

# Vendor's Statement

## Important notice to purchasers

The vendor makes this Statement in relation to the Land in accordance with Section 32 of the *Sale of Land Act 1962 (SLA)*. The vendor may sign by electronic signature.

The purchaser acknowledges receipt of this Statement with the relevant annexures before signing a contract of sale to purchase the Land.

**Land: 434 Evans Road,  
COCKATOO VIC 3781**

**Mark Christopher Shera Jones**

Vendor



**MADGWICKS**  
ABN 82 199 611 971

Level 6  
140 William Street  
Melbourne VIC 3000  
Australia  
DX 485

T: +61 3 9242 4744  
F: +61 3 9242 4777  
E: [madgwicks@madgwicks.com.au](mailto:madgwicks@madgwicks.com.au)  
W: [madgwicks.com.au](http://madgwicks.com.au)

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# Vendor's Statement

## 1. Financial matters - outgoings and statutory charges

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- 1.1 Details concerning any rates, taxes, charges or other similar outgoings affecting the Land (including and any interest payable on any part of them which is unpaid) for which the purchaser may become liable in consequence of the sale and of which the vendor might reasonably be expected to have knowledge (but excluding any GST payable in accordance with a contract of sale for the Land):

As set out in the certificates attached to this Vendor's Statement.

- 1.2 Particulars of any charge (whether registered or not) over the Land imposed by or under an Act to secure an amount due under that Act, including the amount owing under the charge:

Except as set out in the attachments to this Vendor's Statement and the contract of sale for the Land, none to the vendor's knowledge.

## 2. Land use

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- 2.1 Details of any easement, covenant, caveat or other similar restriction (whether registered or unregistered) affecting the Land are set out in the attached copies of title documents and includes:

- (a) the easements existing over the Land by virtue of Section 98 of the *Transfer of Land Act 1958* and any easements or rights implied by Section 12 of the *Subdivision Act 1988*;
- (b) any encumbrances in favour of Yarra Valley Water;
- (c) any restrictions contained in any planning permit, as amended from time to time, including without limitation any requirement by Cardinia City Council

Note: Sewers/drains (if any) may be laid outside registered easements.

- 2.2 Particulars of any existing failure to comply with the terms any easement, covenant, caveat or restriction (whether registered or unregistered) affecting the Land are:

To the best of the vendor's knowledge there is no existing failure to comply with the terms of any easement, covenant, caveat or similar restriction.

- 2.3 The Land is in a designated bushfire-prone area within the meaning of regulations made under the *Building Act 1993*.

- 2.4 There is access to the Land by road.

- 2.5 Details of the planning scheme affecting the Land are contained in the attached certificate.

### **3. Notices**

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

Not applicable.

- 3.2 Particulars of any notices, property management plans, reports or order in respect of the Land issued by any 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 are as follows:

Not applicable.

- 3.3 Particulars of any notice of intention to acquire served under Section 6 of the *Land Acquisition and Compensation Act* 1986 are as follows:

Not applicable.

However, the purchaser should note that the vendor has no means of knowing of all decisions of public authorities and government departments affecting the Land unless communicated to the vendor.

### **4. Building Approvals**

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- 4.1 Particulars of any building permit granted during the preceding seven years under the *Building Act* 1993 in relation to a residence on the Land:

No such approvals have been granted.  
See attached Cardinia City Council Certificate.

- 4.2 Particulars of any owner-builder works undertaken during the period prescribed by the *Building Act* 1993.

No such works have been undertaken.

### **5. Owners Corporation**

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- 5.1 The Land is not affected by an owners corporation within the meaning of the *Owners Corporation Act* 2006.

### **6. Services**

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The following services are NOT connected to the Land:

- (a) Gas;
  - (b) Sewerage; and
-

- (c) Telephone

**7. Title**

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7.1 Copies of the following documents are attached to this Vendor's Statement:

- (a) Register search statement and the document, or part of a document, referred to as the diagram location in the register search statement that identifies the Land and its location.
- (b) PS549459L
- (c) Section 173 Agreement AG522503N
- (d) Planning Certificate
- (e) Planning Property Report
- (f) Cardinia Shire Council Land Information Certificate
- (g) Yarra Valley Water Information Certificate
- (h) State Revenue Office Land Tax Certificate
- (i) Cardinia Shire Council Building Approvals Certificate
- (j) SRO Growth Areas Infrastructure Contribution Certificate
- (k) EPA Certificate
- (l) Vic Roads Certificate
- (m) Due Diligence Checklist

# Signing page

Vendor:

MARK CHRISTOPHER SHERA JONES

Vendor's signature

*Mark Jones*

Date of signing

19/11/22

Purchaser

Purchaser's signature

Date of signing

Purchaser

Purchaser's signature

Date of signing

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

Page 1 of 1

VOLUME 11170 FOLIO 747

Security no : 124100830961H  
Produced 04/10/2022 12:20 PM

### LAND DESCRIPTION

Lot 1 on Plan of Subdivision 549459L.

PARENT TITLES :

Volume 09797 Folio 227 to Volume 09797 Folio 228

Volume 09804 Folio 030

Created by instrument PS549459L 18/11/2009

### REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

MARK CHRISTOPHER SHERA JONES of 61 CALDER ROAD COCKATOO VIC 3781  
AL101418J 22/05/2014

### ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AL523123A 28/11/2014

COMMONWEALTH BANK OF AUSTRALIA

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

AGREEMENT Section 173 Planning and Environment Act 1987

AG522503N 22/05/2009

### DIAGRAM LOCATION

SEE PS549459L 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: 434 EVANS ROAD COCKATOO VIC 3781

### ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N COMMONWEALTH BANK OF AUSTRALIA

Effective from 23/10/2016

DOCUMENT END



# Imaged Document Cover Sheet

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Document Type	<b>Plan</b>
Document Identification	<b>PS549459L</b>
Number of Pages (excluding this cover sheet)	<b>3</b>
Document Assembled	<b>04/10/2022 12:27</b>

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<b>PLAN OF SUBDIVISION</b>	STAGE NO.	LR use only <b>EDITION 1</b>	Plt <b>P</b>	23/10/2009 \$997.10 PS 
----------------------------	-----------	---------------------------------	-----------------	---

**Location of Land**  
 Parish: NANGANA  
 Township: \_\_\_\_\_  
 Section: \_\_\_\_\_  
 Crown Allotment: 50<sup>B</sup> & 50<sup>D</sup> PART)  
 Crown Portion: \_\_\_\_\_  
 LTO Base Record: VICMAP DIGITAL PROPERTY (METRO)  
 Title Reference: VOLUME 9797 FOLIO 227,  
 VOLUME 9797 FOLIO 228 & VOLUME 9804 FOLIO 030  
 Last Plan Reference: TP 117936A, TP 117937X &  
 TP118504B  
 Postal Address: 374-434 EVANS ROAD,  
 (at time of subdivision) COCKATOO, VIC 3781  
 MGA Co-ordinates: E 370 750 Zone: 55  
 (of approx. centre of land in plan) N 5 804 350

**Council Certification and Endorsement**  
 Council Name: SHIRE OF CARDINIA Ref. *S06/054*

1. This plan is certified under section 6 of the Subdivision Act 1988.
2. ~~This plan is certified under section 11(7) of the Subdivision Act 1988.~~  
~~Date of original certification under section 6 / /~~
3. ~~This is a statement of compliance issued under section 21 of the Subdivision Act 1988.~~  
OPEN SPACE
  - (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/has not been made.
  - (ii) The requirement has been satisfied.
  - (iii) The requirement is to be satisfied in Stage.....

Council Delegate *Amurphy*  
 Council Seal  
 Date *26/09/2006*  
~~Re-certified under section 11(7) of the Subdivision Act 1988~~  
~~Council Delegate~~  
~~Council Seal~~  
 Date / /

**Vesting of Roads and/or Reserves**

Identifier	Council/Body/Person
NIL	NIL

**Notations**

**Staging** This is/is not a staged subdivision  
 Planning Permit No. T040844

**Depth Limitation** 15-24 METRES BELOW THE SURFACE APPLIES TO ALL THE LAND IN THIS PLAN

LAND BEING SUBDIVIDED IS ENCLOSED WITHIN THICK CONTINUOUS LINES

CREATION OF RESTRICTION AFFECTS LOT 2 ONLY

**Survey** This plan is/is not based on survey  
 This survey has been connected to permanent marks no(s) \_\_\_\_\_  
 In Proclaimed Survey Area No. \_\_\_\_\_

**Easement Information**

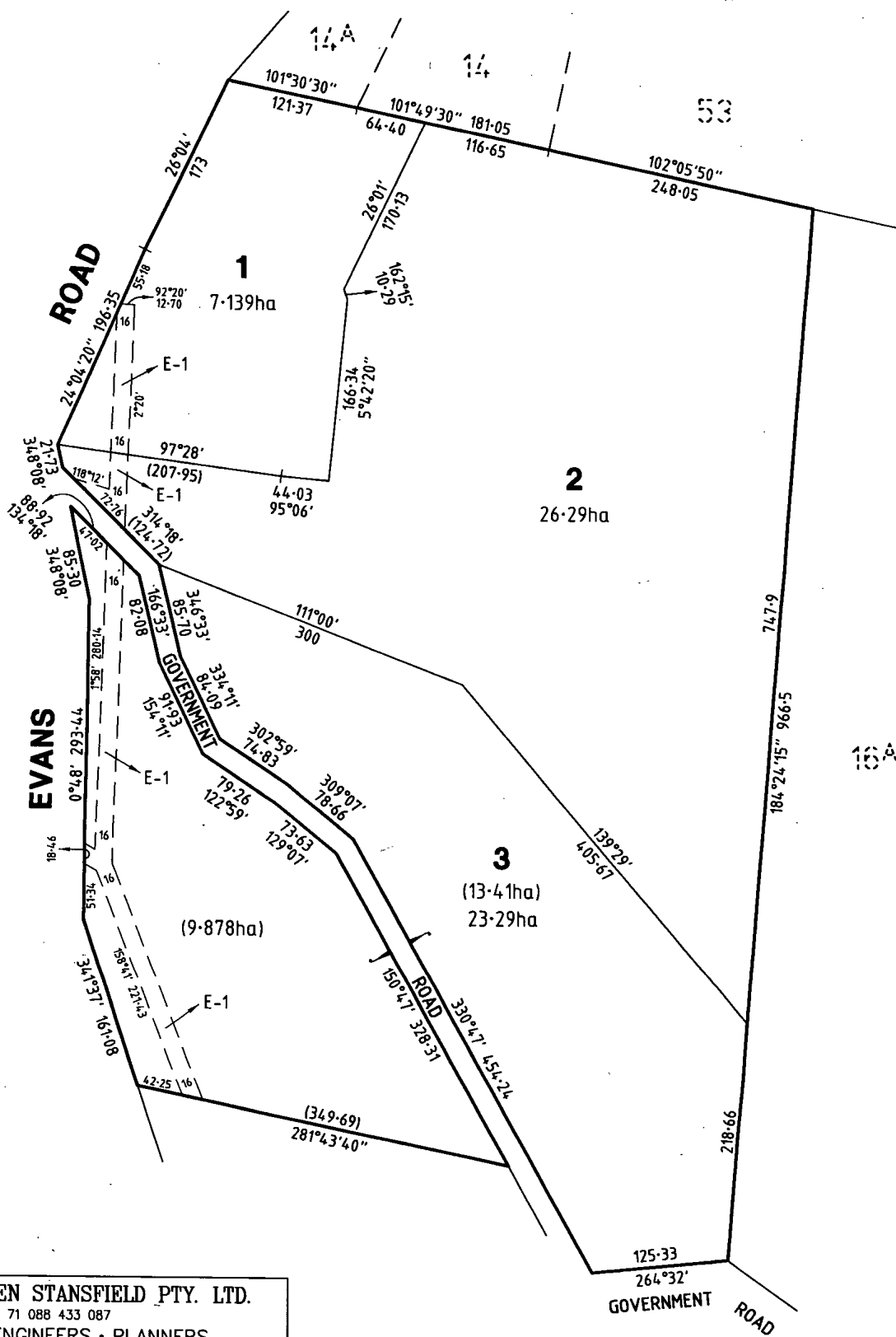
<b>Legend:</b> A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement(Road)					LR use only
					Statement of Compliance/ Exemption Statement
Received <input checked="" type="checkbox"/>					Date 23 / 10 / 09
<b>Easement Reference</b>	<b>Purpose</b>	<b>Width (Metres)</b>	<b>Origin</b>	<b>Land Benefited/In Favour Of</b>	LR use only
E-1	POWER LINE	SEE DIAG	THIS PLAN SEC. 88 OF THE ELECTRICITY INDUSTRY ACT 2000	SPI ELECTRICITY PTY LTD	PLAN REGISTERED
					TIME 10:12AM
					DATE 18 / 11 / 09
					<i>Allan Cantsilieris</i>
					Assistant Registrar of Titles
					Sheet 1 of 3 sheets

<b>SINGLETON BAHEN STANSFIELD PTY. LTD.</b> ABN 71 088 433 087 <b>SURVEYORS • ENGINEERS • PLANNERS</b> 596 NORTH ROAD ORMOND PH(03) 9578 0829 FAX(03) 9578 1838 61 BULL STREET BENDIGO PH(03) 5443 3188 FAX(03) 5443 3703 13 HARGRAVES STREET CASTLEMAINE PH(03) 5472 2111	LICENSED SURVEYOR (PRINT) WARREN KENNETH PATCHING SIGNATURE <i>W. Patching</i> DATE <i>14/9/06</i> REF 03230 VERSION 04	<i>Amurphy</i> DATE <i>26/09/2006</i> COUNCIL DELEGATE SIGNATURE Original sheet size A3
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**PLAN OF SUBDIVISION**

STAGE NO.

Plan Number  
**PS 549459L**



**SINGLETON BAHEN STANSFIELD PTY. LTD.**

ABN 71 088 433 087

**SURVEYORS • ENGINEERS • PLANNERS**

596 NORTH ROAD ORMOND PH(03) 9578 0829 FAX(03) 9578 1838

61 BULL STREET BENDIGO PH(03) 5443 3188 FAX(03) 5443 3703

13 HARGRAVES STREET CASTLEMAINE PH(03) 5472 2111

ORIGINAL

SCALE

SCALE  
1:4000

SHEET  
SIZE  
A3

40 0 80 160

LENGTHS ARE IN METRES

LICENSED SURVEYOR (PRINT) WARREN KENNETH PATCHING

SIGNATURE *W. Patching* DATE 14/9/06

REF 03230

VERSION 04

Sheet 2 of 3 sheets

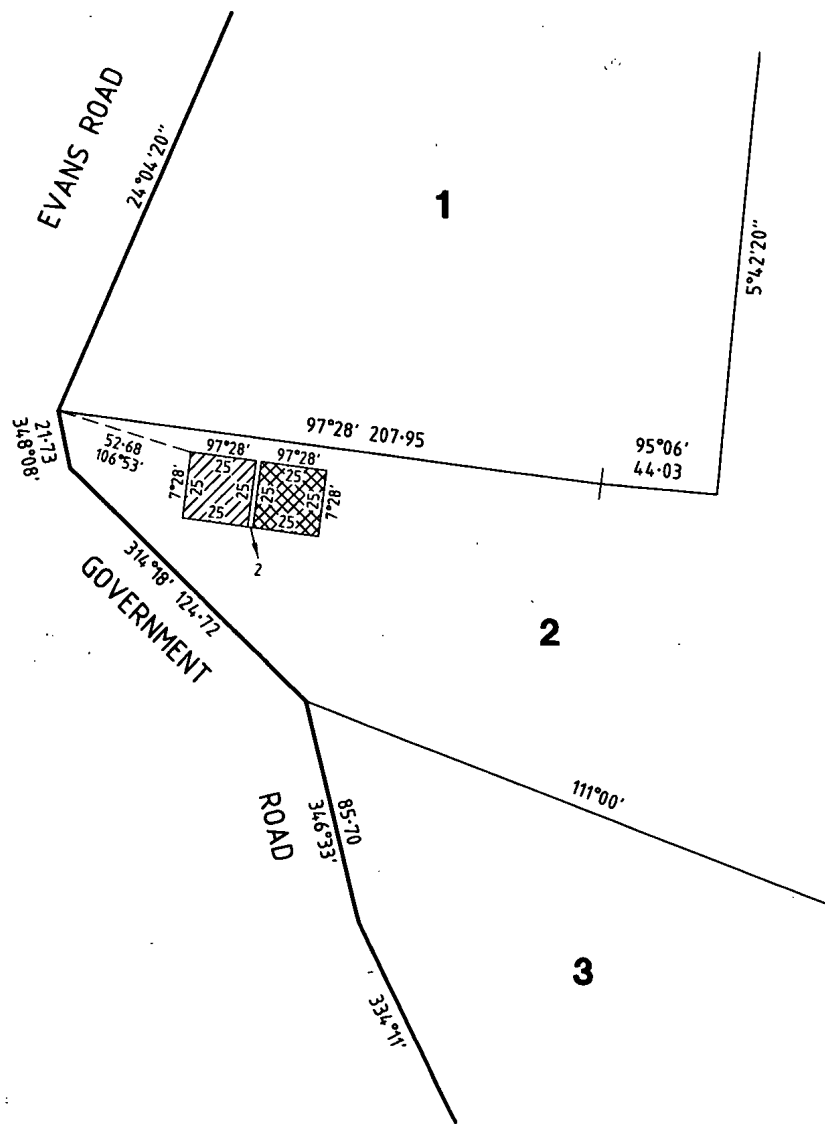
*C. Murphy*  
DATE 24/09/2006

COUNCIL DELEGATE SIGNATURE

Original sheet size A3

0 10 20 30 40 50 60 70 80 90 100 mm

<b>PLAN OF SUBDIVISION</b>	STAGE NO.	Plan Number <b>PS 549459L</b>
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**CREATION OF RESTRICTION**

Upon registration of this plan the following restriction is created:

Land to benefit: Lots 1 and 3

Lots to be burdened: Lot 2

Description of restriction:

1. Any buildings to be erected on Lot 2 shall not be sited outside the designated building envelope shown hatched on the diagram hereon.
2. Any waste disposal shall not be disposed of outside the waste disposal envelope shown cross hatched on the diagram hereon.

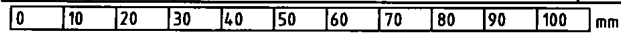
**SINGLETON BAHEN STANSFIELD PTY. LTD.**  
 ABN 71 088 433 087  
 SURVEYORS • ENGINEERS • PLANNERS  
 596 NORTH ROAD ORMOND PH(03) 9578 0829 FAX(03) 9578 1838  
 61 BULL STREET BENDIGO PH(03) 5443 3188 FAX(03) 5443 3703  
 13 HARGRAVES STREET CASTLEMAINE PH(03) 5472 2111

Sheet 3 of 3 sheets

*Amurphy*  
 DATE 26/09/2006  
 COUNCIL DELEGATE SIGNATURE  
 Original sheet size A3

ORIGINAL		SCALE	
SCALE	SHEET SIZE	20   0   40   80	LENGTHS ARE IN METRES
1:2000	A3		

LICENSED SURVEYOR (PRINT) WARREN KENNETH PATCHING  
 SIGNATURE *W Patching* DATE 14/9/06  
 REF 03230 VERSION 04





# Imaged Document Cover Sheet

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Section 181

**APPLICATION BY A RESPONSIBLE AUTHORITY FOR THE  
MAKING OF A RECORDING OF AN AGREEMENT  
Planning and Environment Act 1987**

Lodged by:

Name: P H Pippey & Son

Phone: 9890 4798

Address: 1 Watts Street, Box Hill. 3128

Ref: Customer Code: 1393U

**Privacy Collection Statement**

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

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

Land: Certificates of Title Volume 9797 Folio 227 and 228  
and Volume 9804 Folio 030

Authority: CARDINIA SHIRE COUNCIL of Henty Way, Pakenham. 3810

Section and Act under which agreement made:

Planning and Environment Act 1987 s173

A copy of the Agreement is attached to this Application.

Signature for the Authority:

Name of Officer: (full name) *Angela Carter*

Date: *12 May 2009*

**THIS AGREEMENT** is made the 5<sup>th</sup> day of MAY 2009 **BETWEEN**  
**AXEL JOHN SHERA JONES** and **LAUREL ALWYN JONES** both of 350 Evans Road,  
Cockatoo in the State of Victoria (hereinafter called "the Owners") of the one part and  
**CARDINIA SHIRE COUNCIL** of Henty Way, Pakenham in the said State (hereinafter  
called "the Responsible Authority") of the other part.

**WHEREAS:**

- A. The Owners are the owners and registered proprietors of ALL THOSE pieces of land being Crown Allotment 50B in the Parish of Nangana being the land comprised in Certificates of Title Volume 9797 Folio 227 and Volume 9804 Folio 030 and the land comprised in Certificate of title Volume 9797 Folio 228 being part of Crown Allotment 50D in the said Parish (which pieces of land comprised in the said three Certificates of Title are hereinafter collectively referred to as "the Subject Land");
- B. The Responsible Authority has granted to the Owners a conditional Planning Permit No. T040844 pursuant to the Cardinia Planning Scheme to resubdivide the Subject Land into three lots in accordance with plans endorsed pursuant to Condition 1 of the said Permit;
- C. The said endorsed plans include a Plan showing location of fencing along the Western side of Pancake Creek in the proposed Lots 2 and 3;
- D. The Owners have had a Plan of Subdivision No. PS519159L (Version 4) prepared pursuant to the said Permit certified by the Responsible Authority under s6 of the Subdivision Act 1988 (which Plan is hereinafter referred to as "the Certified Plan") and
- E. Condition 8 of the said Permit requires that prior to the issue of a Statement of Compliance the Owners must enter into an Agreement made under s.173 of the Planning and Environment Act 1987 to prevent further subdivision creating more than three lots on the Subject Land and to provide for retention and maintenance

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of the fencing referred to in Recital C hereof.

**NOW THIS AGREEMENT WITNESSETH THAT:-**

1. The Owners for themselves and their respective executors administrators and transferees and others deriving title from them being the registered proprietor or proprietors or owner or owners for the time being of the land being Lot 2 on the Certified Plan and each and every part thereof **DO HEREBY JOINTLY AND SEVERALLY COVENANT** with the Responsible Authority to construct reconstruct or retain to the satisfaction of the Responsible Authority fencing along the Western side of that part of Pancake Creek as lies within the said Lot 2 in the location shown on the plan referred to in Recital C hereof and to maintain such fencing to the satisfaction of the Responsible Authority **AND IT IS HEREBY AGREED** that the burden of the covenants contained in this Clause shall run with the said Lot 2 and each and every part thereof in accordance with the provisions of Division 2 of Part 9 of the Planning and Environment Act 1987.
  
2. The Owners for themselves and their respective executors administrators and transferees and others deriving title from them being the registered proprietor or proprietors or owner or owners for the time being of the land being Lot 3 on the Certified Plan and each and every part thereof **DO HEREBY JOINTLY AND SEVERALLY COVENANT** with the Responsible Authority to construct reconstruct or retain to the satisfaction of the Responsible Authority fencing along the Western side of that part of Pancake Creek as lies within the said Lot 3 in the location shown on the plan referred to in Recital C hereof and to maintain such fencing to the satisfaction of the Responsible Authority **AND IT IS HEREBY AGREED** that the burden of the covenants contained in this Clause shall run with the said Lot 3 and each and every part thereof in accordance with the provisions of Division 2 of Part 9 of the Planning and Environment Act 1987.

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-3-

3. The Owners for themselves and their respective executors administrators and transferees and others deriving title from them being the registered proprietor or proprietors or owner or owners for the time being of the Subject Land and each and every part thereof **DO HEREBY JOINTLY AND SEVERALLY COVENANT** with the Responsible Authority not to further subdivide the Subject Land or any part thereof in such a way as to result in more than three Lots on the total area of the Subject Land **AND IT IS HEREBY AGREED** that the covenant contained in this Clause shall run with the Subject Land and each and ever part thereof in accordance with the provision of Division 2 of Part 9 of the Planning and Environment Act 1987.
4. This Agreement is made pursuant to s. 173 of the Planning and Environment Act 1987.
5. The Owners shall do all things necessary to enable this Agreement to be registered pursuant to s. 181 of the Planing and Environment Act 1987.
6. Upon registration of this Agreement as aforesaid the Owners shall provide to the Responsible Authority the relevant dealing number to demonstate that this Agreement has been lodged in the Land Titles Office.
7. The costs of preparation and execution of this Agreement including the costs and registration fee in respect of lodging the same at the Land Titles Office shall be borne by the Owners.
8. This Agreement is made in accordance with Condition 8 of the said Permit and the Responsible Authority **HEREBY ACKNOWLEDGES** that the execution hereof by the Owners and the carrying out by the Owners of their obligations under Clause 5, 6 and 7 hereof will constitute full compliance with the said Condition.



**IN WITNESS** whereof the parties hereto have executed this Agreement as an Indenture the day and year first hereinbefore written.

**SIGNED SEALED AND DELIVERED** by the said **AXEL JOHN SHERA JONES** in the presence of:

*J. P. Phipps*

)  
)  
)

*A. Jones*

**SIGNED SEALED AND DELIVERED** by the said **LAUREL ALWYN JONES** in the presence of:

*J. P. Phipps*

)  
)  
)

*La Jones*

**SIGNED** by and on behalf, and with the authority of, the **Cardinia Shire Council** by Jan Cussen in the exercise of power conferred by an Instrument of Delegation dated 19 June, 2006 in the presence of:

*L. McKinnon*

Witness' Signature

)  
)  
)  
)

*J. Cussen*

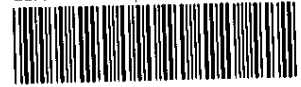
Signature of Council's Delegate

*LEANNE MCKINNON*

Witness' Name

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**BETWEEN :-**

**AXEL JOHN SHERA JONES and  
LAUREL ALWYN JONES**

**-AND-**

**CARDINIA SHIRE COUNCIL**

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**SECTION 173 AGREEMENT**

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**MESSRS P H PIPPEY & SON  
SOLICITORS  
1 WATTS STREET  
BOX HILL VIC 3128**

**TEL: 9890 4798  
FAX: 9899 1233**

# PLANNING CERTIFICATE

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

## CERTIFICATE REFERENCE NUMBER

877921

## APPLICANT'S NAME & ADDRESS

MADGWICKS LAWYERS C/- INFOTRACK C/- LANDATA  
MELBOURNE

## VENDOR

JONES, MARK

## PURCHASER

N/A, N/A

## REFERENCE

381085

This certificate is issued for:

LOT 1 PLAN PS549459 ALSO KNOWN AS 434 EVANS 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 RURAL CONSERVATION ZONE - SCHEDULE 2
- is within a ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1  
and a BUSHFIRE MANAGEMENT OVERLAY
- 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/>

04 October 2022

**Ms. Lizzie Blandthorn MP**  
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.

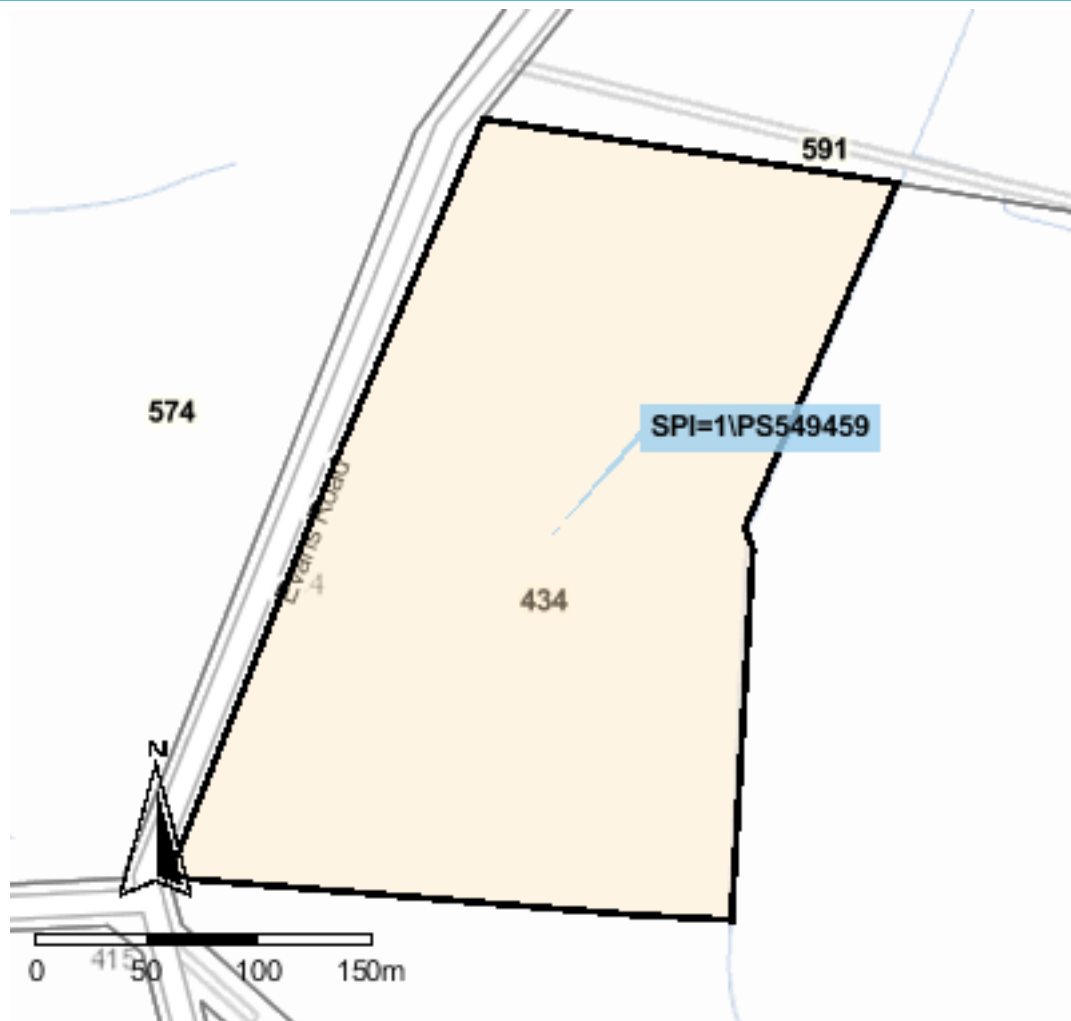
LANDATA@  
T: (03) 9102 0402  
E: [landata.enquiries@servictoria.com.au](mailto:landata.enquiries@servictoria.com.au)

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](mailto:landata.enquiries@servictoria.com.au)

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



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### 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.

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 16 November 2022 10:41 AM

## PROPERTY DETAILS

Address: **434 EVANS ROAD COCKATOO 3781**  
 Lot and Plan Number: **Lot 1 PS549459**  
 Standard Parcel Identifier (SPI): **1\PS549459**  
 Local Government Area (Council): **CARDINIA**  
 Council Property Number: **5000018865**  
 Planning Scheme: **Cardinia**  
 Directory Reference: **Melway 310 E7**

[www.cardinia.vic.gov.au](http://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

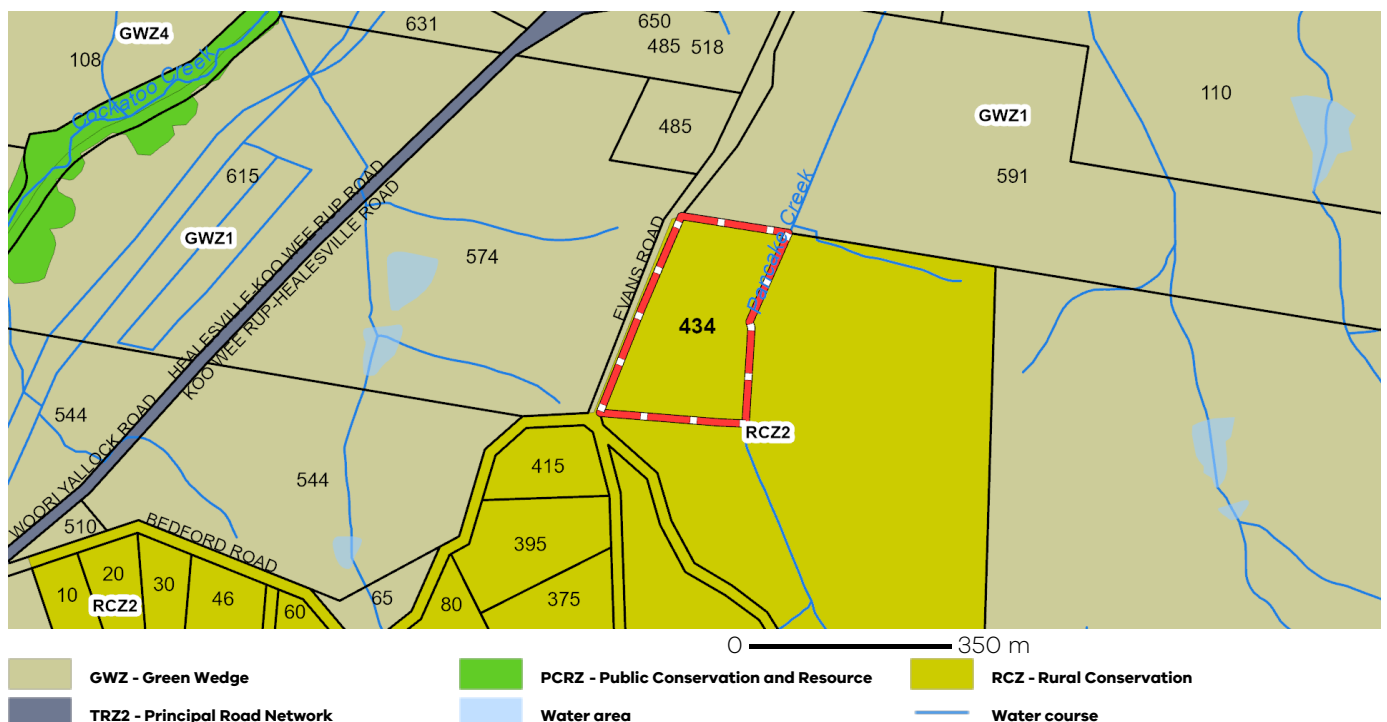
Registered Aboriginal Party: **Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation**

[View location in VicPlan](#)

## Planning Zones

[RURAL CONSERVATION ZONE \(RCZ\) \(CARDINIA\)](#)

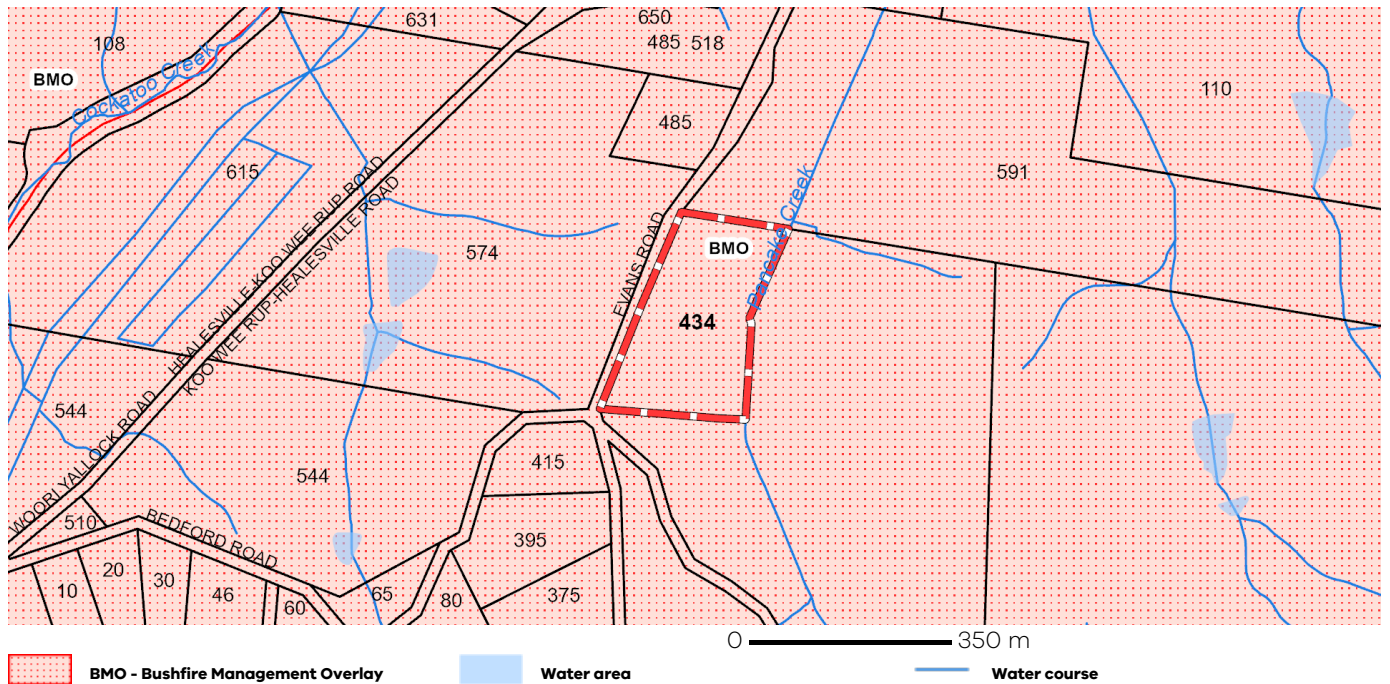
[RURAL CONSERVATION ZONE - SCHEDULE 2 \(RCZ2\) \(CARDINIA\)](#)



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

## Planning Overlays

### BUSHFIRE MANAGEMENT OVERLAY (BMO) (CARDINIA)



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

### ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO) (CARDINIA)

### ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 (ESO1) (CARDINIA)



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

## Planning Overlays

### OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

#### EROSION MANAGEMENT OVERLAY (EMO) (YARRA RANGES)



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.aav.nrms.net.au/aavQuestion1.aspx>

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





## Further Planning Information

Planning scheme data last updated on 8 November 2022.

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 \(environment.vic.gov.au\)](http://Native%20vegetation%20(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 \(environment.vic.gov.au\)](http://NatureKit%20(environment.vic.gov.au))

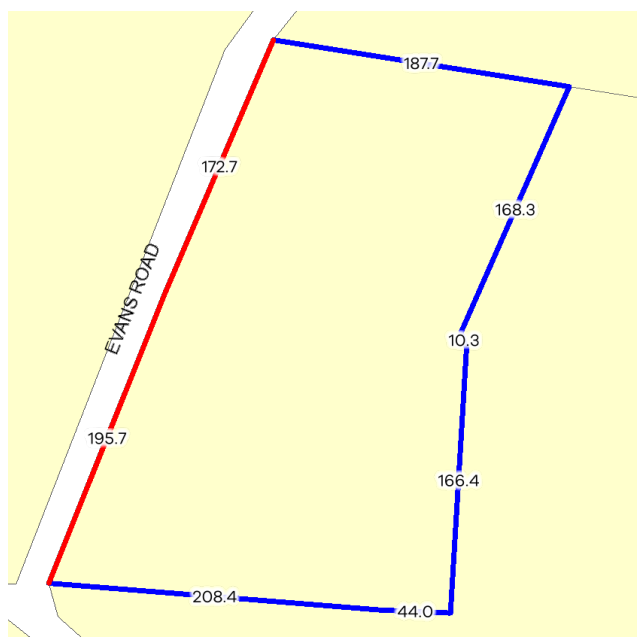
## PROPERTY DETAILS

Address: **434 EVANS ROAD COCKATOO 3781**  
Lot and Plan Number: **Lot 1 PS549459**  
Standard Parcel Identifier (SPI): **1\PS549459**  
Local Government Area (Council): **CARDINIA**  
Council Property Number: **5000018865**  
Directory Reference: **Melway 310 E7**

[www.cardinia.vic.gov.au](http://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:** 71253 sq. m (7.13 ha)

**Perimeter:** 1153 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



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



Madgwicks Lawyers c/InfoTrack c/Landata  
DX 250639  
Melbourne

**CERTIFICATE NO:** 72246  
**APPLICANT REFERENCE:** 66372647-015-3  
**DATE:** 6/10/2022

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.

<b>ASSESSMENT NO:</b> 5000018865	<b>VALUATIONS</b>	
<b>PROPERTY LOCATION:</b> 434 Evans Rd	<b>SITE VALUE:</b>	770000
Cockatoo 3781	<b>CAPITAL IMPROVED VALUE:</b>	860000
<b>TITLE DETAILS:</b> L1 PS549459 V11170 F747	<b>NET ANNUAL VALUE:</b>	43000
	<b>LEVEL OF VALUE DATE:</b>	01/01/22
	<b>OPERATIVE DATE:</b>	01/07/22

**PROPERTY RATES & CHARGES**

Rates and charges for the financial year ending 30 June 2023

<u>RATES &amp; CHARGES</u>	<u>LEVIED</u>	<u>BALANCE</u>
ARREARS BROUGHT FORWARD		\$0.00
RATES	\$1,460.28	\$0.00
INTEREST		\$0.00
MUNICIPAL CHARGE	\$0.00	\$0.00
FIRE SERVICES PROPERTY LEVY	\$162.58	\$0.00
GARBAGE	\$326.80	\$0.00
GREEN WASTE LEVY	\$0.00	\$0.00
<b><u>SPECIAL RATES /SPECIAL CHARGES</u></b>		
SCHEME NAME	ESTIMATED AMOUNT	PRINCIPAL BALANCE
		INTEREST BALANCE
		\$0.00
		\$0.00
	TOTAL SCHEME BALANCE	\$0.00
<b><u>OPEN SPACE CONTRIBUTION</u></b>		
<b><u>TOTAL OUTSTANDING</u></b>		<b>\$0.00</b>



<b>Bill code:</b>	858944
<b>Reference:</b>	50000188651

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

434 Evans Rd  
Cockatoo  
L1 PS549459 V11170 F747

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**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.**

4th October 2022

Madgwicks Lawyers C/- InfoTrack C/- LANDATA  
LANDATA

Dear Madgwicks Lawyers C/- InfoTrack C/- LANDATA,

**RE: Application for Water Information Statement**

<b>Property Address:</b>	434 EVANS ROAD COCKATOO 3781
<b>Applicant</b>	Madgwicks Lawyers C/- InfoTrack C/- LANDATA LANDATA
<b>Information Statement</b>	30726110
<b>Conveyancing Account Number</b>	7959580000
<b>Your Reference</b>	381085

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](mailto:enquiry@yvw.com.au). For further information you can also refer to the Yarra Valley Water website at [www.yvw.com.au](http://www.yvw.com.au).

Yours sincerely,



Steve Lennox  
GENERAL MANAGER  
RETAIL SERVICES

## Yarra Valley Water Property Information Statement

Property Address	434 EVANS ROAD COCKATOO 3781
------------------	------------------------------

STATEMENT UNDER SECTION 158 WATER ACT 1989

### **THE FOLLOWING INFORMATION RELATES TO SECTION 158(3)**

Existing sewer mains will be shown on the Asset Plan.

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	434 EVANS ROAD COCKATOO 3781
------------------	------------------------------

STATEMENT UNDER SECTION 158 WATER ACT 1989

### **THE FOLLOWING INFORMATION RELATES TO SECTION 158(4)**

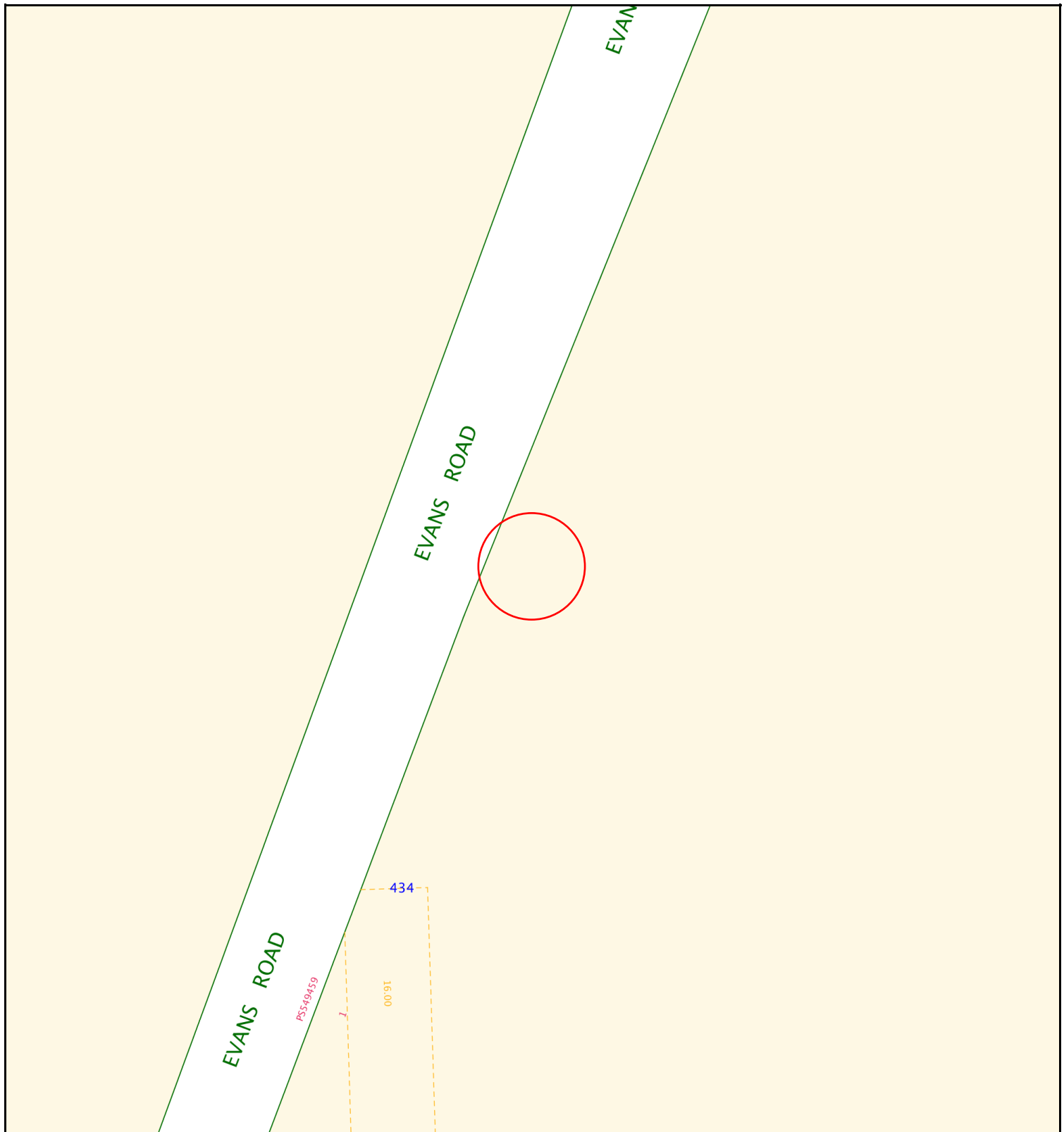
The Pancake Creek watercourse may be located within or is located in the vicinity of the property. For further information contact Melbourne Water on 9679 7517.

The subject property may be affected by drainage and/or flooding issues. For further information please contact Melbourne Water's Land Development Team on telephone 9679 7517.

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: 30726110**

<b>Address</b>	434 EVANS ROAD COCKATOO 3781
<b>Date</b>	04/10/2022
<b>Scale</b>	1:1000




Yarra Valley Water  
ABN 93 066 902 501

Existing Title	 Access Point Number	<b>GLV2-42</b> 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;

Madgwicks Lawyers C/- InfoTrack C/- LANDATA  
LANDATA  
certificates@landata.vic.gov.au

## RATES CERTIFICATE

**Account No:** 0152279216  
**Rate Certificate No:** 30726110

**Date of Issue:** 04/10/2022  
**Your Ref:** 381085

With reference to your request for details regarding:

Property Address	Lot & Plan	Property Number	Property Type
434 EVANS RD, COCKATOO VIC 3781	1\PS549459	1650118	Residential

Agreement Type	Period	Charges	Outstanding
Drainage Fee	01-10-2022 to 31-12-2022	\$15.17	\$15.17

### Other Charges:

Interest	No interest applicable at this time		
	No further charges applicable to this property		
	<b>Balance Brought Forward</b>		\$0.00
	<b>Total for This Property</b>		\$15.17
	<b>Total Due</b>		\$15.17



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.

**Property No:** 1650118

**Address:** 434 EVANS RD, COCKATOO VIC 3781

**Water Information Statement Number:** 30726110

## HOW TO PAY



**Bill**er Code: 314567  
**Ref:** 01522792169

**Amount  
Paid**

**Date  
Paid**

**Receipt  
Number**

# Property Clearance Certificate

## Taxation Administration Act 1997



INFOTRACK / MADGWICKS LAWYERS

**Your Reference:** 043448  
**Certificate No:** 57776620  
**Issue Date:** 04 OCT 2022  
**Enquiries:** AXH7

**Land Address:** 434 EVANS ROAD COCKATOO VIC 3781

Land Id	Lot	Plan	Volume	Folio	Tax Payable
37653860	1	549459	11170	747	\$0.00

**Vendor:** MARK JONES  
**Purchaser:** FOR INFORMATION PURPOSES

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
MR MARK CHRISTOPHER SHERA JONE	2022	\$640,000	\$0.00	\$0.00	\$0.00

**Comments:** Property is exempt: LTX Principal Place of Residence.

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

**Comments:**

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

This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

**Paul Broderick**  
Commissioner of State Revenue

**CAPITAL IMP VALUE:** \$725,000

**SITE VALUE:** \$640,000

**AMOUNT PAYABLE:** \$0.00

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

Certificate No: 57776620

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## 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 = \$1,175.00

Taxable Value = \$640,000

Calculated as \$975 plus ( \$640,000 - \$600,000) multiplied by 0.500 cents.

---

## Property Clearance Certificate - Payment Options

**BPAY**



Billers Code: 5249  
Ref: 57776620

**Telephone & Internet Banking - BPAY®**

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

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

**CARD**



Ref: 57776620

**Visa or Mastercard**

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

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

5 October 2022

Property number: 5000018865  
Your reference: 66372647-016-0



Madgwicks Lawyers c/- InfoTrack c/- LANDATA

**PROPERTY INFORMATION REQUEST REGULATION (51(1)) – FORM 10**

**Land (property) located at:** Lot 1 (434) Evans Road, Cockatoo VIC 3781

In reply to your recent enquiry, I wish to advise that a search of our building records for the preceding ten (10) years reveals the following: -

**Details of Building Permits and Certificate of Occupancy or Final Inspection:**

Building Permit No.	Issue Date	Building Works	Final/OP Date
NIL			

Please note that Council is unaware of any current statement(s) issued under regulation 64 or 231 of the Building Regulations 2018.

**Outstanding building related orders or Notices pertaining to the Building Act 1993: -**

Type	Issue Date	Details
NIL		

**The property:** Is the building or land in an area:

- That is liable to flooding (Reg. 153)? **YES\***
- That is a likely to be subject to termite attack (Reg. 150)? **YES**
- For which BAL level has been specified in a planning scheme? **NO\*\***
- That is subject to significant snowfalls (Reg. 152)? **NO**
- Of designated land or works (Reg. 154)? **NO**

**\*NOTE:** Flooding information is predominantly based on 'Planning Scheme Flood Overlays' and 'Melbourne Water Data' available, any building work proposed within 50 metres of a water course (not requiring a planning permit) should be designed to ensure that amenity and structural integrity is not impacted (further opinion may be obtained from Councils Municipal Building Surveyor).

**\*\* NOTE:** BAL='Bushfire Attack Level', BAL's may also be provided as restrictions on title/subdivision and shall be complied with. Refer to 'Land Channel' website for information relating to regulation 155 (designated state bushfire prone areas) <http://services.land.vic.gov.au/maps/bushfire.jsp>

**Note:**

This summary is an extract of Council's records only **made at the date the information is provided**. The **information provided** does not guarantee the current status of the building. An inspection has not been specifically conducted as a result of your enquiry. **The reply provided has been prepared as accurately as possible as at the date of the reply, from** information **currently** available to Council. Council accepts no liability for **any** omissions or errors contained in the information supplied. Where any doubt or concern is raised professional advice should be sought.

Any existing swimming pool/spa with a depth of over 300mm is required to be provided with suitable barriers to restrict young children from gaining access.

**Please contact Councils building department without delay should an appropriate pool barrier not be in place, or should smoke alarms not be installed within a residential property.**

Yours sincerely,

Donna Auhl  
Administration Officer  
Regulatory Services



Contact Name Brett McKenzie  
Telephone 13 21 61  
Facsimile 03 9628 6853  
**Your Ref: 66372647-012-2**

5 October 2022

Madgwicks Lawyers  
c/- Landata  
GPO Box 527  
MELBOURNE VIC 3001

Dear Sir/Madam,

**Growth Areas Infrastructure Contribution (GAIC)**

**434 Evans Road, Cockatoo (Volume 11170 Folio 747) - (the land)**

Thank you for your Application for a Growth Areas Infrastructure Contribution (GAIC) Certificate dated 4 October 2022 in respect of the land.

GAIC applies to certain land in excess of 0.41 hectares (1 acre) in the contribution area as defined by Section 201RC of the *Planning and Environment Act 1987*(PEA). Only certain lands in the designated growth area municipalities of Cardinia, Casey, Hume, Melton, Mitchell, Whittlesea and Wyndham may be subject to GAIC.

The Commissioner of State Revenue is satisfied that the land is not subject to GAIC as defined in the PEA at this time.

Applications for GAIC certificates may be made, at no charge, via the State Revenue Office (SRO) website at [www.sro.vic.gov.au](http://www.sro.vic.gov.au)

For further details regarding GAIC, please visit the SRO website or telephone 13 21 61.

Yours sincerely



**Brett McKenzie**  
Senior Customer Service Officer  
Land Revenue

# PLANNING CERTIFICATE

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

## CERTIFICATE REFERENCE NUMBER

877921

## APPLICANT'S NAME & ADDRESS

MADGWICKS LAWYERS C/- INFOTRACK C/- LANDATA  
MELBOURNE

## VENDOR

JONES, MARK

## PURCHASER

N/A, N/A

## REFERENCE

381085

This certificate is issued for:

LOT 1 PLAN PS549459 ALSO KNOWN AS 434 EVANS 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 RURAL CONSERVATION ZONE - SCHEDULE 2
- is within a ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1  
and a BUSHFIRE MANAGEMENT OVERLAY
- 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/>

04 October 2022

**Ms. Lizzie Blandthorn MP**  
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.

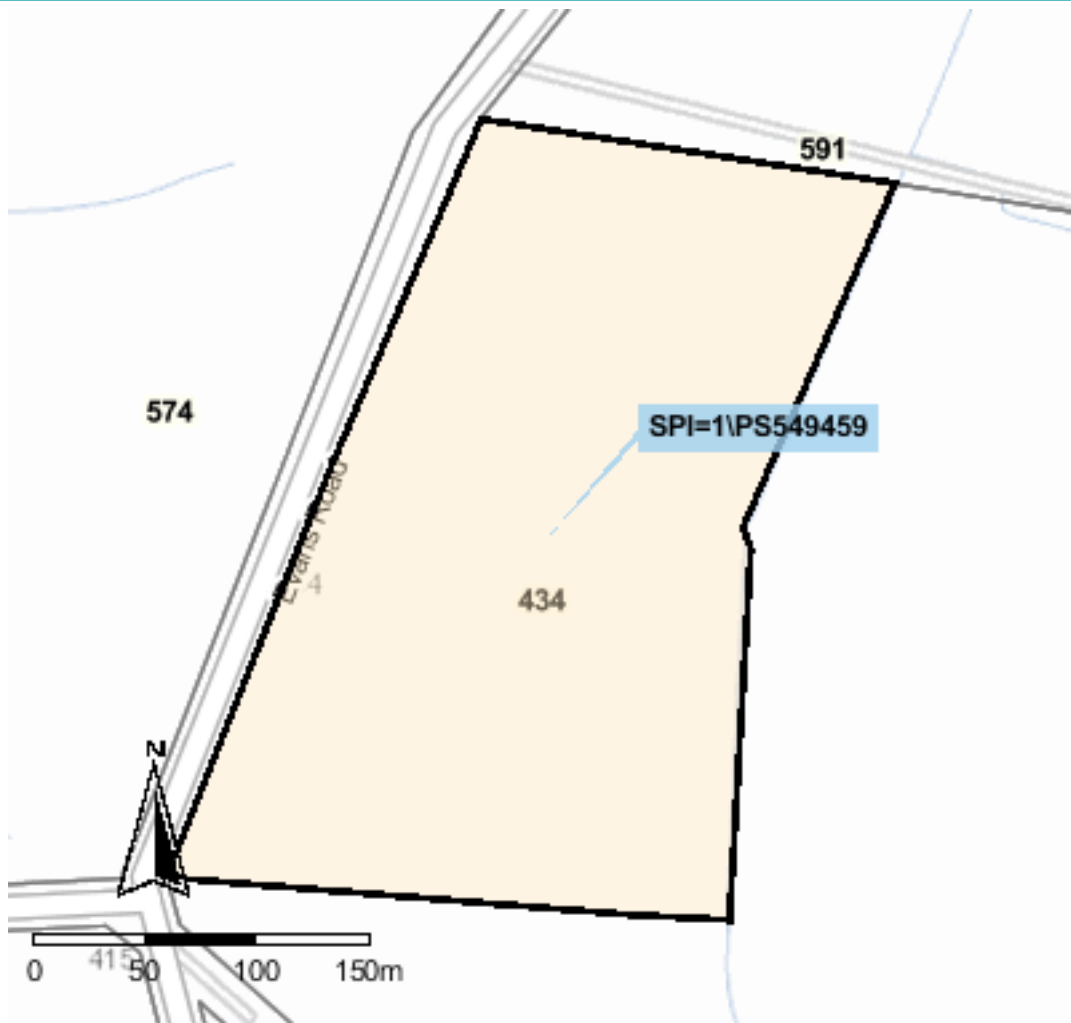
LANDATA@  
T: (03) 9102 0402  
E: [landata.enquiries@servictoria.com.au](mailto:landata.enquiries@servictoria.com.au)

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](mailto:landata.enquiries@servictoria.com.au)

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



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### 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.

## ROADS PROPERTY CERTIFICATE

The search results are as follows:

Madgwicks Lawyers C/- InfoTrack  
135 King Street  
SYDNEY 2000  
AUSTRALIA

Client Reference: 381085

NO PROPOSALS. As at the 4th October 2022, 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®.

434 EVANS 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: 4th October 2022

Telephone enquiries regarding content of certificate: 13 11 71

# 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.