Our Ref: JS:22:9093



NELSON PROPERTY TRANSFER SERVICES

Shop 4, 6-8 Boston Road, Torquay VIC 3228
Tel: 4252 7190 Email: surfcoast@npts.com.au

SECTION 32 STATEMENT

PARTICULARS OF SALE

VENDOR: **LAURA FAYE POOLE AND CLANCY FOX BENNETT**
STREET ADDRESS: **15 BOOLA VIEWS ROAD, TYERS VIC 3844**
LAND BEING SOLD: The land which is presently fenced and/or occupied by the Vendor and contained only within the land described in Certificate of Title:
VOLUME 09542 FOLIO 817

The vendor makes this statement is respect of the land in accordance with Section 32 of the *Sale of Land Act* 1962. The statement must be signed by the vendor either personally or by his electronic signature.

FINANCIAL MATTERS

Particulars of any rates, taxes, charges or other similar outgoings (and any interest on them) including any water usage, sewerage disposal charges or other charges based on a user pay system.

(a) Their total does not exceed **$5,000.00**

(b) 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 above amount.

(c) Particulars of any charge (whether registered or not) over the land imposed by or under an Act to secure an amount due under that Act, including the amount owing under that charge are as follows: - **NOT APPLICABLE**

Land Tax may be applicable if land value exceeds $250,000.00 or a change of use occurs. A purchaser will remain liable for any adjusted increase in a new assessment after 31 December 2023.

INSURANCE

Damage or Destruction

The property remains at the risk of the vendor until the purchaser becomes entitled to possession or receipt of the rents and profits.

Owner Builder

Where there is a residence on the land which was constructed within the preceding 6 years and section 137B of the *Building Act* 1993 applies to the residence.

NOT APPLICABLE

LAND USE - RESTRICTIONS

Information concerning any easement, covenant or other similar restriction affecting the land (registered or unregistered)

(a) Easements affecting the land - as set out in the documents attached (if any)
(b) Covenants affecting the land - as set out in the documents attached (if any)
(c) Leases affecting the land - as set out in the documents attached (if any)
(d) Other similar restrictions affecting the land - as set out in the documents attached (if any)

Particulars of any existing failure to comply with the terms of any Easement, Covenant, Lease or other similar restriction are :-
NONE TO THE VENDORS KNOWLEDGE

However please note that underground electricity cables, water and gas pipes, sewers or drains may be laid outside registered easements.

ROAD ACCESS
There is access to the property by road

BUSHFIRE - PRONE AREA

(1) The property is in a bushfire prone area within the meaning of the Regulations made under the *Building Act 1993* unless the attached Bushfire Prone Area Report states otherwise.

(2) If the property is in a designated bushfire prone area the designation will be shown on the attached Bushfire Prone Area Report and special bushfire construction requirements, Planning provisions and Country Fire Authority requirements may apply. However you should conduct your own due diligence by searching the Victorian Government's Land Channel Website.

PLANNING AND ROAD ACCESS - Information concerning any planning instrument -

☒ Attached is a certificate with the required specified information.

☒ The required specified information is as follows:

(a)	Name of planning scheme	La Trobe Planning Scheme
(b)	Name of responsible authority	La Trobe City Council
(c)	Zoning of the land	Rural Living (RL)
(d)	Name of planning overlay	As Attached (if any)

NOTICES - Particulars of any notice, order, declaration, report, 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.

(a) Any notice affecting the Owners Corporation and any liabilities (whether contingent, proposed or otherwise) where the property is in a subdivision that includes common property including any relating to the undertaking of repairs to the property

(b) Any Quarantine or stock order imposed under the Stock Disease Act 1968 (whether or not the Quarantine Order it still in force)

(c) **Agricultural chemicals**
Particulars of any notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes and any land use restriction notice given in relation to the land under the Agricultural and Veterinary Chemicals Act 1992.

(d) Particulars of any mining licence granted under the Mineral Resources Development Act 1990.

(e) **Compulsory acquisition**
Particulars of any notice of intention to acquire served pursuant to Section 6 of *the Land Acquisition and Compensation Act* 1986.

(f) Notice issued by the Environment Protection Authority

(g) Any notice or order pursuant to the Domestic Building Contracts and Tribunal Act 1995

NONE TO THE VENDORS KNOWLEDGE save as disclosed herein or in any Owners Corporation Certificate.
The land is in a Municipal District specified by the Minister administering the Mineral Resources (Sustainable Development) Act 1990.
Particulars of any Mining Licences affecting the land are as follows :- **NOT APPLICABLE**

BUILDING APPROVALS

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).

NO SUCH BUILDING PERMIT HAS BEEN ISSUED TO THE VENDORS KNOWLEDGE

GROWTH AREA INFRASTRUCTURE CONTRIBUTION
NOT APPLICABLE

SERVICES - Information concerning the supply of the following 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 ☒

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

TITLE

Attached are copies of the following documents:

Registered Title

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

Evidence of the vendor's right or power to sell (where the vendor is not the registered proprietor/the owner in fee simple)

DISCLOSURE OF ENERGY EFFICIENCY INFORMATION
NOT APPLICABLE

17/03/2023

DATE OF THIS STATEMENT 2023

Signature of Vendor ..... Signed by: Laura Faye Poole 031C9BF265EF8C27 Signed by: Clancy Fox Bennett E32BBCCF1DF28C58

I agree that this Section 32 Statement and the documents herewith (including the Register Search Statement) must be updated at the expiration of six calendar months from the date of the Register Search Statement herewith. I will not hold Nelson Property Transfer Services responsible if the Vendors Statement is not so updated or if it is used by any Real Estate Agent other than the one to whom it is first forwarded to by Nelson Property Transfer Services.
I confirm that this statement has been printed solely in accordance with my instructions and from the information and documents provided or approved by me and are true and correct. I undertake that I will exercise all possible diligence and provide full and honest disclosure or all relevant information of which I am aware or might reasonably be expected to be aware of. I am aware that Nelson Property Transfer Services have only been retained to fill up this document in accordance with my said instructions and the information and documents provided or approved by me. I certify that I am not aware of :- (a) any variation between the land occupied by me and the land described in the Certificate/s of Title. (b) any registered or unregistered encumbrances not disclosed in this document. (c) any failure to obtain any necessary planning, building or other permits. (d) the property being affected by any environmental, Landslip, mining, flooding, fill, latent defects, bushfire attack or historical significance issues. (e) any contingent or proposed liabilities affecting any Owners Corporation including any relating to the undertaking of repairs to the property. (f) my occupation of any adjacent land which is not contained in the land being sold. (g) any buildings erected over any easements (h) any rights over any other land (i.e. a roadway or walkway) other than those disclosed herein and (i) any proposal in relation to any other land which may directly and currently affect the property being sold.
I acknowledge that I have read the statement, all the documents and the representations and warranties given by me in lieu of requisitions and I accept sole responsibility for the accuracy of all the information and documents and for providing or omitting all or any of the information, conditions, Titles, notices or documents including, but without limiting the generality of the forgoing, any information. conditions, Titles or documents required or that later may be deemed to be required by Section 32 of the Sale of Land Act 1996 as amended and/or any other Act or regulation.
INSURANCE
I the vendor undertake to keep the property and all improvements thereon and therein, fully insured for their full replacement value (new for old) until the final settlement of any sale of the property.

PURCHASER'S ACKNOWLEDEGMENTS

The purchaser hereby acknowledges being given this statement signed by the vendor with all the attached documents and a **DUE DILIGENCE CHECKLIST** before the purchaser signed the contract

DATE OF ACKNOWLEDGMENT 2023

Signature of Purchaser .....

NOTICE The vendor gives notice to the purchaser that in the event that the purchaser fails to complete the purchase of the property on the due date specified in the contract between the vendor and the purchaser ("the contract") for the payment of the residue as defined in the contract ("the due date") or any other date for the payment of the residue, which date shall be deemed to be the due date, as a result of the alteration of the due date as specified in the contract, the vendor will or may suffer the following **reasonably foreseeable losses** and expenses which the purchaser shall be required to pay to the vendor in addition to any interest payable in accordance with the terms of the contract.

(a) All costs associated with obtaining bridging finance to complete the vendor's purchase of another property or business and interest charged on such bridging finance;

(b) Interest payable by the vendor under any existing mortgage over the property sold, calculated from the due date;

(c) Accommodation and additional storage and removal expenses necessarily incurred by the vendor;

(d) Costs and expenses as between vendor's conveyancer and/or solicitor and the vendor.

(e) Penalties, interest or charges payable by the vendor to any third party as a result of any delay in the completion of the vendor's purchase, whether they are in relation to the purchase of another property, business or any other transaction dependent on the funds from the sale of the property.

(f) all commissions, fees and advertising expenses payable to the vendor's Real Estate Agent.

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

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

VOLUME 09542 FOLIO 817

Security no : 124104718274S
Produced 17/03/2023 10:16 AM

LAND DESCRIPTION

Lot 5 on Plan of Subdivision 142592.
PARENT TITLE Volume 09514 Folio 073
Created by instrument LP142592 07/02/1984

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
CLANCY FOX BENNETT
LAURA FAYE POOLE both of 15 BOOLA VIEWS ROAD TYERS VIC 3844
AL595210Y 03/01/2015

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AU222136Q 09/04/2021
MACQUARIE BANK LTD

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

DIAGRAM LOCATION

SEE LP142592 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: 15 BOOLA VIEWS ROAD TYERS VIC 3844

ADMINISTRATIVE NOTICES

NIL

eCT Control 18440T MSA NATIONAL
Effective from 09/04/2021

DOCUMENT END

Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Secure Electronic Registries Victoria.

Document Type	**Plan**
Document Identification	**LP142592**
Number of Pages (excluding this cover sheet)	**1**
Document Assembled	**17/03/2023 10:17**

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REF. 50349(A)

PLAN OF SUBDIVISION OF
CROWN ALLOTMENT 23
PARISH OF BOOLA BOOLA
COUNTY OF TANJIL

SCALE:- 50 25 0 50 100
LENGTHS IN METRES

APPROPRIATIONS
BROWN - WAY & DRAINAGE.
BROWN-HATCHED - CARRIAGEWAY & DRAINAGE.
BLUE - DRAINAGE.

LP142592
EDITION 1
APPROVED 21/12/83

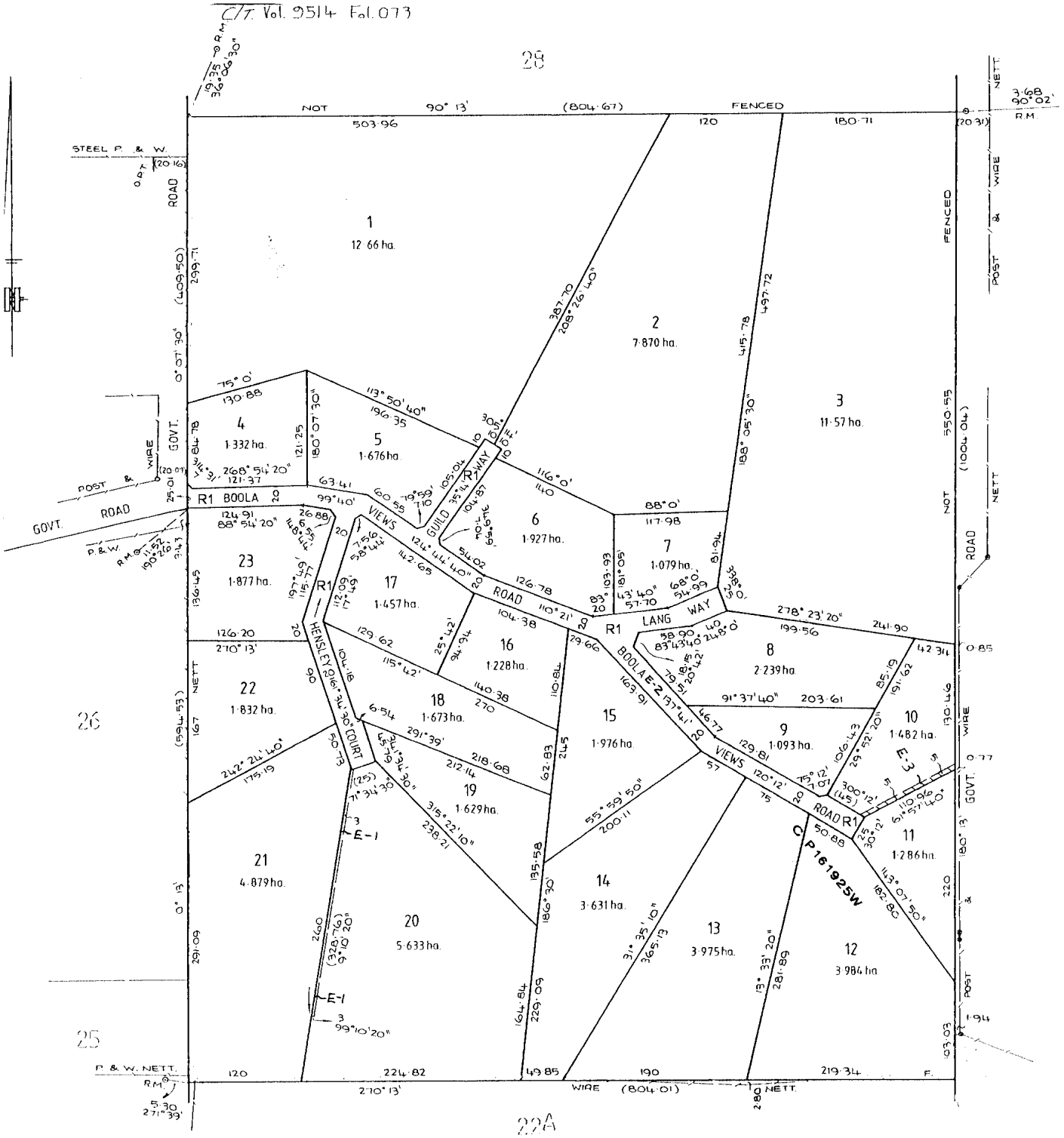
NOTATIONS
ROAD WIDTHS & OCCUPATION NOT TO SCALE.
R.M.'S ARE G.I. PIPES OR IRON RODS 0·30 LONG & 0·02 DIAM.
ALL SPLAY INTERSECTIONS MARKED WITH AN R.M.
FOR BEARING DATUM SEE COPY OF FIELDNOTES.

LITHO SH 2
Vol. 9514 Fol. 073.

COLOUR CONVERSION
E-1 = BLUE
R1 = BROWN
E-3 = BROWN HATCHED

NOTATIONS
WATERWAY NOTATION:
LOT 3 IN THIS PLAN MAY ABUT CROWN LAND THAT MAY BE SUBJECT TO A CROWN LICENCE TO USE

C/T Vol. 9514 Fol. 073



WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.

PROPERTY REPORT

Environment, Land, Water and Planning

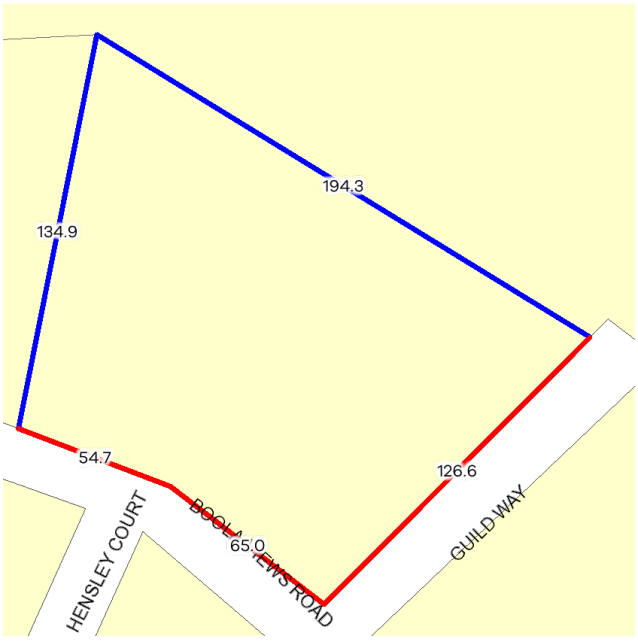
From www.planning.vic.gov.au at 17 March 2023 01:40 PM

PROPERTY DETAILS

Address:	**15 BOOLA VIEWS ROAD TYERS 3844**
Lot and Plan Number:	**Lot 5 LP142592**
Standard Parcel Identifier (SPI):	**5\LP142592**
Local Government Area (Council):	**LATROBE** www.latrobe.vic.gov.au
Council Property Number:	**34028**
Directory Reference:	**Vicroads 97 J3**

SITE DIMENSIONS

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



Area: 19033 sq. m (1.90 ha)
Perimeter: 576 m
For this property:
Site boundaries
Road frontages

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

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

For more accurate dimensions get copy of plan at Title and Property Certificates

UTILITIES

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

STATE ELECTORATES

Legislative Council:	**EASTERN VICTORIA**
Legislative Assembly:	**MORWELL**

PLANNING INFORMATION

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

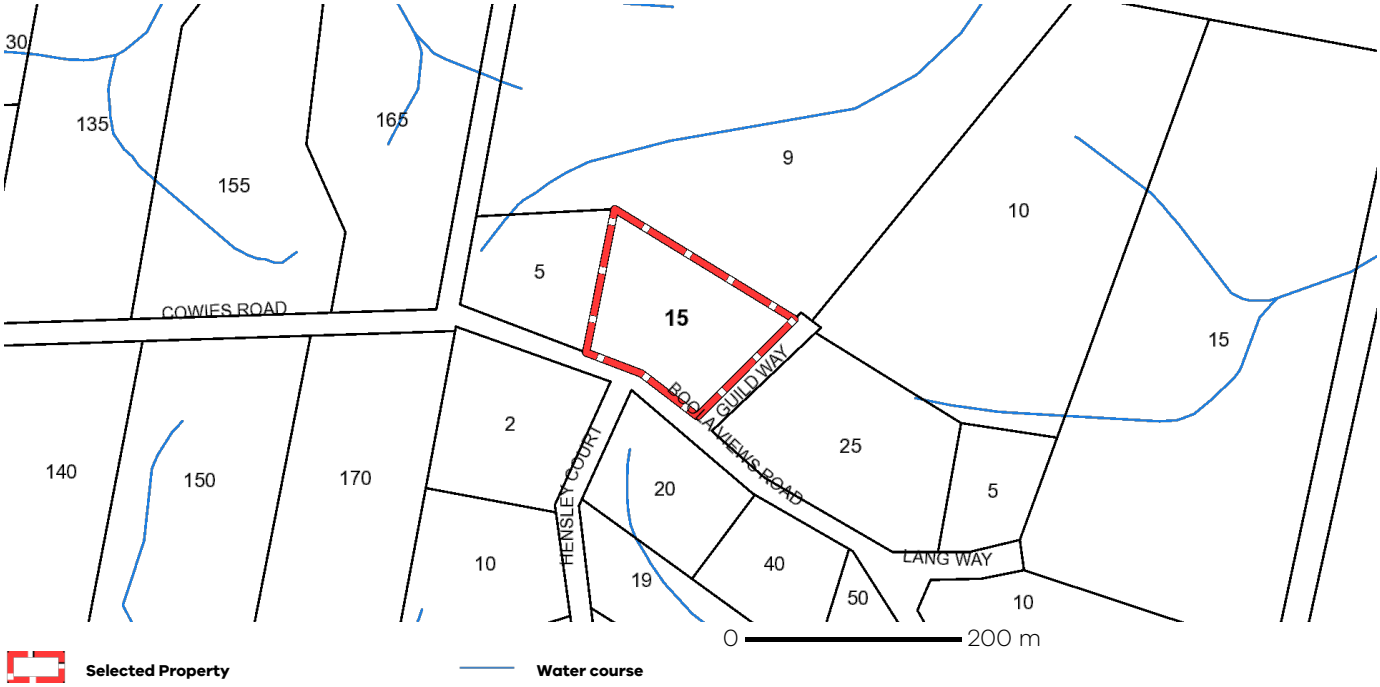
The Planning Property Report for this property can found here - Planning Property Report

Planning Property Reports can be found via these two links
Vicplan https://mapshare.vic.gov.au/vicplan/
Property and parcel search https://www.land.vic.gov.au/property-and-parcel-search

PROPERTY REPORT

Environment, Land, Water and Planning

Area Map



PLANNING PROPERTY REPORT

From www.planning.vic.gov.au at 17 March 2023 01:41 PM

PROPERTY DETAILS

Address:	**15 BOOLA VIEWS ROAD TYERS 3844**
Lot and Plan Number:	**Lot 5 LP142592**
Standard Parcel Identifier (SPI):	**5\LP142592**
Local Government Area (Council):	**LATROBE** www.latrobe.vic.gov.au
Council Property Number:	**34028**
Planning Scheme:	**Latrobe** Planning Scheme - Latrobe
Directory Reference:	**Vicroads 97 J3**

UTILITIES

Rural Water Corporation:	**Southern Rural Water**
Urban Water Corporation:	**Gippsland Water**
Melbourne Water:	**Outside drainage boundary**
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Legislative Council:	**EASTERN VICTORIA**
Legislative Assembly:	**MORWELL**

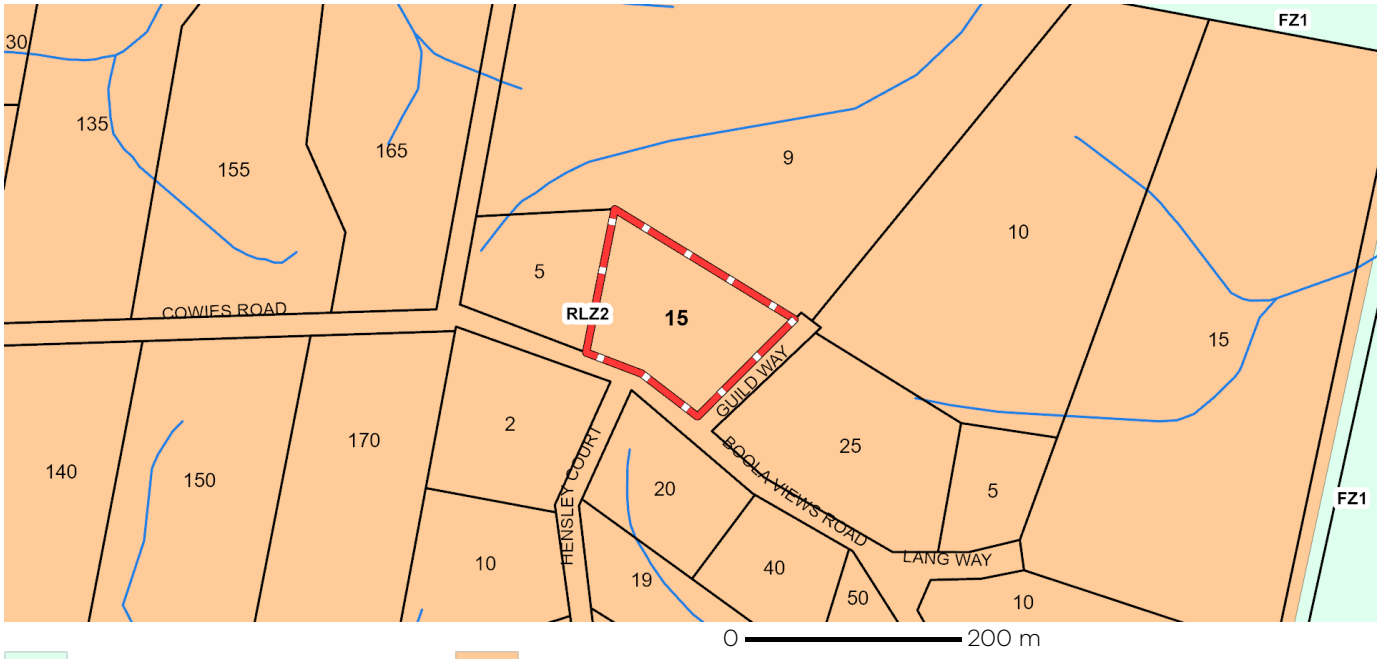
OTHER

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

View location in VicPlan

Planning Zones

RURAL LIVING ZONE (RLZ)
RURAL LIVING ZONE - SCHEDULE 2 (RLZ2)



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

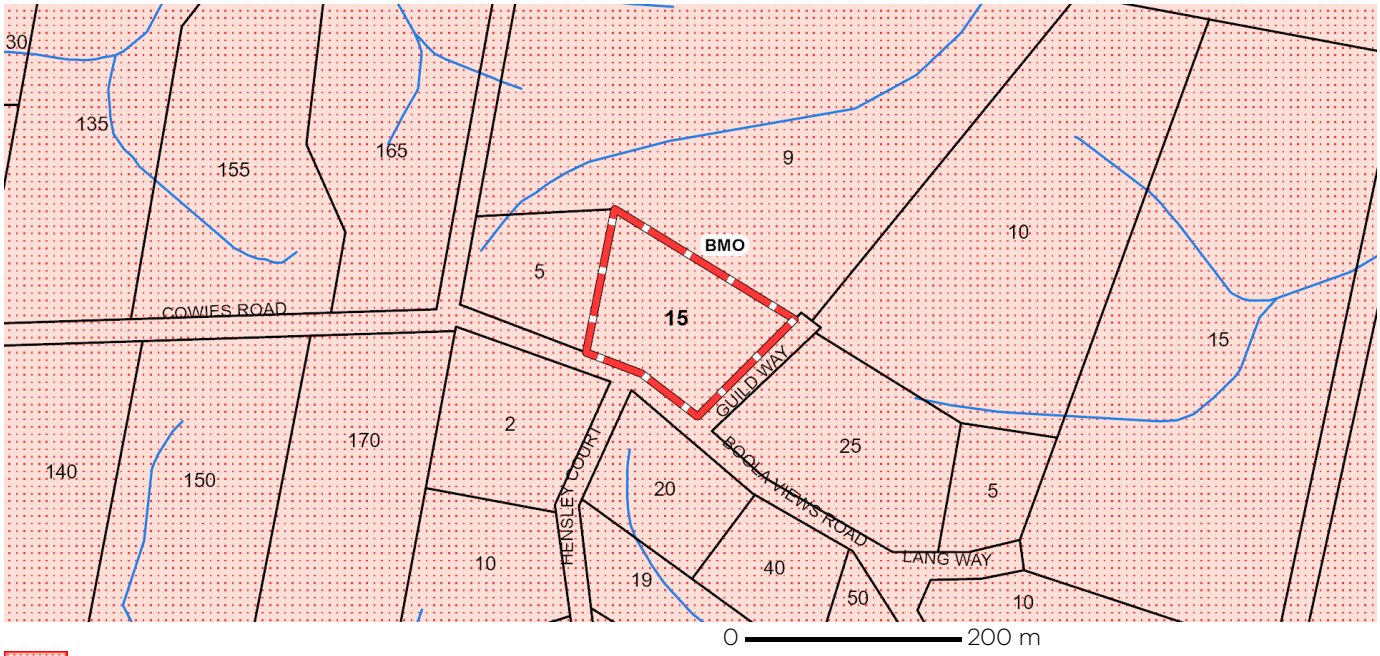
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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

PLANNING PROPERTY REPORT

Planning Overlay

BUSHFIRE MANAGEMENT OVERLAY (BMO)



BMO - Bushfire Management Overlay **Water course**

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

Further Planning Information

Planning scheme data last updated on 8 March 2023.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.
This report provides information about the zone and overlay provisions that apply to the selected land.
Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting https://www.planning.vic.gov.au

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the ***Planning and Environment Act 1987.***
It does not include information about exhibited planning scheme amendments, or zonings that may abut the land.
To obtain a Planning Certificate go to Titles and Property Certificates at Landata - https://www.landata.vic.gov.au

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

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

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

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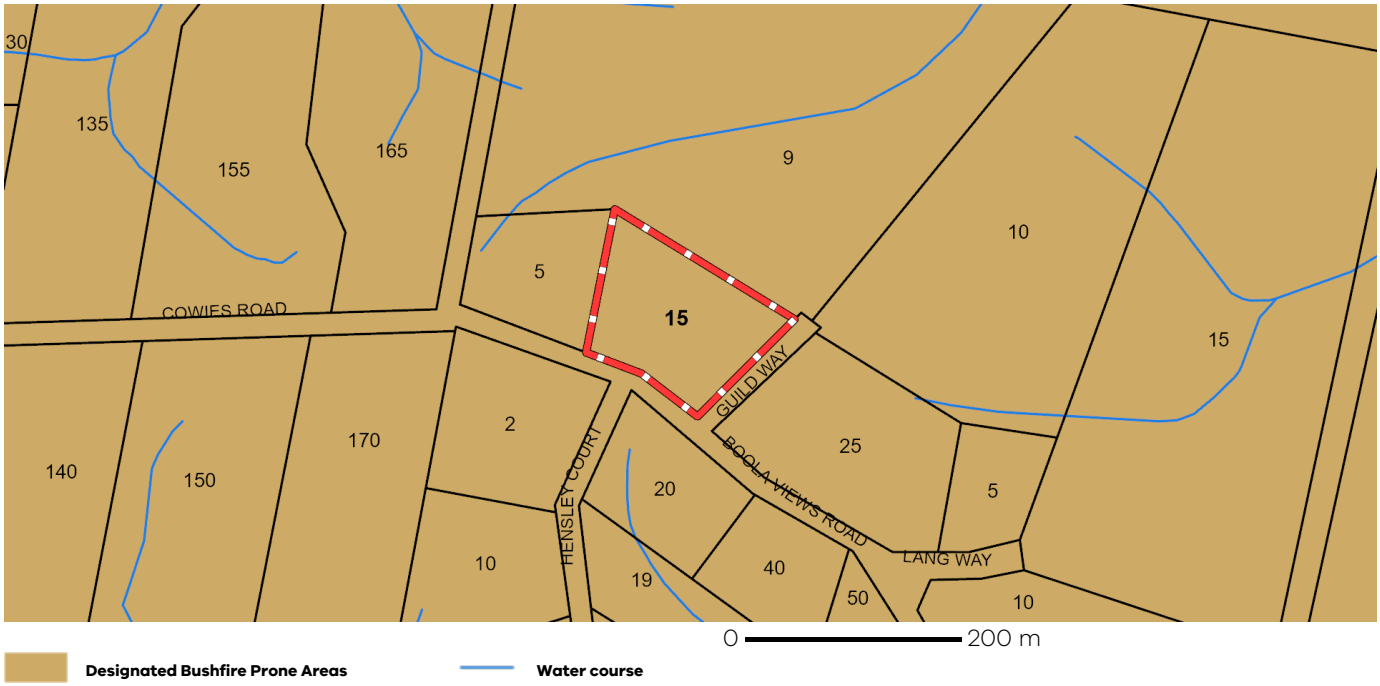
PLANNING PROPERTY REPORT

Designated Bushfire Prone Areas

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

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

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



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

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

Create a BPA definition plan in VicPlan to measure the BPA.

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

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

Native Vegetation

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

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

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

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44.06 BUSHFIRE MANAGEMENT OVERLAY

31/07/2018
VC148

Shown on the planning scheme map as **BMO** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

44.06-1 Bushfire management objectives and application of schedules

19/09/2017
VC132

A schedule to this overlay must contain a statement of the bushfire management objectives to be achieved for the area affected by the schedule and when the requirements within it apply.

44.06-2 Permit requirement

08/08/2019
VC159

Subdivision

A permit is required to subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.

Buildings and works

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation (including a Dependent person's unit)
- Education centre
- Hospital
- Industry
- Leisure and recreation
- Office
- Place of assembly
- Retail premises
- Service station
- Timber production
- Warehouse

This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.
- An alteration or extension to an existing building used for a dwelling or a dependent person's unit that is less than 50 percent of the gross floor area of the existing building.
- An alteration or extension to an existing building (excluding a dwelling and a dependent person's unit) that is less than 10 percent of the gross floor area of the existing building.

- A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.
- A building or works associated with Timber production provided the buildings or works are not within 150 metres of Accommodation or land zoned for residential or rural residential purposes.

44.06-3 Application requirements

11/04/2019
VC156

Unless a schedule to this overlay specifies different requirements, an application must be accompanied by:

- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.
- A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.
- A **bushfire management statement** describing how the proposed development responds to the requirements in this clause and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

44.06-4 Requirements of Clause 53.02

31/07/2018
VC148

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02.

44.06-5 Mandatory condition

31/07/2018
VC148

Subdivision

A permit which creates a lot for a single dwelling on land zoned for residential or rural residential purposes must include the following condition:

"Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- *State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the [*insert name of applicable planning scheme] Planning Scheme.*
- *Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.*
- *State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.*

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement."

This does not apply:

- If a schedule to this overlay specifies that a Section 173 Agreement is not required.
- Where the relevant fire authority states in writing the preparation of an agreement under Section 173 of the Act is not required for the subdivision.
- For the subdivision of the land into lots each containing an existing dwelling or car parking space.

A permit to subdivide land must include any condition specified in a schedule to this overlay.

Buildings and works

A permit to construct a building or construct or carry out works must include the following condition:

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

A permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3 must include the following condition:

"Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:

- *A dwelling constructed in accordance with planning permit [*insert planning permit reference] must not be occupied until a private bushfire shelter (a Class10c building within the meaning of the Building Regulations 2006) is:*
  - *Constructed on the same land as the dwelling.*
  - *Available for use by the occupants of the dwelling at all times.*
  - *Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.*

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement."

A permit to construct a building or construct or carry out works must include any condition specified in a schedule to this overlay.

44.06-6 Referral of applications

19/09/2017
VC132

An application must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03, unless a schedule to this overlay specifies otherwise.

44.06-7 Notice and review

31/07/2018
VC148

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act, unless a schedule to this overlay specifies otherwise.

A schedule to this overlay may specify that notice be given to any person or body in accordance with section 52(1)(c) of the Act.

44.06-8 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 53.02 and Clause 65, the responsible authority must consider, as appropriate:

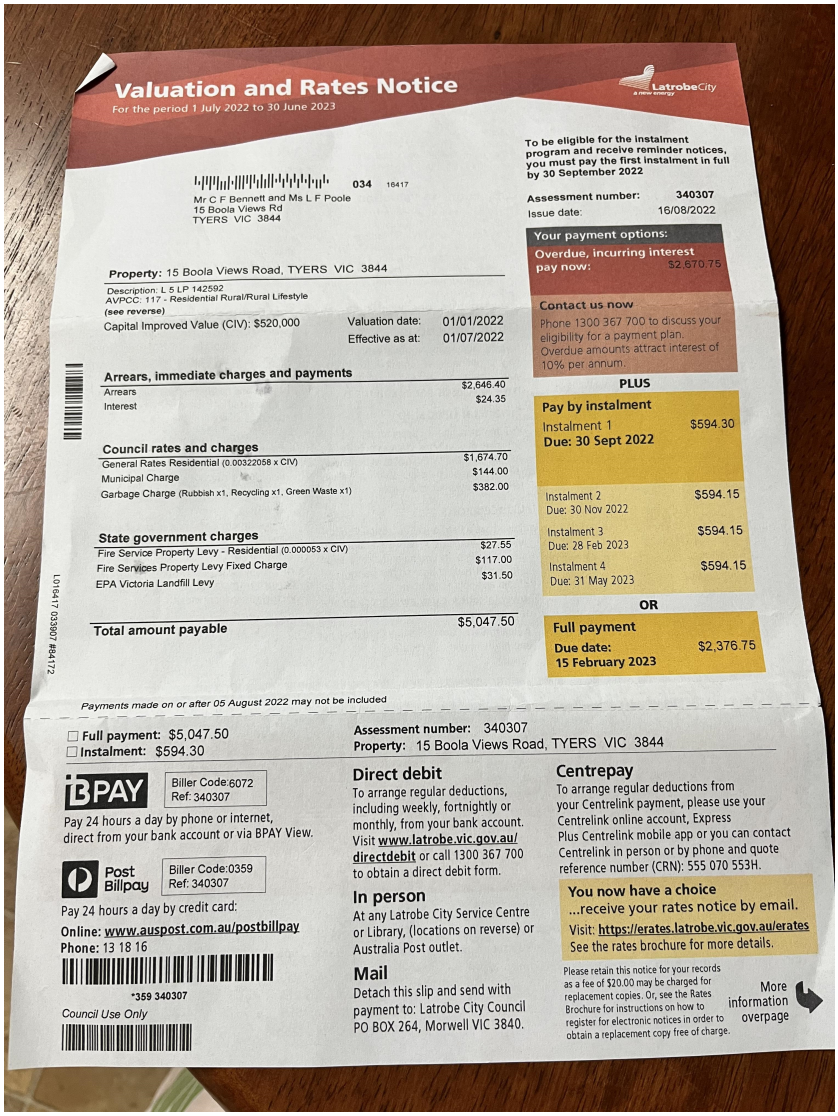
- The Municipal Planning Strategy and the Planning Policy Framework.
- Any other matters specified in a schedule to this overlay.

44.06-9 Transitional arrangements

19/09/2017
VC132

The requirements of Clause 44.06 Bushfire Management Overlay do not apply to a single dwelling, or a dependent person's unit, when a permit under the *Building Act 1993* was issued before the commencement of Amendment GC13, if:

- vegetation is managed to accord with the bushfire attack level assessment undertaken at the time the building permit was issued; and
- a static water supply of:
  - 2500 litres on lots of 500 square metres or less
  - 5000 litres on lots of more than 500 square metres,
    is provided to the satisfaction of the responsible authority.
- no permit was required for such development under Clause 44.06 before the commencement of Amendment GC13.



Valuation and Rates Notice

For the period 1 July 2022 to 30 June 2023

LatrobeCity
a new energy

034 16417

Mr C F Bennett and Ms L F Poole
15 Boola Views Rd
TYERS VIC 3844

To be eligible for the instalment program and receive reminder notices, you must pay the first instalment in full by 30 September 2022

Assessment number: 340307
Issue date: 16/08/2022

Property: 15 Boola Views Road, TYERS VIC 3844

Description: L 5 LP 142592
AVPCC: 117 - Residential Rural/Rural Lifestyle
(see reverse)

Capital Improved Value (CIV): $520,000
Valuation date: 01/01/2022
Effective as at: 01/07/2022

Arrears, immediate charges and payments

Arrears	$2,646.40
Interest	$24.35

Council rates and charges

General Rates Residential (0.00322058 x CIV)	$1,674.70
Municipal Charge	$144.00
Garbage Charge (Rubbish x1, Recycling x1, Green Waste x1)	$382.00

State government charges

Fire Service Property Levy - Residential (0.000053 x CIV)	$27.55
Fire Services Property Levy Fixed Charge	$117.00
EPA Victoria Landfill Levy	$31.50

Total amount payable $5,047.50

Your payment options:

Overdue, incurring interest pay now: $2,670.75

Contact us now
Phone 1300 367 700 to discuss your eligibility for a payment plan.
Overdue amounts attract interest of 10% per annum.

PLUS

Pay by instalment

Instalment 1 **Due: 30 Sept 2022**	$594.30
Instalment 2 Due: 30 Nov 2022	$594.15
Instalment 3 Due: 28 Feb 2023	$594.15
Instalment 4 Due: 31 May 2023	$594.15

OR

Full payment
Due date: 15 February 2023 $2,376.75

L016417 033907 #84172

Payments made on or after 05 August 2022 may not be included

☐ **Full payment:** $5,047.50
☐ **Instalment:** $594.30

Assessment number: 340307
Property: 15 Boola Views Road, TYERS VIC 3844

BPAY Biller Code:6072 Ref: 340307

Pay 24 hours a day by phone or internet, direct from your bank account or via BPAY View.

Post Billpay Biller Code:0359 Ref: 340307

Pay 24 hours a day by credit card:
Online: www.auspost.com.au/postbillpay
Phone: 13 18 16

*359 340307

Council Use Only

Direct debit

To arrange regular deductions, including weekly, fortnightly or monthly, from your bank account. Visit **www.latrobe.vic.gov.au/directdebit** or call 1300 367 700 to obtain a direct debit form.

In person

At any Latrobe City Service Centre or Library, (locations on reverse) or Australia Post outlet.

Mail

Detach this slip and send with payment to: Latrobe City Council PO BOX 264, Morwell VIC 3840.

Centrepay

To arrange regular deductions from your Centrelink payment, please use your Centrelink online account, Express Plus Centrelink mobile app or you can contact Centrelink in person or by phone and quote reference number (CRN): 555 070 553H.

You now have a choice
...receive your rates notice by email.
Visit: **https://erates.latrobe.vic.gov.au/erates**
See the rates brochure for more details.

Please retain this notice for your records as a fee of $20.00 may be charged for replacement copies. Or, see the Rates Brochure for instructions on how to register for electronic notices in order to obtain a replacement copy free of charge.

More information overpage

Latrobe City ABN 92 472 314 133
Phone 1300 367 700
TTY (NRS) 133 677

PO Box 264 Morwell 3840
Email latrobe@latrobe.vic.gov.au
www.latrobe.vic.gov.au
AUSDOC DX2 17733 Morwell

Our Ref: 3550/2021-SS
Prop No: 34028

22 March 2021

Ms L F Poole and Mr C F Bennett
laura.poole.abc@gmail.com

Dear Sir/Madam

PROPERTY: 15 BOOLA VIEWS ROAD, TYERS
REGISTRATION: PERMANENT SWIMMING POOL

Thank you for your application for registration and payment of relevant fees. Please be advised that your swimming pool or spa specified above has now been registered with Council.

Our records indicate that the date of construction for the swimming pool or spa is between 1 July 1999 and 30 June 2000. Therefore the applicable barrier standard is:

- AS1926.1-1993, or
- Performance Requirement P2.5.3 of BCA Volume 2, Amendment 5 (if a performance solution was provided at the time of construction).

As part of the ongoing certification requirements, you will need to obtain a certificate of pool and spa barrier compliance from a registered building surveyor or inspector every 4 years. Your first certificate must be lodged with Council by **1 November 2021**.

Further information on practitioners who may assist you to inspect your swimming pool or spa and issue a certificate of pool and spa barrier compliance can be obtained from our website www.latrobe.vic.gov.au/

If you do not agree with the nominated swimming pool or spa construction period listed above, you may appeal under section 144(2) of the Building Act 1993 to the Building Appeals Board within 30 days of this letter. Further information, including an application form can be downloaded from their website, www.buildingappeals.vic.gov.au/.

If you have any further queries, please do not hesitate to contact Ros Briant on 5128 5719 or myself at the Morwell office.

Yours sincerely

CHRISTOPHER A WATSON
Municipal Building Surveyor

Due Diligence Checklist

What you need to know before buying a residential property

Consumer Affairs Victoria

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 **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

Consumer Affairs Victoria

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