

Vendor Statement

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

This statement must be signed by the vendor and given to the purchaser before the purchaser signs the contract.
The vendor may sign by electronic signature.

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

89 Bellbird Crescent, Emerald VIC 3782

Vendor's name Christian James Froelich Date / / 22-12-2023

Vendor's signature 

Purchaser's name Date / /

Purchaser's signature

Purchaser's name Date / /

Purchaser's signature

1. FINANCIAL MATTERS

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

At settlement the rates will be adjusted between the parties, so that they each bear the proportion of rates applicable to their respective periods of occupancy in the property.

Cardinia Shire Council
Yarra Valley Water
State Revenue Office (Land Tax)

(a) Their total does not exceed:

\$1,500.00 p.a.

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

Not Applicable

1.3 Terms Contract

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

Not Applicable.

1.4 Sale Subject to Mortgage

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

Not Applicable.

2. INSURANCE

2.1 Damage and Destruction

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

Not Applicable.

2.2 Owner Builder

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

Not Applicable.

3. LAND USE

3.1 Easements, Covenants or Other Similar Restrictions

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

As attached.

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

Not Applicable

The Purchaser/s should note sewers, drains, water pipes, underground and/or overhead electricity cables, underground/or overhead telephone cables, underground NBN cables and underground gas pipes if any, may be laid outside registered easements.

3.2 Road Access

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

3.3 Designated Bushfire Prone Area

The land is in a designated bushfire prone area within the meaning of regulations made under the *Building Act 1993* if the square box is marked with an 'X'

3.4 Planning Scheme

Attached is a certificate with the required specified information.

4. NOTICES

4.1 Notice, Order, Declaration, Report or Recommendation

Particulars of any notice, order, declaration, report or recommendation of a public authority or government department or approved proposal directly and currently affecting the land, being a notice, order, declaration, report, recommendation or approved proposal of which the vendor might reasonably be expected to have knowledge:

Not Applicable.

The Vendor has no means of knowing decisions of all public authorities and government departments affecting the property unless communicated to the Vendor.

The property is in an area in which is classified as an area in which buildings are likely to be subject to infestation of termites.

4.2 Agricultural Chemicals

There are NO notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes. However, if this is not the case, the details of any such notices, property management plans, reports or orders, are as follows:

Nil.

4.3 Compulsory Acquisition

The particulars of any notices of intention to acquire that have been served under section 6 of the *Land Acquisition and Compensation Act 1986* are as follows:

Nil.

5. BUILDING PERMITS

Particulars of any building permit issued under the *Building Act 1993* in the preceding 7 years (required only where there is a residence on the land):

Nil.

6. OWNERS CORPORATION

This section 6 only applies if the land is affected by an owners corporation within the meaning of the *Owners Corporations Act 2006*.

Not Applicable.

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

Words and expressions in this section 7 have the same meaning as in Part 9B of the *Planning and Environment Act 1987*.

Not Applicable

8. SERVICES

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

Electricity supply <input checked="" type="checkbox"/>	Gas supply <input checked="" type="checkbox"/>	Water supply <input checked="" type="checkbox"/>	Sewerage <input checked="" type="checkbox"/>	Telephone services <input checked="" type="checkbox"/>
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- Some services currently noted as connected above may become disconnected prior to settlement. The Purchaser should make their own enquiries in relation to connection and re-connection of services to the land.

9. TITLE

Attached are copies of the following documents:

9.1 Registered Title

A Register Search Statement and the document, or part of a document, referred to as the 'diagram location' in that statement which identifies the land and its location.

10. SUBDIVISION

10.1 Unregistered Subdivision

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

Not Applicable.

10.2 Staged Subdivision

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

Not Applicable.

10.3 Further Plan of Subdivision

This section 10.3 only applies if the land is subject to a subdivision in respect of which a further plan within the meaning of the *Subdivision Act 1988* is proposed.

Not Applicable.

11. DISCLOSURE OF ENERGY INFORMATION

(Disclosure of this information is not required under section 32 of the Sale of Land Act 1962 but may be included in this vendor statement for convenience.)

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

- (a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and
- (b) which has a net lettable area of at least 2000m²; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the relevant date):

Not Applicable.

12. DUE DILIGENCE CHECKLIST

(The Sale of Land Act 1962 provides that the vendor or the vendor's licensed estate agent must make a prescribed due diligence checklist available to purchasers before offering land for sale that is vacant residential land or land on which there is a residence. The due diligence checklist is NOT required to be provided with, or attached to, this vendor statement but the checklist may be attached as a matter of convenience.)

Is attached.

13. ATTACHMENTS

(Any certificates, documents and other attachments may be annexed to this section 13)

(Additional information may be added to this section 13 where there is insufficient space in any of the earlier sections)

(Attached is an "Additional Vendor Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)

Water Information Statement

Planning Permit T200130

Endorsed plans

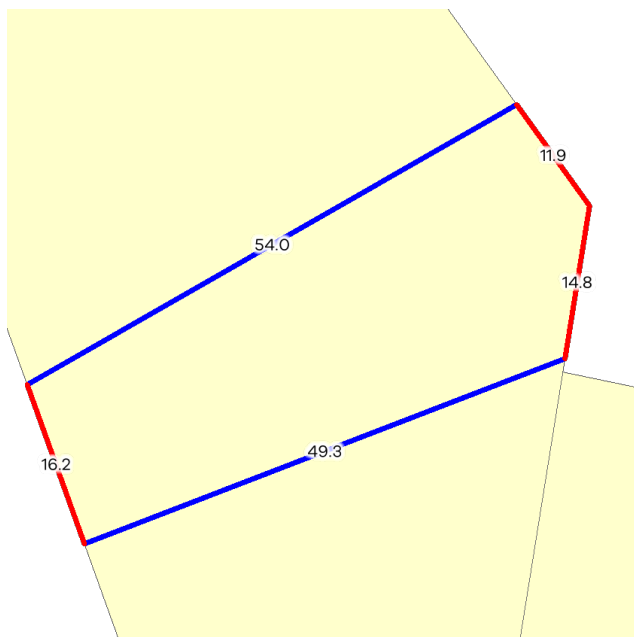
PROPERTY DETAILS

Address: **89 BELLBIRD CRESCENT EMERALD 3782**
Lot and Plan Number: **Lot 56 LP44573**
Standard Parcel Identifier (SPI): **56\LP44573**
Local Government Area (Council): **CARDINIA**
Council Property Number: **2086401700**
Directory Reference: **Melway 311 A3**

www.cardinia.vic.gov.au

SITE DIMENSIONS

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



Area: 1093 sq. m

Perimeter: 146 m

For this property:

— Site boundaries

— Road frontages

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

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

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

UTILITIES

Rural Water Corporation: **Southern Rural Water**
Melbourne Water Retailer: **Yarra Valley Water**
Melbourne Water: **Inside drainage boundary**
Power Distributor: **AUSNET**

STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
Legislative Assembly: **MONBULK**

PLANNING INFORMATION

Property Planning details have been removed from the Property Reports to address duplication with the Planning Property Reports which are DELWP's authoritative source for all Property Planning information.

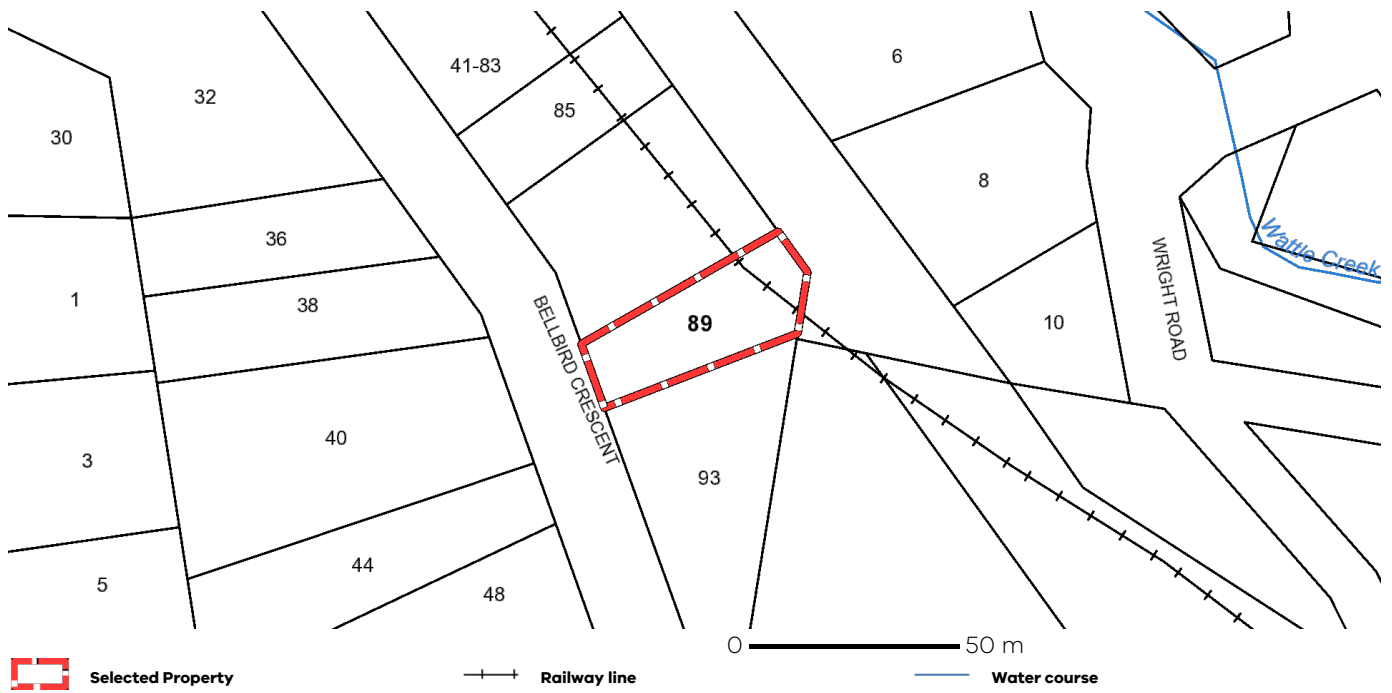
The Planning Property Report for this property can found here - [Planning Property Report](#)

Planning Property Reports can be found via these two links

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

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

Area Map



PLANNING CERTIFICATE

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

CERTIFICATE REFERENCE NUMBER

908948

APPLICANT'S NAME & ADDRESS

BUY & SELL CONVEYANCING SERVICES C/- TRICONVEY
(RESELLER) C/- LANDATA

DOCKLANDS

VENDOR

FROELICH, CHRISTIAN JAMES

PURCHASER

NOT YET KNOWN, NOT YET KNOWN

REFERENCE

359244

This certificate is issued for:

LOT 56 PLAN LP44573 ALSO KNOWN AS 89 BELLBIRD CRESCENT EMERALD
CARDINIA SHIRE

The land is covered by the:

CARDINIA PLANNING SCHEME

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

The land:

- is included in a LOW DENSITY RESIDENTIAL ZONE - SCHEDULE 2
- is within a DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 1
- and a BUSHFIRE MANAGEMENT OVERLAY
- and a SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 1
- and a VEGETATION PROTECTION OVERLAY - SCHEDULE 1
- and is AREA OUTSIDE THE URBAN GROWTH BOUNDARY

A detailed definition of the applicable Planning Scheme is available at :
<http://planningschemes.dpcd.vic.gov.au/schemes/cardinia>

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

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

22 February 2023

Sonya Kilkenny
Minister for Planning

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

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

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

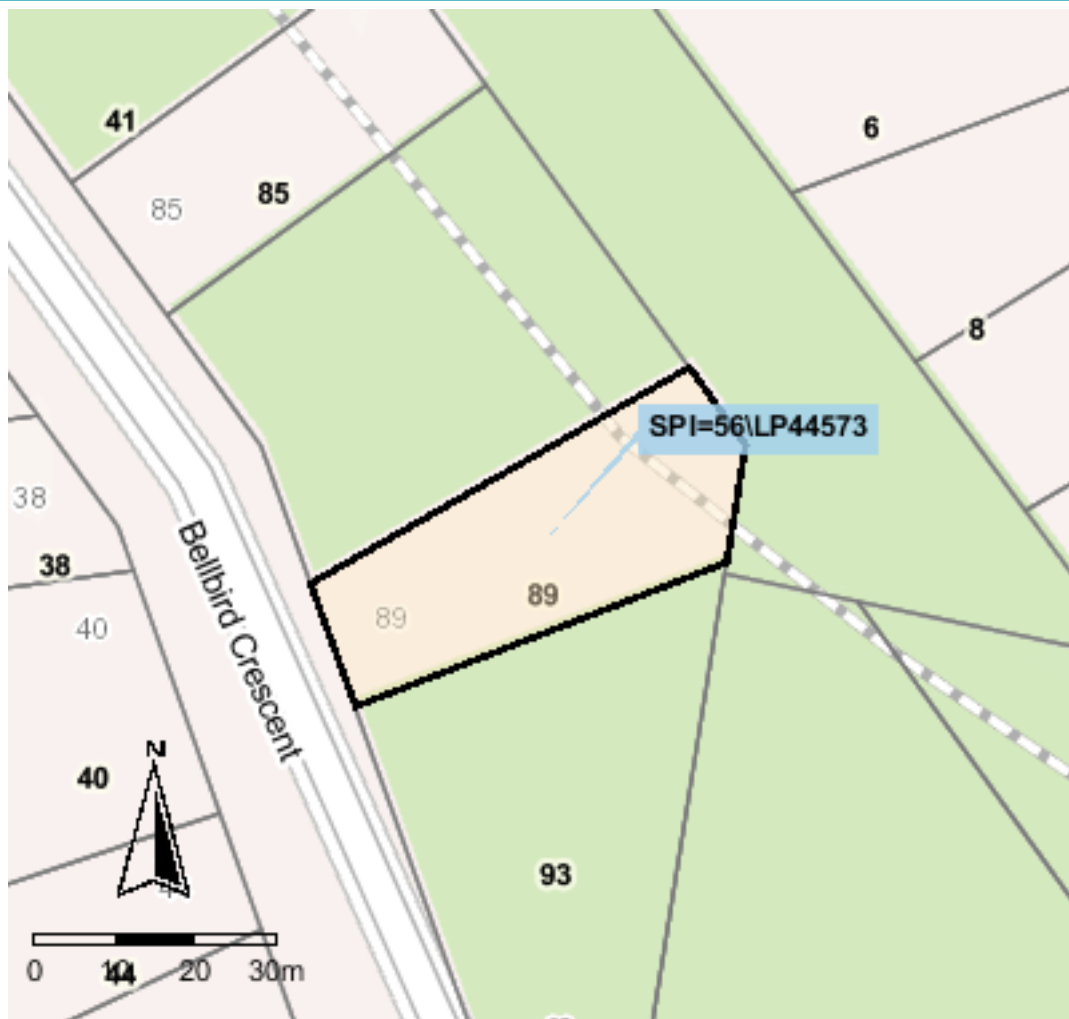
LANDATA@
T: (03) 9102 0402
E: landata.enquiries@servictoria.com.au

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

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

If this property is different to the one expected, you can phone (03) 9102 0402 or email landata.enquiries@servictoria.com.au

Please note: The map is for reference purposes only and does not form part of the certificate.



Copyright © State Government of Victoria. Service provided by maps.land.vic.gov.au

Choose the authoritative Planning Certificate

Why rely on anything less?

As part of your section 32 statement, the authoritative Planning Certificate provides you and / or your customer with the statutory protection of the State of Victoria.

Order online before 4pm to receive your authoritative Planning Certificate the same day, in most cases within the hour. Next business day delivery, if further information is required from you.

Privacy Statement

The information obtained from the applicant and used to produce this certificate was collected solely for the purpose of producing this certificate. The personal information on the certificate has been provided by the applicant and has not been verified by LANDATA®. The property information on the certificate has been verified by LANDATA®. The zoning information on the certificate is protected by statute. The information on the certificate will be retained by LANDATA® for auditing purposes and will not be released to any third party except as required by law.

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

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

VOLUME 08235 FOLIO 900

Security no : 124104128442P

Produced 22/02/2023 10:12 AM

LAND DESCRIPTION

Lot 56 on Plan of Subdivision 044573.
PARENT TITLE Volume 08212 Folio 259
Created by instrument A766996 30/06/1959

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

CHRISTIAN JAMES FROELICH of 58 DORRIT STREET CARLTON VIC 3053
AH486821L 09/09/2010

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AH486822J 09/09/2010
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

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

DIAGRAM LOCATION

SEE LP044573 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

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

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

Street Address: 89 BELLBIRD CRESCENT EMERALD VIC 3782

ADMINISTRATIVE NOTICES

NIL

eCT Control 16165A AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
Effective from 23/10/2016

DOCUMENT END

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Document Type	Plan
Document Identification	LP044573
Number of Pages (excluding this cover sheet)	4
Document Assembled	22/02/2023 10:43

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The document is invalid if this cover sheet is removed or altered.

LP 44573

EDITION 2

PLAN MAY BE LODGED 27/4 159

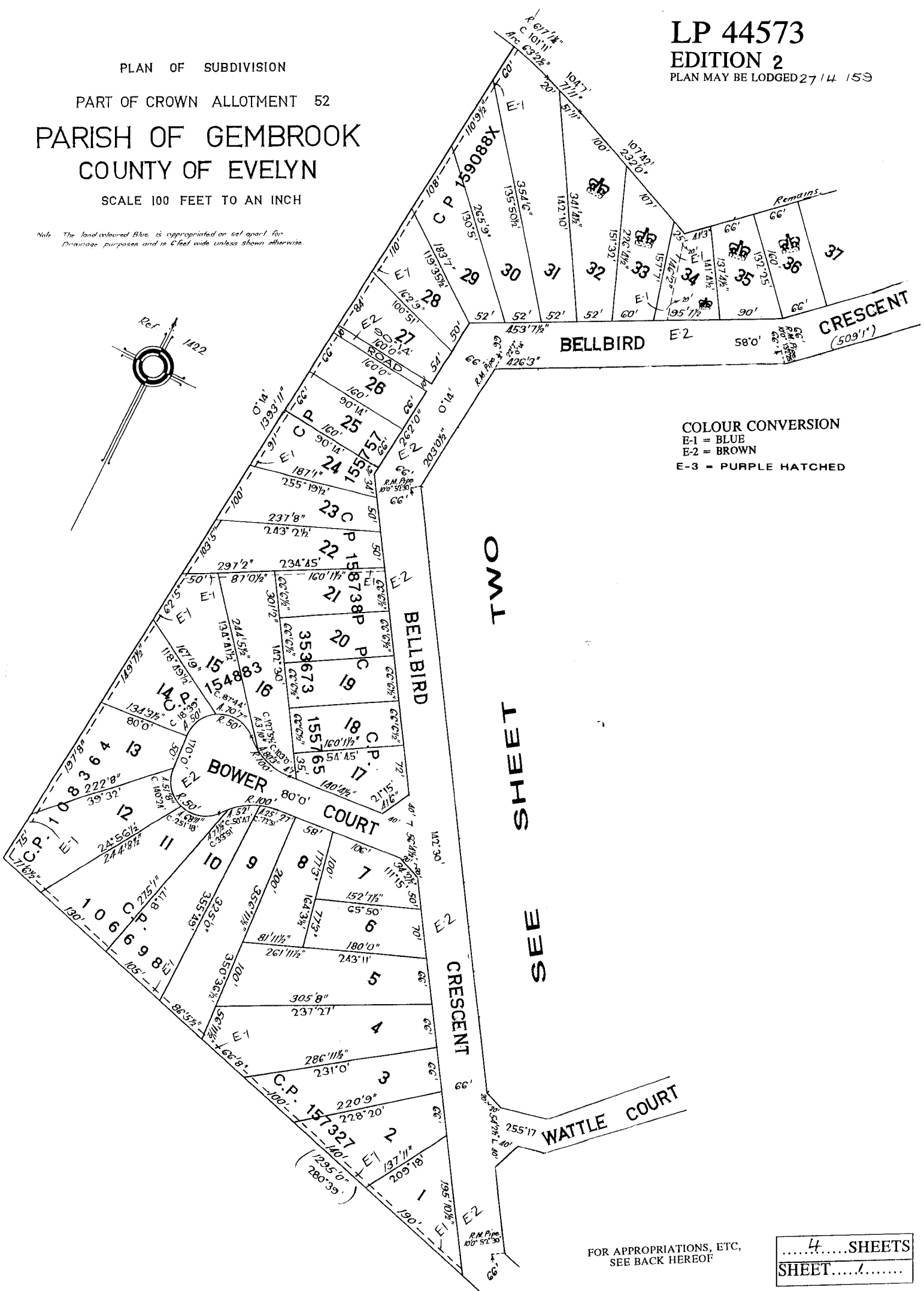
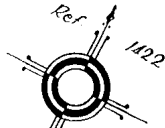
PLAN OF SUBDIVISION

PART OF CROWN ALLOTMENT 52

PARISH OF GEMBROOK
COUNTY OF EVELYN

SCALE 100 FEET TO AN INCH

Note The land coloured Blue, is appropriated or set apart for
Drainage purposes and is 6 feet wide unless shown otherwise.



COLOUR CONVERSION
E-1 = BLUE
E-2 = BROWN
E-3 = PURPLE HATCHED

TWO SHEET SEE

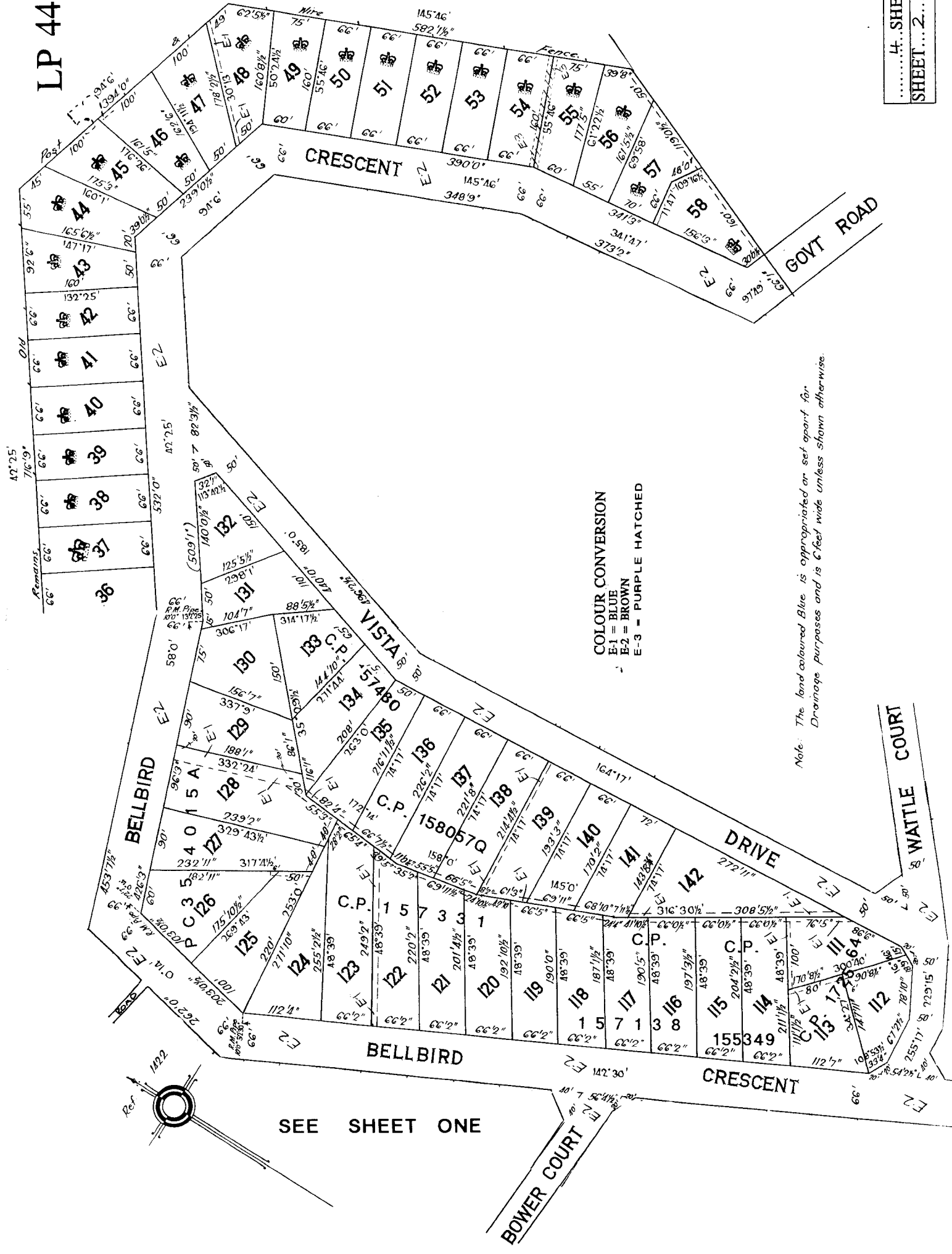
FOR APPROPRIATIONS, ETC,
SEE BACK HEREOF

.....4.....SHEETS
SHEET.....1.....

LP 44573

SEE SHEET THREE

.....4. SHEETS
SHEET...2.....



COLOUR CONVERSION
 E-1 = BLUE
 E-2 = BROWN
 E-3 = PURPLE HATCHED

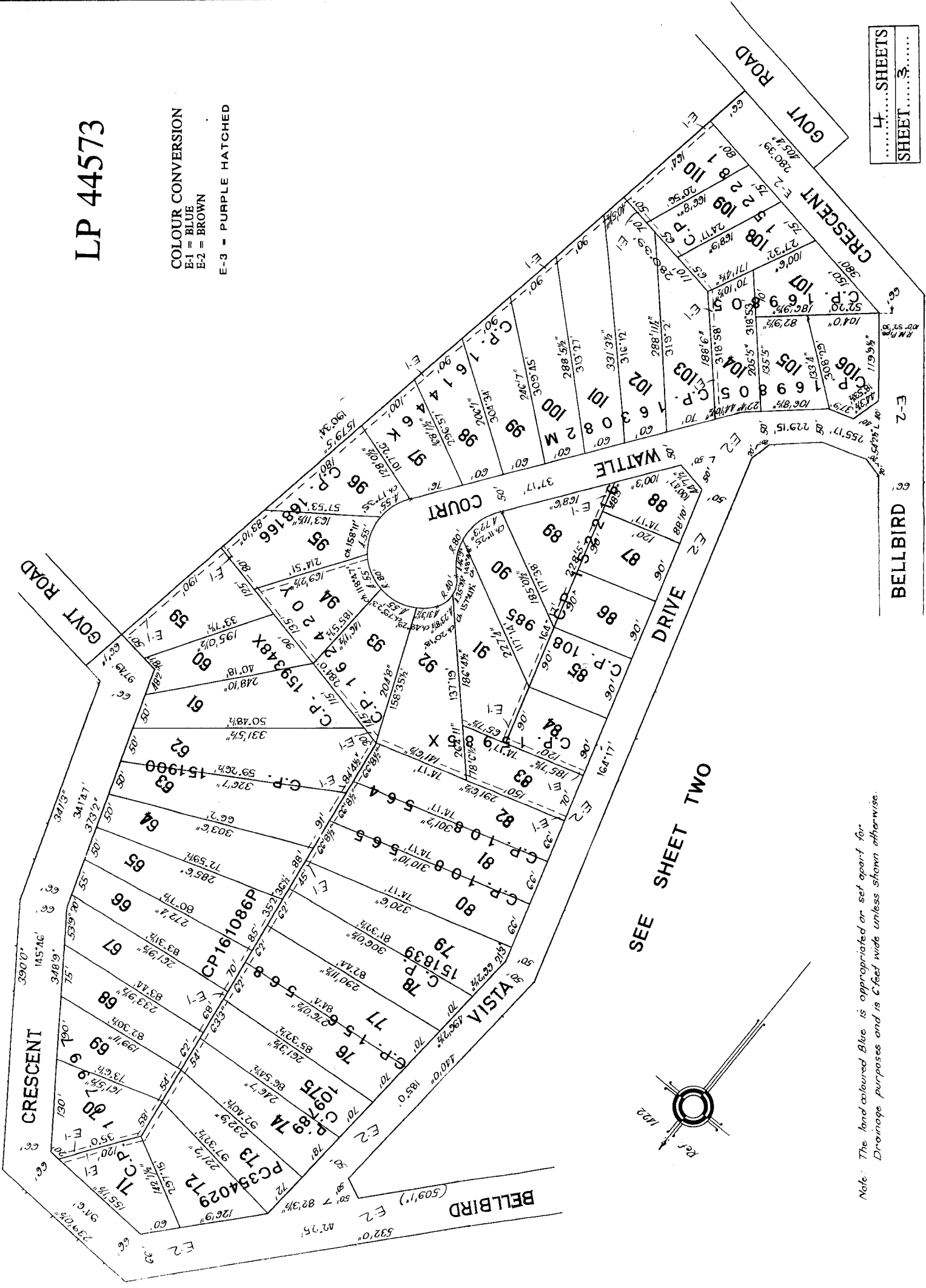
Note: The land coloured Blue is appropriated or set apart for
 Drainage purposes and is 6 feet wide unless shown otherwise.

SEE SHEET ONE

LP 44573

COLOUR CONVERSION
E-1 = BLUE
E-2 = BROWN
E-3 = PURPLE HATCHED

.....4..... SHEETS
SHEET.....3.....




SEE SHEET TWO

Note: The land coloured Blue is appropriated or set apart for
Drainage purposes and is 6 feet wide unless shown otherwise.

CERTIFICATE OF TITLE V. 6867 F. 386.
 LODGED BY BROADACRE INVESTMENTS
 DEALING No. A.456368 DATE 19. 12. 57.
 DECLARED BY R. G. LEE 6. 12. 1957.
 CONSENT OF COUNCIL SHIRE OF
FERN TREE GULLY
19. 12. 57.
 PLAN MAY BE LODGED F.H.B. 27. 4. 1959.


LP44573.....
 BACK OF SHEET1.....

THE LAND COLOURED BROWN
 IS APPROPRIATED
 OR SET APART FOR
 EASEMENTS OF WAY AND DRAINAGE

LAND SHOWN THUS  HAS BEEN
 TRANSFERRED TO THE CROWN

C.A.	DEALING No.
LOT 44	H 477535
LOT 32	H 477536
LOT 36	H 482770
LOT 51	H 507841
LOT 34	H 507842
LOT 54	H 507843
LOT 43	H 559 765
LOT 46	H 559 766
LOT 47	H 559 767
LOT 52	H 559 768
LOT 41	H 559 769
LOT 42	H 559 769
LOT 37	H 559 770
LOT 48	H 559 772
LOT 33	H 559 773
LOT 58	H 736257
LOT 57	H 727432
LOT 38	H 727435
LOT 50	H 727436
LOT 55	H 727437
LOT 45	H 727438
LOT 49	H 816100
LOT 35	H 302283
LOT 39	H 179 481
LOT 40	H 92228

THE LAND COLOURED BLUE AND PURPLE HATCHED
 IS APPROPRIATED
 OR SET APART FOR
 EASEMENTS OF DRAINAGE

LIST OF MODIFICATIONS			APPROVAL DATE / /		
LAND	MODIFICATION	DEALING No.	DATE	A.R.T.	EDN. No.
95	REMOVAL OF EASEMENT	Vide A.O. Appn G3567 SEC 73			2

.....4.....SHEETS
 SHEET.....4.....

22nd February 2023

Buy & Sell Conveyancing Services

Dear Buy & Sell Conveyancing Services,

RE: Application for Water Information Statement

Property Address:	89 BELLBIRD CRESCENT EMERALD 3782
Applicant	Buy & Sell Conveyancing Services
Information Statement	30751862
Conveyancing Account Number	5757504575
Your Reference	23/5056 Froelich (S)

Thank you for your recent application for a Water Information Statement (WIS). We are pleased to provide you the WIS for the above property address. This statement includes:

- Yarra Valley Water Property Information Statement
- Melbourne Water Property Information Statement
- Asset Plan
- Rates Certificate

If you have any questions about Yarra Valley Water information provided, please phone us on **1300 304 688** or email us at the address enquiry@yvw.com.au. For further information you can also refer to the Yarra Valley Water website at www.yvw.com.au.

Yours sincerely,



Steve Lennox
GENERAL MANAGER
RETAIL SERVICES

Yarra Valley Water Property Information Statement

Property Address	89 BELLBIRD CRESCENT EMERALD 3782
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STATEMENT UNDER SECTION 158 WATER ACT 1989

THE FOLLOWING INFORMATION RELATES TO SECTION 158(3)

Sewerage services have been provided to this property as part of Yarra Valley Water's Community Sewerage Program. To confirm whether the property is connected to sewerage services, please contact Yarra Valley Water on 1300 853 811. For properties not currently connected to sewerage services, please contact Yarra Valley Water on 1300 651 511 to apply to connect.

Existing sewer mains will be shown on the Asset Plan.

THE FOLLOWING INFORMATION RELATES TO SECTION 158(4)

Under section 144 of the Water Act 1989, Yarra Valley Water has declared this property a serviced property and has made sewerage services available to it. The property owner is subject to a \$500 contribution fee under section 268 and 269 of the Water Act 1989. This is an owner based fee and charged at \$25 per quarter over a five year period. Full payment of the outstanding balance is required by the vendor if the property is sold within the five year chargeable period. The owner is required to connect this property to Yarra Valley Water's sewer within 12 months of the service becoming available unless the existing septic system meets the current EPA Onsite Wastewater Management requirements. Connection must be made at the owner's expense.

This property is located within a pressure sewer area. Yarra Valley Water will be responsible for providing a pressure sewer pump unit to the property including all associated plumbing and electrical works. The owner will be responsible for all internal plumbing works between the pressure sewer pumping unit and the house. Prior to connection, the owner must agree to terms and conditions contained within the document titled "Using Your Pressure Sewer System - Owners Manual". Copies of this document are available upon request by calling 1300 304 688 or can be downloaded from our website at www.yvw.com.au.

Please note: Unless prior consent has been obtained, the Water Act prohibits:

1. The erection and/or placement of any building, wall, bridge, fence, embankment, filling, material, machinery or other structure over or under any sewer or drain.
2. The connection of any drain or sewer to, or interference with, any sewer, drain or watercourse.

Melbourne Water Property Information Statement

Property Address	89 BELLBIRD CRESCENT EMERALD 3782
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STATEMENT UNDER SECTION 158 WATER ACT 1989

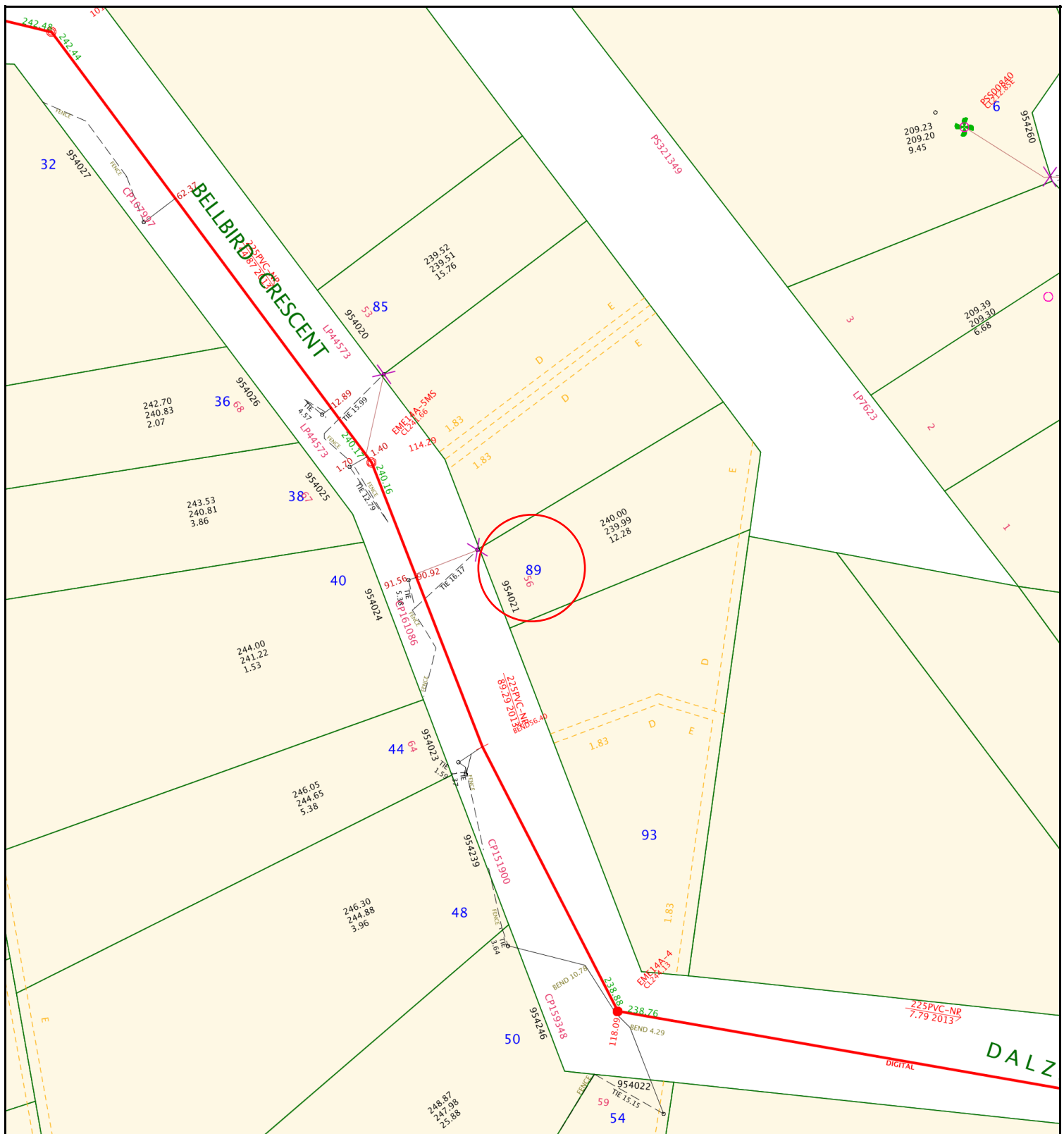
THE FOLLOWING INFORMATION RELATES TO SECTION 158(4)

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

Please note: Unless prior consent has been obtained, the Water Act prohibits:

1. The erection and/or placement of any building, wall, bridge, fence, embankment, filling, material, machinery or other structure over or under any sewer or drain.
2. The connection of any drain or sewer to, or interference with, any sewer, drain or watercourse.

If you have any questions regarding Melbourne Water encumbrances or advisory information, please contact Melbourne Water on 9679 7517.



**Yarra Valley Water
Information Statement
Number: 30751862**

Address	89 BELLBIRD CRESCENT EMERALD 3782
Date	22/02/2023
Scale	1:1000



Existing Title	Access Point Number	GLV2-42 MW Drainage Channel Centreline	
Proposed Title	Sewer Manhole	MW Drainage Underground Centreline	
Easement	Sewer Pipe Flow	MW Drainage Manhole	
Existing Sewer	Sewer Offset	MW Drainage Natural Waterway	
Abandoned Sewer	Sewer Branch		

Disclaimer: This information is supplied on the basis Yarra Valley Water Ltd:
 - Does not warrant the accuracy or completeness of the information supplied, including, without limitation, the location of Water and Sewer Assets;
 - Does not accept any liability for loss or damage of any nature, suffered or incurred by the recipient or any other persons relying on this information;
 - Recommends recipients and other persons using this information make their own site investigations and accommodate their works accordingly;

Buy & Sell Conveyancing Services
annette@buyandsellconveyancing.com.au

RATES CERTIFICATE

Account No: 8802993081
Rate Certificate No: 30751862

Date of Issue: 22/02/2023
Your Ref: 23/5056 Froelich (S)

With reference to your request for details regarding:

Property Address	Lot & Plan	Property Number	Property Type
89 BELLBIRD CRES, EMERALD VIC 3782	56/LP44573	1382654	Residential

Agreement Type	Period	Charges	Outstanding
Parks Fee	01-07-2022 to 30-06-2023	\$81.60	\$0.00
Drainage Fee	01-01-2023 to 31-03-2023	\$14.84	\$14.84
Other Charges:			
Interest	No interest applicable at this time		
No further charges applicable to this property			
Balance Brought Forward			\$0.00
Total for This Property			\$14.84
Total Due			\$14.84



GENERAL MANAGER
RETAIL SERVICES

Note:

- Invoices generated with Residential Water Usage during the period 01/07/2017 – 30/09/2017 will include a Government Water Rebate of \$100.
- This statement details all tariffs, charges and penalties due and payable to Yarra Valley Water as at the date of this statement and also includes tariffs and charges (other than for usage charges yet to be billed) which are due and payable to the end of the current financial quarter.
- All outstanding debts are due to be paid to Yarra Valley Water at settlement. Any debts that are unpaid at settlement will carry over onto the purchaser's first quarterly account and follow normal credit and collection activities - pursuant to section 275 of the Water Act 1989.
- If the total due displays a (-\$ cr), this means the account is in credit. Credit amounts will be transferred to the purchasers account at settlement.
- Yarra Valley Water provides information in this Rates Certificate relating to waterways and drainage as an agent for Melbourne Water and relating to parks as an agent for Parks Victoria - pursuant to section 158 of the Water Act 1989.
- The charges on this rates certificate are calculated and valid at the date of issue. To obtain up to date financial information, please order a Rates Settlement Statement prior to settlement.

7. From 01/10/2022, Residential Water Usage is billed using the following step pricing system: 244.51 cents per kilolitre for the first 44 kilolitres; 312.53 cents per kilolitre for 44-88 kilolitres and 463.00 cents per kilolitre for anything more than 88 kilolitres
8. From 01/07/2022, Residential Recycled Water Usage is billed 184.89 cents per kilolitre
9. From 01/07/2022, Residential Sewage Disposal is calculated using the following equation: Water Usage (kl) x Seasonal Factor x Discharge Factor x Price (cents/kl) 115.40 cents per kilolitre
10. From 01/07/2022, Residential Recycled Sewage Disposal is calculated using the following equation: Recycled Water Usage (kl) x Seasonal Factor x Discharge Factor x Price (cents/kl) 115.40 cents per kilolitre
11. The property is a serviced property with respect to all the services, for which charges are listed in the Statement of Fees above.

To ensure you accurately adjust the settlement amount, we strongly recommend you book a Special Meter Reading:

- Special Meter Readings ensure that actual water use is adjusted for at settlement.
- Without a Special Meter Reading, there is a risk your client's settlement adjustment may not be correct.



YARRA VALLEY WATER
ABN 93 066 902 501

Lucknow Street
Mitcham Victoria 3132

Private Bag 1
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

E enquiry@yvw.com.au
yvw.com.au

Property No: 1382654

Address: 89 BELLBIRD CRES, EMERALD VIC 3782

Water Information Statement Number: 30751862

HOW TO PAY



Biller Code: 314567
Ref: 88029930817

**Amount
Paid**

**Date
Paid**

**Receipt
Number**

18 February 2021

Ms Manjusha Pitty
Divergent Planning Pty Ltd
4 Inglewood Close
Croydon VIC 3136

Manjusha@divergentplanning.com.au

Dear Sir/Madam,

Application No.: T200130
Property No.: 2086401700
Address: L56 LP44573 & Crown Allotment 2016 Parish of Gembrook, 89 Bellbird Crescent, Emerald VIC 3782
Proposal: Development of the land for a dwelling and associated works and removal of one tree

I refer to the above planning permit application and wish to advise that a permit has been granted. Please find enclosed your copy of the permit.

Your attention is drawn to the conditions of the permit. Please read these conditions carefully and check as to whether there are any steps which you need to take prior to commencing the use or the development, including submission of additional plans.

Please be aware that it is your responsibility to ensure that all of the conditions on the permit are complied with and that the permit remains valid. Council does not advise you when the permit will expire.

Please note if the permit relates to a subdivision a change in street number allocation may occur.

This permit should be kept in a safe place for future reference.

If you have any further queries regarding this matter, please contact Council's Development Services department on **03-5943-4226** or mail@cardinia.vic.gov.au

Yours faithfully,



Mary Rush
Statutory Planner

PLANNING PERMIT

Form 4

Planning Scheme: Cardinia Planning Scheme
Responsible Authority: Cardinia Shire Council

PLANNING PERMIT NUMBER: T200130

ADDRESS OF THE LAND: L56 LP44573 & Crown Allotment 2016 Parish of Gembrook, 89 Bellbird Crescent, Emerald VIC 3782

THIS PERMIT ALLOWS: Development of the land for a dwelling and associated works and removal of one tree, generally in accordance with the approved plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Plans required:

1. Prior to endorsement of development plans, amended plans to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will form part of the permit. The plans must be drawn to scale with dimensions shown. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) Minimum setbacks from all boundaries and the dimensions (height/depth) of cut and fill.
 - b) All the trees within the defendable space of the dwelling. Trees must be numbered and colour coded to indicate if the tree is to be pruned, removed or retained.
 - c) All trees must be included in a table which is to show:
 - I. The trees proposed to be removed, pruned, or retained
 - II. Compliance with the defendable space requirements of the Bushfire Management Overlay for a 5-metre canopy separation.

General:

2. The layout of the buildings and works, as shown on the approved plans, must not be altered or modified without the consent in writing of the Responsible Authority.
3. Once the development has commenced, it must be continued and completed to the satisfaction of the Responsible Authority.
4. The exterior colour and cladding of the development must not result in any adverse visual impact on the environment of the area and all external cladding and trim of the development must be of a non-reflective nature in accordance with the endorsed plans.

Engineering:

5. Earthworks must be undertaken in a manner that minimises soil erosion. Exposed areas of soil must be stabilised to prevent soil erosion. The time for which soil remains exposed and unestablished must be minimised to the satisfaction of the Responsible Authority.
6. Sediment control measures must be undertaken during construction to the satisfaction of the Responsible Authority to ensure that the development subject land is adequately managed in such a way that no mud, dirt, sand, soil, clay or stones are washed into or allowed to enter the stormwater drainage system.
7. Stormwater works must be provided on the subject land so as to prevent overflows onto adjacent properties.
8. All stormwater must be conveyed by means of drains to satisfactory points or areas of discharge approved by the Responsible Authority, so that it will have no detrimental effect on the environment or adjoining property owners.

Date Issued: 18 February 2021



Signature for the Responsible Authority:

PLANNING PERMIT

Form 4

Planning Scheme: Cardinia Planning Scheme
Responsible Authority: Cardinia Shire Council

PLANNING PERMIT NUMBER: T200130

ADDRESS OF THE LAND: L56 LP44573 & Crown Allotment 2016 Parish of Gembrook, 89 Bellbird Crescent, Emerald VIC 3782

THIS PERMIT ALLOWS: Development of the land for a dwelling and associated works and removal of one tree, generally in accordance with the approved plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

9. The slope of batters, both cut and fill, must not exceed 2:1 (horizontal: vertical) or, where this is not practicable, batters must be stabilised by other means to the satisfaction of the Responsible Authority.
10. Erosion must be controlled during construction in accordance with the Environment Protection Authority Guideline TG208/90 (as amended) or in accordance with such guideline, policy or role that replaces TG 208/90.

Tree Protection

11. Before the development including demolition starts, a tree protection fence must be erected around the trees to be retained to define a "Tree Protection Area". The fence must be constructed based on the recommendations in the *Construction Impact Assessment report by Urban Forestry Victoria* to the satisfaction of the Responsible Authority. The tree protection fence must remain in place until construction is completed. The ground surface of the Tree Protection Area must be covered by a 100mm deep layer of mulch and be watered regularly to the satisfaction of the Responsible Authority.
12. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Area without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Area.
13. Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified arborist to Australian Standard – Pruning of Amenity Trees AS4373-2007. Any pruning of the root system of any tree to be retained is to be done by hand by a qualified arborist.

Prior to Occupation:

14. Before the dwelling is occupied:
 - a) Vegetation removal required to create the defensible space for the dwelling as shown on the endorsed plans, along with all other measures of the endorsed Bushfire Management Plan must be carried out to the satisfaction of the Responsible Authority.
 - b) Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles as shown on the endorsed plans.
 - c) The vehicle crossing as shown on the approved plans must be constructed in accordance with the approved plans and to the satisfaction of the Responsible Authority. If the construction of the proposed rural vehicle crossing requires the installation of a drainage culvert to the satisfaction of the Responsible Authority
 - d) The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the Responsible Authority.
 - e) The dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the Responsible Authority.

Date Issued: 18 February 2021



Signature for the Responsible Authority:

PLANNING PERMIT

Form 4

Planning Scheme: Cardinia Planning Scheme

Responsible Authority: Cardinia Shire Council

PLANNING PERMIT NUMBER: T200130

ADDRESS OF THE LAND: L56 LP44573 & Crown Allotment 2016 Parish of Gembrook, 89 Bellbird Crescent, Emerald VIC 3782

THIS PERMIT ALLOWS: Development of the land for a dwelling and associated works and removal of one tree, generally in accordance with the approved plans

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- f) The dwelling must be connected to reticulated sewerage or an alternative sewerage system that will ensure that all wastewater from the dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970).

Bushfire Conditions:

CFA

15. The Bushfire Management Plan *prepared by Red Eagle Bushfire Services, drawing no. Version 2 dated October 2018* must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.

General BMO Condition

16. The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.

Expiry:

A permit for the development of land expires if-

- a. the development does not start within **two (2) years** after the issue of the permit; or
- b. the development is not completed within **four (4) years** after the issue of the permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes:

- Council recommends that prior to activating this permit, a registered building surveyor be contacted to ensure the development complies with the Building Act and Building Regulations.
- This permit has not been assessed against Clause 54/55 of the Cardinia Planning Scheme.
- Prior to commencement of the proposed use a Building Permit must be obtained for any retaining wall exceeding 1.0 metres in height.
- A 'Vehicle Crossing Permit' must be obtained from Council prior to the commencement of any works associated with the proposed vehicle crossing.

Date Issued: 18 February 2021



Signature for the Responsible Authority:

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 of Part 4 of the *Planning and Environment Act 1987*.)

WHEN DOES A PERMIT BEGIN?

A PERMIT OPERATES:

- a) From the date specified in the permit, or
 - b) If no date is specified; from:
 - i. The date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal, or
 - ii. The date on which it was issued, in any other case.
-

WHEN DOES A PERMIT EXPIRE?

A PERMIT FOR THE DEVELOPMENT OF LAND EXPIRES IF:

- a) The development or any stage of it does not start within the time specified in the permit, or
- b) The development requires the certification of a plan of subdivision or consolidation under the *Subdivision Act 1988* and the plan is not certified within two (2) years of the issue of the permit, unless the permit contains a different provision, or
- c) The development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit or in case of a subdivision or consolidation within five (5) years of the certification of the certification of the plan of subdivision or consolidation under the *Subdivision Act 1988*.

A PERMIT FOR THE USE OF LAND EXPIRES IF:

- a) The use does not start within the time specified in the permit, or if no time is specified, within two (2) years of the issue of within two years after the issue of the permit; or
- b) The use is discontinued for a period of two (2) years.

A PERMIT FOR THE DEVELOPMENT AND USE OF THE LAND EXPIRES IF:

- a) The development or any stage of it does not start within the time specified in the permit, or
- b) The development or any stage of it is not completed within the time specified in the permit, or if no time is specified within two years after the issue of the permit.
- c) The use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
- d) The use is discontinued for a period of two (2) years.

If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the *Planning and Environment Act 1987*, or to any combination of use, development or any of those circumstances requires the certification of a plan under the *Subdivision Act 1988*, unless the permit contains a different provision:

- a) The use or development of any stage is to be taken to have started when the
- b) Plan is certified; and
- c) The permit expires if the plan is not certified within two years of the issue of the permit.

The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT APPEALS?

The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.

An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.

An application for review is lodged with the Victorian Civil and Administrative Tribunal.

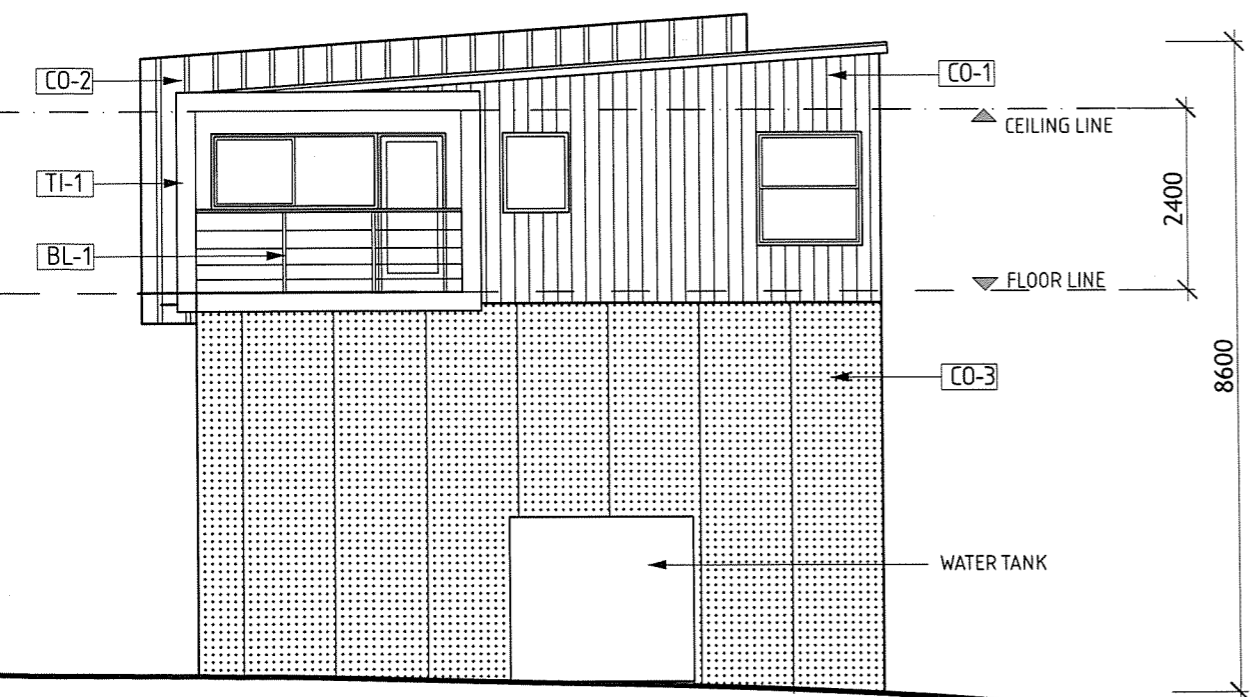
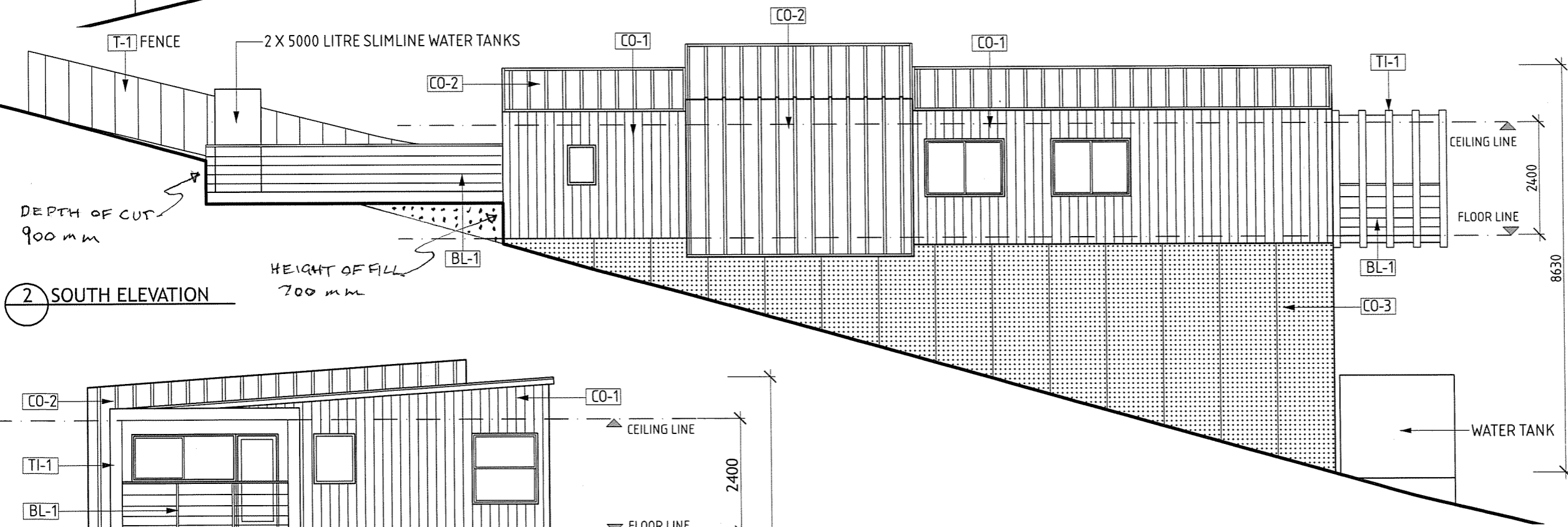
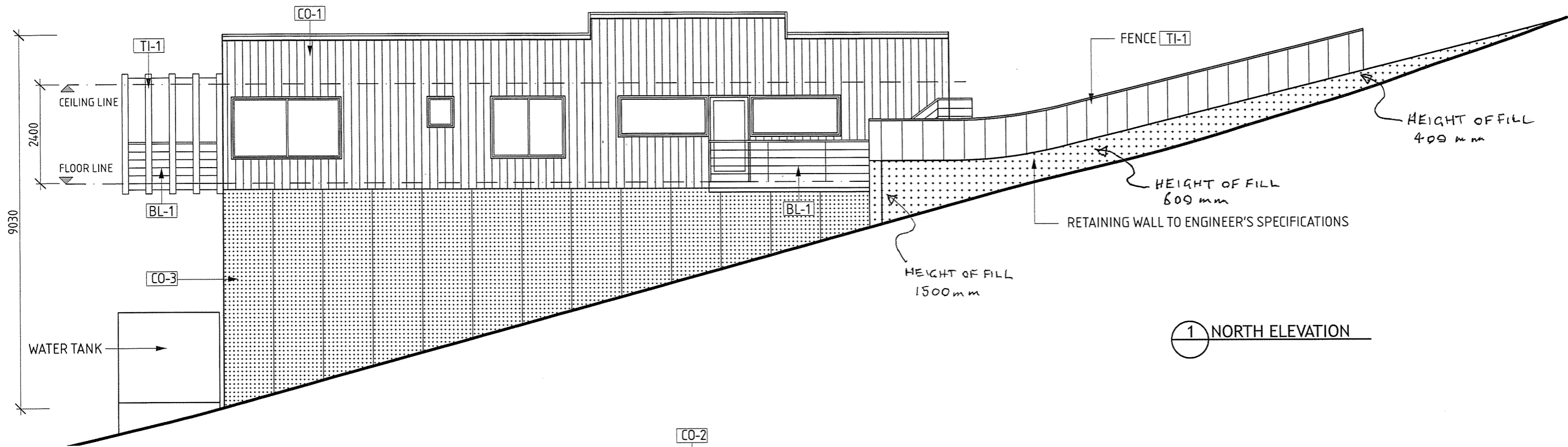
An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.

An application for review must state the grounds upon which it is based.

An application for review must also be served on the Responsible Authority.

Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal

Victoria Civil and Administrative Tribunal, Planning List
55 King Street, MELBOURNE VIC 3000
Ph (03) 9628 9777 Fax: (03) 9628 9789



- MATERIALS LEGEND**
- [CO-1] LIGHT BROWN IMITATION WOOD PANNELLING (FIRE RETARDANT COLORBOND)
 - [CO-2] DARK GREY COLORBOND
 - [CO-3] DARK GREY FIRE RETARDANT CLADDING
 - [TI-1] DARK BROWN TIMBER
 - [BL-1] DARK GREY GALVANISED STEEL BALUSTRADE

TOWN PLANNING APPLICATION

MARCUS FAJL
58 Dorrit Street,
Carlton 3053
+61412095325

PROJECT
89 Bellbird Crescent,
Emerald, 3782

DRAWING TITLE
ELEVATIONS

APPROVED PLAN
PLANNING AND ENVIRONMENT ACT 1987
CARDINIA PLANNING SCHEME

Permit No.: T200130 PC1 (Con. 01 C1P)
Sheet: 1 of 8
Approved by: Mary Rush
CARDINIA SHIRE COUNCIL
Date: Thursday, 27 July 2023

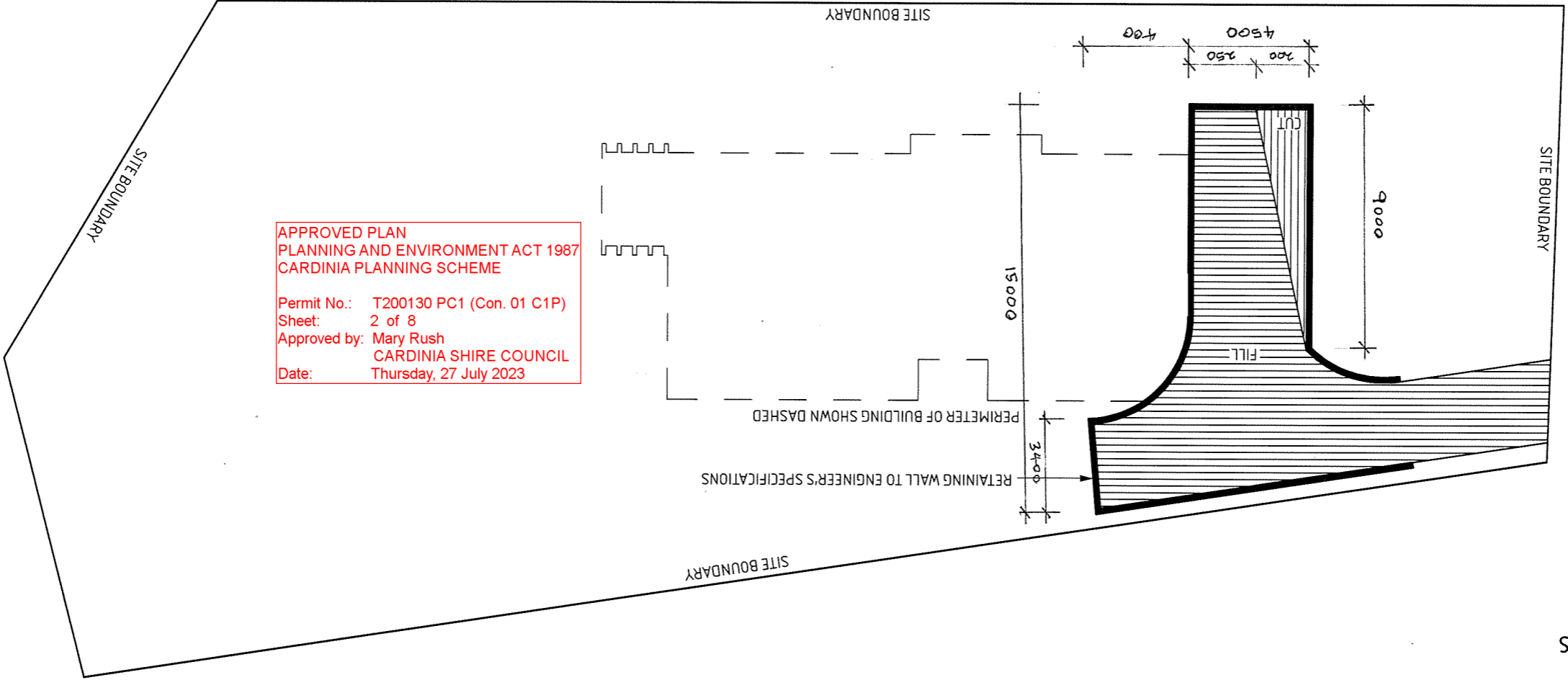
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CHECKED	DATE 23/07/20	DRAWING No. T04

DATE	23/07/20	CHECKED	
SCALE	VARIES	DRAWN	MF
JOB NO.	CF01		
T03			

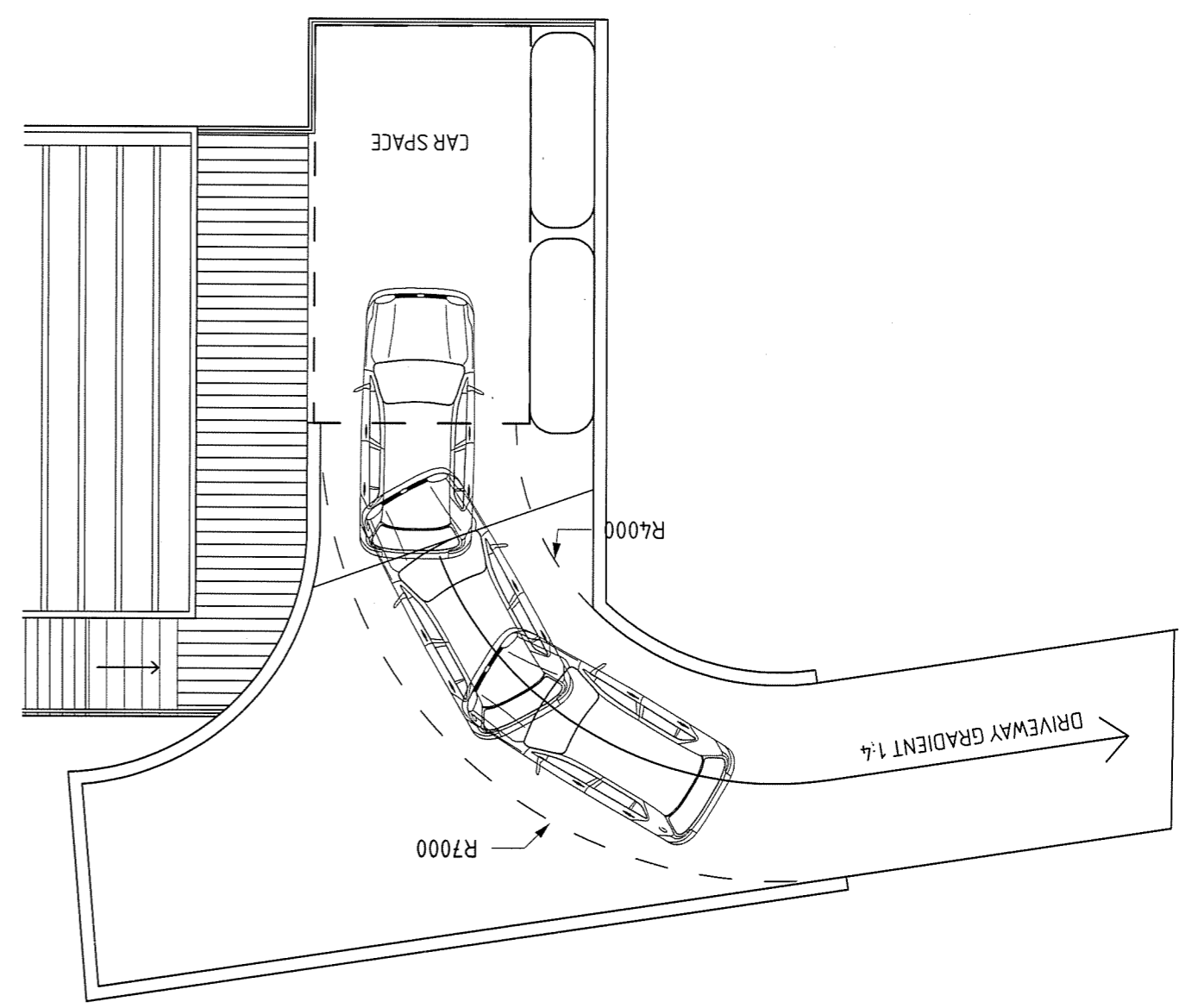
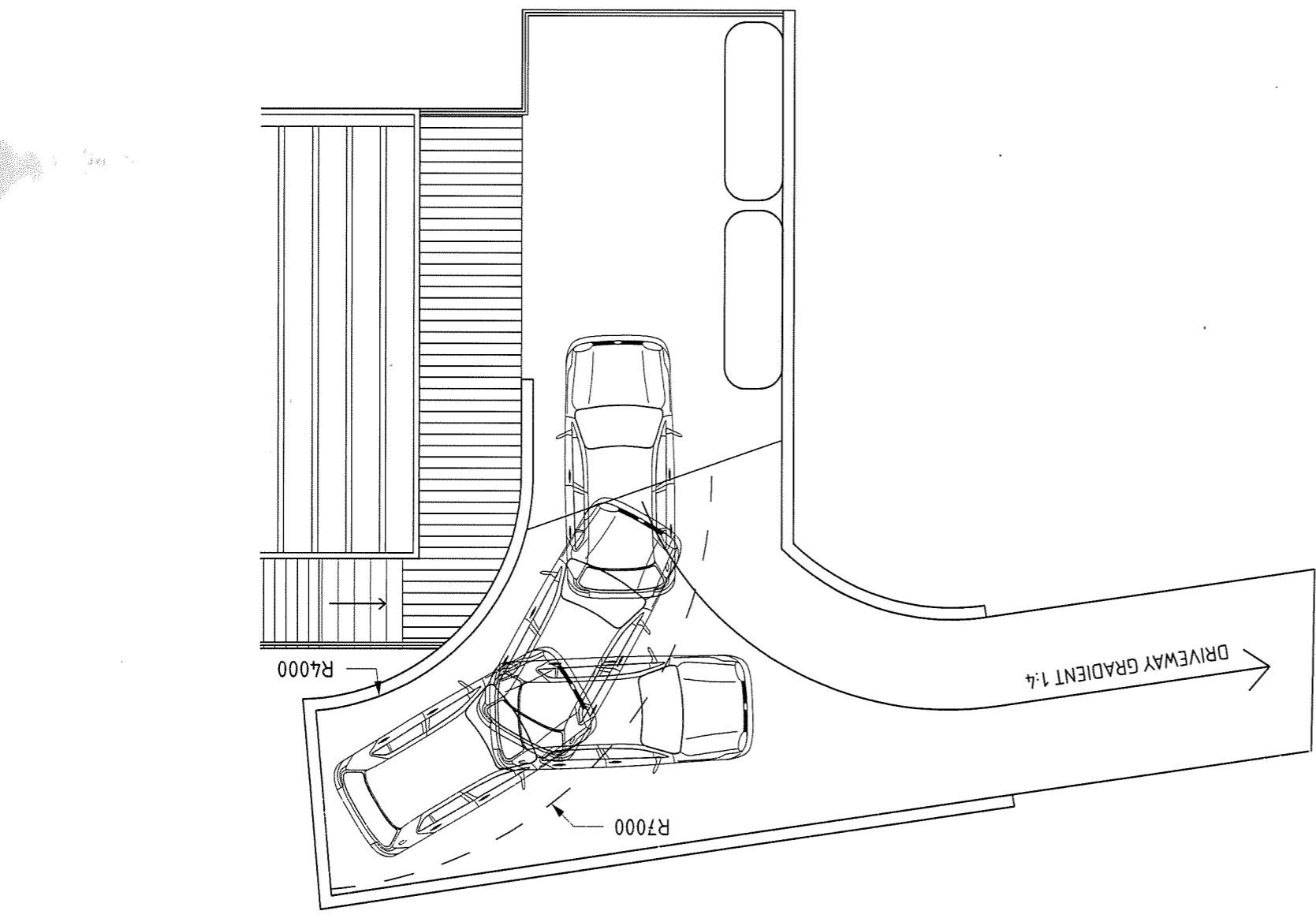
PROJECT	
89 Bellbird Crescent, Emerald, 3782	
MARCUS FALL	
58 Dorrit Street, Carlton 3053 +61412095325	
TOWN PLANNING APPLICATION	

TITLE	
CUT AND FILL PLAN	
CAR TURNING DIAGRAM	

APPROVED PLAN
PLANNING AND ENVIRONMENT ACT 1987
CARDINIA PLANNING SCHEME
 Permit No.: T200130 PC1 (Con. 01 C1P)
 Sheet: 2 of 8
 Approved by: Mary Rush
 CARDINIA SHIRE COUNCIL
 Date: Thursday, 27 July 2023



2 CUT AND FILL PLAN
SCALE 1:200



1 CAR TURNING DIAGRAMS
SCALE 1:100

RETAINING WALL TO ENGINEER'S SPECIFICATIONS

CAR SPACE

A

3000

APPROVED PLAN
 PLANNING AND ENVIRONMENT ACT 1987
 CARDINIA PLANNING SCHEME
 Permit No.: T200130 PC1 (Con. 01 C1P)
 Sheet: 3 of 8
 Approved by: Mary Rush
 CARDINIA SHIRE COUNCIL
 Date: Thursday, 27 July 2023

DRIVEWAY GRADIENT 1:4

CC-1

200MM WIDE DRAINAGE GRATE

TI-2

RETAINING WALL TO ENGINEER'S SPECIFICATIONS

200MM WIDE DRAINAGE GRATE

FFL:237.3

CAR SPACE

5000 LITRE SLIMLINE WATER TANK

5000 LITRE SLIMLINE WATER TANK

CC-1

TI-2

KITCHEN

PANTRY

DINING

LIVING

BATH / LAUNDRY

STUDY

BATH

MAIN BEDROOM

FFL:236.3

W.I.R.

WATER TANK

BEDROOM

BEDROOM

RETREAT

BALCONY

9000

1 FLOOR PLAN

4500

1600

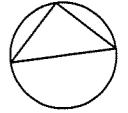
17600

2400

MATERIALS LEGEND

TI-1	DARK BROWN TIMBER
TI-2	DARK BROWN TIMBER DECKING
CC-1	CONCRETE

TOWN PLANNING APPLICATION

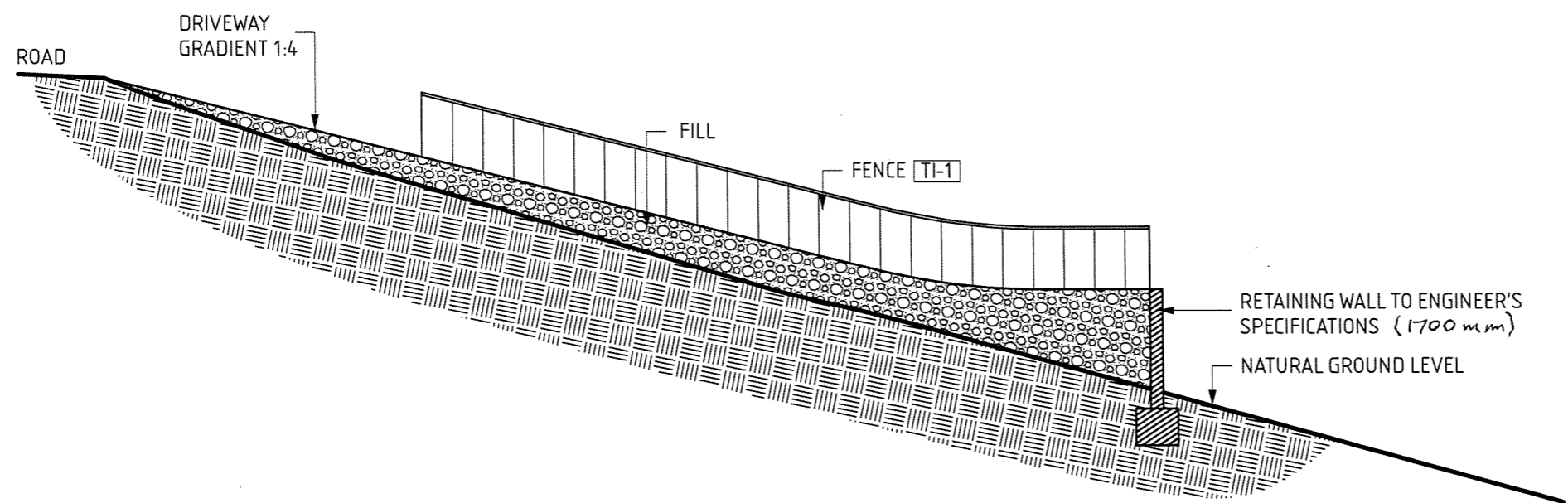


MARCUS FAJL
 58 Dorrit Street,
 Carlton, 3053
 +61412095325

PROJECT
 89 Bellbird Crescent,
 Emerald, 3782

DRAWING TITLE
 PLAN, SECTION

DRAWN	SCALE	JOB No.	CF01
MF	1:100	DRAWING No.	
CHECKED	DATE	T02	
	23/07/20		



2 SECTION AA'

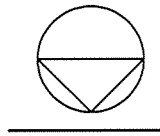
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MF	SCALE	1:200	JOB No. CF01

SITE PLAN

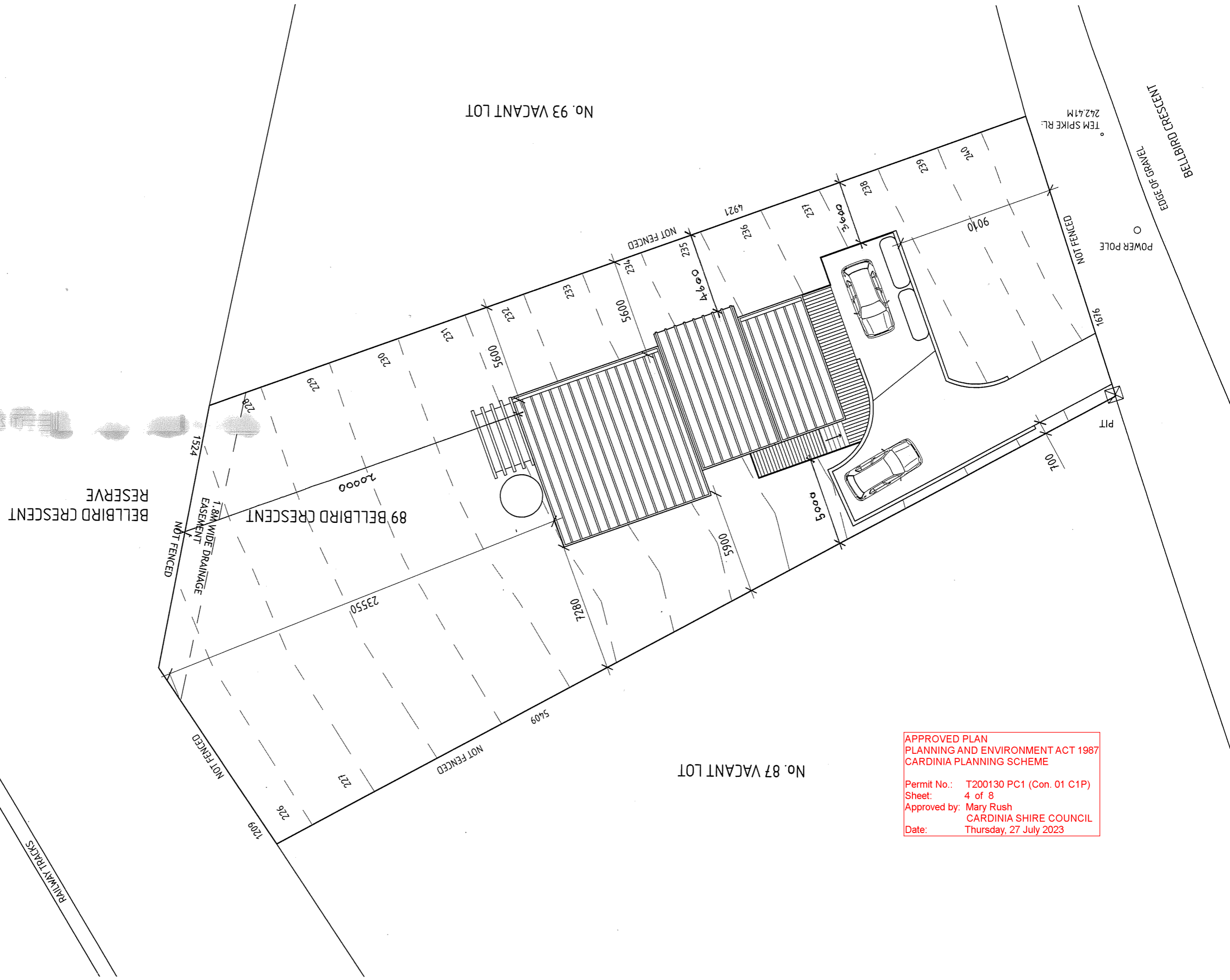
PROJECT
89 Bellbird Crescent,
Emerald, 3782

MARCUS FAJL
58 Dorrit Street,
Carlton 3053
+61412095325

TOWN
PLANNING
APPLICATION

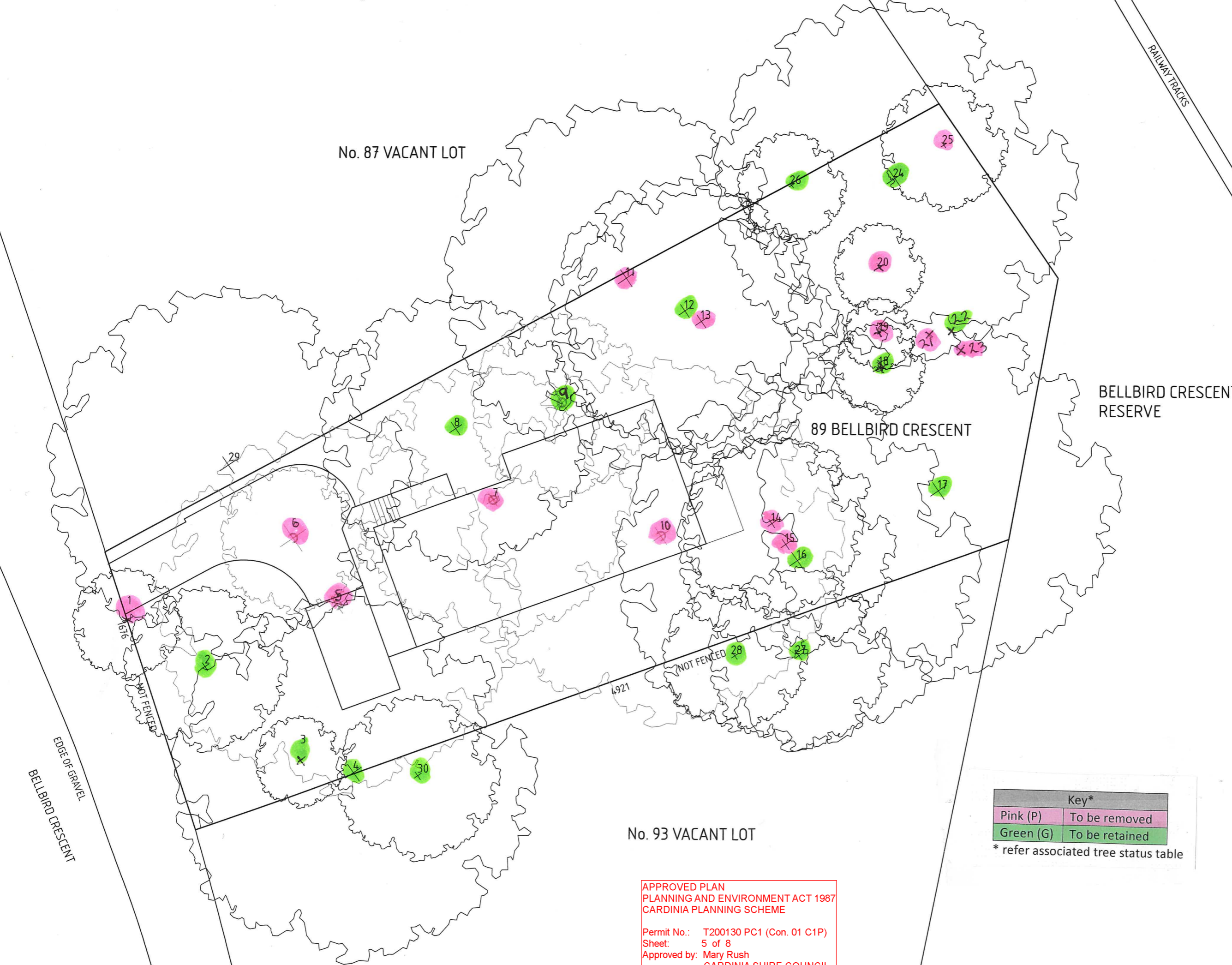


NOTE: REFER TO ARBORIST'S
REPORT FOR DETAILS OF
VEGETATION REMOVAL AND
RETENTION



APPROVED PLAN
PLANNING AND ENVIRONMENT ACT 1987
CARDINIA PLANNING SCHEME

Permit No.: T200130 PC1 (Con. 01 C1P)
Sheet: 4 of 8
Approved by: Mary Rush
CARDINIA SHIRE COUNCIL
Date: Thursday, 27 July 2023



No. 87 VACANT LOT

89 BELLBIRD CRESCENT

BELLBIRD CRESCENT RESERVE

No. 93 VACANT LOT

APPROVED PLAN
 PLANNING AND ENVIRONMENT ACT 1987
 CARDINIA PLANNING SCHEME
 Permit No.: T200130 PC1 (Con. 01 C1P)
 Sheet: 5 of 8
 Approved by: Mary Rush
 CARDINIA SHIRE COUNCIL
 Date: Thursday, 27 July 2023

Key*	
Pink (P)	To be removed
Green (G)	To be retained

* refer associated tree status table

LEGEND
 + TREE TO BE RETAINED
 ⊕ TREE TO BE REMOVED (CANOPY SHOW DASHED) NOTE: TREE NUMBERS CORRESPOND TO ABORICULTURAL ASSESSMENT

TOWN PLANNING APPLICATION
 Preliminary

MARCUS FAJL
 58 Dorrit Street,
 Carlton 3053
 +61412095325

PROJECT
 89 Bellbird Crescent, Emerald, 3782

DRAWING TITLE
 VEGETATION REMOVAL PLAN

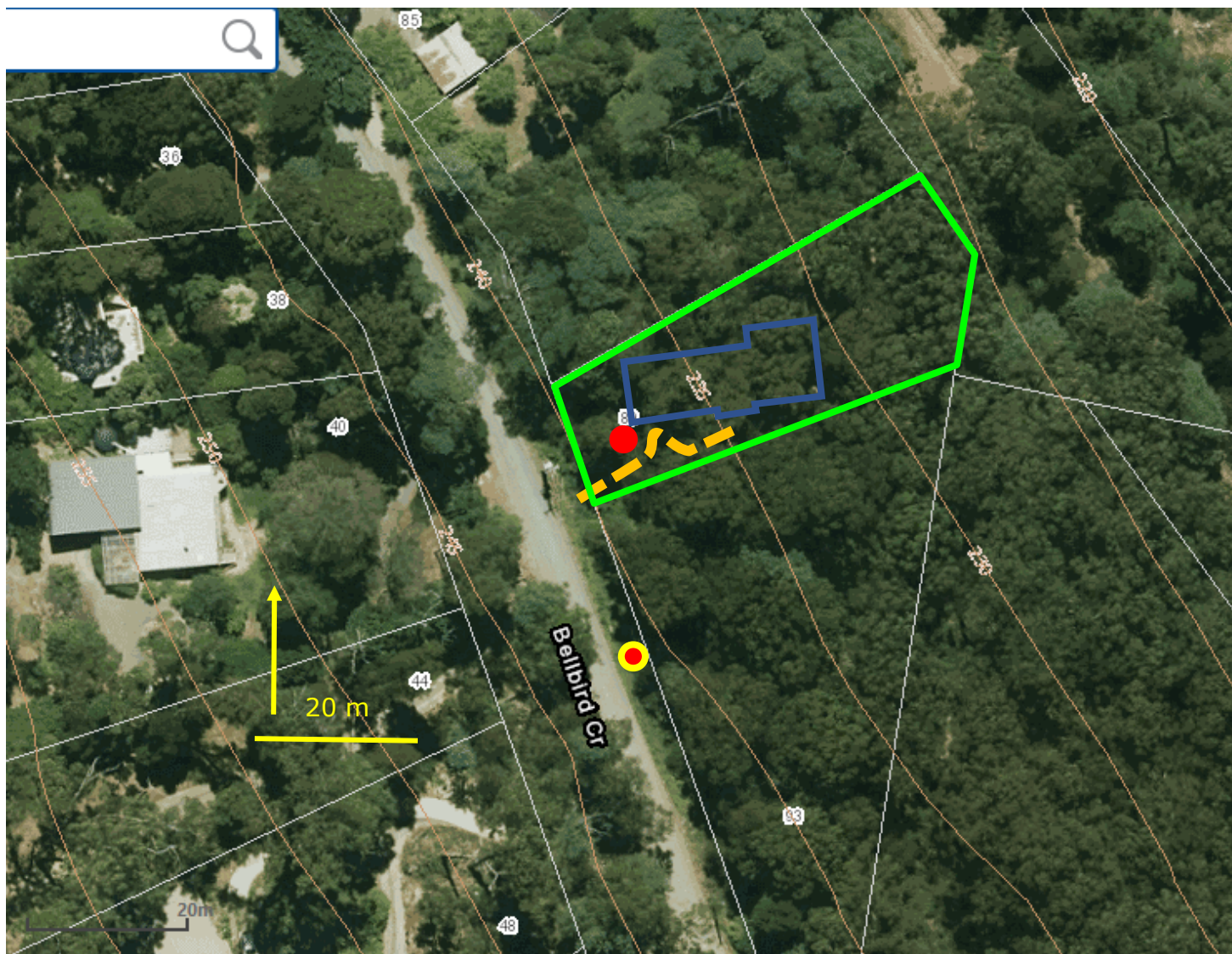
DRAWN ARX	SCALE 1:200	JOB No. CF01
CHECKED ARX	DATE	DRAWING No. T02

Tree No	Tree Name	Status	Colour code
1	Narrow-leaved Peppermint	To be removed	Pink
2	Narrow-leaved Peppermint	To be pruned to achieve 5m canopy separation	Green
3	Narrow-leaved Peppermint	To be pruned to achieve 5m canopy separation	Green
4	Narrow-leaved Peppermint	To be pruned to achieve 5m canopy separation	Green
5	Narrow-leaved Peppermint	To be removed	Pink
6	Messmate	To be removed	Pink
7	Narrow-leaved Peppermint	To be removed	Pink
8	Messmate	To be pruned to achieve 5m canopy separation	Green
9	Messmate	To be pruned to achieve 5m canopy separation	Green
10	Narrow-leaved Peppermint	To be removed	Pink
11	Messmate	To be removed	Pink
12	Messmate	To be pruned to achieve 5m canopy separation	Green
13	Messmate	To be removed	Pink
14	Messmate	To be removed	Pink
15	Messmate	To be removed	Pink
16	Messmate	To be pruned to achieve 5m canopy separation	Green
17	Messmate	To be pruned to achieve 5m canopy separation	Green
18	Messmate	To be pruned to achieve 5m canopy separation	Green
19	Messmate	To be removed	Pink
20	Messmate	To be removed	Pink
21	Messmate	To be removed	Pink
22	Messmate	To be pruned to achieve 5m canopy separation	Green
23	Messmate	To be removed	Pink
24	Messmate	To be pruned to achieve 5m canopy separation	Green
25	Messmate	To be removed	Pink
26	Messmate	To be pruned to achieve 5m canopy separation	Green
27	Messmate	To be pruned to achieve 5m canopy separation	Green
28	Messmate	To be pruned to achieve 5m canopy separation	Green
29	Black Wattle	To be pruned to achieve 5m canopy separation	Green
30	Black Wattle	To be pruned to achieve 5m canopy separation	Green

APPROVED PLAN
 PLANNING AND ENVIRONMENT ACT 1987
 CARDINIA PLANNING SCHEME

Permit No.: T200130 PC1 (Con. 01 C1P)
 Sheet: 6 of 8
 Approved by: Mary Rush
 CARDINIA SHIRE COUNCIL
 Date: Thursday, 27 July 2023

Attachment 2 – Bushfire Management Plan



- Blue outline is proposed house site.
- Orange dash line is entrance driveway.
- Green line is defendable space = to 50m or to boundary
- Red dot is outlet for static water tank
- Red / yellow dot is street hydrant
- Yellow arrow is North

APPROVED PLAN
PLANNING AND ENVIRONMENT ACT 1987
CARDINIA PLANNING SCHEME

Permit No.: T200130 PC1 (Con. 01 C1P)
Sheet: 7 of 8
Approved by: Mary Rush
CARDINIA SHIRE COUNCIL
Date: Thursday, 27 July 2023

SPECIFICATIONS

Construction

House will be designed and constructed to minimum BAL 29

Defendable space

Statutory defendable space requirement runs 50m or to the property boundary (blue dotted line) in accordance with the following specifications:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3m of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 sq. metres in area and must be separated by at least 5 metres.
- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level

Water supply for fire fighting purposes

Provide 10,000 litres of effective water supply for fire fighting purposes which meets the following requirements:

- Is stored in an above ground water tank constructed of concrete or metal.
- All fixed above-ground water pipes and fittings required for fire fighting purposes must be made of corrosive resistant metal.
- Includes a separate outlet for occupant use.
- Where a 10,000 litre water supply is required, fire authority fittings and access must be provided as follows:
- Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64-millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Vehicle access design and construction

Where fire authority access to the water supply is required under AM 1.3 fire authority vehicles should be able to get within 4 metres of the water supply outlet.

APPROVED PLAN
PLANNING AND ENVIRONMENT ACT 1987
CARDINIA PLANNING SCHEME
Permit No.: T200130 PC1 (Con. 01 C1P)
Sheet: 8 of 8
Approved by: Mary Rush
CARDINIA SHIRE COUNCIL
Date: Thursday, 27 July 2023

27 July 2023

Ms Nicole Manning
34 Goudiesdale Road
SELBY VIC 3159

nicole@spherefs.com.au

Dear Applicant

Application No: T200130 - PC1
Property No: 2086401700
Address: L56 LP44573, 89 Bellbird Crescent, Emerald VIC 3782
Proposal: Plans to Comply

I refer to the above planning permit and your application to comply with permit conditions.

I wish to advise that the plans have been approved under **Condition 1** of the permit.

Please find enclosed your copy of the approved endorsed plans. These plans now form part of the planning permit and should be attached to the permit and kept in a safe place for future reference.

If you have any further queries regarding this matter, please contact Council's Development Services department on **5943 03 5943 4226** or mail@cardinia.vic.gov.au.

Yours faithfully,



Mary Rush
Statutory Planner

Due diligence checklist

What you need to know before buying a residential property

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

Urban living

Moving to the inner city?

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

Is the property subject to an owners corporation?

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

Growth areas

Are you moving to a growth area?

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

Flood and fire risk

Does this property experience flooding or bushfire?

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

Rural properties

Moving to the country?

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

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

Can you build new dwellings?

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

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

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

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

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

(04/10/2016)

Land boundaries

Do you know the exact boundary of the property?

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

Planning controls

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

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

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

Are there any proposed or granted planning permits?

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

Safety

Is the building safe to live in?

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

Building permits

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

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

Are any recent building or renovation works covered by insurance?

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

Utilities and essential services

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

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

Buyers' rights

Do you know your rights when buying a property?

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