

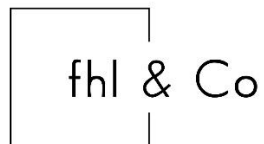
**ESMA PEKER AND VEDAT TUFAN PEKER**

---

# **VENDOR STATEMENT SECTION 32**

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**Property: 59 Watson Avenue, California Gully VIC 3556**



P: +61 434 080 031

E: [fotini@fhlco.com.au](mailto:fotini@fhlco.com.au)

PO BOX 88, Glenroy VIC 3046

Ref: FHL:20125

# 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.

<b>Land</b>	59 WATSON AVENUE, CALIFORNIA GULLY VIC 3556
-------------	---

Vendor's name	Esma Peker	Date	/ /
Vendor's signature	_____		
Vendor's name	Vedat Tufan Peker	Date	/ /
Vendor's signature	_____		

Purchaser's name		Date	/ /
Purchaser's signature	_____		
Purchaser's name		Date	/ /
Purchaser's signature	_____		

# 1. FINANCIAL MATTERS

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

(a)  Their total does not exceed:

\$	
----	--

OR

(b)  Are contained in the attached certificate/s.

OR

(c)  Their amounts are:

Authority	Amount	Interest (if any)
(1)	(1) \$	(1) \$
(2)	(2) \$	(2) \$
(3)	(3) \$	(3) \$
(4)	(4) \$	(4) \$

(d)  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.

\$	
----	--

## 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

\$	To	
----	----	--

Other particulars (including dates and times of payments):
--

## 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.

Attached is an 'Additional Vendor Statement'

## 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.

Attached is an 'Additional Vendor Statement'

# 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.

(a) Attached is a copy or extract of any policy of insurance in respect of any damage to or destruction of the land.

OR

(b) Particulars of any such policy insurance in respect of any damage to or destruction of the land are as follows:

Name of insurance company:	
Type of policy:	Policy no:
Expiry date:	Amount insured:

**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.

(a)  Attached is a copy or extract of any policy of insurance required under the Building Act 1993.

OR

(b)  Particulars of any required insurance under the Building Act 1993 are as follows:

Name of insurance company:	
Policy no:	Expiry date:

*Note: There may be additional legislative obligations in respect of the sale of land on which there is a building or on which building work has been carried out.*

**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

OR

Is as follows:

--

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

--

**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.

OR

The required specified information is as follows:

(a) Name of planning scheme	
(b) Name of responsible authority	
(c) Zoning of the land	
(d) Name of planning overlay	

**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:

Are contained in the attached certificates and/or statements

OR

Are as follows

**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:

**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:

**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

OR

Are as follows:

**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*.

6.1  Attached is a current owners corporation certificate with its required accompanying documents and statements, issued in accordance with section 151 of the *Owners Corporations Act 2006*.

OR

6.2  Attached is the information prescribed for the purposes of section 151(4)(a) of the *Owners Corporations Act 2006* and the copy documents specified in section 151(4)(b)(i) and (iii) of that Act.

OR

6.3  The owners corporation is an inactive owners corporation.

**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 <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:

- 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.  
 OR  
 (b) **General Law Title**  
 The last conveyance in the chain of title or other document which gives evidence of the vendor’s title to the land.
- 9.2  Evidence of the vendor’s right or power to sell (where the vendor is not the registered proprietor or the owner in fee simple).

**10. SUBDIVISION**

**10.1 Unregistered Subdivision**

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

- (a)  Attached is a copy of the plan of subdivision certified by the relevant municipal council if the plan is not yet registered.
- (b)  Attached is a copy of the latest version of the plan if the plan of subdivision has not yet been certified.

**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*.

- (a)  Attached is a copy of the plan for the first stage if the land is in the second or subsequent stage.
- (b) The requirements in a statement of compliance relating to the stage in which the land is included that have not been complied with are as follows:

- (c) The proposals relating to subsequent stages that are known to the vendor are as follows:

- (d) The contents of any permit under the *Planning and Environment Act 1987* authorising the staged subdivision are:

### 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.

- (a)  Attached is a copy of the plan which has been certified by the relevant municipal council (if the later plan has not been registered).
- (b)  Attached is a copy of the latest version of the plan (if the later plan has not yet been certified).

## 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 2000m<sup>2</sup>; (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):
  - Are contained in the attached building energy efficiency certificate.

OR

- Are as follows:

## 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.)*

## 13. ATTACHMENTS

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

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

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

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

VOLUME 10870 FOLIO 227

Security no : 124082978077R  
Produced 07/05/2020 11:06 AM

**LAND DESCRIPTION**

Lot 27 on Plan of Subdivision 529662C.  
PARENT TITLES :  
Volume 10454 Folio 065      Volume 10721 Folio 293  
Created by instrument PS529662C 21/04/2005

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Joint Proprietors  
VEDET TUFAN PEKER  
ESMA PEKER both of 5 /11 DANIN STREET PASCOE VALE VIC 3044  
AM074584C 03/08/2015

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AM074585A 03/08/2015  
WESTPAC BANKING CORPORATION

CAVEAT AS966590H 06/02/2020  
Caveator  
CSP ARCHITECTURAL PTY LTD ACN: 130822687, JAYROC PTY LTD ACN: 099057262  
Grounds of Claim  
CHARGE CONTAINED IN AN AGREEMENT WITH THE FOLLOWING PARTIES AND DATE.  
Parties  
VEDET TUFAN PEKER  
Date  
04/11/2019  
Estate or Interest  
INTEREST AS CHARGE  
Prohibition  
ABSOLUTELY  
Lodged by  
DAVIES MOLONEY  
Notices to  
DAVIES MOLONEY of LEVEL 8 221 QUEEN STREET MELBOURNE VIC 3000

CAVEAT AT157957R 15/04/2020  
Caveator  
BARBARA ELIZABETH TAPPE, PETER HUBERT STOCKX  
Grounds of Claim  
IMPLIED, RESULTING OR CONSTRUCTIVE TRUST.  
Estate or Interest  
FREEHOLD ESTATE  
Prohibition  
ABSOLUTELY  
Lodged by  
J + K LAW  
Notices to  
KIM LOUISE PACKER of 76 HIGH STREET EAGLEHAWK VIC 3556

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.

AGREEMENT Section 173 Planning and Environment Act 1987  
AD495402R 11/03/2005

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

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### DIAGRAM LOCATION

SEE PS529662C FOR FURTHER DETAILS AND BOUNDARIES

### ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AT204593V (E)	REMOVAL OF CAVEAT	Unregistered	30/04/2020
AS966590H (E)	CAVEAT	Registered	06/02/2020
AT157957R (E)	CAVEAT	Registered	15/04/2020

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

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

Street Address: 59 WATSON AVENUE CALIFORNIA GULLY VIC 3556

### ADMINISTRATIVE NOTICES

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION  
Effective from 22/10/2016

DOCUMENT END



# Imaged Document Cover Sheet

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Document Type	<b>Plan</b>
Document Identification	<b>PS529662C</b>
Number of Pages (excluding this cover sheet)	<b>7</b>
Document Assembled	<b>07/05/2020 11:13</b>

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<b>PLAN OF SUBDIVISION</b>	STAGE NO.	LTO use only <b>EDITION 4</b>	Plan Number <b>PS 529662C</b>
----------------------------	-----------	----------------------------------	----------------------------------

**Location of Land**

**Parish:** SANDHURST  
AT EAGLEHAWK  
**Township:** -----  
**Section:** M  
**Crown Allotment:** 301<sup>E</sup>, 301<sup>F</sup>, 302<sup>L</sup>, 302<sup>M</sup>, 302<sup>N</sup> & 302<sup>P</sup>  
**Crown Portion:** -----

**LTO Base Record:** VIC MAP DIGITAL PROPERTY  
**Title Reference:** VOL 10721 FOL 293  
VOL.10454 FOL 065

**Last Plan Reference:** LOT 2 PS428992S, TP766760P  
**Postal Address:** 37 MURDOCK STREET  
(at time of subdivision) EAGLEHAWK VIC 3556

**AMG Co-ordinates** E 254 440  
(of approx. centre of N 5 931 660 Zone: 55  
land in plan)

**Council Certificate and Endorsement**

Council Name: CITY OF GREATER BENDIGO Ref: 551/03

1. This plan is certified under section 6 of the Subdivision Act 1988.
- ~~2. This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6 / /~~
- ~~3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.~~

OPEN SPACE

(i) A requirement for public open space under section 18 of the Subdivision Act 1988 ~~has~~ has not been made.  
(ii) ~~The requirement has been satisfied.~~  
(iii) ~~The requirement is to be satisfied in Stage.....~~

Council delegate  
~~Council seal~~

Date 24/1/05

Re-certified under section 11(7) of the Subdivision Act 1988

Council Delegate  
Council Seal

Date / /

**Vesting of Roads and/or Reserves**

Identifier	Council/Body/Person
ROAD R1, R2 & R3	CITY OF GREATER BENDIGO

**Notations**

**Staging** THIS IS A STAGED SUBDIVISION  
Planning Permit No. 551/03

**Depth Limitation** 15 METRES BELOW THE SURFACE  
APPLIES TO ALL THE LAND IN THE PLAN  
  
LOT 1 HAS BEEN OMITTED FROM THIS PLAN

**Survey** THIS PLAN IS BASED ON SURVEY  
This survey has been connected to permanent marks no(s)  
665, 1042, 1752 AND 1962  
In Proclaimed Survey Area No. 34 (SANDHURST)

**Easement Information**

**Legend:** E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement or other Encumbrance  
A - Appurtenant Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	DRAINAGE	2m	THIS PLAN	ALL IN THIS PLAN CITY OF GREATER BENDIGO
E-2	SEWERAGE	SEE DIAG.	THIS PLAN	COLIBAN REGION WATER CORPORATION
E-3	DRAINAGE	2	THIS PLAN	CITY OF GREATER BENDIGO
E-4	DRAINAGE	2	THIS PLAN	CITY OF GREATER BENDIGO
E-4	SEWERAGE	SEE DIAG.	THIS PLAN	COLIBAN REGION WATER CORPORATION

**LTO use only**

Statement of Compliance/  
Exemption Statement

Received

Date 12/4/05

**THIS IS AN LR  
COMPILED PLAN**

CHECKED 09/06/2005  
**Ashley Fenton**  
Assistant Registrar of Titles

SHEET 1 OF 6 SHEETS

**TOMKINSON**

• Project Managers • Planners  
• Surveyors • Engineers

57 MYERS STREET, BENDIGO 3550  
TELEPHONE: (03)54421033  
FACSIMILE: (03)54413848  
WEB: www.tomkinson.com.au  
EMAIL: bendigo@tomkinson.com.au

LICENSED SURVEYOR (PRINT) PAUL THOMAS TOMKINSON

SIGNATURE \_\_\_\_\_ DATE 15-09-2004

REF 889501                      VERSION 02                      PLOTTED 15-09-2004 P.J.L.

DATE 24/1/05

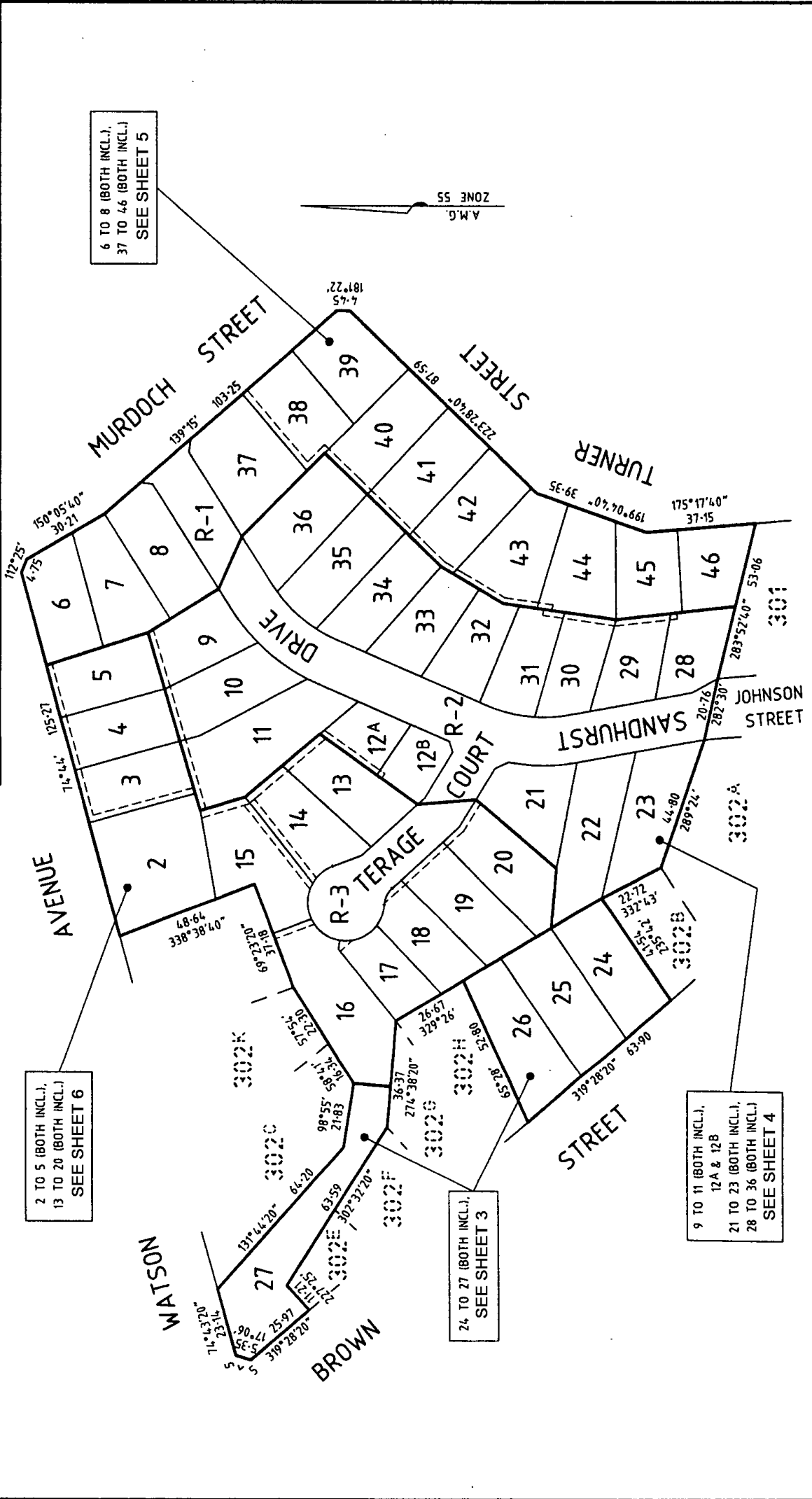
COUNCIL DELEGATE SIGNATURE

Original sheet size A3

**PLAN OF SUBDIVISION**

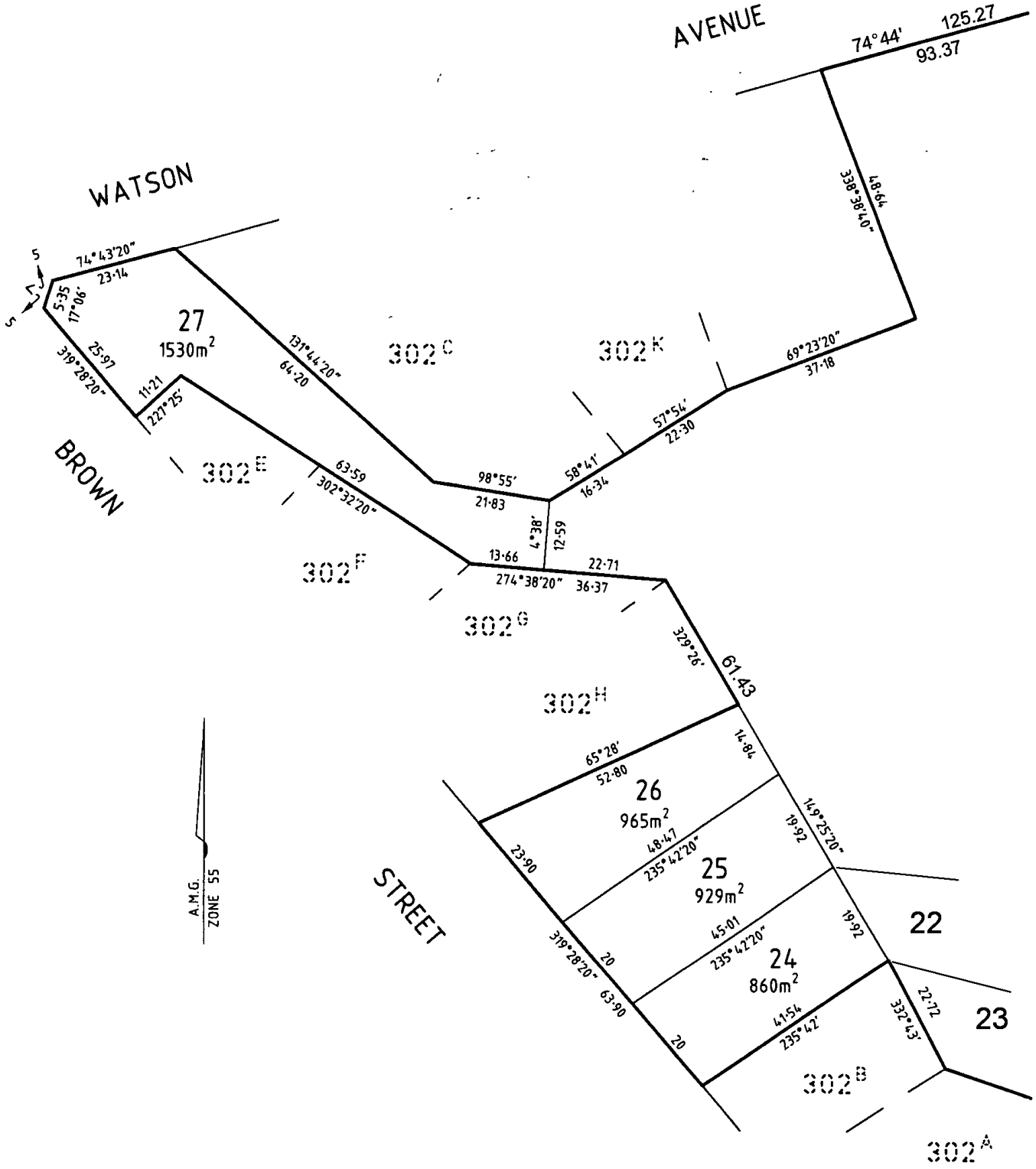
KEY PLAN

PLAN NUMBER  
**PS 529662C**



SHEET 2	
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SIGNATURE	VERSION
REF 8895KEY	COUNCIL DELEGATE SIGNATURE
ORIGINAL SCALE 1:1250	SHEET SIZE A3
<p>LENGTHS ARE IN METRES</p>	
<p><b>TOMKINSON</b> • Project Managers • Planners • Surveyors • Engineers 57 MYERS STREET, BENDIGO 3550 TELEPHONE: (03)54421033 FACSIMILE: (03)54413648 WEB: www.tomkinson.com EMAIL: bendigo@tomkinson.com</p>	

<b>PLAN OF SUBDIVISION</b>	STAGE No.	PLAN NUMBER
		<b>PS529662C</b>



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<p>LENGTHS ARE IN METRES</p>	ORIGINAL SCALE 1:750	SHEET SIZE A3	LICENSED SURVEYOR (PRINT) PAUL THOMAS TOMKINSON SIGNATURE  DATE 15-09-2004 REF 889501 VERSION 02 PLOTTED 15-09-2004 P.J.L.	SHEET 3 DATE 24/1/05 COUNCIL DELEGATE SIGNATURE

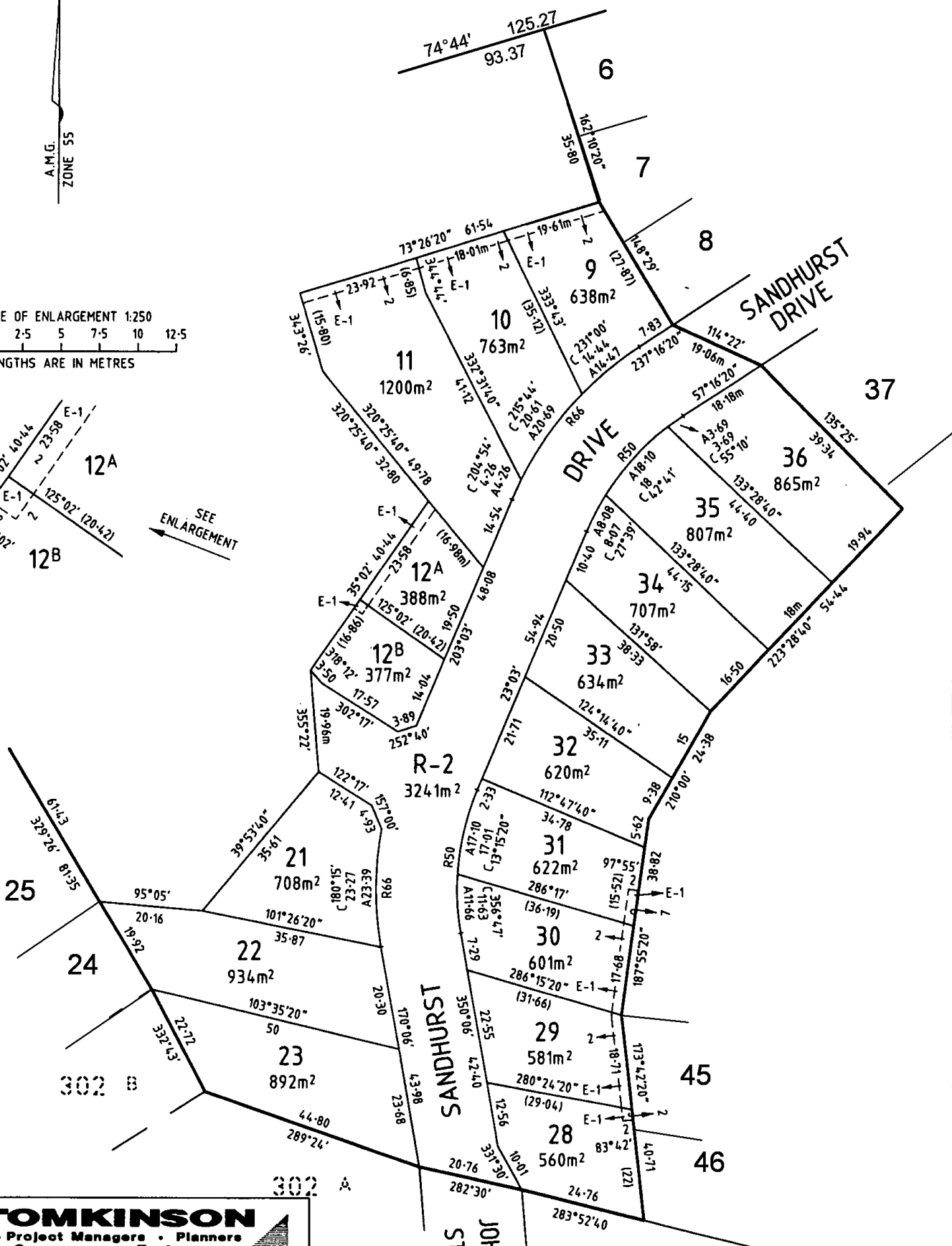
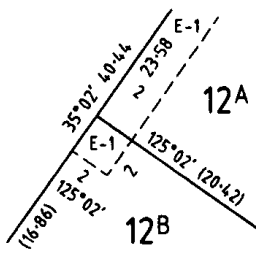
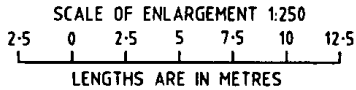
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STAGE No.

PLAN NUMBER

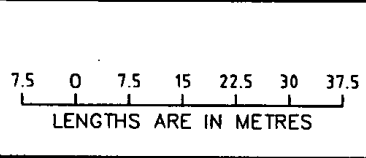
**PS529662C**

A.M.G.  
ZONE 55



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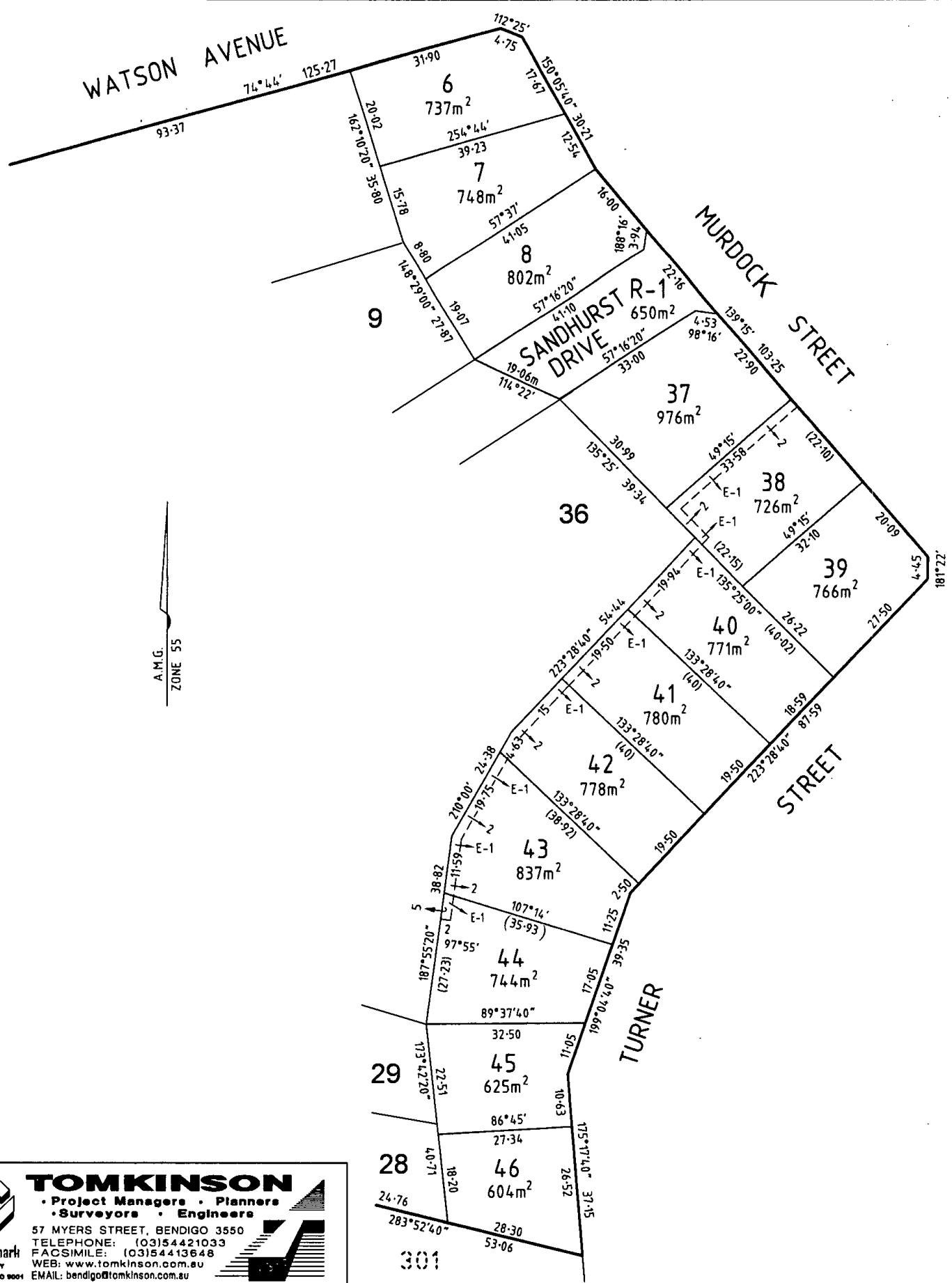


ORIGINAL SCALE SHEET SIZE  
 1:750 A3

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 SIGNATURE ..... DATE 19-05-2006  
 REF 889503 VERSION 02 PLOTTED 19-05-2006 P.J.L.

SHEET 4  
 DATE / /  
 COUNCIL DELEGATE SIGNATURE

PLAN OF SUBDIVISION	STAGE No.	PLAN NUMBER
		PS529662C



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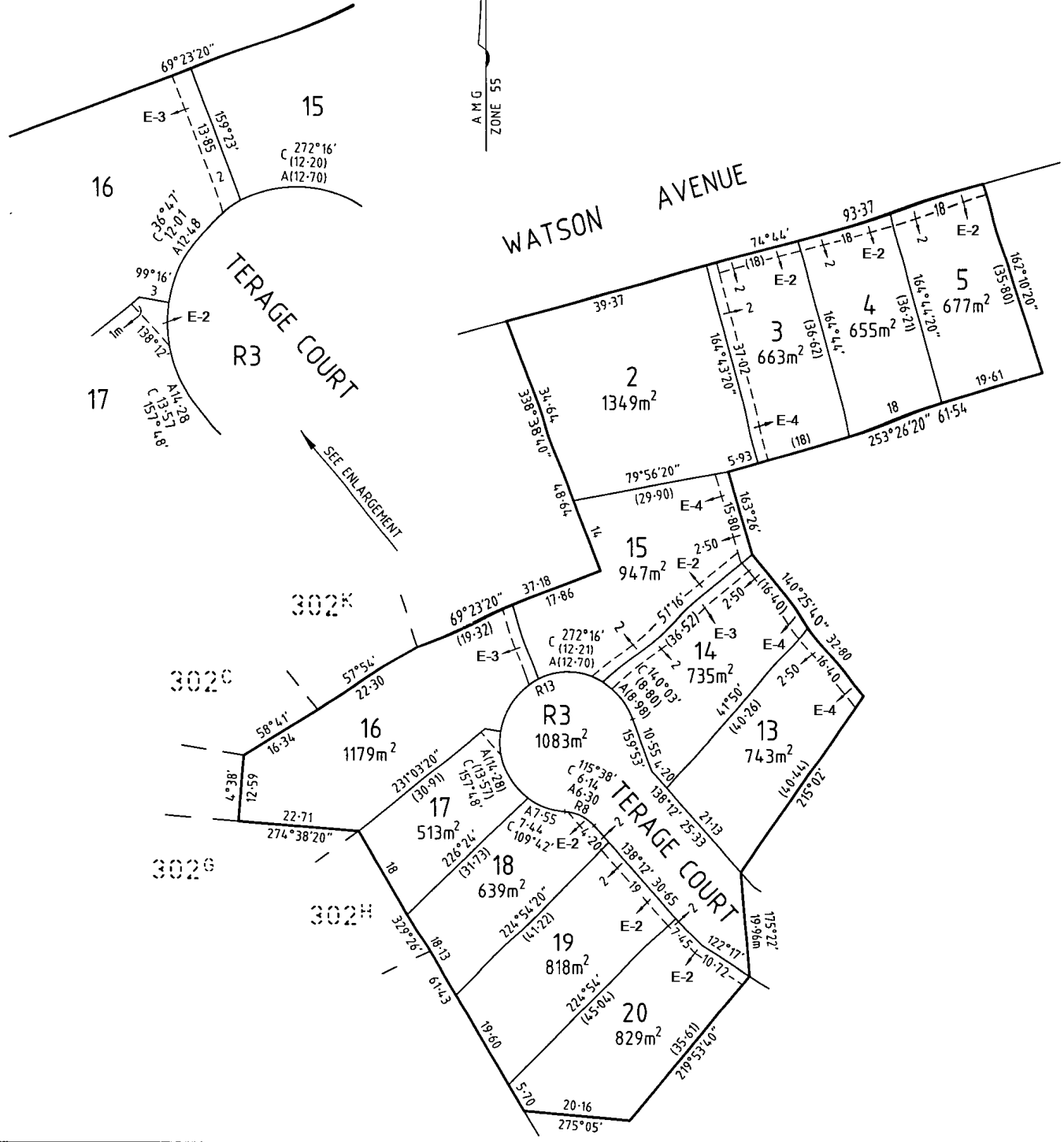
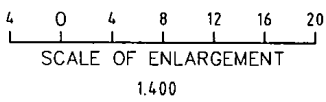
57 MYERS STREET, BENDIGO 3550  
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<p style="font-size: 0.8em;">LENGTHS ARE IN METRES</p>	ORIGINAL SCALE SHEET SIZE 1:750    A3	LICENSED SURVEYOR (PRINT) PAUL THOMAS TOMKINSON SIGNATURE     DATE 28-09-2004 REF 889502    VERSION 02    PLOTTED 28-09-2004 P.J.L.	SHEET 5 DATE / / COUNCIL DELEGATE SIGNATURE
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**PLAN OF SUBDIVISION**

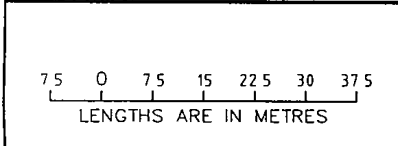
STAGE No.

PLAN NUMBER  
**PS529662C**



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ORIGINAL SCALE SHEET SIZE  
 1750 A3

LICENSED SURVEYOR (PRINT) PAUL THOMAS TOMKINSON  
 SIGNATURE *[Signature]* DATE 17/01/2008  
 REF 889504 VERSION 02 PLOTTED 17/01/2008 1:10

SHEET 6  
 DATE 29/4/08  
 COUNCIL DELEGATE SIGNATURE





# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

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Produced 07/05/2020 11:13:38 AM

Status	Registered	Dealing Number	AT157957R
Date and Time Lodged	15/04/2020 02:25:15 PM		

### Lodger Details

Lodger Code	20523B
Name	J + K LAW
Address	
Lodger Box	
Phone	
Email	
Reference	203110

## CAVEAT

Jurisdiction	VICTORIA
--------------	----------

### Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

### Land Title Reference

10870/227

### Caveator

Given Name(s)	BARBARA ELIZABETH
Family Name	TAPPE
Given Name(s)	PETER HUBERT
Family Name	STOCKX

### Grounds of claim

Implied, Resulting or Constructive Trust.

### Estate or Interest claimed

Freehold Estate

### Prohibition

Absolutely

### Name and Address for Service of Notice

Kim Louise Packer	
Address	
Street Number	76



# Department of Environment, Land, Water & Planning

---

## Electronic Instrument Statement

Street Name	HIGH
Street Type	STREET
Locality	EAGLEHAWK
State	VIC
Postcode	3556

---

The caveator claims the estate or interest specified in the land described on the grounds set out. This caveat forbids the registration of any instrument affecting the estate or interest to the extent specified.

---

### Execution

1. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.
2. The Certifier has retained the evidence supporting this Registry Instrument or Document.
3. The Certifier has taken reasonable steps to verify the identity of the caveator or his, her or its administrator or attorney.

Executed on behalf of	BARBARA ELIZABETH TAPPE PETER HUBERT STOCKX
Signer Name	KIM LOUISE PACKER
Signer	J + K LAW
Organisation	
Signer Role	AUSTRALIAN LEGAL PRACTITIONER
Execution Date	15 APRIL 2020

---

### File Notes:

NIL

---

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.



# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

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Produced 07/05/2020 11:13:37 AM

Status	Registered	Dealing Number	AS966590H
Date and Time Lodged	06/02/2020 03:14:05 PM		

### Lodger Details

Lodger Code	14996P
Name	DAVIES MOLONEY
Address	
Lodger Box	
Phone	
Email	
Reference	JP200077

## CAVEAT

Jurisdiction	VICTORIA
--------------	----------

### Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

### Land Title Reference

10870/227

### Caveator

Name	CSP ARCHITECTURAL PTY LTD
ACN	130822687
Name	JAYROC PTY LTD
ACN	099057262

### Grounds of claim

Charge contained in an agreement with the following Parties and Date.

#### Parties

Given Name(s)	VEDET TUFAN
Family Name	PEKER

#### Date

04/11/2019

### Estate or Interest claimed

Interest as Chargee



# Department of Environment, Land, Water & Planning

---

## Electronic Instrument Statement

### Prohibition

Absolutely

---

### Name and Address for Service of Notice

Davies Moloney

Address

Floor Type	LEVEL
Floor Number	8
Street Number	221
Street Name	QUEEN
Street Type	STREET
Locality	MELBOURNE
State	VIC
Postcode	3000

---

The caveator claims the estate or interest specified in the land described on the grounds set out. This caveat forbids the registration of any instrument affecting the estate or interest to the extent specified.

---

### Execution

1. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.
2. The Certifier has retained the evidence supporting this Registry Instrument or Document.
3. The Certifier has taken reasonable steps to verify the identity of the caveator or his, her or its administrator or attorney.

Executed on behalf of	CSP ARCHITECTURAL PTY LTD JAYROC PTY LTD
Signer Name	JANE SAMANTHA PARKER
Signer Organisation	DAVIES MOLONEY
Signer Role	LAW PRACTICE
Execution Date	06 FEBRUARY 2020

---

### File Notes:

NIL

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This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.



# Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Victorian Land Registry Services.

Document Type	<b>Instrument</b>
Document Identification	<b>AD495402R</b>
Number of Pages (excluding this cover sheet)	<b>7</b>
Document Assembled	<b>07/05/2020 11:13</b>

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

Lodged at the Titles Office by:

Name: BECK LEGAL PTY. LTD.  
Phone: (03) 5445 3333  
Ref: JAN 54578 Customer Code:



AD495402R



FORM 13

Planning and Environment Act Regulations 1998

APPLICATION FOR RECORDING OF AN AGREEMENT

SECTION 181 (1) PLANNING AND ENVIRONMENT ACT 1987

The Authority having made an agreement referred to in Section 181(1) of the Planning and Environment Act 1987 requires a recording to be made in the Register for the land.

LAND

Certificate of Title Volume 10454 Folio 065 and Certificate of "Title Volume 10721 Folio 293.

AUTHORITY OR COUNCIL

GREATER BENDIGO CITY COUNCIL,  
Municipal Offices, Lyttleton Terrace Bendigo 3550

SECTION AND ACT UNDER WHICH AGREEMENT MADE:

Section 173 of Planning and Environment Act 1987

A copy of the Agreement is attached to this Application.

DATED the 7th day of March 2005

*[Handwritten Signature]*  
.....  
Signature for the Responsible Authority



Name of Officer: John Ernest McLean

Office Held : Chief Executive Officer

*[Handwritten note: P 11/3/05]*



BECK LEGAL

LAWYERS

BENDIGO

THIS AGREEMENT is made the *7th* day of *March* 2005

BETWEEN:

GREATER BENDIGO CITY COUNCIL of Lyttleton Terrace Bendigo in the State of Victoria (hereinafter called "the Responsible Authority") of the one part

AND

KARoola HOLDINGS PTY. LTD. ACN 091 000 592 the registered office of which is situate at "Dunvegan" Taylors Lane Strathfieldsaye in the said State (hereinafter called "the Owner") of the other part.

WHEREAS:

- A. The Owner is the registered proprietors of ALL THAT piece of land being Crown Allotments 301E, 302M, 302N and 302P Parish of Sandhurst and being the whole of the land described in Certificate of Title Volume 10454 Folio 065 and Lot 2 on Plan of Subdivision 428992S Parish of Sandhurst and being the whole of the land described in Certificate of Title Volume 10721 Folio 293 (hereinafter called "the land").
- B. The land is within the Municipality of the Greater Bendigo City Council and is affected by the Greater Bendigo Planning Scheme.
- C. The Responsible Authority is the Responsible Authority administering the Greater Bendigo Planning Scheme.
- D. That on the 17th day of November 2004 the Responsible Authority issued a Planning Permit No. DS/551/2003 amended (hereinafter called "the Permit") permitting the subdivision of the land in accordance with Plan of Subdivision No. PS529662C and compliance with the conditions of the Permit.
- E. Condition 19 of Permit No. DS/551/2003 (amended) provides as follows:

"19. 173 AGREEMENT

The subdivision will not be certified until an agreement under Section 173 of the Planning and Environment Act, 1987, has been executed to the satisfaction of Council. Such agreement will be between the owner of the subject land and Council to the effect that all prospective purchasers of any lot in the subdivision must be advised, prior to purchase as follows :

- (a) Lots 1-7 inclusive are located opposite land zoned for industrial use.

AD495402R

11/03/2005 \$90 173



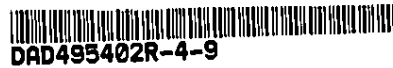


- (b) All of the subject land is a former mine site operated by the Golden Age and Princess Dagmar Mines and contains mine works and relics, some of which may be undefined/undocumented.
- (c) During earthworks, if any undefined/undocumented shafts are detected, work must cease immediately and Minerals & Petroleum Victoria advised.
- (d) 4 mine shafts have been identified and capped at the following locations:
  - In the road reserve opposite lot 9;
  - At the rear of lot 18 near the boundary with lot 17;
  - In lot 35 at the boundary with lot 34; and
  - On the boundary between lots 36 & 37.
- (e) During any earthworks (including footings for dwellings, swimming pools and the like) care should be exercised to note any discoloured, odorous or other material that may indicate contamination. If any such material is detected, work must cease immediately and the EPA advised. Such material may need to be removed from the site, at the landowner's cost, under the supervision of the EPA.
- (f) The subject land has been covered with approved topsoil to a minimum depth of 150 mm. This topsoil is likely to be disturbed during building works. If such disturbance does occur, topsoil should be imported to cover all areas outside building footprints and pavements to a depth of 150 mm.
- (g) The land encompassed by lots 5-9 inclusive is the former site of the Golden Age Mine and may contain mine relics and artifacts. Consent to Damage has been granted to allow for subdivision, however, the site is classified with Heritage Victoria and may require additional consents to develop from Heritage Victoria and the City of Greater Bendigo.
- (h) Parts of the subject land contain fill. Geotechnical investigations and reporting has not been done for the land and a soil test must be completed by the owner of a lot, prior to the issue of a Building Permit for such lot. Excessive fill may require footings designed by a Qualified Engineer and constructed at the cost of the owner.

**AD495402R**

11/03/2005 \$90 173





NB Any cleanup, shaft capping or similar works must be completed to the satisfaction of EPA and MPV at no cost to the City of Greater Bendigo.

Such Agreement must be prepared by Council’s Solicitors and the owner shall be responsible for all reasonable costs involved in the preparation and registration of the Agreement with the Registrar of Titles to be attended by Council’s Solicitors.

A Statement of compliance will not be issued until the Section 173 Agreement has been lodged under Section 181 of the Act with the Registrar of Titles.”

- F. The Owners shall be responsible for all reasonable legal costs involved in the preparation and registration of the agreement.
- G. The Agreement be registered on the relevant Certificates of Title to the land comprised in the Plan of Subdivision.
- H. It is intended by the parties hereto that this Agreement is to run with the land and every Certificate of Title to issue and every part thereof so as to bind the Owner for himself and his heirs, transferees and successors in title as owner or owners for the time being of the land.
- I. In pursuance of Condition 19 of Permit No. DS/551/2003 (amended) and in further pursuance of the provisions of Section 173 of the Planning and Environment Act 1987, the Responsible Authority has requested the Owners to enter into and execute the within Agreement in relation to the land, which the Owners have agreed to do.

NOW THIS DEED WITNESSES as follows :-

- 1. The Owners HEREBY COVENANT AND AGREE with the Responsible Authority in respect to the provisions of Condition 19 of the Planning Permit as follows :-
  - 1.1 Any successive owner of a Lot created will develop the Lot in accordance with the Permit.
  - 1.2 The Owners shall pay the reasonable legal costs and disbursements of the Responsible Authority in connection with the preparation execution and registration of this Agreement.
  - 1.3 The Agreement shall be registered on the relevant Certificates of Title to the land, comprised in the Plan of Subdivision.
  - 1.4 It is intended by the parties hereto that this Agreement is to run with the land and every Certificate of Title to issue and every part thereof so as to bind the Owner for himself and his heirs, transferees and successors in title as owner or owners for the time being of the land.
- 2. The parties hereby agree as follows :

**AD495402R**

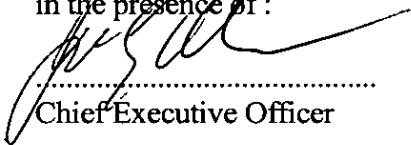
11/03/2005 \$90 173



- 2.1 The Responsible Authority will lodge a copy of this agreement at the Office of the Minister for the time being administering the Planning and Environment Act 1987 without delay after this agreement is executed.
- 2.2 The Responsible Authority shall as soon as practicable after the execution of this agreement make application to the Registrar of Titles pursuant to Section 181 of the Planning and Environment Act 1987 to register this agreement on the relevant Certificate of Title for the land.
- 2.3 Any notice hereunder shall be sufficiently served by delivering the same to the Owners at their address appearing in this Agreement or by placing the same into the post in a pre-paid envelope addressed to the Owners at such address or such other postal address as shall be notified by the Owners to the Responsible Authority in writing for the purposes of this agreement and any notice so posted shall be conclusively deemed to have been served on the next ordinary business day after the day of posting.
- 2.4 The Owners shall at their own cost and expense obtain the consent in writing of the registered proprietor of any mortgage or charge affecting the land to this agreement.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first hereinbefore written.

APPROVED under the COMMON SEAL of )  
the GREATER BENDIGO CITY COUNCIL )  
in the presence of : )

  
.....  
Chief Executive Officer

Full Name: John Ernest McLean

Usual Address: Lyttleton Terrace Bendigo

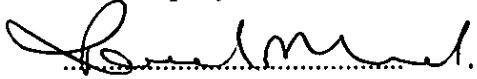


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11/03/2005 \$90 173



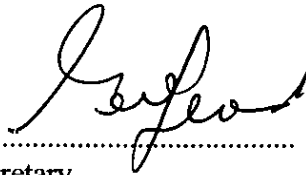
Executed by KAROOOLA HOLDINGS PTY. )  
LTD. ACN 091 000 592 by being signed by )  
those persons who are authorised to sign for )  
the Company: )



Director

Full Name: Rachael Jayne McLeod

Usual Address: "Dunvegan" Taylors Lane  
Strathfieldsaye 3551



Secretary

Full Name: Geoffrey Donald Douglas  
McLeod

Usual Address: "Dunvegan" Taylors Lane  
Strathfieldsaye 3551



AD495402R-6-5

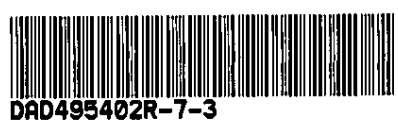
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5701  
110

DATED 7th March 2005



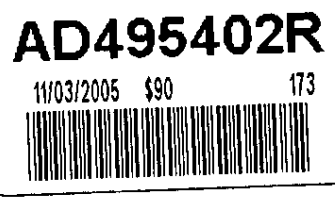
GREATER BENDIGO CITY COUNCIL

-AND-

KAROLA HOLDINGS PTY. LTD.

SECTION 173 AGREEMENT

BECK LEGAL  
Barristers & Solicitors  
110 Pall Mall  
BENDIGO VIC 3550  
Ph: (03) 5445 3333  
Fax: (03) 5445 3355  
Ref: JAN: 54578



# Rates and valuation notice

For the period 1 July, 2019 to 30 June, 2020

Internal use only



V T Peker and E Peker  
5/11 Danin St  
PASCOE VALE VIC 3044

## Tax invoice

Assessment no. 183874 7

Date of issue 26-Jul-2019

## Rate enquiries

8.30am to 5pm, Monday to Friday

Website [www.bendigo.vic.gov.au/rates](http://www.bendigo.vic.gov.au/rates)

Email [enquiries@bendigo.vic.gov.au](mailto:enquiries@bendigo.vic.gov.au)

Phone (03) 5434 6000

ONLY  
HERE

Property 59 Watson Avenue, CALIFORNIA GULLY 3556

Legal description Lot 27 PS 529662C

Valued as at 01-Jan-2016 Total GST \$0.00

Capital Improved Value \$135,000 Date declared 19-Jun-2019

Site value \$135,000 Notice issued 26-Jul-2019

Net Annual Value \$6,750 FSPL Classification Residential

AVPCC 101

Particulars of rates/charges	Charges	Rateable value	Amount
Vacant Land Rate	0.00499811	135000	674.70
Victorian Fire Services Levy - Residential	0.000086	135000	119.90
Arrears			4343.86
Interest			108.90
Legal Fees/Other Payments			458.70
			4107.66-

Free SMS payment reminder available, see back of notice for details. Duplicate Notice @ 17.3.2020

ONLY  
HERE

**BPAY**  
Bill code: 1933  
Ref. no: 18 3874 7

**BPOINT**  
Bill code: 1933  
Ref. no: 1838747

**POST billpay**  
Total Rate \*360 1838747  
Bill code: 0360 Ref. no: 1838747  
Pay in store at Australia Post, phone 13 18 16 or go to [www.postbillpay.com.au](http://www.postbillpay.com.au)

For emailed notices:  
[bendigo.enotices.com.au](http://bendigo.enotices.com.au)  
Reference No:

## Bendigo Bank

Bendigo and Adelaide Bank Limited, The Bendigo Centre, Bendigo, VIC

Ratepayers name: V T Peker and E Peker  
Property: 59 Watson Avenue, CALIFORNIA GULLY 3556  
Assessment no: 183874 7

Internal use only

Do not pin or staple cheques to deposit slip

Payment option 1 by 17/02/2020: \$1,598.20  
Payment option 2 by 30/09/2019: \$1,598.20  
Payment option 3 by 30/09/2019: \$

Teller's stamp and initials:

Name:

Paid in by (signature):

No. of cheques:

Drawer:  Bank:  Branch:

**TELLER USE**

\$100

\$50

\$20

\$10

\$5

Date:

Notes:

Coins:

Cheques:

**TOTAL \$**

For CREDIT of CITY OF GREATER BENDIGO RATE NOTICE

Regular fortnightly or monthly payments can make it easier to manage your rates.

See payment methods below.

### WHEN TO PAY

**Option 1 - Paying in full**  
Lump sum payment made by 17 February 2020

### Arrears

Arrears outstanding continue to accrue interest until paid in full. Service of this notice does not cancel any existing arrangement for payment of arrears or waive the right of the City to proceed to legal action.

### Free SMS Reminders

To receive free SMS reminders for **paying in full** SMS the word **FULL**, followed by the BPAY Ref. number on the front of this notice, to 0459 273 853  
e.g. FULL 1234567

To receive free SMS reminders for **paying by instalments** SMS the word **FOUR**, followed by the BPAY Ref. number on the front of this notice, to 0459 273 853

### Fire Services Property Levy

An owner of the land may apply for a waiver, deferral or concession in respect of the leviable land under Section 27 of the Fire Services Property Levy Act 2012 for rateable land and Section 28 for non-rateable residential land.

### Notice of Valuation

The property described on the front of this Notice has been valued as at 1 January, 2019 using the Capital Improved Value which is the total market value of the land plus buildings and improvements.

The valuations shown on this notice may be used by other authorities for the purpose of a tax or rate.

### Objection to valuation

Objections to the Valuation may be lodged with us within two months of the date of issue of the notice. Objections must be in writing on the prescribed form available from Customer Support on 5434 6000.

ONLY  
HERE

ONLY  
HERE

# Land Tax Clearance Certificate

## Land Tax Act 2005



INFOTRACK / FHL & CO

**Your Reference:** 20125  
**Certificate No:** 38088490  
**Issue Date:** 07 MAY 2020  
**Enquiries:** ESYSPROD

**Land Address:** 59 WATSON AVENUE CALIFORNIA GULLY VIC 3556

Land Id	Lot	Plan	Volume	Folio	Tax Payable
33088542	27	529662	10870	227	\$0.00

**Vendor:** VEDAT PEKER & ESMA PEKER  
**Purchaser:** FOR INFORMATION PURPOSES

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
VODAT TUFAN PEKER	2020	\$135,000	\$0.00	\$0.00	\$0.00

**Comments:**

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

**Comments:**

Arrears of Land Tax	Year	Proportional Tax	Penalty/Interest	Total
---------------------	------	------------------	------------------	-------

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:** \$135,000

**SITE VALUE:** \$135,000

**AMOUNT PAYABLE:** \$0.00

# Notes to Certificates Under Section 105 of the *Land Tax Act 2005*

Certificate No: 38088490

- Under Section 96 of the *Land Tax Act 2005* (the Act), unpaid land tax (including special land tax and vacant residential land tax) is a first charge on the land to which it relates and should the vendor default, payment will be obtained from the purchaser. The purchaser should take into account the possibility that the vendor may default where land tax has been assessed but not paid.
- A purchaser who has obtained a Certificate is only liable to a charge on the land to the amount of unpaid land tax as certified by a Certificate. A purchaser must obtain the Certificate from the Commissioner. They cannot rely on the Certificate obtained by the vendor.
- If land tax (including special land tax and vacant residential land tax) is due but not paid on a property, the Land Tax Clearance Certificate will certify the amount of land tax due and payable on that land. This amount will be binding on the Commissioner of State Revenue (the Commissioner) for purposes of section 96 of the Act whether or not it is paid to the State Revenue Office (SRO) on, or shortly after, settlement.
- The amount of land tax on this certificate relates to the amount of land tax (including special land tax and vacant residential land tax) due and payable as at the date of the application only and not to any future liability or the tax status of the land.
- A 'Nil' Land Tax Clearance certificate does not mean that the land on the certificate is exempt from land tax or vacant residential land tax.
- If land tax (including special land tax or vacant residential land tax) will be payable on a property but payment is not due at the time the application is processed, the certificate will certify the amount that should be retained by the purchaser at settlement and remitted to the SRO. The Commissioner will consider himself bound by this amount against the purchaser, only if the amount is remitted to the SRO.
- If the amount in 4. (above) is understated, the Commissioner has the right to seek recovery of the correct amount, or the balance, as the case may be, from the:
  - vendor, or
  - purchaser, if the vendor defaults and the certified amount has not been remitted to the SRO.
- If an amount is certified in respect of a proposed sale which is not completed, the Commissioner will not be bound by the same amount in respect of a later sale of the subject land - another certificate must be applied for in respect of that transaction.
- If an amount certified is excessively high (for example, because an exemption or concession has not been deducted in calculating the amount) the Commissioner will issue an amended certificate, without an additional fee being charged on receipt of sufficient evidence to that effect from the vendor.
- If no land tax (including special land tax or vacant residential land tax) is stated as being payable in respect of the property, the Commissioner will consider himself bound by that certification, in respect of the purchaser, if the land is subsequently found to be taxable and the vendor defaults.
- If the vendor refuses to be bound by an amount stated by the Commissioner and does not agree to the amount being withheld and remitted at settlement, the purchaser cannot rely on such refusal as a defence to an action by the Commissioner to recover the outstanding amount from the purchaser under Sections 96 or 98 of the Act.
- The information on a certificate cannot preclude the Commissioner from taking action against a vendor to recover outstanding land tax (including special land tax and vacant residential land tax).
- You can request a free update of a Land Tax Clearance Certificate via our website if:
  - there is no change to the parties involved in the transaction, and
  - the request is within 90 days of the original certificate being issued.

## For Information Only

### LAND TAX CALCULATION BASED ON SINGLE OWNERSHIP

Land Tax = \$0.00

Taxable Value = \$135,000

Calculated as \$0 plus ( \$135,000 - \$0) multiplied by 0.000 cents.

## Land Tax Clearance Certificate - Payment Options

**BPAY**




Billers Code: 5249  
Ref: 38088490

**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](http://www.bpay.com.au)

**CARD**



Ref: 38088490

**Visa or Mastercard.**

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

[sro.vic.gov.au/paylandtax](http://sro.vic.gov.au/paylandtax)

# PLANNING PROPERTY REPORT

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 14 May 2020 12:48 PM

## PROPERTY DETAILS

Address: **59 WATSON AVENUE CALIFORNIA GULLY 3556**  
Lot and Plan Number: **Lot 27 PS529662**  
Standard Parcel Identifier (SPI): **27\PS529662**  
Local Government Area (Council): **GREATER BENDIGO**  
Council Property Number: **224144**  
Planning Scheme: **Greater Bendigo**  
Directory Reference: **Vicroads 603 M11**

[www.bendigo.vic.gov.au](http://www.bendigo.vic.gov.au)

[Planning Scheme - Greater Bendigo](#)

## UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**  
Urban Water Corporation: **Coliban Water**  
Melbourne Water: **Outside drainage boundary**  
Power Distributor: **POWERCOR**

[View location in VicPlan](#)

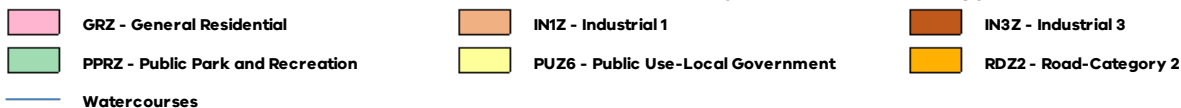
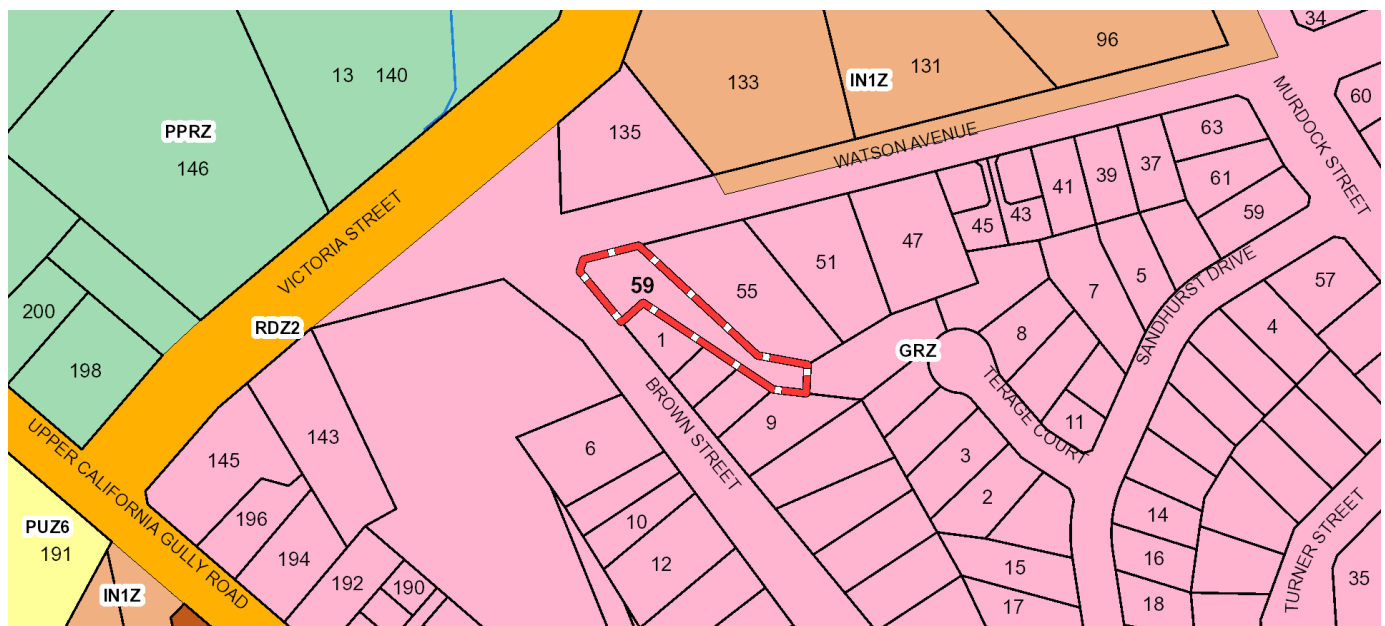
## STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**  
Legislative Assembly: **BENDIGO WEST**

## Planning Zones

[GENERAL RESIDENTIAL ZONE \(GRZ\)](#)

[SCHEDULE TO THE GENERAL RESIDENTIAL ZONE \(GRZ\)](#)



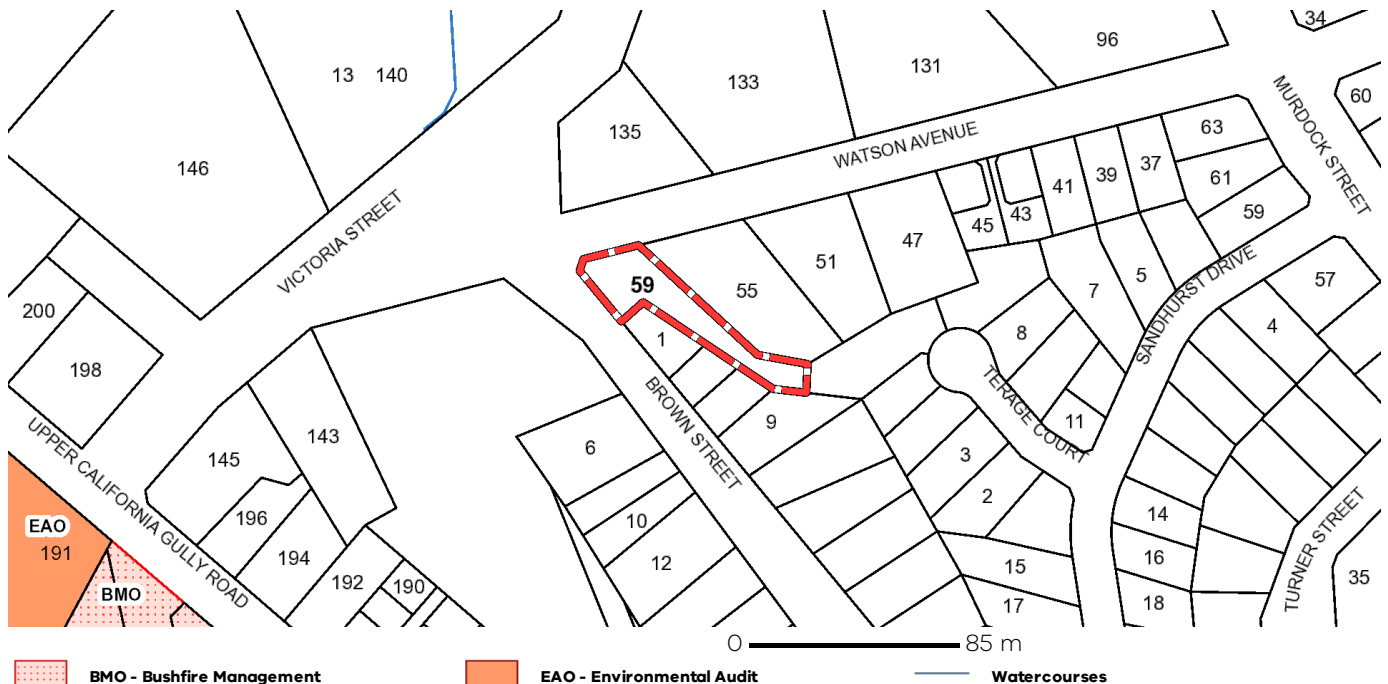
Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

## Planning Overlay

None affecting this land - there are overlays in the vicinity

[BUSHFIRE MANAGEMENT OVERLAY \(BMO\)](#)

[ENVIRONMENTAL AUDIT OVERLAY \(EAO\)](#)



## Further Planning Information

Planning scheme data last updated on 7 May 2020.

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>

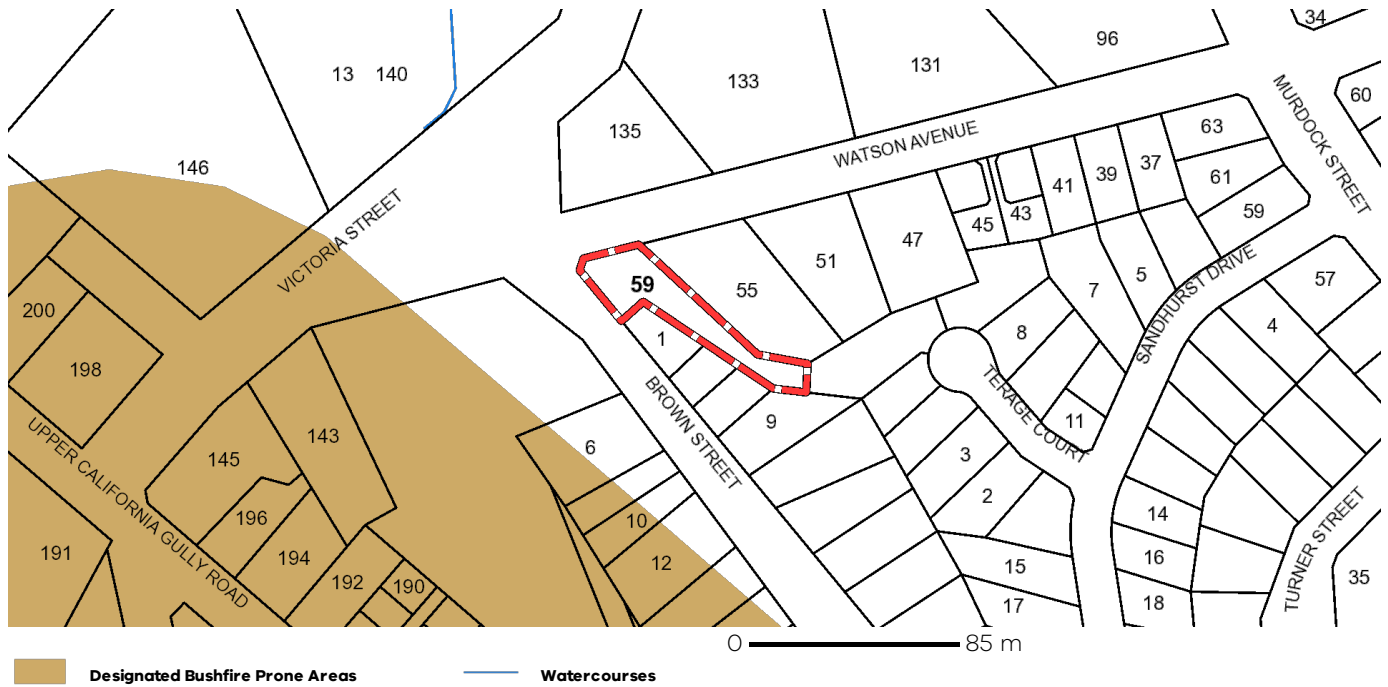
For details of surrounding properties, use this service to get the Reports for properties of interest.

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 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 <https://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 <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>

## Property Report

from [www.land.vic.gov.au](http://www.land.vic.gov.au) on 14 May 2020 12:48 PM

**Address:** 59 WATSON AVENUE CALIFORNIA GULLY 3556

**Lot and Plan Number:** Lot 27 PS529662

**Standard Parcel Identifier (SPI):** 27\PS529662

**Local Government (Council):** GREATER BENDIGO **Council Property Number:** 224144

**Directory Reference:** VicRoads 603 M11

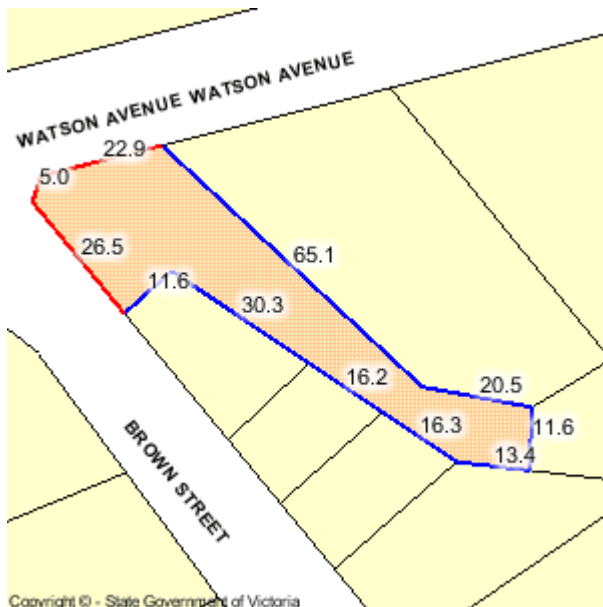
**This property is not in a designated bushfire prone area.**

**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](http://www.vba.vic.gov.au)

### Site Dimensions

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



**Area:** 1451 sq. m

**Perimeter:** 240 m

For this property:

— Site boundaries

— Road frontages

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

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

### State Electorates

**Legislative Council:** NORTHERN VICTORIA

**Legislative Assembly:** BENDIGO WEST

### Utilities

**Rural Water Corporation:** Goulburn-Murray Water

**Urban Water Corporation:** Coliban Water

**Melbourne Water:** outside drainage boundary

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

Planning information continued on next page

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## Planning Zone Summary

**Planning Zone:** GENERAL RESIDENTIAL ZONE (GRZ)  
SCHEDULE TO THE GENERAL RESIDENTIAL ZONE (GRZ)

**Planning Overlay:** None

Planning scheme data last updated on 7 May 2020.

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](#)

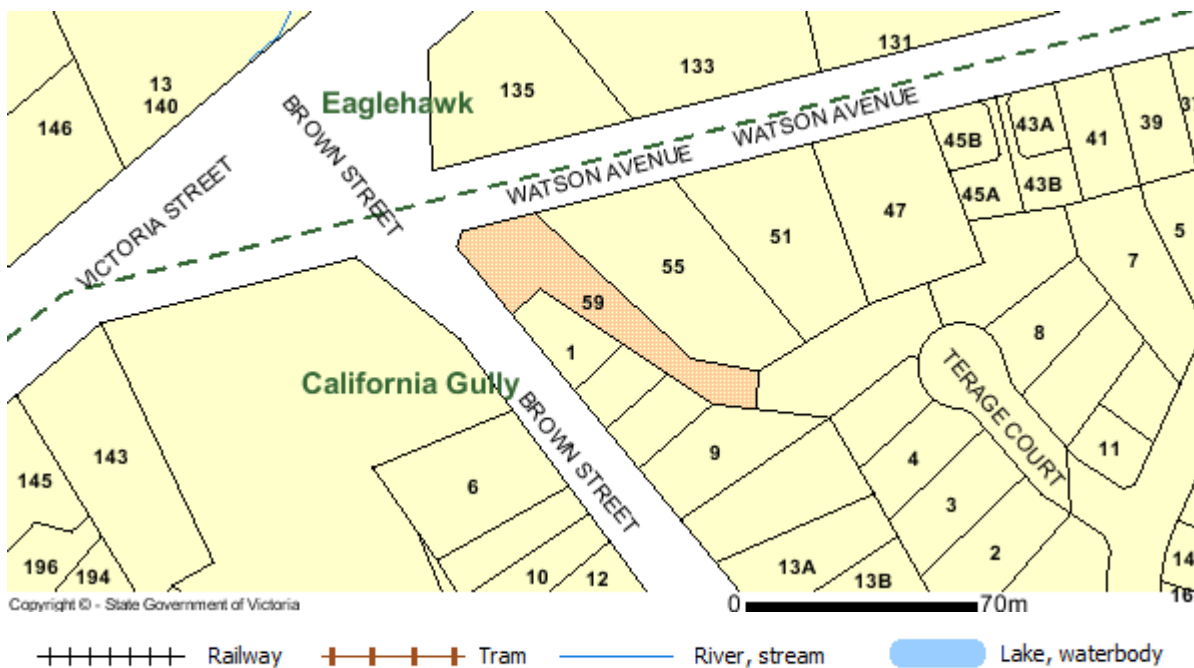
The Planning Property Report includes separate maps of zones and overlays

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](http://www.planning.vic.gov.au)

## Area Map



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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](https://consumer.vic.gov.au/duediligencechecklist) (consumer.vic.gov.au/duediligencechecklist).

## Urban living

### Moving to the inner city?

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

### Is the property subject to an owners corporation?

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

## Growth areas

### Are you moving to a growth area?

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

## Flood and fire risk

### Does this property experience flooding or bushfire?

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

## Rural properties

### Moving to the country?

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

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

### Can you build new dwellings?

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

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

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

## Soil and groundwater contamination

### Has previous land use affected the soil or groundwater?

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

(04/10/2016)

## **Land boundaries**

### **Do you know the exact boundary of the property?**

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

## **Planning controls**

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

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

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

### **Are there any proposed or granted planning permits?**

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

## **Safety**

### **Is the building safe to live in?**

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

## **Building permits**

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

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

### **Are any recent building or renovation works covered by insurance?**

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

## **Utilities and essential services**

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

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

## **Buyers' rights**

### **Do you know your rights when buying a property?**

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