


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.

Land	44 Pound Road, Foster 3960 Land in Plan of Consolidation 378788F being lands described in Certificate of Title Volume 12175 Folio 009	
Vendor's name	South Gippsland Shire Council	Date 19/03/2024
Vendor's signature		
Vendor's name		Date / /
Vendor's signature		
Purchaser's name		Date / /
Purchaser's signature		
Purchaser's name		Date / /
Purchaser's signature		

Oakleys White
65 Main Street, Foster VIC 3960
Telephone: (03) 5682 2211
Email: law@oakleyswhite.com.au
Reference: FGB:YM:24143

Liability limited by a scheme approved under Professional Standards Legislation

1 FINANCIAL MATTERS

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

Are contained in the attached certificates.

There are no amounts for which the purchaser may become liable as a consequence of the sale of which the vendor might reasonably be expected to have knowledge, which are not included in the items above; other than any amounts described in this rectangular box.

None to the knowledge of the vendor

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

None to the knowledge of the vendor

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

There are easements for the purpose of transmission, supply or distribution of electricity (E-1) as per plan attached.

Details are contained in the attached copies of title documents. To the best of the vendor's knowledge, there is no existing failure to comply with the terms of any easement, covenant or other similar restriction.

Note: The vendor has no means of knowing details of all easements, covenants or restrictions (registered or unregistered) if not shown on the Title documents and/or communicated to the vendor.

The purchaser should make their own enquiries as to the location of any unregistered water or sewerage mains, power lines or telephone cables which may be laid outside registered easements. The purchaser should also make their own enquiries as to whether any structures or buildings are constructed over any easements prior to signing the contract, otherwise the purchaser accepts the location of all buildings and shall not make any claims in relation thereto.

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 under section 192A of 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.

3.5 Aboriginal Cultural Heritage

Not applicable

3.6 Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. See the attached Planning Property Report.

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:

None to the knowledge of the vendor.

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:

None to the knowledge of the vendor.

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:

None to the knowledge of the vendor.

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):

Not Applicable.

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")

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"/>
--	--	--	--	--

9 TITLE

Attached are copies of the following documents:

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 1000m²; (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.

- ☐ Vacant Residential Land or Land with a Residence
- ☒ Attach Due Diligence Checklist (this will be attached if ticked)

13 ATTACHMENTS

Enclosed are copies of the following:

- 13.1 Search notes to Certificate of Title Volume 12175 Folio 009;
- 13.2 Plan 378788F;
- 13.3 South Gippsland Shire Land Information Certificate;
- 13.4 DELWP Planning Certificate;
- 13.5 Planning Property Report;
- 13.6 Due Diligence Checklist.



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

Page 1 of 1

VOLUME 12175 FOLIO 009

Security no : 124113287560C
Produced 08/03/2024 04:09 PM

LAND DESCRIPTION

Land in Plan of Consolidation 378788F.

PARENT TITLES :

Volume 07314 Folio 671 Volume 12142 Folio 231

Created by instrument PC378788F 19/12/2019

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

SOUTH GIPPSLAND SHIRE COUNCIL of 9 SMITH STREET LEONGATHA VIC 3953
PC378788F 19/12/2019

ENCUMBRANCES, CAVEATS AND NOTICES

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 set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE PC378788F 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: 44 POUND ROAD FOSTER VIC 3960

ADMINISTRATIVE NOTICES

NIL

eCT Control 09887Y SOUTH GIPPSLAND SHIRE COUNCIL
Effective from 08/01/2020

DOCUMENT END

Imaged Document Cover Sheet


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Document Type	Plan
Document Identification	PC378788F
Number of Pages (excluding this cover sheet)	2
Document Assembled	08/03/2024 16:09

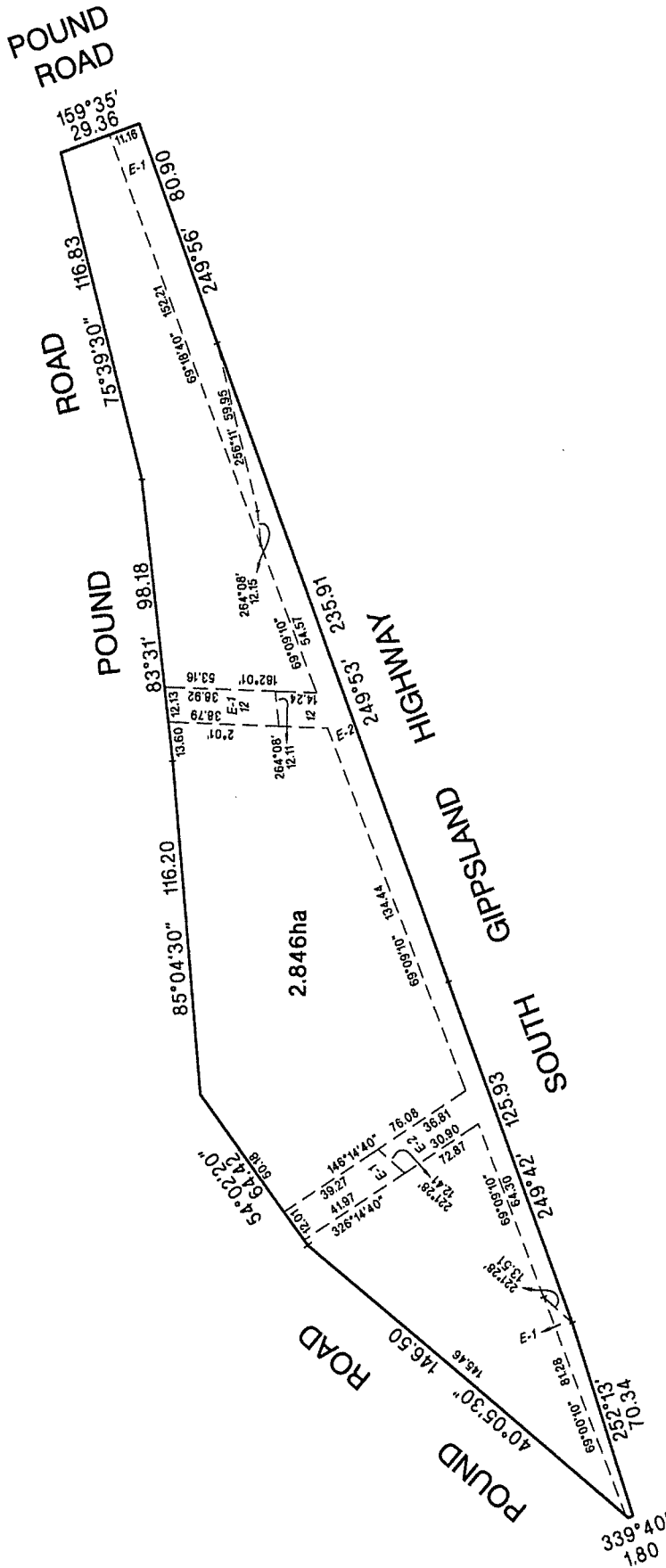
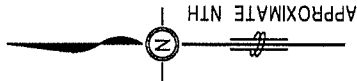
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The document is invalid if this cover sheet is removed or altered.

PLAN OF CONSOLIDATION			EDITION 1		PC 378788F	
LOCATION OF LAND PARISH: WONGA WONGA WONGA WONGA TOWNSHIP: - - SECTION: B - CROWN ALLOTMENT: 5 (PART) 2015 CROWN PORTION: - - TITLE REFERENCE: C/T VOL.7314 FOL.671 C/G VOL.12142 FOL.231 LAST PLAN REFERENCE: LOT 1 ON TP539568Y TP965130Q POSTAL ADDRESS: 2 POUND ROAD (at time of subdivision) FOSTER 3960 MGA CO-ORDINATES: E: 435 250 ZONE: 55 (of approx centre of land N: 5 722 570 GDA 94 in plan)			Council Name: South Gippsland Shire Council Council Reference Number: PC378788F Planning Permit Reference: X/2019/15 SPEAR Reference Number: S145717T Certification This plan is certified under section 6 of the Subdivision Act 1988 Statement of Compliance This is a statement of compliance issued under section 21 of the Subdivision Act 1988 Public Open Space A requirement for public open space under section 18 of the Subdivision Act 1988 has not been made Digitally signed by: Michelle Keen for South Gippsland Shire Council on 15/11/2019			
VESTING OF ROADS AND/OR RESERVES			NOTATIONS			
IDENTIFIER		COUNCIL/BODY/PERSON				
NIL		NIL				
NOTATIONS						
DEPTH LIMITATION: DOES NOT APPLY TO CROWN ALLOTMENT 5 15m BELOW THE SURFACE APPLIES TO CROWN ALLOTMENT 2015						
SURVEY: THIS PLAN IS NOT BASED ON SURVEY THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No(s) - IN PROCLAIMED SURVEY AREA No. -						
EASEMENT INFORMATION						
LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)						
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/in Favour Of		
E-1	THE CONDITION FOR THE PURPOSE OF THE TRANSMISSION, SUPPLY OR DISTRIBUTION OF ELECTRICITY AS SETOUT IN C/G VOL.12142 FOL.231	SEE DIAG	C/G V.12142 FOL.231	REFER TO C/G V.12142 FOL.231		
E-2	POWER LINE	SEE DIAG	THIS PLAN - SECTION 88 OF THE ELECTRICITY ACT 2000	AUSNET ELECTRICITY SERVICES PTY LTD		
 71-73 McBride Avenue Wonthaggi Vic 3995 p: (03)5672 5117 e: dave@rasosurvey.com.au 72 Main Street Foster Vic 3960 p: (03)5662 2661 e: foster@rasosurvey.com.au raso consulting surveyors		SURVEYORS FILE REF: F1122 F1122 PC-v02A.dwg Digitally signed by: Ben King, Licensed Surveyor, Surveyor's Plan Version (02), 28/08/2019, SPEAR Ref: S145717T		ORIGINAL SHEET SIZE: A3 PLAN REGISTERED TIME: 8:58 am DATE: 19/12/2019 Y. Cheung Assistant Registrar of Titles		SHEET 1 OF 2

PC 378788F



71-73 McBride Avenue Wonthaggi Vic 3995
P: (03)5872 3177 E: dave@rascosurvey.com.au
72 Main Street Foster Vic 3860
P: (03)5882 2861 E: ben@rascosurvey.com.au

rascos
rascos consulting surveyors

Amended by: Ben King, Licensed Surveyor 18/12/2019.

SCALE
1:1500

15 30 45 60
LENGTHS ARE IN METRES

Digitally signed by: Ben King, Licensed Surveyor,
Surveyor's Plan Version (02),
28/08/2019, SPEAR Ref: S145717T

ORIGINAL SHEET
SIZE: A3

SHEET 2

Digitally signed by:
South Gippsland Shire Council,
15/11/2019,
SPEAR Ref: S145717T

Land Information Certificate



South Gippsland
Shire Council

Come for the beauty. Stay for the lifestyle

Assessment No: 76288-3

Certificate No 30869
Date printed 13 March 2024
Enquiries 03 5662 9373

Applicants Ref 72106986-012-0
Receipt No
Fee: \$28.90

Landata
2MQ, Level 13
697 Collins Street
Docklands VIC 3008

Property Owner	South Gippsland Shire Council
Property Address	44 Pound Road Foster VIC 3960
Property Description	PC378788F Parish of Wonga Wonga
Land Use	520 Domestic Livestock Grazing
Land Area	2.846H

Valuation effective date 1 July 2023		
Site	Capital Improved Value	Net Annual Value
\$110,000	\$120,000	\$6,000

Rates & Charges for the period ending 30 June 2024

Arrears brought forward	
General Rates	253.10
Interest	0.00
Legal Fees	0.00
Current Charges	
General Rates	0.00
Fire Services Property Levy	274.25
Pension Rebate	0.00
Total Current	274.25
Other Current Charges	
Current Interest	0.00
Legal Fees	0.00
Special Rates & Charges	0.00
Payments	-527.35
Total Balance	\$0.00

Payment methods:

1. Bpay – Biller Code **35097** Customer Reference No: **000000000762883**
2. In person or by cheque through the mail at the address below or Council's website

ABN: 67 816 770 786 GST Exempt

9 Smith Street (Private Bag 4 Leongatha 3953 – DX 94026 Leongatha
Telephone: (03) 5662 9200 Facsimile: (03) 56623754
Email: council@southgippsland.vic.gov.au Website: www.southgippsland.vic.gov.au

Land Information Certificate

Details of all rates and charges are for the period ending 30/06/24. Rates (except instalments) are due and payable on or before 15/02/24. Interest is charged at 10% on all lump sum overdue rates and charges and overdue instalments, backdated to the date on which the instalment was due.

NOTE: In accordance with section 175(1), Local Government Act 2020 the purchaser must pay all rates and charges overdue at the time that person becomes the owner of the land.

NOTICES, ORDERS, OUTSTANDING OR POTENTIAL/SUBDIVISIONAL REQUIREMENT

- There is no potential liability for rates under the Cultural and Recreational Lands Act 1963.
- There is a potential liability for the land to become rateable under Section 173 or 174A of the local Government Act 1989.
- There is no outstanding amount required to be paid for recreational purposes or any transfer of land required to be made to council for recreational purposes under section 18, Subdivision of Land act 1988 or the Local Government Act 1958.
- There are no notices or orders on the land that have been served by council under the Local Government Act 1958, Local Government Act 2020, any other act or regulation, under a Local Law of the Council, which have a continuing application as at the date of this certificate.
- If a bin has been supplied, it MUST remain at the property. If the Vendor has removed the bin and the Purchaser requests a replacement bin, a fee may apply.
- A flood level has not been determined by council under the Victorian Building Regulations.
- This certificate is not required to include information regarding planning, building, health, land fill, land slip, other flooding information or service from the council or the relevant authority. A fee may be charged for such information.
- Properties not connected to town sewer will have an on-site wastewater system (septic tank or treatment plant). The property owner / occupier is required to service and maintain the wastewater system in accordance with the original permit conditions. Please contact Council's Environmental Health Unit on 5662 9262 for further details.
- This certificate provides information regarding valuation, rates, charges, other moneys owing and any orders and notices made under the Local Government Act 1958, Local Government Act 2020,
- Potential purchasers need to ensure that the land is not a fire risk under the Fire Services Property Levy Act 2012 or under a Local Law or by the law of the council.
- 'There is not any environmental upgrade charge in relation to the land which is owed under Section 181C of the Act.
- All payments are subject to bank clearance.

I hereby certify that as at the date of issue, the information given in the certificate is a true and correct disclosure of the rates and other monies and interest payable to the South Gippsland Shire Council together with any notices or orders referred to in this certificate.



Authorised by: Olivia Skillern
Rates & Valuations Officer

Date:13-Mar-2024

PLANNING CERTIFICATE

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

CERTIFICATE REFERENCE NUMBER

1011731

APPLICANT'S NAME & ADDRESS

OAKLEYS WHITE C/- INFOTRACK (LEAP) C/- LANDATA
DOCKLANDS

VENDOR

SOUTH GIPPSLAND SHIRE COUNCIL

PURCHASER

NOT KNOWN, NOT KNOWN

REFERENCE

4523

This certificate is issued for:

PLAN PC378788 ALSO KNOWN AS 44 POUND ROAD FOSTER
SOUTH GIPPSLAND SHIRE

The land is covered by the:

SOUTH GIPPSLAND PLANNING SCHEME

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

The land:

- is included in a TRANSPORT ZONE 2 - PRINCIPAL ROAD NETWORK
and a FARMING ZONE
- is within a ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 5
and a SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 3
- and abuts a TRANSPORT ZONE 2 - PRINCIPAL ROAD NETWORK

A Proposed Amending Planning Scheme C119sgip has been placed on public exhibition which shows this property :

- is within a AREA TO BE DELETED FROM AN ENVIRONMENTAL SIGNIFICANCE
OVERLAY - C119sgip
- and a EROSION MANAGEMENT OVERLAY - SCHEDULE 1 - C119sgip

A detailed definition of the applicable Planning Scheme is available at :

<http://planningschemes.dpcd.vic.gov.au/schemes/southgippsland>

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

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

08 March 2024

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

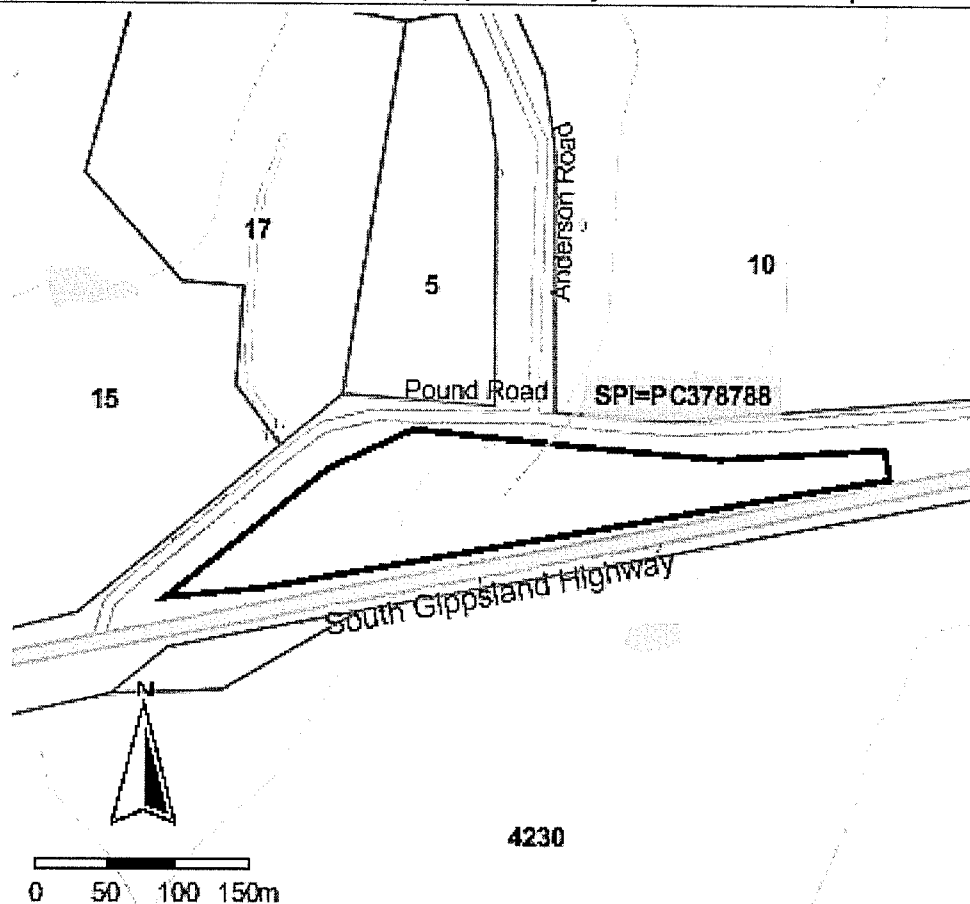


The attached certificate is issued by the Minister for Planning of the State of Victoria and is protected by statute.

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.



PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au at 06 March 2024 01:49 PM

PROPERTY DETAILS

Address: **44 POUND ROAD FOSTER 3960**
Lot and Plan Number: **Plan PC378788**
Standard Parcel Identifier (SPI): **PC378788**
Local Government Area (Council): **SOUTH GIPPSLAND**
Council Property Number: **191224**
Planning Scheme: **South Gippsland**
Directory Reference: **Vicroads 103 E4**

www.southgippsland.vic.gov.au

[Planning Scheme - South Gippsland](#)

UTILITIES

Rural Water Corporation: **Southern Rural Water**
Urban Water Corporation: **South Gippsland Water**
Melbourne Water: **Outside drainage boundary**
Power Distributor: **AUSNET**

STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
Legislative Assembly: **GIPPSLAND SOUTH**

OTHER

Registered Aboriginal Party: **Gunaikurnai Land and Waters
Aboriginal Corporation**

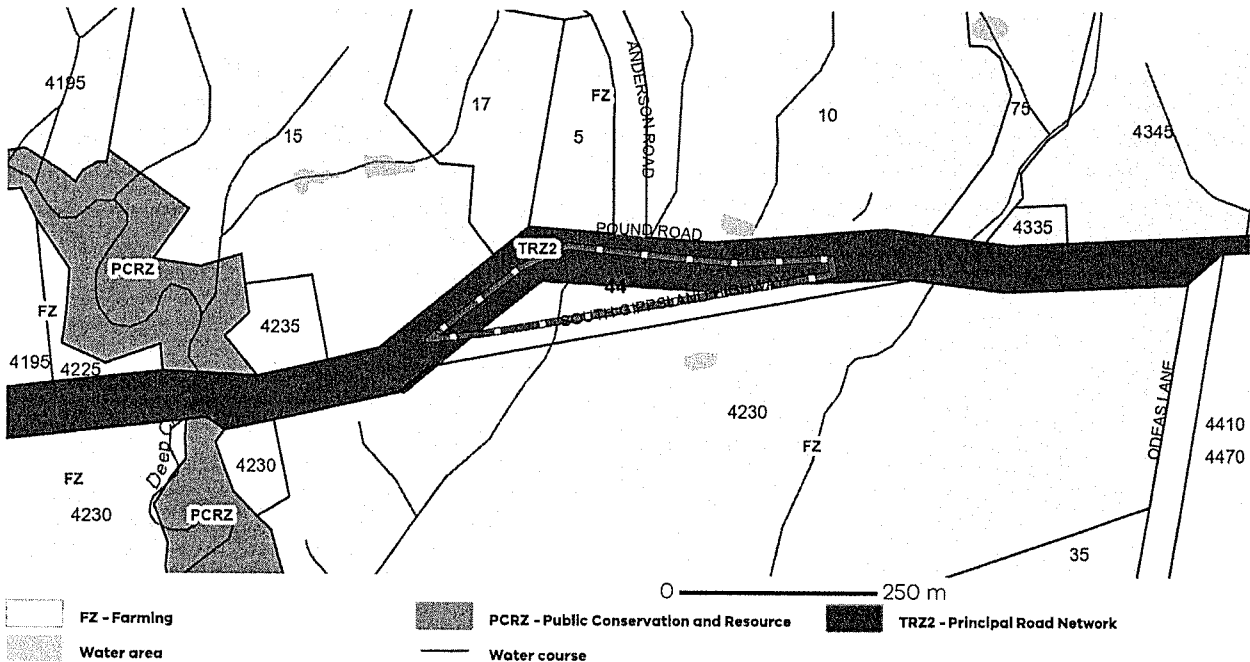
[View location in VicPlan](#)

Planning Zones

[FARMING ZONE \(FZ\)](#)

[SCHEDULE TO THE FARMING ZONE \(FZ\)](#)

[TRANSPORT ZONE 2 - PRINCIPAL ROAD NETWORK \(TRZ2\)](#)



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

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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

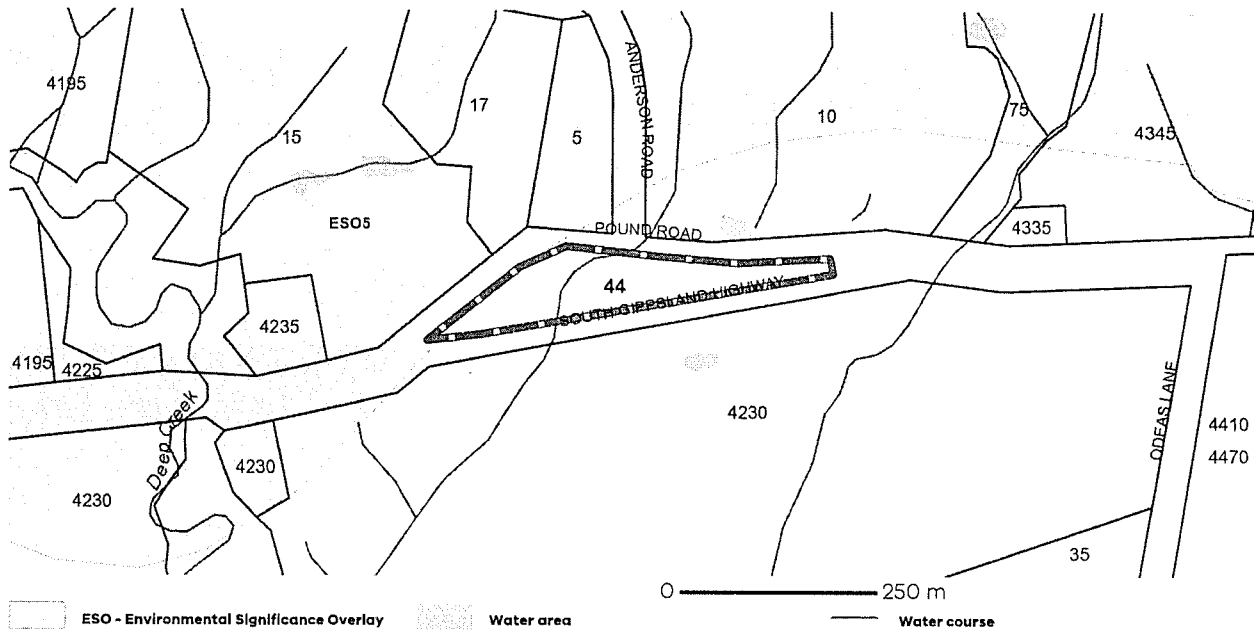
PLANNING PROPERTY REPORT: 44 POUND ROAD FOSTER 3960

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Planning Overlays

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

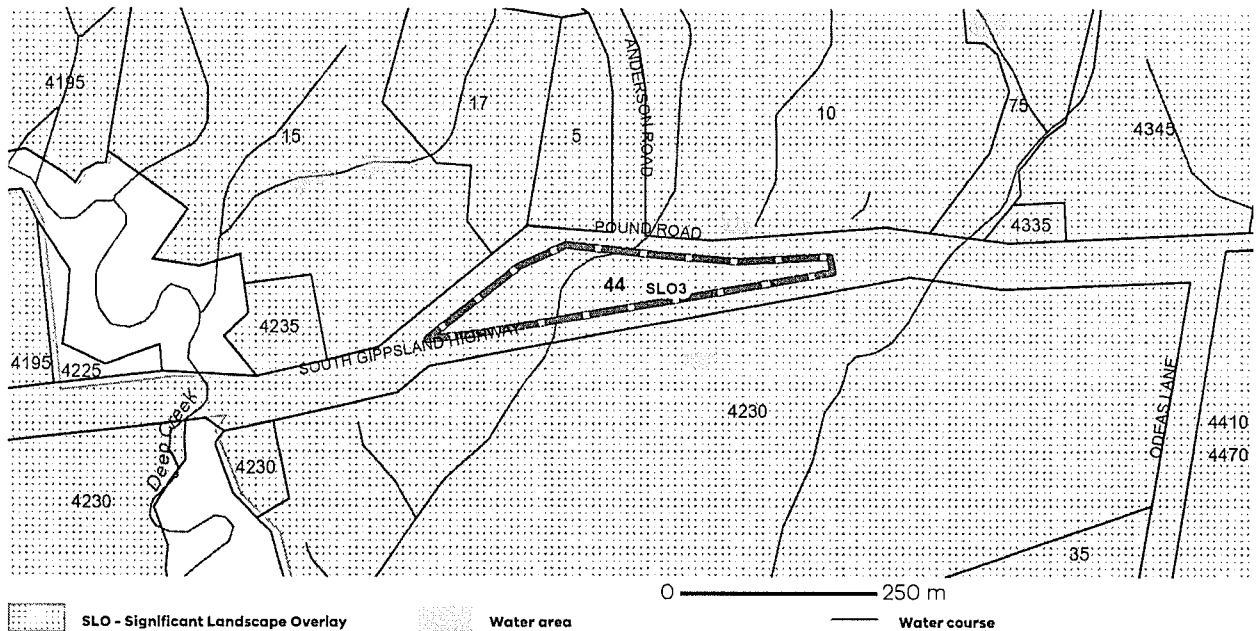
ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 5 (ESO5)



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 3 (SLO3)



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

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PLANNING PROPERTY REPORT: 44 POUND ROAD FOSTER 3960

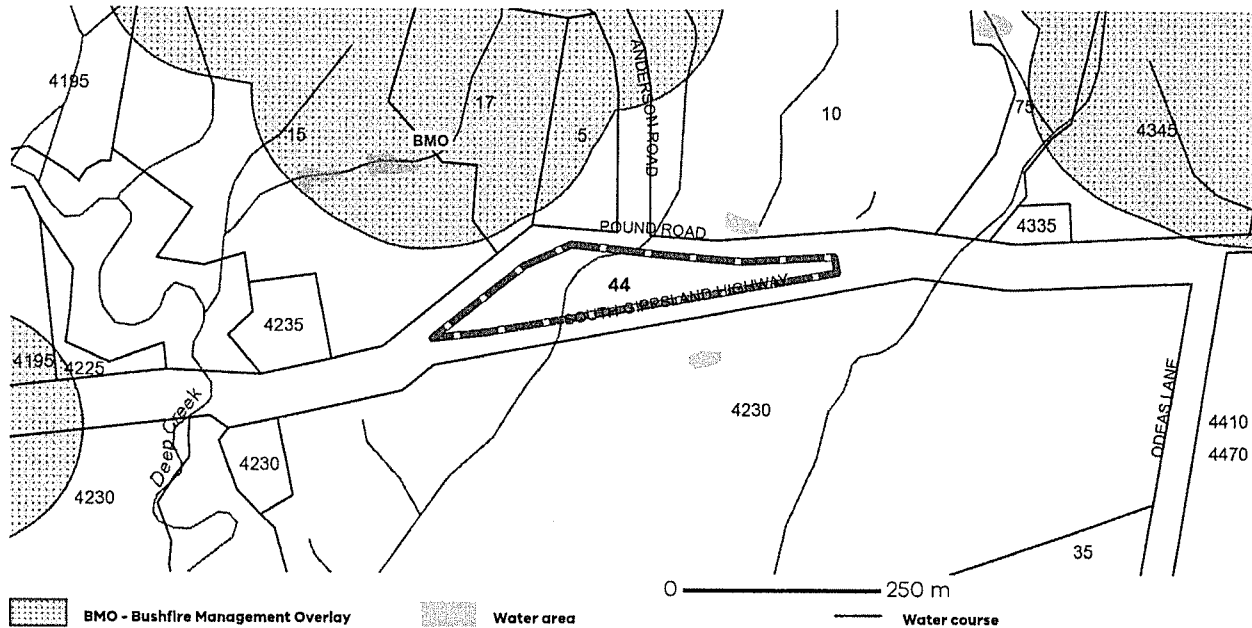
Page 2 of 4

Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

BUSHFIRE MANAGEMENT OVERLAY (BMO)



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

Further Planning Information

Planning scheme data last updated on 7 December 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>

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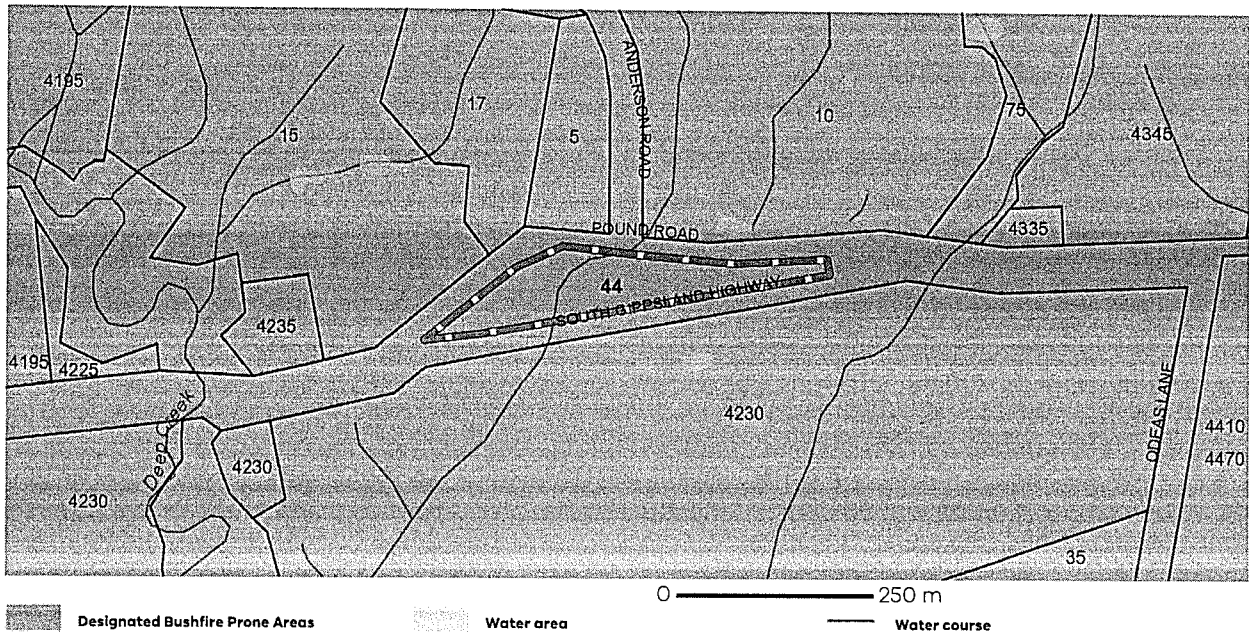
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Designated Bushfire Prone Areas

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 \(environment.vic.gov.au\)](#)

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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

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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.

(04/10/2016)