Vendor Statement

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

This statement must be signed by the vendor and given to the purchaser before the purchaser signs the contract.

The vendor may sign by electronic signature.

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

Land	22 Curtain Street, Eaglehawk 3556	
Vendor's name	Graeme Booker	**Date** 03/04/24
Vendor's signature	Graeme Booker	
Vendor's name	Helen Margaret Booker	**Date** 03/04/24
Vendor's signature	H M Booker	
Purchaser's name		**Date** / /
Purchaser's signature		
Purchaser's name		**Date** / /
Purchaser's signature		

1 FINANCIAL MATTERS

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

(a) Their total does not exceed: $3,000.00

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

Not Applicable

1.3 **Terms Contract**

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

Not Applicable

1.4 **Sale Subject to Mortgage**

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

Not Applicable

2 INSURANCE

2.1 **Damage and Destruction**

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

Not Applicable.

2.2 **Owner Builder**

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

Not Applicable.

3 LAND USE

3.1 **Easements, Covenants or Other Similar Restrictions**

(a) A description of any easement, covenant or other similar restriction affecting the land (whether registered or unregistered): -

Is in the attached copies of title documents and certificates.

(b) Particulars of any existing failure to comply with that easement, covenant or other similar restriction are:

To the best of the vendor's knowledge, there is no existing failure to comply with the terms of any easement, covenant or other similar restriction.

3.2. **Road Access**

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

3.3. **Designated Bushfire Prone Area**

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

3.4. **Planning Scheme**

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:

Planning Permit (DS/315/201)

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

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.

6.1 Attached is a current owners corporation certification with its required accompanying documents and statements, issued in accordance with section 151 of the *Owners Corporation Act* 2006.

7 GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (“GAIC”)

Not Applicable.

8 SERVICES

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

Electricity supply ☒	Gas supply ☒	Water supply ☒	Sewerage ☒	Telephone services ☒

9 TITLE

Attached are copies of the following documents:

9.1 (a) **Registered Title**
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

10.1. **Unregistered Subdivision**

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

Not Applicable.

10.2. **Staged Subdivision**

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

Not Applicable.

10.3. **Further Plan of Subdivision**

This section 10.3 only applies if the land is subject to a subdivision in respect of which a further plan within the meaning of the *Subdivision Act* 1988 is proposed.
Not Applicable.

11 DISCLOSURE OF ENERGY INFORMATION

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

(a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and

(b) which has a net lettable area of at least 1000m²; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the relevant date):

Not Applicable.

12 DUE DILIGENCE CHECKLIST

☒ Vacant Residential Land or Land with a Residence

☒ Attach Due Diligence Checklist (this will be attached if ticked)

13 ATTACHMENTS

1. Title Search
2. Plan Search
3. Owners Corporation Basic Report
4. Planning Certificate
5. Copy of unregistered MCP
6. Property Report
7. Planning Property Report
8. Planning Permit
9. Owners Corporation Certificate
10. Engineering Plan
11. Sewer Plan
12. Mines Report
13. Due Diligence Checklist

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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, past, present and emerging.

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

VOLUME 12535 FOLIO 208 Security no : 124113429995F
Produced 15/03/2024 09:37 AM

LAND DESCRIPTION

Lot 3 on Plan of Subdivision 911196A.
PARENT TITLE Volume 02669 Folio 605
Created by instrument PS911196A 07/03/2024

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
GRAEME BOOKER
HELEN MARGARET BOOKER both of 22-24 CURTAIN STREET EAGLEHAWK VIC 3556
PS911196A 07/03/2024

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 PS911196A FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
PS911196A (B)	PLAN OF SUBDIVISION	Registered	07/03/2024

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

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

Street Address: 22 CURTAIN STREET EAGLEHAWK VIC 3556

ADMINISTRATIVE NOTICES

NIL

eCT Control 17139V JENNPACK PTY LTD
Effective from 07/03/2024

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION 1 PLAN NO. PS911196A

DOCUMENT END

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Document Type	**Plan**
Document Identification	**PS911196A**
Number of Pages (excluding this cover sheet)	**2**
Document Assembled	**08/03/2024 13:43**

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PLAN OF SUBDIVISION

EDITION 1

PS 911196A

LOCATION OF LAND

PARISH: SANDHURST AT EAGLEHAWK

TOWNSHIP: -

SECTION: N

CROWN ALLOTMENT: 250

CROWN PORTION: -

TITLE REFERENCE: VOL. 2669 FOL. 605

LAST PLAN REFERENCE: TP 705979C

POSTAL ADDRESS: 22-24 CURTAIN STREET
(at time of subdivision) EAGLEHAWK, 3556

MGA CO-ORDINATES: E: 255 970 ZONE: 55
(of approx centre of land in plan) N: 5 932 925 GDA 2020

Council Name: Greater Bendigo City Council

Council Reference Number: SC/315/2021/1
Planning Permit Reference: DS/315/2021
SPEAR Reference Number: S194274E

Certification

This plan is certified under section 6 of the Subdivision Act 1988

Public Open Space

A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has been made and the requirement has not been satisfied at Certification

Digitally signed by: Liz Commadeur for Greater Bendigo City Council on 01/11/2022

Statement of Compliance issued: 18/01/2024

Public Open Space

A requirement for public open space under section 18 or 18A of the Subdivision Act 1988 has been made and the requirement has been satisfied at Statement of Compliance

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER	COUNCIL/BODY/PERSON
NIL	NIL

NOTATIONS

DEPTH LIMITATION: 15.24 metres

SURVEY:
This plan is based on survey.

STAGING:
This is not a staged subdivision.
Planning Permit No. DS/315/2021

This survey has been connected to permanent marks No(s)
725, 732, 1744, 2028 & 2171
In Proclaimed Survey Area No. 34

NOTATIONS

LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS.

FOR DETAILS OF ANY OWNERS CORPORATIONS INCLUDING PURPOSE, RESPONSIBILITY, ENTITLEMENT AND LIABILITY SEE OWNERS CORPORATION SEARCH REPORT, OWNERS CORPORATION ADDITIONAL INFORMATION AND, IF APPLICABLE, OWNERS CORPORATION RULES.

EASEMENT INFORMATION

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

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1 & E-2	Drainage	See Plan	This Plan	Land in This Plan & City of Greater Bendigo
E-1 & E-3	Pipelines or Ancillary Purposes	See Plan	This Plan Section 136 of the Water Act 1989	Coliban Region Water Corporation

JOSH CUMMINS
LAND SURVEYOR

SURVEYORS FILE REF: J0310

ORIGINAL SHEET SIZE: A3

SHEET 1 OF 2

Digitally signed by: Joshua Philip Cummins, Licensed Surveyor,
Surveyor's Plan Version (1),
12/05/2022, SPEAR Ref: S194274E

PLAN REGISTERED
TIME: 2.24pm DATE: 7/3/2024
A.R.T.
Assistant Registrar of Titles

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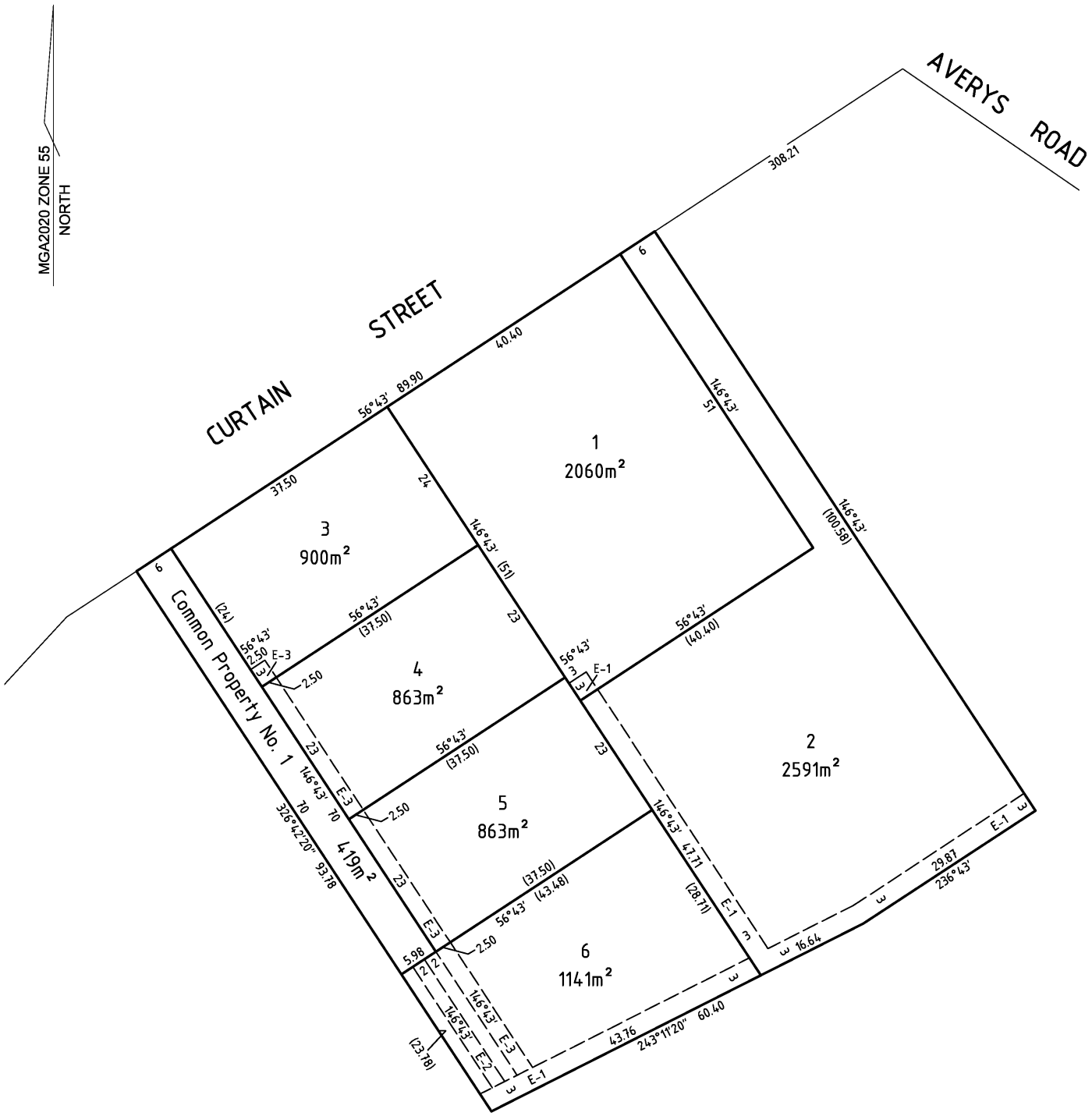
PS 911196A



JOSH CUMMINS LAND SURVEYOR	SCALE 1:600	6 0 6 12 18 24 LENGTHS ARE IN METRES	ORIGINAL SHEET SIZE: A3 / SHEET 2
	Digitally signed by: Joshua Philip Cummins, Licensed Surveyor, Surveyor's Plan Version (1), 12/05/2022, SPEAR Ref: S194274E		Digitally signed by: Greater Bendigo City Council, 01/11/2022, SPEAR Ref: S194274E

Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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Produced: 15/03/2024 09:37:15 AM

OWNERS CORPORATION 1
PLAN NO. PS911196A

The land in PS911196A is affected by 1 Owners Corporation(s)

Land Affected by Owners Corporation:
Common Property 1, Lots 3 - 6.

Limitations on Owners Corporation:
Limited to Common Property

Postal Address for Services of Notices:
22 CURTAIN STREET EAGLEHAWK VIC 3556

PS911196A 07/03/2024

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:
PS911196A 07/03/2024

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 3	10	10
Lot 4	10	10
Lot 5	10	10
Lot 6	10	10
Total	**40.00**	**40.00**

Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 15/03/2024 09:37:15 AM

OWNERS CORPORATION 1
PLAN NO. PS911196A

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.

Secure Electronic Registries Victoria (SERV), Level 13, 697 Collins Street Docklands 3008
Locked bag 20005, Melbourne 3001, DX 210189
ABN 86 627 986 396

PLANNING CERTIFICATE

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

CERTIFICATE REFERENCE NUMBER

1013406

APPLICANT'S NAME & ADDRESS

JENNINGS LAW & CONVEYANCING C/- INFOTRACK (LEAP) C/- LANDATA

DOCKLANDS

VENDOR

BOOKER, GRAEME

PURCHASER

NOT KNOWN, NOT KNOWN

REFERENCE

355471

This certificate is issued for:

LOT 3 PLAN PS911196 ALSO KNOWN AS 22 CURTAIN STREET EAGLEHAWK
GREATER BENDIGO CITY

The land is covered by the:
GREATER BENDIGO PLANNING SCHEME

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

The land:
- is included in a GENERAL RESIDENTIAL ZONE

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

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

15 March 2024

Sonya Kilkenny
Minister for Planning

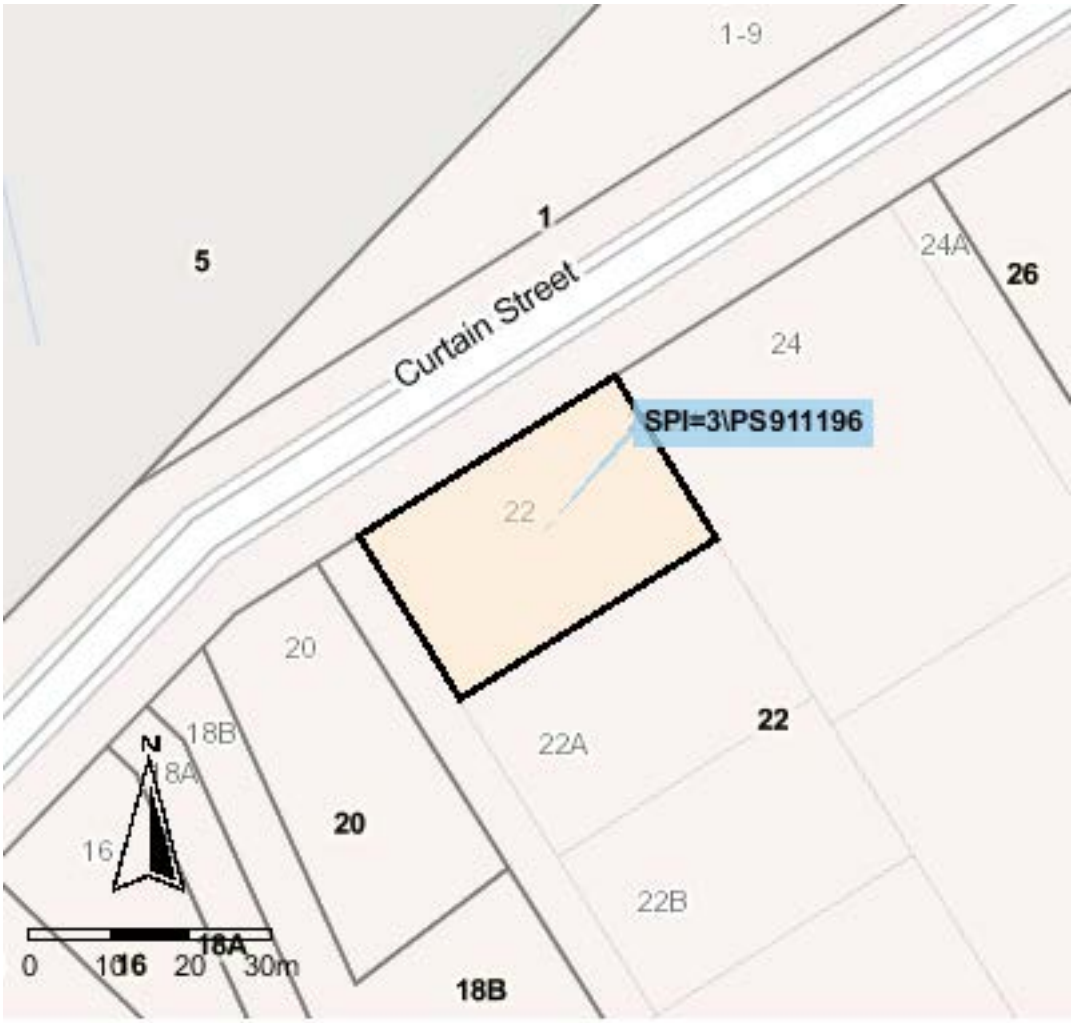
VICTORIA State Government

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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VICTORIA State Government

Memorandum of common provisions
Restrictive covenants in a plan
Section 91A Transfer of Land Act 1958

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The information in this form is collected under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by	
Name:	Jennings Law & Conveyancing
Phone:	03 54100740
Address:	PO Box 63 Bendigo Vic 3552
Reference:	CS15098
Customer code:	17139V

This memorandum contains provisions which are intended for inclusion in plans under the Subdivision Act 1988 to be subsequently lodged for registration.

Operative words including words to bind the burdened land and words of annexation must not be included.

Provisions to apply to the plan:

Burdened land: The land being transferred.

Benefited land: As set out in the plan.

Covenants:

1. **Dwelling**

The registered proprietor/s of the Land must not build, construct or erect or cause to be built, constructed or erected on the Land:

1.1 any dwelling other than a single story dwelling;

1.2 any single dwelling other than of new materials;

1.3 any dwelling which has a floor area of less than 140 square metres including the outer walls thereof such area being calculated by excluding the area of garages, carports, terraces, pergolas and/or verandahs;

1.4 any relocatable house or dwelling;

1.5 any more than one dwelling house, such expression to include any unit or apartment;

1. The provisions are to be numbered consecutively from number 1.
2. Further pages may be added but each page should be consecutively numbered.
3. To be used for the inclusion of provisions in plans.

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Land Use Victoria contact details: see www.delwp.vic.gov.au/property>Contact us
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1.6 any dwelling house unless the whole of that structure is situated at least 3 metres from the front street boundary;

1.7 any dwelling house on Lot 3 unless the whole of that structure is situated at least 4 meters from the Curtain Street boundary.

2. NO FURTHER SUBDIVISION

The registered proprietor/s of the Land must not further subdivide the Land following registration of the Plan.

3. GARAGES, SHEDS, OUTBUILDINGS AND OTHER STRUCTURES

The registered proprietor/s of the Land must not build or construct or cause to be built or constructed on the Land:

3.1 any garage, shed or other outbuilding other than of new materials;

3.2 any building or other structure which is constructed wholly or partly of galvanised iron, zinc, bright or reflective cladding.

4. FENCING

The registered proprietor/s of the Land must not:

4.1 build, construct or erect or cause to be built, constructed or erected on the land any side or rear fence, unless such fence is constructed of:

a) new materials; and

b) steel Colorbond material in woodland grey along front and side boundaries only excluding the Curtain Street boundary fence for Lot 3.

4.2 build, construct or erect or cause to be built, constructed or erected on the land any fence unless such fence is a height of 2 meters from the natural ground level inclusive of a 200 millimetre wood plinth.

5. CONDITION OF LAND

The registered proprietor/s of the Land must not:

5.2. accumulate or cause to be accumulated or allow to be accumulated excessive waste, rubbish, building or site excavations, grass clippings or pruning on the Land;

5.3 allow the Land to be kept other than in a neat and tidy condition;

5.4. at any time allow, use or cause to be used or suffer or otherwise allow to be used the Land or any part of the Land for the purposes of carrying on any noxious or offensive trade or works; or

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5.5 use the burdened land for business or commercial purposes including, but not limited to, boarding kennels, commercial animal husbandry, commercial storage, manufacturing or any other similar activity or occupation.

6. DEFINITIONS

6.1 **Fence** has the meaning given to it in Part 5 of the Building Regulations.

6.2 **Land** means Lots 3-6 only on the Plan.

6.3 **Lot** means a lot on the Plan.

6.4 **MCP** means this memorandum of common provisions.

6.5 **Plan** means plans of subdivision PS911196A

6.6 **Planning Permit** means permit number DS/315/2021 issued by Greater Bendigo City Council on 1 November 2021.

Expiry: .....

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PROPERTY REPORT

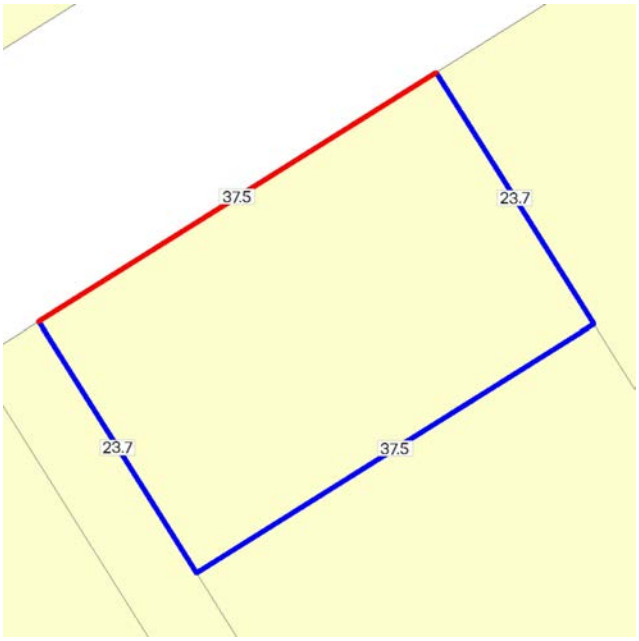
From www.land.vic.gov.au at 19 March 2024 06:57 AM

PROPERTY DETAILS

Lot and Plan Number:	**Lot 3 PS911196**
Address:	**22-24 CURTAIN STREET EAGLEHAWK 3556**
Standard Parcel Identifier (SPI):	**3\PS911196**
Local Government Area (Council):	**GREATER BENDIGO** www.bendigo.vic.gov.au
Council Property Number:	**184498 (Part)**
Directory Reference:	**Vicroads 603 P9**

SITE DIMENSIONS

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



Area: 890 sq. m
Perimeter: 122 m
For this property:
Site boundaries
Road frontages

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

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

For more accurate dimensions get copy of plan at Title and Property Certificates

PARCEL DETAILS

This is 1 parcel of 7 parcels comprising this property.The parcel searched for is marked with an * in the table below

	Lot/Plan or Crown Description	SPI			Lot/Plan or Crown Description	SPI
	Lot 1 PS911196	1\PS911196			Lot 5 PS911196	5\PS911196
	Lot 2 PS911196	2\PS911196			Lot 6 PS911196	6\PS911196
*	Lot 3 PS911196	3\PS911196			Lot CM1 PS911196	CM1\PS911196
	Lot 4 PS911196	4\PS911196				

UTILITIES

Rural Water Corporation:	**Goulburn-Murray Water**
Urban Water Corporation:	**Coliban Water**
Melbourne Water:	**Outside drainage boundary**
Power Distributor:	**POWERCOR**

STATE ELECTORATES

Legislative Council:	**NORTHERN VICTORIA**
Legislative Assembly:	**BENDIGO EAST**

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PROPERTY REPORT

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 parcel 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 https://www.land.vic.gov.au/property-and-parcel-search

Area Map



Selected Parcel Water course

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PLANNING PROPERTY REPORT

From www.planning.vic.gov.au at 19 March 2024 06:58 AM

PROPERTY DETAILS

Lot and Plan Number:	**Lot 3 PS911196**
Address:	**22-24 CURTAIN STREET EAGLEHAWK 3556**
Standard Parcel Identifier (SPI):	**3\PS911196**
Local Government Area (Council):	**GREATER BENDIGO** www.bendigo.vic.gov.au
Council Property Number:	**184498 (Part)**
Planning Scheme:	**Greater Bendigo** Planning Scheme - Greater Bendigo
Directory Reference:	**Vicroads 603 P9**

This parcel is one of 7 parcels comprising the property. For full parcel details get the free Property report at Property Reports

UTILITIES

Rural Water Corporation:	**Goulburn-Murray Water**
Urban Water Corporation:	**Coliban Water**
Melbourne Water:	**Outside drainage boundary**
Power Distributor:	**POWERCOR**

STATE ELECTORATES

Legislative Council:	**NORTHERN VICTORIA**
Legislative Assembly:	**BENDIGO EAST**

OTHER

Registered Aboriginal Party:	**Dja Dja Wurrung Clans Aboriginal Corporation**

View location in VicPlan

Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ)
SCHEDULE TO THE GENERAL RESIDENTIAL ZONE (GRZ)



GRZ - General Residential
PUZ5 - Public Use-Cemetery/Crematorium
Water course

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

HERITAGE OVERLAY (HO)



HO - Heritage Overlay Water course

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 7 December 2023.

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

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the ***Planning and Environment Act 1987.***
It does not include information about exhibited planning scheme amendments, or zonings that may 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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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

Designated Bushfire Prone Areas

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

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

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



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

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

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

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

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

Native Vegetation

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

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

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

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PLANNING PERMIT

Permit No.	**DS/315/2021**
Planning Scheme:	**Greater Bendigo Planning Scheme**
Responsible Authority:	**Greater Bendigo City Council**

ADDRESS OF THE LAND: **22-24 Curtain Street, EAGLEHAWK 3556**
CA 250 Sec N

THE PERMIT ALLOWS: **6 lot subdivision**

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. LAYOUT PLANS
The subdivision, as shown on the endorsed plans, must not be altered without the prior written consent of the responsible authority.

2. PUBLIC OPEN SPACE CONTRIBUTION
Before the statement of compliance is issued the applicant or owner must pay to the responsible authority a sum equivalent to 5% of the site value of all the land in the subdivision.

3. DETAILED DRAINAGE PLANS
Prior to the certification of the plan of subdivision under the Subdivision Act 1988, plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and then will form part of the permit. The plans must be drawn to scale with dimensions. The plans must include:
(a) Direction of stormwater run off.
(b) A point of discharge for each lot.
(c) Independent drainage for each lot.
(d) Stormwater quality
(e) Stormwater detention
Allowable discharge
o Q10% = 95 l/s
o Q 1% = 170 l/s
(f) Drainage easements.

4. CONSTRUCTION OF WORKS
Road works, drainage and other civil works must be constructed in accordance with the Infrastructure Design Manual and plans and specifications approved by the responsible authority and must include:
(a) Drainage.

5. DRIVEWAY CONSTRUCTION
Prior to the issue of a statement of compliance, the following points must be completed to the satisfaction of the responsible authority:
- The two driveways, to Lot 2 and the common property, between the property boundary and the kerb must be constructed in accordance with the Infrastructure Design Manual SD 240 Single Residential Driveway.
- The Common Property access driveway adjacent to Lots 3, 4 and 5 must be sealed at least 3.0 metres wide.

Signature for the Responsible Authority

Date Issued: 1 November, 2021

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- The access driveway to lot 2 must be sealed at least 3.0 metres wide along the north east boundary of Lot 1.
- A driveway must be provided to Lot 1 between the kerb and property boundary in accordance with the Infrastructure Design Manual.

6. SIGHT DISTANCE AT PROPERTY BOUNDARY
Sight distance at the access driveways must comply with AS/NZS 2890.1:2004 Fig 3.2

7. SECTION 173 AGREEMENT
Prior to the issue of statement of compliance, the applicant/owner must enter into an Agreement under Section 173 of the Planning and Environment Act 1987.

Such Agreement is applicable to lot 2 and must covenant that;

- The owner will maintain each on-site treatment system and/or detention system and not modify without prior written approval from the responsible authority.
- The owner shall allow duly authorised officers of the responsible authority to inspect the systems at mutually agreed times.
- The Owner will pay for all costs associated with the construction and maintenance of each on-site treatment and detention system.

8. PUBLIC ASSETS
Before the development starts, the owner or developer must submit to the responsible authority a written report and photos of any prior damage to public infrastructure. Listed in the report must be the condition of kerb and channel, footpath, seal, street lights, signs and other public infrastructure fronting the property and abutting at least two properties either side of the development. Unless identified with the written report, any damage to infrastructure post construction will be attributed to the development. The owner or developer of the subject land must pay for any damage caused to any public infrastructure caused as a result of the development or use permitted by this permit.

9. CONSTRUCTION MANAGEMENT PLAN
Prior to commencement of works the owner or applicant must submit a Construction Management Plan (CMP) for approval by the responsible authority. This plan shall include, but not be limited to:
(a) A site specific plan showing proposed erosion and sedimentation control works.
(b) Techniques and intervention levels to prevent a dust nuisance.
(c) Techniques to prevent mud and dirt being transported from the site to adjacent streets.
(d) The protection measures taken to preserve any vegetation identified for retention.

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During construction of works associated with the subdivision, the applicant must employ and provide the protection methods contained in the CMP to the satisfaction of the responsible authority and the Environment Protection Agency.

10. REMOVAL OF NATIVE VEGETATION

Native vegetation offsets

Native vegetation removal must be in accordance with the extent specified in the Native Vegetation Removal report 325-20210506--4 dated 6 May 2021. The total area of native vegetation permitted to be removed is 0.125 hectares.

(a) To offset the removal of 0.125 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:

- A general offset of 0.024 general habitat units located within the North Central Catchment Management Authority boundary or Greater Bendigo municipal district;
- have a Strategic Biodiversity Value score of at least 0.102;
- must be in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017).

Offset evidence

(b) Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be an established first party offset site. This must include:

- a security agreement signed by both parties, and
- a management plan detailing the 10-year management actions and ongoing management of the site

to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority.

Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification;

and/or

- credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register.

A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

11. COLIBAN WATER

(a) The applicant or owner is required to reach agreement with Coliban Water for the provision of reticulated water and sewerage services to each of the lots within the subdivision and comply with any requirements arising from any effect of the proposed development on Coliban Water assets.
Services are to be provided and where necessary, amendments to existing services for the existing residence, will be required in accordance with our specifications.
The reticulated sewer mains extension required to service each of the proposed lots within this development site, must be finalised in accordance with Coliban Water's Developer Installed Works process.

(b) Evidence is required to the satisfaction of Coliban Water to verify that the sanitary plumbing and drainage (private drains) for the existing dwelling has been connected to a sewer main.
The evidence required is a letter/statement from a registered and licensed plumbing contractor, detailed as constructed plans and copies of the Victorian Building Authorities Compliance Certificates.

(c) All Coliban Water assets within the subdivision, both existing and proposed, are to be protected by an easement in favour of Coliban Region Water Corporation.
In addition to the above-mentioned, but not limited to, agreement is required to be reached with Coliban Water for a registered easement to be created on the land described as Lot 2 & 6, for the purposes of servicing future growth with the sewerage catchment.
The additional easement is required to be extended from the south western boundary of Lot 2 to the south eastern boundary of Lot 2. Our preference for the alignment is to follow the southern boundary of Lot 2.

(d) Applications through our Consent to Connect Process are required prior to any water supply service being amended and/or connected to Coliban Water assets and complying with our conditions.
Coliban Water requires the water meters for the lots having rights over the Common Property, to be located in an accessible location within 2.0 metres but no closer than 600mm, inside the Curtain Street Common Property title boundary line. The developers' contractor will be required complete the water main tapping/s, service pipes and all works except for water meter supply & installation.
Water meter assemblies must be constructed to provide a minimum clearance of 150mm

above the finished surface level, with each of the service pipes being extended into each of the new lots being serviced. An application will then be required through Coliban Water's consent to connect process for our approved contractor to supply and install the water meters and digital data devices.

(E) All private works for water supply and sanitary drainage must be constructed in accordance with the National Plumbing and Drainage Code of Australia being AS 3500, the MRWA Water Metering & Servicing Guidelines 2020 and or any relevant requirements of Coliban Water.

12. POWERCOR
    (a) This letter shall be supplied to the applicant in its entirety.
    (b) The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
    (c) The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.
    Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
    (d) The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).
    Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

13. TELECOMMUNICATIONS
    The owner of the land must enter into an agreement with:
    - A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time.
    - A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

    Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
    - A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time.

- A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

14. AUSNET SERVICES (GAS)
The plan of subdivision submitted for certification must be referred to AusNet Services (Gas) in accordance with section 8 of the Subdivision Act 1988.

15. EXPIRY OF THE PERMIT
(a) The plan of subdivision is not certified within two years from the date of this permit; or
(b) The subdivision is not completed within five years from the date of certification of the plan of subdivision.
The responsible authority may extend the time for certification of the plan if a request is made in writing before the permit expires or within six months afterwards.

PLANNING PERMIT

	Permit No.	**DS/315/2021**
	Planning Scheme:	**Greater Bendigo Planning Scheme**
	Responsible Authority:	**Greater Bendigo City Council**
ADDRESS OF THE LAND:	**22-24 Curtain Street, EAGLEHAWK 3556 CA 250 Sec N**	
THE PERMIT ALLOWS:	**6 lot subdivision**	

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

NOTES:

CONSENT FOR WORK ON ROAD RESERVES
The applicant must comply with:
(a) The Road Management Act 2004.
(b) Road Management (Works and Infrastructure) Regulations 2005.
(c) Road Management (General) Regulations 2005.
with respect to any requirements to notify the Coordinating Authority and/or seek consent from the Coordinating Authority to undertake "works" (as defined in the Act) in, over or under the road reserve. The responsible authority in the inclusion of this condition on this planning permit is not deemed to have been notified of, or to have given consent to undertake any works within the road reserve as proposed in this permit.

NATIVE VEGETATION IN ROAD RESERVE
Should the integrity of any native vegetation in the road reserve be compromised by the construction of access works from Curtain Street, then separate planning approval will need to be submitted for the removal of the vegetation.

TREE PROTECTION ZONE
A Tree Protection Zone must be established for the duration of any works near a City of Greater Bendigo tree. All works must be in accordance with Council's Urban Tree Management Policy, 2017 and Australian Standard 4970 – *Protection of trees on development sites.*

Signature for the Responsible Authority

Date Issued: 1 November, 2021

Document Set ID: 4650551
Version: 2, Version Date: 01/11/2021

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.
(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the *Planning & Environment Act 1987*)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The responsible authority may amend this permit under Division 1A of Part 4 of the *Planning & Environment Act 1987*.

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit, or
- if no date is specified, from:
  (i) the date of the decision of the Victorian Civil & Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
  (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if –
   - the development or any stage of it does not start within the time specified in the permit, or
   - the development requires the certification of a plan of subdivision or consolidation under the *Subdivision Act 1988* and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
   - the development or any stage is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within five years of the certification of the plan of subdivision or consolidation under the *Subdivision Act 1988*.
2. A permit for the use of land expires if –
   - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit, or
   - the use is discontinued for a period of two years.
3. A permit for the development and use of the land expires if –
   - the development or any stage of it does not start within the time specified in the permit; or
   - the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
   - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
   - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in Section 6A(2) of the *Planning and Environment Act 1987*, or to any combination of use, development or any of those circumstances requires the certification of a plan under the *Subdivision Act 1988*, unless the permit contains a different provision –
   - the use or development of any stage is to be taken to have started when the plan is certified; and
   - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under the permit before the expiry.

WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil & Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil & Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil & Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil & Administrative Tribunal.

OWNERS CORPORATION CERTIFICATE

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

As at 19th March 2024

1. OWNERS CORPORATION DETAILS

Plan Number:	PS911196A
Address of Plan:	22 Curtain Street Eaglehawk VIC 3556
Lot Number this statement relates to:	3
Unit Number this statement relates to:	22
Postal Address	PO Box 617 BENDIGO VIC 3552

2. CERTIFICATE DETAILS

Vendor:	Graeme Booker & Helen Margaret Booker
Postal Address for Lot 3	22-24 Curtain Street Eaglehawk VIC 3556
Purchaser:	
Person requesting Certificate:	Susan - Jennings Law & Converyancing
Reference:	
Address:	21 Wills Street, Bendigo, Vic, 3550
Fax:	
E-mail:	susan@jenningslaw.com.au

3. CURRENT ANNUAL LEVY FEES FOR LOT 3

ADMINISTRATIVE FUND

The annual administrative levy fees for Lot 3 are **500.00 per annum** commencing on 7 March 2024.
Levies for this plan are raised over **1 periods**

Period	Amount	Due Date	Status
07/03/24 to 28/02/25	500.00	12/04/24	Paid

Maintenance Fund

There are currently no annual Maintenance Fund levy fees payable for Lot 3.

4. CURRENT LEVY POSITION FOR LOT 3

Fund	Balance	Paid To
Administrative	0.00	28 February 2025
Maintenance Fund	0.00	
BALANCE	**0.00**	

5. SPECIAL LEVIES

There are currently no special levy fees due for Lot 3.

6. OTHER CHARGES

There are currently no additional charges payable by Lot 3 that relate to work performed by the owners corporation or some other act that incurs additional charge.

7. FUNDS HELD BY OWNERS CORPORATION

The owners corporation holds the following funds as at 19 March 2024:

Account / Fund	Amount
Administrative Fund	955.00
Maintenance Fund	0.00
TOTAL FUNDS HELD AS AT 19 MARCH 2024	**$955.00**

8. INSURANCE

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

Policy

Policy No.	TBA
Expiry Date	14-March-2025
Insurance Company	QBE Insurance (Australia) Limited
Broker	Adroit Insurance Group
Premium	530.00

Cover Type

Property, Death and Injury (Public Liability)

Amount of Cover

20,000,000

9. CONTINGENT LIABILITIES

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

10. CONTRACTS OR AGREEMENTS AFFECTING COMMON PROPERTY

The owners corporation has not or do not intend in the foreseeable future to enter into any contracts affecting the common property.

11. AUTHORITIES OR DEALINGS AFFECTING COMMON PROPERTY

The owners corporation has not granted any authorities or dealings affecting the common property.

12. AGREEMENTS TO PROVIDE SERVICES

The owners corporation has not made any agreements to provide services to lot owners and occupiers or the general public for a fee.

13. NOTICES OR ORDERS

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

14. CURRENT OR FUTURE PROCEEDINGS

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

15. APPOINTMENT OF AN ADMINISTRATOR

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

16. PROFESSIONAL MANAGER DETAILS

Name of Manager:	Ace Body Corporate Management (Bendigo)
ABN / ACN:	21 550 870 924
Address of Manager:	12 Condon Street Kennington Victoria 3550
Telephone:	03 5442 3433
Facsimile:	03 5442 3533
E-mail Address:	bendigo@acebodycorp.com.au

17. ADDITIONAL INFORMATION

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

The Owners Corporation only holds Public Liability Insurance over the Common Property. Lot Owners are responsible for their own insurance coverage within lot owner boundaries and including for any building improvements.

SIGNING

The common seal of Plan No. PS911196A, was affixed and witnessed by and in the presence of the registered manager in accordance with Section 20(1) and Section 21(2A) of the Owners Corporations Act 2006.

Registered Manager

Full name: Brian Figg
Company: BPF Enterprises Pty Ltd
Address of registered office: 12 Condon Street Kennington Victoria 3550

19/03/2024

Date



Common Seal
of Owners Corporation

ACE BODY CORPORATE MANAGEMENT

PROFESSIONAL PERSONAL SERVICE

Owners Corporation 1 PS911196A

(22 Curtain Street Eaglehawk Vic 3556)

MINUTES OF THE

INAUGURAL GENERAL MEETING

held at 3pm on Thursday, 14th March 2024
at 2/12 Condon Street Kennington.

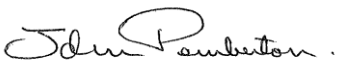
1.	**Attendance/Apologies** Lots 3,4,5 & 6….Graeme & Helen Booker	John Pemberton of Ace Body Corporate Management (Bendigo/Shepparton)
2.	**Proxy Holders** – Nil	
3.	**Confirmation of Entitlement to Vote** *As per the Owners Corporation Act 2006 a lot owner who is in arrears for any amount owed to the owners corporation is not entitled to vote on an ordinary resolution. Members are always entitled to vote in a case where a special resolution or unanimous resolution is required. (refer section 94 of Owners Corporation Act 2006)* As this is the Inaugural Meeting of Owners Corporation 1 PS911196A, all members are considered eligible to vote.	
4.	**Quorum** A quorum is 50% of Lot Owners represented in person or by proxy. A quorum was achieved at this meeting.	

Resolutions and General Business:

Item:	Discussion:	Type of resolution	Votes For	Votes Against
Agenda Item 2 Introduction to Act & Regulations	Introduction to an Owners Corporation, the Owners Corporation Act (Vic) 2006 & Regulations 2007, the Plan of Subdivision and the role of a Manager.			
Agenda Item 3 Appointment of Chair	***Resolved*** that John Pemberton be appointed Chairperson and Minute-taker of this meeting.	Ordinary	4	0
Agenda Item 4 Appointment of Manager And	***Resolved*** that BPF Enterprises Pty Ltd trading as Ace Body Corporate Management Bendigo be appointed Manager and Delegate for Owners Corporation PS911196A on the terms as outlined in the standard Strata Community Australia Victoria Contract of Appointment as presented at this meeting, AND further resolved that the lot owner (or their proxy) would sign this standard three year contract after the meeting, as witness to the common seal of this Owners Corporation (refer to letter of offer dated 12/2/24).	Ordinary	4	0

Item:	Discussion:	Type of resolution	Votes For	Votes Against
Election of the Committee, Chairperson and Secretary	The Manager advised that under the Act as the Owners Corporation had less than 13 lots it was not mandatory to form a Committee, however a Chairperson of the Owners Corporation needed to be elected and recorded. ***Resolved*** to elect Helen Booker as Chairperson of Owners Corporation PS911196A, that a committee was not required and further that the Manager would assume the role of Secretary, but with no voting rights.	Ordinary	4	0
<u>Agenda Item 5</u> Rules of the Owners Corporation **<u>Agenda Item 6</u>** Disputes **<u>Agenda Item 7</u>** That the Strata Insurance be confirmed, varied or extended.	***Resolved*** that in the absence of making specific Rules, Owners Corporation PS911196A would adopt the "Model Rules" as provided for in the Act 2006 and Regulations 2007. Manager outlined the Dispute Resolution Process per part 10 of Owners Corporation Act 2006 and section 6 of the "Model Rules". **Insurance Review** The Manager tabled a $20M Public Liability Common Property insurance quote provided by Adroit Insurance Brokers from QBE Insurance (Australia) Limited at an annual premium of $530. ***Resolved*** that:- • the Owners Corporation would accept the QBE Insurance (Australia) Limited Public Liability Insurance cover of $20M over the Common Property, with a start date of 14/3/24. • the Manager would be appointed as arranger of Insurance for the Owners Corporation and would instruct Adroit to bind the cover. • members (owners) be required to arrange/attend their own Buildings Cover, Contents or Landlords cover as required. *The Manager disclosed that this policy offer has been provided by Adroit Insurance. The Manager is not authorised to provide Factual or General Advice on policies arranged by Adroit Insurance Pty Ltd and any enquiries on insurance should be made direct with them (5434 3607).*	Ordinary Ordinary	4 4	0 0
<u>Agenda Item 8</u> Common Property Items	The Manager had referred to a copy of Plan of Subdivision PS911196A for identification of common property areas. **<u>Common Property Weed Control</u>** ***Noted by meeting*** that the developers would attend to any required weed control, along the edge of the common property drive for the ensuing 12 months and would invite future lot owners to assist with any weed control/general tidy on the common property arears, just to the front of their own allotment. A common property contract gardener was not considered necessary at the property. **<u>Maintenance</u>** **<u>Issuing of Work Orders to Contractors</u>** *Resolved* that the Manager is authorised, on behalf of the Owners Corporation, to issue Work Orders for maintenance to the common property on basis that the nominated contractor:- • is a business registered for tax purposes in Australia (has an ABN) • maintains a minimum $10.0m Public & Product Liability Insurance Cover • if an employer, maintains relevant Work Cover Insurance • provides to ACE Body Corporate Management a completed and signed Contractors Safe Working Agreement with a copy of Insurance(s) as per above prior to undertaking any work on the common property.	Ordinary	4	0

Item:	Discussion:	Type of resolution	Votes For	Votes Against
	Safety ***Noted by meeting*** that the Owners Corporation, and its members, have a duty of care, as far as practical, to ensure that the common property is a safe environment for persons to enter and exit, and should they become aware of any risks or hazards these should be immediately reported to the Manager for attention.			
Agenda Item 9 Review & acceptance of Budget and Fees	A "baseline" Budget for an initial twelve month period was discussed with developer/lot owner representative prior to this meeting to raise an amount of $2000. ***Resolved*** that the initial Budget for Owners Corporation PS911196A for the period 1/03/24 to 28/02/25 would be $2,000 and that levies would be proportionate to Lot Liability at $500 per unit per annum and payable in one instalment and due within 7 days of this meeting.	Ordinary	4	0
Agenda Item 11 Inaugural Meeting Resolutions	To achieve compliance with various sections of legislation and ensure the smooth running of the Owners Corporation, the following resolutions were tabled and resolved by ordinary resolution of Owners Corporation PS911196A.			
	A. **Ordinary Resolution A:** To resolve that the Owners Corporation delegates to the Manager the powers and functions set out in the instrument of delegation and contract of appointment.	Ordinary	4	0
	B. **Ordinary Resolution B:** To resolve to authorise the Manager to obtain, affix and hold the common seal in the name of the Owners Corporation.	Ordinary	4	0
	C. **Ordinary Resolution C:** To resolve to instruct the Manager to arrange insurance cover for the Owners Corporation as required by Part 3, Division 6 of the Owners Corporation Act 2006.	Ordinary	4	0
	D. **Ordinary Resolution D**: To resolve to give the Manager a standing direction to renew the Insurance as agreed/confirmed by the Owners Corporation.	Ordinary	4	0
	E. **Ordinary Resolution E:** To resolve that the Manager set the Fees Payable structure for each Financial Year as agreed/confirmed by the Owners Corporation.	Ordinary	4	0
	F. **Ordinary Resolution F:** To resolve that the Manager is authorised to collect the fees for the Owners Corporation and to solely operate a bank account with Macquarie Bank on behalf of the Owners Corporation.	Ordinary	4	0
	G. **Ordinary Resolution G:** To resolve that the Manager on behalf of the Owners Corporation will obtain ABN, TFN and become GST registered (if applicable) pursuant to Taxation Ruling No. IT 2505 and in accordance with Australian Tax Office requirements.	Ordinary	4	0
	H. **Ordinary Resolution H:** To resolve that the Manager change the Postal Address to that of the Owners Corporation Manager and erect sign as required under the Act.	Ordinary	4	0
	I. **Ordinary Resolution I:** To resolve that the Financial Year for Owners Corporation PS911196A would run from 1 March to 28 February.	Ordinary	4	0
Agenda Item 10 General Business	Custody of Owners Corporation Register/Records would be retained by Manager at their office situated at 34a Hopetoun Street Bendigo to comply with various aspects of the Owners Corporation Act (Vic) 2006 and Regulations 2007.			
Meeting Close 12	No further General Business, the meeting closed at 3.50pm.			



John Pemberton
Ace Body Corporate Management
14 March 2024

Approved Annual Budget

Administrative Fund

Owners Corporation for Plan No. PS911196A

1 March 2024 to 28 February 2025

22 Curtain Street Eaglehawk VIC 3556

Approved Budget

Expenditure	**Budget 03/24 - 02/25**
Administrative Fees & Charges - Admin / OC Set Up	215.00
Insurance Premiums	530.00
Strata Manager - disbursements	200.00
Strata Manager - management fees	1,000.00
Total Administrative Fund Expenditure	**1,945.00**

Administrative Fund Summary		**Budget 03/24 - 02/25**	
Opening balance		0.00	
Expenditure during budget period		1,945.00	
		1,945.00	
Less	Additional revenue during budget period	0.00	
Plus	Planned surplus at end of budget period	55.00	
			Per Ent
Budgeted levies to be raised $		**2,000.00**	50.0000

Total Lot Liability 40

*May include insurance contributions

Model rules applying to Owners Corporation – PS911196A (22 Curtain St)

1Health, safety and security

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

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

1.2 Storage of flammable liquids and other dangerous substances and materials

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

(2) This rule does not apply to—

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

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

1.3 Waste disposal

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

1.4 Smoke penetration

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

1.5 Fire safety information

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

2 Committees and sub-committees

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

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

3 Management and administration

3.1 Metering of services and apportionment of costs of services

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

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

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

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

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

4 Use of common property

4.1 Use of common property

(1) An owner or occupier of a lot must not obstruct the lawful use and enjoyment of the common property by any other person entitled to use the common property.

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

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

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

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

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

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

4.2 Vehicles and parking on common property

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

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

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

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

4.3 Damage to common property

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

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

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

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

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

5 Lots

5.1 Change of use of lots

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

Example

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

5.2 External appearance of lots

(1) An owner or occupier of a lot must obtain the written approval of the owners corporation before making any changes to the external appearance of their lot.

(2) An owners corporation cannot unreasonably withhold approval, but may give approval subject to reasonable conditions to protect quiet enjoyment of other lot owners, structural integrity or the value of other lots and/or common property.

(3) The owners corporation cannot unreasonably prohibit the installation of sustainability items on the exterior of the lot, including by prohibiting the installation of a sustainability item only on aesthetic grounds.

(4) The owners corporation may require that the location of a sustainability item, or the works involved in installing a sustainability item, must not unreasonably disrupt the quiet enjoyment of other lot owners or occupiers or impede reasonable access to, or the use of, any other lot or the common property.

(5) The owners corporation may impose reasonable conditions on the installation of a sustainability item on the exterior of the lot related to the colour, mounting and location of the sustainability item provided that these conditions do not increase the cost of installing the sustainability item or reduce its impact as a sustainability item.

5.3 Requiring notice to the owners corporation of renovations to lots

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

6 Behaviour of persons

6.1 Behaviour of owners, occupiers and invitees on common property

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

6.2 Noise and other nuisance control

(1) An owner or occupier of a lot, or a guest of an owner or occupier, must not unreasonably create any noise likely to interfere with the peaceful enjoyment of any other person entitled to use the common property.

(2) Subrule (1) does not apply to the making of a noise if the owners corporation has given written permission for the noise to be made.

7 Dispute resolution

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

(2) The party making the complaint must prepare a written statement in the approved form.

(3) If there is a grievance committee of the owners corporation, it must be notified of the dispute by the complainant.

(4) If there is no grievance committee, the owners corporation must be notified of any dispute by the complainant, regardless of whether the owners corporation is an immediate party to the dispute.

(5) The parties to the dispute must meet and discuss the matter in dispute, along with either the grievance committee or the owners corporation, within 28 calendar days after the dispute comes to the attention of all the parties.

(5A) A meeting under subrule (5) may be held in person or by teleconferencing, including by videoconference.

(6) A party to the dispute may appoint a person to act or appear on the party's behalf at the meeting.

(6A) Subject to subrule (6B), the grievance committee may elect to obtain expert evidence to assist with the resolution of the dispute.

(6B) The grievance committee may obtain expert evidence to assist with the resolution of a dispute if the owners corporation or the parties to the dispute agree in writing to pay for the cost of obtaining that expert evidence.

(7) If the dispute is not resolved, the grievance committee or owners corporation must notify each party of the party's right to take further action under Part 10 of the **Owners Corporations Act 2006**.

(8) This process is separate from and does not limit any further action under Part 10 of the **Owners Corporations Act 2006**.

Business Pack Insurance
Policy Schedule

QBE Insurance (Australia) Ltd
Head Office
Level 18, 388 George Street
Sydney NSW 2000
ABN: 78 003 191 035
AFS Licence No: 239545

Policy Number 45U225588BPK

Cover Details

Location 22 CURTAIN ST, EAGLEHAWK VIC 3556 **Risk Number** 1

Business STRATA TITLE RESIDENTIAL PROPE

Interested Party None Noted

Broadform Liability Section

Particulars	Total Sum Insured	Limit
Limit of liability, any one occurrence		$20,000,000
Property in Your physical and legal control	As per the policy wording	

Property owners liability only

Excess $500 for property damage claims only
$0 for personal injury claims

The rating of this section based on having a property value of $750,000. If there is any change to this, you must notify your intermediary.

Clauses

- **2G9**
  PROPERTY OWNERS ONLY
  This Policy does not cover liability arising out of or in connection with any business, profession, trade or activity other than as owner of property specified in the Policy Schedule.
  Cover under this Policy will only insure your legal liability resulting from an occurrences in the Common Area of the insured property.
  Common Area means the area at your situation that is not part of any Lot.
  Lot means an area shown on a plan as a lot or unit in terms of the Strata Schemes Management Act, Strata Titles Act, Community Titles Act or similar legislation applying where your insured property is situated.

- **CIP**
  APPLICABLE POLICY WORDING
  When BUSINESS PACK INSURANCE is shown on the Policy Schedule Austbrokers Commercial/Retail/Industrial Policy wording QM511-0423 applies.
  When TRADES PACK INSURANCE is shown on the Policy Schedule QBE Trade Policy QM207-0421 applies.
  When OFFICE PACK INSURANCE is shown on the Policy Schedule QBE Office Policy QM208-1221 applies.

QM1824-1207

QBE Insurance (Australia) Ltd
Head Office
Level 18, 388 George Street
Sydney NSW 2000
ABN: 78 003 191 035
AFS Licence No: 239545

Policy Number 45U225588BPK

Cover Details *continued*

This completes your policy

Schedule 3—Statement of advice and information for prospective purchasers and lot owners

Regulation 17

What is an owners corporation?

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

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

How are decisions made by an owners corporation?

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

Owners corporation rules

The owners corporation rules may deal with matters such as car parking, noise, pets, the appearance or use of lots, behaviour of owners, occupiers or guests and grievance procedures. You should look at the owners corporation rules to consider any restrictions imposed by the rules.

Lot entitlement and lot liability

The plan of subdivision will also show your lot entitlement and lot liability. Lot liability represents the share of owners corporation expenses that each lot owner is required to pay. Lot entitlement is an owner's share of ownership of the common property, which determines voting rights. You should make sure that the allocation of lot liability and entitlement for the lot you are considering buying seems fair and reasonable.

Further information

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

Management of an owners corporation

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

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

Owners Corporations Regulations 2018

S.R. No. 154/2018

Version incorporating amendments as at
1 December 2021

DANGER: UNDERGROUND SERVICES

CONTRACTOR IS TO CALL DIAL BEFORE YOU DIG 1100 AND ENSURE THEY HAVE MET THEIR OBLIGATIONS IN REGARDS TO UNDERGROUND SERVICES. WE ACCEPT NO RESPONSIBILITY FOR ANY DAMAGE TO UNDERGROUND SERVICES. FURTHERMORE WE CANNOT GUARANTEE ALL EXISTING SERVICES ARE SHOWN ON THESE PLANS, AND INSTRUCT THE CONTRACTOR TO MAKE ALL NECESSARY ENQUIRES PRIOR TO COMMENCING CONSTRUCTION OR UNDERTAKING ANY DIGGING OR TRENCHING.

NOTE: CCTV FOOTAGE REQUIRED

IN ACCORDANCE WITH SECTION 22.7 (WSA 02-2002-2.3, MELBOURNE RETAIL WATER AGENCIES EDITION, VERSION 1.0) COLIBAN WATER NOW REQUIRES SATISFACTORY EVIDENCE IN THE FORM OF CALIBRATED CCTV RECORDING OF THE NEW ASSETS ACCOMPANIED BY A DETAILED REPORT. COLIBAN WATER REQUIRE THE FOOTAGE TO BE PROVIDED TO THE ASSIGNED CASE MANAGER IN USB FLASH DRIVE FORMAT FOR REVIEW PRIOR TO PHYSICAL ONSITE INSPECTION. ANY IDENTIFIED ISSUED MUST BE RECTIFIED AND NEW CCTV FOOTAGE PROVIDED TO CONFIRM IDENTIFIED DEFECTS HAVE BEEN ADDRESSED.

DIAL BEFORE YOU DIG www.1100.com.au

GENERAL NOTES

1. ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH THE INFRASTRUCTURE DESIGN MANUAL AND COMPLY WITH THE REQUIREMENTS OF THE CITY OF GREATER BENDIGO COUNCIL.

2. THE CONSULTANT IS TO BE NOTIFIED 7 DAYS PRIOR TO WORKS COMMENCING.

3. ALL HEIGHTS SHOWN ON THESE PLANS ARE TO THE AUSTRALIAN HEIGHT DATUM.

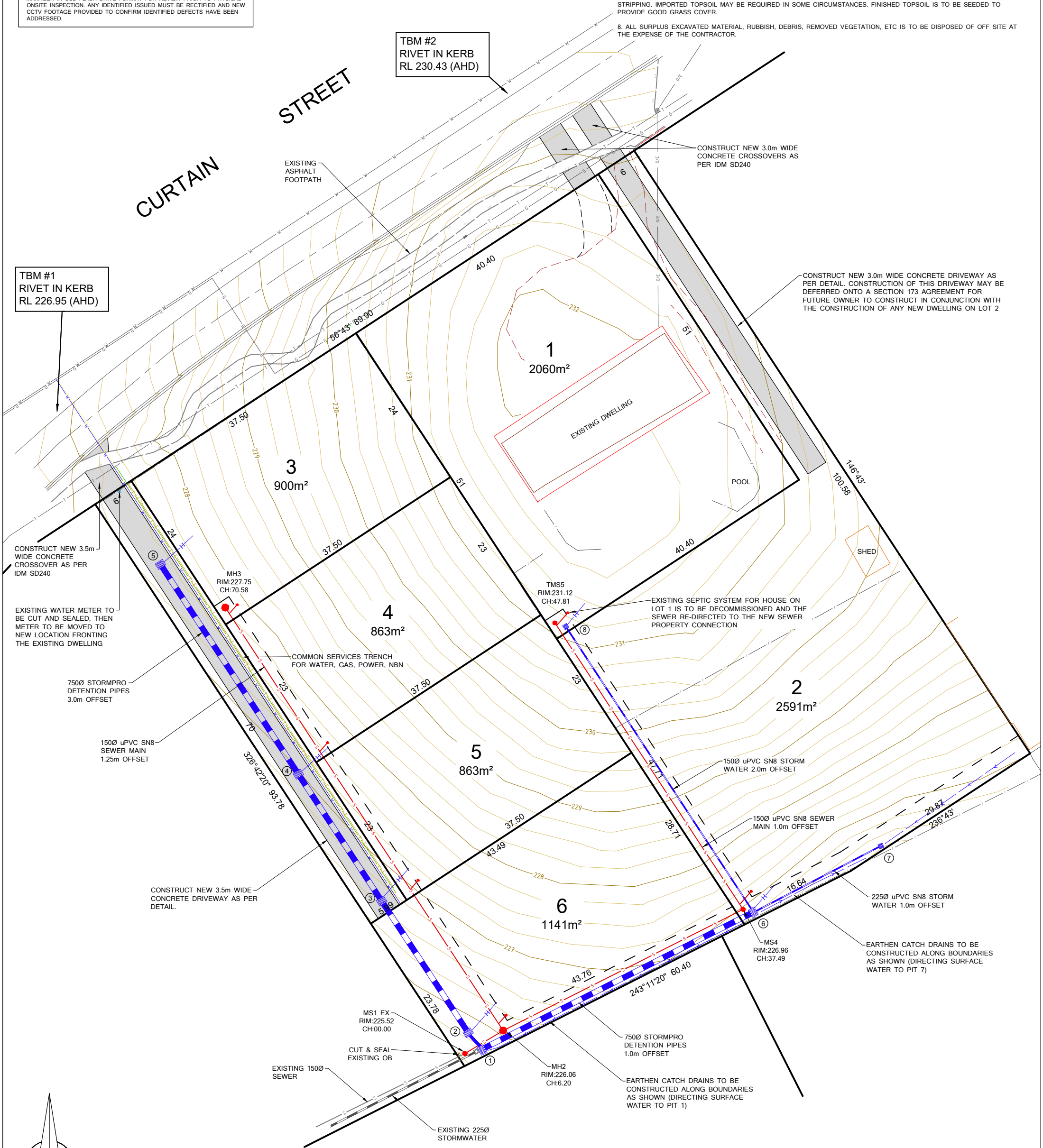
4. ANY VARIATION TO THESE PLANS MUST ONLY BE DONE SO ON THE INSTRUCTION OF THE CONSULTANT. SHOULD ANY MAJOR DISCREPANCIES OCCUR ON SITE, THE CONSULTANT MUST BE INFORMED IMMEDIATELY.

5. CONTRACTOR IS TO CALL DIAL BEFORE YOU DIG 1100 AND ENSURE THEY HAVE MET THEIR OBLIGATIONS IN REGARDS TO UNDERGROUND SERVICES. THE CONSULTANT ACCEPTS NO RESPONSIBILITY FOR ANY DAMAGE TO UNDERGROUND SERVICES, AND FURTHERMORE CANNOT GUARANTEE ALL EXISTING SERVICES ARE SHOWN ON THESE PLANS, AND INSTRUCT THE CONTRACTOR TO MAKE ALL NECESSARY ENQUIRES PRIOR TO COMMENCING CONSTRUCTION OR UNDERTAKING ANY DIGGING OR TRENCHING.

6. EXISTING TREES OR VEGETATION ARE NOT TO BE REMOVED WITHOUT THE RELEVANT PERMISSIONS.

7. NATURE STRIPS ARE TO BE TOPSOILED TO A MINIMUM DEPTH OF 100mm WITH EXISTING MATERIAL STOCKPILED FROM STRIPPING. IMPORTED TOPSOIL MAY BE REQUIRED IN SOME CIRCUMSTANCES. FINISHED TOPSOIL IS TO BE SEEDED TO PROVIDE GOOD GRASS COVER.

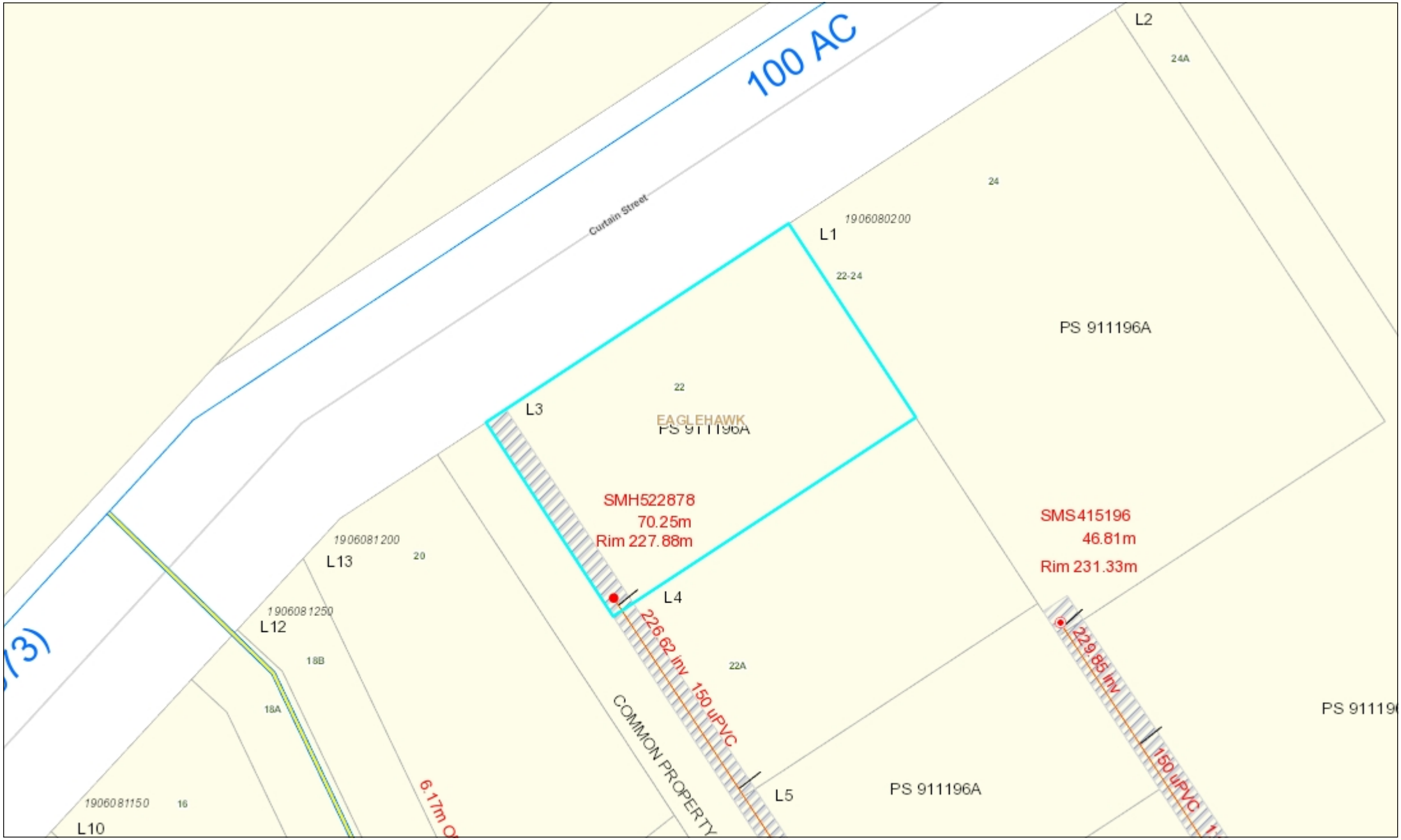
8. ALL SURPLUS EXCAVATED MATERIAL, RUBBISH, DEBRIS, REMOVED VEGETATION, ETC IS TO BE DISPOSED OF OFF SITE AT THE EXPENSE OF THE CONTRACTOR.



DJK ENGINEERS
ABN: 25 605 764 949
76 HARPIN ST EAST BENDIGO 3550
Ph: 5442 7737 M: 0417 320 245
EMAIL: info@djkengineers.com.au
CIVIL ENGINEERING · DRAINAGE DESIGNS
SUBDIVISIONS · ROAD DESIGNS
UNIT DEVELOPMENTS · SEWER & WATER MAINS
PROJECT MANAGEMENT · TOWN PLANNING

H -5 -2.5 0 5 10 15
V -5 -2.5 0 5 10 15

CLIENT: GRAEME BOOKER	PROJECT No. 14384	
SITE ADDRESS: 22-24 CURTAIN STREET, EAGLEHAWK 3556	DATE: 01/12/2021	DRAWN: D.K.
PROJECT: DRAINAGE DESIGN PLANS	SCALE: 1:500 (A3)	CHECKED: D.K.
	COUNCIL: DS/315/2021	SHEET: 1 of 5
	COLIBAN: N/A	POS: N/A



Disclaimer with respect to the information provided:

Coliban Water makes no representation or warranty regarding the accuracy or completeness of the information in this document. Coliban Water further accepts no responsibility for any omissions or inaccuracies that may exist, and disclaims all liability for any loss or damage which may arise directly or indirectly from reliance on the information in this document, whether or not that loss is caused by any negligence on the part of Coliban Water or its employees.

Coliban Region Water Corporation

22 CURTAIN STREET EAGLEHAWK
3556

N

Scale: 1: 500 (A4)

Coliban WATER

Date: 19/03/2024

HISTORIC MINING ACTIVITY
Form No. 692

19 March, 2024

Property Information:

Address: 22 CURTAIN STREET EAGLEHAWK 3556

It is advised that:

Our records do not indicate the existence of any mining activity on or under this site, but the site is within an area of past prospecting or mining activity. Note that there may be unrecorded mine workings present. (3)

NOTE: Historic Mining activity information is provided from plans and records that may be incomplete and may not be entirely free from errors. It is provided for information only and should not be relied upon as definitive of the status of any area of land. It is provided on the basis that all persons accessing it undertake responsibility for assessing the relevance and accuracy of its content.
The State of Victoria and its officers, agents or employees do not guarantee that the work is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this work.

For queries, contact:

Department of Energy, Environment and Climate Action
E-mail: gsv_info@deeca.vic.gov.au

Due diligence checklist

What you need to know before buying a residential property

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

Urban living

Moving to the inner city?

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

Is the property subject to an owners corporation?

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

Growth areas

Are you moving to a growth area?

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

Flood and fire risk

Does this property experience flooding or bushfire?

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

Rural properties

Moving to the country?

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

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

Can you build new dwellings?

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

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

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

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

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

(04/10/2016)

Land boundaries

Do you know the exact boundary of the property?

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

Planning controls

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

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

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

Are there any proposed or granted planning permits?

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

Safety

Is the building safe to live in?

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

Building permits

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

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

Are any recent building or renovation works covered by insurance?

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

Utilities and essential services

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

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

Buyers' rights

Do you know your rights when buying a property?

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

(04/10/2016)

DATED 2024

GRAEME BOOKER AND HELEN MARGARET BOOKER

VENDORS STATEMENT

Property: **Lot 3/22 Curtain Street, Eaglehawk 3556**

Jennings Law & Conveyancing
Lawyers
21 Wills Street
Bendigo VIC 3550
Tel: 03 5410 0740
Ref: CS:15162