

This document is prepared from a precedent intended solely for use by legal practitioners with the knowledge, skill and qualifications required to use the precedent to create a document suitable to meet the vendor's legal obligation to give certain statements and documents to a purchaser before the purchaser signs a contract to purchase the land. This document incorporates the requirements in section 32 of the *Sale of Land Act 1962* as at 1 October 2014.

Vendor Statement

Instructions for completing this document

Words in *italics* are generally for instruction or information only.

Where marked "+" below, the authority of a person signing under a power of attorney, as a director of a corporation or as an agent authorized in writing must be added in the vendor or purchaser's name or signature box. A corporation's ACN or ABN should also be included

Delete as appropriate wherever an asterisk (*) appears. "Nil" may be written in any of the rectangular boxes if appropriate. Additional information may be added to section 13 where there is insufficient space.

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

37 BELLE VIEW AVE HIGHTON

Vendor's
name

SARAH LOUISE TOMLINSON (formerly Muir)

Date

31/7/2019

Vendor's
signature



Purchaser's
name

Date

/ /

Purchaser's
signature

Purchaser's
name

Date

/ /

Purchaser's
signature

Important information

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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 certificate/s.

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

1.3 Terms Contract

This section 1.3 only applies if this vendor statement is in respect of a terms contract where the purchaser is obliged to make 2 or more payments (other than a deposit or final payment) to the vendor after the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land. Not applicable

1.4 Sale Subject to Mortgage

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

2. INSURANCE

2.1 Damage and Destruction

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

2.2 Owner-Builder

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

3. LAND USE

3.1 Easements, Covenants or Other Similar Restrictions

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

Is in the attached copies of title document/s.

- (b) Particulars of any existing failure to comply with that easement, covenant or other similar restriction are: Not applicable

3.2 Road Access

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

☐

3.3 Designated Bushfire Prone Area

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

☐

3.4 Planning Scheme

Attached is a certificate with the required specified information.

4. NOTICES

4.1 Notice, Order, Declaration, Report or Recommendation

Particulars of any notice, order, declaration, report or recommendation of a public authority or government department or approved proposal directly and currently affecting the land, being a notice, order, declaration, report, recommendation or approved proposal of which the vendor might reasonably be expected to have knowledge: Not applicable

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: Not applicable

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: Not applicable

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):

Are contained in the attached certificate.

6. OWNERS CORPORATION

This section 6 only applies if the land is affected by an owners corporation within the meaning of the *Owners Corporations Act 2006*. Not applicable

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

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

7.1 Work-in-Kind Agreement

This section 7.1 only applies if the land is subject to a work-in-kind agreement.

- (a) The land is NOT to be transferred under the agreement unless the square box is marked with an "X" ☐
- (b) The land is NOT land on which works are to be carried out under the agreement (other than Crown land) unless the square box is marked with an "X" ☐
- (c) The land is NOT land in respect of which a GAIC is imposed unless the square box is marked with an "X" ☐

7.2 GAIC Recording

This section 7.2 only applies if there is a GAIC recording.

Any of the following certificates or notices must be attached if there is a GAIC recording.

The accompanying boxes marked with an "X" indicate that such a certificate or notice that is attached:

- (a) Any certificate of release from liability to pay a GAIC ☐
- (b) Any certificate of deferral of the liability to pay the whole or part of a GAIC ☐
- (c) Any certificate of exemption from liability to pay a GAIC ☐
- (d) Any certificate of staged payment approval ☐
- (e) Any certificate of no GAIC liability ☐
- (f) Any notice providing evidence of the grant of a reduction of the whole or part of the liability for a GAIC or an exemption from that liability ☐
- (g) A GAIC certificate issued under Part 9B of the *Planning and Environment Act 1987* must be attached if there is no certificate or notice issued under any of sub-sections 7.2 (a) to (f) above ☐

8. SERVICES

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

Electricity supply ☐ Gas supply ☐ Water supply ☐ Sewerage ☐ Telephone services ☐

9. TITLE

Attached are copies of the following documents:

9.1 (a) Registered Title

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

10. 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.)

Register Search Statement - Volume 8548 Folio 050

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

VOLUME 08548 FOLIO 050

Security no : 124077450487R
Produced 14/05/2019 03:30 PM

LAND DESCRIPTION

Lot 37 on Plan of Subdivision 066427.
PARENT TITLE Volume 08498 Folio 962
Created by instrument LP066427 23/04/1965

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
SARAH LOUISE MUIR of 37 BELLE VUE AVENUE HIGHTON VIC 3216
AG643552X 21/07/2009

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AR773835M 17/12/2018
ING BANK (AUSTRALIA) LTD

COVENANT G566665 28/11/2001

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 TP638228X 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: 37 BELLE VUE AVENUE HIGHTON VIC 3216

ADMINISTRATIVE NOTICES

NIL

eCT Control 17125H GADENS LAWYERS
Effective from 17/12/2018

DOCUMENT END

Delivered from the LANDATA® System by SAI Global Property Division Pty Ltd
Delivered at 14/05/2019, for Order Number 56890063. Your reference: 190155 - Tomlinson.

38
36
6566665

1-36, 195936 HX25-77

6566665

#245
7
BIRDSEY, DEDMAN & BARTLETT

SOLICITORS

GEELONG

VICTORIA

TRANSFER OF LAND

CAMBRIDGE CREDIT CORPORATION LIMITED of 411 Lonsdale Street

Melbourne 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

FOURTEEN THOUSAND DOLLARS (\$14,000-00) paid to it by HAROLD

WILFRED SALT Motor Mechanic and THELMA CHRISTINE SALT Married

Woman both formerly of 30 Bellevue Avenue Highton but now of 37

Bellevue Avenue Highton DO HEREBY TRANSFER to the said HAROLD

WILFRED SALT and THELMA CHRISTINE SALT as joint tenants All its

estate and interest and ALL THAT piece of Land being Lot 37 on

Plan of Subdivision Number 66427 Parish of Barrarbool and being

the whole of the land more particularly described in Certificate

of Title Volume-8548 Folio-050 AND Transferees WITH the intention

that the benefit of this Covenant shall be attached to and run at

law and in equity with each and every Lot on the said Plan of

Subdivision other than the said Lot hereby transferred and that

the burden of this Covenant shall be annexed to and run at law

and in equity with the said Lot doth hereby for themselves the

heirs, executors, administrators and transferees the registered

proprietors or proprietor for the time being of the Lot hereby

transferred Covenant with the said Transferor and its transferees

or other the registered proprietors or proprietor for the time

being of each and every Lot on the said Plan of Subdivision or

any part thereof other than the Lot hereby transferred that the

said Transferees their heirs, executors, administrators or

transferees shall not at any time build, construct or erect or

cause to be built constructed or erected on the said Lot hereby

transferred or any part thereof a dwelling house the floor area

of which is less than one thousand square feet and it is intended

that the above Covenant shall appear as an encumbrance on the

Certificate of Title to be issued in respect of the land hereby

transferred.

MR-24-77 474232 27035

0101 ****25-00



0556665-1-8

A memorandum of the within instrument has been entered in the Register Book.

DATED the 30th day of December One thousand
nine hundred and seventy-six.

EXECUTED by CAMBRIDGE CREDIT CORPORATION)
LIMITED (Receiver appointed) by being signed)
by its Attorney ERNEST HARDING NIEMANN)
under Powers Nos. 211065, 217767, 217768 : +
and 218763 in the presence of: (Signature)

Signed by the said HAROLD WILFRED)
SALT in Victoria in the presence)
of:- (Signature)

Signed by the said THELMA CHRISTINE)
SALT in Victoria in the presence)
of:- (Signature)

ENCUMBRANCES REFERRED TO

The easements (if any) affecting the said land and the encumbrances
(if any) set out at the foot of the Certificate of Title to said
land.



DG555555-2-4

DATED

3rd Dec 1976

1976

CAMBRIDGE CREDIT
CORPORATION LIMITED

TO

HAROLD WILFRED SAIT
&
THELMA CHRISTINE SAIT

T R A N S F E R

①

245 50
268.50 S
52.00 R
5 00 04 Q
7⁰⁰
116⁰⁰
52

BIRDSEY, DEDMAN & BARTLETT

SOLICITORS

GEELONG

TDB/CIB

TITLE PLAN		EDITION 1	TP 638228X
Location of Land Parish: BARRARBOOL Township: Section: Crown Allotment: Crown Portion: Last Plan Reference: LP 66427 Derived From: VOL 8548 FOL 050 Depth Limitation: NIL		Notations ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	
Description of Land / Easement Information ENCUMBRANCES REFERRED TO As to any land coloured BLUE THE EASEMENTS implied under Section 98 of the Transfer of Land Act. E-1 EASEMENT TO CITY OF SOUTH BARWON CREATED BY INSTRUMENT H455633		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 02/10/2000 VERIFIED: A.C.	
COLOUR CODE BL = BLUE			
LENGTHS ARE IN FEET & INCHES		Metres = 0.3048 x Feet Metres = 0.201168 x Links	
		Sheet 1 of 1 sheets	

eService

CITY OF GREATER GEELONG
PO BOX 104
GEELONG 3220 AUSTRALIA
DX 22063 GEELONG

TELEPHONE 03 5272 5272
FACSIMILE 03 5272 4626
www.geelongaustralia.com.au



LAND INFORMATION CERTIFICATE

In accordance with Section 229 of the Local Government Act 1989

Date of Issue: **17-May-2019**

Certificate No: **158586**

Applicants Ref:

190155 - TOMLINSON:117079

Assessment Number: 20314

Property Address: **37 Belle Vue Avenue, HIGHTON VIC 3216**

Property Description: **Lot 37 LP 66427**

Ratepayer as per

Council Records: **S L Tomlinson**

Applicant:

**Ingpen & Bent
DX22044
GEELONG VIC**

Operative Valuation Date:	01-Jul-2018
Level of Valuation Date:	01-Jan-2018
Capital Improved Value:	430,000
Site Value:	340,000
Net Annual Value:	21,500

This certificate provides information regarding Valuation, Rates, Charges, other monies owing and any orders and notices made under the Local Government Act 1958, Local Government Act 1989 or under a local law or By-Law of the Council and specified flood level by the Council (if any).

This certificate is not required to include information regarding Planning, Building, Health, Land Fill, Land Slip, other Flooding Information or Service Easements. Information regarding these matters may be available from the Council or the relevant Authority. A fee may be charged for such information.

Particular of Rates & Charges, Outstanding Notices and Works for which a charge has been made:

- ♦ The current rating year is for the period **01/07/2018 to 30/06/2019**. Lump sum payment - due by **15/02/2019** or by instalment **30/09/2018, 30/11/2018, 28/02/2019 and 31/05/2019**. Interest is chargeable after these dates on any outstanding amount.
- ♦ Interest on outstanding charges and additional payments or charges may have affected the balance, please check with this office at time of settlement for an update amount. Telephone ☎ **03 5272 5272**.

Please Note: Council has no involvement in the settlement process. Therefore, any overpayment of rates at settlement will be refunded to the payee.

Confirmation of any variation to this certificate will only be given for up to 90 days from the date of issue (ie. **15-Aug-2019**) and within the current financial year.

The Local Government Act 1989 requires a Notice of Acquisition be submitted to ensure Purchasers correct name and address details are held by Council. Council cannot accept liability for incorrect addresses when notification in writing has not been supplied.

CITY OF GREATER GEELONG
LAND INFORMATION CERTIFICATE (cont.)

In accordance with Section 229 of the
Local Government Act 1989

Date of Issue: **17-May-2019**

eService

Certificate No: **158586**

Property Address: **37 Belle Vue Avenue, HIGHTON VIC 3216**

Assessment Number: **20314.1**

	<u>Rate, Charges & Other Monies</u>	<u>Amount \$</u>
Arrears:	Balance Brought Forward	0.00
	Legal Fees Arrears	0.00
Current:	General Rates	1,025.55
	State Government Levies	133.90
	Waste Management	316.90
	Municipal Charge	102.00
	Refunds	0.00
	Concession Rebates	0.00
	Interest Arrears	0.00
	Interest Current	0.00
	Legal Fees	0.00
Other:	Special Charges (<i>subject to Final Costs</i>)	0.00
	Sundry Charges	0.00
Payment:	Amount Received	-1,578.35
	Overpayment	0.00
	All Overdue amounts should be paid at settlement. The purchaser is liable for all outstanding rates and charges after transfer and settlement.	
	Total Due:	0.00

General Notes: Supplementary Valuations are conducted by Council when a property's characteristics change. Examples of this (but not exclusive) are: A building is altered, erected, or demolished. A property is amalgamated, subdivided, rezoned, part sold, or affected by road construction. As a result of this, an Adjusted Valuation may be returned in due course and a subsequent rate adjustment may be levied within the financial year.

Condition:

I hereby certify that as the date of issue, the information given in this certificate is a correct disclosure of the rates, charges, interest and other monies payable to the City of Greater Geelong together with any Notices pursuant to the Local Government Act 1989, Local Laws or any other legislation.



Authorised Officer



Biller Code: 17475

Reference: 100000203141

Payment via internet or phone banking,
from your cheque or savings account.

Information Statement Part A

*In accordance with Section 158 of the Water Act 1989
(Should be Read in Conjunction with Part B)*

INSTALLATION NUMBER: 14892155 **APPLICATION NUMBER:** 300526 **DATE:** 14/05/2019
PROPERTY ADDRESS: 37 BELLE VUE AVE, HIGHTON, VIC 3216
YOUR REFERENCE: 155781239836600004097232
OWNER: S L Tomlinson
COMMENTS: Comments

The following service charges are applicable for the abovenamed property for the period 01/04/2019 to 30/06/2019. These charges are itemised separately to allow a pro-rata adjustment, and will not appear as due and payable below if they have already been paid.

	Value	GST	Price
Sewerage Service Charge	140.89	0.00	140.89
Water Service Charge	38.64	0.00	38.64
Total Service Charge	\$ 179.53	0.00	179.53

Barwon Region Water Corporation hereby certifies that the following Charges and Interest are due and payable to it in respect of the abovenamed property.

Charges Due & Payable

	Value	GST	Price
TOTAL DUE	\$ NIL	NIL	NIL

Important Information

THE WATER METER WAS LAST READ ON 03/05/2019. AN APPLICATION FOR A SPECIAL METER READING CERTIFICATE WILL BE REQUIRED TO ENSURE ALL VOLUME CHARGES CAN BE ADJUSTED AT TIME OF SETTLEMENT. APPLICATION CAN BE MADE AT www.barwonwater.vic.gov.au UNDER "PROPERTY INQUIRY APPLICATIONS". PLEASE ALLOW 5 WORKING DAYS FOR THE APPLICATION TO BE PROCESSED AND A CERTIFICATE PRODUCED.

Before settlement, please call the Customer Service Centre on 1300 656007 to verify total amounts outstanding, as further legal costs may be applicable.

In accordance with Section 275 of the Water Act 1989, a person who becomes the owner of a property must pay to Barwon Water at the time the person becomes the owner of the property, any amount that is due to Barwon Water as a charge on that property.

To effect a change of ownership, details of the sale are required by Notice of Disposition or Acquisition to Barwon Water, P.O. Box 659, Geelong Vic 3220.

*** PLEASE NOTE:** Verbal confirmation will not be given after 13/07/2019. Barwon Water will not be held responsible for information provided verbally. For settlement purposes another certificate should be obtained after 13/07/2019 and a fee will be payable.

If the property to be purchased is vacant land, any proposed building will attract connection fees and/or contribution fees. To find out more detail on these please contact Barwon Water on 1300 656 007.

Manager Customer Centre

Information Statement Part B

*In accordance with Section 158 of the Water Act 1989
(Should be Read in Conjunction with Part A)*

14-05-2019

info@ingpen-bent.com.au

Property: 37 BELLE VUE AVE HIGHTON 3216

I refer to your application received at this office on 14/05/2019. I wish to advise encumbrances which may not be shown on Certificate of Title presently exist in respect of the above property, and are set out below.

Encumbrances: A sewer main vested in Barwon Water is laid as per attached copy of plan.

The plan shows the location of sewers vested in Barwon Water. This information has been obtained from plans kept by Barwon Water for its own purposes. The plans may show the position of such underground water and sewerage services and other structures and equipment relative to fences, buildings, levels, and the like as these existed at the time such plant was installed. The plans have not necessarily been amended to take account of any subsequent change in any matter. Barwon Water does not warrant or hold out that the plans show more than the presence or absence of the services and will accept no liability arising from use of the information shown on the plans.

No Notices served in respect of the property at present remain outstanding, relative to the connection of water supply and/or sewerage services.

It should be noted the erection of any building, wall, bridge, fence, or other structure over, under, or within one metre laterally of any sewer vested in Barwon Water is prohibited by the Water Act 1989, unless the written consent of Barwon Water is first obtained.

Should you have any inquiries, please contact Barwon Water on 1300 656 007.

Our Ref: EC300526

Your Ref: 155781239836600004097232

Yours faithfully,

Manager Customer Centre

PROPERTY INFORMATION CERTIFICATE

Building Regulations 2018
Pursuant to Regulation 51(1)



Ingpen & Bent
DX22044
GEELONG VIC

17 May 2019

PI: 221242
PIR-2019-2568
Telephone: 5272 4450

Your Ref 190155 TOMLINSON

PROPERTY FOR WHICH INFORMATION WAS REQUESTED

Property Address 37 Belle Vue Avenue, HIGHTON VIC 3216

Title Information Lot 37 LP 66427

Volume / Folio CT-8548/050

Regulation 51(1) *Building Regulation 2018*, any person may request the relevant Council to provide in relation to any building or land:

1. Details of any Permit or Certificate of Final Inspection issued in the preceding 10 years:

NIL

2. Details of any current statement issued under Regulation 64 (Combined Allotments) or Regulation 231 (Subdivision of existing buildings)

NIL

3. Details of any current Notice or Order issued by the Relevant Building Surveyor under the *Act*.

NIL

Please Note:

- While every effort is made to provide full and accurate information, the Council's records may be deficient because of limitations in the period the records have been kept and/or because of their accuracy in recording or failure to record other permits, orders, variations or revocations.
- In addition, the existence of permits or certificates does not indicate whether all construction on a property complies with approvals. Independent inquiries should be made if in any doubt or if any problem is anticipated or encountered.

Yours sincerely

A handwritten signature in black ink, appearing to read "Peter Larkins".

Peter Larkins
Technical Officer

**BUILDING SERVICES
100 BROUGHAM STREET, GEELONG**

Planning Certificate



PROPERTY DETAILS

Property Address: 37 Belle Vue Avenue HIGHTON VIC 3216

Title Particulars: Vol 8548 Fol 050

Vendor: SARAH TOMLINSON

Purchaser: N/A

Certificate No: 56890063

Date: 15/05/2019

Matter Ref: 190155 - Tomlinson

Client: Ingpen & Bent



MUNICIPALITY

GREATER GEELONG



PLANNING SCHEME

GREATER GEELONG PLANNING SCHEME



RESPONSIBLE AUTHORITY FOR ADMINISTERING AND ENFORCING THE SCHEME

GREATER GEELONG CITY COUNCIL



ZONE

GENERAL RESIDENTIAL ZONE - SCHEDULE 2



ABUTTAL TO A ROAD ZONE / PUBLIC ACQUISITION OVERLAY FOR A PROPOSED ROAD OR ROAD WIDENING

NOT APPLICABLE



OVERLAY

DESIGN AND DEVELOPMENT OVERLAY: DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 14

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY: NOT APPLICABLE

DEVELOPMENT PLAN OVERLAY: NOT APPLICABLE

ENVIRONMENTAL AUDIT OVERLAY: NOT APPLICABLE

ENVIRONMENTAL SIGNIFICANCE OVERLAY: NOT APPLICABLE

HERITAGE OVERLAY: NOT APPLICABLE

PUBLIC ACQUISITION OVERLAY: NOT APPLICABLE

SIGNIFICANT LANDSCAPE OVERLAY: NOT APPLICABLE

SPECIAL BUILDING OVERLAY: PART SPECIAL BUILDING OVERLAY

VEGETATION PROTECTION OVERLAY: NOT APPLICABLE

OTHER OVERLAYS: NOT APPLICABLE



PROPOSED PLANNING SCHEME AMENDMENTS

GREATER GEELONG C393 PROPOSES TO IMPLEMENT THE STATUTORY RECOMMENDATIONS OF THE "CITY OF GREATER GEELONG RETAIL STRATEGY 2016-2036" INTO THE GREATER GEELONG PLANNING SCHEME AND TO INSERT A NEW CLAUSE AT 21.19 (ACTIVITY CENTRES) AND TO REPLACE CLAUSE 22.03;

GREATER GEELONG C388 PROPOSES TO INTRODUCE A LOCAL PLANNING POLICY AT CLAUSE 22.68 ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT, THE POLICY IS TO ENSURE BEST PRACTICES IN ENVIRONMENTAL SUSTAINABILITY FROM DESIGN STAGE THROUGH TO CONSTRUCTION AND OPERATION;

 ADDITIONAL INFORMATION

STATE-WIDE PROVISIONS IF AN APARTMENT DEVELOPMENT - SEE PLANNING SCHEME CLAUSE 55.07 AND CLAUSE 58

 PLANNING ZONE MAP



This map extract is sourced from data maintained by the State of Victoria and is provided for information purposes only. No representation is made as to the accuracy of the content, and SAI Global Property Division Pty Ltd does not accept any liability to any person for the information provided.

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Disclaimer: The information source for each entry on this certificate has been checked and if not shown on this report, is not applicable. In addition to Planning Scheme Zone and Overlay Provisions, Victorian Planning Schemes comprise the State Planning Policy Framework, the Local Planning Policy Framework, Particular Provisions and General Provisions. Strategies, policies and provisions detailed in these sections of the Planning Scheme may affect the development and use of the land.

CITY OF GREATER GEELONG
PO BOX 104
GEELONG 3220 AUSTRALIA
DX 22063 GEELONG

TELEPHONE 03 5272 5272
FACSIMILE 03 5272 4277
www.geelongaustralia.com.au



Ms S L Tomlinson
37 Belle Vue Avenue
HIGHTON VIC 3216

21 August 2015

Our Ref: C335



023
1001900
R2_500

Dear Sir or Madam

**Re: Greater Geelong Planning Scheme Amendment C335 Highton Flood Study
Notice of Amendment to Affected & Adjacent Properties**

I am writing to advise you that Council has prepared a new amendment to the Greater Geelong Planning Scheme and is placing the proposal on public exhibition.

As an affected or nearby property owner you may wish to make a submission.

The Amendment includes areas in Highton, Wandana Heights and Belmont in a Special Building Overlay in the Planning Scheme. These areas are potentially flood prone as identified in the Highton Drainage/Flood Study.

The inclusion of your land in the Special Building Overlay may trigger the requirement for a planning permit for new buildings and works on your property.

We have attached for your information:

- A copy of the Notice of Amendment.
- A map showing the areas affected by the Amendment.
- A Fact Sheet on the Highton Drainage/Flood Study.

More information on the amendment can be found on our website at www.geelongaustralia.com.au/amendments which includes:

- Exhibited Amendment C335.
- An interactive map, which clearly identifies the extent of the proposed application of the SBO.
- Final Report of the Highton Drainage/Flood Study and the Minutes of the Council Meeting of 12 May 2015 which adopted the Highton Drainage/Flood Study.

To make a submission you can either go online to our website or complete the attached "Submission" form.

If you have any queries regarding this matter please contact Barry Gough of City of Greater Geelong by email bgough@geelongcity.vic.gov.au or telephone 03 5272 4478.

Yours sincerely

**PETER SMITH
COORDINATOR STRATEGIC IMPLEMENTATION**

CITY DEVELOPMENT

Attached: Notice of Amendment, Frequently Asked Questions sheet, Map & Submission Form

Planning and Environment Act 1987

GREATER GEELONG PLANNING SCHEME

Notice of Preparation of Amendment

Amendment C335 Highton Flood/Drainage Study

The City of Greater Geelong Council has prepared Amendment C335 to the Greater Geelong Planning Scheme.

The land affected by the amendment is in Highton, Wandana Heights and Belmont.

The Amendment proposes to apply a Special Building Overlay to potentially flood prone land as identified in the Highton Drainage/Flood Study.

You may inspect the amendment, any documents that support the amendment and the explanatory report about the amendment, free of charge, at the following locations:

- during office hours, at Greater Geelong City Council, Brougham Street Customer Service Centre, Ground Floor, 100 Brougham Street. GEELONG – 8.00am to 5.00pm weekdays
- 'Amendments' section of the City's website
www.geelongaustralia.vic.gov.au/amendments
- at the Department of Environment, Land, Water and Planning website
www.delwp.vic.gov.au/publicinspection

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the Amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. In accordance with the Planning and Environment Act 1987, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is Monday 28 September 2015.

Submissions must be in writing and sent to:

The Coordinator
Strategic Implementation Unit
City of Greater Geelong
P O Box 104,
Geelong VIC 3220; or

- by e-mail to strategicplanning@geelongcity.vic.gov.au or
- lodged online at www.geelongaustralia.vic.gov.au/amendments

For further information call the Strategic Implementation Unit on 5272 4820.

**PETER SMITH
COORDINATOR STRATEGIC IMPLEMENTATION**



Part of Planning Scheme Maps 47SBO, 52 SBO & 66SBO

LEGEND



SPECIAL BUILDING OVERLAY

AMENDMENT C335

Prepared by City of Greater Geelong - 15 June 2015
Although all due care has been taken to ensure that this document is correct, no warranty is expressed or implied by the City of Greater Geelong or Barwon Water in its use.

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PLANNING SCHEME AMENDMENT C335 - Highton Flood Study

Frequently Asked Questions

What is the Special Building Overlay?

The Special Building Overlay (SBO) is a control in the planning scheme which applies to land which has been identified as being potentially 'floodprone', including due to overland flow in heavy rain events which are beyond the capacity of the drainage system.

Why have I received this notification?

You have been notified of this planning scheme amendment for one of two reasons:

- 1/. Your property has been identified either wholly or partly subject to potential overland flow in heavy rainfall events; or
- 2/. The roadways in the vicinity of your property are subject to flooding during these rainfall events.

The shaded area on the map included as part of this mail out identifies the extent of application of the SBO. The SBO will only apply to the shaded area.

How do I identify if my property is affected by the SBO?

If your property is part of the shaded area on the map it is affected by the SBO.

If your property is unshaded it is unaffected.

If your property is only partly shaded, then only the shaded part is subject to the SBO.

The 'interactive map' on the Council web site www.geelongaustralia.com.au/amendments/ will assist you in establishing the extent to which the SBO affects specific properties.

What is the impact of the SBO?

A planning permit would be required for any development, including an extension of existing development, on the portion of the property within the SBO and for some types of fences within the area affected by the SBO.

The planning permit would:

- A/. Specify a minimum floor height, so as to ensure that the level of the floor was at least 300mm above the potential 1 in 100 year flood level; and
- B/. Ensure that any proposed fences within the SBO were sufficiently permeable to ensure that they did not act as dams or divert the overland flow of storm water.

The SBO has no other impacts on development of a property.

Does the SBO appear on a Planning Certificate?

If you or another person applies for a Planning Certificate concerning your property, usually as part of the due diligence in relation to the sale of land, the SBO will only be identified in relation to the property if it is directly affected by the overlay – i.e. it will not appear if the SBO only applies to the roadway but not the property.

Will the SBO affect insurance?

Following some well publicised flooding events in recent years, in particular the 'flash flood' in Toowoomba, some definitions in relation to flooding were standardised as a result of Federal legislation. Your insurance company would have written to you at the time advising of these definition changes. In any event you should check your insurance policy to satisfy yourself whether 'overland flow' is covered by your policy.

As affected properties have already been designated by Council as being 'flood prone' under the Building Act, the potential for those properties to be affected by overland flow is already in the public domain, and therefore available to insurance companies.

Owner Builder Inspection Report

AZTEC Building Inspections

Practitioner/Inspector	Michael Jakubzik
Registration Number	IN-U – 41384
Date of Inspection	25-Jun-2019
Weather Conditions	Sunny

Owner Builder Inspection Report

Owner Builder Details

Name/s	Sarah Tomlinson
Address	37 Belle Vue Avenue HIGHTON 3216

Owner Builder Property Details

Address	37 Belle Vue Avenue HIGHTON 3216
Municipal District	Greater Geelong City Council

Building Permit Details

Building Permit Number	Not Provided
Certificate of Final Inspection Date	Not Provided

Description of Building Works Covered by this Report

Construction of attached verandah and deck to rear family/dining rooms.



Construction Details

All materials used have been well painted, and appear to be new and in good condition.

End/pitching beams are 190x45mm pine.

Rafters are 140x45mm pine spanning 1.8m in length and spaced at 900mm centers.

Roof battens are 70X35 pine spaced at approx. 1000mm centers.

Posts are 110x110 Cyprus pinespaced at approx. 1800mm centers.

Decking material is 140x19 merbau spaced at 450mm centres

Roof lining is 80% color bond corrugated iron and 20% polycarbonate sheet.

Roof pitch has been directed to existing dwelling and appears connected to storm water system.

Visual Defects Noted During Inspection

No visual defects noted at time of inspection.

Second Hand Materials

No second-hand materials noted during the inspection. Owner confirmed that no second-hand materials have been used in the construction of the verandah.

Areas Of The Building Inaccessible At The Time Of Inspection

The following areas were not inspected as reasonable access was not available or the visual inspection was obstructed or restricted.

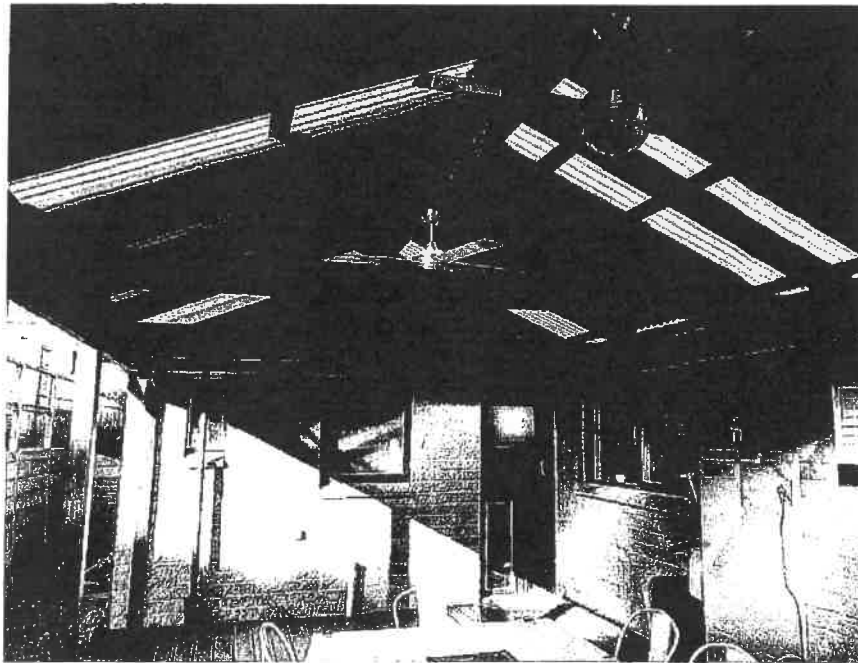
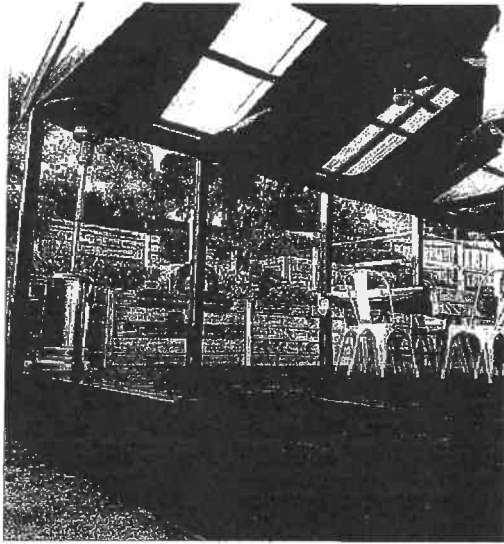
The post hole depths	No footings were exposed at time of inspection
Deck sub-floor	No visual inspection of timber sub floor was available.
All timber connections	No visual inspection of connections due to fill and painted surfaces

Summary

Visually the verandah and deck appear to be structurally sound and constructed to a professional standard. No major structural problems were visually evident during the site inspection, with note the owner stating structure is approx. 2 years of age.

All decking has been well screw fixed and compliant stair access to the north end available.

All timber surfaces have been well painted and deck oiled and no signs of wear.



Important Inspection Report Information

This owner builder inspection report is not a pre-purchase building inspection report. This owner builder inspection report was conducted using visual means only. The inspection report includes the areas of the building where clear and unobstructed visual inspection was achieved. This inspection report does not include areas which were visually restricted via any means including poor light, and non-fixed items such as furniture and the like.

This owner builder inspection report does not include the condition or certification of the properties services, including but not limited to the electrical, sewerage, water, gas, plumbing and plumbing fixtures.

This inspection report is not a certificate of compliance within any Act, Regulations, Code, Standard, Ordinance or by-law.

No enquiry has been made to any authority, Council or private building surveyor in relation to the subject building in this inspection report.

This owner builder inspection report does not verify that the building/s comply with any Act, Regulation, Building Code or Australian Standard.

This owner builder inspection report is not evidence, that the subject building/s have been constructed in accordance with any approved building permit plans and conditions or other plans which may have been submitted.

This owner builder inspection report is not a warranty or insurance policy against any problems developing with the building/s in the present or in the future.

During this owner builder inspection report, no excavations have been undertaken to gain a visual inspection. No soil or other material has been moved or removed to gain a visual inspection. No loose or non-fixed items such as furniture and stored goods were removed or moved to gain a visual inspection.

This owner builder inspection report does not include investigation or report of any type of insect attack such as termites, borers, ants, spiders or the like.

There is no guarantee that all faults and defects within the subject building/s have been detailed in this report.

Property Report

from www.land.vic.gov.au on 23 May 2019 12:24 PM

Address: 37 BELLE VUE AVENUE HIGHTON 3216

Lot and Plan Number: Lot 37 LP66427

Standard Parcel Identifier (SPI): 37LP66427

Local Government (Council): GREATER GEELONG **Council Property Number:** 221242

Directory Reference: Melway 451 D12

This property is not in a designated bushfire prone area.

No special bushfire construction requirements apply. Planning provisions may apply.

Further information about the building control system and building in bushfire prone areas can be found in the Building Commission section of the Victorian Building Authority website www.vba.vic.gov.au

State Electorates

Legislative Council: WESTERN VICTORIA

Legislative Assembly: GEELONG

Utilities

Rural Water Corporation: Southern Rural Water

Urban Water Corporation: Barwon Water

Melbourne Water: outside drainage boundary

Power Distributor: POWERCOR (Information about [choosing an electricity retailer](#))

Planning Zone Summary

Planning Zone: GENERAL RESIDENTIAL ZONE (GRZ)

GENERAL RESIDENTIAL ZONE - SCHEDULE 2 (GRZ2)

Planning Overlays: DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 14 (DDO14)

SPECIAL BUILDING OVERLAY (SBO)

Planning scheme data last updated on 20 May 2019.

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 [Planning Schemes Online](#)

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](#)

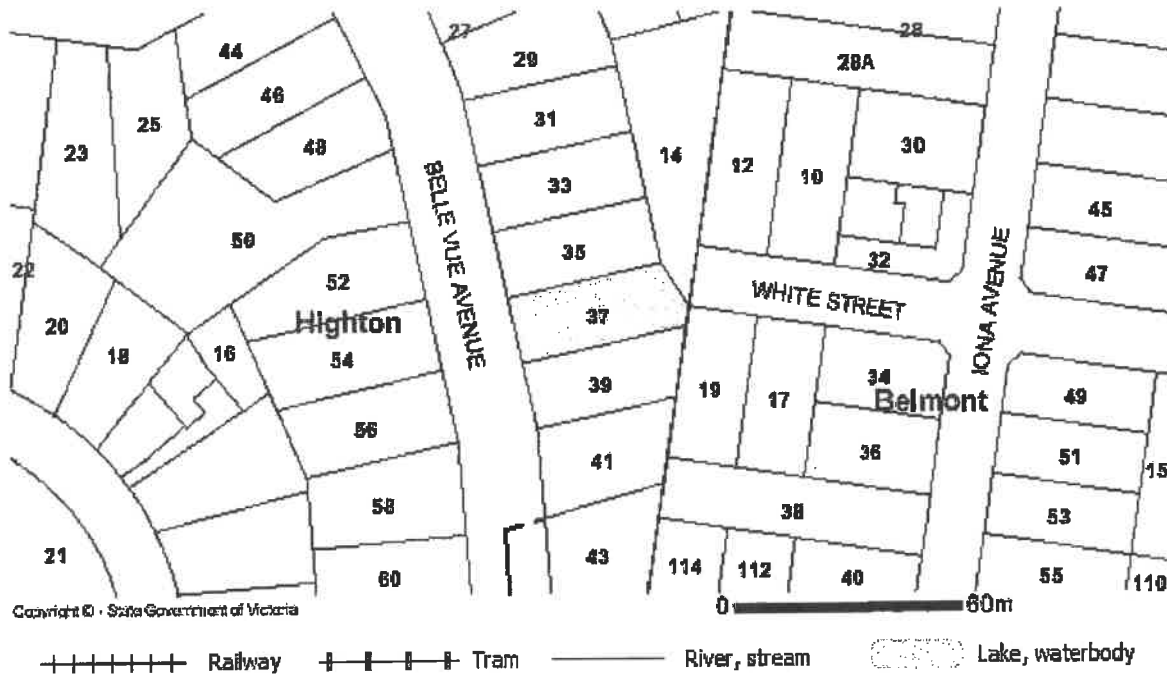
The Planning Property Report includes separate maps of zones and overlays

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 [Planning Maps Online](#)

For other information about planning in Victoria visit www.planning.vic.gov.au

Area Map



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PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au on 23 May 2019 12:24 PM

PROPERTY DETAILS

Address: **37 BELLE VUE AVENUE HIGHTON 3216**
Lot and Plan Number: **Lot 37 LP66427**
Standard Parcel Identifier (SPI): **37\LP66427**
Local Government Area (Council): **GREATER GEELONG**
Council Property Number: **221242**
Planning Scheme: **Greater Geelong**
Directory Reference: **Melway 451 D12**

www.geelongaustralia.vic.gov.au

planning-schemes.delwp.vic.gov.au/schemes/greatergeelong

UTILITIES

Rural Water Corporation: **Southern Rural Water**
Urban Water Corporation: **Barwon Water**
Melbourne Water: **outside drainage boundary**
Power Distributor: **POWERCOR**

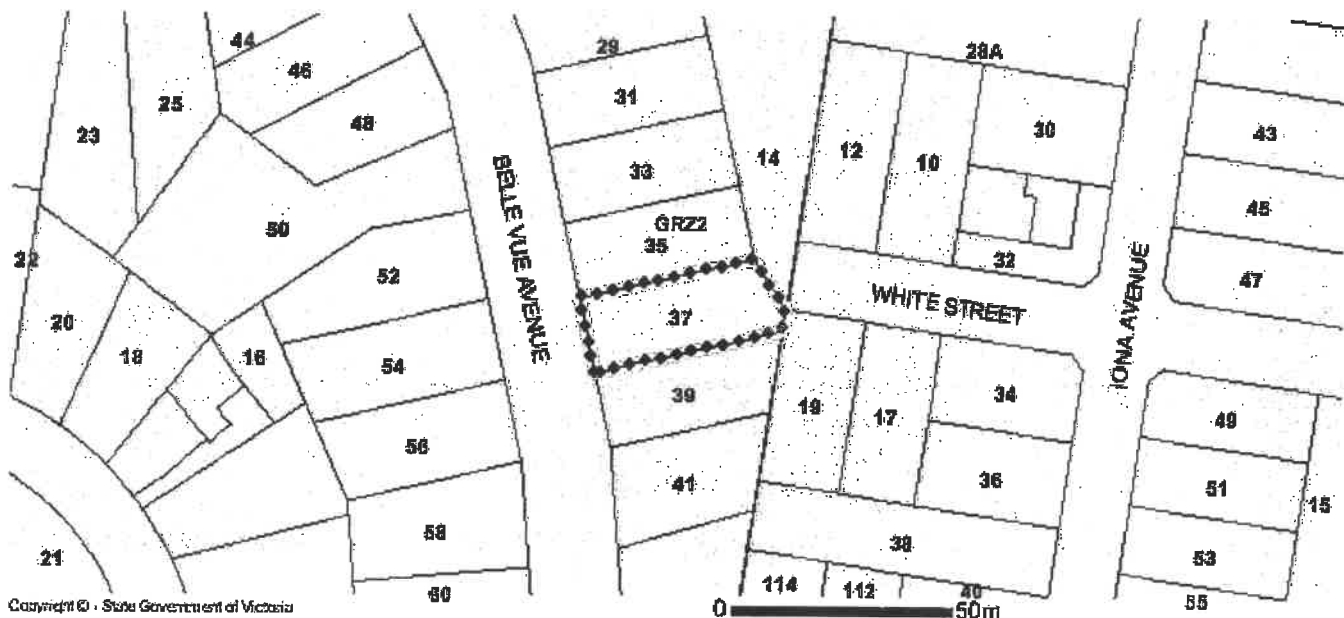
STATE ELECTORATES

Legislative Council: **WESTERN VICTORIA**
Legislative Assembly: **GEELONG**

Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ)

GENERAL RESIDENTIAL ZONE - SCHEDULE 2 (GRZ2)



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☐ GRZ - General Residential

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).

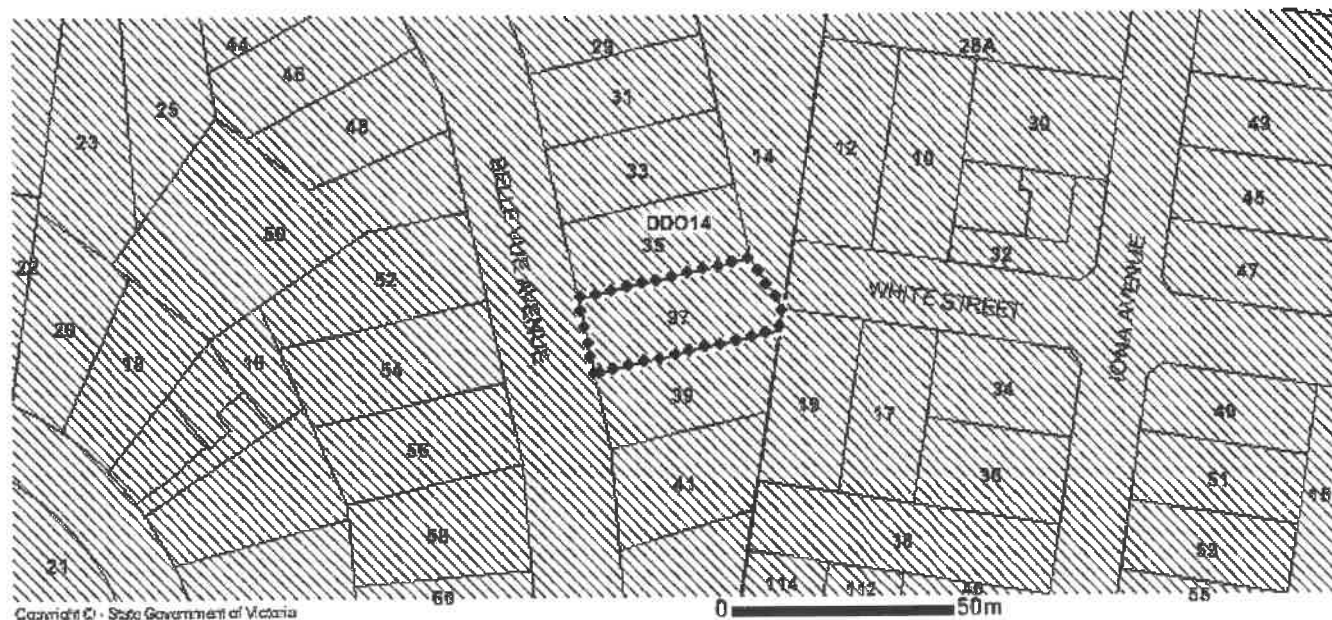
PLANNING PROPERTY REPORT: 37 BELLE VUE AVENUE HIGHTON 3216

Page 1 of 4

Planning Overlays

DESIGN AND DEVELOPMENT OVERLAY (DDO)

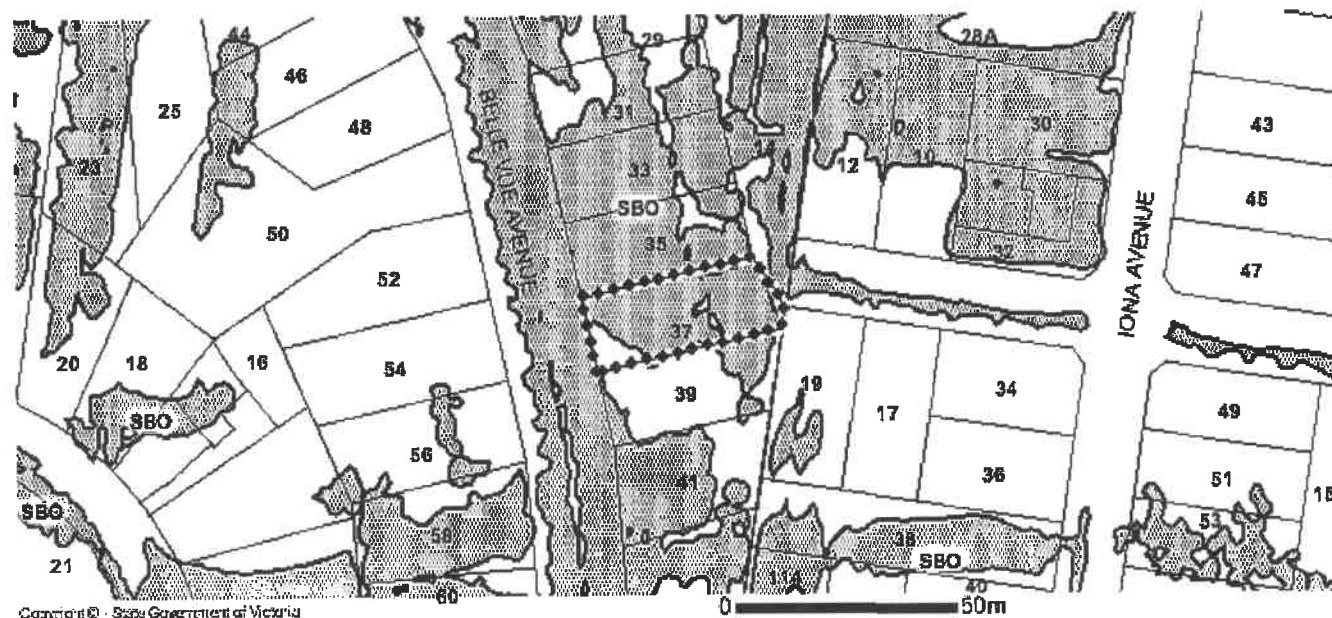
DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 14 (DDO14)



 **DDO - Design and Development**

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

SPECIAL BUILDING OVERLAY (SBO)



 **SBO - Special Building**

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: 97 BELLE VUE AVENUE HIGHTON 3216



Further Planning Information

Planning scheme data last updated on 20 May 2019.

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.

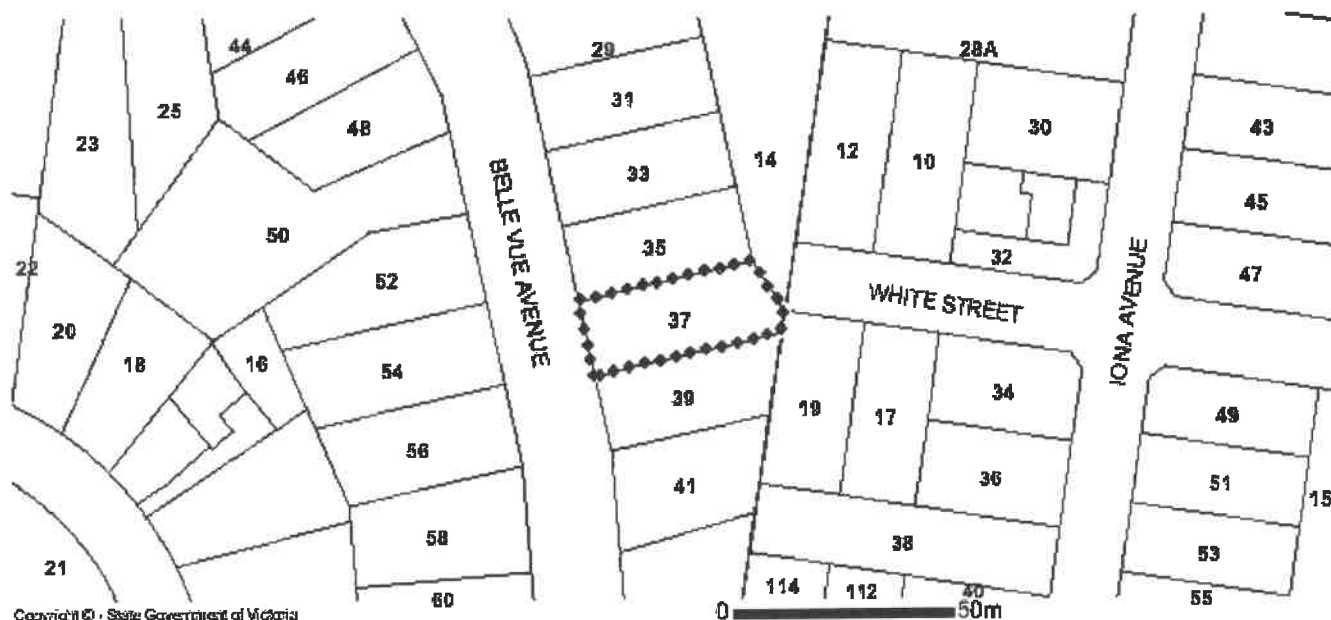
To view planning zones, overlay and heritage information in an interactive format visit <http://mapshare.maps.vic.gov.au/vicplan>

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

Designated Bushfire Prone Area

This property is not in a designated bushfire prone area.

No special bushfire construction requirements apply. Planning provisions may apply.



Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at <http://mapshare.maps.vic.gov.au/vicplan> or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website www.vba.vic.gov.au

Copies of the Building Act and Building Regulations are available from www.legislation.vic.gov.au

For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>

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.