



Department of Environment, Land, Water & Planning

Electronic Instrument Statement

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OWNERS CORPORATION NOTIFICATION OF MAKING RULES SECTION 27E(1) SUBDIVISION ACT 1988 (WHEN LODGED WITH PLAN)

Applicant(s):

YARRAVILLE DEVELOPMENT JV PTY LTD (ACN/ARBN: 651166577)

LEVEL 2 1C HOMEBUSH BAY DRIVE RHODES NSW 2138

Plan Number:

PS908286S

Owners Corporation Number:

2

Proposed rules of the Owners Corporation:

Appended

Execution:

1. The Certifier has taken reasonable steps to verify the identity of the applicant or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant law and any Prescribed Requirement.

Executed on behalf of YARRAVILLE DEVELOPMENT JV PTY LTD

Signer Name CYNTHIA MERCURI



Department of Environment, Land, Water & Planning

Electronic Instrument Statement

Signer Organisation MADDOCKS
Signer Role AUSTRALIAN LEGAL PRACTITIONER
Execution Date 13 October 2025

File Notes:
NIL

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.

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Owners Corporation Rules
Owners Corporation No. 2 on Plan of Subdivision PS908286S

Owners Corporation Rules

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Bradmill (Townhouses) -Stage 1a and b
YARRAVILLE

Owners Corporation Rules
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These Rules may not provide for a matter which is provided for in the Model Rules (Model Rules for A Members Corporation – Regulation 8 – Schedule 2) prescribed from time to time pursuant to Section 139 of the Owners Corporation Act 2006. If this is the case then these Rules will be deemed to include the provisions of the Model Rules relating to that matter.

A Definitions & Interpretation

Act means the Owners Corporation Act 2006 (Vic).

Bin Location Plan (Waste Management Plan) is the approved plan dated [6/11/23], depicting the location of bin placement for Council collection. A copy can be obtained from the Owners Corporation Manager.

Developer means the developer responsible for the Development of the Estate, being Yarraville Development JV Pty Ltd ACN 651 166 577 as trustee of the Yarraville Development Trust or an alternative entity forming part of Frasers Property Group or its agents and representatives and their mortgagee and/or chargee in respect of any Lot, and any successor in title of those matters.

Estate means all land identified on the plan of subdivision no. **908286S**.

Estate Plan means the staged plan of subdivision no. **908286S**.

Lot means a lot shown on the Estate Plan.

Manager means the person or entity appointed by the Owners Corporation as Manager of the Owners Corporation and where relevant includes the Manager's successors and assigns and where the context requires includes the Manager's officers, employees, agents, contractors, subcontractors and invitees.

Member means a member of the Owners Corporation by reason of being the owner of a Lot for the time being and where the context requires includes their invitees.

Occupier means the person or entity authorised by the Member to occupy the Lot as tenant or licensee and where the context requires includes the Occupier's invitees.

Owners Corporation means the owners corporation created by the registration of the Estate Plan, which includes Owners Corporation No. 2

Plantings Schedule is the approved schedule issued by MDG dated [March 2023]. A copy can be obtained from the Owners Corporation Manager.

Regulations means the Owners Corporation Regulations 2018 (Vic).

Short Stay Accommodation means any arrangement where a Lot is rented or licensed for residential use for a period of less than 30 consecutive days.

You means a Member or an Occupier.

B Recitals (Important Information)

The following Rules have been prepared and are registered with the Estate Plan to administer and manage the conduct of all owners, Occupiers, visitors, guests, contractors and others who may enter upon the plan of subdivision.

Your Owners Corporation(s) is responsible for ensuring that appropriate rules, measures and procedures are established to govern matters common to owners and Occupiers who reside at Bradmill, Yarraville.

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The Owners Corporation exercises such responsibilities through enforcing the Rules and by appointing a Committee of Management in order to give direction to the Manager and to assist with the resolution of matters which are not the responsibility of that Manager.

The Owners Corporation must abide by the Rules, Act and Regulations and in carrying out its functions and powers must act honestly and in good faith and exercise due care and diligence

The following Rules are for the purpose of the control, management, administration and use of a Lot and the Estate to ensure that you have quiet enjoyment of your Lot and the Estate.

These Rules may be added to, amended or revoked by the passing of a Special Resolution (refer Section 96 of the Owners Corporations Act 2006).

To determine the Owners Corporation/s of which you are a member please refer to the 'Owners Corporation Search Report' which forms part of the Estate Plan once registered.. Please note that you may be a member of more than one Owners Corporation.

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1 Management and Administration

1.1 Rights of Developer

Nothing in these rules shall prevent or hinder the Developer from completing construction of improvements and development of the land affected by the Owners Corporation. Without limitation, the Developer may:

- 1.1.1 use any Lot as a display Lot to assist in the marketing and sale of other Lots;
- 1.1.2 place anywhere within the Estate signs and other materials relating to the sale of Lots;
- 1.1.3 conduct in a Lot or within the Estate an auction sale of a Lot;
- 1.1.4 use in any way it considers necessary any part of the Estate for the purpose of selling Lots;
- 1.1.5 use in any way it considers necessary any part of the Estate to facilitate completion of the subdivision and construction of works;
- 1.1.6 close off from access by the public and Lot owners and Occupiers any part of the Estate when it is necessary to do so to facilitate the construction, landscaping and subdivision by the Developer,

subject to the Developer's obligations under the Owners Corporations Act 2006.

- 1.2 The Owners Corporation must sign all necessary consents to permits and/or applications required by the Developer and must close off from access by the public and Lot owners and Occupiers any part of the Estate when it is necessary to do so to facilitate the construction and subdivision by the Developer.

1.3 Mowing of front nature strips, spraying front gardens for weeds and general maintenance.

- 1.3.1 The Owners Corporation will provide a service to all Members to the extent that the front nature strip of all Lots will be mowed, and any landscaping within nature strips or landscaping between a front fence and the property boundary will be maintained and sprayed for weeds, at the cost of the Owners Corporation.
- 1.3.2 Access between a front fence and the property boundary will be deemed to be given by the Member for the purpose of carrying out the Owners Corporation's maintenance obligations.
- 1.3.3 In addition to the service that will be provided by the Owners Corporations pursuant to in Rule 1.3.1, the Owners Corporation may elect to monitor and attend to the maintenance of shrubs and trees at its sole discretion.

1.4 Fencing facing Street or Reserve

- 1.4.1 A Member or Occupier of a Lot must not replace an existing fencing or erect new fencing unless it is consistent in design and height with existing fencing and endorsed planning permit drawings, or unless it is approved by the Owners Corporation (such approval not to be unreasonably withheld);

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- 1.4.2 In the event that a fence does not comply with the requirements of Rule 1.4.1, then the Owners Corporation may require the Member to remove the fence and replace it with a fence which does comply with the existing fence design; or
- 1.4.3 take any other action to ensure the fence complies with the existing fence design;
- 1.4.4 the cost of the Owners Corporation taking any action pursuant to Rules 1.4.2 and 1.4.3 shall be recoverable from the Member.

2 Lots

2.1 External Appearance of Lots

- 2.1.1** A Member or Occupier of a Lot must not in any way alter the external appearance of a Lot or any structure on a Lot, including by any addition of any nature, change of colour, finish or decoration of any external wall or woodwork, without first obtaining the written approval and direction of the Owners Corporation (which will not be unreasonably withheld).
- 2.1.2** A Members Corporation cannot unreasonably withhold approval but may give approval subject to reasonable conditions to protect quiet enjoyment of other lot owners, structural integrity or the value of other lots.
- 2.1.3** A Member or Occupier must not place on or in a Lot any signage or hoarding which can be seen from outside the Lot without the written approval of the Owners Corporation except where the size of the sign in respect to an 'Auction' or 'For Sale' is no greater than 1830mm by 1200mm and in respect to a 'Lease' is no greater than 600mm X 600mm.
- 2.1.4** No heating and/or cooling equipment (other than the heating and/or cooling equipment which has been installed at the time of the completion of the dwelling) is permitted to be installed on the roof of the dwelling where it is visible from any other Lot, Street or Reserve
- 2.1.5** No antenna (other than the antenna which has been installed at the time of the completion of the dwelling), satellite dish or similar is permitted to be installed on the roof of the dwelling and which is visible from any other Lot, street or reserve.
- 2.1.6** If the Owners Corporation is of the opinion that a Member or Occupier has neglected the maintenance of the front garden of any Lot, then the Owners Corporation or a representative of the Owners Corporation may enter the Lot and undertake reasonable garden maintenance, subject to providing the Member or Occupier with reasonable notice of intended entry. All costs all costs incurred by the Owners Corporation or its representative will be paid for by the Member or Occupier who has contravened Rule 2.1.7
- 2.1.7** A Member or Occupier must store their rubbish bins on their Lot and out of sight from any street or reserve within the Estate.
- 2.1.8** A Member or Occupier must ensure that any new or replacement shrubs and trees are in accordance with the relevant Plantings Schedule. If new plantings are not in accordance with the Plantings Schedule, then they will be required to be removed and replaced with plants which are according to the Plantings Schedule.
- 2.1.9** In relation to Rule 2.1.8 all costs incurred by the Owners Corporation or its representative in assessing and determining that plantings are not in accordance with the Plantings Schedule will be paid for by the Member or Occupier who has contravened Rule 2.1.8.
- 2.1.10** A Member or Occupier of a Lot must not hang or place or permit to be hung or placed any garment or article of clothing, sheet, blanket or towel or other article on any part

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of the Lot or on or from any part of the exterior of the Lot including the balcony, such as to be visible from outside the Lot except as provided by the Owners Corporation.

- 2.1.11** A Member or Occupier of a Lot must not install any curtains, blinds or other window furnishings on the interior or exterior of any windows forming part of the Lot without first having obtained written approval to do so by the Owners Corporation and/or other than specified by the Owners Corporation Specification which is as follows:

Owners Corporation Specification

Colour: Black, Grey, cream and/or white

Location: Interior Window Furnishings (visible from outside)

Type: Owners Preference

- 2.1.12** Subject to Rule 2.1.11, a Member or Occupier must not install any window furnishings (including awnings and/or roller shutters) to the exterior of any windows forming part of the Lot, without first obtaining the consent of the Owners Corporation (which must not be unreasonably withheld).
- 2.1.13** Subject to Rule 2.1.1, a Member or Occupier of a Lot may install a front security door and/or fly screens as specified by the Owners Corporation Specification to prevent the entry of animals or insects given it does not interfere with the use by other owners and Occupier of their Lots and/or Common property and the owner of any such front security door and/or flyscreen must keep it in good repair.

Front Security Door - Owners Corporation Specification

Colour: Black

Location: Front Security Door

Type: Mesh Door -Frame with no pattern

- 2.1.14** Subject to Rule 2.1.1, A Member or Occupier of a Lot may install a flat roof pergola attached to the rear of the dwelling forming part of the Lot without first having obtained written approval to do so by the Owners Corporation and/or other than specified by the Owners Corporation Specification which is as follows:

Flat Roof Pergola – Owners Corporation Specification

Size: 18sqm or less

Fascia and Gutter Colour: To match existing

Rule 3 also applies to this Rule

3. Design Construction and Landscaping

3.1 Building Works

A Member or Occupier of a Lot must not undertake any building works within or about or relating to the Lot and/or other Lots unless the owner or Occupier:

- (a) submits to the Owners Corporation plans and specifications of any works proposed by the owner or Occupier which affect the external appearance of the building, or which affect the building structure or services or the fire or acoustic ratings of any component of the building; and
- (b) supplies to the Owners Corporation such further particulars of those proposed works as the Owners Corporation request and as shall be reasonable to enable the Owners Corporation to be reasonably satisfied that those proposed works accord with the reasonable aesthetic of the building and do not endanger and are compatible with the overall services to the building, the Estate and other Lots; and

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- (c) receives written approval for those works from the Owners Corporation, such approval not to be unreasonably or capriciously withheld but which may be given subject to the condition that the reasonable costs of the Owners Corporation (which cost may include the costs of building consultants engaged by the Owners Corporation to consider such plans and specifications) are met by the proprietor or Occupier and such approval shall not be effective until such costs have been paid; and
- (d) pays such reasonable costs to the Owners Corporation; and
- (e) has obtained all requisite permits, approvals and consents under all relevant laws and copies have been given to the Owners Corporation.

4. Short Stay Accommodation

4.1 Permitted Use

A Lot may be used for Short Stay Accommodation, provided the use complies with:

- (a) the planning laws and zoning applicable to the property; and
- (b) this rule and any other applicable Owners Corporation rules.

4.2 Obligations on Short Stay Accommodation occupants

The Lot owner must ensure that all Short Stay Accommodation occupants:

- (a) do not cause a nuisance or hazard to any other resident;
- (b) do not unreasonably obstruct the use and enjoyment of the common property;
- (c) comply with the noise limits and conduct requirements of the Owners Corporation; and
- (d) do not damage common property or permit others to do so.

4.3 Use of common property

Short Stay Accommodation occupants are not permitted to use recreational common property areas (e.g. gyms, pools, multipurpose spaces) unless expressly permitted in writing by the Owners Corporation.

4.4 Liability for damage or nuisance

Lot owners are responsible for:

- (a) any damage to common property caused by Short Stay Accommodation occupants; and
- (b) any costs incurred by the Owners Corporation in addressing breaches caused by their guests.

4.5 Compliance and enforcement

The Owners Corporation may take action under Section 159A of the Owners Corporations Act 2006 (Vic) where short stay occupants:

- (a) cause unreasonable noise, nuisance, or hazard;

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- (b) interfere with the peaceful enjoyment of other residents; and
- (c) breach any of the rules or applicable legislation.

4.6 Breach of rule

Any breach of this rule may result in:

- (a) a formal breach notice issued to the lot owner; and
- (b) application to VCAT for penalties, compensation, or an order to prohibit further Short Stay Accommodation use.

5. Dispute Resolution

- 5.1 The grievance procedure set out in this rule applies to disputes involving a lot owner, an Occupier or the Owners Corporation.
 - 5.2 The party making the complaint must prepare a written statement setting out the complaint in the approved form.
 - 5.3 If there is a grievance committee of the Owners Corporation, it must be notified of the dispute by the complainant.
 - 5.4 If there is no grievance committee, the Owners Corporation must be notified of any dispute by the complainant, regardless of whether the Owners Corporation is an immediate party to the dispute.
 - 5.5 The parties to the dispute must meet and discuss the matter in dispute, along with either the grievance committee of the Owners Corporation, within 28 working days after the dispute comes to the attention of all the parties.
 - 5.6 A party to the dispute may appoint a person to act or appear on his or her behalf at the meeting.
 - 5.7 If the dispute is not resolved, the grievance committee or Owners Corporation must notify each party of his or her right to take further action under Part 10 of the Owners Corporations Act 2006.
 - 5.8 This process is separate from and does not limit any further action under any further action under Part 10 of the Owners Corporations Act 2006.
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