

FOR SALE



Merrifield Real Estate

\$199,000

2 / 103 SOUTH COAST HIGHWAY, LOCKYER



Merrifield Real Estate



Merrifield Real Estate



Merrifield Real Estate

BUDGET BUY OF THE YEAR?

- Brick and tile unit, strata titled, part of small complex
- Open lounge/dining with aircon, ceiling fan, carpet
- Good kitchen, combined laundry and shower room
- Two double bedrooms, one with robes, separate toilet
- Garden shed, security doors, few mins to town



 **2**  **1**  **72 m2**

Lee Stonell

0409 684 653

0898414022

lee@merrifield.com.au



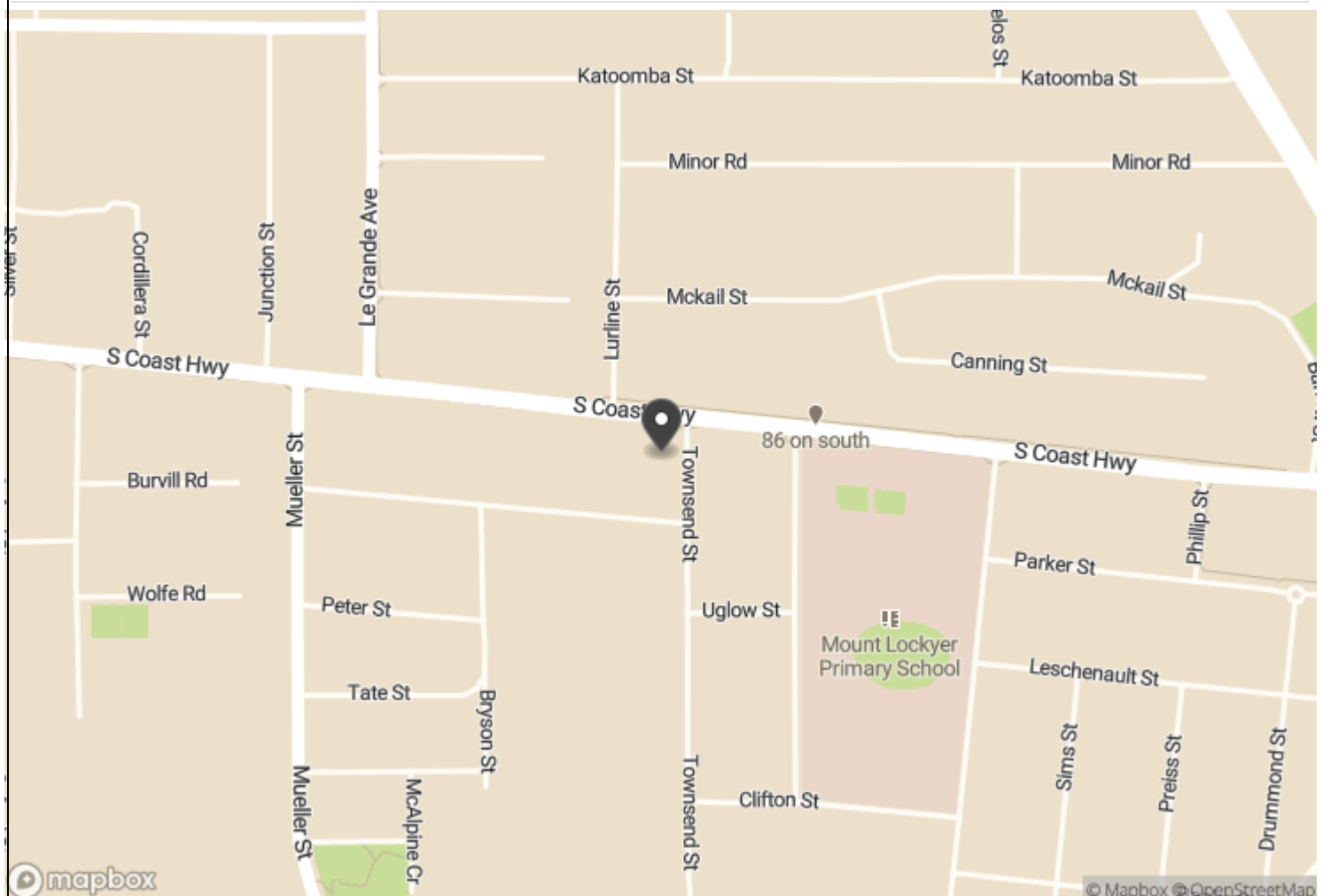
Disclaimer: All details on the brochure are presented on the vendor's advice. Prospective purchasers should take necessary actions on their own behalf to satisfy themselves of the details of conditions, contents, fixtures and improvements in regards to this property. **Merrifield Real Estate Pty Ltd JR Stewart Trust T/A Merrifield Real Estate, 258 York Street, Albany WA 6330**

2 / 103 SOUTH COAST HIGHWAY, LOCKYER



Specification

Asking Price	\$199,000	Build Size	72 sqm
Bedrooms	2	Frontage	See Certificate of Title
Bathrooms	1	Restrictive Covenants	See Certificate of Title
Toilets	1	Zoning	Residential
Parking		School Zone	Mt Lockyer P.S / N.A.S.H.S.
Sheds	1	Sewer	Connected
HWS	Instant Gas	Water	Scheme Drinking Water
Solar	N/A	Internet Connection	Available
Council Rates	\$1,830.36	Building Construction	Brick & Tile
Water Rates	\$1,525.99	Insulation	Unspecified
Strata Levies	\$1,213.32	Built/Builder	1979
Weekly Rent	\$280 - \$310	BAL Assessment	N/A



WESTERN



AUSTRALIA

TITLE NUMBER

Volume

Folio

1595

158

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893 AND THE
STRATA TITLES ACT OF 1985

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts

REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 2 ON STRATA PLAN 9285
TOGETHER WITH A SHARE IN COMMON PROPERTY (IF ANY) AS SET OUT ON THE STRATA PLAN

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

PAUL BERNARD JARDINE OF UNIT 2 103 SOUTH COAST HIGHWAY LOCKYER
(T N162903) REGISTERED 30/10/2015

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. INTERESTS NOTIFIED ON THE STRATA PLAN AND ANY AMENDMENTS TO LOTS OR COMMON PROPERTY NOTIFIED THEREON BY VIRTUE OF THE PROVISIONS OF THE STRATA TITLES ACT OF 1985 AS AMENDED.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: SP9285
PREVIOUS TITLE: SP9285
PROPERTY STREET ADDRESS: UNIT 2 103 SOUTH COAST HWY, LOCKYER.
LOCAL GOVERNMENT AUTHORITY: CITY OF ALBANY



Precontractual Disclosure Statement to the Buyer

Part A | General Information about strata titles schemes

What you need to know

This information applies to a lot in a strata scheme or survey-strata scheme (scheme), which is subject to the *Strata Titles Act 1985* (the Act). Section 156 of the Act sets out that the seller of a strata lot or survey-strata lot (lot) must give the buyer certain information before the buyer signs the contract of sale.

Instruction for the seller

The seller must give the information incorporated in this document to a buyer before the buyer signs a contract for the sale and purchase of a lot in a scheme. Failure to do so may give the buyer the right to avoid the contract and/or delay the proposed settlement date.

Information for the buyer

The buyer should keep this document including any attachments in a safe place as it contains important information which might be needed at a later date.

It is strongly recommended that the buyer read all the information provided by the seller before signing the contract. The buyer should consider obtaining independent professional legal advice before signing the contract.

There are different rights, restrictions and obligations that apply in relation to a lot in a scheme than those that apply to a 'green title' lot. Those rights, restrictions and obligations can be found in the Act, the *Strata Titles (General) Regulations 2019* (regulations), scheme by-laws, the certificate of title, the strata / survey-strata plan for the lot and, if the scheme is a leasehold scheme, the strata lease for the lot. Your right to deal with the lot and to use the common property is restricted by these, as well as by any resolutions and decisions made by the strata company. You will not be able to build on the lot or make any alterations to (including removal of) a building on the lot without the approval of the strata company, except in certain circumstances.

As an owner of a lot, you will also have a share in any common property in the scheme. You will be a member of the strata company, along with all of the other lot owners, and have a right to participate in managing the scheme.

Each lot owner has to abide by the rules of the strata company, known as by-laws. By-laws can be different for each strata scheme and you should understand which by-laws apply to your scheme. The seller must give you the current by-laws before you sign the contract for sale. A strata company can make, amend or repeal by-laws by voting on them, and registering them with the Registrar of Titles at Landgate within 3 months.

As the owner of a lot, you will be liable to pay a strata levy or contribution to the strata company for expenses including for maintenance, repair and insurance of the common property unless the lot is in a scheme of 2 to 5 lots which may be exempt from these requirements. Be aware that if the unpaid amounts for the lot are not paid by the seller before you complete the purchase (settle), you as the new owner will have to pay the strata company these unpaid amounts.

As part of this disclosure you must receive the strata or survey-strata plan (the plan) which includes the lot you are proposing to buy. This plan will show all of the lots and the common property in the scheme. The common property is all the land within the scheme boundary that is not a lot. In a strata plan each lot is clearly identified, but the common property is not; it is everything that is not a lot. In comparison, in a survey-strata plan common property areas are clearly identified as common property. It is important to understand what is your lot, as you will be responsible for repairing and maintaining it, whereas the strata company will generally be responsible for the common property, unless there are by-laws which set out something different.

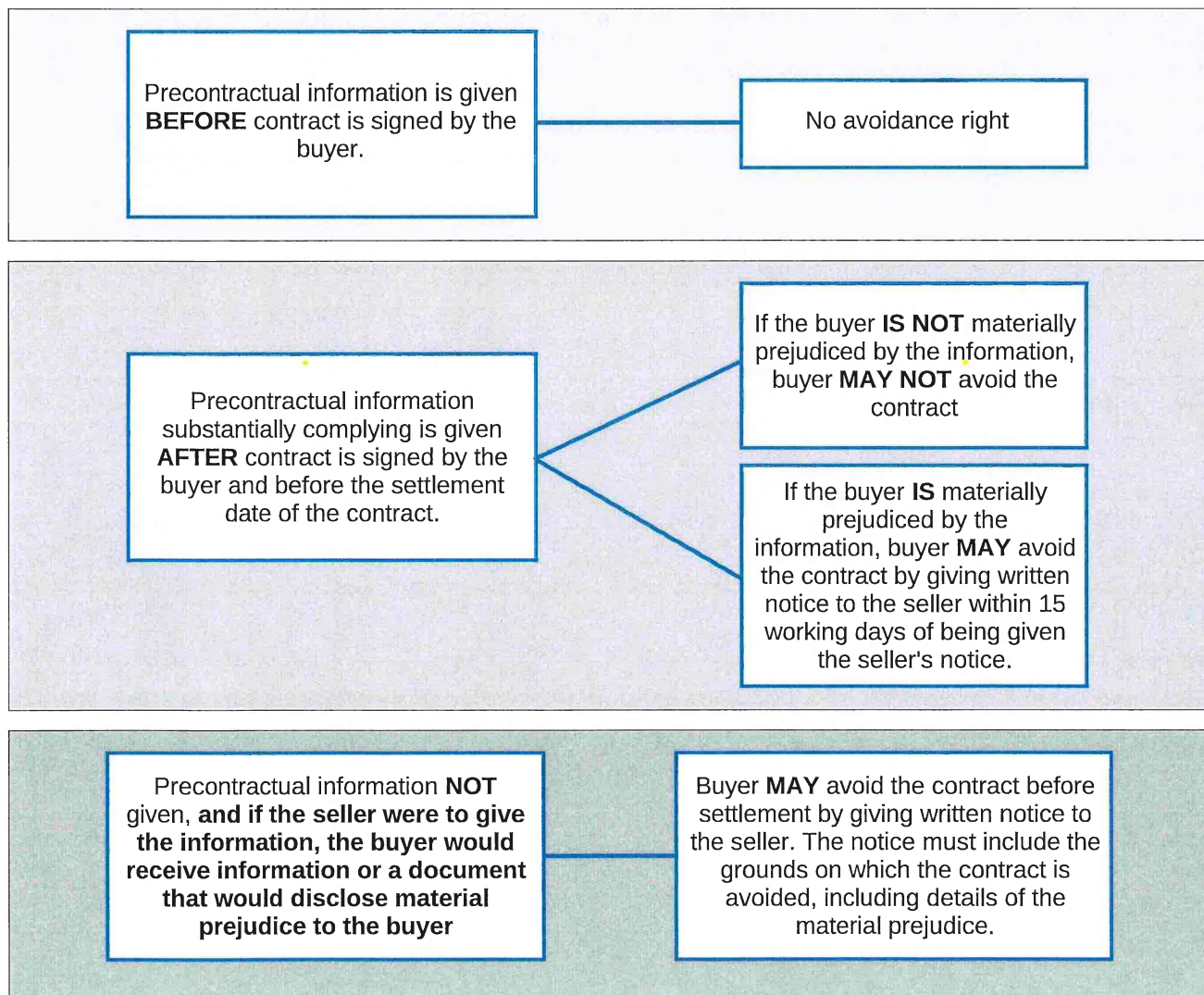
A buyer may consider seeking more information about the lot, the strata company and the strata / survey-strata scheme by asking the seller to provide it, or by making an application to the strata company for more information under section 107 of the Act.

The buyer should consider reading Landgate's publication *A Guide to Strata Titles* as this provides extra information about schemes.

Buyer's avoidance and other rights

Avoidance for failure to give precontractual information to the buyer

The buyer's right to avoid the contract for precontractual information is as follows:



Avoidance rights for notifiable variations

After the buyer has signed the contract, it is possible a particular type of event known as a type 1 or type 2 notifiable variation may occur. If this happens, the seller must provide written notice of the variation to the buyer before the proposed settlement date.

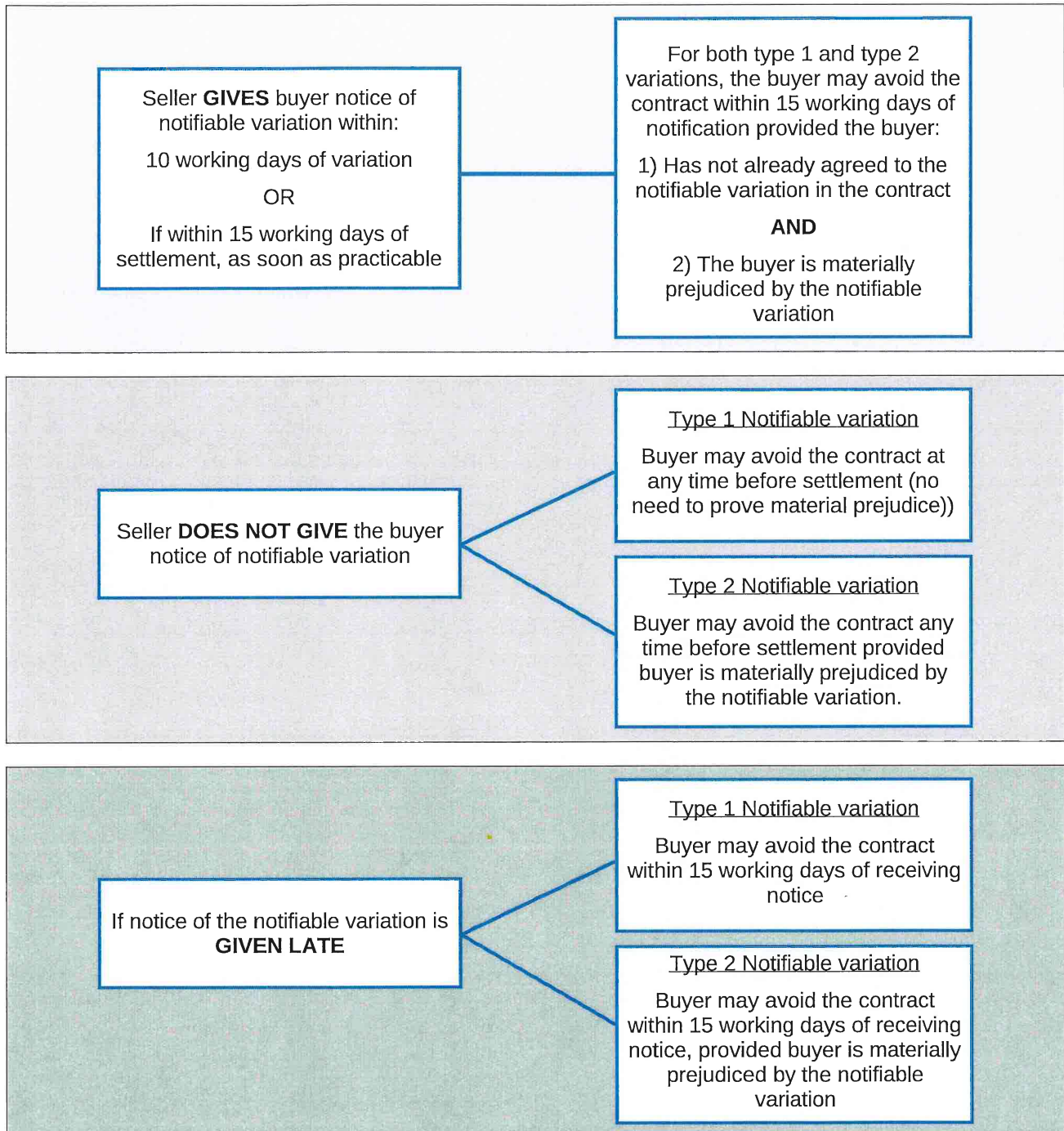
Type 1 and Type 2 notifiable variations are as follows:

Type 1 Notifiable Variation	Type 2 Notifiable Variation
<ul style="list-style-type: none"> • The area or size of the lot/proposed lot is reduced by 5% or more from the area or size notified to the buyer before the buyer entered into the contract. • The proportion that the unit entitlement, or a reasonable estimate of the unit entitlement of the lot bears to the sum of the unit entitlements of all the lots is increased/decreased by 5% or more in comparison to that which was notified to the buyer before the buyer entered into the contract. • Anything relating to a proposal for the termination of the strata titles scheme is served on the seller by the strata company. • Any other event classified by the regulations as a type 1 notifiable variation. 	<ul style="list-style-type: none"> • The current/proposed scheme plan or amendment of the scheme plan for the scheme is modified in a way that affects the lot or the common property (that is not a type 1 notifiable variation). • The current/proposed schedule of unit entitlements or amendment of the schedule of unit entitlements for the scheme is modified in a way that affects the lot (that is not a type 1 variation). • The strata company or a scheme developer- <ul style="list-style-type: none"> (i) enters into a contract for the provision of services or amenities to the strata company or to members of the strata company or a contract that is otherwise likely to affect the rights of the buyer; OR (ii) varies an existing contract of that kind in a way that is likely to affect the rights of the buyer • The current/proposed scheme by-laws are modified. • A lease, licence, right or privilege over the common property in the strata titles scheme is granted or varied. • Any other event classified by the regulations as a type 2 notifiable variation.

See section 161 and 162 of the Act for further details.

Regulation 106 describes when certain notifiable variations are deemed to have occurred.

The buyer's right to avoid the contract for notifiable variations is as follows:



See section 163 of the Act for special protections which apply if the lot has not yet been created by the registration of the scheme or an amendment of the scheme - that is, an 'off the plan' sale.

Buyer's right to postpone settlement

The buyer has a right to postpone settlement date of the contract for the sale and purchase of the lot, by providing written notice to the seller, if the seller has not complied with their obligation to provide pre-contractual information or particulars of a notifiable variation to the buyer. The buyer may postpone settlement date by no more than 15 working days after the latest date that the seller complies with the relevant disclosure requirement.

Disputes about avoidance rights to be heard in the State Administrative Tribunal

If the buyer or seller has a dispute about a right to avoid or whether a seller has provided the notifiable information / notifiable variations as required and within the time required, the buyer and or seller may apply to the State Administrative Tribunal for orders to resolve the dispute.

Precontractual Disclosure Statement to the Buyer

Part B | Information specific to the sale of the strata lot

This form sets out the information requirements in section 156 of the *Strata Titles Act 1985* (the Act), that the seller must give the buyer. It is the information designated as information specific to the sale of a strata lot, which, if included in the contract, must be included in a prominent position (such as the first page). The term 'lot' includes strata and survey-strata lot.

Personal information

The seller(s)

Name Paul Bernard Jardine

Address 2 Sinclair Street, Lockyer WA

Telephone/mobile 0407 136 632 Email

Name

Address

Telephone/mobile Email

Scheme Information

The term 'scheme' includes strata and survey-strata schemes

Scheme Details

Scheme name Mount Lockyer Court

Name of the strata company Owners of Strata Plan 9285

Address for service of the strata company (taken from scheme notice) 103 South Coast Highway, Albany WA 6330

Name of Strata Manager Merrifield Real Estate

Address of Strata Manager 258 York Street, Albany WA 6330

Telephone/Mobile (08) 9841 4022

Email strata@merrifield.com.au

The status of the scheme is:

☐ proposed

☒ registered

The scheme type is:

☒ strata

☐ survey-strata

The tenure type is

☒ freehold

☐ leasehold

For leasehold only:

The scheme has a term of ____ years ____ months ____ days commencing on
registration of the scheme _____

If there is a registered scheme notice, the expiry day for the leasehold scheme is _____

*For any attachments, please include the attachment number in the column titled 'Att.' on
the right-hand side of this document.*

Att.

Scheme Documents (must be attached)

Schemes created on or after 1/5/2020 must provide a copy of the scheme notice. _____
Schemes created before 1/5/2020 only have to provide a scheme notice if a change
of scheme name or address was registered on or after 1 May 2020.

A copy of the scheme plan showing the exact location and definition of the lot 1 _____

A copy of the scheme by-laws 2 _____

A copy of the scheme by-laws made but not yet registered by the Registrar of Titles at
Landgate _____

Do the scheme by-laws include staged subdivision by-laws ☒ no ☐ yes

☐ If yes, they are included with this form _____

☐ If yes, they are not included but a notice concerning staged subdivision by-laws that
are spent has been provided _____

A copy of the schedule of unit entitlements showing the unit entitlement of the lot AND
sum of unit entitlements of all the lots in the scheme 1 _____

If this is a leasehold lot, a copy of the strata lease for the lot _____

Additional comments: _____

Minutes (choose one option)

☒ A copy of the minutes of the most recent annual general meeting and any subsequent
extraordinary general meeting(s) 3 _____

☐ A statement that the strata company does not keep minutes of its meetings* _____

☐ A statement of why the seller has been unable to obtain the minutes _____

Additional comments: _____

Statement of accounts (choose one option)

☒ The statement of accounts last prepared by the strata company 4 _____

☐ A statement that the strata company does not prepare a statement of accounts* _____

☐ A statement of why the seller has been unable to obtain a statement of accounts _____

** Note that section 140(1) sets out that 2-lot schemes are not required to keep minutes or
statements of account, and section 140(3) provides that 3, 4 and 5-lot schemes are
allowed to have a by-law exempting them from these requirements. If this applies to the
scheme, write that down in these fields.*

Additional comments: _____

Termination proposal

Has the seller received a copy of any notice from the strata company in relation to any current termination proposal for the scheme? ☐ no ☐ yes _____

If yes, attach a copy.

Lot information (choose all that apply)

Att.

☒ This lot is on a registered scheme plan

☐ This lot has not yet been created

☐ This lot is a leasehold strata expiring on _____
(being the expiry day of the scheme set out in the scheme notice)

Street address of the lot (if known)

2/103 South Coast Highway, Lockyer WA 6330

Lot 2 on scheme plan no. 9285

(The lot owner will also own a share in the common property of the scheme)

Voting right restrictions

Does the contract contain any voting right restriction which has the meaning in regulation 103 of the *Strata Titles (General) Regulations 2019*? *

☒ no ☐ yes

If yes, describe the restriction _____

* A voting right restriction includes if the contract requires the buyer to grant an enduring proxy or power of attorney to the seller.

Exclusive use by-laws

This lot is a 'special lot', subject to exclusive use by-laws giving exclusive use of an area of common property

☒ no ☐ yes

If yes, please give details _____

Strata levy/contributions for the lot (choose one option)

(Local government rates are payable by the lot owner in addition to the strata levy/contributions)

☐ Contributions that have been determined within the previous 12 months

☐ If not determined, estimated contributions for 12 months after proposed settlement date

	Actual (\$)	OR	Estimated (\$)	12 months after the proposed settlement date
--	-------------	----	----------------	---

Administrative fund:	\$1,130.00			
----------------------	------------	--	--	--

Reserve fund:	\$83.32			
---------------	---------	--	--	--

Other levy (attach details)				
--------------------------------	--	--	--	--

4

☒ Actual ☐ Estimated total contribution for the lot \$ 1,213.32

Payable ☐ annually ☐ bi-annually ☒ quarterly ☐ other: _____

Due dates	\$303.33	on	01/01/2023		\$303.33	on	01/04/2023
-----------	----------	----	------------	--	----------	----	------------

	\$303.33	on	01/07/2023		\$303.33	on	01/10/2023
--	----------	----	------------	--	----------	----	------------

Strata levy/contributions/other debts owing

If the seller has a debt owed to the strata company, the total amount owing is \$ _____

If the seller has a debt owed to a utility company, the total amount owing is \$ _____

Details of who is owed, how the debt arose, date on which it arose and the amount outstanding is attached. _____

Additional comments: _____

Scheme developer specific information

Information specific to the sale of a strata lot - only to be
completed if the seller of the lot is a scheme developer

Att.

The scheme developer is defined as:

- The registered owner(s) of a lot(s) before it is subdivided by a strata titles scheme
- The registered owner/s of a lot in a staged strata development that is to be subdivided by the registration of an amendment of scheme to which staged subdivision by-laws apply

This part applies where the seller of the lot is a scheme developer in any of the following circumstances:

- The scheme has not been registered
- The first annual general meeting of the strata company has not been held
- The scheme developer owns 50% or more of the lots
- The scheme developer owns lots with an aggregate unit entitlement of 50% or more of the sum of the unit entitlements of all lots in the scheme

Statement of estimated income and expenditure

A statement of the estimated income and expenditure of the strata company for the 12 months after the proposed settlement date is attached. _____

Additional comments: _____

Agreements for amenity or service

Are there any current or proposed contracts for the provision of any amenity or service to the proposed strata company/strata company or members of the strata company entered into or arranged by the scheme developer? ☐ no ☐ yes

If yes, attach details including terms and conditions, the consideration and estimated costs to members of the strata company _____

Additional comments: _____

Lease, licence, exclusive right or use and enjoyment or special privilege over common property

Are there any current or proposed leases, licences, right of exclusive use and enjoyment, restricted right of use and enjoyment, or special privilege over common property? ☐ no ☐ yes

If yes, attach details including terms and conditions. _____

Additional comments: _____

Section 79 Disclosure of remuneration and other benefits

Has the scheme developer and/or their associate received or reasonably expects to receive remuneration or other benefit? ☐ no ☐ yes

Is there any other direct or indirect pecuniary interest the scheme developer and/or their associate has in the contract, lease or licence other than as a member of the strata company?

☐ no ☐ yes

If yes, attach details of any remuneration, other benefit and/or pecuniary interest disclosed in accordance with s.79 of the Act, including its value. _____

Additional comments: _____

Acknowledgement by seller and buyer

The statements by the seller and buyer relate to the following precontractual disclosures:

- **Part A, general information about strata titles schemes.** This information can be included in a form that is separate from the rest of the contract; and
- **Part B, information specific to the sale of a strata lot.** This information can be included in a separate form, or within the contract in a prominent position.
Both the Part A and Part B disclosures can be provided electronically if the buyer has consented to this.

Statement by the seller(s) / seller's representative

☒ I / ☐ We¹, hereby certify that Part A and Part B of the required precontractual disclosures were given to the buyer before the buyer signed the contract of sale.

Signature Paul Bernard Jardine

Name Paul Bernard Jardine

Date 4/10/23

Signature _____

Name _____

Date _____

Statement by the buyer(s) / buyer's representative

☐ I / ☐ We¹, the buyer/s, acknowledge that ☐ I / ☐ we¹ received Part A and Part B of the required precontractual disclosures before ☐ I / ☐ We¹ signed the contract of sale.

☐ I / ☐ We¹ understand that the disclosures given by the seller(s) or by the seller's representative are not an offer or a contract to purchase a lot (though they may be included in such contract) but only provide information to ☐ me / ☐ us¹.

Signature _____

Name _____

Date _____

Signature _____

Name _____

Date _____

¹ Select one.

FORM 1

STRATA PLAN 9285

Ca. 1



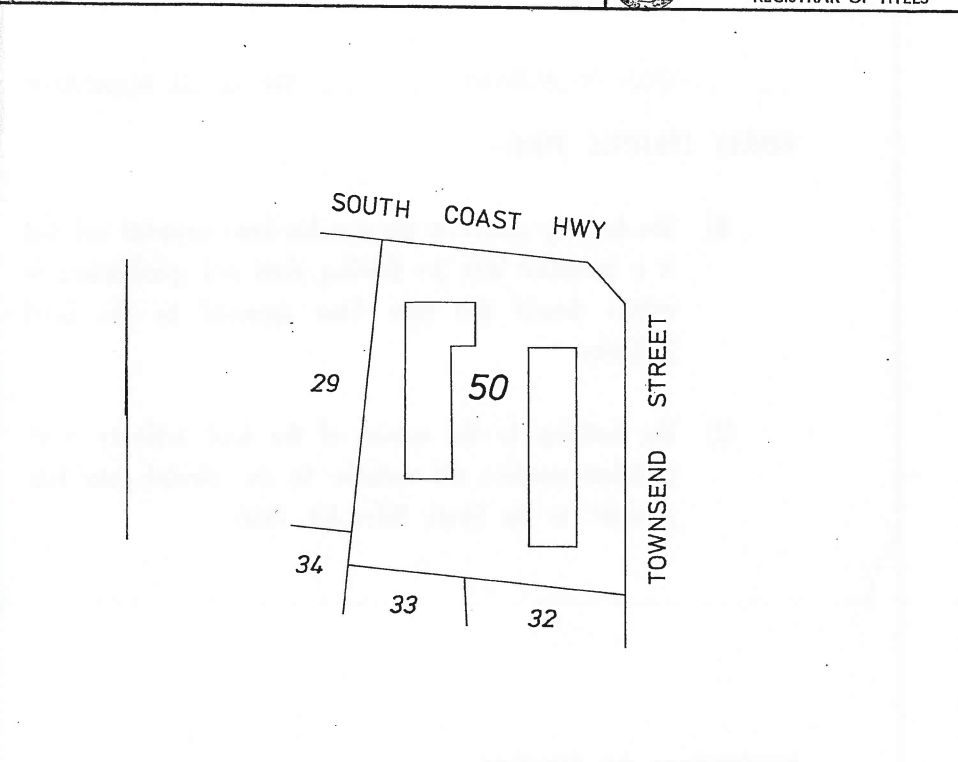
PARCEL OF LAND LOT 50 OF PLANTAGENET LOCATION 247
ON DIAGRAM 57532
CERTIFICATE OF TITLE : VOLUME 1544 FOLIO 852
LOCAL AUTHORITY TOWN OF ALBANY
LOCALITY GLEDHOW INDEX PLAN CORIMUP 2000 09 07
NAME OF BUILDING MOUNT LOCKYER COURT
ADDRESS FOR SERVING OF 103 SOUTH COAST HIGHWAY ALBANY
NOTICES ON COMPANY 6330



LODGED 14-5-81 47029
EXAMINED 15-5-81
REGISTERED 9-7-81 App. C174129



REGISTRAR OF TITLES



HARLEY & HEDDERWICK
LICENSED SURVEYORS
118 SERPENTINE ROAD
ALBANY - Tel: (088) 413 643

SCALE 1 : 750



SCHEDULE OF UNIT ENTITLEMENT		OFFICE USE ONLY	
		CURRENT Cs. of TITLE	
LOT No.	UNIT ENTITLEMENT	VOL.	FOL.
1	1	1595-157	
2	1	1595-158	
3	1	1595-159	
4	1	1595-160	
5	1	1595-161	
6	1	1595-162	
AGGREGATE			

77241/6/78-2M-MS/893

FORM 3

STRATA PLAN No. 9285

CERTIFICATE OF LOCAL AUTHORITY

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966

TOWN OF ALBANY, THE LOCAL AUTHORITY,

HEREBY CERTIFIES THAT:—

- (1) The building shown on the plan has been inspected and that it is consistent with the building plans and specifications in respect thereof that have been approved by the Local Authority.
- (2) The building, in the opinion of the local authority, is of sufficient standard and suitable to be divided into lots pursuant to the Strata Titles Act, 1966.

DESCRIPTION OF BUILDING:—

A SINGLE STOREY BRICK VENEER AND TILE MULTIPLEX RESIDENCE.

DATE 30th April 1981


SHIRE/TOWN CLERK

76962/6/78-2M-F802

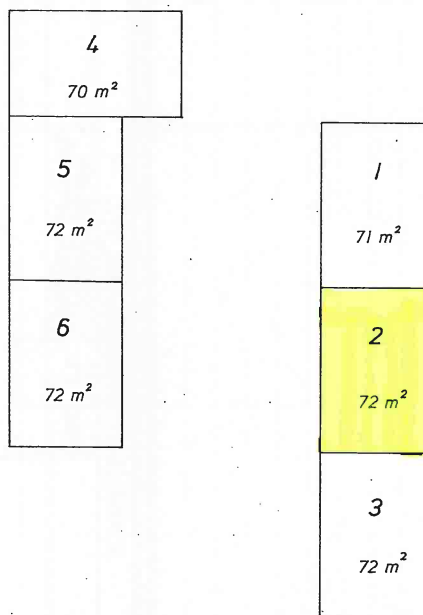


C.A. 4

SHEET No. 1 OF 1 SHEETS

STRATA PLAN No. 9285

GROUND FLOOR



SCALE 1:300

APPROVED

FOR THE PURPOSES OF THE STRATA TITLES ACT 39 OF 1966 AS AMENDED

TOWN PLANNING BOARD

DATE 12 MAY 1981

CHAIRMAN

LOCAL AUTHORITY TOWN OF ALBANY

DATE 30th April 1981

SHIRE/TOWN CLERK

57285/6/76-2M-C397

NOTE : ENTRIES RULED THROUGH AND AUTHENTICATED BY THE REGISTRAR OF TITLES ARE CANCELLED.

53673/10/69-500-G472

schedules



APPROVED BY
THE REAL ESTATE INSTITUTE
OF WESTERN AUSTRALIA (INC.)
COPYRIGHT © REIWA 2022
FOR USE BY REIWA MEMBERS



STRATA TITLES ACT 1985
SCHEDULES.
SCHEDULE 1 & SCHEDULE 2 (section 42 (2))
BY-LAWS.

SCHEDULE 1. (SECTION 42 (2))

Duties of proprietor,
occupiers etc.

1. (1) A proprietor shall -
 - (a) forthwith carry out all work that may be ordered by any competent public or local government authority in respect of his lot other than such work as may be for the benefit of the building generally and pay all rates, taxes, charges, outgoings and assessments that may be payable in respect of his lot;
 - (b) repair and maintain his lot, and keep it in a state of good repair, reasonable wear and tear, and damage by fire, storm, tempest or act of God excepted.
- (1a) A proprietor shall -
 - (a) notify the strata company forthwith upon any change of ownership, including in the notice an address of the proprietor for service of notices and other documents under this Act; and
 - (b) if required in writing by the strata company, notify the strata company of any mortgage or other dealing in connection with his lot, including in the case of a lease of a lot, the name of the lessee and the term of the lease.
- (2) A proprietor, occupier or other resident of a lot shall-
 - (a) use and enjoy the common property in such a manner as not unreasonably to interfere with the use and enjoyment thereof by other proprietors, occupiers or residents, or of their visitors;
 - (b) not use the lot or permit it to be used in such manner or for such purpose as causes a nuisance to any occupier of another lot (whether a proprietor or not) or the family of such an occupier;
 - (c) take all reasonable steps to ensure that his visitors do not behave in a manner likely to interfere with the peaceful enjoyment of the proprietor, occupier or other resident of another lot or of any person lawfully using common property; and
 - (d) take all reasonable steps to ensure that his visitors comply with the by-laws of the strata company relating to the parking of motor vehicles.

Power of proprietor
to decorate etc.

2. A proprietor may, without obtaining the consent of the strata company, paint, wallpaper, or otherwise decorate the structure which forms the inner surface of the boundary of his lot or affix locking devices, flyscreens, furnishings, furniture, carpets and other similar things to that surface, if and so long as such action does not unreasonably damage the common property.

Power of strata
company regarding
submeters.

3. (1) Where the supply of gas or electricity to a lot is regulated by means of a submeter, the strata company may require the proprietor or other occupier of the lot to pay the strata company by way of security for the payment of charges arising through the submeter an amount not exceeding \$200 and, if any amount so paid is applied by the strata company under sub-bylaw (2) of this by-law, to pay such further amount or amounts by way of such security as may be necessary to maintain the amount of the security as, subject to this sub-bylaw, the strata company may require.
- (2) The strata company shall lodge every sum received under this by-law to the credit of an interest-bearing account with a savings bank or building society and all interest accruing in respect of amounts so received shall, subject to this by-law, be held on trust for the proprietor or occupier who made the payment.
- (3) If the proprietor or other occupier of a lot in respect of which a submeter is used for the supply of gas or electricity refuses or fails to pay any charges due for the supply of gas or electricity to that lot, the strata company may apply in payment of those charges all, or such part as is necessary, of any amount paid to the strata company by that proprietor or occupier under this by-law, including any interest that may have accrued in respect of that amount.
- (4) Where a person who has paid an amount under this by-law to a strata company satisfies the strata company that he is no longer the proprietor or occupier of a lot and that the strata company no longer has any liability or contingent liability for the supply of gas or electricity to that lot during the period when that person was a proprietor or occupier of the lot, the strata company shall refund to that person the amount then held on his behalf under this by-law.

Constitution of the
council.

4. (1) The powers and duties of the strata company shall, subject to any restriction imposed or direction given at a general meeting, be exercised and performed by the council of the strata company and a meeting of the council at which a quorum is present shall be competent to exercise all or any of the authorities, functions or powers of the council.

ATTACHMENT 2

P 2 OF 7

schedules



APPROVED BY
THE REAL ESTATE INSTITUTE
OF WESTERN AUSTRALIA (INC.)
COPYRIGHT © REIWA 2017
FOR USE BY REIWA MEMBERS



- (2) Until the first annual general meeting of the strata company, the proprietors of all the lots shall constitute the council.
- (3) Where there are not more than 3 proprietors the council shall consist of all proprietors and where there are more than 3 proprietors the council shall consist of not less than 3 nor more than 7 proprietors as is determined by the strata company.
- (4) Where there are more than 3 proprietors the members of the council shall be elected at each annual general meeting of the strata company or, if the number of proprietors increases to more than 3, at an extraordinary general meeting convened for the purpose.
- (5) In determining the number of proprietors for the purposes of this by-law, co-proprietors of a lot or more than one lot shall be deemed to be one proprietor and a person who owns more than one lot shall also be deemed to be one proprietor.
- (6) If there are co-proprietors of a lot, one only of the co-proprietors shall be eligible to be, or to be elected to be, a member of the council and the co-proprietor who is so eligible shall be nominated by his co-proprietors, but, if the co-proprietors fail to agree on a nominee, the co-proprietor who owns the largest share of the lot shall be the nominee or if there is no co-proprietor who owns the largest share of the lot, the co-proprietor whose name appears first in the certificate of title for the lot shall be the nominee.
- (7) On an election of members of the council, a proprietor shall have one vote in respect of each lot owned by him.
- (8) Except where the council consists of all the proprietors, the strata company may by special resolution remove any member of the council before the expiration of his term of office.
- (9) A member of the council vacates his office as a member of the council-
 - (a) if he dies or ceases to be a proprietor or a co-proprietor of a lot;
 - (b) upon receipt by the strata company of notice in writing of his resignation from the office of member;
 - (c) at the conclusion of an annual general meeting of the strata company at which an election of members of the council takes place and at which he is not elected or re-elected;
 - (d) in a case where he is a member of the council by reason of there being not more than 3 proprietors, upon an election of members of the council (as a result of there being an increase in the number of proprietors to more than 3) at which he is not elected; or
 - (e) where he is removed from office under sub-by-law (8) of this by-law.
- (10) Any casual vacancy on the council may be filled by the remaining members of the council, except that, in a case where a casual vacancy arises because of the removal from office of a member under sub-by-law (8), the strata company may resolve that the casual vacancy shall be filled by the strata company at a general meeting.
- (11) Except where there is only one proprietor, a quorum of the council shall be 2 where the council consists of 3 or 4 members; 3, where it consists of 5 or 6 members; and 4, where it consists of 7 members.
- (12) The continuing members of the council may act notwithstanding any vacancy in the council, but so long as the number of members is reduced below the number fixed by these by-laws as the quorum of the council, the continuing members or member of the council may act for the purpose of increasing the number of members of the council or convening a general meeting of the strata company, but for no other purpose.
- (13) All acts done in good faith by the council shall, notwithstanding that it is afterwards discovered that there was some defect in the appointment or continuance in office of any member of the council, be as valid as if that member had been duly appointed or had duly continued in office.

Election of council.

5. The procedure for nomination and election of members of a council shall be in accordance with the following rules-
 - (1) The meeting shall determine, in accordance with the requirements of by-law 4 (3) of this schedule the number of persons of whom the council shall consist.
 - (2) The chairman shall call upon those persons present and entitled to nominate candidates to nominate candidates for election to the council.
 - (3) A nomination is ineffective unless supported by the consent of the nominee to his nomination, given-
 - (a) in writing, and furnished to the chairman at the meeting; or
 - (b) orally by a nominee who is present at the meeting.
 - (4) When no further nominations are forthcoming, the chairman-
 - (a) where the number of candidates equals the number of members of the council determined in accordance with requirements of by-law 4 (3) of this schedule, shall declare those candidates to be elected as members of the council;

- (b) where the number of candidates exceeds the number of members of the council as so determined, shall direct that a ballot be held.
- (5) If a ballot is to be held, the chairman shall-
 - (a) announce the names of the candidates; and
 - (b) cause to be furnished to each person present and entitled to vote a blank paper in respect of each lot in respect of which he is entitled to vote for use as a ballot-paper.
- (6) A person who is entitled to vote shall complete a valid ballot paper by-
 - (a) writing thereon the names of candidates, equal in number to the number of members of the council so that no name is repeated;
 - (b) indicating thereon the number of each lot in respect of which his vote is cast and whether he so votes as proprietor or first mortgagee of each such lot or as proxy of the proprietor or first mortgagee;
 - (c) signing the ballot-paper; and
 - (d) returning it to the chairman.
- (7) The chairman, or a person appointed by him, shall count the votes recorded on valid ballot-papers in favour of each candidate.
- (8) Subject to sub by-law (9) of this by-law, candidates, being equal in number to the number of members of the council determined in accordance with by-law 4 (3) of this schedule, who receive the highest numbers of votes shall be declared elected to the council.
- (9) Where the number of votes recorded in favour of any candidate is the lowest of the numbers of votes referred to in sub by-law (8) of this by-law and-
 - (a) that number equals the number of votes recorded in favour of any other candidates; and
 - (b) if each of those candidates were to be declared elected the number of persons elected would exceed the number of persons required to be elected, as between those candidates, the election shall be decided by a show of hands of those present and entitled to vote.

Chairman, secretary
and treasurer of
council.

- 6. (1) The members of a council shall, at the first meeting of the council after they assume office as such members, appoint a chairman, a secretary and a treasurer of the council.
- (2) A person-
 - (a) shall not be appointed to an office referred to in sub-bylaw (1) of this by-law unless he is a member of the council; and
 - (b) may be appointed to one or more of those offices.
- (3) A person appointed to an office referred to in sub-bylaw (1) of this by-law shall hold office until-
 - (a) he ceases to be a member of the council;
 - (b) receipt by the strata company of notice in writing of his resignation from that office; or
 - (c) another person is appointed by the council to hold that office,whichever first happens.
- (4) The chairman shall preside at all meetings of the council at which he is present and, if he is absent from any meeting, the members of the council present at that meeting shall appoint one of their number to preside at that meeting during the absence of the chairman.

Chairman, secretary and treasurer of strata company

- 7. (1) Subject to sub-bylaw (2) of this by-law, the chairman, secretary and treasurer of the council are also respectively the chairman, secretary and treasurer of the strata company.
- (2) A strata company may at a general meeting authorise a person who is not a proprietor to act as the chairman of the strata company for the purposes of that meeting.
- (3) A person appointed under sub-bylaw (2) of this by-law may act until the end of the meeting for which he was appointed to act.

schedules



APPROVED BY
THE REAL ESTATE INSTITUTE
OF WESTERN AUSTRALIA (INC.)
COPYRIGHT © REIWA 2012
FOR USE BY REIWA MEMBERS



- | | | |
|---|-----|--|
| Meetings of council. | 8. | <p>(1) At meetings of the council, all matters shall be determined by a simple majority vote.</p> <p>(2) The council may-</p> <ul style="list-style-type: none"> (a) meet together for the conduct of business and adjourn and otherwise regulate its meetings as it thinks fit, but the council shall meet when any member of the council gives to the other members not less than 7 days' notice of a meeting proposed by him, specifying in the notice the reason for calling the meeting; (b) employ on behalf of the strata company such agents and employees as it thinks fit in connection with the control and management of the common property and the exercise and performance of the powers and duties of the strata company; (c) subject to any restriction imposed or direction given at a general meeting of the strata company, delegate to one or more of its members such of its powers and duties as it thinks fit, and at any time revoke the delegation. <p>(3) A member of a council may appoint a proprietor, or an individual authorized under section 45 of the Act by a corporation which is a proprietor, to act in his place as a member of the council at any meeting of the council and any proprietor or individual so appointed shall, when so acting, be deemed to be a member of the council.</p> <p>(4) A proprietor or individual may be appointed under sub-bylaw (3) of this by-law whether or not he is a member of the council.</p> <p>(5) If a person appointed under sub-bylaw (3) of this bylaw is a member of the council he may, at any meeting of the council, separately vote in his capacity as a member and on behalf of the member in whose place he has been appointed to act.</p> <p>(6) The council shall keep minutes of its proceedings.</p> |
| Powers and duties of secretary of strata company. | 9. | <p>The powers and duties of the secretary of a strata company include-</p> <ul style="list-style-type: none"> (a) the preparation and distribution of minutes of meetings of the strata company and the submission of a motion for confirmation of the minutes of any meeting of the strata company at the next such meeting; (b) the giving on behalf of the strata company and of the council of the notices required to be given under the Act; (c) the supply of information on behalf of the strata company in accordance with section 43 (1) (a) and (b) of the Act; (d) the answering of communications addressed to the strata company; (e) the calling of nominations of candidates for election as members of the council; and (f) subject to sections 49 and 103 of the Act the convening of meetings of the strata company and of the council. |
| Powers and duties of treasurer of strata company. | 10. | <p>The powers and duties of the treasurer of a strata company include-</p> <ul style="list-style-type: none"> (a) the notifying of proprietors of any contributions levied pursuant to the Act; (b) the receipt, acknowledgment and banking of and the accounting for any money paid to the strata company; (c) the preparation of any certificate applied for under section 43 of the Act; and (d) the keeping of the books of account referred to in section 35 (1) (f) of the Act and the preparation of the statement of accounts referred to in section 35 (1) (g) of the Act. |
| General meetings of strata company. | 11 | <p>(1) General meetings of the strata company shall be held once in each year and so that not more than 15 months shall elapse between the date of one annual general meeting and that of the next.</p> <p>(2) All general meetings other than the annual general meeting shall be called extraordinary general meetings.</p> <p>(3) The council may when ever it thinks fit and shall upon a requisition in writing made by proprietors entitled to a quarter or more of the aggregate unit entitlement of the lots convene an extraordinary general meeting.</p> <p>(4) If the council does not within 21 days after the date of the making of a requisition under this by-law proceed to convene an extraordinary general meeting, the requisitionists, or any of them representing more than one-half of the aggregate unit entitlement of all of them, may themselves, in the same manner as nearly as possible as that in which meetings are to be convened by the council, convene an extraordinary general meeting, but any meeting so convened shall not be held after the expiration of 3 months from the date on which the requisition was made.</p> <p>(5) Not less than 14 days' notice of every general meeting specifying the place, the date and the hour of meeting and in case of special business the general nature of that business, shall be given to all proprietors and</p> |

schedules



APPROVED BY
THE REAL ESTATE INSTITUTE
OF WESTERN AUSTRALIA (INC)
COPYRIGHT © REIWA 2012
FOR USE BY REIWA MEMBERS



registered first mortgagees who have notified their interests to the strata company, but accidental omission to give the notice to any proprietor or to any registered first mortgagee or non-receipt of the notice by any proprietor or by any registered first mortgagee does not invalidate any proceedings at any such meeting.

(6) If a proprietor gives notice in writing to the secretary of an item of business that the proprietor requires to be included on the agenda for the next general meeting of the strata company, the secretary shall include that item on the agenda accordingly and shall give notice of that item as an item of special business in accordance with sub-bylaw (5) of this by-law.

Proceedings at
general meetings.

12. (1) All business shall be deemed special that is transacted at an annual general meeting, with the exception of the consideration of accounts and election of members to the council, or at an extraordinary general meeting.
- (2) Except where otherwise provided in these by-laws, no business may be transacted at any general meeting unless a quorum of members is present at the time when the meeting proceeds to business.
- (3) One-half of the persons entitled to vote present in person or by duly appointed proxy constitutes a quorum.
- (4) If within half an hour from the time appointed for a general meeting a quorum is not present, the meeting, if convened upon the requisition of proprietors, shall be dissolved and in any other case it shall stand adjourned to the same day in the next week at the same place and time and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting, the persons entitled to vote and present constitute a quorum.
- (4a) Sub-bylaws (3) and (4) of this by-law do not apply to a general meeting of the strata company referred to in section 50b.
- (5) The chairman, may with the consent of the meeting, adjourn any general meeting from time to time and from place to place but no business may be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- (6) Except where otherwise required by or under the Act, resolutions may be passed at a general meeting by a simple majority vote.
- (7) At any general meeting a resolution by the vote of the meeting shall be decided on a show of hands unless a poll is demanded by any proprietor present in person or by proxy.
- (8) Unless a poll be so demanded a declaration by the chairman that a resolution has on the show of hands been carried is conclusive evidence of the fact without proof of the number or proportion of votes recorded in favor of or against such resolution.
- (9) A demand for a poll may be withdrawn.
- (10) A poll if demanded shall be taken in such manner as the chairman thinks fit and the result of the poll shall be deemed to be the resolution of the meeting at which such poll was demanded.
- (11) In the case of equality in the votes whether on a show of hands or on a poll, the question is determined in the negative.

Restriction on motion
or nominating
candidate.

13. A person is not entitled to move a motion at a general meeting or to nominate a candidate for election as a member of the council unless the person is entitled to vote on the motion or at the election.

Votes of proprietors.

14. (1) On a show of hands each proprietor has one vote.
- (2) On a poll the proprietors have the same number of votes as the unit entitlements of their respective lots.
- (3) On a show of hands or on a poll votes may be given either personally or by duly appointed proxy.
- (4) An instrument appointing a proxy shall be in writing under the hand of the appointer or his attorney and may be either general or for a particular meeting.
- (5) A proxy need not be a proprietor.
- (6) Except in cases where by or under the Act a unanimous resolution or resolution without dissent is required, no proprietor is entitled to vote at any general meeting unless all contributions payable in respect of his lot have been duly paid and any other moneys recoverable under the Act by the strata company from him at the date of the notice given to proprietors of the meeting have been duly paid before the commencement of the meeting.
- (7) Co-proprietors may vote by proxy jointly appointed by them and in the absence of such a proxy are not entitled to vote on a show of hands, except when the unanimous resolution of proprietors is required by the Act.
- (8) On any poll each co-proprietor is entitled to such part of the vote applicable to a lot as is proportionate to his interest in the lot.

schedules



APPROVED BY
THE REAL ESTATE INSTITUTE
OF WESTERN AUSTRALIA (INC.)
COPYRIGHT © REIWA 2012
FOR USE BY REIWA MEMBERS



- (9) The joint proxy (if any) on a poll has a vote proportionate to the interests in the lot of such of the joint proprietors as do not vote personally or by individual proxy.
- Common seal. 15. (1) The common seal of the strata company shall at no time be used except by authority of the council previously given and in the presence of the members of the council or at least 2 members of the council, who shall sign every instrument to which the seal is affixed, but where there is only one member of the strata company his signature shall be sufficient for the purpose of this by-law.
- (2) The council shall make provision for the safe custody of the common seal.

SCHEDULE 2. (SECTION 42 (2))

- Vehicles. 1. A proprietor, occupier, or other resident of a lot shall not park or stand any motor or other vehicle upon common property except with the written approval of the strata company.
- Obstruction of common property. 2. A proprietor, occupier, or other resident of a lot shall not obstruct lawful use of common property by any person.
- Damage to lawns, etc., on common property. 3. Except with the approval of the strata company, a proprietor, occupier, or other resident of a lot shall not-
- (a) damage any lawn, garden, tree, shrub, plant or flower upon common property; or
- (b) use any portion of the common property for his own purposes as a garden.
- Behaviour of proprietors and occupiers. 4. A proprietor, occupier, or other resident of a lot shall be adequately clothed when upon common property and shall not use language or behave in a manner likely to cause offence or embarrassment to the proprietor, occupier, or other resident of another lot or to any person lawfully using common property.
- Children playing upon common property in building. 5. A proprietor, occupier, or other resident of a lot shall not permit any child of whom he has control to play upon common property within the building or, unless accompanied by an adult exercising effective control, to be or to remain upon common property comprising a laundry, car parking area or other area of possible danger or hazard to children.
- Depositing rubbish, etc., on common property. 6. A proprietor, occupier, or other resident of a lot shall not deposit or throw upon that lot or any other lot or the common property any rubbish, dirt, dust or other material likely to interfere with the peaceful enjoyment of the proprietor, occupier, or other resident of another lot or of any person lawfully using the common property.
- Drying of laundry items. 7. A proprietor, occupier, or other resident of a lot shall not, except with the consent in writing of the strata company-
- (a) hang any washing, towel, bedding, clothing or other article on any part of the parcel in such a way as to be visible from outside the building, other than for a reasonable period on any lines provided by the strata company for the purpose; or
- (b) display any sign, advertisement, placard, banner, pamphlet or like matter on any part of his lot in such a way as to be visible from outside the building.
- Storage of inflammable liquids, etc. 8. A proprietor, occupier, or other resident of a lot shall not, except with the approval in writing of the strata company, use or store upon the lot or upon the common property any inflammable chemical, liquid or gas or other inflammable material, other than chemicals, liquids, gases or other materials used or intended to be used for domestic purposes, or any such chemical, liquid, gas or other material in a fuel tank of a motor vehicle or internal combustion engine.
- Moving furniture etc., on or through common property. 9. A proprietor, occupier, or other resident of a lot shall not transport any furniture or large object through or upon common property within the building unless he has first given to the council sufficient notice of his intention to do so to enable the council to arrange for its nominee to be present at the time when he does so.
- Floor coverings. 10. A proprietor of a lot shall ensure that all floor space within the lot (other than that comprising kitchen, laundry, lavatory or bathroom) is covered or otherwise treated to an extent sufficient to prevent the transmission therefrom of noise likely to disturb the peaceful enjoyment of the proprietor, occupier or other resident of another lot.

schedules

- Garbage disposal.
11. A proprietor or occupier of a lot-
- (a) shall maintain within his lot, or on such part of the common property as may be authorized by the strata company, in clean and dry condition and adequately covered, a receptacle for garbage;
 - (b) comply with all local government authority by-laws and ordinances relating to the disposal of garbage;
 - (c) ensure that the health, hygiene and comfort of the proprietor, occupier or other resident of any other lot is not adversely affected by his disposal of garbage.

Additional duties of proprietors, occupiers, etc.

12. A proprietor, occupier or other resident shall not -
- (a) use the lot that he owns, occupies or resides in for any purpose that may be illegal or injurious to the reputation of the building;
 - (b) make undue noise in or about any lot or common property; or
 - (c) subject to section 42(15) of the Act, keep any animals on the lot that he owns, occupies or resides in or the common property after notice in that behalf given to him by the council.

Notice of alteration to lot

13. A proprietor of a lot shall not alter the structure of the lot except as may be permitted and provided for under the Act and the by-laws and in any event shall not alter the structure of the lot without giving to the strata company, not later than 14 days before commencement of the alteration, a written notice describing the proposed alteration.

Appearance of lot

14. A proprietor, occupier or other resident of a lot shall not, without the written consent of the strata company, maintain within the lot anything visible from outside the lot that, viewed from outside the lot, is not in keeping with the rest of the building.



MINUTES OF AN ANNUAL GENERAL MEETING
THE OWNERS - STRATA PLAN 9285

ADDRESS OF THE STRATA SCHEME:

103 South Coast Highway, Lockyer WA 6330

DATE, PLACE & TIME OF MEETING: An Annual General Meeting of The Owners - Strata Plan 9285 was held on 24/02/2023 at Merrifield Real Estate, Unit 2, 87 Aberdeen Street, Albany and commenced at 10:00 AM.

PRESENT:

Lot #	Unit #	Attendance	Owner Name Representative
1	1	Yes	Ronald McLean Tony Clarkesmith/Chairperson
3	3	Yes	Ronald McLean Tony Clarkesmith/Chairperson
4	4	Apology	Gary Fitzpatrick Chairperson

CHAIRPERSON (acting): Selena Taylor

Minutes of the meeting:

1 Appointment of Chairperson for the Meeting

Resolved that Selena Taylor be authorised to act as Chairman of the strata company for the purposes of the meeting.

Moved: R McLean. Seconded: S Taylor as proxy for G Fitzpatrick.

2 Confirmation of Previous Minutes

Resolved that the previously circulated minutes of the General Meeting held on 16/03/2022 be verified as a true record of those proceedings.

Business arising from the previous minutes:

Nil

Moved: R McLean. Seconded: S Taylor as proxy for G Fitzpatrick.

3 Consideration of Statement of Accounts

Resolved that the Statement of accounts for the period ended 31/12/2022 be adopted as presented.

Moved: R McLean. Seconded: S Taylor as proxy for G Fitzpatrick.

4 Constitution of the Council

The motion that the Council of Owners of the Strata Company consist of three proprietors was **not moved**. It was resolved that all owners be on the Council of Owners.

Moved: R McLean. Seconded: S Taylor as proxy for G Fitzpatrick.

SPECIAL BUSINESS

5 Insurance

Resolved :

- That the RAC Insurance Financial Services Guide and Product Disclosure Statement, as tabled, be received and

ATTACHMENT 3

p 2 of 2

incorporated into the records of the Strata Company

- That the Council be directed to renew the current insurance policy prior to its expiry date in such sums as are suggested by the insurer or as are recommended by qualified professional advisors.
- That pursuant to section 53B of the Strata Titles Act, 1985 and until otherwise determined it is a function of the strata company to insure in respect of:

a. any building on a lot in the scheme; or

b. damage to property, death or bodily injury for which the proprietor of a lot in the scheme could become liable in damages; and, the strata company will comply with the provision of section 53D.

Moved: R McLean. Seconded: S Taylor as proxy for G Fitzpatrick.

6 Valuation

Resolved that the owners accept a quote of \$570.00 from Opteon Property Group to provide a valuation of the property for insurance purposes, with the cost of this item being included in the Budget for the year ending 31/12/2023.

Moved: R McLean. Seconded: S Taylor as proxy for G Fitzpatrick.

7 Items of business notified or proposed by proprietors/Council or others

1. A discussion took place regarding the outstanding works to unit 1 and the structural building report completed in 2022. MRE presented quotes received at the AGM for discussion. It was agreed to send a Notice of Expenditure to all owners with a special levy due 1st May 2023. Please see attached quote.
2. A discussion took place regarding the cracking to the driveway, damage to stormwater drain and if the pencil pines need to be removed. Refer to site inspection photos. It was agreed to secure the kerbing and seek a quote to prune and remove the pencil pines.
3. A discussion took place regarding the state of lawns and gardens and pruning to tree near letterbox and the state of the front fencing. It was agreed that all owners/occupants to maintain their gardens. It was also agreed to seek a quote from Lorry's Lawns & Landscaping for the lawn mowing and common gardens, and if cheaper or around the same price, the contractor will be changed over. It was agreed to seek a quote for a small Colorbond fence to replace all the damaged white timber fencing to the front and present it at next year's AGM.

8 Budget

Resolved that the statement of estimated receipts and payments (budget) for the period ended 31/12/2023 be tabled and adopted.

Moved: R McLean. Seconded: S Taylor as proxy for G Fitzpatrick.

9 Levy of Contributions

Resolved :

(a) That contributions to the administrative fund are estimated and determined at \$6,780.00; and

(b) That contributions to the reserve fund are estimated and determined at \$500.00 ; and

(c) That both contributions be paid in equal quarterly instalments, the first such instalment being due on 1/01/2023 and subsequent instalments being due on the first days of 1/04/2023, 1/07/2023 and 1/10/2023.

Moved: R McLean. Seconded: S Taylor as proxy for G Fitzpatrick.

10 Next AGM

Resolved that the AGM next year be held on Friday, 1st March 2024 commencing at 10.00am.

Moved: R McLean. Seconded: S Taylor as proxy for G Fitzpatrick.

11 Matters without notice for discussion and referral to the Council

Ron & Tony raised their concerns regarding the brick walls near the doors and if they were safe or not. The one near the rear door of unit 1 looks like it moves in the wind. MRE will have this checked again.

The owners of unit 1 will prune the Cactus as it is getting to close to the eaves.

It was noted that one of the sheds were very rusted. This may need to be removed in the near future.

It was noted that some gardens were looking untidy. MRE would like to remind owners to maintain their section of gardens.

CLOSURE: There being no further business, the chairperson declared the meeting closed at 10:55 AM.



Approved Budget to apply from 01/01/2023

258 York Street
PO Box 5001
Albany WA 6332
(08) 9841 4022
admin@merrifield.com.au
www.merrifield.com.au

Mount Lockyer Court

103 South Coast Highway, Lockyer WA 6330

Administrative Fund

	Approved budget	Actual 01/01/2022-31/12/2022	Previous budget
Revenue			
Levies Due--Admin	6,780.00	6,000.00	6,000.00
Status Certificate Fees	0.00	280.00	0.00
<i>Total revenue</i>	6,780.00	6,280.00	6,000.00
Less expenses			
Admin--Management Fees--Standard	1,800.00	1,800.00	1,800.00
Admin--Postage & Petties	60.00	60.00	0.00
Admin--Status Certificate Fees Paid	0.00	280.00	0.00
Insurance--Premiums	2,000.00	1,912.41	2,000.00
Insurance--Valuation	570.00	0.00	0.00
Maint Bldg--Consultant--Other	0.00	1,100.00	0.00
Maint Bldg--General Repairs	1,200.00	775.00	1,200.00
Maint Bldg--Gutter Cleaning	320.00	320.00	320.00
Maint Grounds--Lawns & Gardening	1,400.00	900.00	1,000.00
Utility--Water & Sewerage	0.00	(282.69)	0.00
<i>Total expenses</i>	7,350.00	6,864.72	6,320.00
Surplus/Deficit	(570.00)	(584.72)	(320.00)
Opening balance	4,852.32	5,437.04	5,437.04
Closing balance	\$4,282.32	\$4,852.32	\$5,117.04
 Total units of entitlement	 6		6
Levy contribution per unit entitlement	\$1,130.00		\$1,000.00

ATTACHMENT 4
p. 2 of 3

Mount Lockyer Court

103 South Coast Highway, Lockyer WA 6330

Capital Works Fund			
	Approved budget	Actual 01/01/2022-31/12/2022	Previous budget
Revenue			
Levies Due--Capital Works	500.00	499.92	500.00
<i>Total revenue</i>	500.00	499.92	500.00
Surplus/Deficit	500.00	499.92	500.00
Opening balance	499.92	0.00	0.00
Closing balance	\$999.92	\$499.92	\$500.00
Total units of entitlement	6		6
Levy contribution per unit entitlement	\$83.33		\$83.33

ATTACHMENT 4
p. 3 of 3



Approved Levy Schedule to apply from 01/01/2023

258 York Street
PO Box 5001
Albany WA 6332
(08) 9841 4022
admin@merrifield.com.au
www.merrifield.com.au

Mount Lockyer Court

103 South Coast Highway, Lockyer WA 6330

Quarterly levy instalments that apply to each lot from budgets accepted by the general meeting:

Lot	Unit	Unit Entitlement	Admin Fund	Capital Works Fund	Quarterly Total	Annual Total
1	1	1.00	282.50	20.83	303.33	1,213.32
2	2	1.00	282.50	20.83	303.33	1,213.32
3	3	1.00	282.50	20.83	303.33	1,213.32
4	4	1.00	282.50	20.83	303.33	1,213.32
5	5	1.00	282.50	20.83	303.33	1,213.32
6	6	1.00	282.50	20.83	303.33	1,213.32
		6.00	\$1,695.00	\$124.98	\$1,819.98	\$7,279.92



Scale: 1:750

Centre Point: 117.853°, -35.002°

Sequence No: 230788991

Print Date: 12/10/2023 Page: 1 of 1



WARNING - CRITICAL PIPELINE
Refer to *Information Brochure Damage Prevention and Legend* for details

The Water Corporation has taken due care in the preparation of this map but accepts no responsibility for any inaccuracies or inappropriate use. This plan may be reproduced in its entirety for the purpose of site work planning but shall not otherwise be altered or published in any form without the permission of the Water Corporation. The Water Corporation may need to be advised of any planned ground disturbing activities near facilities on this map. Refer to Brochure - "Protecting Buried Pipelines". Please report any inaccuracies to Asset Registration Team by email to asset.registration@watercorporation.com.au.

Plan Legend (summary)


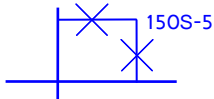
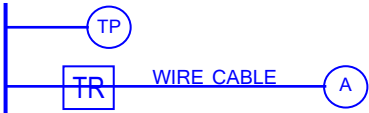


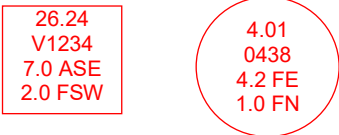


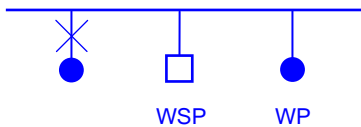
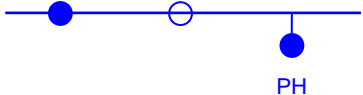
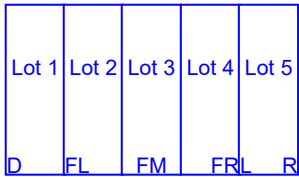


INFORMATION BROCHURE



This legend is provided to [Dial Before You Dig](#) users to assist with interpreting Water Corporation plans. A more detailed colour version can be downloaded from www.watercorporation.com.au. (Your business > Working near pipelines > Downloads)

WARNING - Plans may not show all pipes or associated equipment at a site, or their accurate location. **Pothole by hand** to verify asset location before using powered machinery.

	<p>WATER, SEWERAGE AND DRAINAGE PIPELINES</p> <p>CRITICAL PIPELINE (thick line) EXTRA CAUTION REQUIRED A risk assessment may be required if working near this pipe. Refer to your Dial Before You Dig information or call 131375.</p> <p>Pipes are not always labelled on plans as shown here – assume all pipes are significant and pothole to prove location and depth.</p> <p>P.M. pressure main M.S. main sewer R rising main (i.e. drainage pressure main)</p> <p>Common material abbreviations:</p> <p>AC asbestos cement e.g. 100AC NOTE: AC is brittle and is easily damaged. CI cast iron GRP glass reinforced plastic P PVC - class follows pipe material (e.g.100P-12) RC reinforced concrete S steel VC vitrified clay</p>
	<p>NON-STANDARD ALIGNMENT</p> <p>Pipes are not always located on standard alignments due to local conditions. (i.e. Other than 2.1 m for reticulation mains and 4.5 m for distribution mains.)</p>
	<p>OTHER PIPE SYMBOLS</p> <p>Other numbers or codes shown on pipes are not physical attributes. These are Water Corporation use only.</p>
	<p>CONCRETE ENCASEMENT, SLEEVING AND TUNNELS</p> <p>May be in different forms: steel, poured concrete, box sections, slabs.</p>
	<p>CHANGE INDICATOR ARROW</p> <p>Indicates a change in pipe type or size. e.g. 150mm diameter PVC to 150mm diameter asbestos cement (AC).</p>
	<p>PIPE OVERPASS</p> <p>The overpass symbol indicates the shallower of the two pipes.</p>
	<p>VALVES</p> <p>Many different valve types are in use. Valve may be in a pit or have a visible valve cover. There may be no surface indication.</p> <p>Valves may be shallower than the main or offset from it. e.g. A scour valve (SC) may have a pipe coming away from main pipeline on the opposite side to that indicated on the plan.</p>

	<p>FIRE SERVICES 100 mm polythene domestic (DOMS) service FS Fire service FHS Fire hydrant service Hydrant may be visible external to the building. Even if not visible a substantial fire service may still be present.</p>
	<p>PIPE BYPASS Bypass will not be on the same alignment as the main pipeline.</p>
	<p>CATHODIC PROTECTION (CP) Buried CP equipment may be located some distance from the pipeline being protected interconnected by buried cable. All CP fittings may not be visible. A buried anode – various sizes and configurations TP test point - may be visible on a post or in-ground TR transformer rectifier</p>
	<p>ACCESS TEE OR MANHOLE OR SERVICE ACCESS PIT NOTE: Opening any manhole or pit is dangerous and is prohibited. Below ground. May not be any visible signs at ground level or may be located in a pit.</p>
	<p>WASTEWATER ACCESS CHAMBERS (MANHOLES) -- Manhole (shown not labelled) -- Tee or maintenance shaft (shown not labelled) MS maintenance shaft (labelled) WARNING: Opening any manhole or pit is dangerous and is prohibited.</p>
	<p>WASTEWATER MANHOLE INFORMATION BOXES Square non-trafficable Do not drive vehicles over or place loads. Round trafficable In general if not located in the road treat as if non-trafficable.</p>
	<p>HAZARDOUS MANHOLE Indicates a potential health hazard from risk of exposure to toxic waste. WARNING: Opening any manhole is dangerous and is prohibited.</p>
	<p>FLOWMETER Various types of flow meters located in a pit. May be labelled with identifier. (e.g. 50 MFM, 50MM)</p>
	<p>STANDPIPE, WATER SAMPLING POINT (WSP), WATER SUPPLY POINT (WP) May be located adjacent to mains. Usually there will be some visible indication.</p>
	<p>Hydrant May not be visible. Hydrant Tee May not be visible. Pillar hydrant Visible</p>
	<p>PRE-LAID SERVICES D Deferred FL Fully Prelaid Left FM Fully Prelaid Front Middle FR Fully Prelaid Right L Left R Right</p> <p>Code indicates on which side of a lot the water service is located: May be no visible indication at site.</p>
<p>SOUTH PERTH PS1</p> 	<p>SEWER OR DRAINAGE PUMP STATION Several pipes and a pressurised main will be in the vicinity.</p>
	<p>OPEN CHANNEL OA Landscaped OE Normal Open Earth OF Open channel with flood levee OH Half Pipe OL Lined Channel OS Swale-Shallow Depression OW Natural Water Course</p> <p>Drainage structures, even if dry, must be kept clear of any obstruction such as sand stockpiles.</p>



Sequence No: 230788992

Map Tile: 1

Scale: 1:1500

© ATCO Gas Australia Pty Ltd
ABN 90 089 531 975

Job No: 35243217

Date: 12/10/2023

Location: 103 South Coast Highway, Lockyer 6330

Please read all **warnings**, conditions and information on the attached "Underground Asset Details" information sheet. This plan is issued subject to that information and those conditions and **warnings** (including, but not limited to, the "NO HOT WORKS" warning). Plans are current for only **30 days** from date of request, indicative only and not warranted to be accurate. It is your responsibility to carefully locate underground assets and follow safe work practises and procedures (eg pot-holing). ATCO Gas Australia will seek compensation for damage caused to assets.

© Western Australian Land Information Authority trading as Landgate
Based on information provided by and with the permission of the
Western Australian Land Information Authority trading as Landgate






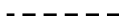



ATCO




SYMBOLS SHEET

GAS UTILITY NETWORK








EXISTING GAS NETWORK

-  Transmission Pipelines
-  Distribution Pipelines
-  Distribution Pipe MAOP 350kPa
-  Distribution Pipe MAOP 70kPa
-  Distribution Pipe MAOP 7kPa
-  Not Gassed (none)
-  Service Pipe





PROPOSED GAS NETWORK

-  Proposed Main
-  Common Trenching
-  Replacement Program

ABANDONED GAS NETWORK

-  Inactive / Removed Meter
-  Abandoned Fitting
-  Abandoned Valve
-  Abandoned Gas Main
-  Abandoned Fitting SOLD
-  Abandoned Valve SOLD
-  Abandoned Gas Main SOLD

COMPOUNDS

-  Gate Station
-  Pressure Reducing Station
-  L.P.G. Tank
-  Hydrogen Plant

VALVES

-  Isolation Valves
-  Service Valves






MONITORING DEVICES

-  Flow Monitoring Device
-  Pressure Monitoring Device



ASSOCIATED INFRASTRUCTURE

-  Associated Asset




DUCTS AND SLEEVES

-  Duct
-  Horizontal Boring
-  Sleeve
-  Road Crossing
-  Concrete Slabbing









REGULATOR SETS

-  Regulator Set
-  Boundary Regulator




DELIVERY POINTS

-  Meter
-  Interval Meter
-  Meter Set

PIPE JUNCTIONS














-  End Cap
-  Expansion Joint
-  Reducer
-  Tee
-  Transition
-  Weld
-  Monolithic Joint
-  Stopple
-  Odorizer
-  Junctions

PROTECTION DEVICES



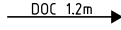
-  Test Point
-  Anode
-  Rectifier

FEATURES






FEATURE POINTS

-  Side Elevation
-  Obstacle
-  See Details
-  Not Connected
-  Gas Service
-  Sign
-  Offline Service
-  Linked Document
-  Pre-Laid Service
-  Pre-Laid Service Stairs
-  Pre-Laid Service Tee
-  Asset end on Building / Property Line
-  Asset ends on Direction Peg

FEATURE LINES











-  Reference Line
-  Gas Pit
-  Arrow Pointer

FEATURE POLYGONS

-  Proving Location
-  Pressure Upgrade
-  Not Gassed
-  Suburb
-  Local Government

FIBRE NETWORK LEGEND

Communications Assets

-  Fibre Network Pits
-  32mm Conduit
-  50mm Conduit
-  63mm Conduit
-  80mm Conduit
-  90mm Conduit
-  100mm Conduit
-  110mm Conduit
-  Direct Buried (Bare Cables)
-  Cable in Unused Gas Main

Feature

-  Area of Interest

*** Please refer to coversheet**

**Privately owned cables NOT SHOWN
(including house services)**

**This map is INDICATIVE ONLY.
Hand exposure via pothole
method is MANDATORY.**

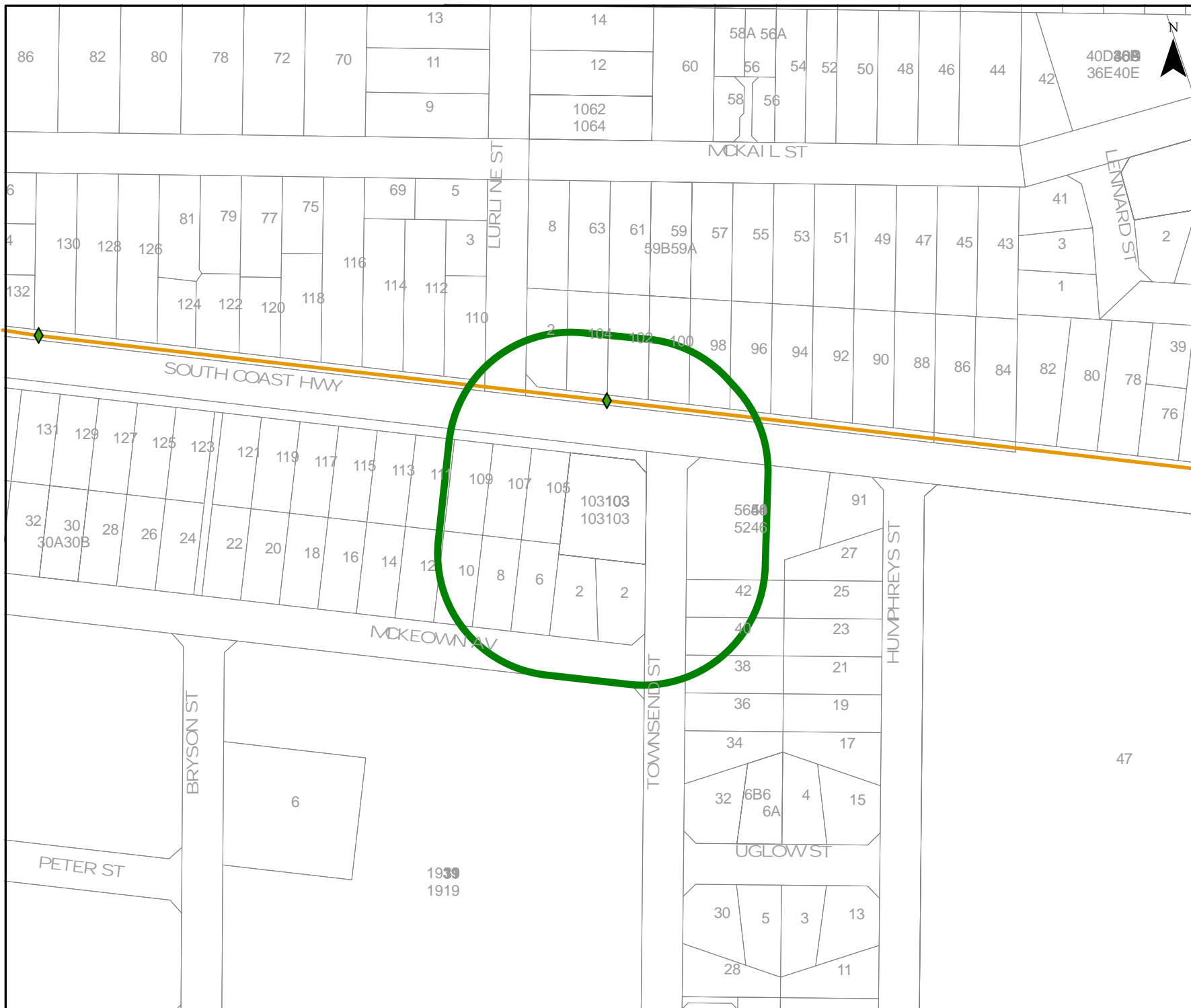
**Network Management Centre
Telephone: 1800 752 075
Mon to Fri - 08:00 to 16:30**

**Information valid for 30 days
from date of issue**

A4

Scale : 1:2500

**WARNING! Look out for
overhead power lines**








UNDERGROUND LEGEND

Structures

-  Pillar
-  Metal Pole
-  Transformer Site
-  UG Crossing *
-  Ring Main Unit
-  LV Distribution Frame









Distribution Cables

-  High Voltage Cable (1kV - 33kV)
-  Low Voltage Cable (< 1kV)
-  Street Light Circuit (< 1kV)
-  Street Light Pilot (< 1kV)
-  Earth Wire



Cable Pole Terminations

-  HV Termination
-  LV Termination

Proposed Construction Assets

-  Design Area *
-  High Voltage Underground Cable
-  Low Voltage Underground Cable
-  Metal Pole
-  Pillar
-  Transformer site
-  HV Termination
-  LV Termination

State Underground Power Project

-  CURRENT Work Area *
-  COMPLETED Area *

Feature

-  Area of Interest

* Please refer to coversheet

Privately owned cables NOT SHOWN
(including house services)

This map is **INDICATIVE ONLY**.
Hand exposure via pothole
method is **MANDATORY**.

Telephone Support: 1300 769 345
Mon to Fri - 08:00 to 16:30

Information valid for 30 days
from date of issue

A4 Scale : 1:2500

**WARNING! Look out for
overhead power lines**



OVERHEAD LEGEND

Structures

- Power Pole
- Transmission Poles

Transmission Overhead Powerline

- Transmission (33kV - 330kV)

Distribution Overhead Powerline

- High Voltage (1kV - 33kV)
- Low Voltage (< 1kV)

Proposed Construction Assets

- Design Area *
- High Voltage Overhead Powerline
- Low Voltage Overhead Powerline
- Power Pole

Communications Assets

- Overhead Pilot Cable

Feature

- Area of Interest

* Please refer to coversheet

Privately owned cables NOT SHOWN
(including house services)

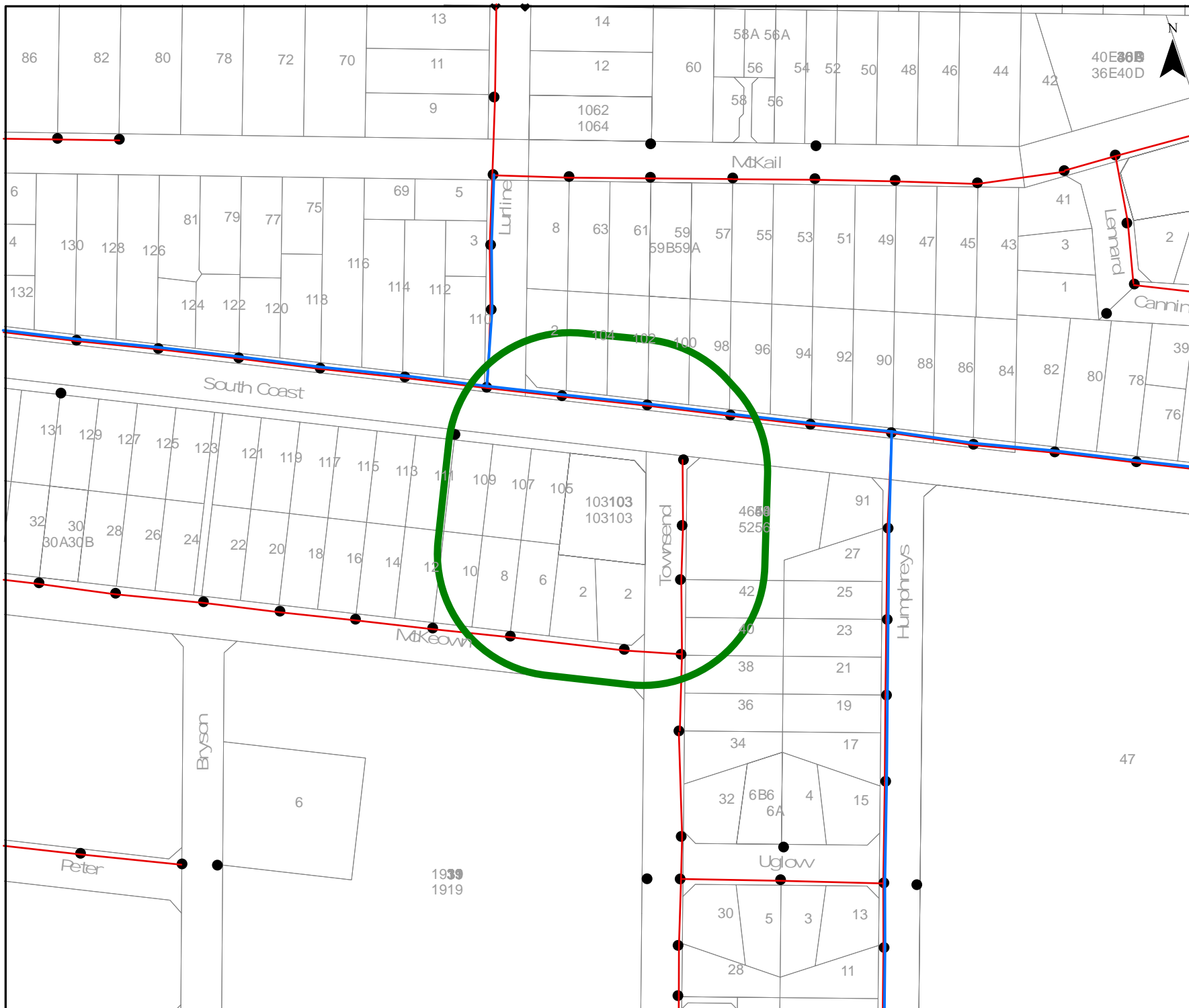
This map is **INDICATIVE ONLY**.
Check that you have enough
clearance from the **DANGER ZONES**
near overhead powerlines.

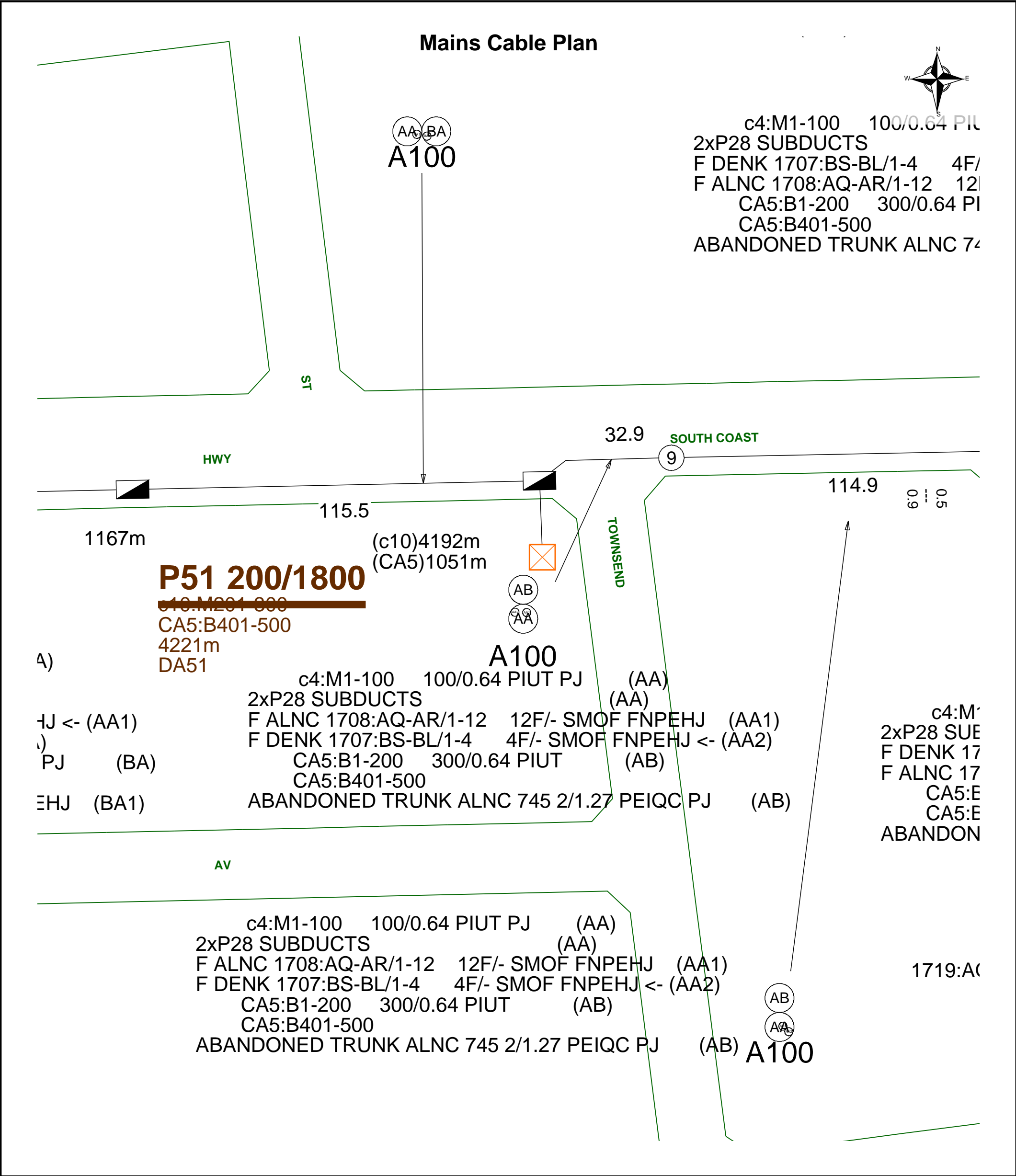
Telephone Support: 1300 769 345
Mon to Fri - 08:00 to 16:30


Information valid for 30 days
from date of issue

A4 Scale : 1:2500

**WARNING! Look out for
overhead power lines**





	<p>Report Damage: https://service.telstra.com.au/customer/general/forms/report-damage-to-telstra-equipment Ph - 13 22 03 Email - Telstra.Plans@team.telstra.com Planned Services - ph 1800 653 935 (AEST bus hrs only) General Enquiries</p>	<p>Sequence Number: 230788994</p>
<p>Generated On 12/10/2023 18:01:13</p>		<p>CAUTION: Fibre optic and/ or major network present in plot area. Please read the Duty of Care and contact Telstra Plan Services should you require any assistance.</p>

WARNING
Telstra plans and location information conform to Quality Level "D" of the Australian Standard AS 5488-Classification of Subsurface Utility Information. As such, Telstra supplied location information is indicative only. Spatial accuracy is not applicable to Quality Level D. Refer to AS 5488 for further details. The exact position of Telstra assets can only be validated by physically exposing it. Telstra does not warrant or hold out that its plans are accurate and accepts no responsibility for any inaccuracy. Further on site investigation is required to validate the exact location of Telstra plant prior to commencing construction work. A Certified Locating Organisation is an essential part of the process to validate the exact location of Telstra assets and to ensure the asset is protected during construction works.

See the Steps- Telstra Duty of Care that was provided in the email response.



OPENING ELECTRONIC MAP ATTACHMENTS -

Telstra Cable Plans are generated automatically in either PDF or DWF file types dependant on the site address and the size of area selected. You may need to download and install free viewing software from the internet e.g.



PDF Map Files (max size A3)

Adobe Acrobat Reader (<http://get.adobe.com/reader/>),



DWF Map Files (all sizes over A3)

Autodesk Viewer (Browser) (<https://viewer.autodesk.com/>) or

Autodesk Design Review (<http://usa.autodesk.com/design-review/>) for DWF files.
(Windows)



Telstra BYDA map related enquiries

email - Telstra.Plans@team.telstra.com

1800 653 935 (AEST Business Hours only)



REPORT ANY DAMAGE TO THE TELSTRA NETWORK IMMEDIATELY

Report online - <https://www.telstra.com.au/forms/report-damage-to-telstra-equipment>

Ph: 13 22 03

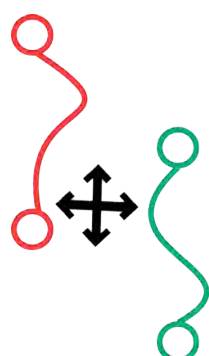
If you receive a message asking for a phone or account number say:

"I don't have one" then say "Report Damage" then press 1 to speak to an operator.



Telstra New Connections / Disconnections

13 22 00



Telstra asset relocation enquiries: 1800 810 443 (AEST business hours only).

NetworkIntegrity@team.telstra.com

<https://www.telstra.com.au/consumer-advice/digging-construction>

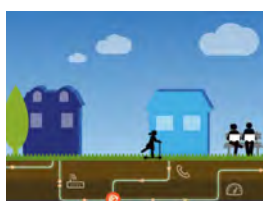


DBYD Certification

Certified Locating Organisation (CLO)

<https://dbydlocator.com/certified-locating-organisation/>

Please refer to attached Accredited Plant Locator.pdf



Telstra Smart Communities

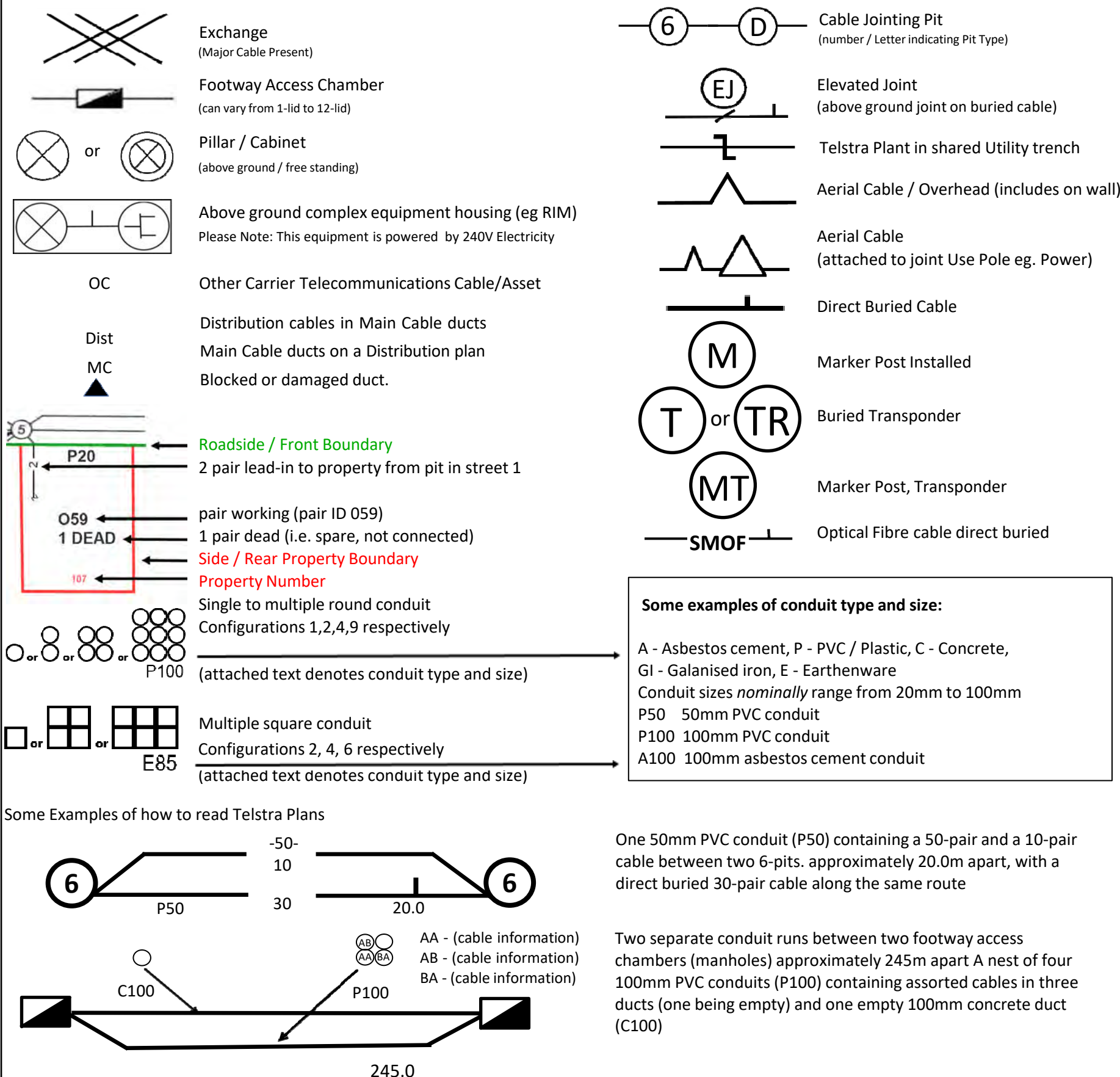
Information for new developments (developers, builders, homeowners)

<https://www.telstra.com.au/smart-community>

LEGEND



For more info contact a [Certified Locating Organisation](#) or Telstra Plan Services 1800 653 935

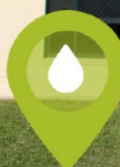


WARNING: Telstra plans and location information conform to Quality Level 'D' of the Australian Standard AS 5488 - Classification of Subsurface Utility Information. As such, Telstra supplied location information is indicative only. Spatial accuracy is not applicable to Quality Level D. Refer to AS 5488 for further details. Telstra does not warrant or hold out that its plans are accurate and accepts no responsibility for any inaccuracy shown on the plans. FURTHER ON SITE INVESTIGATION IS REQUIRED TO VALIDATE THE EXACT LOCATION OF TELSTRA PLANT PRIOR TO COMMENCING CONSTRUCTION WORK. A plant location service is an essential part of the process to validate the exact location of Telstra assets and to ensure the assets are protected during construction works. The exact position of Telstra assets can only be validated by physically exposing them. Telstra will seek compensation for damages caused to its property and losses caused to Telstra and its customers.



Aircraft noise

Bush fire prone areas



Garden bore suitability

Mosquito-borne disease risk



Property Interest Report

Unit 2, 103 South Coast Highway, Lockyer 6330

landgate.wa.gov.au

1.

Property information

This section includes an aerial photograph and details of this property.

2.

Summary of interests that **AFFECT** this property

This section helps you to see at a glance interests pertaining to this property.

3.

Summary of interests that **DO NOT AFFECT** this property

This section helps you to see at a glance interests that do not affect this property.

4.

Details of interests that **AFFECT** this property

This section provides details of how an interest specifically relates to this property.

What is a property interest?

A property interest gives rights to a land owner but also, could imply restrictions or impose responsibilities which may impact on their use or enjoyment of the land. Most interests are created by government legislation, policies and guidelines.

Where does property interest information come from?

This service gathers interest information from multiple government bodies and private organisations in Western Australia and consolidates that information into the Property Interest Report. This report will show interests that do and do not affect the property.

Does this report include all interests?

This Property Interest Report only serves as a guide to interests that relate to this property not recorded on the Certificate of Title. Landgate does not have access to all interest information that affects property in Western Australia. There may be other interests that relate to the property, where that information is currently not available to Landgate. For information on other known interests not in this report, see <https://www.landgate.wa.gov.au/land-and-property/property-ownership/property-interest-report/interest-dictionary>.

Are interests on the Certificate of Title in this report?

No, this report does not include interest information registered on the Certificate of Title. Limitations, Interests, Encumbrances and Notifications may be registered on the Certificate of Title under Second Schedule Endorsements.

It is recommended that a copy of the Certificate of Title is obtained to identify any registered interests and/or information. Visit [landgate.wa.gov.au](https://www.landgate.wa.gov.au) to order a copy of the Certificate of Title.

How do I find out more information?

For further information about interests including information, contact details and relevant legislation on any interests in this report, see <https://www.landgate.wa.gov.au/land-and-property/property-ownership/property-interest-report/interest-dictionary>.

If you have any queries or concerns, please contact the responsible agency of the interest in question, contact details can be found in this report or the interest dictionary.

Notice

This Property Interest Report has been produced by Landgate on behalf of the State of Western Australia. This report has direct access to property interest information held by multiple government bodies and private organisations in Western Australia.

This report is believed to be accurate and current at the time it was generated. However, circumstances and interests may change and can differ from the contents of this report. You must make your own assessment of it and rely on it at your own risk. Please see the full Disclaimer at the end of this report for further details.

Please note: Where risk has been identified to a property within this report and construction has occurred on the land, contact your relevant Local Government Authority for management remediation plans relevant to your property, or for properties being purchased off the plan, contact your developer.



Image captured December 2022


2


1


0

Unit 2, 103 South Coast Highway, Lockyer 6330

Number of interests that impact this property	16
Certificate of title number	1595/158
Land ID	Lot 2 On Strata Plan 9285
Type of property	Villa House
Property use	Residential
Year built	1979
Wall/Roof type	B/Ven Walls/Tile Roof
Land area	72 m²
Building area	N/A
Local Government Authority	Albany
Zoning	Residential (R25)



Perth CBD
385.7km



Beach
6.3km



Primary School
169m



Secondary School
1.4km

2. Summary of interests that **AFFECT** this property

4

Interests below specifically affect this property but do not appear on the Certificate of Title. For information and details on how the below interests may impact your property, please see section four of this report.

- Building and Construction Industry Training Levy
- Building Permit
- Dial Before You Dig
- Emergency Services Levy
- Groundwater Salinity
- Land Tax
- Local Government Rates
- Local Planning Schemes
- Mosquito-borne Disease Risk
- Native Title and Indigenous Land Use Agreements
- Residual Current Device
- Smoke Alarm
- Sprinkler Restrictions & Bans
- State Planning Policy 5.4 - Road and Rail Noise
- Water Corporation Infrastructure (above and below ground)
- Waterways Conservation Act Management Areas

3. Summary of interests that **DO NOT AFFECT** this property

5

Information currently available to Landgate suggests that these interests do not affect this property. For further information and contact details on these interests, please see the interest dictionary

<https://www.landgate.wa.gov.au/land-and-property/property-ownership/property-interest-report/interest-dictionary>.

-
- 1 in 100 AEP Floodplain Development Control Area
 - Aboriginal Heritage Places
 - Aboriginal Lands Trust Estate
 - Acid Sulfate Soil (ASS) Risk
 - APA Group Owned/Operated Gas Transmission Pipeline
 - ATCO Gas Australia Infrastructure
 - Australian Natural, Indigenous and Historic Heritage
 - Bush Fire Prone Areas
 - Bush Forever Areas
 - Clearing Control Catchments
 - Commercial Building Disclosure
 - Contaminated Sites (Contaminated Sites Database)
 - Control of Access on State Roads
 - Dampier to Bunbury Natural Gas Pipeline Development Setback Area
 - Development Control Area (Swan and Canning Rivers)
 - Environmentally Sensitive Areas
 - Environmental Protection Policies
 - European House Borer
 - Former Military Training Area (Unexploded Ordnance)
 - Future State Roads
 - Garden Bore Suitability
 - Harvey Water Infrastructure
 - Heritage Council - Agreement
 - Heritage Council - Assessment Program
 - Heritage Council - Protection Orders
 - Heritage Council - State Register of Heritage Places
 - Intensive Agricultural Industries
 - Iron Staining Risk
 - Jandakot Airport - Aircraft Noise
 - Jandakot Airport - Land Use Planning
 - Lands owned or managed by the Department of Biodiversity, Conservation and Attractions
 - Liquor Restrictions
 - Local Heritage Surveys
 - Marine Harbours Act Areas
 - Marine Navigation Aids
 - Metropolitan Region Improvement Tax
 - Mining Titles
 - National Park, Conservation Park and Nature Reserve
 - Native Vegetation
 - Navigable Water Regulations
 - Notices on Properties under the Biosecurity and Agriculture Management Act 2007
 - Notices on Properties under the Soil and Land Conservation Act 1945
 - Perth Airport - Aircraft Noise
 - Perth Airport - Land Use Planning
 - Perth Parking Policy
 - Petroleum Tenure
 - Possible Road Widening
 - Proclaimed Groundwater Areas
 - Proclaimed Surfacewater Areas
 - Protected Areas - Collaborative Australian Protected Area Database
 - Public Drinking Water Source Areas
 - Ramsar Wetlands
 - Region Schemes
 - Residue Management Notice
 - Shipping and Pilotage Port Areas
 - State Forest and Timber Reserve
 - State Underground Power Program
 - Threatened Ecological Communities
 - Threatened Fauna
 - Threatened Flora
 - Titanium - Zircon Mineralization Areas
 - Water Corporation Beneficiary Lot Water and/or Sewer
 - Water Corporation Brighton Non-Drinking Water
 - Water Corporation Effluent Discharge Scheme
 - Water Corporation Farmlands Service Conditions
 - Water Corporation Infrastructure Buffer Zones
 - Water Corporation Infrastructure Contribution - Water, Sewer and/or Drainage
 - Water Corporation Non-Standard Services (Private Fire Service)

3. Summary of interests that **DO NOT AFFECT** this property 6

- Water Corporation Pressure Exempt
- Water Corporation Private Pressure Sewer System
- Water Corporation Reserve Sewer, Water and Drainage Infrastructure Contribution Charge
- Water Corporation Saline Water
- Water Corporation Sewer System
- Water Corporation Special Agreement - Nitrate Water Condition
- Water Corporation Special Agreement - Non-Potable
- Water Corporation Water service is supplied by an Agreement
- Water Resource License
- Western Power Infrastructure
- Wetlands

4. Details of interests that **AFFECT** this property

7

Interests below in alphabetical order specifically affect this property but do not appear on the Certificate of Title. For further information and Legislation details, see <https://www.landgate.wa.gov.au/land-and-property/property-ownership/property-interest-report/interest-dictionary>.

Building and Construction Industry Training Levy

Responsible agency:

Construction Training Fund Board

Definition of Interest:

The Building and Construction Industry Training Levy is used to support training for people working within the building and construction industry, and is payable prior to the commencement of a project or upon application for a building license.

Affect of Interest:

The levy of 0.2% on the contract price is **applied to all** residential, commercial and civil engineering projects undertaken in Western Australia where the total value of construction is over \$20,000. The project owner pays the levy when an application for a building permit is made to the Local Government Authority.

For more information contact our office on (08) 9244 0100 or see www.bcitf.org.

Legislation governing the interest:

Building and Construction Industry Training Fund and Levy Collection Act 1990
Building and Construction Industry Training Levy Act 1990

Building Permit

Responsible agency:

Department of Mines, Industry Regulation and Safety

Definition of Interest:

All new buildings and incidental structure alterations to existing buildings and incidental structures are to be approved by the grant of a building permit by the relevant Permit Authority, in most instances this will be the Local Government Authority.

Affect of Interest:

All new buildings and alterations to existing buildings **are to be approved** by the issuing of a building permit.

For more information contact our office on 1300 489 099, or email bcinfo@commerce.wa.gov.au, or see www.buildingcommission.wa.gov.au.

Legislation governing the interest:

Building Act 2011
Building Regulations 2012

Dial Before You Dig

Responsible agency:

Dial Before You Dig

Definition of Interest:

Dial Before You Dig is a referral service for information on locating underground utilities anywhere in Western Australia. Australia's national referral service for information on underground pipes and cables.

Affect of Interest:

This will affect the property when ground disturbance works are planned, for further information or plans on location of underground utilities see www.1100.com.au or contact our office on 1100.

Legislation governing the interest:

Occupational Health, Safety and Welfare Act 1984
Occupational Safety and Health Regulations 1996

4. Details of interests that **AFFECT** this property

8

Emergency Services Levy

Responsible agency:

Department of Fire and
Emergency Services

Definition of Interest:

The Emergency Service Levy (ESL) category classification of a property (declared by the Minister for Emergency Services) determines the ESL assessment rate that will be applied to the Gross Rental Value (GRV) of a property to calculate the ESL charge each year (subject to minimum and maximum ESL charge declarations). ESL category classification boundaries are managed by the DFES based upon cadastral information.

Affect of Interest:

The selected property **currently has** the following Emergency Services Levy category classification:

Emergency Service Levy Boundaries:

ESL Category - 2

ESL Boundary - Albany

ESL Calculation - In 2023-24 Category 2 properties pay \$0.010465 x the Gross Rental Value (GRV) subject to a minimum \$98 charge & a maximum charge of \$368 for vacant, residential & farming usages; and \$210,000 for commercial, industrial & miscellaneous usages

The ESL category classifications:

Category 1: Availability of a network of career Fire & Rescue Service stations and the State Emergency Service (SES).

Applies in the Perth metropolitan area.

Category 2: Availability of a career Fire & Rescue station and a volunteer Fire & Rescue Service brigade and the SES.

Applies in the city centres of Albany, Bunbury, Greater-Geraldton, Kalgoorlie-Boulder and Mandurah.

Category 3: Availability of a Volunteer Fire & Rescue Service brigade or bush fire brigade with frequent support from the metropolitan network of career Fire & Rescue Service stations and the SES.

Applies in the periphery of the metropolitan area.

Category 4: Availability of a Volunteer Fire & Rescue Service brigade or a Volunteer Emergency Service Unit or a breathing apparatus equipped bush fire brigade and the SES.

Applies in approximately 90 country townsites.

Category 5: Availability of a bush fire brigade and the SES.

Applies in all other areas of the State except Indian Ocean Territories.

Please note the following properties are exempt from ESL (by Regulation):

- Vacant land owned by Local Governments;
- Certain Mining Tenements granted for prospecting/exploratory activities only; and
- The Wittenoom town site (a contaminated site);

Use the Emergency Services Levy calculator below to work out how much ESL you are likely to pay on a property, see

www.dfes.wa.gov.au/emergencyserviceslevy/pages/eslcalculator.aspx.

4. Details of interests that **AFFECT** this property

9

For more information contact our office on (08) 9395 9485, or see www.dfes.wa.gov.au.

Legislation governing the interest:

Fire and Emergency Services Act 1998

Fire and Emergency Services Regulations 1998

Groundwater Salinity

Responsible agency:

Department of Water and
Environmental Regulation

Definition of Interest:

The salinity in groundwater varies greatly in Western Australia. This depends on many factors such as geology, topography, climate and coastal seawater intrusion. The Department of Water and Environmental Regulation (DWER) categorises the groundwater salinity according to the salt content and its application for public drinking, irrigation, stock water etc.

Affect of Interest:

The salinity in groundwater in Western Australia varies considerably. This depends on many factors such as geology, topography, climate and coastal seawater intrusion.

Due to the fluid nature of ground conditions it is only possible to report on a indicative reading for the groundwater salinity that exists at this location.

If the groundwater salinity at this location is important then you should contact the closest regional office for advice on this subject.

Groundwater Salinity:

TDS per milligram per litre - 500-1000

Salinity is the measure of total dissolved solids (TDS) or salts in water and is reported as milligrams per litre (mg/L).

The range of salinity of natural water is:

Category	Salinity range
Fresh	0-500 mg/L TDS (suitable for selected agricultural use)
Marginal	500-1000 mg/L TDS (suitable for selected agricultural use)
Brackish	1000-3000 mg/L TDS (used for parkland irrigation)
Saline	3000-35,000 mg/L TDS (industrial use and stock watering up to 10,000mg/L)
Hypersaline	

To verify the groundwater salinity at a particular location contact our office on (08) 6364 7600 or waterinfo@water.wa.gov.au, or see www.water.wa.gov.au/water-topics/groundwater.

Legislation governing the interest:

The Department of Water advises against drilling garden bores in areas underlain by the saltwater interface. There is no legislative basis or implications for this advice.

Land Tax

Responsible agency:

Department of Finance

Definition of Interest:

Land tax is an annual tax based on the ownership and usage of land at midnight on 30 June and is levied in respect of the financial year following that date. Various exemptions or concessions may apply. Until land tax is paid it remains a first charge on the land.

Affect of Interest:

Land tax is an annual tax based on the ownership and usage of land at midnight on 30 June and is levied in respect of the financial year following that date. Various exemptions or concessions may apply; for example, primary residences.

4. Details of interests that **AFFECT** this property

10

For more information contact our office on (08) 9262 1200 or see www.finance.wa.gov.au/landtax.

Legislation governing the interest:

Taxation Administration Act 2003

Land Tax Assessment Act 2002

Land Tax Act 2002

Local Government Rates

Responsible agency:

Department of Local Government, Sport and Cultural Industries

Definition of Interest:

A Local Government Authority can levy rates on any rateable land within its district in accordance with the provisions of the *Local Government Act 1995* and its associated regulations.

Affect of Interest:

Local Government Authorities can levy rates on any rateable land within its district in accordance with the provisions of the *Local Government Act 1995* and its associated regulations.

For more information contact your Local Government Authority.

Legislation governing the interest:

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Local Planning Schemes

Responsible agency:

Department of Planning, Lands and Heritage

Definition of Interest:

Local Planning Schemes set out the way land is to be used and developed, classify areas for land use and include provisions to coordinate infrastructure and development in a locality.

Affect of Interest:

The selected area of land **has** the following zoning(s) and/or land-use class(es):

Local Government Authority:

Description - LGA Boundary

Name - ALBANY, CITY OF

Residential Code:

R Code Number - R25

Gazettal Date - 28/04/2014

Scheme Name - ALBANY

Scheme Number - 1

Local Area Zoning:

Scheme Name - ALBANY

Zoning - Residential

Label -

Label Description -

Gazettal Date - 28/04/2014

Scheme Number - 1

For more information see www.planning.wa.gov.au/Local-planning-schemes.aspx.

Or contact your Local Government Authority for more information.

Legislation governing the interest:

Planning and Development Act 2005

Planning and Development (Consequential and Transitional Provisions) Act 2005

State Planning Policy 3.1 - Residential Design Codes

Model Scheme Text

4. Details of interests that **AFFECT** this property

11

Mosquito-borne Disease Risk

Responsible agency:
Department of Health

Definition of Interest:

Mosquitoes can be a serious nuisance in certain regions of Western Australia and can spread disease-causing viruses such as Ross River, Barmah Forest, Kunjin and Murray Valley encephalitis viruses.

Affect of Interest:

The selected area is **impacted** by the risk of mosquito-borne diseases.

Details are as follows:

Mosquito-borne Disease Risk:

Risk Level - Low or unknown risk

Frequent high risk

The selected area is in a region that frequently experiences problems with nuisance and disease carrying mosquitoes.

Occasional very high risk

The selected area is in a region that experiences severe problems with nuisance and disease carrying mosquitoes in some years, depending on environmental conditions.

Frequent high and occasional very high risk

The selected area is in a region that frequently experiences problems with nuisance and disease carrying mosquitoes, and severe issues are also experienced in some years depending on environmental conditions.

Low or unknown risk

This location has not experienced high rates of mosquito-borne disease in the past. However, the sporadic nature of mosquito-borne disease outbreaks means that this is not necessarily a precise indicator of future risk. Furthermore, regions with low or no resident human population may also be classified as low risk even though there may be an undocumented high risk in the area. Finally, significant mosquito nuisance issues may still be experienced, despite a low health risk.

Residents are advised to avoid exposure to mosquitoes and minimise mosquito breeding around the home as appropriate, particularly following extreme weather events such as heavy rainfall, high tides (in coastal areas) or localised flooding that may create abnormally large areas of mosquito breeding habitat.

For information on mosquito control in your local area or to report a mosquito problem please contact your Local Government Environmental Health Officer.

For more information about mosquito management, contact the Environmental Health Directorate on (08) 9388 4999 or email medical.entomology@health.wa.gov.au or see http://ww2.health.wa.gov.au/Articles/J_M/Mosquito-management.

Legislation governing the interest:

Health Act 1911

Native Title and Indigenous Land Use Agreements

Responsible agency:
National Native Title Tribunal

Definition of Interest:

Native title is the recognition in Australian law that some Indigenous people continue to hold rights to lands and waters. An Indigenous Land Use Agreement (ILUA) is an agreement about native title made between one or more native title groups and other people.

Affect of Interest:

4. Details of interests that **AFFECT** this property

12

Your area of interest is **within** the geographic extent(s) of the following Native Title Applications, Determinations or Indigenous Land Use Agreements (ILUAs):

IMPORTANT INFORMATION: PLEASE NOTE
WHILE NATIVE TITLE INTERESTS MAY HAVE BEEN IDENTIFIED OVER THE AREA OF YOUR SEARCH, IT MUST BE NOTED THAT:

Native Title cannot generally exist over the following types of tenure:

- residential freehold;
- farms held in freehold or;
- pastoral or agricultural leases that grant exclusive possession;
- residential, commercial or community purpose leases, or
- public works like roads, schools or hospitals.

Native Title can generally only exist over the following types of tenure:

- vacant (unallocated) crown land;
- some state forests, national parks and public reserves depending on the effect of state or territory legislation establishing those parks and reserves;
- oceans, seas, reefs, lakes and inland waters;
- some leases, such as non-exclusive pastoral and agricultural leases, depending on the state or territory legislation they were issued under, or
- some land held by or for Aboriginal people or Torres Strait Islanders.

The status of a Native Title Application will determine the rights and restrictions within the boundary of that Application.

Applications as Determined by the Federal Court:

native_title_determined_number - 6117

nntt_no - WC1996/041, WC1996/109, WC1997/071, WC1998/058

federal_court_reference - WAD6085/1998

determination_name - SOUTH WEST SETTLEMENT

registered_nt_body_corp - N/A

data_source - Spatial : Graphic Services, Landgate. Aspatial : Federal Court and NNTT.

comments -

area_sq_km - 195128.35

determination_method - Consent

determined_in_full - Yes

determined_outcome - Extinguished

design_file -

design_level -

last_updated - 25/02/2022

registration_date - 03/12/2021

determination_date - 01/12/2021

determination_reference - WCD2021/010

Indigenous Land Use Agreements:

native_title_ilua_number - 3124

NNTT Number - WI2017/014

Agreement Name - WAGYL KAIP & SOUTHERN NOONGAR INDIGENOUS LAND USE AGREEMENT

Status - Registered

Agreement Type - Area

Applicant Name - State of Western Australia

Date Registered (dd/mm/yyyy) - 17/10/2018

Please refer to the Interest Dictionary (<https://www.landgate.wa.gov.au/land-and->

4. Details of interests that **AFFECT** this property

13

property/property-ownership/property-interest-report/interest-dictionary) for terms used in this report.

For more information contact our office on 1800 640 501 or see www.nntt.gov.au.

Legislation governing the interest:

Native Title Act 1993 (Commonwealth)

Residual Current Device

Responsible agency:

Department of Mines,
Industry Regulation and
Safety

Definition of Interest:

Residual Current Devices (RCDs) monitor the flow of electricity from the main switchboard and prevent electrocution by cutting the electricity supply if an imbalance in the current is detected. Two RCDs must be fitted before land title is transferred.

Affect of Interest:

The area of inquiry is deemed to have a **high probability** of having less than two RCD fitted because it was either built before the year 2000 when only one RCD is required to be fitted or a property sale occurred before 9 August 2009, when any residential properties that are offered for sale must be fitted with two RCDs.

Indications:

Year Built - 1979

For more information contact our office on (08) 9422 5200 or see www.commerce.wa.gov.au/energysafety/rcd-rules.

Legislation governing the interest:

Electricity Regulations 1947

Smoke Alarm

Responsible agency:

Department of Mines,
Industry Regulation and
Safety

Definition of Interest:

Since 1997, it has been mandatory to fit mains powered smoke alarms in all newly constructed residential buildings. For existing dwellings, there are laws in Western Australia requiring owners to have mains-powered smoke alarms fitted to all residential properties that are subject to sale, rent or hire, regardless of when they were built.

Affect of Interest:

The selected area of interest **is impacted** by the National Construction Code Series, (Volume Two of the Building Code of Australia). In Western Australia it is unlawful to sell, rent or hire out residential dwellings that do not have mains-powered smoke alarms fitted in accordance with the Building Regulations 2012.

Details are as follows:

Year Property Built:

Year Built - 1979

Description - HOME UNIT

Mains-powered smoke alarms must be fitted in existing residential buildings that are subject to sale, lease or hire.

For more information contact the Department of Fire and Emergency Services on 9395 9300, visit www.dfes.wa.gov.au, contact your Local Government Authority or access the laws (Building Regulations 2012) at www.legislation.wa.gov.au.

Legislation governing the interest:

Building Act 2011

Building Regulations 2012

4. Details of interests that **AFFECT** this property

14

Sprinkler Restrictions & Bans

Responsible agency:

Department of Water and Environmental Regulation

Definition of Interest:

Sprinkler restrictions and/or bans apply throughout Western Australia for scheme water users and domestic garden bores.

Affect of Interest:

The selected property **is identified** as being fully or partially within in an area designated to have sprinkler restrictions.

Details are as follows:

Sprinkler Restrictions:

Region - South-West

Winter Restrictions - Stage 6

Summer Restrictions - Stage 4

Sprinkler restrictions and or bans apply to this area. Due to the drying climate, the State Government introduced water efficiency measures, including the introduction of restrictions on domestic sprinklers.

These restrictions include permanent efficiency measures, an annual winter sprinkler ban that applies to domestic sprinkler use and some non-domestic use, and can also include extra efficiency measures and restrictions from time to time such as extensions of the winter sprinkler ban period or other restrictions.

Restriction stages are detailed in the Water Agencies (Water Use) By-laws 2010.

www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtile_11731_homepage.html

Additional restrictions may also apply to specific locations. Please refer to your water service provider for more information relating to your area.

For more information please see www.water.wa.gov.au/urban-water/water-restrictions/garden-bores.

For more information contact our office on 13 10 39 or see www.water.wa.gov.au and go to the Domestic Garden Bore website page.

Legislation governing the interest:

Water Agencies (Powers) Act 1984

Water Agencies (Water Use) By-laws 2010

State Planning Policy 5.4 - Road and Rail Noise

Responsible agency:

Department of Planning, Lands and Heritage

Definition of Interest:

Land within the vicinity of the States freight and major traffic routes may be exposed to excessive levels of noise which can affect the health and amenity of nearby communities.

Affect of Interest:

The selected land **is within** the trigger distance of freight and or major traffic route and maybe be exposed to excessive noise. Restrictions on development, may apply to this property. You are required to refer to State Planning Policy 5.4 Road and rail noise to determine if the land is affected and to what extent.

SPP5.4

Policy Title - SPP 5.4 Road and Rail Noise

Description - Other significant freight/traffic route

State Planning Policy (SPP) 5.4 - Road and Rail Noise (2019)

<https://www.dplh.wa.gov.au/draftspp5-4>

4. Details of interests that **AFFECT** this property

15

A key objective of SPP 5.4 is to minimise the adverse impact of road and rail noise on noise-sensitive land-use within the specified trigger distance of transport routes, whilst protecting future freight operations of these transport corridors.

Where any part of the lot is within the specified trigger distance, an assessment against the policy is required to determine the likely level of transport noise and management/ mitigation required. An initial screening assessment will determine if the lot is affected and to what extent. Refer to table 2 of the Guidelines.

Note: the mapped trigger distance includes a margin of error to account for the distance measured from within the carriageway as opposed to the carriageway edge as stipulated in the policy.

Legislation governing the interest:

Planning and Development Act 2005

State Planning Policy 5.4 Road and Rail Noise

Water Corporation Infrastructure (above and below ground)

Responsible agency:

Water Corporation

Definition of Interest:

The Water Corporation operates vast water, sewerage and drainage pipe networks throughout WA. At any given location there may be various infrastructure in the ground of different sizes, depths, alignments and materials belonging to the Water Corporation.

Affect of Interest:

The selected property **is impacted** by Water Corporation pipes or access chambers. No construction is permitted in the proximity of this infrastructure without the consent of the Water Corporation and it should be noted that 24 hour access may be required for maintenance purposes in certain circumstances.

Sewer Infrastructure:

Infrastructure Type - Sewer Connection Point

Infrastructure Type - Sewer Gravity Pipe

Water Infrastructure:

Infrastructure Type - Water Meter

Water and sewer services located outside the property boundaries (road reserves) are not included in this report, as this report only includes interests inside the property boundaries. However they can be viewed here, mywater.com.au/css-web-external/pub/propertySearch.

Please be aware that it is a **legislative requirement** to notify the Water Corporation of any proposed construction, alteration or demolition of a building in areas where the Corporation is the licensed provider of water, wastewater or drainage services. A person is not permitted to construct, alter or demolish a building without the prior authorisation of the Water Corporation.

For more information contact our office on 13 13 95, or see www.watercorporation.com.au/Developing-and-building.

PLEASE NOTE:

This report and the Water Corporation online property search tool is not an alternative to Dial Before You Dig.

4. Details of interests that **AFFECT** this property

16

Information about underground cable and pipe networks is available by requesting the utility maps through the Dial Before You Dig web site, www.byda.com.au or contact their call centre on 1100 during business hours, to find out about the location of underground infrastructure prior to commencing any excavation works on a property.

Legislation governing the interest:

Water Services Act 2012

Waterways Conservation Act Management Areas

Responsible agency:

Department of Water and
Environmental Regulation

Definition of Interest:

Under the *Waterways Conservation Act 1976*, the Minister for Water and Department of Water and Environmental Regulation (DWER) have responsibility for the conservation of the waters and associated land in declared management areas. The Department of Water and Environmental Regulation has an approval process for certain works affecting these waterways and their foreshore areas.

Affect of Interest:

The selected property is **located within** a management area under the *Waterways Conservation Act 1976*.

This is within the following Department of Water and Environmental Regulation (DWER) Region:

Conservation Area Details:

Name - ALBANY WATERWAYS MANAGEMENT AREA

Act - Waterways Conservation Act

Status - Gazetted

Gazetted Date - 1.9910517E7

Other Water Management Areas - Geographe Catchment, Swan River Trust, Wilson Inlet, Avon, Peel Inlet, Leschenault Management Areas, Cockburn Sound Management Council.

Activities within or adjacent to waterways outside the Waterways Conservation Act must still comply with the requirements for protection of waterways and foreshore areas established under local government, WAPC policy and DWER Policies.

For more information contact our office on (08) 6364 7600, further information and advice can be sought the DWER's regional offices. Contact information for regional offices is available at www.water.wa.gov.au.

Legislation governing the interest:

Waterways Conservation Act 1976

Water Agencies (Powers) Act 1984

Water Resources Legislation Amendment Act 2007

Disclaimer and Copyright

Disclaimer

To the extent permitted by law, the State Government and its agencies and bodies specified in the Report and the Western Australian Land Information Authority trading as Landgate (State of Western Australia) will in no way be liable to you or anyone else for any loss, damage or costs however caused (including through negligence) which may be directly or indirectly suffered arising from the use of or reliance on any information or data (including incomplete, out of date, wrong, inaccurate or misleading information or data) whether expressed or implied in the Report.

The information contained in this Report is provided by the State of Western Australia in good faith on an “as is” basis. The information is believed to be accurate and current at the date the Report was created. However changes in circumstances may affect the accuracy and completeness of the information. The State of Western Australia makes no representation or warranty as to the reliability, accuracy or completeness, merchantability or fitness for purpose of the information contained in this Report. You should not act on the basis of anything contained in this Report without first obtaining specific professional advice. The information in this Report is not comprehensive or exhaustive and not in the nature of advice and is intended only to provide a summary of the subject matter covered. It is not intended to provide the basis for any evaluation or decision. You must make your own assessment of it and rely on it wholly at your own risk. Where there is any concern about accuracy and currency of the information in the Report, reference should be made to Landgate or the relevant State Government agency or body for verification.

To the extent permitted by law, all representations, warranties and other terms are excluded and where they cannot be excluded, any liability suffered arising out of use of the Report is limited to resupply.

Copyright

Copyright in the Report is owned by the State of Western Australia and is protected by the Copyright Act 1968 (Cth). You may download and print the Report only for your personal and non-commercial use or use within your organisation for internal purposes, unless you have prior written approval.

A registered real estate agent may provide hard copies of a report to potential purchasers or make available a PDF of the report as part of online advertising. As information can change after the report has been generated, Landgate recommends that the report be replaced by a new updated report on a regular basis to capture any changes.

Other than for the purposes of and subject to the conditions prescribed under the Copyright Act, you may not, in any form or by any means:

- adapt, reproduce, store, distribute, transmit, print, display, perform, publish or create derivative works from any part of the Report; or
- commercialise any information, products or services obtained from any part of the Report.

Requests to use Landgate’s copyright material should be addressed to:

Landgate

1 Midland Square

Midland WA 6056

Tel: (08) 9273 7373

Fax: (08) 9273 7666

Email: customerservice@landgate.wa.gov.au.

Requests to use another State Government agency or body’s copyright material should be addressed to the relevant agency or body. Any authorised reproduction however altered, reformatted or redisplayed must acknowledge the source of the information and that the State of Western Australia is the owner of copyright.



1 Midland Square, MIDLAND WA 6056

Telephone: +61 (0)8 9273 7341

Email: customerservice@landgate.wa.gov.au

landgate.wa.gov.au

Image on cover for illustrative purposes only