

**DAN ETHAN KESTLES
("VENDOR")**

VENDOR STATEMENT

21 LISHEEN ROAD, COCKATOO 3781

**FALCONE & ADAMS
Lawyers
Level 1 / 329-331 Belgrave-Gembrook Road,
Emerald VIC 3782
Tel: 5968 3666
Email: office@falconeadams.com.au
JSF:DK:132299E**

FALCONE & ADAMS

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 **21 Lisheen Road, Cockatoo 3781**

Vendor's name **Dan Ethan Kestles**

25/05/24

Vendor's signature 
Dan (May 25, 2024 18:54 GMT+10)

Date
/ /2024

Purchaser's name.....

Purchaser's signature.....

Date
/ /2024

Purchaser's name.....

Purchaser's signature.....

Date
/ /2024

1. FINANCIAL MATTERS

1.1 Outgoings

Particulars of any rates, taxes, charges or other similar outgoings including any owners corporation charges or levies (and any interest on them) are as follows:

(a) Their total does not exceed \$3,000.00.

There are no amounts for which the Purchaser may become liable as a consequence of the sale of which the Vendor might reasonably be expected to have knowledge which are not included in Item 1.1(a) above, other than any an amount of:

- (b) that proportion of the rates, taxes, charges or other similar outgoings including any owners corporation charges or levies that relates to the Purchaser's ownership and/or occupation of the Land;
- (c) any goods and services tax (if applicable);
- (d) any costs, charges or expenses whatsoever incurred by the Vendor arising directly or indirectly out of failure by the Purchaser to settle on the due date including, without limitation, additional interest under any mortgage affecting the Land.

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.

1.3 Terms Contract

Not applicable.

1.4 Sale Subject to Mortgage

Not applicable.

1.5 Goods and Services Tax

The sale price in any contract for the Land is exclusive of any Goods and Services Tax ("GST") unless the contract provides otherwise. Should GST be or become payable on the sale of the Land the price will be increased by the amount of GST so payable.

2. INSURANCE

2.1 Damage and Destruction

This section 2.1 only applies if the 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 of 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):
- As set out in the attached copies of title documents;
 - Easements that are implied under section 12(2) of the Subdivision Act 1988 (Vic);
 - Restrictions imposed by the Owners Corporation Act 2006 (Vic) and the Owners Corporations Regulations 2007 (Vic) – not applicable;
 - Any public rights of way and any private easement arising by use of the Land other than the Vendor. These may be evident from an inspection of or observation from the Land; and
 - Any conditions, restrictions or encumbrances set out in the attached certificates.
- (b) Particulars of any existing failure to comply with that easement, covenant or other similar restriction are:

To the best of the Vendor's knowledge there is no existing failure to comply with the terms of any easement, covenant or other restriction except as may be apparent from an inspection of the land.

Note: Drains, sewers, water pipes, gas pipes, electricity and telephone cables (whether underground and/or overhead) may be laid outside registered easements and/or under buildings and/or building lines.

3.2 Road Access

There is access to the Land by road.

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*.

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 of which the Vendor might reasonably be expected to have knowledge are as follows:

None to the Vendor's knowledge.

However, the Vendor has no means of knowing all decisions of public authorities and government departments affecting the Land unless these have been communicated to the Vendor.

4.2 Agricultural Chemicals

Particulars of any notices, property management plans, reports or orders in respect of the Land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the Land for agricultural

purposes of which the Vendor might reasonably be expected to have knowledge are as follows:

Not applicable.

However, the Vendor has no means of knowing all decisions of public authorities and government departments affecting the Land unless these have been communicated to the Vendor.

4.3 **Compulsory Acquisition**

Particulars of any notices of intention to acquire that have been served under section 6 of the *Land Acquisition and Compensation Act 1986* of which the Vendor might reasonably be expected to have knowledge are as follows:

None to the Vendor's knowledge.

However, the Vendor has no means of knowing all decisions of public authorities and government departments affecting the Land unless these have been communicated to the Vendor.

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 as follows:

None to the Vendor's knowledge.

6. **OWNERS CORPORATION**

The Land is not affected by an owners corporation within the meaning of the Owners Corporations Act 2006.

7. **GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")**

Not applicable

8. **SERVICES**

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

Electricity Gas Water Sewerage Telephone

Where any of the above services are disclosed as not being connected the Purchaser should make his own enquiry of the appropriate Authorities as to their availability and cost of connection to the Land. The Purchaser is responsible for the transfer of any services connected to the Land into the Purchaser's name.

9. **TITLE**

Attached are copies of the following documents:

- Register Search Statement for Certificate of Title Volume 9004 Folio 898
- Title Plan TP227779A

10. **SUBDIVISION**

Not applicable.

11. DUE DILIGENCE CHECKLIST

The Sale of Land Act 1962 (Vic) 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 and is attached as a matter of convenience.

12. ATTACHMENTS

Refer to the attached certificates, documents and other attachments annexed to this statement which include, but are not limited to, the following:

Restrictive Covenant 1882101
Cardinia Shire Council Rates Notice
Yarra Valley Water Rates Notice
Owner Builder Construction Inspection Report (value of work not more than \$16,000).

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

Page 1 of 1

VOLUME 09004 FOLIO 898

Security no : 124115183397J
Produced 22/05/2024 01:54 PM

LAND DESCRIPTION

Lot 1 on Title Plan 227779A.
PARENT TITLE Volume 06628 Folio 548
Created by instrument F050719 18/10/1973

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
DAN ETHAN KESTLES of 21 LISHEEN ROAD COCKATOO VIC 3781
AU156479Y 19/03/2021

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AU156480Q 19/03/2021
COMMONWEALTH BANK OF AUSTRALIA

COVENANT 1882101

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 TP227779A 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: 21 LISHEEN ROAD COCKATOO VIC 3781

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA
Effective from 19/03/2021

DOCUMENT END



Imaged Document Cover Sheet

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

Document Type	Plan
Document Identification	TP227779A
Number of Pages (excluding this cover sheet)	1
Document Assembled	22/05/2024 13:54

Copyright and disclaimer notice:

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. None of the State of Victoria, LANDATA®, Secure Electronic Registries Victoria Pty Ltd (ABN 86 627 986 396) as trustee for the Secure Electronic Registries Victoria Trust (ABN 83 206 746 897) accept responsibility for any subsequent release, publication or reproduction of the information.

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

TITLE PLAN		EDITION 1	TP 227779A
------------	--	-----------	------------

Location of Land

Parish: GEMBROOK
 Township:
 Section:
 Crown Allotment: 77 (PT)
 Crown Portion:

Last Plan Reference: LOT 77 ON LP 11341
 Derived From: VOL 9004 FOL 898
 Depth Limitation: NIL

Notations

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land / Easement Information

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT

COMPILED: 10/10/2003
 VERIFIED: LW

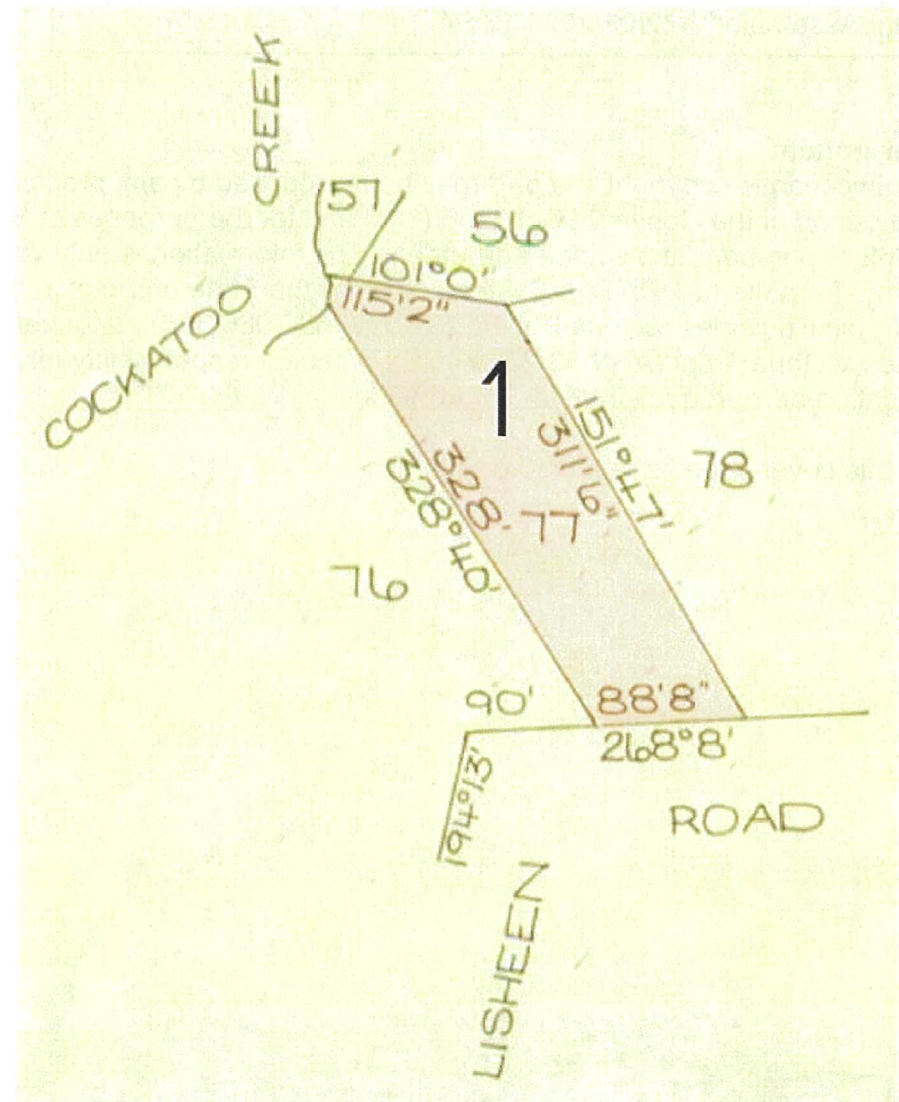


TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
PARCEL 1 = LOT 77 ON LP 11341



Imaged Document Cover Sheet

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

Document Type	Instrument
Document Identification	1882101
Number of Pages (excluding this cover sheet)	4
Document Assembled	22/05/2024 13:54

Copyright and disclaimer notice:

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. None of the State of Victoria, LANDATA®, Secure Electronic Registries Victoria Pty Ltd (ABN 86 627 986 396) as trustee for the Secure Electronic Registries Victoria Trust (ABN 83 206 746 897) accept responsibility for any subsequent release, publication or reproduction of the information.

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

4082366

1882101

Handwritten initials

*The Registrar of Titles
Please register this Transfer and hand
to the Registrar of Titles to issue
Leach & Thomson
John Joseph Jones*

RECEIVED
FEE 5/10
APR 1943
REGISTER OF MORTGAGES

LEACH AND THOMSON

Handwritten signature

1807

FREEHOLD

6 points

VICTORIA

1152
9 APR. 1943

~~4072785~~

TRANSFER OF LAND



STAMP DUTY
-8 APR. 1943
VICTORIA

*5095 Part
955
Under an acre
Encumb The
Cot. herein*

*47m
25643*

*to the Registrar
John Jones*

Handwritten signature

23/7-43

Handwritten notes

Handwritten notes

I JOHN JOSEPH CORRIGAN of Cockatoo Farmer being registered as the proprietor of an estate in fee simple in the land hereinafter described subject to the encumbrances notified hereunder in consideration of the sum of FORTY POUNDS paid to me by JAMES MURDOCH MacLENNAN of 94 Liddiard Street Auburn Retired Nurseryman and in further consideration of the natural love and affection which the said James Murdoch MacLennan has and bears towards GORDON ALEXANDER MacLENNAN of 8 Fawcner Street St. Kilda Oxywelder DO HEREBY by and with the consent and direction of the said James Murdoch MacLennan testified by his signature hereto TRANSFER to the said Gordon Alexander MacLennan All my estate and interest in ALL THAT piece of land being lots 76 and 77 on Plan of Subdivision Number 11341 lodged in the Office of Titles and being part of Crown Allotment 77 Parish of Gembrook County of Evelyn and being part of the land more particularly described in Certificate of Title Volume 5095 Folio 1018955 AND the said Gordon Alexander MacLennan DOETH HEREBY for himself his heirs executors administrators and transferees COVENANT with the said John Joseph Corrigan his heirs executors administrators and transferees the registered proprietor or proprietors for the time being of the land comprised in the said Certificate of Title remaining untransferred that he or they will not at any time hereafter excavate carry away or remove or permit to be excavated carried away or removed any earth clay stone gravel or sand from the said land hereby transferred except for the purpose of excavating for the foundations of any building to be erected thereon or use or permit or allow the said land hereby transferred to be used for the manufacture or winning of bricks tiles or pottery ware AND IT IS HEREBY REQUESTED that the above covenants may appear as an encumbrance on the Certificate of Title to be issued on this or any subsequent transfer or transfers of the

IMAGED

said land hereby transferred.

DATED this 12th day of March 1943.

SIGNED in Victoria by the said JOHN JOSEPH CORRIGAN by his Attorney under Power (file Number 56321) T. M. BURKE PROPRIETARY LIMITED - THE COMMON SEAL of T. M. BURKE PROPRIETARY LIMITED was hereto affixed by the authority of the Board of Directors in the presence of

[Signature]
..... DIRECTOR

[Signature]..... ACTING... SECRETARY

SIGNED by the said JAMES MURDOCH MacLENNAN in Victoria in the presence of

J. M. MacLennan

A. Theach
Solicitors Melbourne

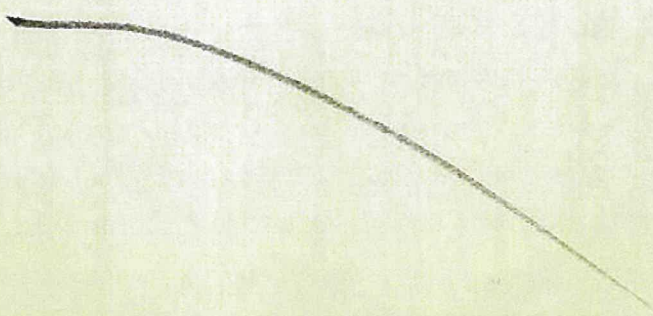
SIGNED by the said GORDON ALEXANDER MacLENNAN in Victoria in the presence of

G. A. MacLennan

A. Theach

ENCUMBRANCES REFERRED TO.

Nil.



MEMORIAL OF INSTRUMENT.

NATURE OF INSTRUMENT	TIME OF ITS PRODUCTION FOR REGISTRATION	TO WHOM GIVEN	NUMBER OR SYMBOL THEREON
TRANSFER AS TO PART	THE 9 th DAY OF April 1943	TO Gordon Alexander MacLennan	1882/101

I CERTIFY THAT A MEMORIAL OF THE WITHIN INSTRUMENT WAS ENTERED AT THE TIME LAST ABOVE MENTIONED IN THE REGISTER BOOK VOL. 5095 FOL. 1018955

ASSISTANT REGISTRAR OF TITLES.

LEACH AND THOMSON,
Solicitors,
472 Bourke Street,
MELBOURNE.

TRANSFER OF LAND

MR. J. J. CORRIGAN
by direction of
MR. J. M. MacLENNAN
to
MR. G. A. MacLENNAN

DATED 1943.

I the within named JAMES MURDOCH MacLENNAN hereby declare:-

1. That the transaction to which the within written Instrument relates is not in contravention of any provision of the National Security (Land Transfer) Regulations.
2. That the said Instrument has not been executed in contravention of the said Regulations.

MADE AND SIGNED by the said JAMES MURDOCH MacLENNAN in the presence of

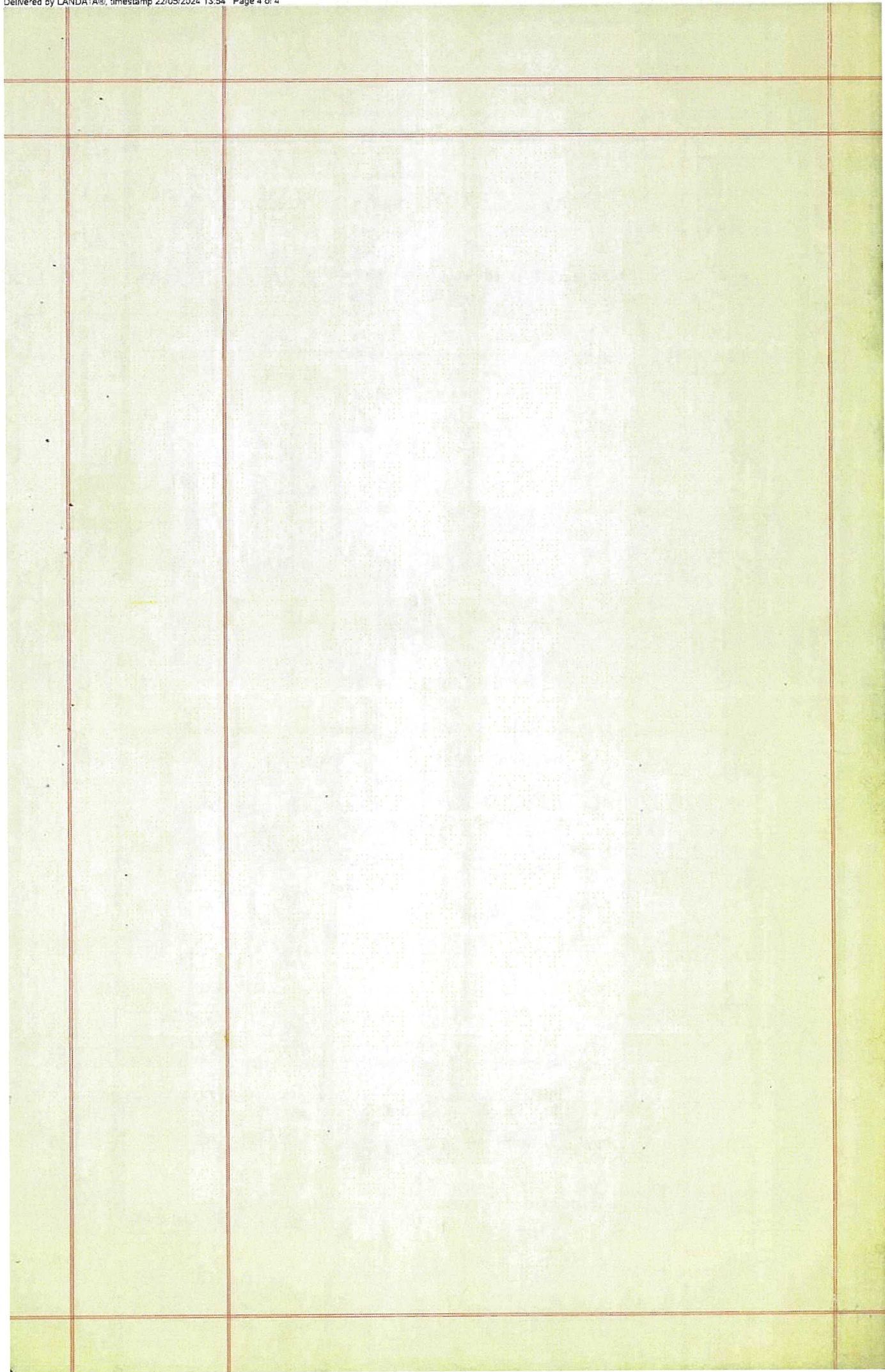
J. M. MacLennan
at Leach Solicitors Melbourne

I the within named GORDON ALEXANDER MacLENNAN hereby declare:-

1. That the transaction to which the within written Instrument relates is not in contravention of any provision of the National Security (Land Transfer) Regulations.
2. That the said Instrument has not been executed in contravention of the said Regulations.

MADE AND SIGNED by the said GORDON ALEXANDER MacLENNAN in the presence of

G. A. MacLennan
at Leach



PLANNING CERTIFICATE

Official certificate issued under Section 199 Planning & Environment Act 1987
and the Planning and Environment Regulations 2005

CERTIFICATE REFERENCE NUMBER

1033572

APPLICANT'S NAME & ADDRESS

FALCONE & ADAMS C/- INFOTRACK (LEAP) C/- LANDATA
DOCKLANDS

VENDOR

KESTLES, DAN ETHAN

PURCHASER

NOT KNOWN, NOT KNOWN

REFERENCE

4457

This certificate is issued for:

LOT 1 PLAN TP227779 ALSO KNOWN AS 21 LISHEEN ROAD COCKATOO
CARDINIA SHIRE

The land is covered by the:

CARDINIA PLANNING SCHEME

The Minister for Planning is the responsible authority issuing the Certificate.

The land:

- is included in a LOW DENSITY RESIDENTIAL ZONE - SCHEDULE 2
- is within a
 - and a BUSHFIRE MANAGEMENT OVERLAY
 - and a RESTRUCTURE OVERLAY - SCHEDULE 45
 - and a VEGETATION PROTECTION OVERLAY - SCHEDULE 1
 - and a DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 1
- and is AREA OUTSIDE THE URBAN GROWTH BOUNDARY

A detailed definition of the applicable Planning Scheme is available at :
(<http://planningschemes.dpcd.vic.gov.au/schemes/cardinia>)

Historic buildings and land protected under the Heritage Act 1995 are recorded in the Victorian Heritage Register at:
<http://vhd.heritage.vic.gov.au/>

22 May 2024

Sonya Kilkenny
Minister for Planning

Additional site-specific controls may apply.
The Planning Scheme Ordinance should be checked carefully.
The above information includes all amendments to planning scheme maps placed on public exhibition up to the date of issue of this certificate and which are still the subject of active consideration

Copies of Planning Schemes and Amendments can be inspected at the relevant municipal offices.

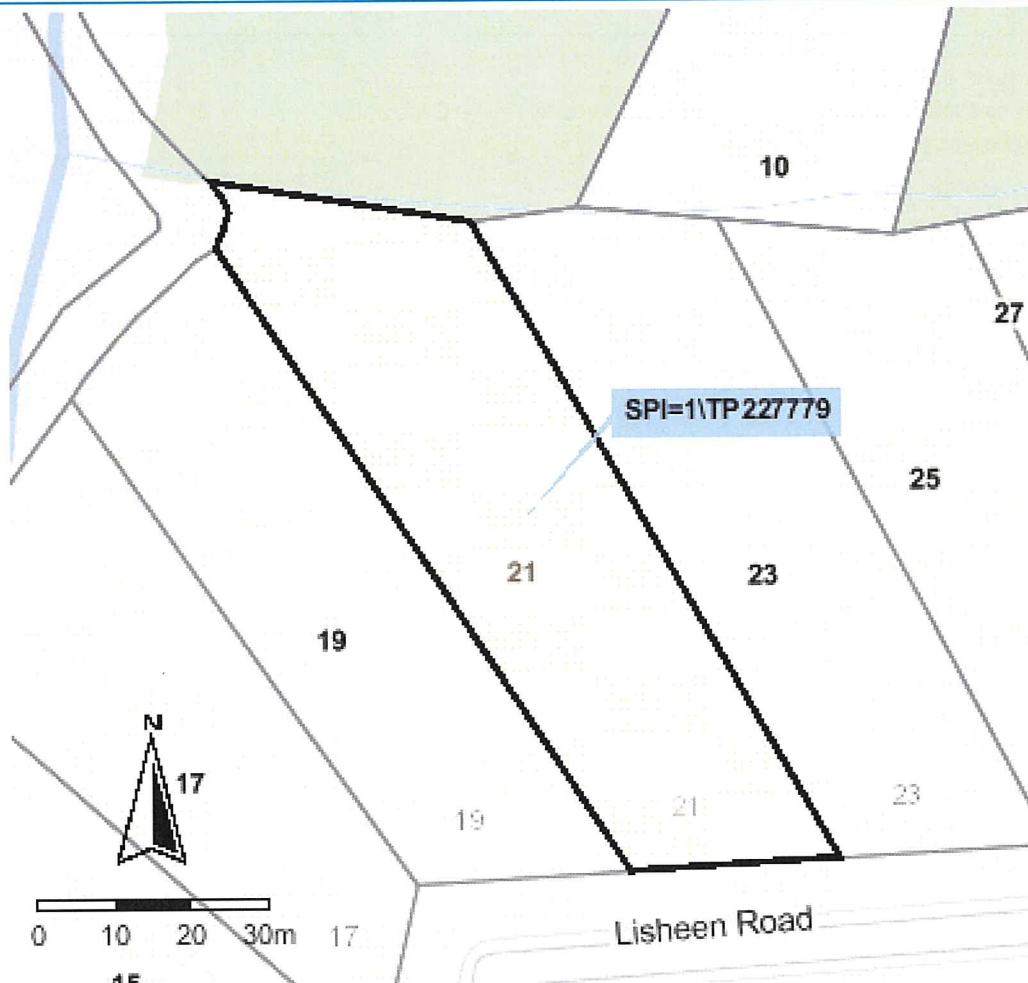
LANDATA®
T: (03) 9102 0402
E: landata.enquiries@servictoria.com.au

The attached certificate is issued by the Minister for Planning of the State of Victoria and is protected by statute.

The document has been issued based on the property information you provided. You should check the map below - it highlights the property identified from your information.

If this property is different to the one expected, you can phone (03) 9102 0402 or email landata.enquiries@servictoria.com.au

Please note: The map is for reference purposes only and does not form part of the certificate.



Copyright © State Government of Victoria. Service provided by maps.land.vic.gov.au

Choose the authoritative Planning Certificate

Why rely on anything less?

As part of your section 32 statement, the authoritative Planning Certificate provides you and / or your customer with the statutory protection of the State of Victoria.
Order online before 4pm to receive your authoritative Planning Certificate the same day, in most cases within the hour.
Next business day delivery, if further information is required from you.

Privacy Statement

The information obtained from the applicant and used to produce this certificate was collected solely for the purpose of producing this certificate. The personal information on the certificate has been provided by the applicant and has not been verified by LANDATA®. The property information on the certificate has been verified by LANDATA®. The zoning information on the certificate is protected by statute. The information on the certificate will be retained by LANDATA® for auditing purposes and will not be released to any third party except as required by law.

Joseph Borg
Building inspector
RBP-U-24736

Building Inspector
Building Consultant
Accredited Mediator
Pest Management Technician

8 Pink Hill Blvd.
Beaconsfield 3807

Mb: **0410 545454**

Email: joe@houseinspection.services
A.B.N. 84 540 010 360



Australian Institute of Building Surveyors



REPORT ON DOMESTIC BUILDING WORK UNDER SECTION 137B OF THE BUILDING ACT 1993
(OWNER-BUILDER CONSTRUCTION)

Site address: 21 Lisheen Road Cockatoo
Commissioned By: Dan Kestles

Building inspection

Identification	Class 1 building	Outbuildings	Class 10 / 10b
----------------	------------------	--------------	----------------

This report is a visual inspection of reasonable accessible parts of the property and this report does not cover Defects that are not reasonably visible or defects that have not yet arisen or enquiries to council or other authorities. This report is not a guarantee but an opinion of condition of the inspected property.

Please note that this is NOT a Pre-Purchase inspection and should not be considered as one. It is simply a statement of existing conditions required to enable appropriate insurance to be obtained and attached to the contract of sale as specified in Part 137B Building Act 1993.

Defects identified in the Insurance Report are those caused by bad workmanship or movement of foundations. The report does not necessarily refer to routine maintenance items (e.g. hair-line plaster cracks or jamming doors and windows) that are caused by normal shrinkage providing the workmanship was not defective.

Serious defects are defects that seriously affect the structural integrity of the property or require the substantial replacement of plumbing or electrical services. In the case of cracking, serious defects denote severe cracking as defined by Category 4 Appendix A - Australian Standard AS 2870.1 - 1988.

A person who constructs a building must not enter into a contract to sell the building under which the purchaser will become entitled to possess the building (or to receive the rent and profits from the building) within the prescribed period unless-

- (a) In the case of a person other than a registered building practitioner-
 - (i) The person has obtained a report on the building from a prescribed building practitioner that contains the matters that are required by the Minister by notice published in the Government Gazette; and
 - (ii) The person obtained the report not more than 6 months before the person enters into the contract to sell the building; and
 - (iii) The person has given a copy of the report to the intending purchaser;
- and
- (b) The person is covered by the required insurance (if any); and
- (c) The person has given the purchaser a certificate evidencing the existence of that insurance; and
- (d) In the case of a contract for the sale of a home, the contract sets out the warranties implied into the contract by section 137C.

Unless otherwise stated;

No soil report or other material has been excavated or removed;

No plants or trees have been removed;

No samples have been taken or tested;

No fixtures, fittings, claddings or lining materials have been removed;

Building services have not been tested and registered/authorized persons should be contacted for approval of these services;

No enquiries of drainage, sewerage or water authorities have been made;

No plans or specifications or other contract documents have been sighted for the purpose of inspecting the works and providing a written report;

No special investigation of insect attack (eg: borer, termite, etc) has been made and any reference to this has been made on a casual inspection.

This report is a visual inspection of reasonable accessible parts of the property and this report does not cover Defects that are not reasonably visible or defects that have not yet arisen or enquiries to council or other authorities. This report is not a guarantee but an opinion of condition of the inspected property.

REPORT ON DOMESTIC BUILDING WORK UNDER SECTION 137B OF THE BUILDING ACT 1993 (OWNER-BUILDER CONSTRUCTION)			
Site Address:		21 Lisheen Road Cockatoo	
Date of report:	23/5/24	Date of inspection:	23/5/24
Weather conditions at time of inspection		Other <input type="checkbox"/> (please specify)Fine	

Name of prescribed building practitioner:		Joseph Borg IN-U-24736	
Address:	8 Pink Hill Blvd Beaconsfield 3807	Post Code:	3806
Signature:	<i>Joseph P Borg</i>		

Description of the building:	
This report relates to the following: ➤ Veranda and timber deck	
Services connected to the property and their condition:	
Mains Water [x] Gas [x] Electricity [x] Sewer connection [x] SW discharge point [x]	
Materials used in the construction:	
A timber deck and veranda construction <ul style="list-style-type: none"> ➤ Stumps Concrete 100 x 100 mm. ➤ Bearers 2/90 x45 mm ➤ Joists 90 x 45 mm ➤ Posts 100 x 100 mm ➤ Pitching beam 2/190 x 45 mm ➤ Rafters 190 x 45 mm ➤ Roof battens 70 x 45 mm ➤ Proprietary brackets have been installed. ➤ Skillion roof Corrugated iron and polycarbonate roof sheets 	
Second Hand Materials used in the construction:	
➤ Nil	
Site details	
➤ Construction of a deck and veranda	

This report is a visual inspection of reasonable accessible parts of the property and this report does not cover Defects that are not reasonably visible or defects that have not yet arisen or enquiries to council or other authorities. This report is not a guarantee but an opinion of condition of the inspected property.

List of defects in the building/s: *
<ul style="list-style-type: none"> ➤ A permit has not been issued for the veranda and timber deck construction. ➤ The veranda and timber deck construction has not been tested in a permit application and may have items present that contravene the building regulations ➤ This report is not intended to list all items that contravene the building regulations.
Areas of the building/s inaccessible at the time of inspection:
<ul style="list-style-type: none"> ➤ Foundations could not be verified. ➤ Footings could not be verified. ➤ Gauge of steel or stress grade of timbers could not be verified. ➤ Stormwater drainage system and discharge point cannot be confirmed. ➤ Waterproofing to wet areas could not be confirmed.
Condition and status of incomplete works:
<ul style="list-style-type: none"> ➤ Nil

* A report listing defects in the building/s to include but are not restricted to, conditions of the following building elements:

Site drainage	Footings	Subfloor
Frame	External walls	Internal walls and ceilings
Floor and wall tiling	External roof	Internal roof conditions
Built-in fittings/joinery	Doors/windows	Fireplaces/solid fuel heaters
Plumbing and drainage	Fixed appliances	Flyscreens
Driveways, paving, retaining walls, fencing, garages, carports, workshops, swimming pools or spas where constructed as part of the major domestic building contract.		

NB: A copy of any building permits issued, any occupancy permits or certificates of final inspection issued (as applicable), must be attached to this report or the section 32.

Documents attached to this report must remain with this report:
<ul style="list-style-type: none"> ➤ A permit has not been sighted for the veranda construction. ➤ Alterations to a Building. Alterations to a building are exempt from the requirement to obtain a building permit by item 4 of schedule 3 if the building work will not Adversely affect and will not increase or decrease the floor area. or will not adversely affect the safety of the public or occupiers of the building.

Joseph P Borg

Dip. BS.
RBP IN-U- 24736
Accredited Mediator.
Pest Management Technician

This report is a visual inspection of reasonable accessible parts of the property and this report does not cover Defects that are not reasonably visible or defects that have not yet arisen or enquiries to council or other authorities. This report is not a guarantee but an opinion of condition of the inspected property.

Valuation, rates and charges notice

For period 1 July 2023 to 30 June 2024



ABN 32 210 906 807

Kestles, D E
21 Lisheen Rd
COCKATOO VIC 3781

Date of issue 21/08/2023

Property number 2495001000

028

Instalment 1 Due 30 September 2023	\$3,566.82
---	-------------------

Instalment 2 Due 30 November 2023	\$506.00
--	-----------------

Instalment 3 Due 28 February 2024	\$506.00
--	-----------------

Instalment 4 Due 31 May 2024	\$504.78
--	-----------------

Any arrears shown on this notice are overdue and payable immediately and may continue to accrue interest at 10% p.a. until paid in full

Rates and valuation information for your property

Description and location of property

21 Lisheen Rd
Cockatoo 3781
L1 TP227779

Capital Improved Value (CIV) as at 1 January 2023 **\$665,000**

Site Value (SV) **\$505,000**

Net Annual Value (NAV) **\$33,250**

Land Use Classification Residential

Australian Valuation Property Classification Code (AVPCC)

110 : Single Residential Accommodation - Detached Dwelling

Owner Name(s) Kestles, D E

We are required by legislation to display the property owner name(s).

Rates and Charges

Arrears		\$3,060.82
Base Rate	665000 x \$0.0020833	\$1,385.39
120lt Garbage & Recycling Charge	1 x \$348.60	\$348.60
240lt Green Waste Charge	1 x \$133.20	\$133.20
State Fire Services Property Levy	665000 x \$0.000046 + \$125.00	\$155.59
Total		\$5,083.60



Scan here to pay



Payment options

BPAY	Bill code: 858944 Ref: 24950010009
-------------	--

BPAY @ this payment via internet or phone banking
BPAY View @ - view and pay this bill via internet banking
BPAY View registration number:24950010009

FlexiPay	Set up regular direct debit payments at cardinia.vic.gov.au/flexipay
-----------------	--

Post Billpay	Billpay Code: 0860 Ref: 2495 0010 0000 009
---------------------	--

Call 131 816 to pay over the phone
Go to postbillpay.com.au or visit an Australia Post store

POST billpay



Instalment *860 249500100000009

centrelink Set up regular Centrepay deductions from your Centrelink payments at www.servicesaustralia.gov.au/centrepay CRN: 555 012 959V



Pay in person at our Customer Service Centre
20 Siding Avenue, Officer. (Open Monday to Friday, 8.30am-5pm).



Call 131 816 to pay by credit card over the phone



To have your notice emailed
Register at cardinia.enotices.com.au
Reference No: **6CFE1983EY**



To verify your property in MyCardinia use verification code: LJN5
www.cardinia.vic.gov.au/mycardinia

Financial hardship and assistance

If you are experiencing financial hardship which is affecting your ability to pay your rates, please visit www.cardinia.vic.gov.au/rateshelp or call us to discuss your options. To access free financial counselling and advice visit the National Debt Helpline's website www.ndh.org.au or call them on 1800 007 007.

You may apply for a waiver, deferral or payment plan for your rates and charges in accordance with sections 170, 171, 171A or 171B of the Local Government Act 1989. A copy of the legislation is available on our website at www.cardinia.vic.gov.au/rates.

Council may enter into a payment plan with you, upon certain terms and conditions determined by Council and in accordance with the applicable legislation, to make smaller, more regular payments towards your rates and charges. Please visit www.cardinia.vic.gov.au/rates or call us for more information.

Payment of rates and charges

Rates and charges are payable in 4 instalments as per the due dates on the front of this notice, or by weekly, fortnightly, monthly or quarterly direct debit payments. To set up a direct debit payment plan please visit www.cardinia.vic.gov.au/flexipay.

Interest may be charged on overdue rates and charges in accordance with sections 172 and 172A of the Local Government Act 1989. Subject to sections 180 and 180A of the Local Government Act 1989 legal action may also be taken for recovery of unpaid rates and charges and may incur additional costs.

Please note, Council does not offer payment in full by February 15.

You may pay the total due in a single payment if you wish, but you must pay at least the instalment amount by the instalment due dates to avoid interest accruing on overdue instalments.

All payments received will be allocated in the following order:

- 1) Legal costs (if any)
- 2) Interest (if any)
- 3) Arrears (if any)
- 4) Current rates and charges

Concessions and rebates

If you have a Centrelink or Department of Veterans' Affairs Pensioner Concession Card or specific Department of Veterans' Affairs gold card you may be eligible for the Municipal rates concession. The property must be your principal place of residence and match the address on your eligible card.

To apply for the concession go to www.cardinia.vic.gov.au/rates for a link to the 'Municipal rates concession' web page on the Department of Families, Fairness and Housing website (DFFH) or call us to obtain a hard copy form. Please complete the application form and return the completed form to Council by post or email.

If you receive Jobseeker payments you may be eligible for the Jobseeker rebate provided by Council. To apply for this rebate please go to www.cardinia.vic.gov.au/rates or call us to obtain a hard copy form and return the completed form to Council by post or email.

Change of mailing address and property ownership

If your mailing address has changed please go to www.cardinia.vic.gov.au/rates to update your details.

Property owners are legally required to advise Council of a change in ownership by way of a Notice of Acquisition or copy of title.

Differential rates

Council applies differential rates depending on property location and property type. Information on our differential rates is contained in our Revenue and Rating Plan and is available at www.cardinia.vic.gov.au.

We are required by legislation to provide the below rate comparison information to show what rates would be for your property for each differential rate. The actual rate levied for your property is shown on the front of this notice, based on location and predominant land use.

Differential rate	Rate in \$	Amount
Base rate	0.0020833	\$1,385.39
Farm land	0.0015625	\$1,039.06
Urban farm land	0.0017704	\$1,177.32
Urban commercial and industrial land	0.0030210	\$2,008.97
Urban residential	0.0022287	\$1,482.09
Urban vacant land	0.0047712	\$3,172.85

For more information about rates and your legal rights and responsibilities visit www.cardinia.vic.gov.au/rates, or contact us on 1300 787 624 or mail@cardinia.vic.gov.au

Privacy statement

Personal information collected by Council is used for municipal purposes as specified in the *Local Government Act 1989*. Personal information will be held securely and used solely by Council for these purposes and/or directly related purposes. Council may disclose this information to other organisations if required or permitted by legislation.

The Victorian Government's rate cap

Council has complied with the Victorian Government's rates cap of 3.50%. The cap applies to the average annual increase of total general rates. The rates and charges for your property may have increased or decreased by a different percentage amount for the following reasons:

- (i) the valuation of your property relative to the valuation of other properties in the municipality;
- (ii) the application of any differential rate by Council;
- (iii) the inclusion of other rates and charges not covered by the Victorian Government's rate cap e.g. waste charges and the State Fire Services Property Levy.

Property valuations

Property valuations are undertaken annually by the Valuer General Victoria and is an assessment of the market value of a property as at 1 January each year.

Supplementary valuations are also made during the year where there has been a material change to the property such as a new building or land subdivision.

There are 3 separate valuations returned and Council may use any of these as its system of valuation for levying rates:

Site Value (SV) – the land value only.

Capital Improved Value (CIV) – the market value of the property, being the Site Value plus the value of any buildings and other improvements on the land.

Net Annual Value (NAV) – for residential and rural/farm properties 5% of the CIV, for commercial and industrial properties the higher of the estimated annual market rent or 5% of the CIV.

Cardinia Shire uses the CIV system of valuation to levy general rates.

Fire Services Property Levy

This is a Victorian Government levy, collected by Councils, to fund the State's fire services. The amount payable varies depending on the property's Land Use Classification and Capital Improved Value. You have the right to apply for a waiver, deferral, or discount on the levy amount under section 27 of the Fire Services Property Levy Act 2012 for rateable land, and under section 28 for non-rateable residential land. Visit www.sro.vic.gov.au/fire-services-property-levy for more information.

Australian Valuation Property Classification Code (AVPCC)

This code is assigned to your property according to the predominant use of the land and is used to determine your property's Land Use Classification, in accordance with the Fire Services Property Levy Act 2012.

Land Use Classification

This classification is used to calculate the Fire Services Property Levy amount payable for your property. It does not refer to the zoning of the property or how Council rates are calculated.

Appeal, review and objection to rates and charges, differential rates, valuations and AVPCC

You can object to the valuation of your property and/or the AVPCC assigned within 60 days of the notice issue date. Section 17 of the Valuation of Land Act 1960 specifies the grounds for objection. An objection can be made in writing on the prescribed form or online at ratingvaluationobjections.vic.gov.au.

Under section 183 of the Local Government Act 1989 you can apply to the Victorian Civil and Administrative Tribunal (VCAT) for a review of any differential rate applied to your property within 60 days of the notice issue date.

You can appeal to the County Court for a review of any rate or charge applied to your property within 60 days of the notice issue date. Section 184 of the Local Government Act 1989 specifies the grounds for appeal.

Your quarterly bill



MR D KESTLES
21 LISHEEN RD
COCKATOO VIC 3781

Enquiries 1300 304 688
Faults (24/7) 13 27 62

Account number 56 5926 3585
Invoice number 5656 8599 82143
Issue date 20 Mar 2024
21 LISHEEN RD
Property address COCKATOO
Property reference 1434057, LOT 1
Tax Invoice Yarra Valley Water ABN 93 066 902 501

Summary

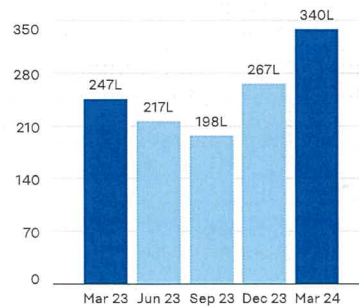
Previous bill	\$93.80
Payment received thank you	-\$93.80
Balance carried forward	\$0.00
This bill	
Usage charges	\$82.35
Service charges	
Water supply system	\$20.04
Other authority charges	
Waterways	\$16.13
Total this bill (GST does not apply)	\$118.52
Total balance	\$118.52



- Usage charges
- Service charges
- Other authority charges

Your household's daily water use

Target 150L of water use per person, per day.



Average use in litres per day

Your daily spend

This bill compared to the same time last year.
Excludes other authority charges.

This bill \$1.06
Last year \$0.81



How to pay



Direct Debit
Sign up for Direct Debit at yvwm.com.au/directdebit or call 1300 304 688.



Centrelink
Arrange regular deductions from your Centrelink payments. Visit yvwm.com.au/paying CRN reference: 555 054 118T



EFT
Transfer direct from your bank account to ours by Electronic Funds Transfer (EFT).
Account name: Yarra Valley Water
BSB: 033-885
Account number: 565965965



Credit card
Online: yvwm.com.au/paying
Phone: 1300 362 332



Post Billpay®
Pay in person at any post office, by phone on 13 18 16 or at postbillpay.com.au
Biller code: 3042
Ref: 5656 8599 82143



BPAY®
Biller code: 344366
Ref: 565 9263 5853



*3042 565685998214 3

MR D KESTLES

Account number 56 5926 3585
Invoice number 5656 8599 82143
Total due \$118.52
Due date 10 Apr 2024
Amount paid \$

Your usage detail

1kL = 1,000 litres

Meter number	Current reading	Previous reading	Usage
MAF284387	3,500kL -	3,467kL =	33kL
From 13 Dec 2023 - 19 Mar 2024			(97 days)
Water usage charge	Usage	Price \$/kL	Amount
STEP 1 (0-440 litres per day)	33.000kL x	\$2.4956 =	\$82.35
Total	33.000kL		\$82.35
Total usage charges			\$82.35

Your charges explained

→ Water usage charge

13 December 2023 - 19 March 2024

The cost for water used at your property, including treatment and delivery. The cost of water increases with the amount used (STEP tariffs).

→ Water supply system charge

1 January 2024 - 31 March 2024

A fixed cost for maintaining and repairing pipes and other infrastructure that store, treat and deliver water to your property.

→ Other authority charges

Waterways charge

1 January 2024 - 31 March 2024

Collected on behalf of Melbourne Water each quarter and used to manage and improve waterways, drainage, and flood protection. Rural customers are charged less to reflect reduced services compared to urban customers. For more information visit melbournewater.com.au/wwdc

Financial assistance

Are you facing financial difficulty? For more time to pay, payment plans and government assistance, we can find a solution that works for you. Please call us on **1800 994 789** or visit yvw.com.au/financialhelp.

Registering your concession can also reduce the amount you need to pay. Please call us on **1800 680 824** or visit yvw.com.au/concession.

Contact us

📞 Enquiries	1300 304 688	🗣️ For language assistance	
🔧 Faults and Emergencies	13 27 62 (24hr)	العربية	1300 914 361
✉️ enquiry@yvw.com.au		廣東話	1300 921 362
🌐 yvw.com.au		Ελληνικά	1300 931 364
📞 TTY Voice Calls	133 677	普通话	1300 927 363
🗣️ Speak and Listen	1300 555 727	For all other languages call our translation service on 03 9046 4173	

📅 Next meter reading:

Between 7-14 Jun 2024

Register your concession*

Save up to 50% on your water and sewer charges.

📞 yvw.com.au/concessions
📞 **1300 441 248**

*Health Care, Pension or DVA health card holders



We can help you manage your bills

From flexible payment arrangements to bill extensions and concession discounts, we have a range of options to help you manage your bills.

📞 **1300 441 248**
📞 yvw.com.au/watercare



GST Withholding Notice to Purchaser

On or after 1 July 2018, certain purchasers of a new residential premises or potential residential land will be required to withhold an amount from the contract price for payment to the Australian Taxation Office.

Vendor: Dan Ethan Kestles
Property: 21 Lisheen Road, Cockatoo, VIC 3781

Tick which is applicable to this transaction:

The abovementioned property is a new residential premises or potential residential land. The amount of GST that the Purchaser will be required to pay as a withholding to the Australia Taxation Office is \$
 The payment will be required to be paid from the balance of the contract price on the day of settlement.

Vendor's details:

ABN:
 Business address:
 Email address:
 Phone number:

- OR -

The abovementioned property is a new residential premises or potential residential land. No amount of GST is to be withheld as I/we are not registered for GST and/or are not required to be registered for GST for the sale of the above property.

- OR -

The abovementioned property is either an existing residential premises or commercial residential premises and therefore the Purchaser is not required to withhold GST.

Dated this 22nd day of May, 2024

Falcone & Adams

 Falcone & Adams, Lawyers on behalf of the Vendor

Office Locations

Emerald

Level 1, 329-331 Belgrave-Gembrook Road
 Emerald VIC 3782
 Tel: (03) 5968 3666
 Fax: (03) 5968 3060
 P.O. Box 214, Emerald VIC 3782

Belgrave

Suite 1, 1693a Burwood Highway
 Belgrave VIC 3160
 Tel: (03) 9754 7100
 Fax: (03) 9752 5033
 P.O. Box 2192, Belgrave LPO VIC 3160

Pakenham

Level 1, 25 John Street
 Pakenham VIC 3810
 Tel: (03) 5941 8841
 Fax: (03) 5968 3060
 P.O. Box 214, Emerald VIC 3782

From www.planning.vic.gov.au at 21 May 2024 12:56 PM

PROPERTY DETAILS

Address: **21 LISHEEN ROAD COCKATOO 3781**
 Lot and Plan Number: **Lot 1 TP227779**
 Standard Parcel Identifier (SPI): **1\TP227779**
 Local Government Area (Council): **CARDINIA**
 Council Property Number: **2495001000**
 Planning Scheme: **Cardinia**
 Directory Reference: **Melway 311 K10**

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

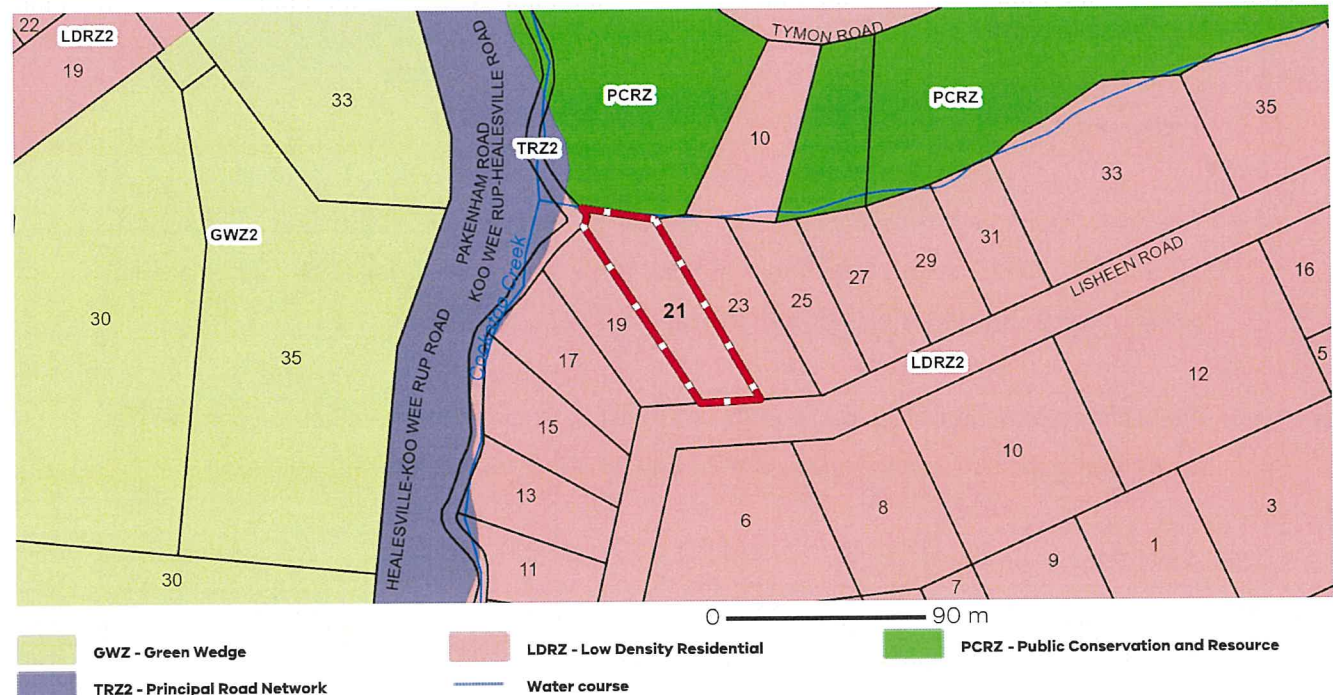
Registered Aboriginal Party: **Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation**

[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.

Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided.

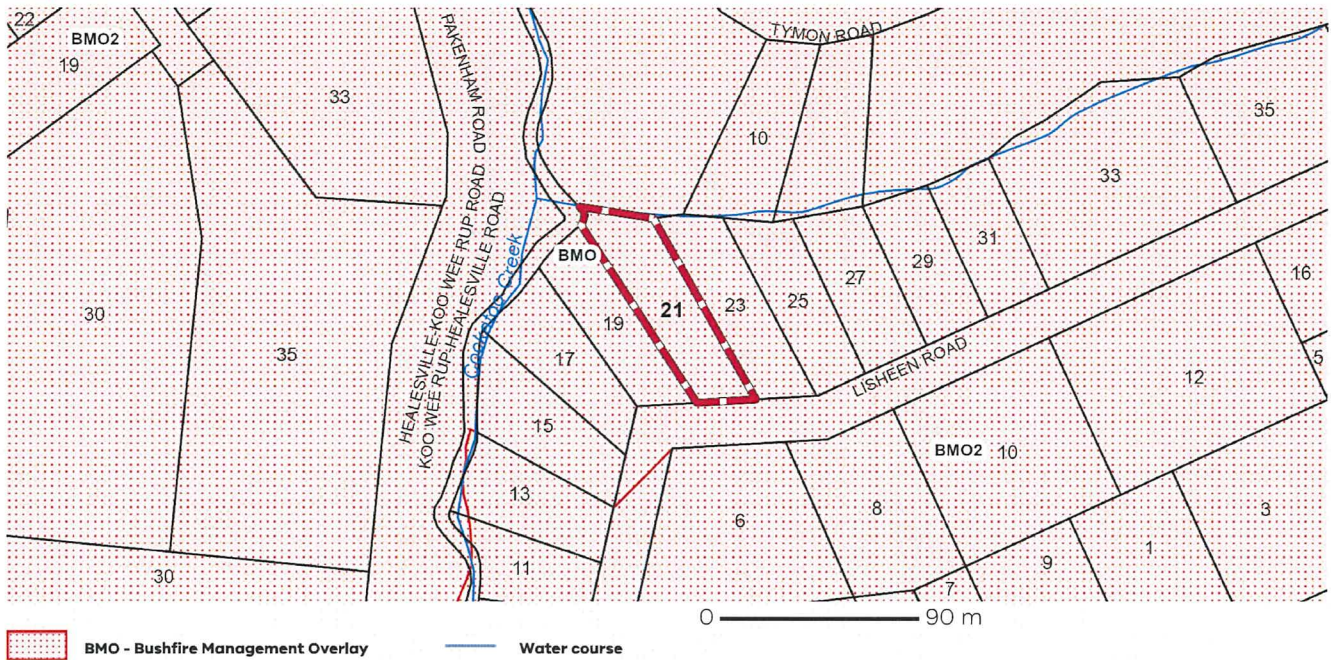
Read the full disclaimer at <https://www.delwp.vic.gov.au/disclaimer>

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).

PLANNING PROPERTY REPORT: 21 LISHEEN ROAD COCKATOO 3781

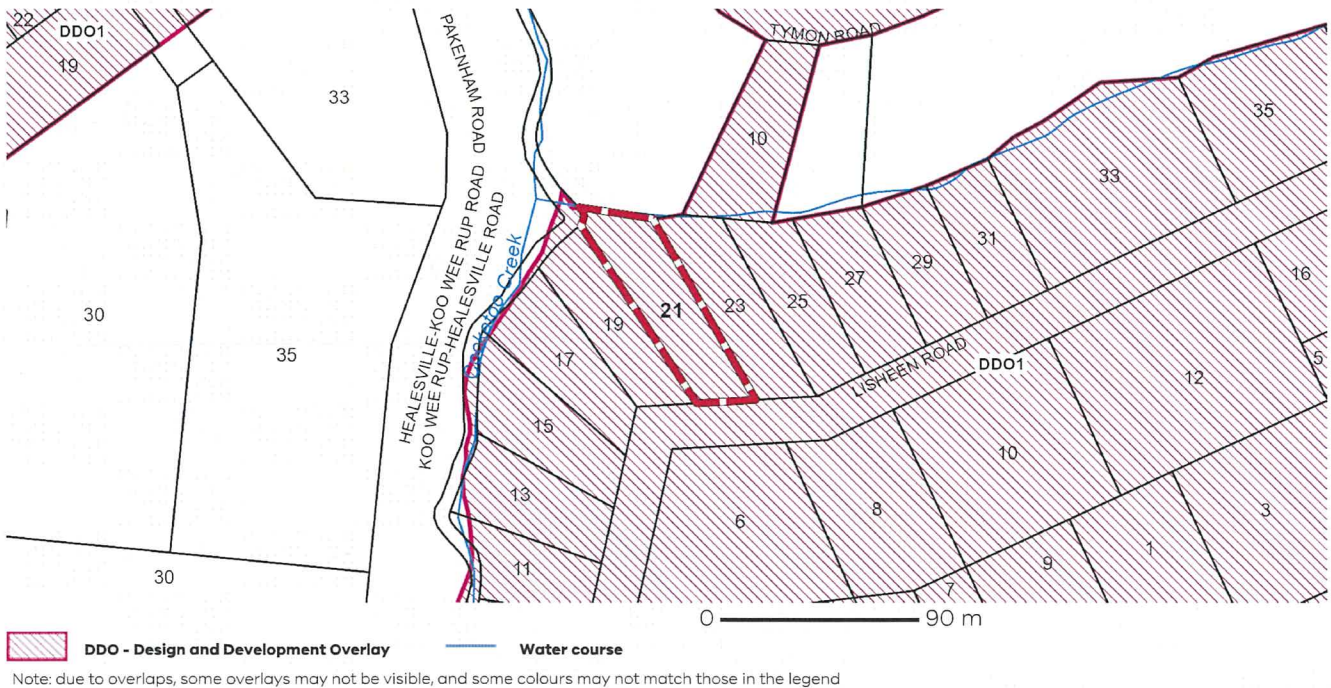
Planning Overlays

BUSHFIRE MANAGEMENT OVERLAY (BMO)



DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 1 (DDO1)



Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided.

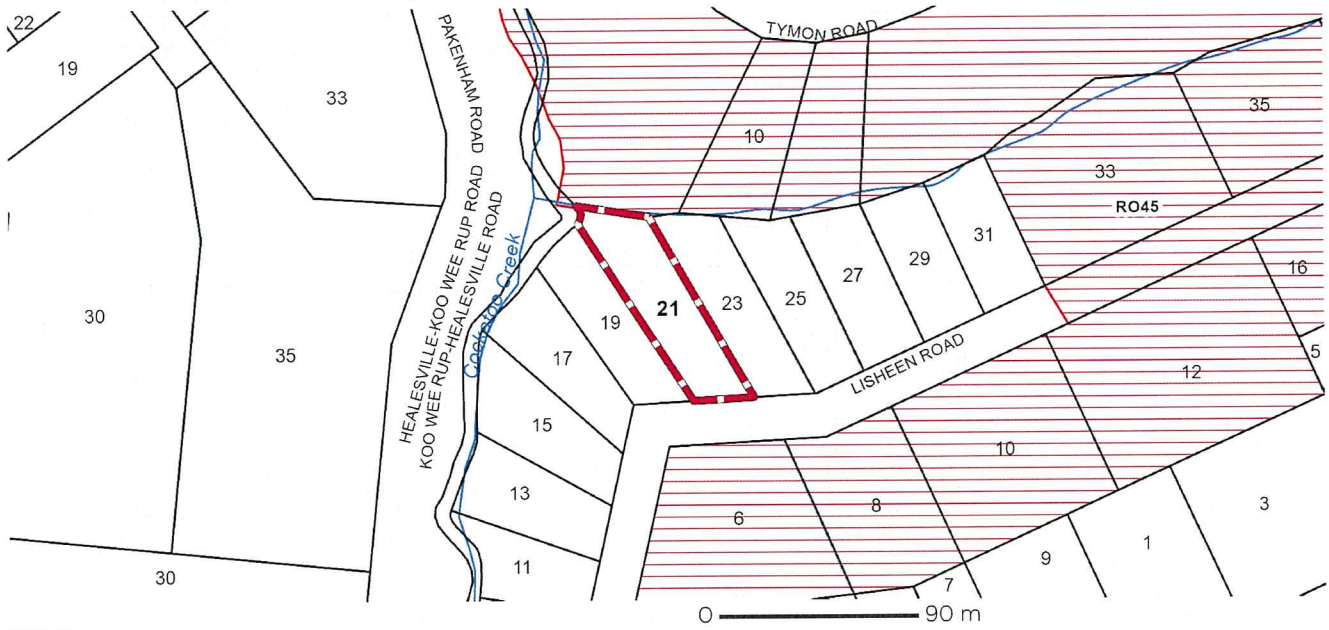
Read the full disclaimer at <https://www.delwp.vic.gov.au/disclaimer>

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).

Planning Overlays

RESTRUCTURE OVERLAY (RO)

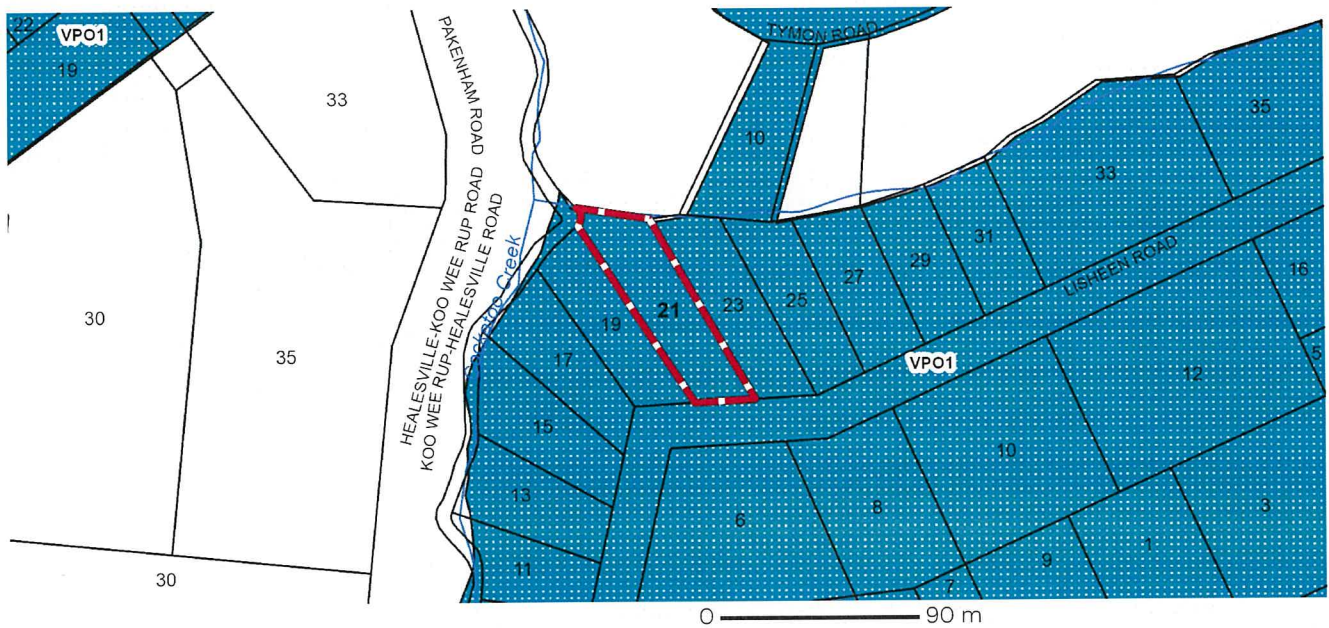
RESTRUCTURE OVERLAY - SCHEDULE 45 (RO45)



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

VEGETATION PROTECTION OVERLAY (VPO)

VEGETATION PROTECTION OVERLAY - SCHEDULE 1 (VPO1)



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

Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided.
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).

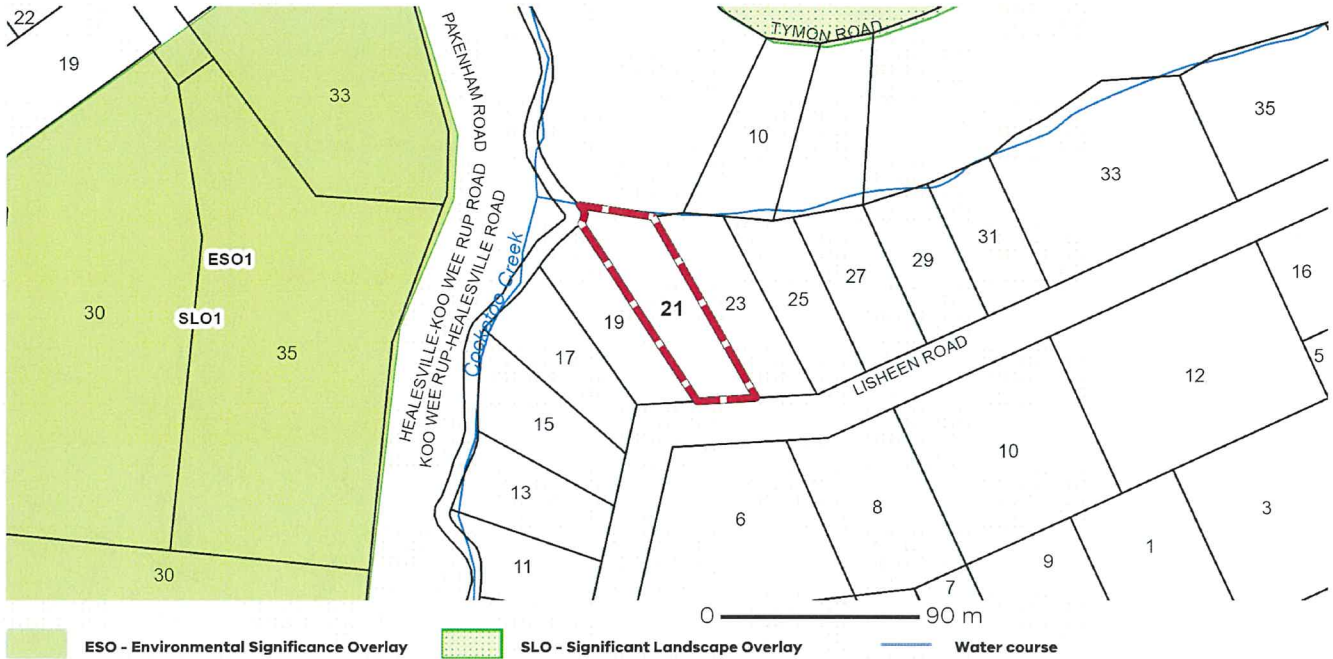
Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

SIGNIFICANT LANDSCAPE OVERLAY (SLO)



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

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.

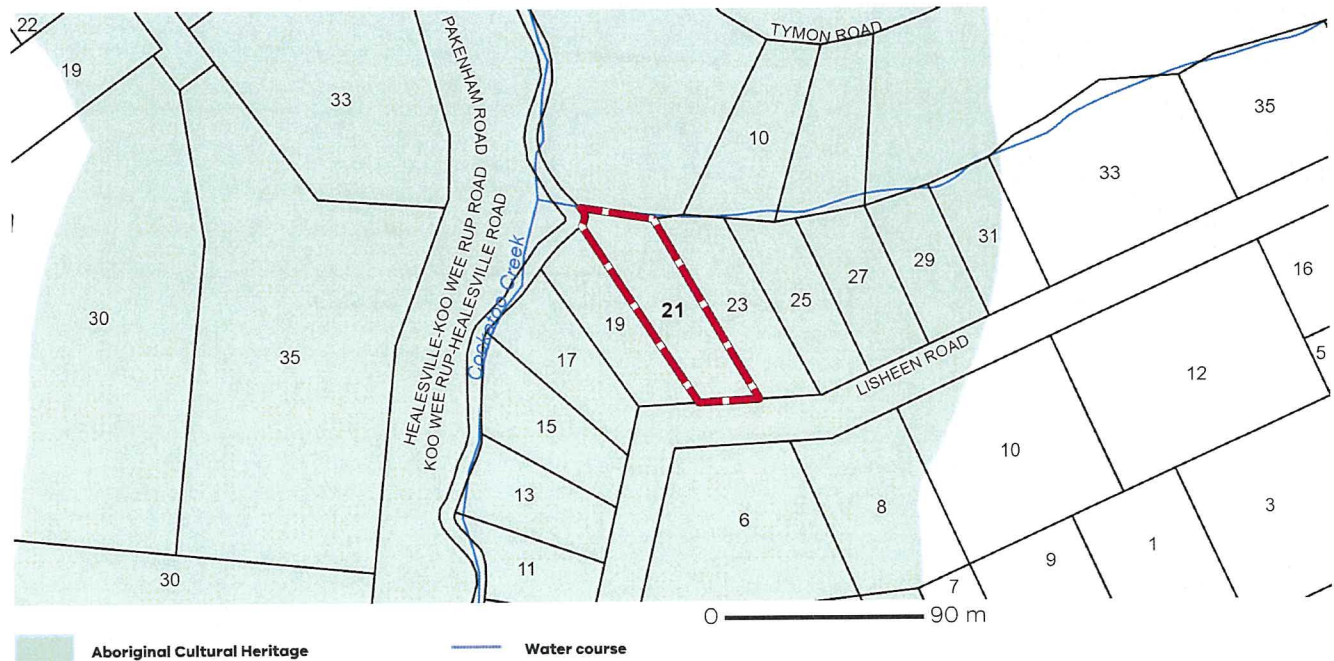
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

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.gav.nrms.net.au/gavQuestion1.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>



Further Planning Information

Planning scheme data last updated on 15 May 2024.

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>

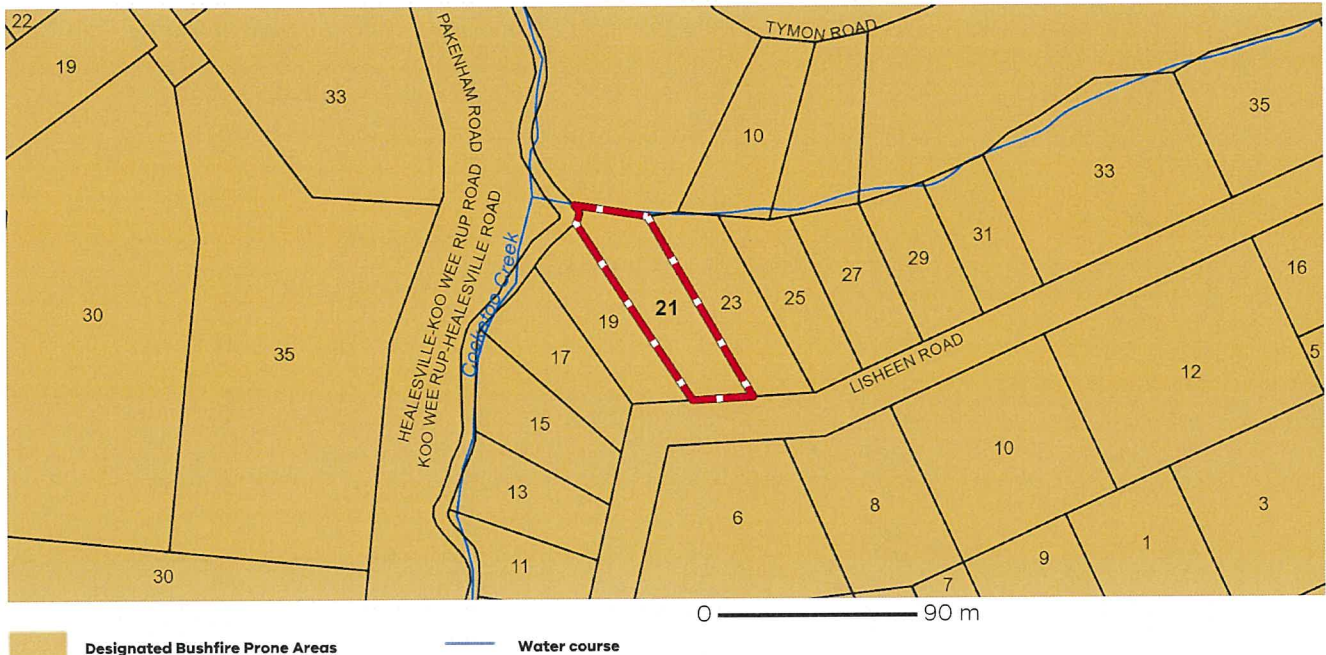
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

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 \(environment.vic.gov.au\)](#) or please contact your relevant council.

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

Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided.

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).

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 consumer.vic.gov.au/duediligencechecklist.

Urban living

Moving to the inner city?

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

Is the property subject to an owners corporation?

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

Growth areas

Are you moving to a growth area?

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

Flood and fire risk

Does this property experience flooding or bushfire?

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

Rural properties

Moving to the country?

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

- Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.
- Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.
- Do you understand your obligations to manage weeds and pest animals?
- Can you build new dwellings?
- Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land?

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

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

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

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

Land boundaries

Do you know the exact boundary of the property?

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

Planning controls

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

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

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

Are there any proposed or granted planning permits?

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

Safety

Is the building safe to live in?

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

Building permits

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

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

Are any recent building or renovation works covered by insurance?

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

Utilities and essential services

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

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

Buyers' rights

Do you know your rights when buying a property?

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