

SECTION 32 **STATEMENT**

PURSUANT TO DIVISION 2 OF PART II
SECTION 32 OF THE SALE OF LAND ACT 1962 (VIC)

Vendor:	ALLAN BRUCE DICKSON
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Property:	46 MONBULK ROAD, BELGRAVE VIC 3160
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VENDORS REPRESENTATIVE
MOUNTAIN CONVEYANCING

Tel: 03 9754 7615

Email: office@mountainconveyancing.com.au

Ref: 23-6307

SECTION 32 STATEMENT
46 MONBULK ROAD, BELGRAVE VIC 3160

32A FINANCIAL MATTERS

32A(a) Information concerning any rates, taxes, charges or other similar outgoings AND any interest payable on any part of them is contained in the attached certificate/s and as follows-

Provider	Amount (& interest if any)	Period
Yarra Ranges Shire Council	Approx. \$2,000.00	Per annum
South East Water	See attached certificate	Per annum

Any further amounts (including any proposed Owners Corporation Levy) for which the Purchaser may become liable as a consequence of the purchase of the property are as follows:- None to the vendors knowledge

Their total does not exceed \$3,000.00

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.

32A(b) The particulars of any Charge (whether registered or not) over the land imposed by or under an Act to secure an amount due under that Act, including the amount owing under the charge are as follows:- Not Applicable

32B INSURANCE

- (a) Where the Contract does not provide for the land to remain at the risk of the Vendor, particulars of any policy of insurance maintained by the Vendor in respect of damage to or destruction of the land are as follows: - Not Applicable
- (b) Where there is a residence on the land which was constructed within the preceding six years, and section 137B of the *Building Act 1993* applies, particulars of the required insurance are as follows:- Not Applicable

No such Insurance has been effected to the Vendors knowledge.

32C LAND USE

(a) RESTRICTIONS

Information concerning any easement, covenant or similar restriction affecting the land (whether registered or unregistered) is as follows:-

- Easements affecting the land are as set out in the attached copies of title.
- Covenants affecting the land are as set out in the attached copies of title.
- Other restrictions affecting the land are as attached.
- Particulars of any existing failure to comply with the terms of such easement, covenant and/or restriction are as follows:-

To the best of the Vendor's knowledge there is no existing failure to comply with the terms of any easement, covenant or similar restriction affecting the land. The Purchaser should note that there may be sewers, drains, water pipes, underground and/or overhead electricity cables, underground and/or overhead telephone cables and underground gas pipes laid outside any registered easements and which are not registered or required to be registered against the Certificate of Title.

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(b) BUSHFIRE

This land is in a designated bushfire- prone area within the meaning of the regulations made under the *Building Act 1993*.

(c) ROAD ACCESS

There is access to the Property by Road.

(d) PLANNING

Planning Scheme:	Yarra Ranges Planning Scheme
Responsible Authority:	Yarra Ranges Shire Council
Zoning:	See attached certificate
Planning Overlay/s:	See attached certificate

32D NOTICES

- (a) 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 of which the Vendor might reasonably be expected to have knowledge are:- See attached Minor Works Building Order issued 16/03/2022 and Building Notice and Order to Stop Work issued 16/02/2023
- (b) The Vendor is not aware of any 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.
- (c) Particulars of any Notice of intention to acquire served under Section 6 of the *Land Acquisition and Compensation Act, 1986* are: Not Applicable
- (d) If the property sold includes a swimming pool as defined in the Building Regulations 2006 (Vic) (the "Regulations") in respect of which suitable barriers as defined in the Regulations have not been provided, then the purchaser does hereby acknowledge, agree and declare that it shall be the purchaser's responsibility at their sole cost and expense to construct suitable barriers in compliance with the Regulations and to the satisfaction of the responsible authority with the time prescribed in the Regulations.

32E BUILDING PERMITS

Particulars of any Building Permit issued under the *Building Act 1993* during the past seven years (where there is a residence on the land):-

No such Building Permit has been granted to the Vendors knowledge.

32F OWNERS CORPORATION

The Land is NOT affected by an Owners Corporation within the meaning of the *Owners Corporation Act 2006*.

32G GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (GAIC)

- (1) The land, in accordance with a work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987* is NOT –

SECTION 32 STATEMENT
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- land that is to be transferred under the agreement.
- land on which works are to be carried out under the agreement (other than Crown land).
- land in respect of which a GAIC is imposed

32H SERVICES

The following are **not** connected if mark with X

Electricity Gas supply Water supply Sewerage Telephone services

Connected indicates that the service is provided by an authority and operating on the day of sale. The Purchaser should be aware that the Vendor may terminate their account with the service provider before settlement, and the purchaser will have to have the service reconnected.

32I TITLE

Attached are the following document/s concerning Title:

- (a) In the case of land under the *Transfer of Land Act 1958* a copy of the Register Search Statement/s and the document/s, or part of the document/s, referred to as the diagram location in the Register Search Statement/s that identifies the land and its location.
- (b) In any other case, a copy of -
 - (i) the last conveyance in the Chain of Title to the land; or
 - (ii) any other document which gives evidence of the Vendors title to the land.
- (c) Where the Vendor is not the registered proprietor or the owner of the estate in fee simple, copies of the documents bearing evidence of the Vendor's right or power to sell the land.
- (d) In the case of land that is subject to a subdivision -
 - (i) a copy of the Plan of Subdivision which has been certified by the relevant municipal council (if the Plan of Subdivision has not been registered), or
 - (ii) a copy of the latest version of the plan (if the Plan of Subdivision has not been certified).
- (e) In the case of land that is part of a staged subdivision within the meaning of Section 37 of the *Subdivision Act 1988* -
 - (i) if the land is in the second or a subsequent stage, a copy of the plan for the first stage; and
 - (ii) details of any requirements in a Statement of Compliance relating to the stage in which the land is included that have not been complied with; and
 - (iii) details of any proposals relating to subsequent stages that are known to the Vendor; and
 - (iv) a statement of the contents of any permit under the *Planning and Environment Act 1987* authorising the staged subdivision.
- (f) In the case of land that is subject to a subdivision and in respect of which a further plan within the meaning of the *Subdivision Act 1988* is proposed -
 - (i) if the later plan has not been registered, a copy of the plan which has been certified by the relevant municipal council; or
 - (ii) if the later plan has not yet been certified, a copy of the latest version of the plan.

ATTACHMENTS

Attached to this Section 32 Statement please find:-

- All documents noted as attached within this Section 32 Statement
- **Due Diligence Checklist**

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MATERIAL FACT

SEALING THE HILLS

The Government has committed \$300million funding over the next 10 years to seal roads in the Cardinia Shire and Yarra Ranges Councils. This project will be co-funded by the Australian Government via a special charge scheme. Owners of properties on these roads will also need to contribute towards the cost of the sealing. Maps of the roads proposed to be sealed can be found on the Council's website. The Purchasers should make enquiries with the Council for more information. Any contributions payable in relation to this scheme will be payable by the Purchasers/s. Any costs associated with the proposed road construction will be the Purchaser's responsibility.


DATE OF THIS STATEMENT

31 / 03 /20 23

Name of the Vendor

ALLAN BRUCE DICKSON

Signature/s of the Vendor

x 
Allan Dickson (Apr 3, 2023 11:45 GMT+10)

The Purchaser acknowledges being given a duplicate of this statement signed by the Vendor before the Purchaser signed any contract.

The Purchaser further acknowledges being directed to the DUE DILIGENCE CHECKLIST.

DATE OF THIS ACKNOWLEDGMENT

/ /20

Name of the Purchaser

Signature/s of the Purchaser

x

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](http://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.

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.



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

Page 1 of 1

VOLUME 09004 FOLIO 162

Security no : 124104975555P
Produced 28/03/2023 11:07 AM

LAND DESCRIPTION

Lot 7 on Plan of Subdivision 007346.
PARENT TITLE Volume 04207 Folio 343
Created by instrument E961364 24/08/1973

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
ALLAN BRUCE DICKSON of 46 MONBULK ROAD BELGRAVE VIC 3160
AR530658Q 08/10/2018

ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT 0886994

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 LP007346 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: 46 MONBULK ROAD BELGRAVE VIC 3160

DOCUMENT END



Imaged Document Cover Sheet

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Document Type	Plan
Document Identification	LP007346
Number of Pages (excluding this cover sheet)	2
Document Assembled	28/03/2023 11:11

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LP 7346
EDITION 3
PLAN MAY BE LODGED 19/06/18

COLOUR CODE

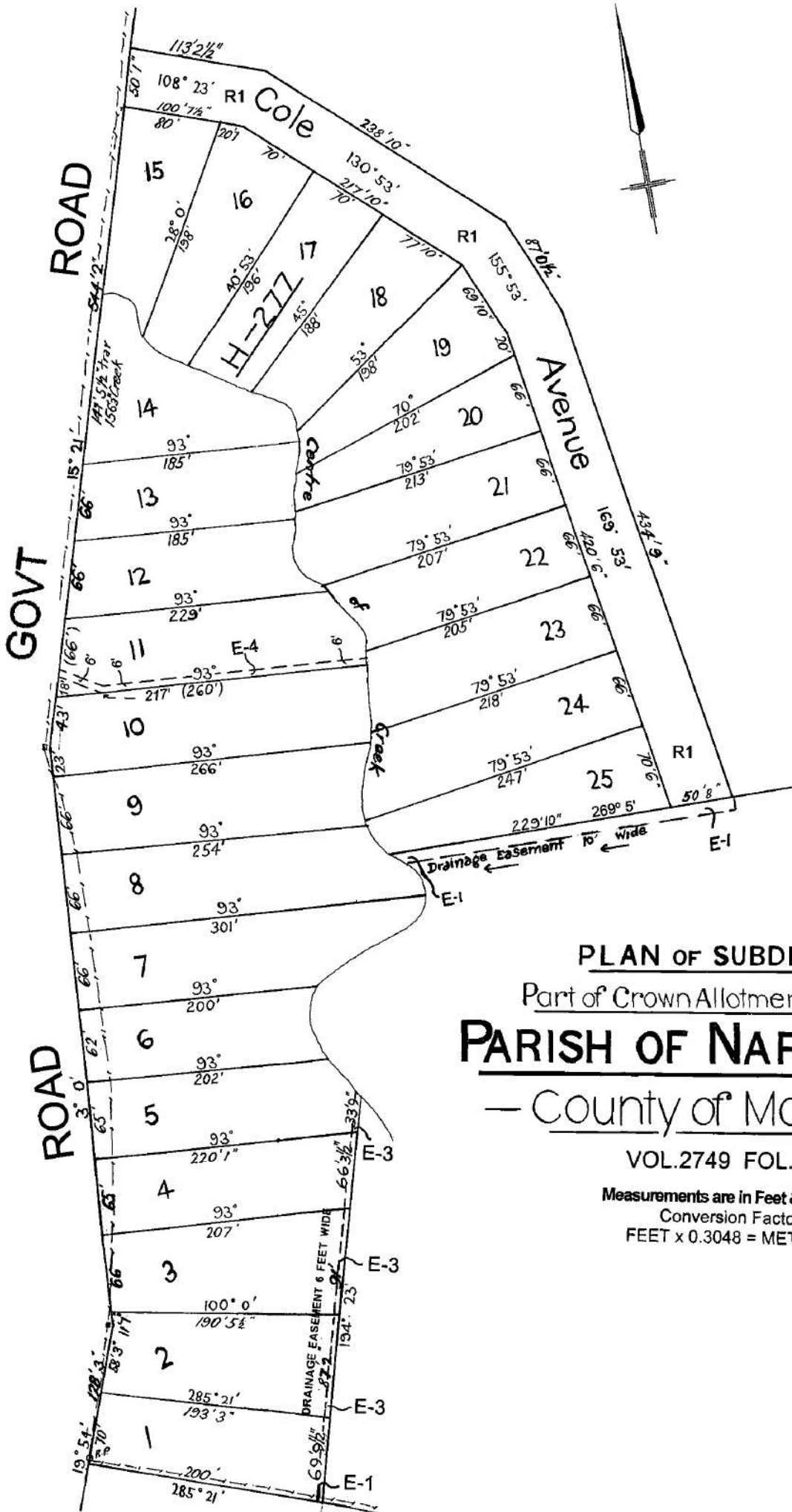
E-1 & E-3 = BLUE
R1 = BROWN

ROADS COLOURED BROWN

ENCUMBRANCES

AS TO THE LAND MARKED E-3 & R1
ANY EASEMENTS AFFECTING
THE SAME

AS TO THE LAND MARKED E-4
THE EASEMENT TO THE SHIRE
OF FERNTREE GULLY CREATED
BY INST. No 2046309



PLAN OF SUBDIVISION OF
 Part of Crown Allotments 43 and 44 Sec B
PARISH OF NARREE WORRAN
 — County of Mornington —

VOL.2749 FOL.735

Measurements are in Feet & Inches
Conversion Factor
FEET x 0.3048 = METRES



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1949247

Freehold

HENRY M. LEE, Solicitor, Melbourne

886994



John



VICTORIA TRANSFER



886



2749 Part 735 Under an all. Free. Cert in M 886994

27/5/19

M 2/6

27/5/19

I JOHN LIPSCOMB of Rochester Gentleman being registered as the proprietor of an estate in fee simple in the land hereinafter described subject to the encumbrances notified hereunder in consideration of the sum of Two hundred and forty nine pounds thirteen shillings and nine pence paid to me by MARGARET RICHARDSON of Pandy Street Middle Brighton Married Women DO HEREBY TRANSFER to the said Margaret Richardson ALL MY estate and interest in ALL THAT piece of land being Lots 7 and 8 on Plan of Subdivision No. 7346 lodged in the Office of Titles and being part of Crown Allotment 43 ~~and 44~~ Section B Parish of Narre Worrnan County of Mornington and being part of the land contained in Certificate of Title entered in the Register Book Volume 2749 Folio 549735 AND the said Margaret Richardson her heirs executors administrators and transferees HEREBY COVENANTS with the said John Lipscomb and his heirs executors administrators and transferees registered proprietor or proprietors for the time being of the untransferred land in Certificate of Title Volume 2749 Folio 549735 that the said Margaret Richardson her heirs executors administrators or transferees/shall not erect on either of the lots hereby transferred any building whether shop or dwelling house except in accordance with a plan thereof which shall first have been submitted to and approved by the said John Lipscomb his heirs executors administrators or transferees and that no such building shall cost less than Two hundred pounds exclusive of architects fees and it is intended that this covenant shall be set forth as an encumbrance on each and every Certificate of Title to be hereafter issued in respect of the Lots hereby transferred.

Dated this fourteenth day of May 1919

SIGNED by the said JOHN LIPSCOMB
within Victoria in the presence of

J. Lipscomb

V.V. Hart

*Clerk to H.M. Lee
Solicitor Melbourne*

SIGNED by the said MARGARET RICHARDSON
within Victoria in the presence of

Margaret Richardson

*H. Richardson
Sawmaker 281 Latrobe St
City*

ENCUMBRANCES REFERRED TO: NIL



D886994-1-8

appeared before me at Melbourne the fourteenth day of May 1919
Henry Richardson of 281 Latrobe Street Melbourne Sawmaker
the attesting witness to this instrument and declared that he personally
knew Margaret Richardson the person signing the same and whose
signature the said Henry Richardson attested and that the
name purporting to be the signature of the said Margaret Richardson
is her own handwriting and that she was of sound mind and
free and voluntarily signed such instrument

V.T. Harb

Clerk to H.M. Lee
Solicitor Melbourne

DATED 14th May 1919

JOHN LIPSCOMB Esq.

to

MRS MARGARET RICHARDSON

F R A N S F E R R

HENRY M. LEE
Solicitor,
360 Collins Street,
Melbourne.

MEMORIAL OF INSTRUMENT.

NATURE OF INSTRUMENT	TIME OF ITS PRODUCTION FOR REGISTRATION	TO WHOM GIVEN	NUMBER OR SYMBOL THEREON
Transfer as to part	THE 14 th DAY OF	to May Margaret Richardson.	886994
<i>Alfred Comport</i> ASSISTANT REGISTRAR OF TITLES			
I certify THAT A MEMORIAL OF THE WITHIN INSTRUMENT WAS ENTERED AT THE TIME LAST ABOVE MENTIONED IN THE REGISTER BOOK VOL 2749 FOL 549735.			
<i>Alfred Comport</i> ASSISTANT REGISTRAR OF TITLES			



PLANNING CERTIFICATE

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

CERTIFICATE REFERENCE NUMBER

918049

APPLICANT'S NAME & ADDRESS

MELANIA SERWYLO C/- LANDATA
MELBOURNE

VENDOR

DICKSON, ALLAN

PURCHASER

NOT, APPLICABLE

REFERENCE

23-6307

This certificate is issued for:

LOT 7 PLAN LP7346 ALSO KNOWN AS 46 MONBULK ROAD BELGRAVE
YARRA RANGES SHIRE

The land is covered by the:

YARRA RANGES PLANNING SCHEME

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

The land:

- is included in a LOW DENSITY RESIDENTIAL ZONE
- is within a BUSHFIRE MANAGEMENT OVERLAY
- and a SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 22
- and a LAND SUBJECT TO INUNDATION OVERLAY
- and a EROSION MANAGEMENT OVERLAY
- and abuts a TRANSPORT ZONE 2 - PRINCIPAL ROAD NETWORK

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

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

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

28 March 2023

Sonya Kilkeny
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.

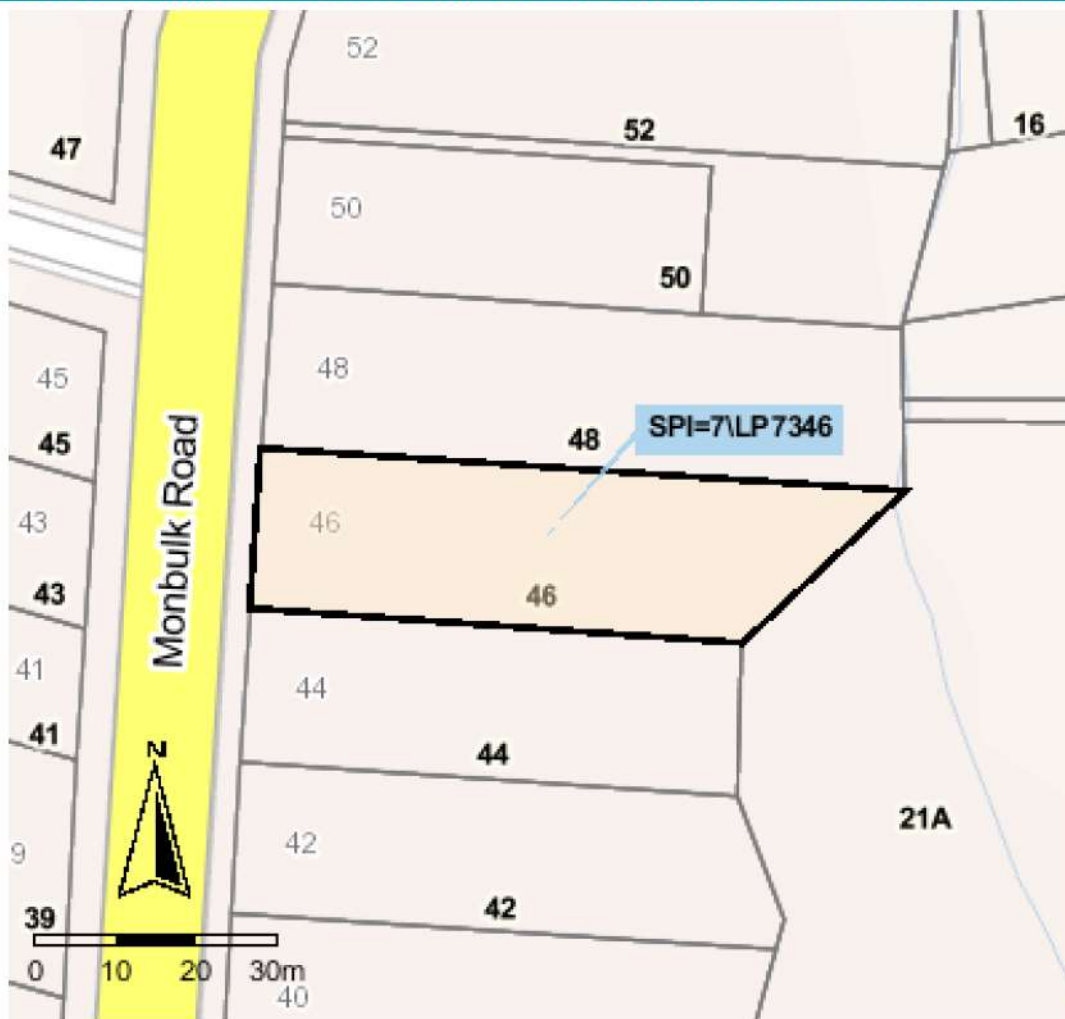
LANDATA®
T: (03) 9102 0402
E: landata.enquiries@servictoria.com.au

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.



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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.

From www.planning.vic.gov.au at 27 March 2023 04:59 PM

PROPERTY DETAILS

Address: **46 MONBULK ROAD BELGRAVE 3160**
 Lot and Plan Number: **Lot 7 LP7346**
 Standard Parcel Identifier (SPI): **7\LP7346**
 Local Government Area (Council): **YARRA RANGES**
 Council Property Number: **220014**
 Planning Scheme: **Yarra Ranges**
 Directory Reference: **Melway 75 F9**

www.yarraranges.vic.gov.au

[Planning Scheme - Yarra Ranges](#)

UTILITIES

Rural Water Corporation: **Southern Rural Water**
 Melbourne Water Retailer: **South East Water**
 Melbourne Water: **Inside drainage boundary**
 Power Distributor: **AUSNET**

STATE ELECTORATES

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

OTHER

Registered Aboriginal Party: **Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

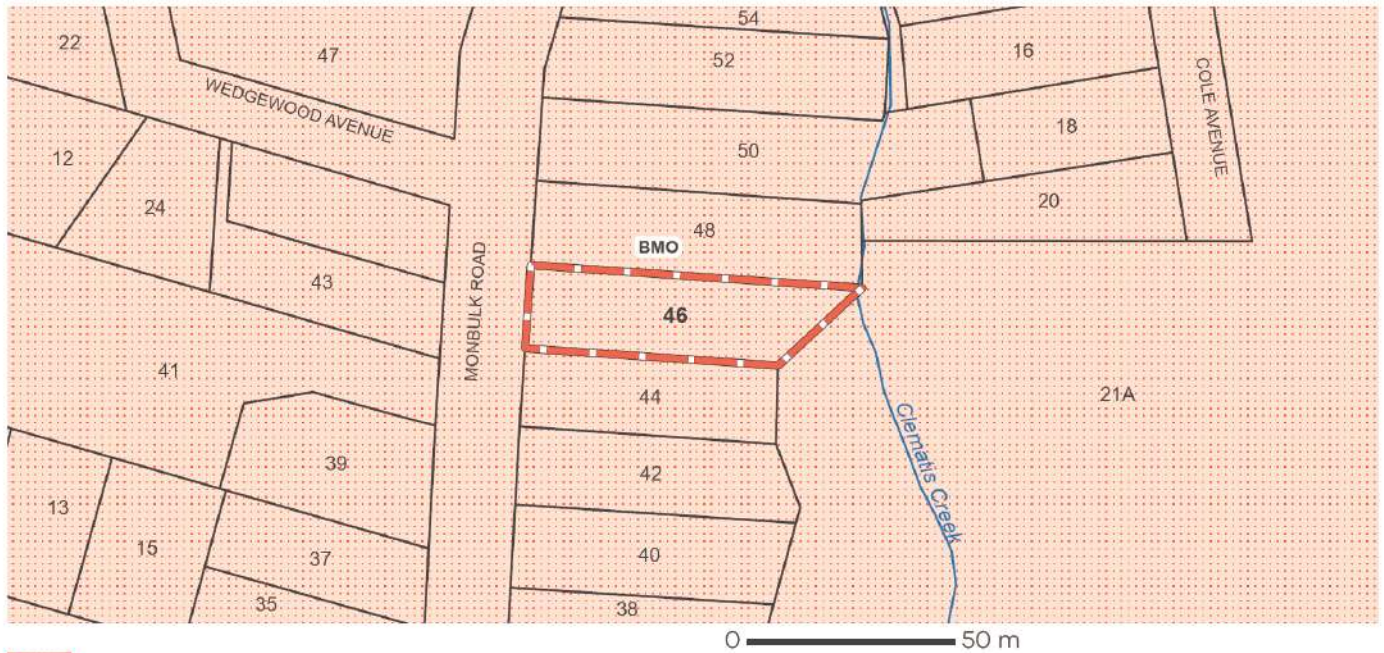
[LOW DENSITY RESIDENTIAL ZONE \(LDRZ\)](#)
[SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE \(LDRZ\)](#)



Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

Planning Overlays

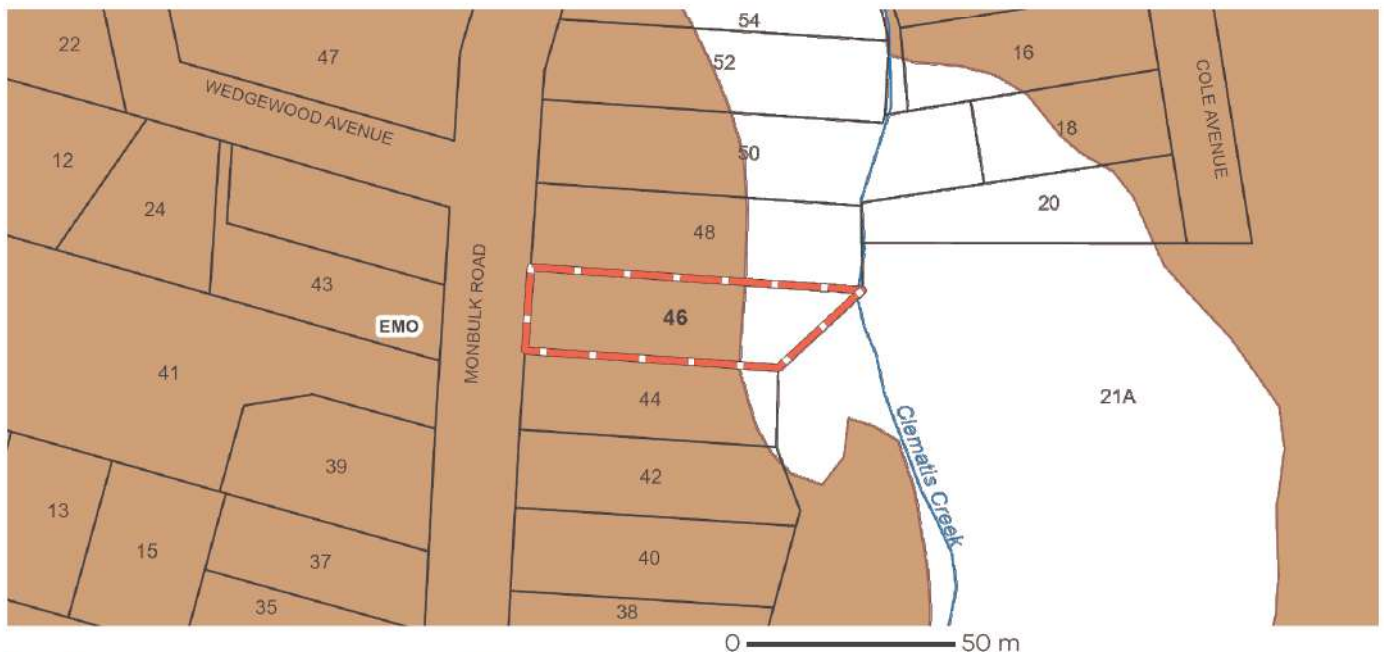
BUSHFIRE MANAGEMENT OVERLAY (BMO)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

EROSION MANAGEMENT OVERLAY (EMO)

EROSION MANAGEMENT OVERLAY SCHEDULE (EMO)

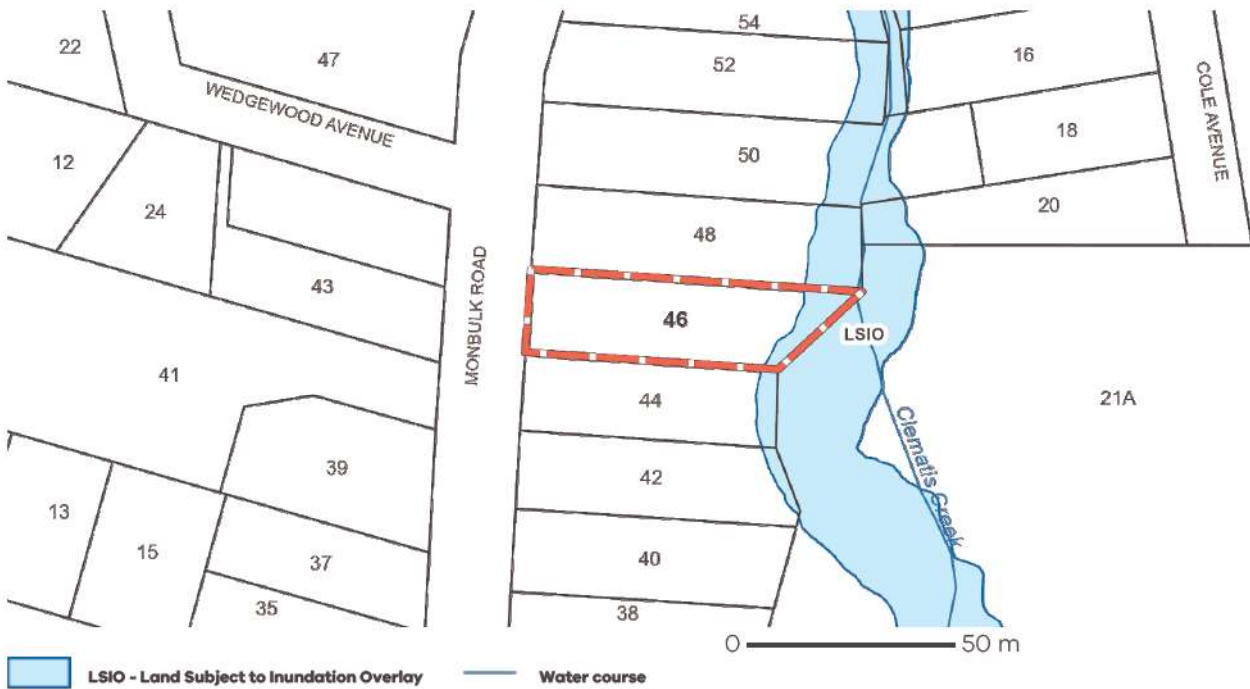


Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Planning Overlays

LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

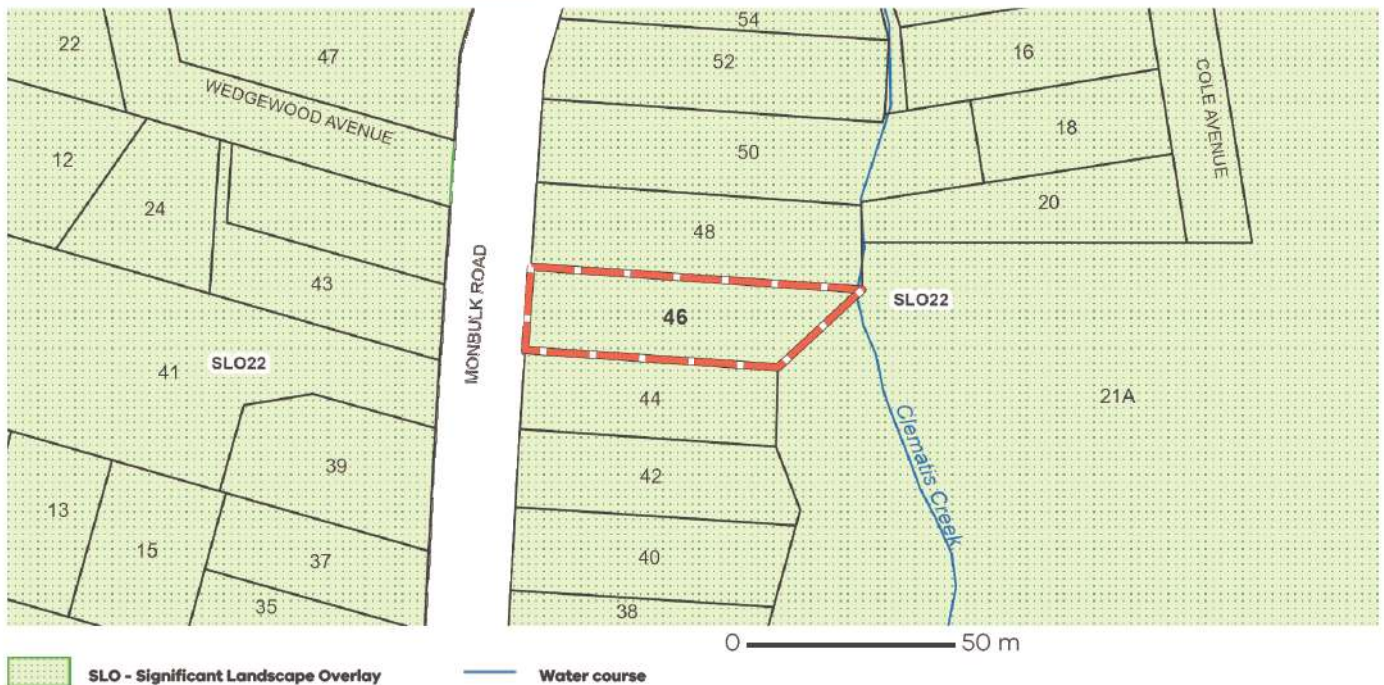
LAND SUBJECT TO INUNDATION OVERLAY SCHEDULE (LSIO)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

SIGNIFICANT LANDSCAPE OVERLAY (SLO)

SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 22 (SLO22)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

HERITAGE OVERLAY (HO)

RESTRUCTURE OVERLAY (RO)



Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this property is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

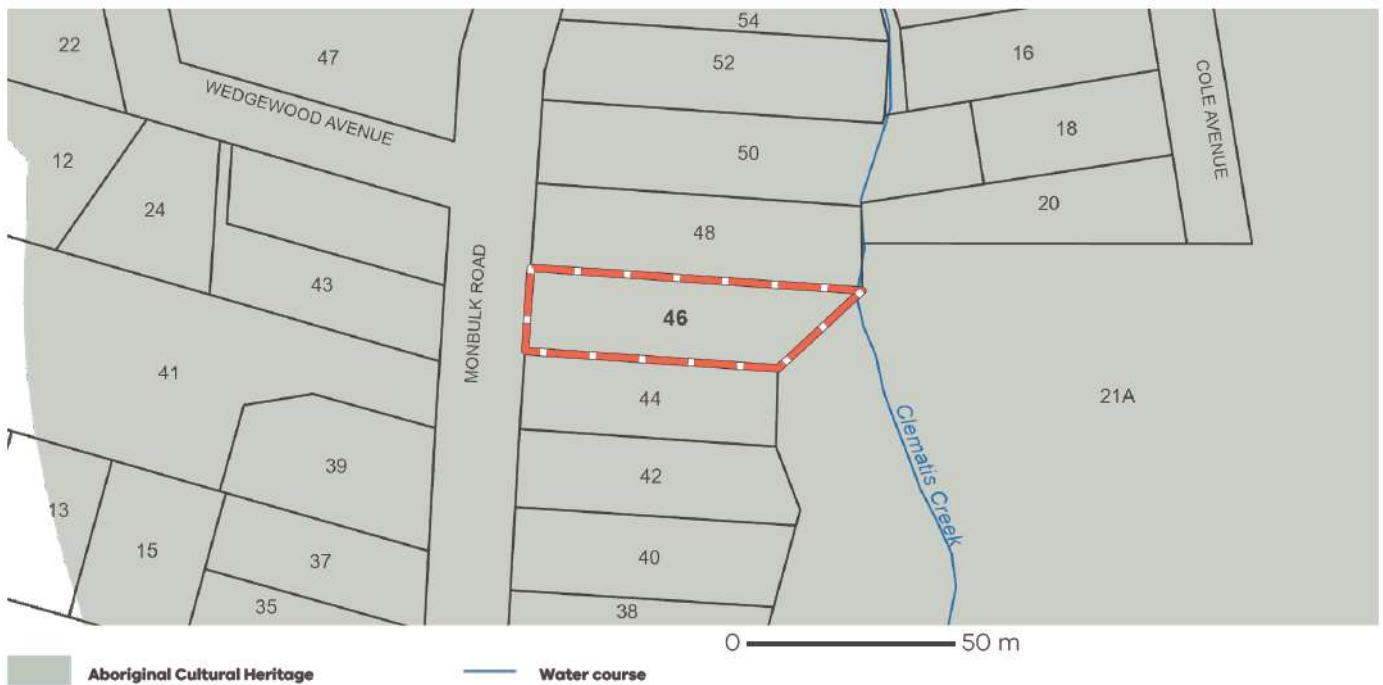
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to <http://www.aqv.nrms.net.au/aqvQuestion1.aspx>

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, can also be found here - <https://www.aboriginalvictoria.vic.gov.au/aboriginal-heritage-legislation>



Further Planning Information

Planning scheme data last updated on 23 March 2023.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

This report provides information about the zone and overlay provisions that apply to the selected land.

Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council

or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**.

It does not include information about exhibited planning scheme amendments, or zonings that may affect the land.

To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit

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

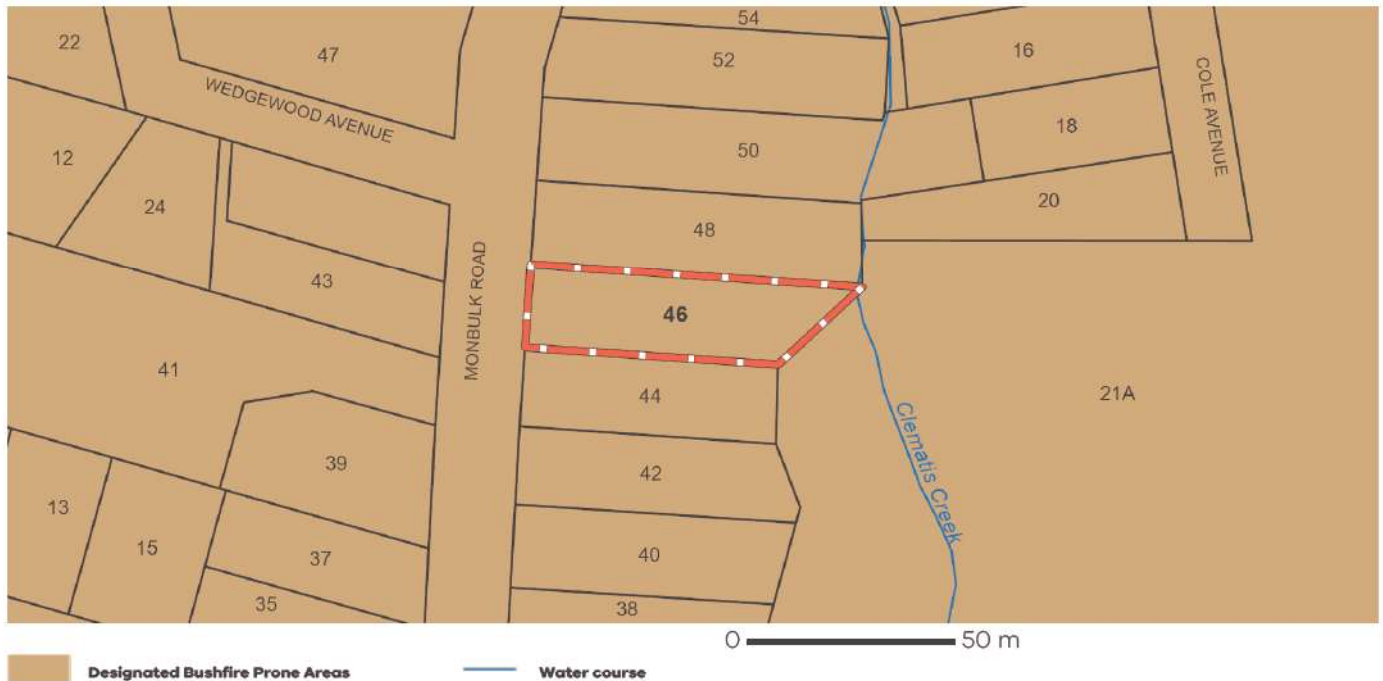
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

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

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

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



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

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

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

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

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

Native Vegetation

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

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

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

BUILDING APPROVAL PARTICULARS

Building Act 1993 BUILDING REGULATIONS 2018 Regulation 51(1)

Certificate Number 116981
Your Reference 23-6307:141703
Date Issued 29 March 2023

MOUNTAIN CONVEY
office@mountainconveyancing.com.au

Yarra Ranges Council
PO Box 105
Lilydale Vic 3140
DX 34051
Call 1300 368 333
Fax 03 9735 4249
mail@yarraranges.vic.gov.au
www.yarraranges.vic.gov.au



Property Address 46 Monbulk Road, Belgrave VIC 3160
Property Description Lot 7 LP7346 Sec B Ca 43 PNarree Worran
Assessment Number 57561

An examination of Council's records reveals the following building approvals have been issued for the above property in the preceding 10 years and any current notices.

Please direct all enquiries to Building Services on 1300 368 333

Permit Number	Date issued	Brief Description of Works	Final Inspection	Reg 502(1) Statement, Notices, Order or Certificate
				Minor Works Building Order issued 16/03/2022 (see attached)
				Building Notice and Order to Stop Work issued 16/02/2023 (see attached)

Additional information under Regulation 51(2) can be obtained for an additional fee of \$48.80. This information will include details on whether a property is liable to flooding/designated land or works (uncontrolled overland drainage), subject to significant snowfalls or in a designated termite area.

Received the sum of \$48.80 on Receipt No: 7573454 for this certificate.

George Avramopoulos
Municipal Building Surveyor

ABN 21 973 226 012
Yarra Ranges Shire Council



NOTES

Smoke Alarms/Sprinkler Systems

The Building Regulations Part 7 Division 2 – Fire Safety in Certain Existing Residential Buildings states that you may be required to provide hard wired smoke alarms and/or automatic fire sprinkler systems in residential buildings.

Note: Smoke Alarms were required to be installed by 1.2.99 or within 30 days of settlement, whichever was the earlier.

Swimming Pools

The Building Regulations requires all swimming pools and spas capable of holding a depth of water exceeding 300mm to be provided with pool fencing/barriers. A building permit is required for any new fencing/barrier or alteration to existing fencing/barrier.

Our Ref: ONC/10415/2022
Enquiries: Lawrie Slagter
Telephone: 1300 368 333

Yarra Ranges Council
PO Box 105
Lilydale Vic 3140
DX 34051
Call 1300 368 333
Fax 03 9735 4249
mail@yarraranges.vic.gov.au
www.yarraranges.vic.gov.au



16-Mar-2022

Dear Sir/Madam,

Minor works building order, 46 Monbulk Road, Belgrave

Further to an inspection of the fire damaged building this morning I have issued the attached building order—minor works because of the potential danger to the safety of people who may go into the building or near the building due to the fire damage.

The order basically requires you to, without delay, prevent unauthorised people entering the area around the building, secure loose debris/roof sheeting and then, at a later date, to carry out further 'make safe' work by demolishing the structurally damaged parts of the building or demolishing the whole building.

Tarp/s over may be used to secure loose roofing to prevent or reduce the risk of injury under windy conditions and minimise further water damage.

Please note that the building may contain asbestos or other hazardous materials. Qualified advice should be sought regarding the identification, decontamination, removal, transport or disposal of these materials as this is not regulated under the *Building Act*.

Please note that the work required by minor works building order is usually carried out by contractors engaged by your insurer. If possible, you should send or email a copy of this order to your insurer or insurers' agent for their action.

Access into the damaged part of the building is not permitted except under the direct supervision of a registered demolisher, registered builder or registered engineer until the damaged part of the building is made safe.

If you cannot meet the requirements of this order you must respond in writing. Your written response should explain your proposed actions to address the matters contained in the order as well as your proposed timeframes. If you believe that you require additional time, the order may be extended if you make a request that is considered reasonable.

The order must be replied to in writing. Please send replies and any correspondence by email (preferred) to: mail@yarraranges.vic.gov.au, or mail, to the attention of Lawrie Slagter and include the property address and/or Our Reference: **ONC/10415/2022**.

ABN 21 973 226 012
Yarra RangesShire Council

ABN 21 973 226 012
Yarra Ranges Shire Council

A building permit is required to demolish the building unless the demolition is being carried out by or under the direct supervision of a registered demolisher, registered engineer, or registered builder.

A building permit is required for reconstruction or structural repair work.

Should you have any queries regarding this matter please contact Lawrie Slagter on 9294 6337 or Council's Building Services Department on telephone 1300 368 333 for assistance.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Lawrence Slagter', with a stylized flourish extending to the right.

Lawrence Slagter
Deputy Building Surveyor

Our Ref: ONC/10415/2022

Form 14
Regulation 182(3)
BUILDING ACT 1993
BUILDING REGULATIONS 2018

BUILDING ORDER FOR MINOR WORK

THIS BUILDING ORDER IS MADE UNDER SECTION 113 OF THE BUILDING ACT 1993

Yarra Ranges Council
PO Box 105
Lilydale Vic 3140
DX 34051
Call 1300 368 333
Fax 03 9735 4249
mail@yarraranges.vic.gov.au
www.yarraranges.vic.gov.au



1. To

(the Owner)

2. The owner of the building(s) and land located at

46 Monbulk Road, Belgrave VIC 3160
Lot 7 LP7346 Sec B Ca 43 P Narree Worrان
Shire of Yarra Ranges

3. Inspection Details

I inspected the fire damaged dwelling on 16 March 2022
(“building” or “building work”)

4. Reasons for the order

- 4.1. In accordance with section 113, I am of the opinion that the building and the area around the building is a danger to the safety of persons that may attend the property because the damage caused by the fire has made the building or part of the building structurally unstable or unsafe
- 4.2. This order may be made without first serving a building notice because I am of the opinion that the work required to be carried out under this order is of a minor nature

5. Entry prohibited

Entry into the fire damaged part of the building is prohibited except under the direction or supervision of a registered demolisher, registered engineer or registered builder until such time as the building has been *made safe*.

6. You are ordered to without delay

Pursuant to section 111 of the Building Act 1993 (“Act”) you are ordered to without delay—

- 6.1. **Secure the building site** or an area around the building, if not already done, by providing, and maintaining, suitable (temporary) fencing or similar barrier to restrict public access into the building site until such time as the building has been demolished or the site otherwise made safe; and,

ABN 21 973 226 012
Yarra Ranges Shire Council

ABN 21 973 226 012
Yarra Ranges Shire Council

6.2. Remove and/or secure any loose or unsecured roof sheeting and building debris from the building.

Notes:

- Any fencing or barrier must extend around the perimeter of the building and be at least 1.8m in height and a distance from the building of at least 1.5 times the height of the adjacent wall from the fire damaged part building or on the title boundary.
- Tarp/s over are recommended to secure loose/unsecured roof sheeting and reduce water damage.
- Work must be carried out under the supervision of a registered demolisher, registered engineer, or registered builder.

7. You are further ordered to within 60 DAYS (by 15 May 2022)—

7.1. Carry out make safe work by removing structurally damaged sections of the building and building debris from the site including any loose or unsecured roof sheeting and ensure that all remaining sections of the building are adequately supported and protected from the weather; or,

Note: A building permit is not required for this make safe work subject to the work being carried out by or under the direct supervision of a registered demolisher, registered engineer, or registered builder.

7.2. Demolish the building.

Note: A building permit is not required for the demolition of the building or damaged part of the building subject to the demolition work being undertaken by a registered demolisher.

7.3. Advise me without delay in writing upon the completion of works required by this order.

8. Replies to the order

The order must be responded to in writing to the attention of: **Lawrie Slagter**, including the property address and/or Our Ref: **ONC/10415/2022** by—

8.1. email (preferred) sent to council at: mail@yarraranges.vic.gov.au;

or,

8.2. by mail sent to—

Municipal Building Surveyor
Yarra Ranges Council
PO Box 105
Lilydale VIC 3140

9. Order Dated

Date of making of order: **16 March 2022**

10. Relevant building surveyor



.....
Lawrence Slagter
Relevant Building Surveyor (for the purpose of this notice)
Building practitioner no.: BS-U 1226 (Cert. Bldg. Surv. & Cert. Bldg. Insp.)
*Pursuant to written delegation under section 216B of the Building Act 1993 from
the Municipal Building Surveyor of the Shire of Yarra Ranges*

NOTES

1. Duration of Order

A building order remains in force, and if amended remains in force as amended, until it is complied with or it is cancelled by the Relevant Building Surveyor or Building Appeals Board pursuant to section 117 of the Act.

2. Amendment or Cancellation of Order

If there is a change in circumstances after the service of a building order, the owner may request the Relevant Building Surveyor to amend or cancel the order pursuant to section 116 of the Act.

3. Building Permit

Pursuant to section 119 a person who carries out work in accordance with an emergency order or building order in force under this Part is not required to obtain a building permit or comply with the building regulations unless the relevant building surveyor so directs.

Pursuant to section 119 a building permit is not required to carry out the make safe work or demolition work required by this order.

A building permit is required to carry out repair or reconstruction work

4. Penalty for failure to comply

A person to whom a building order is directed must comply with that order [penalty: 100 penalty units in the case of a natural person and 500 penalty units in the case of a body corporate pursuant to section 118 (1).

5. Appeals to the Building Appeals Board

Under Section 142(1) an owner of a building or land may appeal to the Building Appeals Board (Phone: 1300 815 127 or Web: www.vba.vic.gov.au) within 30 days of the date of this order against a decision to serve an order or the failure or refusal within a reasonable time to cancel an order.

Victorian Building Authority
Building Appeals Board
PO Box 536
Melbourne VIC 3001

Our Ref: ONC/10787/2023
Enquires: Rob Forsyth
Phone: 1300 368 333

Yarra Ranges Council
PO Box 105
Lilydale Vic 3140
DX 34051
Call 1300 368 333
Fax 03 9735 4249
mail@yarraranges.vic.gov.au
www.yarraranges.vic.gov.au



16 February 2023

Dear

Building Notice & Order to Stop Work, 46 Monbulk Road, Belgrave VIC 3160
Lot 7 LP7346 Sec B Ca 43 PNarree Worrان

Further to an inspection on 14 February 2023, the attached **building notice and order to stop work** are served because I am of the opinion that building work, being the reconstruction or structural repair work to the fire damaged dwelling or accommodation house, has been, and/or is being, carried out without a building permit required by the [Building Act 1993](#).

A check of council's register of building permits, required under section 31 of the [Building Act 1993](#) ('Act'), indicates that a building permit and other prescribed documents have not been lodged with council, as required by section 30 of the Act for the building or building work. The carrying out of building work without a building permit and the occupation of a building without an occupancy permit constitutes a breach the [Building Act 1993](#).

Order to stop work: *You and any other person are ordered under section 112 of the Building Act 1993 to STOP building work or work ("stop work order"). This stop work order must be cancelled by council before resuming the building work.*

This stop work order does not apply to: work for which a building permit has been issued under the and is in force; temporary 'make safe' work such as: propping, bracing or securing structural framing; temporary measures to minimise rain water entry such as placement of tarps; or the placement of fill placed against unprotected embankments (Note: fill placed against unprotected embankments must be compacted and placed in accordance with BCA clause 3.1.1.4).

The notice must be replied to in writing. It requires you to 'show cause', i.e., give reasons, why you should not demolish the building.

Written replies and correspondence must be sent by email (preferred) to: mail@yarraranges.vic.gov.au or by mail to Yarra Ranges Council. Attention all replies to Rob Forsyth and include the property address and/or Our Reference: ONC/10787/2023.

ABN 21 973 226 012
Yarra Ranges Shire Council

ABN 21 973 226 012
Yarra Ranges Shire Council

The alleged illegal building work can remain and the notice and **stop work order** cancelled if council can be satisfied that the building work complies with the [Building Act 1993](#) and [Building Regulations 2018](#). To satisfy council, you must appoint a private Registered Building Surveyor (RBS) and provide—

1. As-built plans, specifications and documents of the building work as required by Part 4, Division 2 of the [Building Regulations 2018](#) with evidence of approval by your appointed registered building surveyor endorsed on them.
2. A **certificate of compliance for building work** by your appointed building surveyor certifying that the building work complies with the relevant provisions of the [Building Act 1993](#), [Building Regulations 2018](#), NCC/BCA and relevant standards.
3. A copy of the required **building permit**, and associated documentation, issued by your appointed building surveyor before any work starts to bring illegal or non-complying building work into compliance and/or complete any incomplete building work.

Note: On issue of any building permit required by item 3, the stop work order will be cancelled

Note

- The as-built stamped and endorsed plans must show *sitework* and earthwork connected with or required by the construction of the building such as excavations, batters, cut/fill, retaining wall/s, and storm water drainage. The appointed building surveyor must be satisfied that no part of the work encroaches over a title boundary, or easement.
- Compliance certificate/s are required for plumbing work carried out.
- Compliance certificate/s are required for electrical work carried out.

If satisfactory **cause** is not shown and the above certification and documents are not provided within 60 days this matter will proceed to the issue of a **building order** requiring demolition.

It is important that **application for a planning permit** is made (or written confirmation received from Council's Planning Department that a planning permit is not required) **without delay**, because a **certificate of compliance for building work** or a **building permit** cannot be issued by the appointed building surveyor unless the plans are consistent with a required planning permit. In some cases, a planning permit application may be refused, or the works may be prohibited under the Planning Scheme.

A delay in the issue of a required planning permit does not stay or defer the requirements of a notice or issue of a building order.

If you wish to retain the building or building work, you must engage a private registered building surveyor (**RBS**) **without delay** to advise you about replying to this notice and stop work order.

Council is not in the business of issuing building permits. Private registered building surveyors must be registered with the Victorian Building Authority (VBA) and can be found at the VBA's web site: www.vba.vic.gov.au or the Australian Institute of Building Surveyors website: www.aibs.com.au.

You are advised that under Section 142(1) you may appeal to the Building Appeals Board (Phone: 1300 815 127 or Web: www.vba.vic.gov.au) within 30 days of the date of this notice against a decision to serve a notice or the failure or refusal within a reasonable time to cancel a notice.

Should you or your building surveyor have any questions regarding this matter please contact Rob Forsyth of Council's Building Services Department on 9294 6797 for assistance.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Lawrie', with a stylized flourish extending to the right.

Lawrie Slagter
Building Surveyor

Council Ref. ONC/10787/2023 (MR)

Form 11
Regulation 180
Building Act 1993
BUILDING REGULATIONS 2018

Yarra Ranges Council
PO Box 105
Lilydale Vic 3140
DX 34051
Call 1300 368 333
Fax 03 9735 4249
mail@yarraranges.vic.gov.au
www.yarraranges.vic.gov.au



BUILDING NOTICE

This building notice is served under section 106 of the [Building Act 1993](#)

1. To

46 Monbulk Road
BELGRAVE VIC 3160

("Owner")

2. The owner of the building/s and land located at

46 Monbulk Road, Belgrave VIC 3160
Lot 7 LP7346 Sec B Ca 43 PNarree

Municipal district: Yarra Ranges Shire Council

3. Inspection details

The building or building work being the reconstruction of, or repair work to, a fire damaged Class 1a dwelling or Class 1b accommodation building (see photos) was inspected on 14 February 2023. Rob Forsyth, who is an authorised and delegated building and planning compliance officer. ("building" or "building work")

4. Reasons why this notice was served

In accordance with section 106 of the Building Act 1993, I am of the opinion that—

- 4.1. building or building work has been carried out on the building and land without a building permit being issued and in force under section 16 (and section 16B, for a person in the business of building,) of the [Building Act 1993](#); and,
- 4.2. the building is not suitable for occupation or use for habitable purposes; and,
- 4.3. you are in breach of the building order for minor work dated 16 March 2022 which required the issue of a building permit reconstruction or structural repair work.

ABN 21 973 226 012
Yarra Ranges Shire Council

ABN 21 973 226 012
Yarra Ranges Shire Council

5. Requirement to Show Cause in Writing

Under section 108 of the **Building Act 1993**, you are required to **SHOW CAUSE** (i.e., give reasons) **in writing within 60 days** (by 17 April 2023) of the date of service of this notice—

- 5.1. why you should not demolish the building (not just the work carried out without a permit); and
- 5.2. why the entry, occupation or use of the building should not be prohibited.

6. Replies to the notice

The notice must be responded to **in writing**.

Attention all replies & correspondence to: **Rob Forsyth** and include the property address and/or **Our Ref: ONC/10787** by—

- 6.1. **email** (preferred) sent to council at: mail@yarraranges.vic.gov.au; or,
- 6.2. mail sent to—

Municipal Building Surveyor
Yarra Ranges Council
PO Box 105
Lilydale VIC 3140

Attention: **Rob Forsyth**

7. Building Notice Dated

16 February 2023

8. Relevant building surveyor details



.....
Lawrence Slagter

Relevant Building Surveyor (for the purpose of this notice)
Building practitioner no.: BS-U 1226 (Cert. Bldg. Surv. & Cert. Bldg. Insp.)

Pursuant to written delegation under section 216B of the Building Act 1993 from the Municipal Building Surveyor of the Shire of Yarra Ranges

From cover letter to the building order for minor work

A building permit is required to demolish the building unless the demolition is being carried out by or under the direct supervision of a registered demolisher, registered engineer, or registered builder.

A building permit is required for reconstruction or structural repair work.

Should you have any queries regarding this matter please contact Lawrie Slagter on 9294 6337 or Council's Building Services Department on telephone 1300 368 333 for assistance.

Yours faithfully



Note 3 of building order for minor work

3. Building Permit

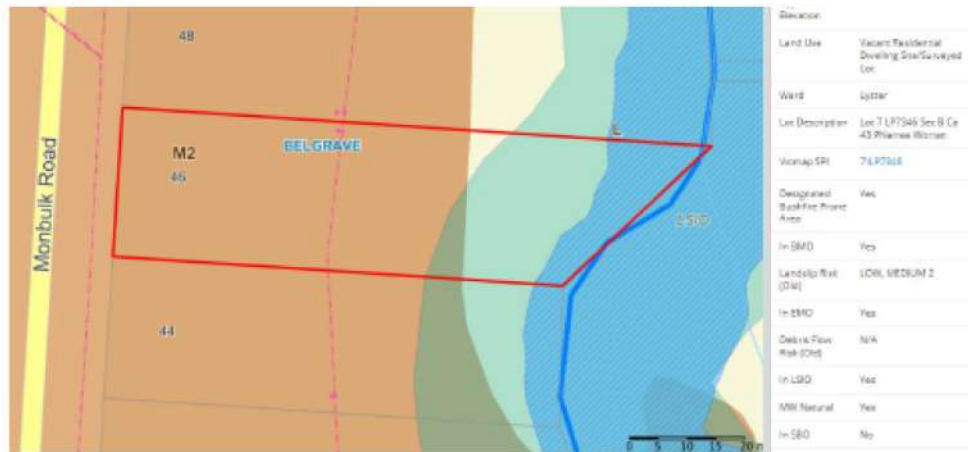
Pursuant to section 119 a person who carries out work in accordance with an emergency order or building order in force under this Part is not required to obtain a building permit or comply with the building regulations unless the relevant building surveyor so directs.

Pursuant to section 119 a building permit is not required to carry out the make safe work or **demolition** work required by this order.

A building permit is required to carry out repair or reconstruction work.

4. Penalty for failure to comply

Note: Land subject to landslip, liable to flooding & designated land or designated works



PHOTOS

Photo Number	1
Date photo taken:	24 December 2022
Location:	46 Monbulk Road, Belgrave VIC 3160
Photo taken by:	Intramaps
View:	Contextual aerial

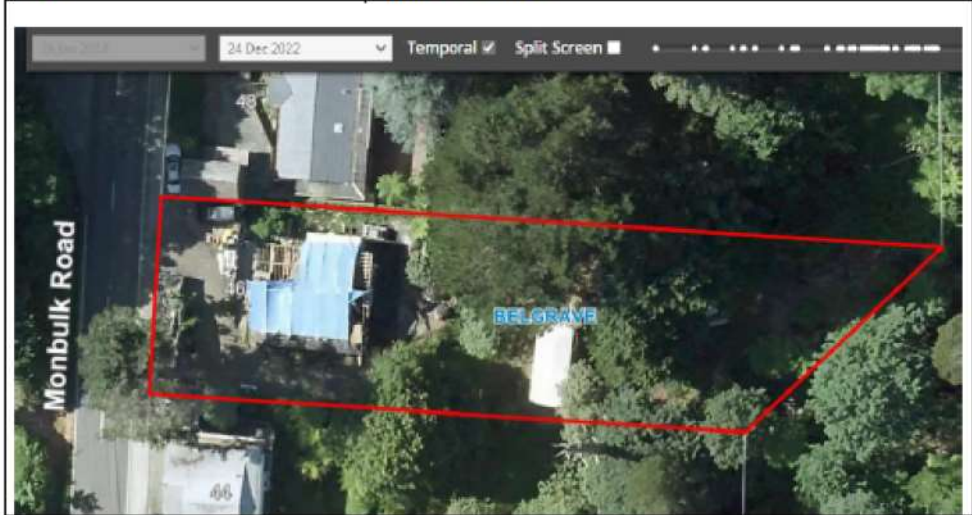


Photo Number	2
Date photo taken:	24 December 2022
Location:	46 Monbulk Road, Belgrave VIC 3160
Photo taken by:	Intramaps
View:	Aerial after fire showing new building work-in part



14 September 2022

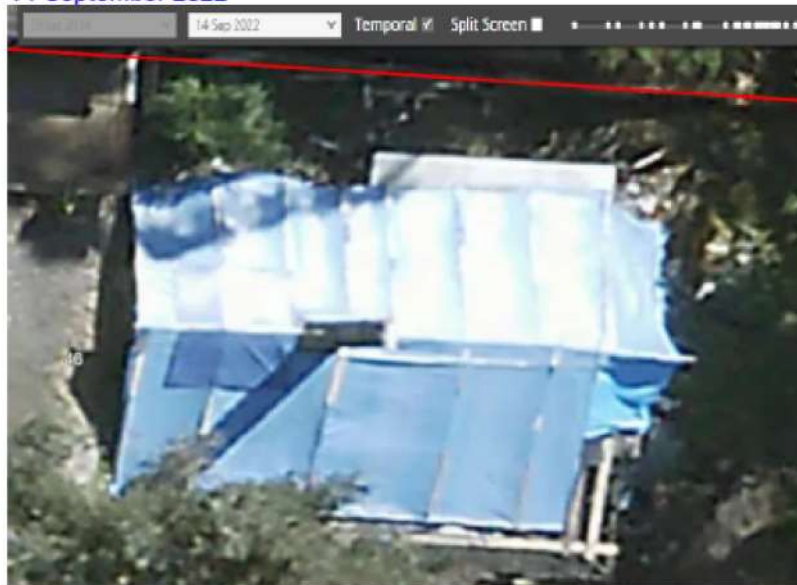


Photo Number	3
Date photo taken:	January 2022
Location:	46 Monbulk Road, Belgrave VIC 3160
Photo taken by:	Metromaps
View:	Aerial before fire

An aerial photograph of a house with a grey roof and solar panels. The house is surrounded by greenery and a driveway. A small red square is marked on the roof.

The following photos of 46 Monbulk Road, Belgrave VIC 3160 by Rob Forsyth taken on 14 February 2023



Photo Number	6
View:	South eastern aspect showing subfloor and lower unit with new roof.



Photo Number	7
View:	Lounge area







Photo Number View:	12 New ceiling of lower unit
	

NOTES:

1. Representation by Owner and Cancellation of Notice:

Under Section 109 of the Act an owner may make representations to the Municipal Building Surveyor about the matters contained in the Building Notice. Any representations are to be made in writing to the Municipal Building Surveyor before the end of the "show cause" period. The Municipal Building Surveyor may cancel a building notice if he considers it appropriate to do so after considering any representations made under section 109 (Section 110 of the Act).

2. Building Order

Subject to Section 107 of the Act, the Municipal Building Surveyor may make a Building Order under Section 111 after the end of the time allowed for making representations.

3. Appeals to the Building Appeals Board

Under Section 142(1) an owner of a building or land may appeal to the Building Appeals Board (Phone: 1300 815 127 or Web: www.vba.vic.gov.au) within 30 days of the date of this notice against a decision to serve a notice or the failure or refusal within a reasonable time to cancel a notice.

By e-mail: registry@buildingappeals.vic.gov.au or

<p>In person Building Appeals Board Goods Shed North 733 Bourke Street Docklands, Melbourne</p>	<p>By mail Building Appeals Board PO Box 536 Melbourne VIC 3001</p>
--	--

4. Building Permit Required

Subject to regulation 23 and Schedule 3 of the [Building Regulations 2018](#) a building permit is required before carrying out *any* building work or change of the occupation or use of a building

5. Building Work Without Building Permit

It is an offence under the Building Act to carry out, manage or arrange the carrying out of building work) if—

- a building permit required to carry out that work is not in force, and/or,
- the building work is not being carried out in accordance with the Act, building regulations or the building permit issued in relation to that work

6. Meaning of ‘Demolish’

Demolish means the **demolition and removal** of the building and building work described on the building notice.

7. Occupation

The occupation and use of a building or structure is not permitted except in accordance with the provisions of the Building Act and/or conditions of the building permit/s, occupancy permit/s and/or certificate of final inspection/s.

8. Insurance & ‘Duty of Disclosure’

This matter should be referred to your insurer, if you have one, for their information under any disclosure provisions of the insurance policy as your building may be insured with a condition that it has been and will continue to be properly maintained and repaired, and that it complies with local government or other statutory requirements. Payment of a claim for damage or loss may be reduced or refused if your building has not been properly maintained and repaired, or if it does not comply with local government or other statutory requirements including the requirements of the [Building Act 1993](#).

9. Mortgage Lender & ‘Duty of Disclosure’

This matter should be referred to your mortgage lender, if you have one, for their information under any disclosure provisions of the lending agreement as this notice may have an effect on, or be in breach of, the conditions of your loan.

10. Building Work, *Sitework*, Excavation, Retaining Walls & Drainage

The [Building Act 1993](#), [Building Regulations 2018](#), and the *Building Code of Australia* (BCA) regulates building work. Building work is defined as “work for or in connection with the construction, demolition, or removal of a building” and includes *sitework*, i.e., work preparatory to or associated with the building work being carried out, such as earthwork, excavations - cut and fill, retaining walls, footings, and drainage. A building permit is required to be issued before any building work is carried out. A building permit must be issued by a registered building surveyor, who under the Act, is the relevant building surveyor (RBS) and responsible to administer the requirements of the Act and regulations with regard to the RBS appointment

11. Implied warranties

Building work referred to in this notice, if carried out in the last 10 years, may be subject to the warranties provisions of Part 9 of the [Building Act 1993](#) and/or section 8 of the [Domestic Building Contracts Act 1995](#). It is recommended that you seek legal advice about these warranty provisions.

Melania Serwyllo
E-mail: certificates@landata.vic.gov.au

Statement for property:
LOT 7 46 MONBULK ROAD
BELGRAVE 3160
7 LP 7346

REFERENCE NO.	YOUR REFERENCE	DATE OF ISSUE	CASE NUMBER
59D//18997/44	LANDATA CER 68371740-028-0	28 MARCH 2023	43738855

1. Statement of Fees Imposed

The property is classified as a serviced property with respect to charges which as listed below in the Statement of Fees.

(a) By Other Authorities

Parks Victoria - Parks Service Charge	01/07/2022 to 30/06/2023	\$81.60
Melbourne Water Corporation Total Service Charges	01/01/2023 to 31/03/2023	\$27.42

(b) By South East Water

Water Service Charge	01/01/2023 to 31/03/2023	\$20.93
Sewerage Service Charge	01/01/2023 to 31/03/2023	\$91.94
Subtotal Service Charges		<u>\$221.89</u>
Usage Charges*	Billed until 23/2/2023	\$64.31
Payments		\$81.60
TOTAL UNPAID BALANCE		\$204.60

- The meter at the property was last read on 23/02/2023. Fees accrued since that date may be estimated by reference to the following historical information about the property:

Water Usage Charge	\$0.24 per day
Sewage Disposal Charge	\$0.06 per day

- Financial Updates (free service) are only available online please go to (type / copy the complete address shown below): <https://secureapp.southeastwater.com.au/PropertyConnect#/order/info/update>

* Please Note: if usage charges appear above, the amount shown includes one or more of the following:

Water Usage, Recycled Water Usage, Sewerage Disposal, Fire Service Usage and Trade Waste Volumetric Fees.

AUTHORISED OFFICER:



MIKALA HEHIR
GENERAL MANAGER
CUSTOMER & COMMUNITY ENGAGEMENT

South East Water
Information Statement Applications
PO Box 2268, Seaford, VIC 3198

Interest may accrue on the South East Water charges listed in this statement if they are not paid by the due date as set out in the bill.

- The total annual service fees and volumetric fees for water usage and sewerage disposal for each class of property are set out at www.southeastwater.com.au.
- Updates of rates and other charges will only be provided for up to six months from the date of this statement.
- If this property has recently been subdivided from a "parent" title, there may be service or other charges owing on the "parent" which will be charged to this property, once sold, that do not appear on this statement. You must contact us to see if there are any such charges as they may be charged to this property on sale and should therefore be adjusted with the owner of the parent title beforehand.
- If the property is sold, the vendor is liable to pay all fees incurred in relation to the property until the vendor gives South East Water a Notice of Disposition of Land required by the Water (Disposition of Land) Regulations 2010. Please include the Reference Number set out above in that Notice.
- Fees relating to the property may change from year-to-year in accordance with the Essential Service Commission's Price Determination for South East Water.
- Every fee referred to above is a charge against the property and will be recovered from a purchaser of the property if it is not paid by the vendor.
- Information about when and how outstanding fees may be paid, collected and recovered is set out in the Essential Services Commission's Customer Service Code, Urban Water Businesses.
- If this Statement only sets out rates and fees levied by Parks Victoria and Melbourne Water, the property may not be connected to South East Water's works. To find out whether the property is, or could be connected upon payment of the relevant charges, or whether it is separately metered, telephone 131 694.
- For a new connection to our water or sewer services, fees / charges will be levied.

2. Encumbrance Summary

Where available, the location of sewers is shown on the attached plan. Please ensure where manholes appear, that they remain accessible at all times "DO NOT COVER". Where driveways/paving is proposed to be constructed over easements for water supply/sewerage purposes, or within 1 metre of a South East Water asset, the owner will be responsible for all costs associated with any demolition and or re-instatement works, necessary to allow maintenance and or repair of the asset effected. Where changes to the surface levels requires maintenance shafts/holes to be altered, all works must be carried out by South East Water approved contractors only. For information call 131694. For all other works, prior consent is required from south East Water for any construction over easements for water supply/sewerage purposes, or within 1 metre of a South East Water asset.

Melbourne Water provides main drainage services to this property, consistent with the standards that applied at the time the Melbourne Water drainage system was constructed. In the event of a storm exceeding the design capacity of the underground / open drain, this property could be affected by overland flows. Please contact Melbourne Water's Waterways and Drainage Group for information available to Melbourne Water on the effect of overland flows on this property. (Telephone 9679-7517)

ENCUMBRANCE ENQUIRY EMAIL infostatements@sew.com.au

If no plan is attached to this Statement, South East Water is not aware of any works belonging to South East Water being present on the property.

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If a plan is attached to this Statement, it indicates the nature of works belonging to South East Water, their approximate location, and the approximate location of any easement relating to those works.

Important Warnings

The map base for any attached plan is not created by South East Water which cannot and does not guarantee the accuracy, adequacy or completeness of any information in the plan, especially the exact location of any of South East Water's works, which may have changes since the attached plan was prepared. Their location should therefore be proven by hand before any works are commenced on the land.

Unless South East Water's prior written approval is obtained, it is an offence to cause any structure to be built or any filling to be placed on a South East Water easement or within 1 metre laterally of any of its works or to permit any structure to be built above or below any such area.

Any work that requires any South East Water manhole or maintenance shaft to be altered may only be done by a contractor approved by South East Water at the property owner's cost.

If the owner builds or places filling in contravention of that requirement, the owner will be required to pay the cost of any demolition or re-instatement of work that South East Water considers necessary, in order to maintain, repair or replace its asset.

This Statement does not include any information about current or outstanding consent issued for plumbing works on at the property.

3. Disclaimer

This Statement does not contain all the information about the property that a prospective purchaser may wish to know. Accordingly, appropriate enquiries should be made of other sources and information.

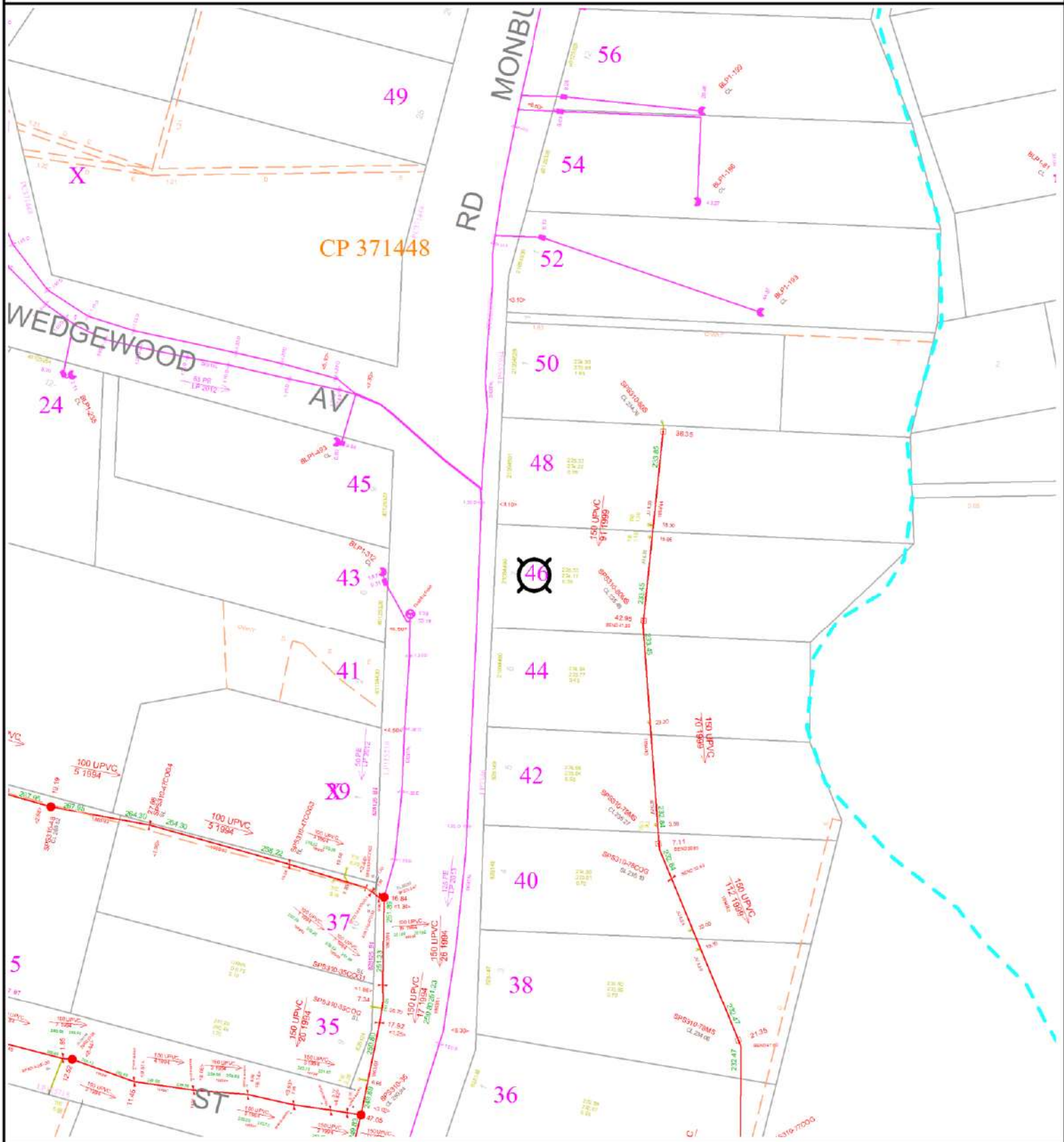
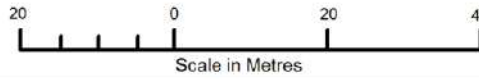
South East Water has prepared the information in this Statement with due care and diligence. It cannot and does not accept liability for any loss or damage arising from reliance on the information given, beyond the extent set out in section 155 of the Water Act 1989 and sections 18 and 29 of the Australian Consumer Law.

AUTHORISED OFFICER:



MIKALA HEHIR
GENERAL MANAGER
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WARNING: This plan is issued solely for the purpose of assisting you in identifying South East Water's and Melbourne Water's specified assets through further investigation only. It is not to be used for any other purpose, including to identify any other assets, property boundaries or dimensions. Accordingly, the location of all assets should be proven by hand on site prior to the commencement of any work. (Refer to attached letter for further details). Assets labelled AC may contain asbestos and therefore works on these assets must be undertaken in accordance with OH&S Regulations. Abandoned and currently unused assets are shown in orange.

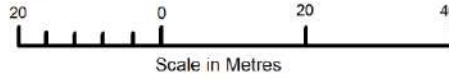
	Title/Road Boundary		Subject Property		Maintenance Hole
	Proposed Title/Road		Sewer Main & Property Connections		Inspection Shaft
	Easement		Direction of Flow		Offset from Boundary

Melbourne Water Assets			
	Sewer Main		Natural Waterway
	Maintenance Hole		Channel Drain
	Underground Drain		Underground Drain M.H.

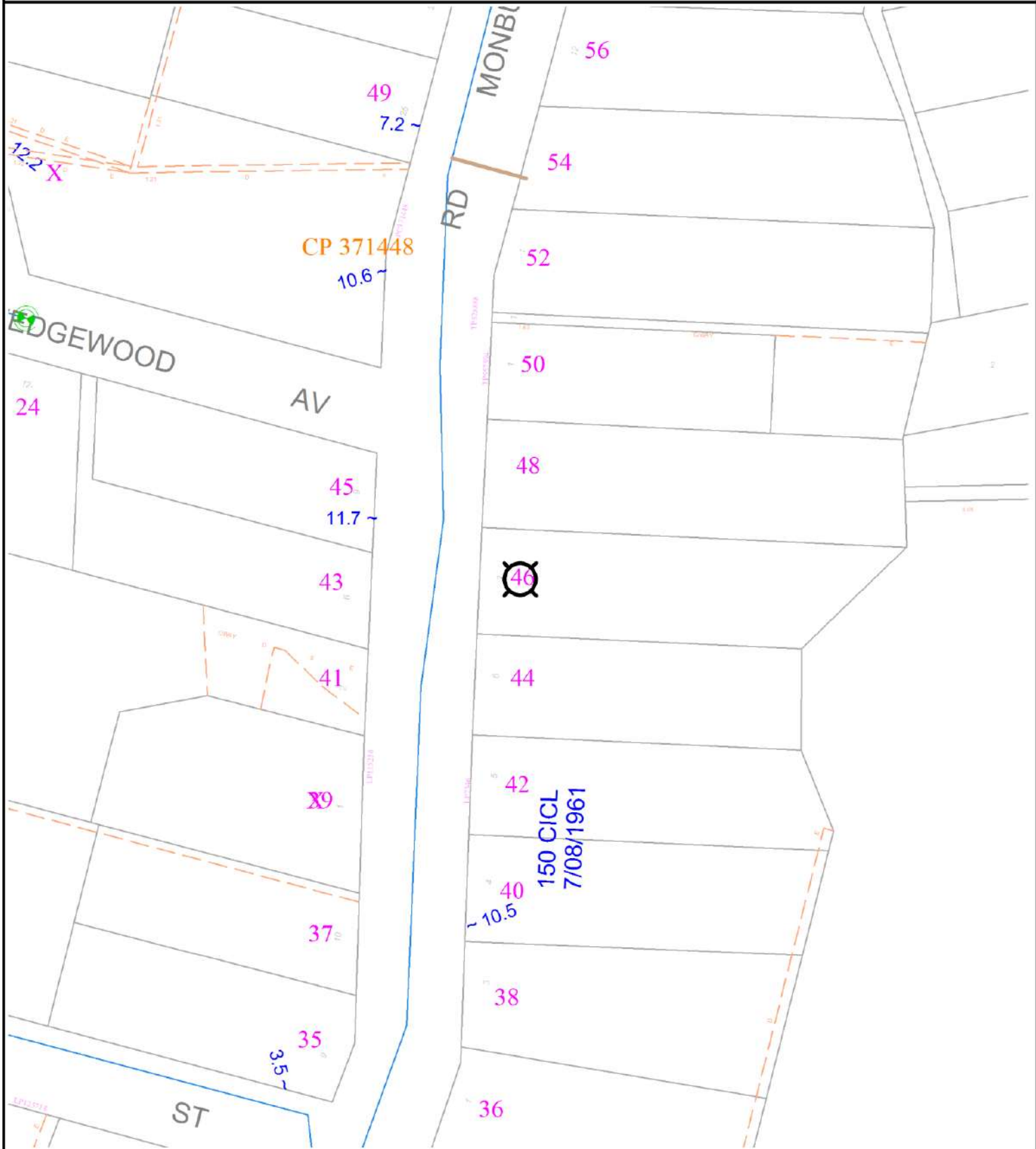


Property: Lot 7 46 MONBULK ROAD BELGRAVE 3160

Case Number: 43738855



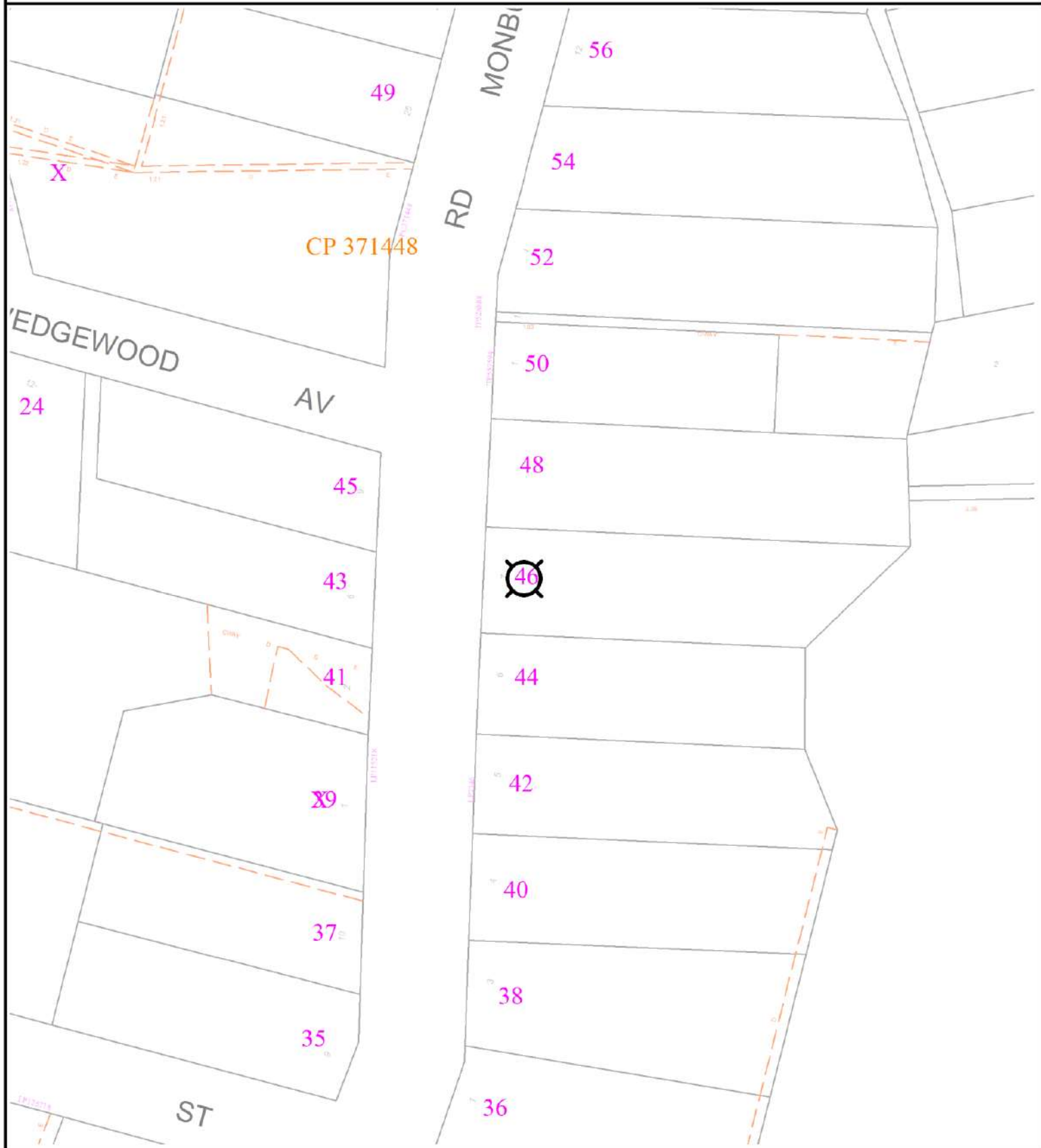
Date: 28MARCH2023



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LEGEND

- | | | | | | |
|--|---------------------|--|-----------------------|--|----------------------|
| | Title/Road Boundary | | Subject Property | | Hydrant |
| | Proposed Title/Road | | Water Main Valve | | Fireplug/Washout |
| | Easement | | Water Main & Services | | Offset from Boundary |



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LEGEND			
	Title/Road Boundary		Subject Property
	Proposed Title/Road		Recycled Water Main Valve
	Easement		Recycled Water Main & Services
			Hydrant
			Fireplug/Washout
			~ 1.0 Offset from Boundary

Property Clearance Certificate

Taxation Administration Act 1997



MELANIA SERWYLO

Your Reference:	LD:68371740-014-3.23-6307
Certificate No:	62451188
Issue Date:	28 MAR 2023
Enquiries:	ESYSPROD

Land Address: 46 MONBULK ROAD BELGRAVE VIC 3160

Land Id	Lot	Plan	Volume	Folio	Tax Payable
12596849	7	7346	9004	162	\$0.00

Vendor: ALLAN DICKSON
Purchaser: APPLICABLE NOT

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
MR ALLAN BRUCE DICKSON	2023	\$500,000	\$0.00	\$0.00	\$0.00

Comments: Property is exempt: LTX Principal Place of Residence.

Current Vacant Residential Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
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Comments:

Arrears of Land Tax	Year	Proportional Tax	Penalty/Interest	Total
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This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

Paul Broderick
Commissioner of State Revenue

CAPITAL IMP VALUE:	\$500,000
SITE VALUE:	\$500,000
AMOUNT PAYABLE:	\$0.00

Notes to Certificates Under Section 95AA of the *Taxation Administration Act 1997*

Certificate No: 62451188

Power to issue Certificate

1. The Commissioner of State Revenue can issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

Amount shown on Certificate

2. The Certificate shows any land tax (including Vacant Residential Land Tax, interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue. In addition, it may show:
 - Land tax that has been assessed but is not yet due,
 - Land tax for the current tax year that has not yet been assessed, and
 - Any other information that the Commissioner sees fit to include, such as the amount of land tax applicable to the land on a single holding basis and other debts with respect to the property payable to the Commissioner.

Land tax is a first charge on land

3. Unpaid land tax (including Vacant Residential Land Tax, interest and penalty tax) is a first charge on the land to which it relates. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any such unpaid land tax.

Information for the purchaser

4. If a purchaser of the land described in the Certificate has applied for and obtained a Certificate, the amount recoverable from the purchaser cannot exceed the 'amount payable' shown. A purchaser cannot rely on a Certificate obtained by the vendor.

Information for the vendor

5. Despite the issue of a Certificate, the Commissioner may recover a land tax liability from a vendor, including any amount identified on this Certificate.

General information

6. A Certificate showing no liability for the land does not mean that the land is exempt from land tax. It means that there is nothing to pay at the date of the Certificate.
7. An updated Certificate may be requested free of charge via our website, if:
 - The request is within 90 days of the original Certificate's issue date, and
 - There is no change to the parties involved in the transaction for which the Certificate was originally requested.

For Information Only

LAND TAX CALCULATION BASED ON SINGLE OWNERSHIP

Land Tax = \$775.00

Taxable Value = \$500,000

Calculated as \$375 plus (\$500,000 - \$300,000) multiplied by 0.200 cents.

Property Clearance Certificate - Payment Options

BPAY



Billers Code: 5249
Ref: 62451188

Telephone & Internet Banking - BPAY®

Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.

www.bpay.com.au

CARD



Ref: 62451188

Visa or Mastercard

Pay via our website or phone 13 21 61.
A card payment fee applies.

sro.vic.gov.au/paylandtax

ROADS PROPERTY CERTIFICATE

The search results are as follows:

Melania Serwylo
4/1567 Burwood highway
TECOMA 3160

Client Reference: 23-6307

NO PROPOSALS. As at the 28th March 2023, VicRoads has no approved proposals requiring any part of the property described in your application. You are advised to check your local Council planning scheme regarding land use zoning of the property and surrounding area.

This certificate was prepared solely on the basis of the Applicant-supplied address described below, and electronically delivered by LANDATA®.

46 MONBULK ROAD, BELGRAVE 3160
SHIRE OF YARRA RANGES

This certificate is issued in respect of a property identified above. VicRoads expressly disclaim liability for any loss or damage incurred by any person as a result of the Applicant incorrectly identifying the property concerned.

Date of issue: 28th March 2023

Telephone enquiries regarding content of certificate: 13 11 71

[Vicroads Certificate] # 68371740 - 68371740110750 '23-6307'