

SECTION 32 **STATEMENT**

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

Vendor:	Lynette Marcia Martin
Property:	33 Seaview Road COCKATOO VIC 3781

VENDORS REPRESENTATIVE

Wainwright Ryan Eid Lawyers

PO Box 13347
LAW COURTS VIC 8010

Tel: +61 3 9009 5800
Fax: +61 3 9009 5899
Email: wre@wrelawyers.com.au

Ref: JE:ax:60898

SECTION 32 STATEMENT
33 SEAVIEW ROAD COCKATOO VIC 3781

32A FINANCIAL MATTERS

Information concerning any rates, taxes, charges or other similar outgoings AND any interest payable on any part of them is contained in the attached certificate/s

Any further amounts (including any proposed Owners Corporation Levy) for which the Purchaser may become liable as a consequence of the purchase of the property are as follows:- None to the Vendors knowledge

At settlement the rates will be adjusted between the parties, so that they each bear the proportion of rates applicable to their respective periods of occupancy in the property.

32B INSURANCE

- (a) Where the Contract does not provide for the land to remain at the risk of the Vendor, particulars of any policy of insurance maintained by the Vendor in respect of damage to or destruction of the land are as follows: - Not Applicable

32C LAND USE

(a) RESTRICTIONS

Information concerning any easement, covenant or similar restriction affecting the land (whether registered or unregistered) is as follows:-

- Easements affecting the land are as set out in the attached copies of title.
- Covenants affecting the land are as set out in the attached copies of title.
- Other restrictions affecting the land are as attached.
- Particulars of any existing failure to comply with the terms of such easement, covenant and/or restriction are as follows:-

To the best of the Vendor's knowledge there is no existing failure to comply with the terms of any easement, covenant or similar restriction affecting the land. The Purchaser should note that there may be sewers, drains, water pipes, underground and/or overhead electricity cables, underground and/or overhead telephone cables and underground gas pipes laid outside any registered easements and which are not registered or required to be registered against the Certificate of Title.

(b) BUSHFIRE

This land is in a designated bushfire- prone area under section 192A of the Building Act 1993.

(c) ROAD ACCESS

There is access to the Property by Road.

SECTION 32 STATEMENT
33 SEAVIEW ROAD COCKATOO VIC 3781

(d) PLANNING

Planning Scheme: See attached certificate
Responsible Authority: See attached certificate
Zoning: See attached certificate
Planning Overlay/s: See attached certificate

32D NOTICES

The Vendor is not aware of any Notices, Declarations, Property Management Plans, Reports, Recommendations or Orders in respect of the land issued by a Government Department or Public Authority or any approved proposal directly and currently affecting the land however the Vendor has no means of knowing all decisions of the Government and other authorities unless such decisions have been communicated to the Vendor. – it is contained in the attached Certificate/s

32E BUILDING PERMITS

Particulars of any Building Permit issued under the *Building Act 1993* during the past seven years (where there is a residence on the land):- No such Building Permit has been granted to the Vendors knowledge.

32F OWNERS CORPORATION

The Land is NOT affected by an Owners Corporation within the meaning of the *Owners Corporation Act 2006*.

32G GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (GAIC)

- (1) The land, in accordance with a work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987* is NOT –
- land that is to be transferred under the agreement.
 - land on which works are to be carried out under the agreement (other than Crown land).
 - land in respect of which a GAIC is imposed

32H SERVICES

Service	Status
Electricity supply	NOT connected
Gas supply	NOT connected
Water supply	connected
Sewerage	NOT connected
Telephone services	NOT connected

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 any account with a service provider before settlement, and the purchaser may need to have the service reconnected.

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33 SEAVIEW ROAD COCKATOO VIC 3781

32I **TITLE**

Attached are the following document/s concerning Title:

A copy of the Register Search Statement/s and the document/s, or part of the document/s, referred to as the diagram location in the Register Search Statement/s that identifies the land and its location.

ATTACHMENTS

Attached to this Section 32 Statement please find:-

- All documents noted as attached within this Section 32 Statement
- ******Due Diligence** Checklist

SECTION 32 STATEMENT
33 SEAVIEW ROAD COCKATOO VIC 3781

DATE OF THIS STATEMENT

15 / 02 /20 23

Name of the Vendor

Lynette Marcia Martin

Signature/s of the Vendor

x 

The Purchaser acknowledges being given a duplicate of this statement signed by the Vendor before the Purchaser signed any contract.

The Purchaser further acknowledges being directed to the DUE DILIGENCE CHECKLIST.

DATE OF THIS ACKNOWLEDGMENT

[] / [] /20 []

Name of the Purchaser

Signature/s of the Purchaser

x

Register Search Statement - Volume 9112 Folio 372

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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 09112 FOLIO 372

Security no : 124103844186N
Produced 10/02/2023 11:22 AM

LAND DESCRIPTION

Lot 1 on Title Plan 183506D.
PARENT TITLE Volume 05165 Folio 864
Created by instrument F850519 11/09/1975

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

LYNETTE MARCIA MARTIN of 29 DEARING AVENUE CRANBOURNE VIC 3977
AN042294J 24/08/2016

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AN042295G 24/08/2016
WESTPAC BANKING CORPORATION

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 TP183506D 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: 33 SEAVIEW ROAD COCKATOO VIC 3781

ADMINISTRATIVE NOTICES

NIL

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

DOCUMENT END

The information supplied has been obtained by Dye & Durham Property Pty Ltd who is licensed by the State of Victoria to provide this information via LANDATA® System. Delivered at 10/02/2023, for Order Number 78135800. Your reference: JE:ax:60898.

TITLE PLAN		EDITION 1	TP 183506D
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<p>Location of Land</p> <p>Parish: GEMBROOK</p> <p>Township:</p> <p>Section:</p> <p>Crown Allotment:</p> <p>Crown Portion:</p> <p>Last Plan Reference: LP 7472</p> <p>Derived From: VOL 9112 FOL 372</p> <p>Depth Limitation: NIL</p>	<p style="text-align: center;">Notations</p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>
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<p>Description of Land / Easement Information</p>	<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 11/10/1999</p> <p>VERIFIED: A. D.</p>
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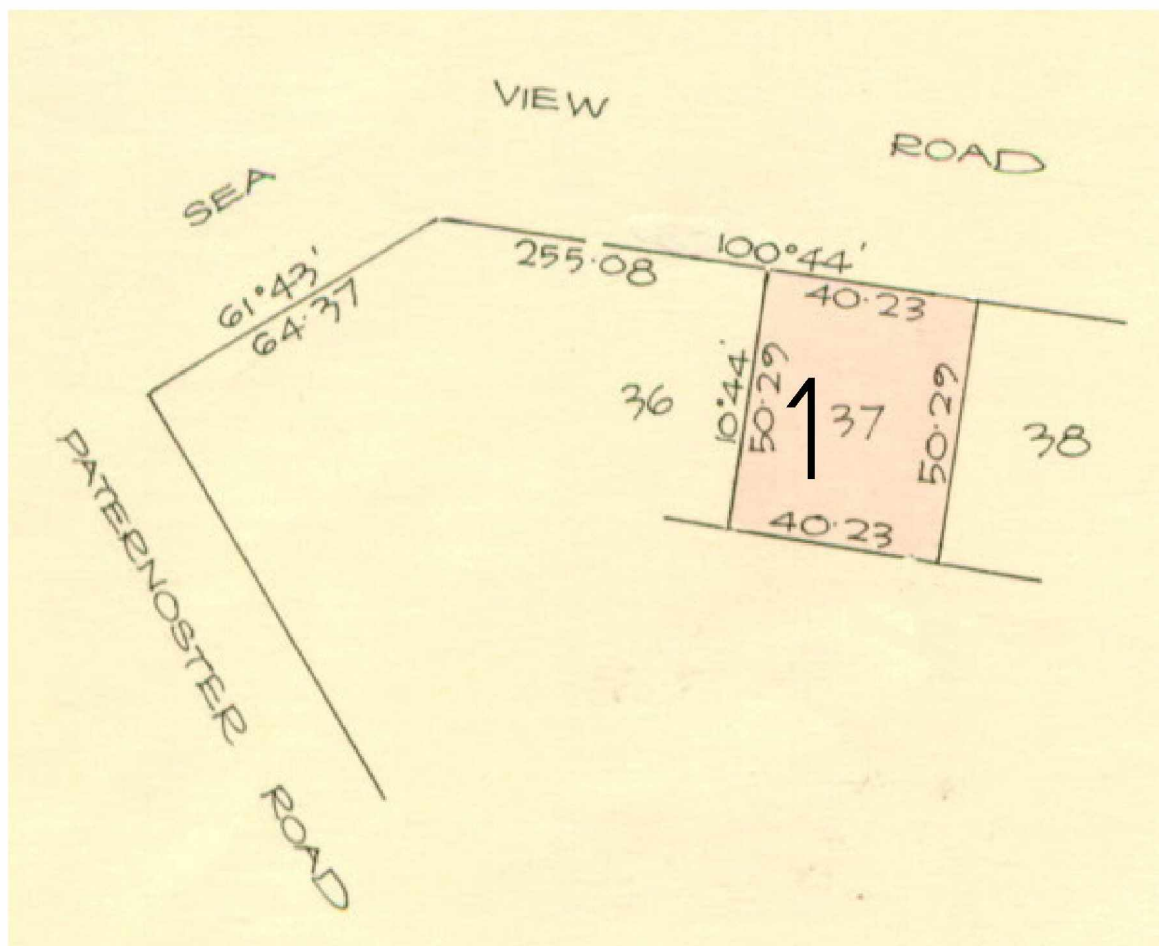


TABLE OF PARCEL IDENTIFIERS
<p>WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</p>
<p>PARCEL 1 = LOT 37 ON LP 7472</p>

LAND INFORMATION CERTIFICATE
SECTION 121 LOCAL GOVERNMENT ACT 2020
LOCAL GOVERNMENT (LAND INFORMATION)
REGULATIONS 2021



Dye & Durham Property Pty Ltd
DX 442
Melbourne

CERTIFICATE NO: 73601
APPLICANT REFERENCE: 78135800:116804422
DATE: 13/02/2023

This certificate PROVIDES information regarding valuations, rates, charges, other moneys owing and any orders and notices made under the Local Government Act 2020, the Local Government Act 1989, the Local Government Act 1958 or under a local law or by law of the Council.

This certificate IS NOT REQUIRED to include information regarding planning, building, health, land fill, land slip, other flooding information or service easements. Information regarding these matters may be available from Council or the relevant Authority.

A fee may be charged for such information.

ASSESSMENT NO: 2757851600	VALUATIONS	
PROPERTY LOCATION: 33 Seaview Rd	SITE VALUE:	200000
Cockatoo 3781	CAPITAL IMPROVED VALUE:	200000
TITLE DETAILS: L1 TP183506	NET ANNUAL VALUE:	10000
	LEVEL OF VALUE DATE:	01/01/22
	OPERATIVE DATE:	01/07/22

PROPERTY RATES & CHARGES

Rates and charges for the financial year ending 30 June 2023

<u>RATES & CHARGES</u>	<u>LEVIED</u>	<u>BALANCE</u>
ARREARS BROUGHT FORWARD		\$0.00
RATES	\$452.80	\$113.50
INTEREST		\$0.00
MUNICIPAL CHARGE	\$0.00	\$0.00
FIRE SERVICES PROPERTY LEVY	\$127.60	\$31.90

GARBAGE	\$0.00	\$0.00
GREEN WASTE LEVY	\$0.00	\$0.00

SPECIAL RATES /SPECIAL CHARGES

SCHEME NAME	ESTIMATED AMOUNT	PRINCIPAL BALANCE	INTEREST BALANCE
		\$0.00	\$0.00
		TOTAL SCHEME BALANCE	\$0.00

OPEN SPACE CONTRIBUTION

TOTAL OUTSTANDING **\$145.40**



Bill code:	858944
Reference:	27578516000

Halcyon/Seaview Catchment Special Charge Scheme
Declared 16/8/2022 - Estimated cost \$7,000

**LAND INFORMATION CERTIFICATE
SECTION 121 LOCAL GOVERNMENT ACT 2020
LOCAL GOVERNMENT (LAND INFORMATION)
REGULATIONS 2021**

33 Seaview Rd
Cockatoo
L1 TP183506

NOTICES AND ORDERS

Other Notices or Orders on the land that have been served by Council under the Local Government Act 2020, the Local Government Act 1989, the Local Government Act 1958 or Local Law of the Council, which have a continuing application as at the date of this certificate if any

OPEN SPACE CONTRIBUTION

Any outstanding amount required to be paid for recreational purposes or any transfer of land required to Council for recreational purposes under Section 18 of the Subdivision of Land Act 1988 or the Local Government Act 1958:

FLOOD LEVEL

A flood level has not been designated under the Building Regulations 1994.
Advice on whether a flood level has been determined, which affects the property, should be sought from Melbourne Water.

POTENTIAL LIABILITIES

Notices and Orders issued as described above:

Other:

ADDITIONAL INFORMATION

In accordance with Section 175 of the Local Government Act a person who becomes the owner of rateable land must pay any rate or charge on the land which is due and payable at the time the person becomes the owner of the land.

I acknowledge having received the sum of \$27.80 being the fee for this certificate.

Delegated Officer:


**CONFIRMATION OF ANY VARIATION TO THIS CERTIFICATE WILL ONLY BE GIVEN FOR 90 DAYS AFTER ISSUE DATE.
PAYMENTS MADE BY CHEQUE ARE SUBJECT TO CLEARANCE FROM THE BANK.**

10th February 2023

Wainwright Ryan Eid Lawyers via Dye & Durham Prope
DYEDURHAM

Dear Wainwright Ryan Eid Lawyers via Dye & Durham Prope,

RE: Application for Water Information Statement


Property Address:	33 SEAVIEW ROAD COCKATOO 3781
Applicant	Wainwright Ryan Eid Lawyers via Dye & Durham Prope DYEDURHAM
Information Statement	30749584
Conveyancing Account Number	2469580000
Your Reference	JE:ax:60898

Thank you for your recent application for a Water Information Statement (WIS). We are pleased to provide you the WIS for the above property address. This statement includes:

- Yarra Valley Water Property Information Statement
- Melbourne Water Property Information Statement
- Asset Plan
- Rates Certificate

If you have any questions about Yarra Valley Water information provided, please phone us on **1300 304 688** or email us at the address enquiry@yvw.com.au. For further information you can also refer to the Yarra Valley Water website at www.yvw.com.au.

Yours sincerely,



Steve Lennox
GENERAL MANAGER
RETAIL SERVICES

Yarra Valley Water Property Information Statement

Property Address	33 SEAVIEW ROAD COCKATOO 3781
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STATEMENT UNDER SECTION 158 WATER ACT 1989

THE FOLLOWING INFORMATION RELATES TO SECTION 158(3)

Sewerage services have been provided to this property as part of Yarra Valley Water's Community Sewerage Program. To confirm whether the property is connected to sewerage services, please contact Yarra Valley Water on 1300 853 811. For properties not currently connected to sewerage services, please contact Yarra Valley Water on 1300 651 511 to apply to connect.

Existing sewer mains will be shown on the Asset Plan.

THE FOLLOWING INFORMATION RELATES TO SECTION 158(4)

Under section 144 of the Water Act 1989, Yarra Valley Water has declared this property a serviced property and has made sewerage services available to it. The property owner is subject to a \$500 contribution fee under section 268 and 269 of the Water Act 1989. This is an owner based fee and charged at \$25 per quarter over a five year period. Full payment of the outstanding balance is required by the vendor if the property is sold within the five year chargeable period. The owner is required to connect this property to Yarra Valley Water's sewer within 12 months of the service becoming available unless the existing septic system meets the current EPA Onsite Wastewater Management requirements. Connection must be made at the owner's expense.

Please note: Unless prior consent has been obtained, the Water Act prohibits:

1. The erection and/or placement of any building, wall, bridge, fence, embankment, filling, material, machinery or other structure over or under any sewer or drain.
2. The connection of any drain or sewer to, or interference with, any sewer, drain or watercourse.

Melbourne Water Property Information Statement

Property Address	33 SEAVIEW ROAD COCKATOO 3781
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STATEMENT UNDER SECTION 158 WATER ACT 1989

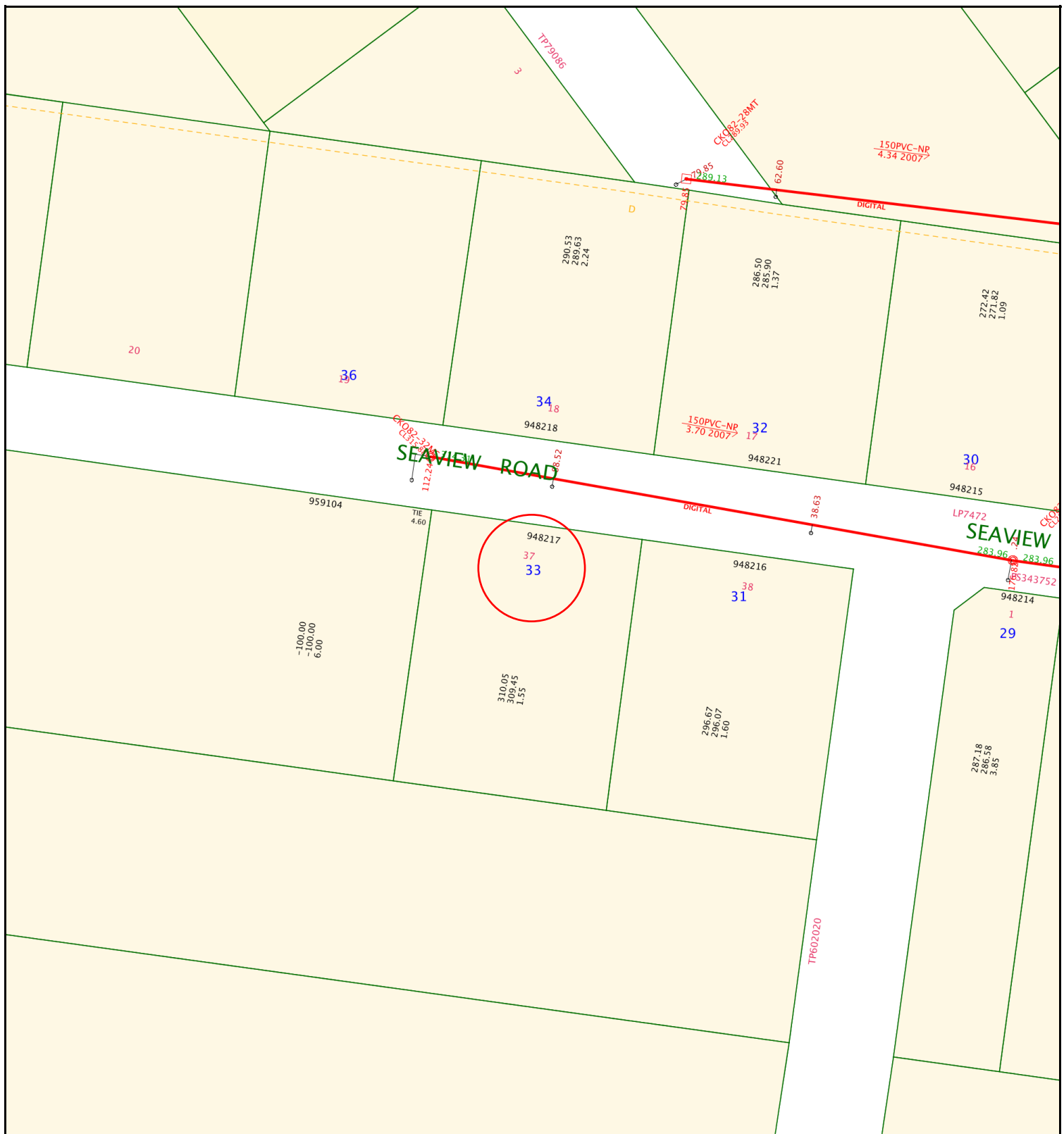
THE FOLLOWING INFORMATION RELATES TO SECTION 158(4)

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.

Please note: Unless prior consent has been obtained, the Water Act prohibits:

1. The erection and/or placement of any building, wall, bridge, fence, embankment, filling, material, machinery or other structure over or under any sewer or drain.
2. The connection of any drain or sewer to, or interference with, any sewer, drain or watercourse.

If you have any questions regarding Melbourne Water encumbrances or advisory information, please contact Melbourne Water on 9679 7517.

















**Yarra Valley Water
Information Statement
Number: 30749584**

Address	33 SEAVIEW ROAD COCKATOO 3781	
Date	10/02/2023	
Scale	1:1000	




ABN 93 066 902 501

Existing Title		Access Point Number		GLV2-42 MW Drainage Channel Centreline	
Proposed Title		Sewer Manhole		MW Drainage Underground Centreline	
Easement		Sewer Pipe Flow		MW Drainage Manhole	
Existing Sewer		Sewer Offset		MW Drainage Natural Waterway	
Abandoned Sewer		Sewer Branch			

Disclaimer: This information is supplied on the basis Yarra Valley Water Ltd:
 - Does not warrant the accuracy or completeness of the information supplied, including, without limitation, the location of Water and Sewer Assets;
 - Does not accept any liability for loss or damage of any nature, suffered or incurred by the recipient or any other persons relying on this information;
 - Recommends recipients and other persons using this information make their own site investigations and accommodate their works accordingly;

Wainwright Ryan Eid Lawyers via Dye & Durham Prope
DYEDURHAM
property.certificates@dyledurham.com

RATES CERTIFICATE

Account No: 1196648004
Rate Certificate No: 30749584

Date of Issue: 10/02/2023
Your Ref: JE:ax:60898

With reference to your request for details regarding:

Property Address	Lot & Plan	Property Number	Property Type
33 SEAVIEW RD, COCKATOO VIC 3781	1\TP183506	1434407	Residential

Agreement Type	Period	Charges	Outstanding
Residential Water Service Charge	01-01-2023 to 31-03-2023	\$19.47	\$19.47
Residential Water Usage Charge Estimated Average Daily Usage \$0.00	13-09-2022 to 08-12-2022	\$0.00	\$0.00
Drainage Fee	01-01-2023 to 31-03-2023	\$14.84	\$14.84
Other Charges:			
Interest	No interest applicable at this time		
No further charges applicable to this property			
Balance Brought Forward			-36.82 cr
Total for This Property			-\$2.51 cr
Total Due			-\$2.51 cr



GENERAL MANAGER
RETAIL SERVICES

Note:

1. Invoices generated with Residential Water Usage during the period 01/07/2017 – 30/09/2017 will include a Government Water Rebate of \$100.
2. This statement details all tariffs, charges and penalties due and payable to Yarra Valley Water as at the date of this statement and also includes tariffs and charges (other than for usage charges yet to be billed) which are due and payable to the end of the current financial quarter.
3. All outstanding debts are due to be paid to Yarra Valley Water at settlement. Any debts that are unpaid at settlement will carry over onto the purchaser's first quarterly account and follow normal credit and collection activities - pursuant to section 275 of the Water Act 1989.
4. If the total due displays a (-\$ cr), this means the account is in credit. Credit amounts will be transferred to the purchasers account at settlement.
5. Yarra Valley Water provides information in this Rates Certificate relating to waterways and drainage as an agent for Melbourne Water and relating to parks as an agent for Parks Victoria - pursuant to section 158 of the

Water Act 1989.

6. The charges on this rates certificate are calculated and valid at the date of issue. To obtain up to date financial information, please order a Rates Settlement Statement prior to settlement.

7. From 01/10/2022, Residential Water Usage is billed using the following step pricing system: 244.51 cents per kilolitre for the first 44 kilolitres; 312.53 cents per kilolitre for 44-88 kilolitres and 463.00 cents per kilolitre for anything more than 88 kilolitres

8. From 01/07/2022, Residential Recycled Water Usage is billed 184.89 cents per kilolitre

9. From 01/07/2022, Residential Sewage Disposal is calculated using the following equation: Water Usage (kl) x Seasonal Factor x Discharge Factor x Price (cents/kl) 115.40 cents per kilolitre

10. From 01/07/2022, Residential Recycled Sewage Disposal is calculated using the following equation: Recycled Water Usage (kl) x Seasonal Factor x Discharge Factor x Price (cents/kl) 115.40 cents per kilolitre

11. The property is a serviced property with respect to all the services, for which charges are listed in the Statement of Fees above.

To ensure you accurately adjust the settlement amount, we strongly recommend you book a Special Meter Reading:

- Special Meter Readings ensure that actual water use is adjusted for at settlement.
- Without a Special Meter Reading, there is a risk your client's settlement adjustment may not be correct.



YARRA VALLEY WATER
ABN 93 066 902 501

Lucknow Street
Mitcham Victoria 3132

Private Bag 1
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

E enquiry@yvw.com.au
yvw.com.au

Property No: 1434407

Address: 33 SEAVIEW RD, COCKATOO VIC 3781

Water Information Statement Number: 30749584

HOW TO PAY



Biller Code: 314567
Ref: 11966480042

**Amount
Paid**

**Date
Paid**

**Receipt
Number**

Property Clearance Certificate

Taxation Administration Act 1997



WAINWRIGHT RYAN EID LAWYERS VIA DYE & DURHAM
PROPERTY PTY LTD
LEVEL 20, 535 BOURKE STREET
MELBOURNE VIC 3000

Your Reference: 78135800:116804423

Certificate No: 59701207

Issue Date: 10 FEB 2023

Enquiries: ESYSPROD

Land Address: 33 SEAVIEW ROAD COCKATOO VIC 3781

Land Id	Lot	Plan	Volume	Folio	Tax Payable
3367958	1	183506	9112	372	\$0.00

Vendor: LYNETTE MARTIN

Purchaser: FOR INFORMATION PURPOSES

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
MRS LYNETTE MARCIA MARTIN	2023	\$200,000	\$0.00	\$0.00	\$0.00

Comments:

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

Arrears of Land Tax	Year	Proportional Tax	Penalty/Interest	Total
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This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

Paul Broderick
Commissioner of State Revenue

CAPITAL IMP VALUE: \$200,000

SITE VALUE: \$200,000

AMOUNT PAYABLE: \$0.00

Notes to Certificates Under Section 95AA of the *Taxation Administration Act 1997*

Certificate No: 59701207

Power to issue Certificate

1. The Commissioner of State Revenue can issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

Amount shown on Certificate

2. The Certificate shows any land tax (including Vacant Residential Land Tax, interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue. In addition, it may show:
 - Land tax that has been assessed but is not yet due,
 - Land tax for the current tax year that has not yet been assessed, and
 - Any other information that the Commissioner sees fit to include, such as the amount of land tax applicable to the land on a single holding basis and other debts with respect to the property payable to the Commissioner.

Land tax is a first charge on land

3. Unpaid land tax (including Vacant Residential Land Tax, interest and penalty tax) is a first charge on the land to which it relates. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any such unpaid land tax.

Information for the purchaser

4. If a purchaser of the land described in the Certificate has applied for and obtained a Certificate, the amount recoverable from the purchaser cannot exceed the 'amount payable' shown. A purchaser cannot rely on a Certificate obtained by the vendor.

Information for the vendor

5. Despite the issue of a Certificate, the Commissioner may recover a land tax liability from a vendor, including any amount identified on this Certificate.

General information

6. A Certificate showing no liability for the land does not mean that the land is exempt from land tax. It means that there is nothing to pay at the date of the Certificate.
7. An updated Certificate may be requested free of charge via our website, if:
 - The request is within 90 days of the original Certificate's issue date, and
 - There is no change to the parties involved in the transaction for which the Certificate was originally requested.

For Information Only

LAND TAX CALCULATION BASED ON SINGLE OWNERSHIP

Land Tax = \$0.00

Taxable Value = \$200,000

Calculated as \$0 plus (\$200,000 - \$0) multiplied by 0.000 cents.

Property Clearance Certificate - Payment Options

BPAY



Billers Code: 5249
Ref: 59701207

Telephone & Internet Banking - BPAY®

Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.

www.bpay.com.au

CARD



Ref: 59701207

Visa or Mastercard

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

sro.vic.gov.au/paylandtax



**** Delivered by the LANDATA® System, Department of Environment, Land, Water & Planning ****

ROADS PROPERTY CERTIFICATE

The search results are as follows:

Dye and Durham Dye and Durham
gpo box 2746
BRISBANE 4001

Client Reference: 78135800-116804421

NO PROPOSALS. As at the 10th February 2023, VicRoads has no approved proposals requiring any part of the property described in your application. You are advised to check your local Council planning scheme regarding land use zoning of the property and surrounding area.

This certificate was prepared solely on the basis of the Applicant-supplied address described below, and electronically delivered by LANDATA®.

33 SEAVIEW ROAD, COCKATOO 3781
SHIRE OF CARDINIA

This certificate is issued in respect of a property identified above. VicRoads expressly disclaim liability for any loss or damage incurred by any person as a result of the Applicant incorrectly identifying the property concerned.

Date of issue: 10th February 2023

Telephone enquiries regarding content of certificate: 13 11 71

[Vicroads Certificate] # 67855219 - 67855219122646
'78135800-116804421'

EPA Priority Sites Register Extract



Client: Wainwright Ryan Eid Lawyers
DX: 38213 Flagstaff

Client Ref: JE:ax:60898
Certificate No: 78135800:116804425

Property Inquiry Details:

Street Address: 33 Seaview Road
Suburb: COCKATOO
Map Reference: Melways Edition 39, Map No:311, Grid Letter: E, Grid Number: 8

Date of Search: 10/02/2023

Priority Sites Register Report:

A search of the Priority Sites Register **for the above map reference**, has indicated that this **site is not listed on, and is not in the vicinity of a site listed on the Priority Sites Register** at the date last notified by the EPA.

Priority Sites Register

Information as at 31 July 2021

The Priority Sites Register is updated monthly and the information on it may not be accurate, current or complete and may be subject to change without notice.

Land contaminated by former waste disposal, industrial and similar activities is frequently discovered during changes to land use - for example, from industrial to residential use. In most cases these can be managed at the time that the change of land use occurs. Some sites however, present a potential risk to human health or to the environment and must be dealt with as a priority. Such sites are typically subject to clean-up and/or management under EPA directions.

What are priority sites?

Priority Sites are sites for which EPA has issued a:

- Clean Up Notice pursuant to section 62A) of the Environment Protection Act 1970
- Pollution Abatement Notice pursuant to section 31A or 31B (relevant to land and/or groundwater) of the Environment Protection Act 1970
- Environment Action Notice pursuant to Section 274 of the Environment Protection Act 2017
- Site Management Order (related to land and groundwater) pursuant to Section 275 of the Environment Protection Act 2017
- Improvement Notice (related to land and groundwater) pursuant to Section 271 of the Environment Protection Act 2017
- Prohibition Notices (related to land and groundwater) pursuant to Section 272 of the Environment Protection Act 2017

On the occupier or controller of the site to require active management of these sites, or where EPA believes it is in the community interest to be notified of a potential contaminated site and this cannot be communicated by any other legislative means. Sites are removed from the Priority Sites Register once all conditions of a Notice have been complied with.

Typically these are sites where pollution of land and/or groundwater presents a potential risk to human health or to the environment. The condition of these sites is not compatible with the current or approved use of the site without active management to reduce the risk to human health and the environment. Such management can include clean up, monitoring and/or institutional controls.

The Priority Sites Register does not list all sites that are known to be contaminated in Victoria. A site should not be presumed to be free of contamination just because it does not appear on the Priority Sites Register. Persons intending to enter into property transactions should be aware that many properties may have been contaminated by past land uses and EPA may not be aware of the presence of contamination. Council and other planning authorities hold information about previous land uses, and it is advisable that such sources of information should also be consulted.

Disclaimer

The Environment Protection Authority does not warrant the accuracy or completeness of information in this Extract and any person using or relying upon such information does so on the basis that the Environment Protection Authority shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.

Users of this site accept all risks and responsibilities for losses, damages, costs and other consequences resulting directly or indirectly from use of this site and information from it.

To the maximum permitted by law, the EPA excludes all liability to any person directly or indirectly from using this site and information from it.

Further Information

Additional information is available from:

EPA Victoria
200 Victoria Street, Carlton VIC 3053
1300 EPA VIC (1300 372 842)
<http://www.epa.vic.gov.au>
contact@epa.vic.gov.au

From www.planning.vic.gov.au at 10 February 2023 11:40 AM

PROPERTY DETAILS

Address: **33 SEAVIEW ROAD COCKATOO 3781**
Lot and Plan Number: **Lot 1 TP183506**
Standard Parcel Identifier (SPI): **1\TP183506**
Local Government Area (Council): **CARDINIA**
Council Property Number: **2757851600**
Planning Scheme: **Cardinia**
Directory Reference: **Melway 311 E8**

www.cardinia.vic.gov.au

[Planning Scheme - Cardinia](#)

UTILITIES

Rural Water Corporation: **Southern Rural Water**
Melbourne Water Retailer: **Yarra Valley Water**
Melbourne Water: **Inside drainage boundary**
Power Distributor: **AUSNET**

STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
Legislative Assembly: **MONBULK**

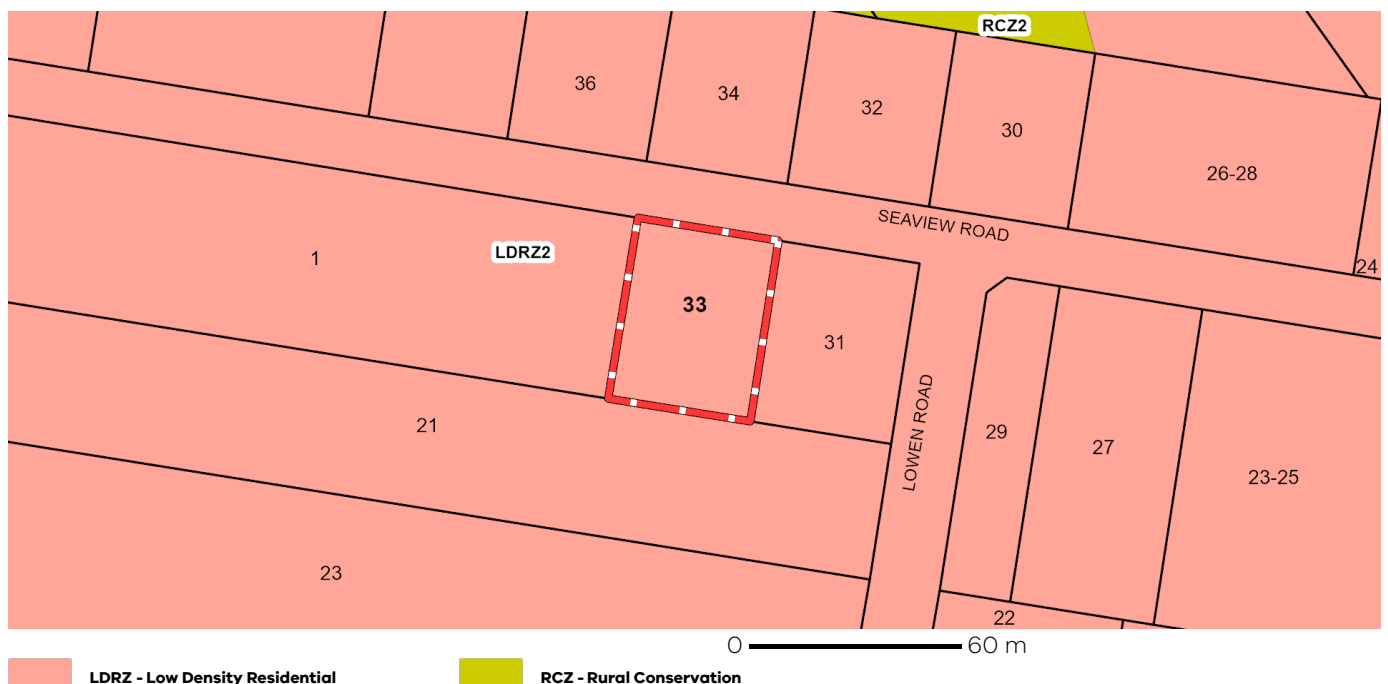
OTHER

Registered Aboriginal Party: **Wurundjeri Woi Wurrung Cultural
Heritage Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

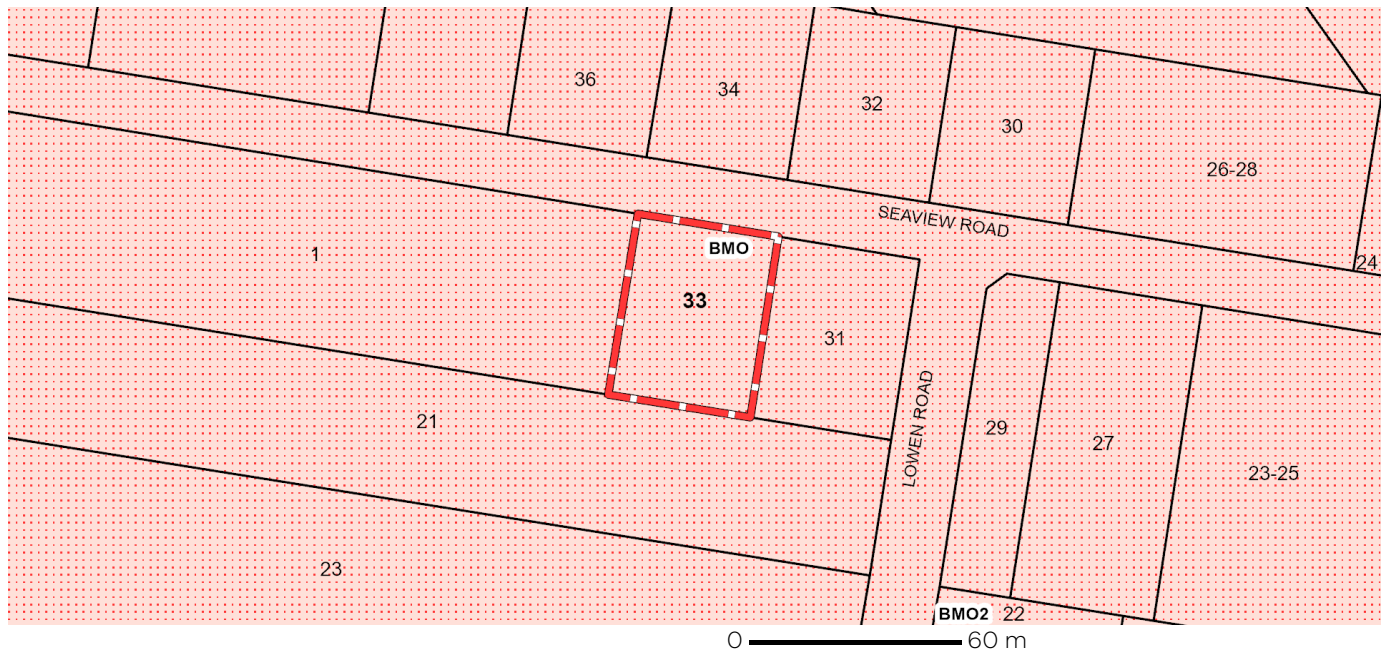
[LOW DENSITY RESIDENTIAL ZONE \(LDRZ\)](#)
[LOW DENSITY RESIDENTIAL ZONE - SCHEDULE 2 \(LDRZ2\)](#)



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

Planning Overlays

BUSHFIRE MANAGEMENT OVERLAY (BMO)

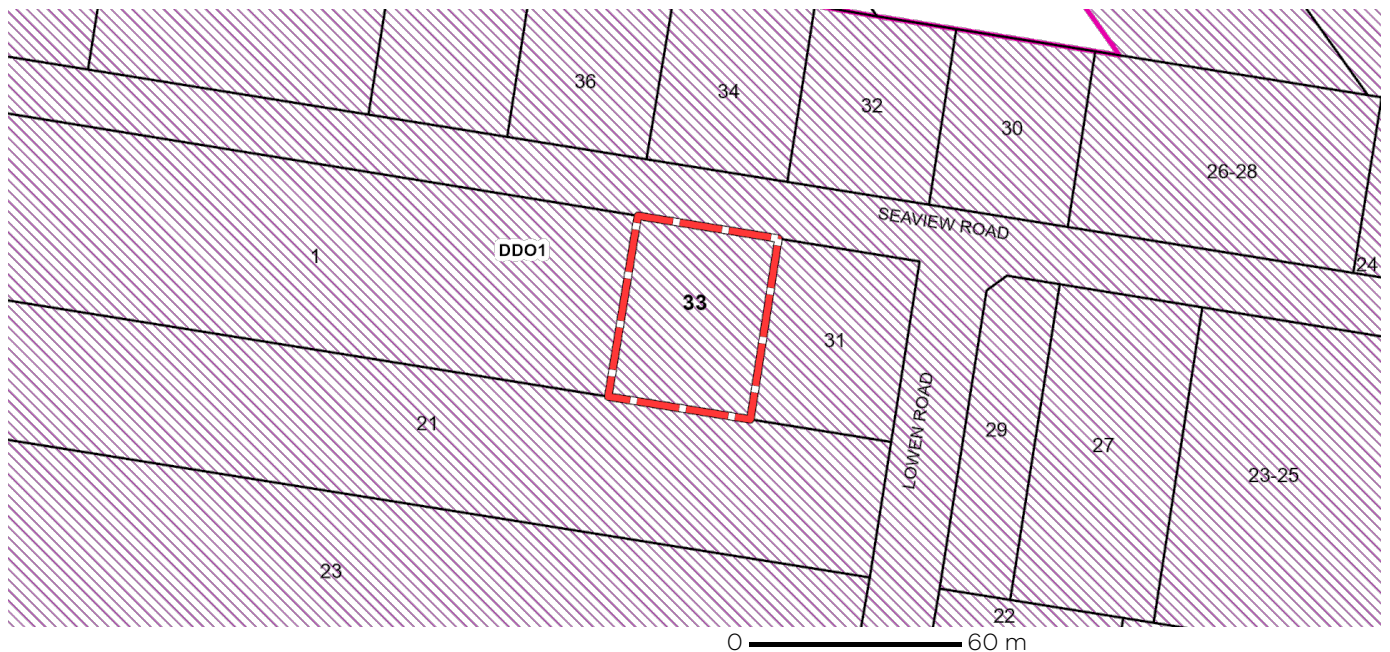


 **BMO - Bushfire Management Overlay**

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

DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 1 (DDO1)



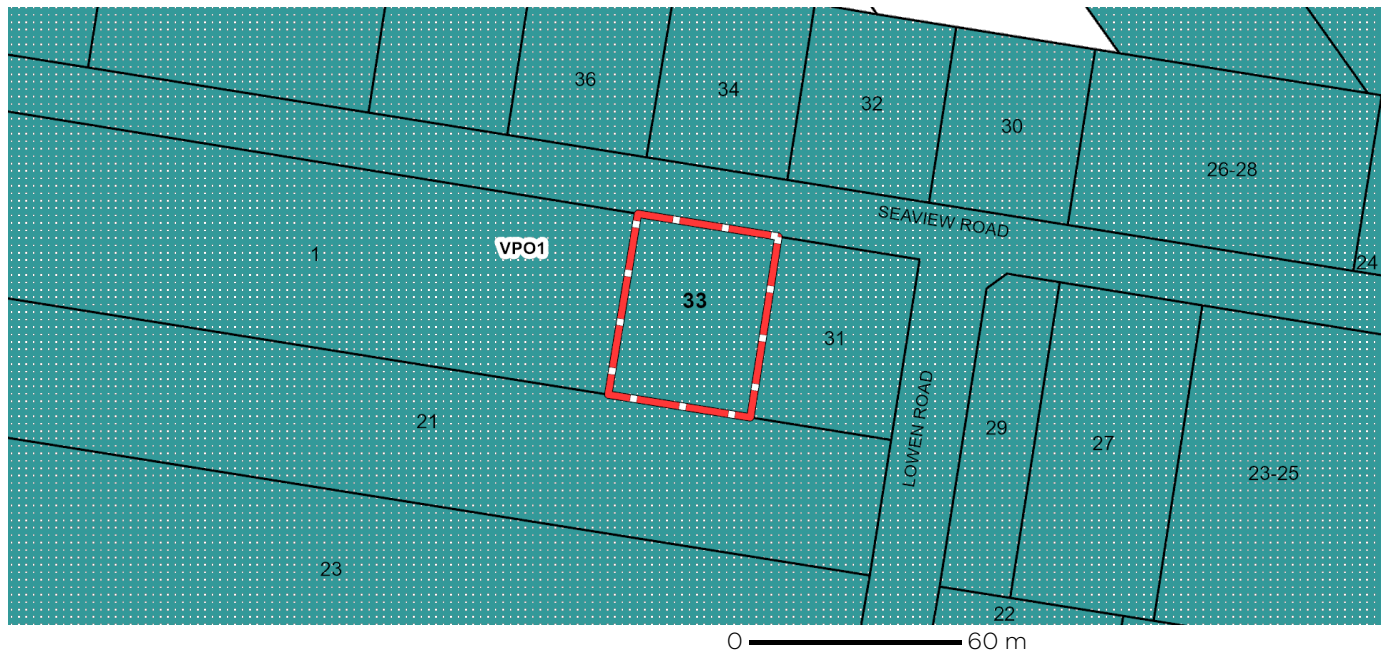
 **DDO - Design and Development Overlay**

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

Planning Overlays

[VEGETATION PROTECTION OVERLAY \(VPO\)](#)

[VEGETATION PROTECTION OVERLAY - SCHEDULE 1 \(VPO1\)](#)



 **VPO - Vegetation Protection Overlay**

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

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

[ENVIRONMENTAL SIGNIFICANCE OVERLAY \(ESO\)](#)

[RESTRUCTURE OVERLAY \(RO\)](#)



 **ESO - Environmental Significance Overlay**  **RO - Restructure Overlay**

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

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Read the full disclaimer at <https://www.delwp.vic.gov.au/disclaimer>

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).

Further Planning Information

Planning scheme data last updated on 8 February 2023.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

This report provides information about the zone and overlay provisions that apply to the selected land.

Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council

or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**.

It does not include information about exhibited planning scheme amendments, or zonings that may affect the land.

To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

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

To view planning zones, overlay and heritage information in an interactive format visit

<https://mapshare.maps.vic.gov.au/vicplan>

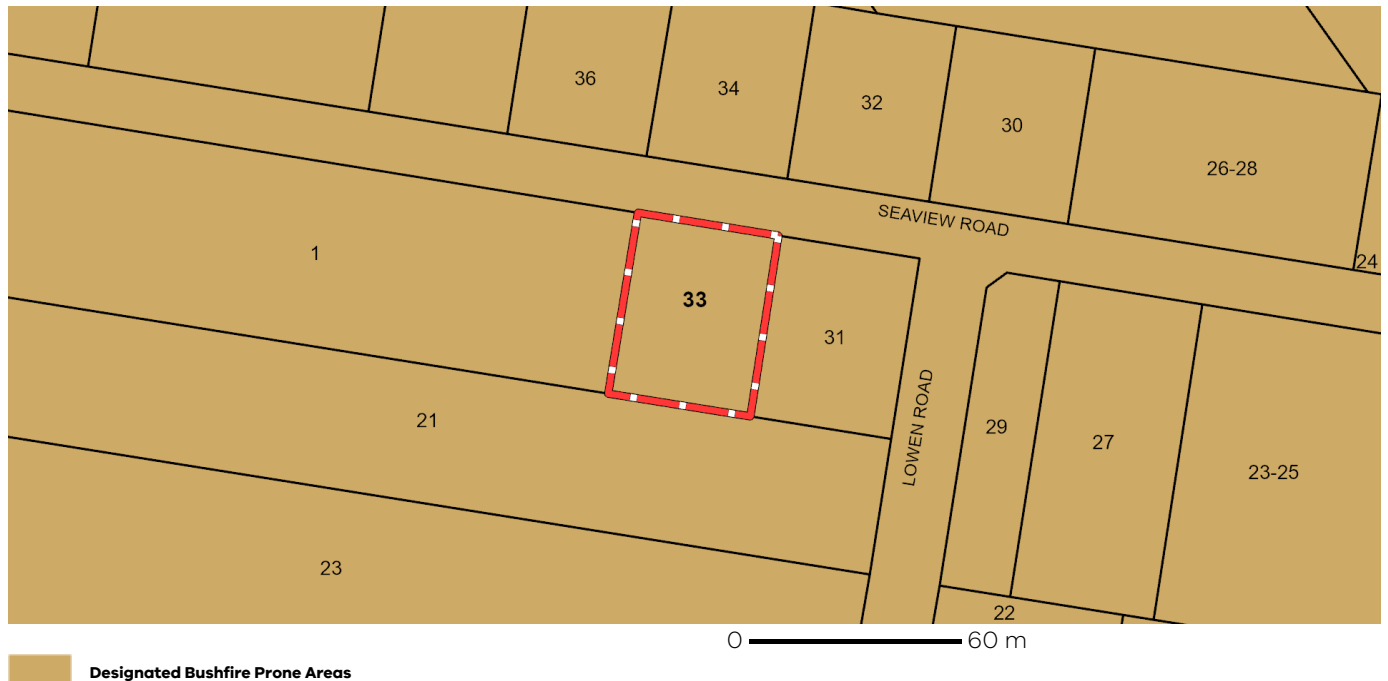
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

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 \(environment.vic.gov.au\)](https://www.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 \(environment.vic.gov.au\)](https://www.environment.vic.gov.au)

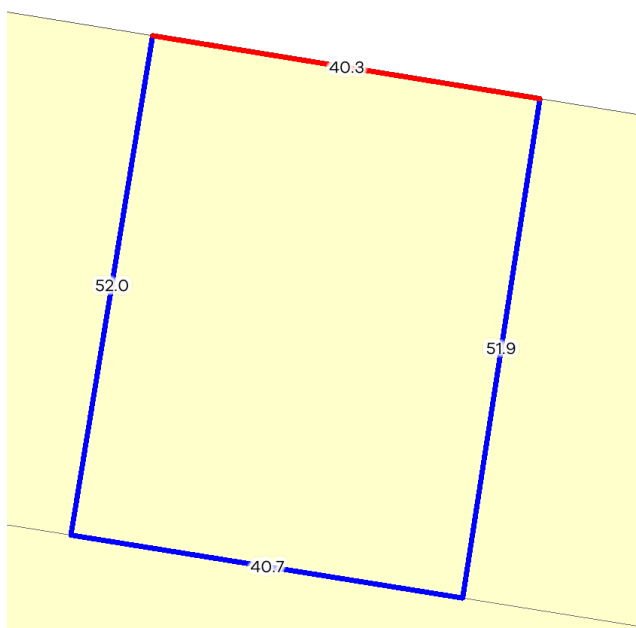
PROPERTY DETAILS

Address: **33 SEAVIEW ROAD COCKATOO 3781**
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Council Property Number: **2757851600**
Directory Reference: **Melway 311 E8**

www.cardinia.vic.gov.au

SITE DIMENSIONS

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



Area: 2104 sq. m

Perimeter: 185 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**
Melbourne Water Retailer: **Yarra Valley Water**
Melbourne Water: **Inside drainage boundary**
Power Distributor: **AUSNET**

STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
Legislative Assembly: **MONBULK**

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

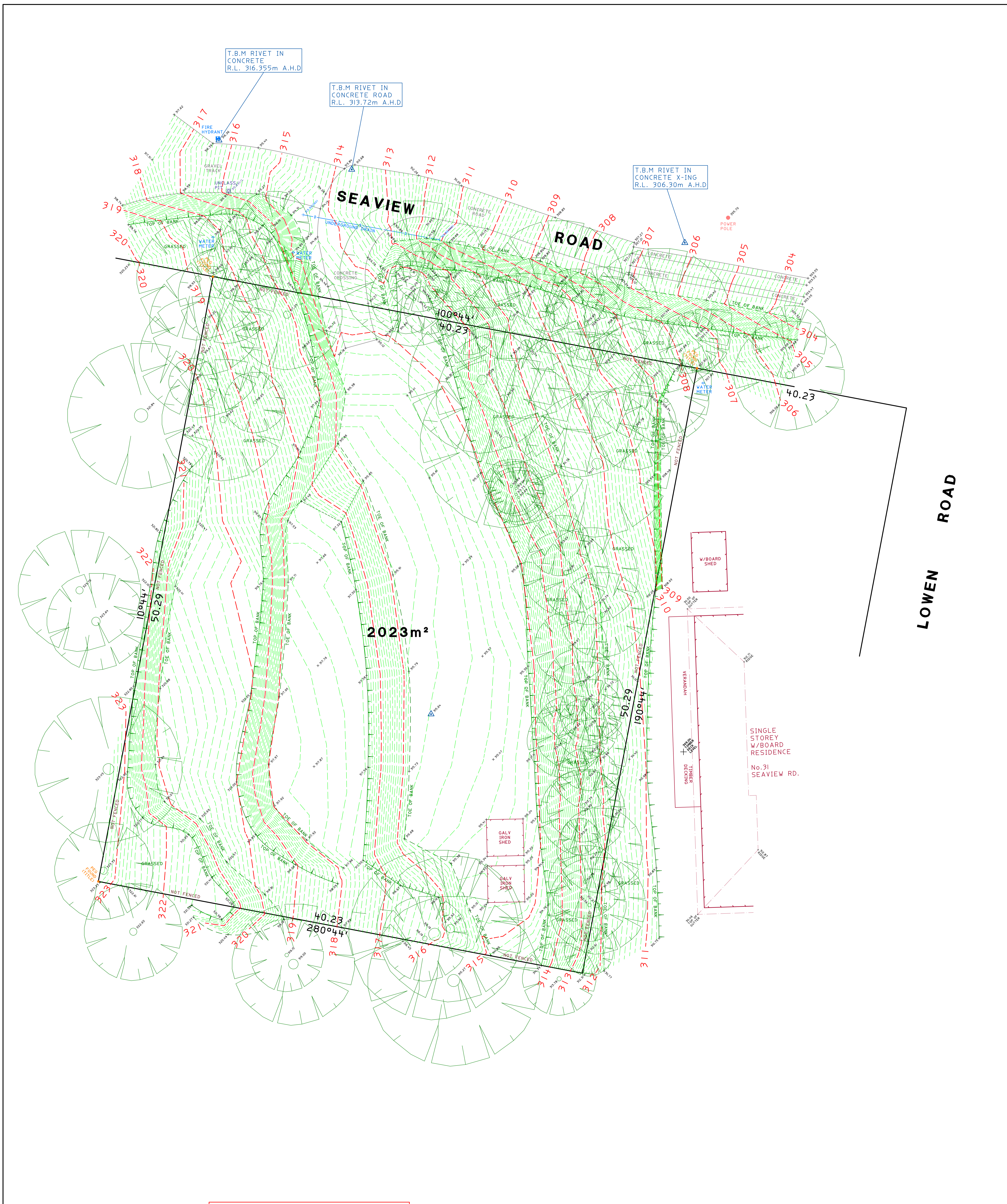
Vicplan <https://mapshare.vic.gov.au/vicplan/>

Property and parcel search <https://www.land.vic.gov.au/property-and-parcel-search>

Area Map



 Selected Property



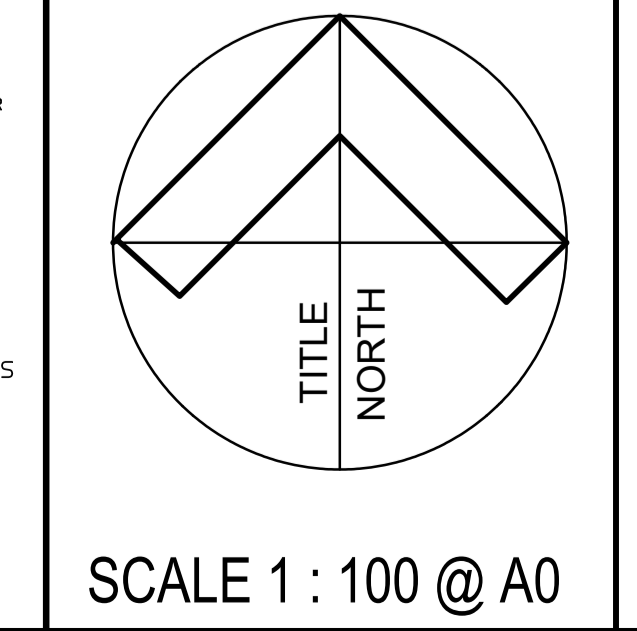
NOTATIONS:

- THIS RE-ESTABLISHMENT SURVEY RE-ESTABLISHES THE LAND UNDER SURVEY BASED ON INFORMATION CONTAINED IN THE CERTIFICATE OF TITLE AND DOES NOT ATTEMPT TO DETERMINE ANY POSSESSORY RIGHTS TO LAND FENCED OFF BY THE LAND UNDER SURVEY OR ADJOINING PROPERTIES.
- PROPERTIES HEREIN HAVE BEEN LOCATED BY THIS SURVEY.
- STRUCTURES BELOW THE SURFACE OF ANY INCLUDING FOOTINGS PROJECTING INTO THE SITE FROM ADJOINING PROPERTIES HAVE NOT BEEN EXPLAINED TO DETERMINE THEIR EXISTENCE (IF ANY).
- FENCE OR BUILDING POSITIONS SHOWN NEAR BOUNDARIES ARE NOT NECESSARILY TO SCALE AND EXAGGERATED FOR CLARITY.
- REFER TO COPY OF CERTIFICATE OF TITLE TO CONFIRM ANY ENCUMBRANCES, RESTRICTIONS, COVENANTS, EASEMENTS ETC.
- THIS PLAN OF RE-ESTABLISHMENT WILL NOT BE REGISTERED BY THE TITLES OFFICE, SUBSEQUENT REGISTERED OR OTHER SURVEYS IN THE AREA MAY AFFECT THE BOUNDARY DEFINITION SHOWN ON THIS PLAN.
- ANY DIFFERENCES SO CAUSED TO THE BOUNDARY DEFINITION SHOWN ON THIS PLAN ARE BEYOND THE CONTROL OF CARSON DEVELOPMENT CONSULTANTS PTY LTD WHO CAN ACCEPT NO RESPONSIBILITY FOR SUCH DIFFERENCES.
- THIS PLAN HAS BEEN PROVIDED AS A HARD-COPY PLAN AND ALSO IN DIGITAL FORMAT.
- THE HARD-COPY TAKES PRECEDENCE OVER THE DIGITAL DATA AS NO GUARANTEE CAN BE GIVEN TO TRANSFER OF DATA TO ANOTHER SYSTEM.

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 THE SURVEY PLAN AND INFORMATION THEREON MAY NOT BE USED WITHOUT THE EXPRESS WRITTEN CONSENT OF CARSON DEVELOPMENT CONSULTANTS PTY. LTD.
 CARSON DEVELOPMENT CONSULTANTS PTY. LTD. ACCEPTS NO RESPONSIBILITY FOR ANY LOSS OR DAMAGE HOWSOEVER CAUSED TO ANY PERSON OR CORPORATION THAT RELIES ON OR BELIEVES IN THIS PLAN IN CONTRAVENTION OF THIS DISCLAIMER.

----- LICENSED SURVEYOR ----- DATE -----

IMPORTANT
 BEFORE ANY DEVELOPMENT DESIGNS OR WORKS ARE STARTED
 WHERE OCCUPATION (IF FENCES AND BUILDINGS) ENDOUCHES ONTO THE SUBJECT SITE THE LAND OUTSIDE OF OCCUPATION MAY NOT BE RECOVERABLE AS POSSESSORY RIGHTS MAY HAVE BEEN PASSED ONTO ADJOINING OWNERS.
 TITLE DIMENSIONS SHOULD NOT BE ASSUMED UNTIL THE ABOVE ISSUES ARE RESOLVED. SHOULD THERE BE ANY QUERIES THE LICENSED SURVEYOR SHOULD BE CONSULTED.



LEVEL DATUM: A.H.D. VIDE (PM 179, R.L. 185.969m) & (PM 87, R.L. 182.963m)

LEVELS ARE IN METRES

CONTOUR INTERVAL: 0.2m

RE-ESTABLISHMENT DATUM: RE 39716 & PS 343752 L

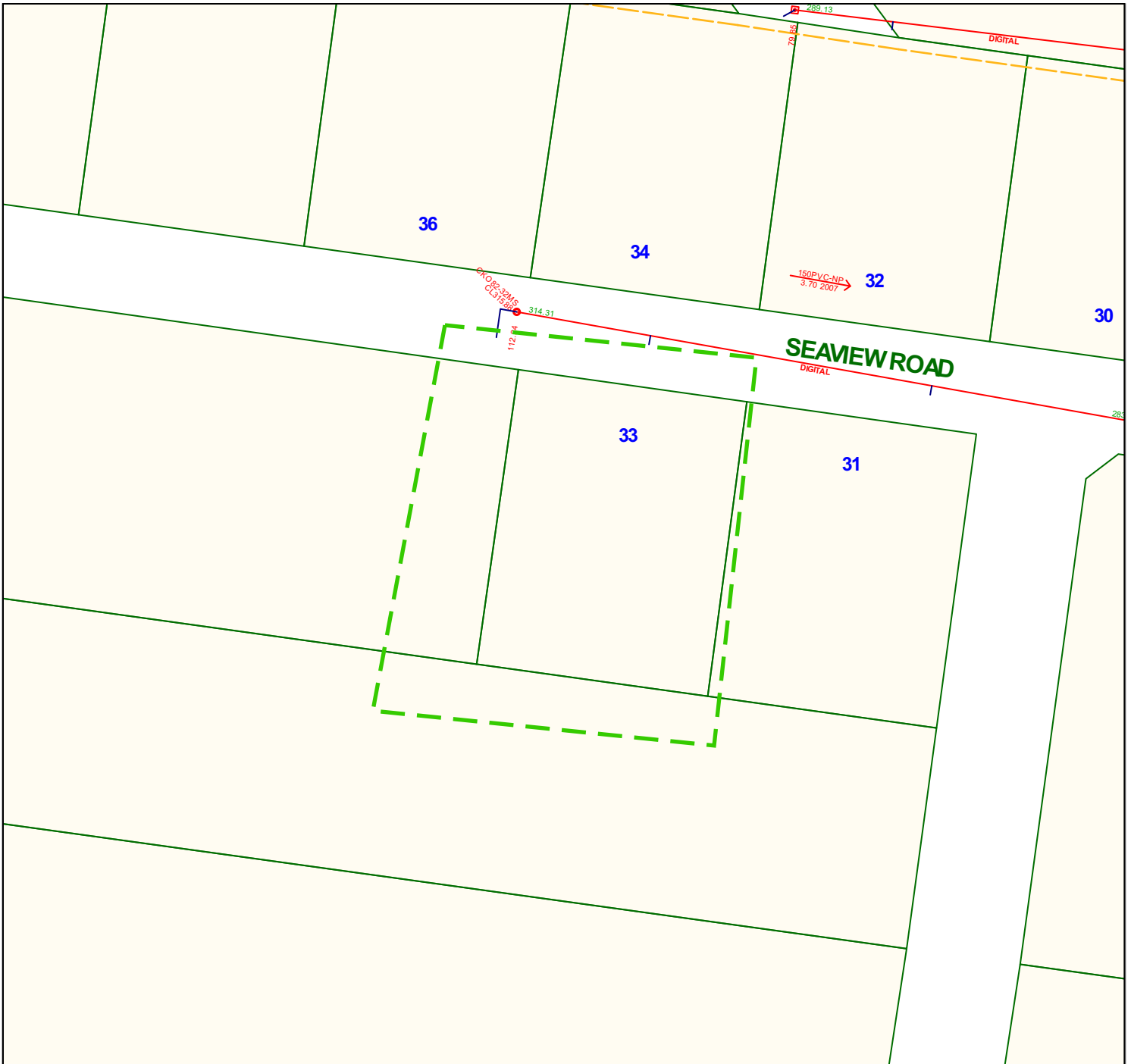
DATE OF SURVEY: 09.07.2020



SURVEY BY: KAS / SAC

RE-ESTABLISHMENT/FEATURE & A.H.D LEVEL SURVEY
 33 SEAVIEW ROAD, COCKATOO
 LOT 1 ON TP 183506D
 PART OF CROWN ALLOTMENT 8
 PARISH OF GEMBROOK
 COUNTY OF EVELYN
 C/T VOL.9112, FOL.372
















CARSON DEVELOPMENT CONSULTANTS Pty. Ltd.
 Land & Engineering Surveyors
 Planning Consultants
 SUITE 4-5, 6-8 HIGH STREET
 P.O.BOX 1056 CRANBOURNE, VIC.3977.
 PH (03) 5995.1860 FAX (03) 5996.1861

REF C.4575DTM

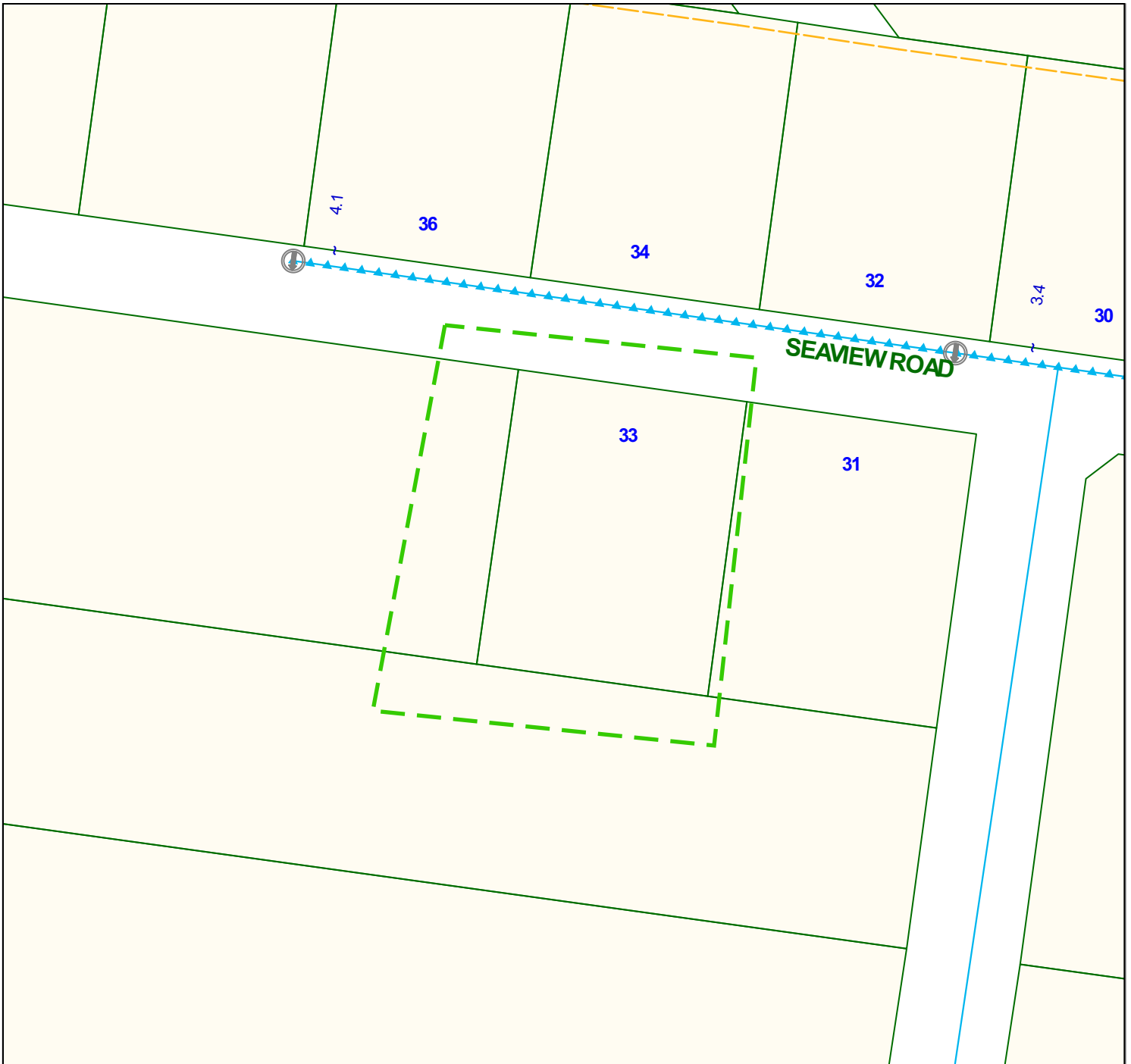















<h1>Sewer Asset Information</h1>	Address	33 Seaview Road, Cockatoo VIC 3781		 	
	Melway Ref.	311E8			
	Sequence No.	99486483	Date		08/07/2020
	Job No.	19846992	Scale		1000



Existing Title		Circular Access Point		Inspection Shaft	
Proposed Title		Junction		End of Pipe	
Existing Sewer		Gas Check Manhole		Maintenance Shaft	
Asbestos Sewer		Square Manhole		Ventilation	
Offset Distance		Change of Grade		Chambered Manhole	

Warning – This plan is issued solely for the purpose of assisting you in identifying Yarra Valley Water’s specified assets through further investigation only. It’s 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. Please refer to the attached letter for further details.



Water Asset Information	Address	33 Seaview Road, Cockatoo VIC 3781		
	Melway Ref.	311E8		
Sequence No. 99486483	Date	08/07/2020	 	
Job No. 19846992	Scale	1000		
Existing Title		Asbestos Water Main		Hydrant Below Ground -Council/YWW 
Proposed Title		Fire Plug / Blank End		Hydrant Above Ground -Council/YWW 
Offset Water Main		Water Valve		Dialysis Patient 
Water Main		Hydrant Below – YWW/Council		

Warning – This plan is issued solely for the purpose of assisting you in identifying Yarra Valley Water’s specified assets through further investigation only. It’s 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. Please refer to the attached letter for further details.

Yarra Valley Water ABN: 93 066 902 501 **WEB:** www.yvw.com.au

Due diligence checklist

What you need to know before buying a residential property

Before you buy a home, you should be aware of a range of issues that may affect that property and impose restrictions or obligations on you, if you buy it. This checklist aims to help you identify whether any of these issues will affect you. The questions are a starting point only and you may need to seek professional advice to answer some of them. You can find links to organisations and web pages that can help you learn more, by visiting the [Due diligence checklist page on the Consumer Affairs Victoria website](http://consumer.vic.gov.au/duediligencechecklist) (consumer.vic.gov.au/duediligencechecklist).

Urban living

Moving to the inner city?

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

Is the property subject to an owners corporation?

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

Growth areas

Are you moving to a growth area?

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

Flood and fire risk

Does this property experience flooding or bushfire?

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

Rural properties

Moving to the country?

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

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

Can you build new dwellings?

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

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

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

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

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

(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.