SECTION 32 STATEMENT

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

Vendor:	**ANGELIKA KINGSLEY**
Property:	**UNIT 1, 3 PENGANA STREET, ROSEBUD VIC 3939**

VENDORS REPRESENTATIVE
Sam Kelly's Conveyancing
PO Box 2198,
ROSEBUD PLAZA. VIC 3939

Tel: 0405 437 488
Email: sam@kellysconveyancing.com.au

Ref: 20581

Vendor Statement

The vendor makes this statement in respect of the land in accordance with section 32 of the *Sale of Land Act* 1962.

This statement must be signed by the vendor and given to the purchaser before the purchaser signs the contract. The vendor may sign by electronic signature.

The purchaser acknowledges being given this statement signed by the vendor with the attached documents before the purchaser signed any contract.

Land	**Unit 1, 3 Pengana Street, Rosebud VIC 3939**	
Vendor's name	**Angelika Kingsley**	**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: $ 3,500.00 p.a.

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

Nil to the Vendors knowledge.

1.3 **Terms Contract**

This section 1.3 only applies if this vendor statement is in respect of a terms contract where the purchaser is obliged to make 2 or more payments (other than a deposit or final payment) to the vendor after the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land.

Not Applicable

1.4 **Sale Subject to Mortgage**

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

Not Applicable

2. INSURANCE

2.1 **Damage and Destruction**

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

Not Applicable

2.2 **Owner Builder**

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

Not Applicable

3. LAND USE

3.1 **Easements, Covenants or Other Similar Restrictions**

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

Is in the attached copies of Title.

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

To the best of the Vendors knowledge there is no existing failure to comply with the terms of any easement, covenant or other similar restriction.

3.2 **Road Access**

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

3.3 **Designated Bushfire Prone Area**

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

3.4 **Planning Scheme**

☒ Attached is a certificate with the required specified information.

4. NOTICES

4.1 **Notice, Order, Declaration, Report or Recommendation**

Particulars of any notice, order, declaration, report or recommendation of a public authority or government department or approved proposal directly and currently affecting the land, being a notice, order, declaration, report, recommendation or approved proposal of which the vendor might reasonably be expected to have knowledge:

None to the Vendors Knowledge.

The Vendor has no means of knowing decisions of all public authorities and government departments affecting the property unless communicated to the Vendor.

4.2 **Agricultural Chemicals**

There are NO notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes. However, if this is not the case, the details of any such notices, property management plans, reports or orders, are as follows:

Nil

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:

Nil

5. BUILDING PERMITS

Particulars of any building permit issued under the *Building Act* 1993 in the preceding 7 years (required only where there is a residence on the land):

☒ Are contained in the attached certificate

6. OWNERS CORPORATION

This section 6 only applies if the land is affected by an owners corporation within the meaning of the *Owners Corporations Act* 2006.

6.1 ☒ The owners corporation in respect of the land is INACTIVE. It has not, in the past 15 months, had an Annual General Meeting, fixed any fees or held any insurance.

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

Not Applicable

Important notice to purchasers:
You may be liable to pay a growth areas infrastructure contribution when you purchase this property. The instrument of transfer cannot be lodged for registration with the Registrar of Titles until the contribution is paid in full or an exemption from, or reduction of, the whole or part of the liability to pay the contribution is granted and any remainder of the contribution is paid or there has been a deferral of the whole or part of the liability to pay the contribution or any approval has been given for a staged payment of the contribution. The Transfer may also be exempted from a growth areas infrastructure contribution in certain situations. It is in your interest to obtain advise as to any protentional liability before you commit yourself to buy.

8. SERVICES

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

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

9. TITLE

Attached are copies of the following documents:

9.1 ☒ (a) **Registered Title**

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

10. SUBDIVISION

10.1 **Unregistered Subdivision**

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

Not Applicable

10.2 **Staged Subdivision**

This section 10.2 only applies if the land is part of a staged subdivision within the meaning of section 37 of the *Subdivision Act* 1988.

Not Applicable

10.3 **Further Plan of Subdivision**

This section 10.3 only applies if the land is subject to a subdivision in respect of which a further plan within the meaning of the *Subdivision Act* 1988 is proposed.

Not Applicable.

11. DISCLOSURE OF ENERGY INFORMATION

(Disclosure of this information is not required under section 32 of the Sale of Land Act 1962 but may be included in this vendor statement for convenience.)

Details of any energy efficiency information required to be disclosed regarding a disclosure affected building or disclosure area affected area of a building as defined by the *Building Energy Efficiency Disclosure Act* 2010 (Cth)

(a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and

(b) which has a net lettable area of at least 2000m²; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the relevant date):

Not Applicable

12. DUE DILIGENCE CHECKLIST

(The Sale of Land Act 1962 provides that the vendor or the vendor's licensed estate agent must make a prescribed due diligence checklist available to purchasers before offering land for sale that is vacant residential land or land on which there is a residence. The due diligence checklist is NOT required to be provided with, or attached to, this vendor statement but the checklist may be attached as a matter of convenience.)

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)

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 (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.

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

VOLUME 11648 FOLIO 821 Security no : 124084361969L
Produced 16/07/2020 02:26 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 647890D.
PARENT TITLE Volume 06783 Folio 589
Created by instrument PS647890D 21/04/2016

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
ANGELIKA KINGSLEY of 93 BETULA AVENUE VERMONT VIC 3133
AQ680166G 31/01/2018

ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT PS647890D 21/04/2016

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

DIAGRAM LOCATION

SEE PS647890D 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: UNIT 1 3 PENGANA STREET ROSEBUD VIC 3939

OWNERS CORPORATIONS

The land in this folio is affected by
OWNERS CORPORATION 1 PLAN NO. PS647890D

DOCUMENT END

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PLAN OF SUBDIVISION

STAGE No. /

LRS USE ONLY

EDITION 1

PLAN P.S

PS647890D
11/04/2016 $1,178.20 PS

LOCATION OF LAND

PARISH: WANNAEUE

AT ROSEBUD

SECTION: ——

CROWN ALLOTMENT: ——

CROWN PORTION: 19(PART)

TITLE REFERENCES: VOL. 6783 FOL. 589

LAST PLAN REFERENCE: LOT 55 LP 14737

POSTAL ADDRESS: 3 PENGANA STREET
(AT TIME OF SUBDIVISION) ROSEBUD 3939

MGA CO-ORDINATES: E 317 940
(OF APPROX. CENTRE OF LAND IN PLAN) N 5 752 710 Zone 55

VESTING OF ROADS AND/OR RESERVES

IDENTIFIER	COUNCIL/BODY/PERSON
Nil	Nil

COUNCIL CERTIFICATION AND ENDORSEMENT

COUNCIL NAME: MORNINGTON PENINSULA SHIRE REF: S11/5043

~~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. 21 / 05 /15

~~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 / /~~

RE-CERTIFIED UNDER SECTION 11(7) OF THE SUBDIVISION ACT 1988
COUNCIL DELEGATE Stephen Joy
~~COUNCIL SEAL~~
DATE 23 / 10 /15

NOTATIONS

STAGING THIS IS NOT A STAGED SUBDIVISION.
PLANNING PERMIT No. PII/0286

DEPTH LIMITATION DOES NOT APPLY
THE LAND BEING SUBDIVIDED IS ENCLOSED WITHIN THICK CONTINUOUS LINES

ADDITIONAL PURPOSE OF PLAN:
CREATION OF RESTRICTIVE COVENANT

SURVEY. THIS PLAN IS BASED ON SURVEY

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No.(s) 71 & 239
IN PROCLAIMED SURVEY AREA No. 73

EASEMENT INFORMATION

LEGEND: A - APPURTENANT EASEMENT E - ENCUMBERING EASEMENT R - ENCUMBERING EASEMENT (ROAD)

SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLIES TO THE LAND IN THIS PLAN

EASEMENT REFERENCE	PURPOSE	WIDTH (METRES)	ORIGIN	LAND BENEFITED/IN FAVOUR OF
E-1	SEWERAGE	1.10	THIS PLAN	LOT 1 PS 647890 D

LRS USE ONLY
STATEMENT OF COMPLIANCE / EXEMPTION STATEMENT
RECEIVED ✓
DATE 11/04/2016

LRS use only
PLAN REGISTERED
TIME 3:12 PM
DATE 21/04/2016
B Toscano
ASSISTANT REGISTRAR OF TITLES

SHEET 1 OF 3 SHEETS

COASTAL SURVEYS
PROPERTY DEVELOPMENT CONSULTANTS
13 NEPEAN PLAZA, ROSEBUD VIC 3939
P.O. BOX 181, ROSEBUD 3939
TEL: (03) 5982 0666 FAX: (03) 5982 0700

LICENSED SURVEYOR (PRINT) KEVIN SHEAVES

SIGNATURE K Sheaves DATE 21 / 10 / 2015

REF. 975 VERSION 3

Stephen Joy
DATE 23 / 10 /15
COUNCIL DELEGATE SIGNATURE

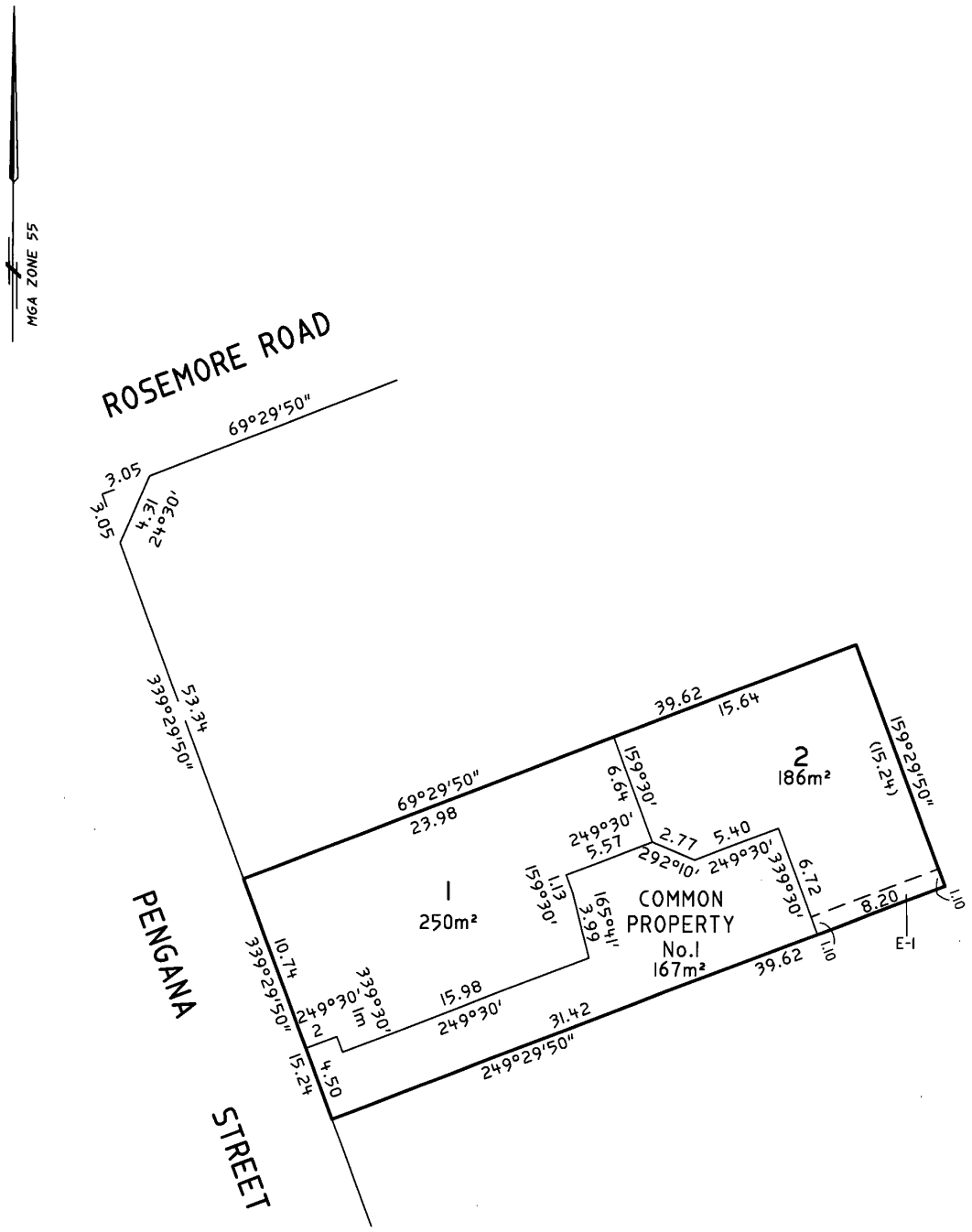
ORIGINAL SHEET SIZE A3

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PLAN OF SUBDIVISION

STAGE No. /

PLAN NUMBER
P.S. 647890 D



COASTAL SURVEYS
PROPERTY DEVELOPMENT CONSULTANTS
13 NEPEAN PLAZA, ROSEBUD VIC 3939
P.O. BOX 181, ROSEBUD 3939
TEL: (03) 5982 0666 FAX: (03) 5982 0700

2.5 0 2.5 5 7.5 10 12.5
LENGTHS ARE IN METRES

ORIGINAL
SCALE 1:250
SHEET SIZE A3

LICENSED SURVEYOR (PRINT) KEVIN SHEAVES
SIGNATURE K D Sheaves DATE 21 / 10 / 2015
REF 975 VERSION 3

SHEET 2

Stephen Jay
DATE 23 / 10 / 15
COUNCIL DELEGATE SIGNATURE

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PLAN OF SUBDIVISION	STAGE No. /	PLAN NUMBER P.S. 647890 D

CREATION OF RESTRICTION

UPON REGISTRATION OF THIS PLAN THE FOLLOWING RESTRICTION IS TO BE CREATED

LAND TO BENEFIT:

LOT 1 AND LOT 2 ON THIS PLAN OF SUBDIVISION

LAND TO BE BURDENED:

LOT 1 AND LOT 2 ON THIS PLAN OF SUBDIVISION

DESCRIPTION OF RESTRICTION:

THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF LOT 1 AND LOT 2 ON THIS PLAN OF SUBDIVISION SHALL NOT :

1. CONSTRUCT ANY BUILDING OR WORKS ON THE RELEVANT LOT OTHER THAN THAT IN ACCORDANCE WITH THE ENDORSED PLANS ATTACHED TO PLANNING PERMIT PII/0286 ISSUED BY MORNINGTON PENINSULA SHIRE COUNCIL, OR AS AUTHORISED BY A FURTHER PLANNING PERMIT.

THE RESTRICTION SHALL CEASE, FOR THE RELEVANT LOT, TWO YEARS AFTER THE ISSUE OF THE OCCUPANCY PERMIT FOR THE DWELLING ON THE RELEVANT LOT

CREATION OF RESTRICTION

UPON REGISTRATION OF THIS PLAN THE FOLLOWING RESTRICTION IS TO BE CREATED AS DIRECTED IN PLANNING PERMIT PII/0286 ISSUED BY MORNINGTON PENINSULA SHIRE COUNCIL ON 25 JULY 2011

LAND TO BENEFIT:

LOTS 1, 2 & COMMON PROPERTY ON THIS PLAN OF SUBDIVISION

LAND TO BE BURDENED:

LOTS 1, 2 & COMMON PROPERTY ON THIS PLAN OF SUBDIVISION

DESCRIPTION OF RESTRICTION:

THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF LOTS 1, 2 & COMMON PROPERTY ON THIS PLAN OF SUBDIVISION SHALL NOT :

2. ALLOW THE DISCHARGE OF STORMWATER DRAINAGE FROM LOTS 1, 2 & COMMON PROPERTY ONCE DEVELOPED, EXCEEDING THE EXPECTED DISCHARGE FROM THE PRE-DEVELOPED CONDITION BASED ON A 1 IN 2 YEAR STORM EVENT FOR RAINFALL EVENTS UP TO AND INCLUDING A 1 IN 100 YEAR STORM EVENT.

COASTAL SURVEYS
PROPERTY DEVELOPMENT CONSULTANTS
13 NEPEAN PLAZA, ROSEBUD VIC 3939
P.O. BOX 181, ROSEBUD 3939
TEL: (03) 5982 0666 FAX: (03) 5982 0700

ORIGINAL		LICENSED SURVEYOR (PRINT) KEVIN SHEAVES	SHEET 3
SCALE	SHEET SIZE A3	SIGNATURE K Sheaves DATE 21/10/2015	DATE 23/10/15 COUNCIL DELEGATE SIGNATURE
		REF 975 VERSION 3	

Department of Environment, Land, Water & Planning

Owners Corporation Search Report

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OWNERS CORPORATION 1
PLAN NO. PS647890D

The land in PS647890D is affected by 1 Owners Corporation(s)

Land Affected by Owners Corporation:
Common Property 1, Lots 1, 2.

Limitations on Owners Corporation:
Unlimited

Postal Address for Services of Notices:
3 PENGANA STREET ROSEBUD VIC 3939

OC030205M 21/04/2016

Owners Corporation Manager:
NIL

Rules:
Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3) Owners Corporation Act 2006

Owners Corporation Rules:
NIL

Additional Owners Corporation Information:
OC030205M 21/04/2016

Notations:
NIL

Entitlement and Liability:
NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 1	100	100
Lot 2	100	100
Total	**200.00**	**200.00**

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation.

Department of Environment, Land, Water & Planning

Owners Corporation Search Report

Produced: 16/07/2020 02:29:58 PM

OWNERS CORPORATION 1
PLAN NO. PS647890D

Statement End.

PLANNING PROPERTY REPORT

Environment, Land, Water and Planning

From www.planning.vic.gov.au at 16 July 2020 02:28 PM

PROPERTY DETAILS

Address:	**1/3 PENGANA STREET ROSEBUD 3939**
Lot and Plan Number:	**Lot 1 PS647890**
Standard Parcel Identifier (SPI):	**1\PS647890**
Local Government Area (Council):	**MORNINGTON PENINSULA** www.mornpen.vic.gov.au
Council Property Number:	**142715**
Planning Scheme:	**Mornington Peninsula** Planning Scheme - Mornington Peninsula
Directory Reference:	**Melway 158 G12**

UTILITIES

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

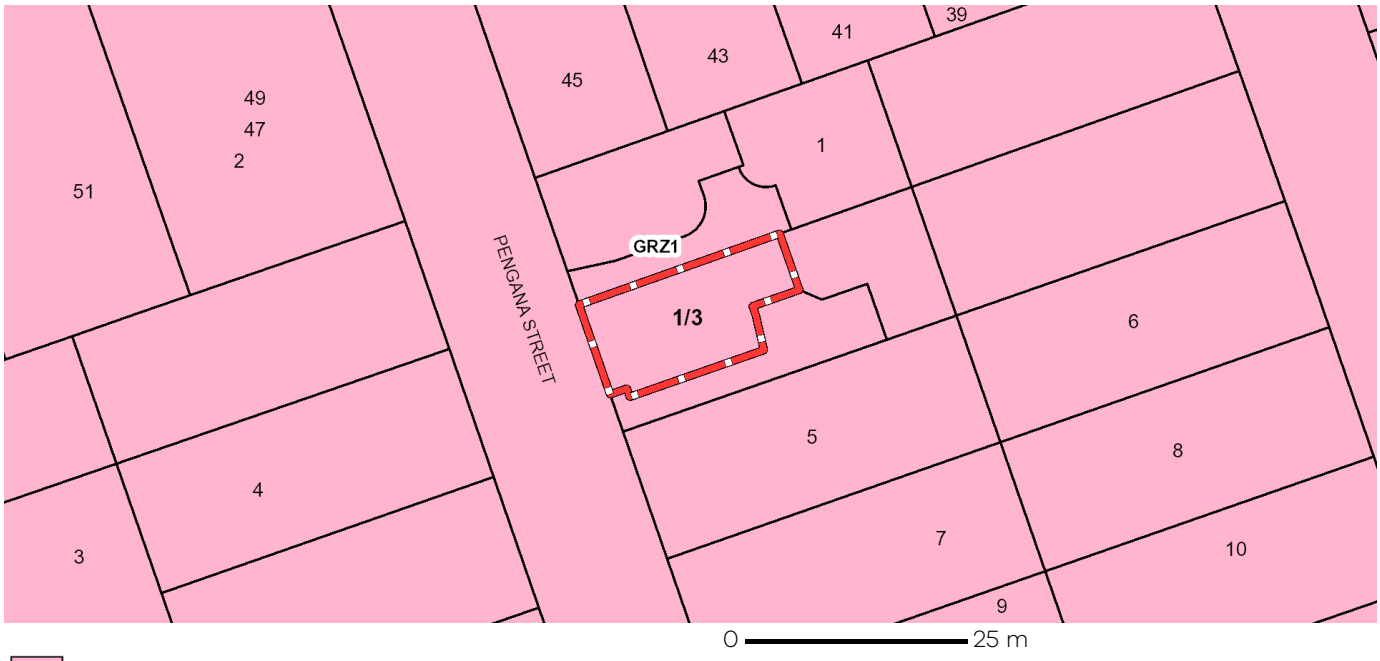
View location in VicPlan

STATE ELECTORATES

Legislative Council:	**EASTERN VICTORIA**
Legislative Assembly:	**NEPEAN**

Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ)
GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)



GRZ - General Residential

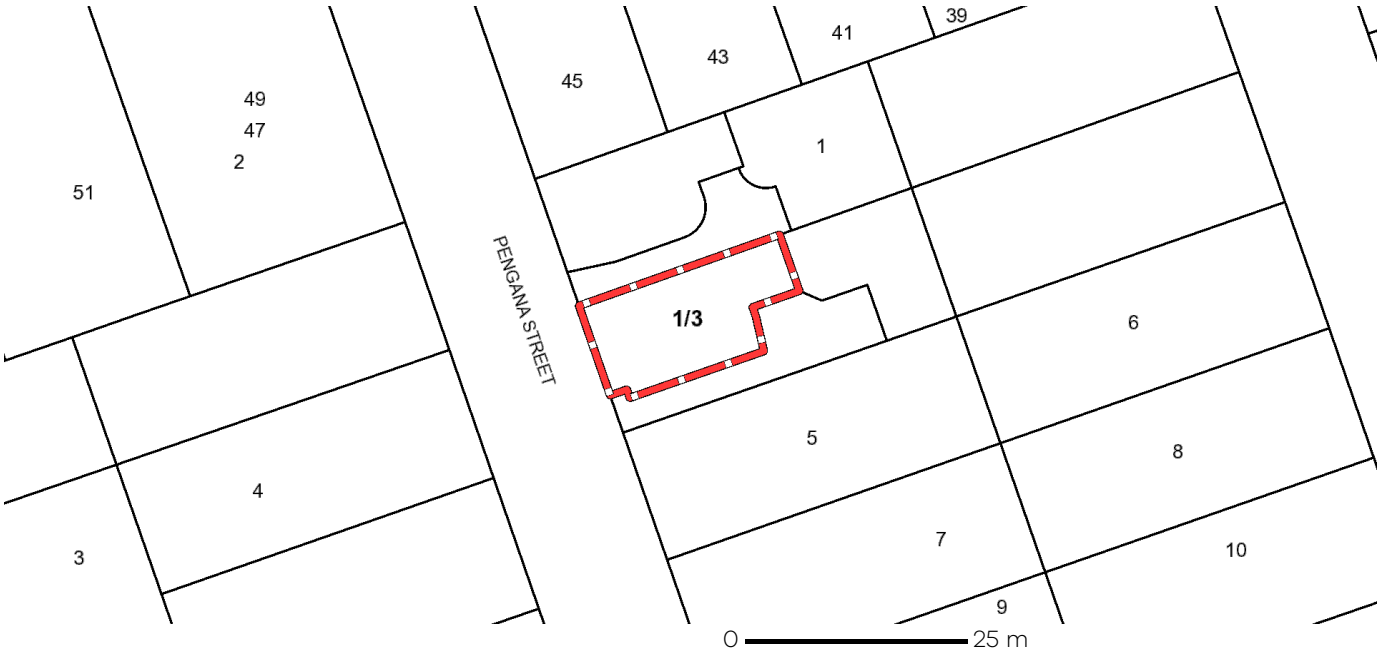
Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

PLANNING PROPERTY REPORT

Environment, Land, Water and Planning

Planning Overlays

No planning overlay found



PLANNING PROPERTY REPORT

Areas of Aboriginal Cultural Heritage Sensitivity

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

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

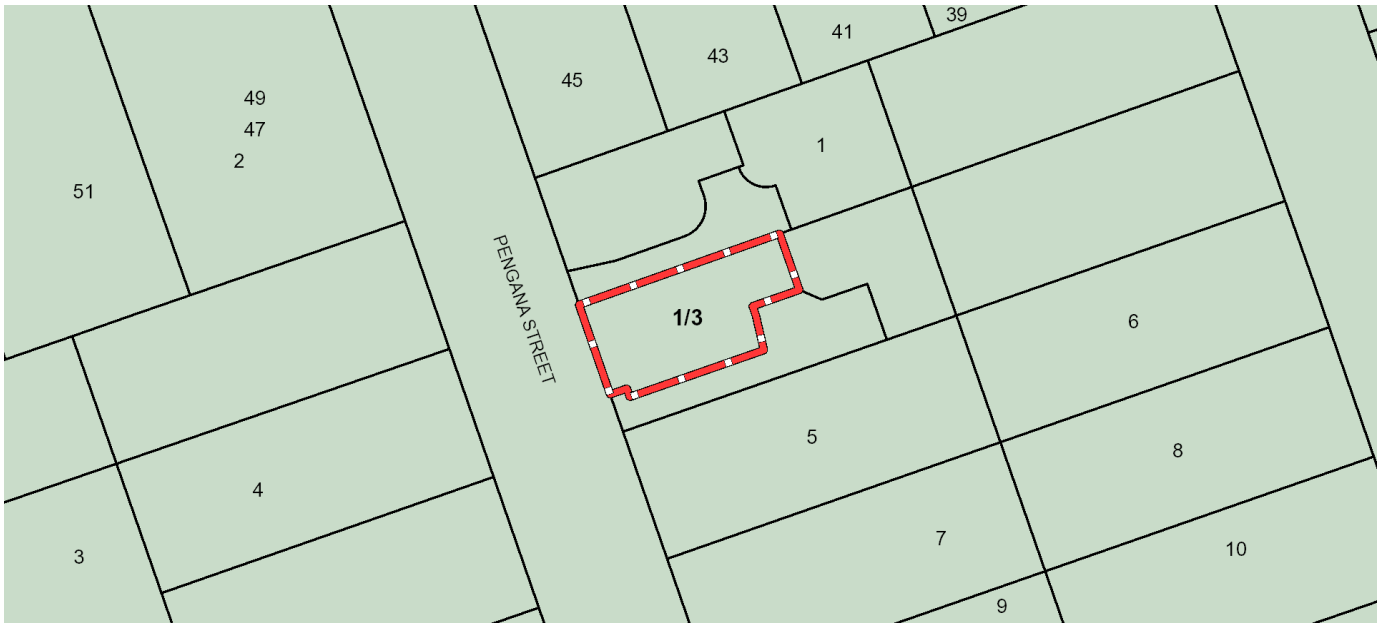
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

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

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

For further information about whether a Cultural Heritage Management Plan is required go to
http://www.aav.nrms.net.au/aavQuestion1.aspx

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



Aboriginal Cultural Heritage

PLANNING PROPERTY REPORT

Further Planning Information

Planning scheme data last updated on 9 July 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 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

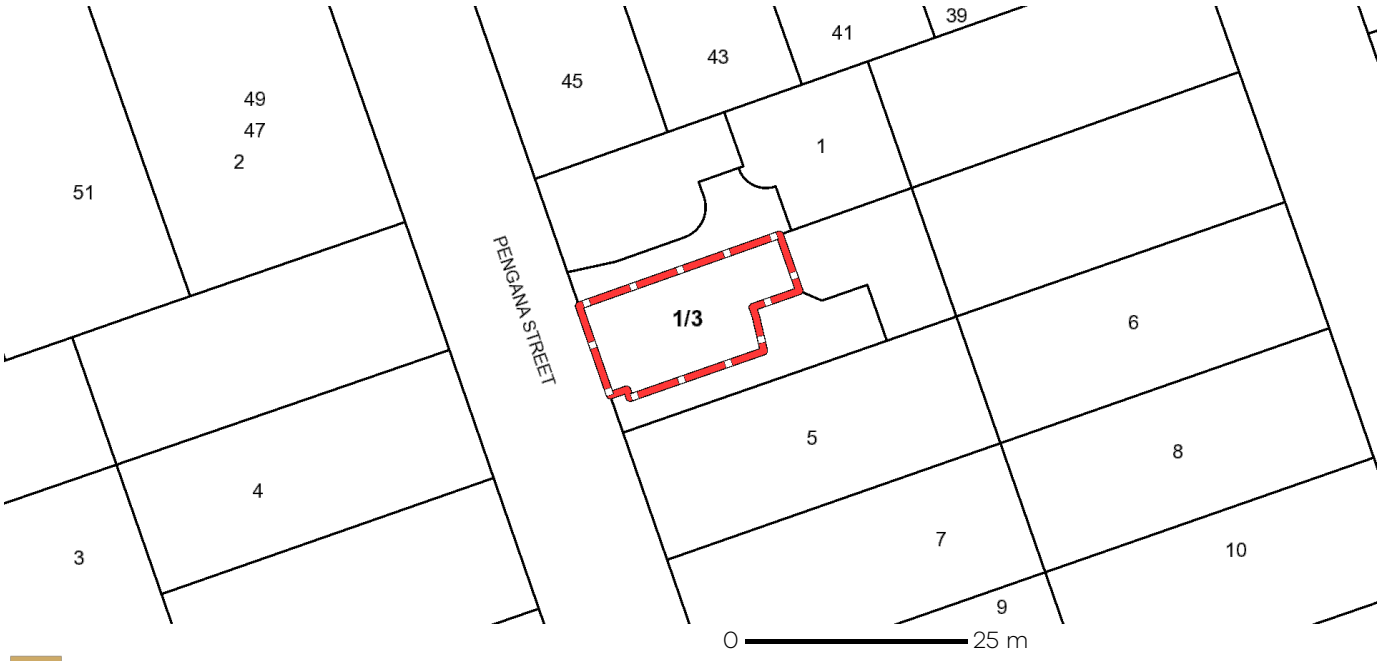
For other information about planning in Victoria visit https://www.planning.vic.gov.au

PLANNING PROPERTY REPORT

Environment, Land, Water and Planning

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

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

INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

Ms Samantha Kelly
E-mail:
sam@kellysconveyancing.com.au

Statement for property:
UNIT 1 LOT 1 3 PENGANA STREET
ROSEBUD 3939
1 PS 647890

REFERENCE NO.	YOUR REFERENCE	DATE OF ISSUE	CASE NUMBER
02H//00689/00017	KINGSLEY	16 JUL 2020	36784230

1. Statement of Fees Imposed

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

(a) By Other Authorities

Parks Victoria - Parks Service Charge	01/07/2020 to 30/06/2021	$79.02
Melbourne Water Corporation Total Service Charges	01/07/2020 to 30/09/2020	$26.08

(b) By South East Water

Water Service Charge	01/07/2020 to 30/09/2020	$25.53
Sewerage Service Charge	01/07/2020 to 30/09/2020	$93.02
Subtotal Service Charges		$223.65
TOTAL UNPAID BALANCE		$223.65

- The meter at the property was last read on 03/06/2020. Fees accrued since that date may be estimated by reference to the following historical information about the property:

  Water Usage Charge **$0.50 per day**

  Sewage Disposal Charge **$0.16 per day**

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

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

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

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

AUTHORISED OFFICER:

TERRY SCHUBACH
GENERAL MANAGER
CUSTOMER SERVICE DELIVERY

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

INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

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

2. Encumbrance Summary

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

To assist in identifying if the property is connected to South East Waters sewerage system, connected by a shared, combined or encroaching drain, it is recommended you request a copy of the Property Sewerage Plan. A copy of the Property Sewerage Plan may be obtained for a fee at www.southeastwater.com.au Part of the Property Sewerage Branch servicing the property may legally be the property owners responsibility to maintain not South East Waters. Refer to Section 11 of South East Waters Customer Charter to determine if this is the case. A copy of the Customer Charter can be found at www.southeastwater.com.au. When working in proximity of drains, care must be taken to prevent infiltration of foreign material and or ground water into South East Waters sewerage system. Any costs associated with rectification works will be charged to the property owner.

Information available at Melbourne Water indicates that this property is not subject to flooding from Melbourne Water's drainage system, based on a flood level that has a probability of occurrence of 1% in any one year.

ENCUMBRANCE ENQUIRY EMAIL infostatements@sew.com.au

AUTHORISED OFFICER:

TERRY SCHUBACH
GENERAL MANAGER
CUSTOMER SERVICE DELIVERY

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

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

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

Important Warnings

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

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

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

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

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

3. Disclaimer

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

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

AUTHORISED OFFICER:

TERRY SCHUBACH
GENERAL MANAGER
CUSTOMER SERVICE DELIVERY

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

ASSET INFORMATION - SEWER & DRAINAGE

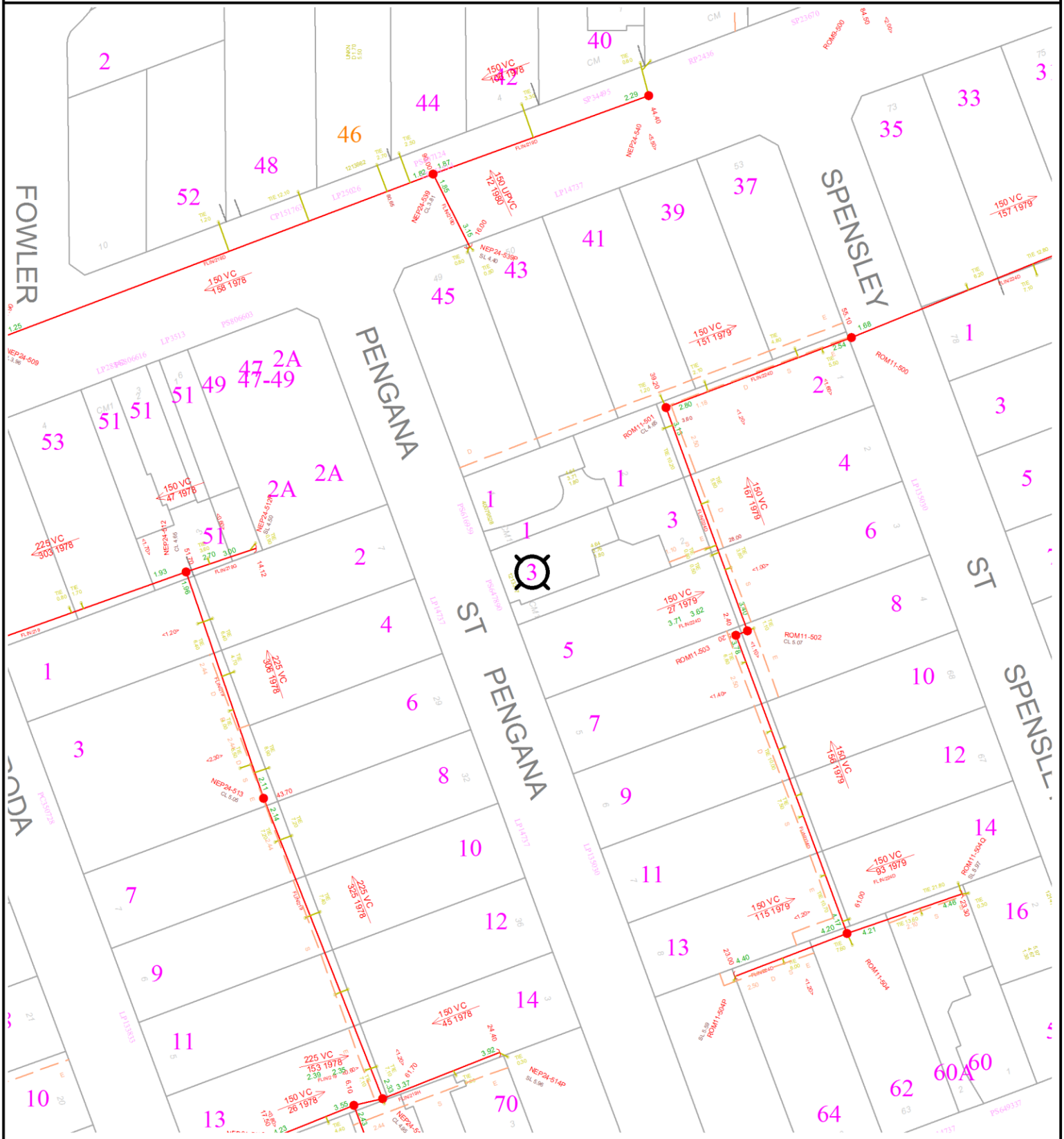
South East Water

Property: Lot 1 UNIT 1 3 PENGANA STREET ROSEBUD 3939

Case Number: 36784230

20 0 20 40
Scale in Metres

Date: 16JULY2020



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

Title/Road Boundary	Subject Property	Maintenance Hole
Proposed Title/Road	Sewer Main & Property Connections	Inspection Shaft
Easement	225 VC 280 MOR — Direction of Flow	<1.0> Offset from Boundary

Melbourne Water Assets

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

ASSET INFORMATION - WATER

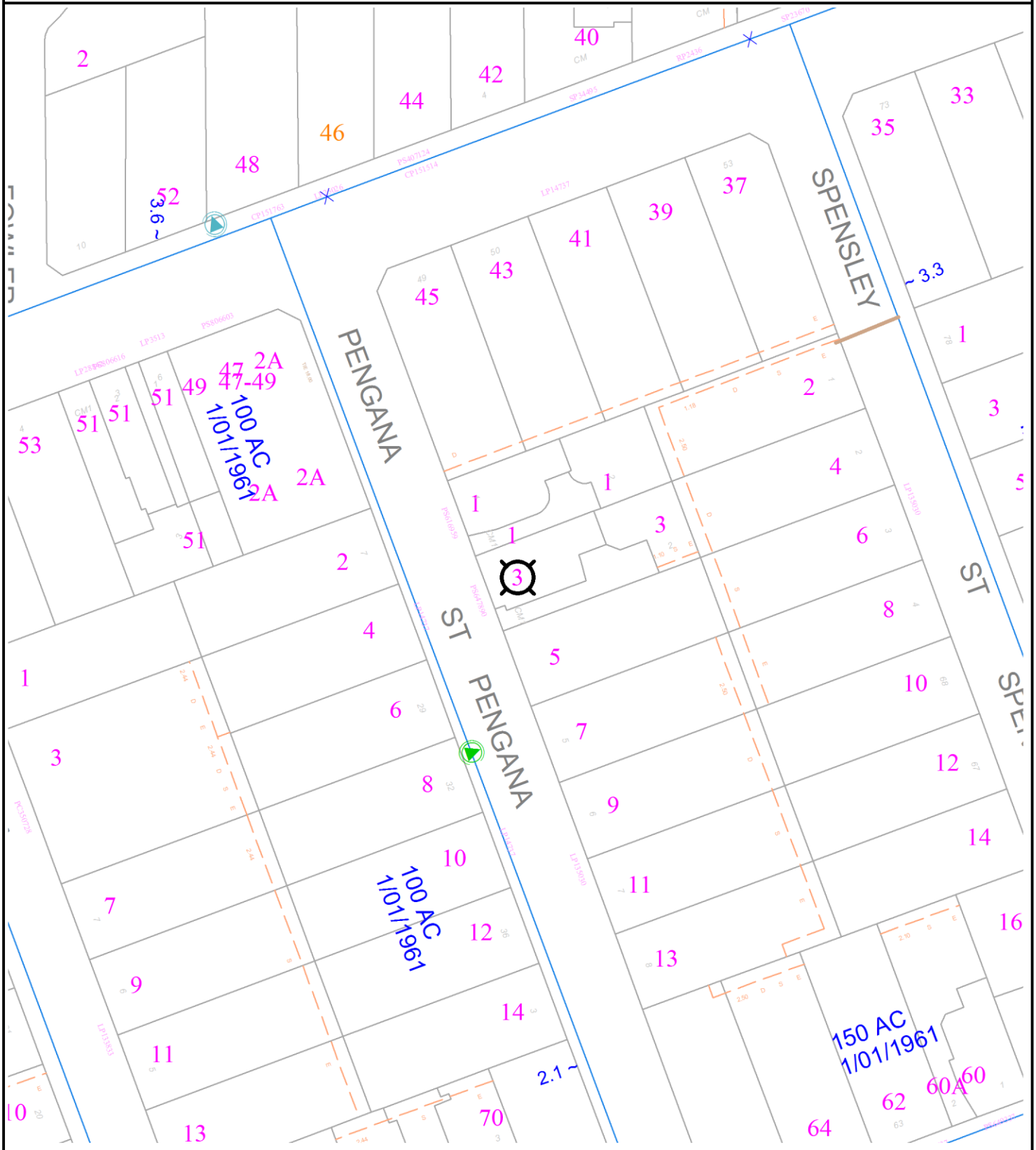
South East Water

Property: Lot 1 UNIT 1 3 PENGANA STREET ROSEBUD 3939

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LEGEND

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

ASSET INFORMATION - RECYCLED WATER

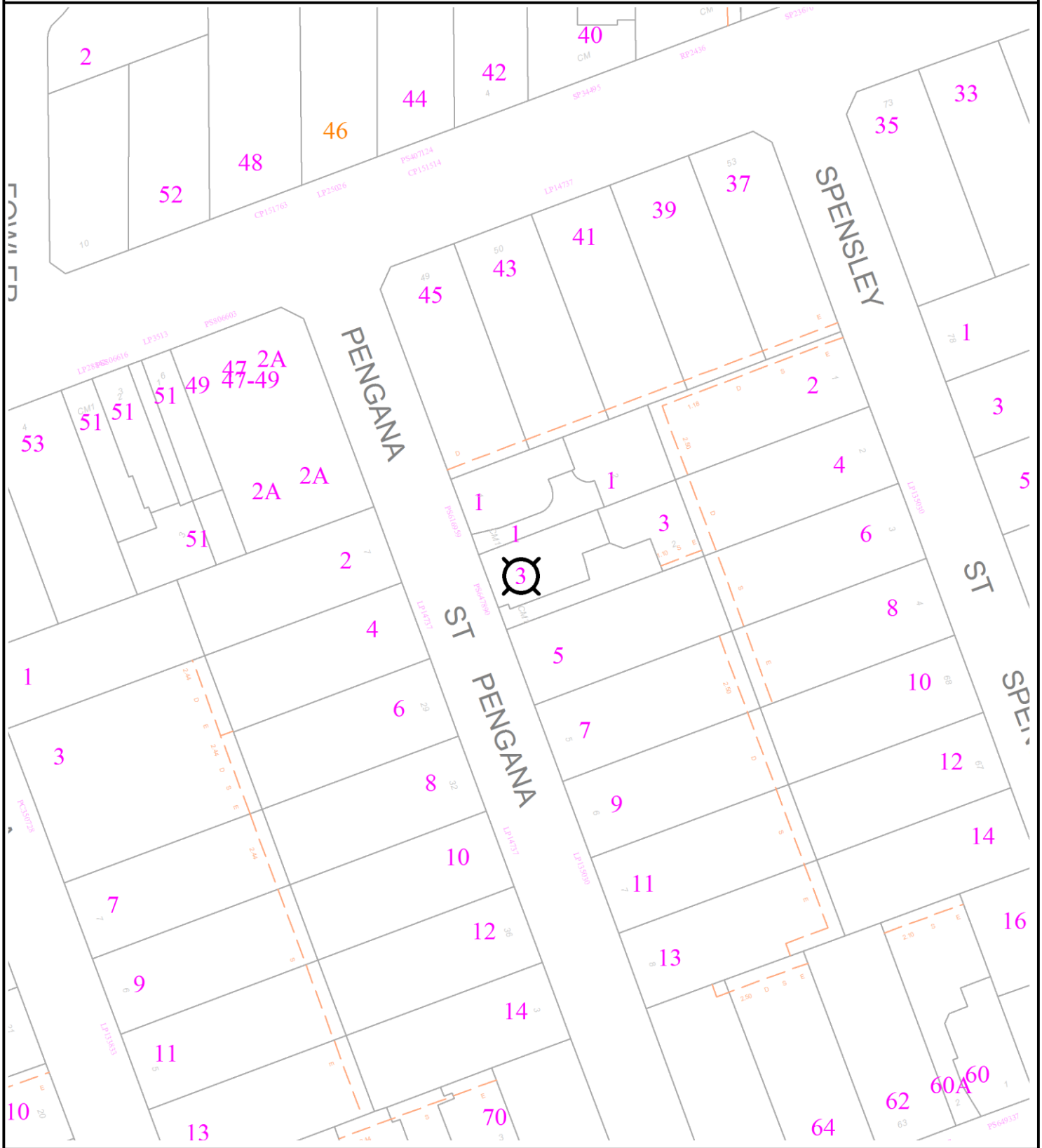
(RECYCLE WATER WILL APPEAR IF IT'S AVAILABLE)

Property: Lot 1 UNIT 1 3 PENGANA STREET ROSEBUD 3939

Case Number: 36784230

20 0 20 40
Scale in Metres

Date: 16JULY2020



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

LEGEND

- Title/Road Boundary
- Proposed Title/Road
- Easement
- Subject Property
- Recycled Water Main Valve
- 100 CICL 26.9.1975 — Recycled Water Main & Services
- Hydrant
- Fireplug/Washout
- ~ 1.0 — Offset from Boundary

KWA Building Permits and Inspections Pty. Ltd. Suite 1, 356 Main Street, Mornington 3931
ACN 137 725 618 ABN 11 929 858 946 Telephone 1300 592 737 Facsimile (03) 5977 1927
www.kwabuildingpermits.com.au Email: info@kwabuildingpermits.com.au

FORM 2

Building Act 1993
Building Regulations 2006 - Regulation 313
BUILDING PERMIT BS-U1179/20150336/0

To Owner:
Brian & Sandra Shaw
C/- 1/23 Bayview Road
FRANKSTON 3199

or Agent
Simon Shaw
1/23 Bayview Road
FRANKSTON 3199

Address for serving documents: 1/23 Bayview Road FRANKSTON 3199

Property details
Number: 3 Lot: 55 Pengana Street ROSEBUD 3939
LP/PS 14737 Vol: 6783 Fol: 589
Municipal District: Mornington Peninsula Shire Council

Builder (see note 1): Simal Constructions Pty Ltd 1 Orchard Lane MOUNT ELIZA 3930

Details of building practitioners and architects **(includes both, see Notes 3 & 4)**
BRIAN SHAW DB-U 18525
SIMON SHAW DP-AD 40427
STUART BLACKWOOD EC 36759

Details of domestic building work insurance (see Note 5)
The issuer or provider of the required insurance policy is **QBE Insurance (Aust) Ltd**

Details of relevant planning permit
Planning permit no. **P11/0286** Date of grant of planning permit. **25/07/2011**

Nature of building work and Building classification
BCA 1a(i) & 10a New Building **2 x Dwellings, Verandahs & Garages**
Stage of building work permitted **Complete**
Cost of building work **$370,000** Total floor area of new building work **456m2**

Occupation or Use of building: An Occupancy Permit is required prior to the occupation or use of this building. If an occupancy permit is required, the permit is required for the whole or part of the building in respect of which the building work is carried out.

Inspection requirements
The mandatory notification stages are:
Inspection of Pre-Slab (minimum FFL - refer Report & Consent)
Inspection of Pre-Pour
Inspection of Stump Holes
Inspection of Sub Floor
Inspection of Framework
Inspection for Occupancy Permit

Commencement and completion (see Important Note over page):
This building work must commence by 13/05/2016 and be completed by 13/05/2017.

Prescribed reporting authorities:
The following bodies are prescribed reporting authorities for the purposes of the application for this permit in relation to the matters set out below:

Prescribed Reporting Authority	Matter reported on	Regulation
MPSC	Report & Consent - Designated land or works	806(1)
MPSC	Report & Consent - Flood prone land	802(3)
MPSC	Legal point of discharge	610(2)

Relevant building surveyor
Name: Kenneth Weir Registration No. BS-U1179

Signature: **Date of issue 13/05/2015**

BUILDING PERMIT BS-U1179/20150336/0

Number: 3 Lot: 55 Pengana Street ROSEBUD 3939

NOTE No alteration to or variation from the stamped Plans and Specifications may be made without written consent of the Building Surveyor. This building approval is granted ONLY in respect of building work to be carried out in accordance with the Building Act 1993 and the Building Regulations 2006. Before building work is commenced additional permits or approvals may need to be obtained under other Acts or other regulations - including the Planning and Environment Act 1987. Building work must be carried out in accordance with the endorsed approved plans and specifications. NOTE 1. Under Regulation 317 the person in charge of the carrying out of building work on an allotment must take all reasonable steps to ensure that a copy of this permit and one set of any approved plans, specifications and documents are available for inspection at the allotment while the building work is in progress. They must also take all reasonable steps to ensure that the registration numbers and contact details of the builder and building surveyor and the number and date of issue of this permit are displayed in a conspicuous position accessible to the public before and during the building work to which this permit applies. NOTE 2. Under regulation 318 an owner of a building or land, for which a building permit has been issued, must notify the relevant building surveyor within 14 days after any change in the name or address of the owner or of the builder carrying out the building work. The penalty for non-compliance is 10 penalty units. NOTE 3. Building practitioners with continuing involvement in the building work. NOTE 4. Only Building practitioners with no further involvement in the building work. NOTE 5. Domestic builders carrying out domestic building work forming part of this permit (where the contract price for that work is more than $12,000) must be covered by an insurance policy as required under section 135 of the Building Act 1993.

IMPORTANT NOTE:
It is the owners or builders responsibility to call for all inspections including the final inspection for this project.

The first inspection needs to be carried out prior to the commencement date shown on this Building Permit. The final inspection needs to be carried out and approved prior to the completion date shown on this Building Permit. If one of these do not occur, the permit will be deemed to have lapsed.

If you require an extension of time to either the commencement or completion dates, please forward a letter requesting the extension PRIOR to the expiry date for consideration. (NOTE: We can not issue an extension of time after the expiry date, a new Building Permit will be required). Additional fees will apply in either case and will be determined at time of request.

Also ensure that your Town Planning Permit and/or other referrals are kept current if applicable.

THIS PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS

SUBMIT TWO COPIES OF ROOF TRUSS DESIGN AND LAYOUT FOR APPROVAL PRIOR TO COMMENCEMENT OF FRAME CONSTRUCTION.

KWA Building Permits and Inspections Pty. Ltd.
ACN 137 725 618 ABN 11 929 868 946
www.kwabuildingpermits.com.au
Suite 1, 356 Main Street, Mornington 3931
Telephone 1300 592 737 Facsimile (03) 5977 1927
Email: info@kwabuildingpermits.com.au

Form 6

Building Act 1993
Building Regulations 2006
Regulation 1005

OCCUPANCY PERMIT
20150336/0

Property Details: **Dwelling 1**
Number: 3 Lot: 55 Pengana Street ROSEBUD 3939
LP/PS: 14737 Vol: 6783 Fol: 589
Municipal District: Mornington Peninsula Shire Council

Building details:
BCA class and part of building:
1aii & 10a New Building Dwelling 1, Verandah & Garage
Permitted Use: Residential
Maximum permissible floor live load: 1.5kPa Maximum number of people to be accommodated: N/A

Places of Public Entertainment: N/A
Place of public entertainment **Prescribed class of temporary structure**
Public entertainment to be conducted **Period of operation of this permit**

Conditions - Occupation is subject to the following conditions:
Essential safety measures - N/A
Other Conditions:
- Maintenance of smoke detectors and mechanical ventilation to be carried out in accordance with the relevant Australian Standards and the current Building regulations.
- Inspections for termite activity to be carried out at regular intervals (max 6 monthly).

Approved location for display of Occupancy Permit:
The approved location for display of this permit for the purposes of regulation 1007 is: N/A

Suitability for occupation:
The building or place of entertainment or part of a building or place of public entertainment to which this permit applies is suitable for occupation.

Building Surveyor: Kenneth Weir
Registration No.: BS-U1179
Signature: _____
Date of Inspection: 10-2-16
Date of Issue: 10-2-16

NOTES: In the case where this permit is issued in relation to building work it is evidence that the building or part of the building to which it applies is suitable for occupation. In the case where this permit is issued in relation to a place of public entertainment it is evidence that the place to which it applies is suitable for occupation for the purpose of the public entertainment for which it is issued. This occupancy permit is not evidence of compliance with the Building Act 1993 or the Building (interim) regulations 2005.
Regulation 1209 (not applicable to Class 1a or 10 buildings) of the Building (Interim) Regulations 2005 provides that an owner of a building who is required under an occupancy permit or regulation to maintain an essential safety measure must:-
(a) maintain records of maintenance checks: and
(b) complete an essential safety measures report in accordance with regulation 1210 before each anniversary of the date of occupancy permit or determination under regulation 1204: and
(c) keep all essential safety measures reports and records of maintenance checks on the premises for inspection by the municipal building surveyor or chief officer at any time on request.
PENALTY: 5 penalty units

vmia
Risk Management and Insurance
ABN 39 082 497 841
Phone: 1300 363 424

Domestic Building Insurance Certificate of Insurance

Policy Number 32V003306BWC-25

QBE Insurance (Australia) Ltd
628 BOURKE STREET
MELBOURNE VIC 3000
Phone: (03) 9246 2868
Fax: (03) 9246 2811
ABN: 78 003 191 035
AFS License No: 239545

QBE

BRIAN PETER SHAW & SANDRA SHAW
2 THE AVENUE
MCRAE VIC 3938

Name of Intermediary
AON - HIA VIC
4 / 70 JOLIMONT STREET
MELBOURNE VIC 3002

Account Number
32HIA-VIC
Date Issued
12/05/2015

Policy Schedule Details

Certificate in Respect of Insurance

Domestic Building Contract

A contract of insurance complying with the Ministerial Order for Domestic Building Insurance issued under Section 135 of the Building Act 1993 (Vic) (Domestic Building Insurance) has been issued by QBE Insurance (Australia) Limited ABN 78 003 191 035 for and on behalf of the Insurer Victorian Managed Insurance Authority a Statutory Corporation established under the Victorian Managed Insurance Authority Act 1996 (Vic), in respect of the domestic building work described below.

Domestic Building Work	NEW SINGLE DWELLING CONSTRUCTION CONTRACT
At the property	LOT 55, 1/3 PENGANA STREET ROSEBUD VIC 3939
Carried out by the builder	SIMAL CONSTRUCTIONS PTY LTD ACN: 113 620 492
	Important note: If the builder's name and/or its ABN/ACN listed above does not exactly match with the information on the domestic building contract, please contact QBE **IMMEDIATELY.** If these details are incorrect, the domestic building work will not be covered.
For the building owner	BRIAN PETER SHAW & SANDRA SHAW
Pursuant to a domestic building contract dated	10/05/2015
For the contract price of	$185,000.00
Type of cover	Cover is only provided if SIMAL CONSTRUCTIONS PTY LTD has died, becomes insolvent or has disappeared*
Period of cover	Cover commences on the earlier of the date of the domestic building contract or date of building permit for the domestic building work and concludes: • Two years from completion of the domestic building work or termination of the domestic building contract for non structural defects* • Six years from completion of the domestic building work or termination of the domestic building contract for structural defects*
The maximum policy limit for all claims made under this policy is	$300,000 all inclusive of costs and expenses*
The maximum policy limit for all claims for non-completion of the domestic building works is	20% of the contract price*

*The cover and policy limits described in this Certificate are only a summary of the cover and limits and must be read in conjunction with, and are subject to, the terms, limitations and exclusions contained in the policy terms and conditions.

QM1824-1207

vmia
Risk Management and Insurance
ABN 39 862 497 841
Phone: 1300 363 424

Domestic Building Insurance Certificate of Insurance

Policy Number 32V003306BWC-25

QBE Insurance (Australia) Ltd
628 BOURKE STREET
MELBOURNE VIC 3000
Phone: (03) 9246 2666
Fax: (03) 9246 2611
ABN: 78 003 191 035
AFS License No: 239545

QBE

Subject to the Building Act 1993, and the Ministerial Order and the conditions of the insurance contract, cover will be provided to the Building Owner named in the domestic building contract and to the successors in title to the Building Owner in relation to the domestic building work undertaken by the builder.

Issued by QBE Insurance (Australia) Limited for and on behalf of

Victorian Managed Insurance Authority (VMIA)

IMPORTANT:
This certificate must be read in conjunction with the policy terms and conditions and kept in a safe place. These documents are very important and must be retained by you and any successive owners of the property for the duration of the period of cover.

DM1824-1207