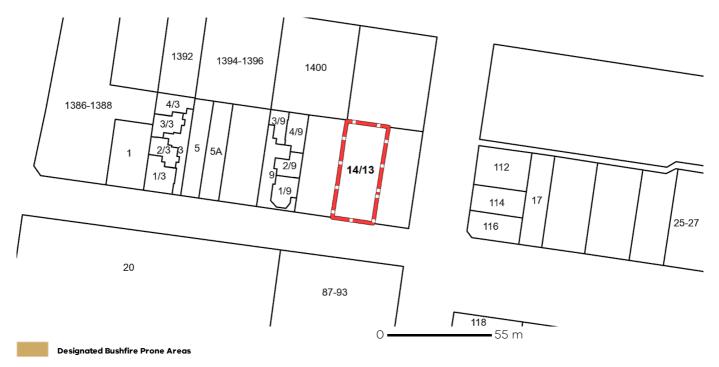


#### **Designated Bushfire Prone Areas**

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

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 <a href="https://mapshare.vic.gov.au/vicplan/">https://mapshare.vic.gov.au/vicplan/</a> or at the relevant local council.

Create a BPA definition plan in VicPlan to measure the BPA.

 $Information for lot owners building in the BPA is available at \underline{https://www.planning.vic.gov.au.}\\$ 

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 <a href="https://nvim.delwp.vic.gov.au/">https://nvim.delwp.vic.gov.au/</a> and <a href="https://nvim.delwp.vic.gov.au/">Native vegetation (environment.vic.gov.au/</a> 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)

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#### PROPERTY REPORT



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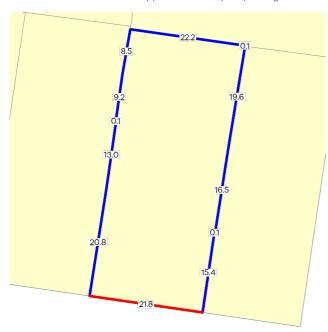
Note: There are 19 properties identified for this site.

These can include units (or car spaces), shops, or part or whole floors of a building.

Dimensions for these individual properties are generally not available.

#### SITE DIMENSIONS

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



**Area:** 1134 sq. m Perimeter: 147 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  $\underline{\text{Title and Property}}$ Certificates

#### **UTILITIES**

Rural Water Corporation: **Southern Rural Water** 

Melbourne Water Retailer: **South East Water** 

Melbourne Water Inside drainage boundary

Power Distributor: **UNITED ENERGY** 

#### **STATE ELECTORATES**

**SOUTHERN METROPOLITAN** Legislative Council:

Legislative Assembly: OAKLEIGH

#### PLANNING INFORMATION

Property Planning details have been removed from the Property Reports to avoid duplication with the Planning Property Reports from the Department of Transport and Planning which are the authoritative source for all Property Planning information.

The Planning Property Report for this property can found here - Planning Property Report

Planning Property Reports can be found via these two links

Vicplan https://mapshare.vic.gov.au/vicplan/

Property and parcel search <a href="https://www.land.vic.gov.au/property-and-parcel-search">https://www.land.vic.gov.au/property-and-parcel-search</a>

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#### **PROPERTY REPORT**



