

Bingara Gorge DP270536

Breach Management Process:

Stage 1 – Initial stage:

- SM/FM to be contacted direct to advise of the concern/potential breach
- The SM will work with the FM to confirm the following:
 - If the reported item is in fact a breach of By-law
 - If the issue is already being actioned
 - The next step required

Stage 2 – Reminder notice:

- The FM will log the breach on the breach register and issue the Owner *and* Occupier a letter, notifying them of the breach, and what is being requested of them to rectify. In most cases, 14 days will be given from the notice date to rectify. Agent will be cc'd into this letter.

Stage 3 – 14 days after stage 2:

- FM to confirm if the breach is still ongoing
- If confirmed, second and final breach notice with a further 14 days' notice will be provided

Stage 4 – 7 days after stage 3

- FM to confirm if the breach is still ongoing
- If confirmed, the SM will notify the committee and provide a recommendation on the next steps which in most cases would be a motion put forward at the next meeting to allow a Notice to Comply to be issued, following through to Mediation and potentially NCAT if/as required.
- The committee will be heavily involved/across the issue at this stage to determine the best way forward.

Notes:

- *The FM, SM and committee has the responsibility to determine if a reported breach warrants immediate enacting of any step, including Step 4.*
- *Best efforts to be taken to move through the approved stages as promptly as possible.*
- *Should owners have concerns with the accuracies of the Breach Register they should contact the FM in the first case.*
- *Where the lot is tenanted, the owner is to be issued a breach notice as well as the occupier, and agent notified. Referenced as Owner and Occupier above.*