

# 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](https://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.

## 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?***

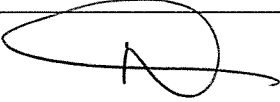
The contract of sale and section 32 statement contain important information about the property, so you should request to see these and read them thoroughly. Many people engage a lawyer or conveyancer to help them understand the contracts and ensure the sale goes through correctly. If you intend to hire 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.

# 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	74 PARK DRIVE, BELGRAVE 3160	
Vendor's name	Neleah Anne Hynes (as executor of the Estate of Keith Eric Argoon deceased)	Date 29/6/23
Vendor's signature		
Purchaser's name		Date
Purchaser's signature		
Purchaser's name		Date
Purchaser's signature		

**Important information**

InfoTrack is not liable in any way, including, without limitation, in negligence, for the use to which this document may be put, for any errors or omissions in this document. It is advised you should also check for any subsequent changes in the law.

**1. FINANCIAL MATTERS**

**1.1 Particulars of any Rates, Taxes, Charges or Other Similar Outgoings (and any interest on them)**

Are contained in the attached certificate/s.

**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**

\$  To \$

Other particulars (Including dates) and times of payments:

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**1.3 Terms of Contract**

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

Not applicable.

**1.4 Sale Subject to Mortgage**

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

Not applicable.

**2. INSURANCE**

**2.1 Damage and Destruction**

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

Not applicable.

**2.2 Owner-Builder**

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


Not applicable.


*Note: There may be additional legislative obligations in respect of the sale of land on which there is a building on which building work has been carried out.*

**3. LAND USE**

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

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

 \*Is in the attached copies of title document/s.

 \*Is as follows:

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

**3.2 Road Access**

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

**3.3 Designated Bushfire Prone Area**

The land is in a designated bushfire prone area under section 192A of the *Building Act 1993* if the square box is marked with an 'X'

**3.4 Planning Scheme**

Attached is a certificate with the required specified information

**4. NOTICES**

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

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

Are contained in the attached certificates and/or statements.

**4.2 Agricultural Chemicals**

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

**4.3 Compulsory Acquisition**

The particulars of any notices of intention to acquire that have been served under section 6 of the *Land Acquisition and Compensation Act 1986* are as follows:

**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).

Not applicable.

**6. OWNERS CORPORATION**

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

6.1 Not applicable.

**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:

Electric Supply <input checked="" type="checkbox"/>	Gas supply <input checked="" type="checkbox"/>	Water supply <input checked="" type="checkbox"/>	Sewerage <input checked="" type="checkbox"/>	Telephone services <input checked="" type="checkbox"/>
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## 9. TITLE

Attached are copies of the following documents:

### 9.1 (a) Registered Title

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

## 10. SUBDIVISION

### 10.1 Unregistered Subdivision

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

### 10.2 Staged Subdivision

Not applicable.

### 10.3 Further Plan of Subdivision

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

Not Applicable

## 11. DISCLOSURE OF ENERGY INFORMATION

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

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

- (a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and
- (b) which has a net lettable area of at least 2000m<sup>2</sup>; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the relevant date):

Not applicable.

## 12. DUE DILIGENCE CHECKLIST

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

## 13. ATTACHMENTS

*(Any certificates, documents and other attachments may be annexed to this section 13)*

*(Additional information may be added to this section 13 where there is insufficient space in any of the earlier sections)*



*(Attached is an "Additional Vendor Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)*

Due Diligence Checklist  
Register Search Statement (Title)  
Copy of Plan LP011646  
Grant of Representation  
Department of Environment, Land, Water & Planning: Planning Certificate Express - 43/LP11646  
Planning Property Report  
Council Notice: Erosion Management Overlay Review  
Rates Notice  
South East Water: Water Information Statement - 43/LP11646  
State Revenue Office: Land Tax Certificate - 43/LP11646  
Vicroads: Vicroads Certificate - 43/LP11646



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

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

Page 1 of 1

VOLUME 07293 FOLIO 523

Security no : 124106888686Y  
Produced 15/06/2023 03:34 PM

**LAND DESCRIPTION**

Lot 43 on Plan of Subdivision 011646.  
PARENT TITLE Volume 05149 Folio 741  
Created by instrument 2228290 07/07/1949

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
KEITH ERIC ARGOON of 76 PARK DRIVE BELGRAVE VIC 3160  
AK394217N 12/06/2013

**ENCUMBRANCES, CAVEATS AND NOTICES**

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

**DIAGRAM LOCATION**

SEE LP011646 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: 74 PARK DRIVE BELGRAVE VIC 3160

DOCUMENT END



# Imaged Document Cover Sheet

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Document Type	<b>Plan</b>
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# PLAN OF SUBDIVISION OF PART OF CROWN ALLOTMENT 70<sup>c</sup> PARISH OF NARRIE WORRAN

COUNTY OF MORNINGTON

V. 5149 F 1029741  
" 5149 " 1029740

Measurements are in Feet & Inches  
Conversion Factor  
FEET X 0.3048 = METRES

## COLOUR CODE

BL=BLUE G=GREEN  
R1 & BR=BROWN P=PURPLE  
Y=YELLOW R=RED  
H=HATCH CH=CROSS HATCH

## APPROPRIATIONS


THE LAND COLOURED BLUE AND GREEN IS APPROPRIATED OR SET APART FOR EASEMENTS OF DRAINAGE

THE LAND COLOURED BROWN IS APPROPRIATED OR SET APART FOR ROADS

## ENCUMBRANCES

AS TO THE LAND MARKED E-1 THE DRAINAGE EASEMENT TO LOT 24 CREATED BY K823344  
AS TO THE LAND MARKED E-2 THE DRAINAGE EASEMENT TO THE SHIRE OF SHERBROOKE CREATED BY S54497Q  
AS TO THE LAND MARKED E-3 THE DRAINAGE EASEMENT TO THE SHIRE OF SHERBROOKE CREATED BY R877242U

**ENCUMBRANCES**  
AS TO ROAD R1 ANY EASEMENTS AFFECTING THE SAME.

LAND SHOWN THUS  HAS BEEN TRANSFERRED TO THE CROWN

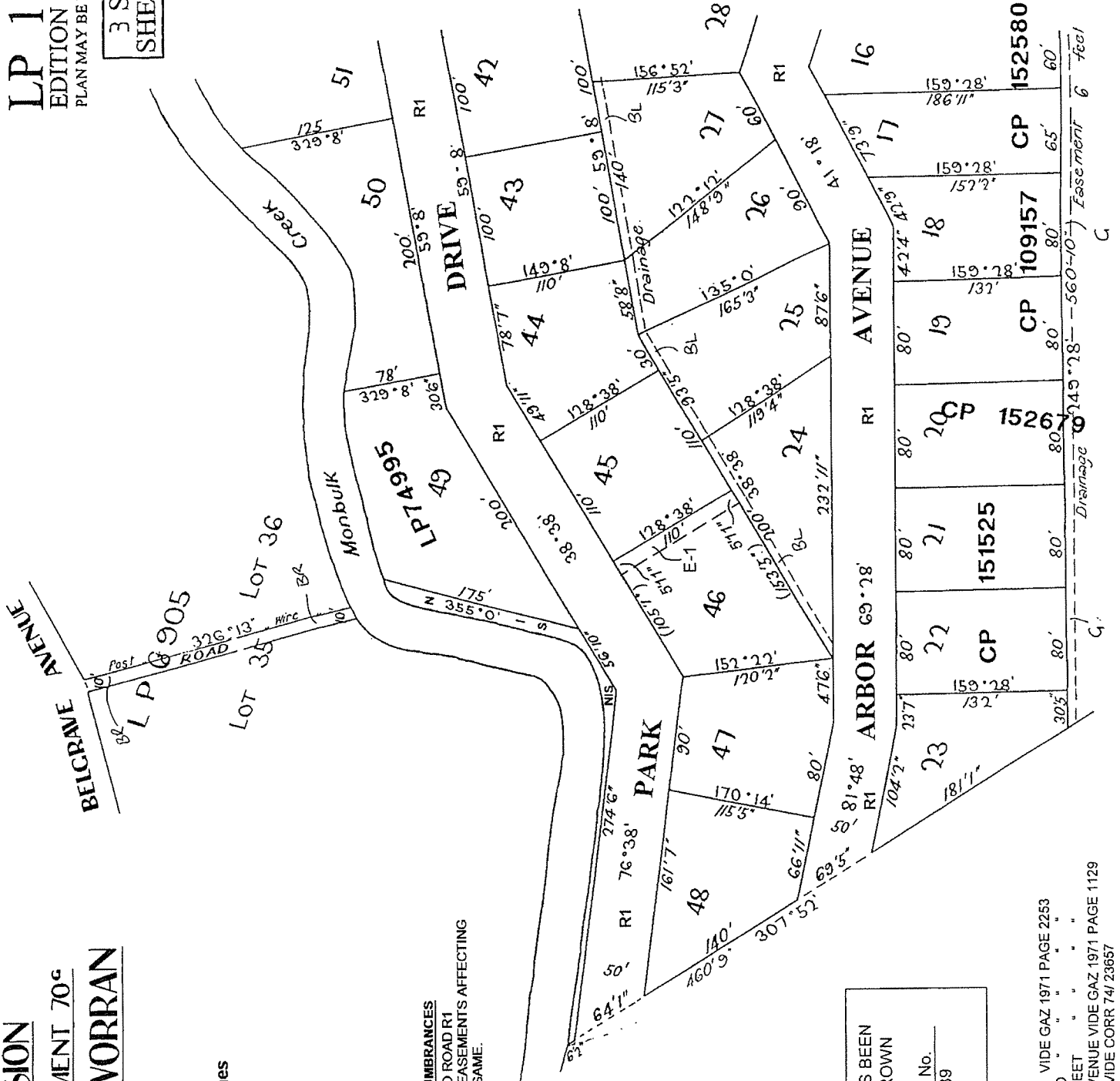
LOT No.	DEALING No.
78	H727439

**STREET NAME AMENDED**  
FROM JUDKINS AVENUE TO PARK DRIVE VIDE GAZ 1971 PAGE 2253  
FROM BLACKWOOD AVENUE TO COLOMBO ROAD  
FROM BLACKWOOD AVENUE TO BYRNE STREET  
FROM BLACKWOOD AVENUE TO JUDKINS AVENUE VIDE GAZ 1971 PAGE 1129  
FROM ACACIA AVENUE TO ARBOR AVENUE VIDE CORR 74/23657

LP 11646  
EDITION 3  
PLAN MAY BE LODGED 26-8-26

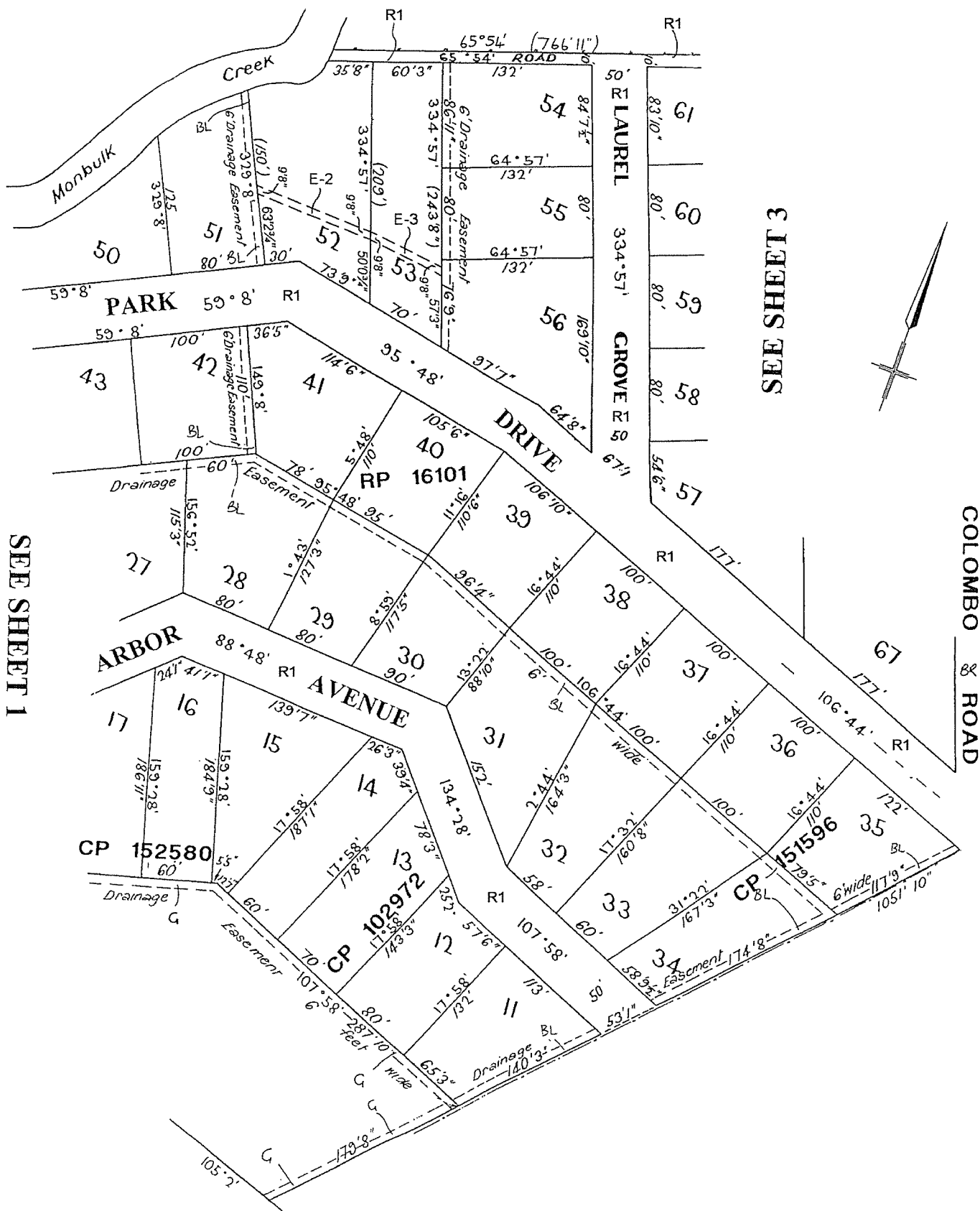
3 SHEETS  
SHEET 1

SEE SHEET 2



LP 11646

3 SHEETS  
SHEET 2







# In the Supreme Court of Victoria In its Probate Jurisdiction

## In the Will of KEITH ERIC ARGOON

Late of Villa Maria Catholic Homes 9A Willow Road, Upper Ferntree Gully,  
Victoria, Linesman, deceased.

**Be It Known** that the Registrar of Probates orders that:

Probate of the Will (a true copy of which is annexed) of the abovenamed  
deceased who died on 8 August 2022 be granted to **NELEAH ANNE  
HYNES** of 491 Berwick Road, Narre Warren East, Victoria.

Date made and authenticated: 10 March 2023



Kathrine Price  
REGISTRAR OF PROBATES



# PLANNING CERTIFICATE

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

## CERTIFICATE REFERENCE NUMBER

937446

## APPLICANT'S NAME & ADDRESS

FLIE LEGAL C/- INFOTRACK (SMOKEBALL) C/- LANDATA  
MELBOURNE

## VENDOR

HYNES, NELEAH ANNE

## PURCHASER

N/A, N/A

## REFERENCE

562656

This certificate is issued for:

LOT 43 PLAN LP11646 ALSO KNOWN AS 74 PARK DRIVE BELGRAVE  
YARRA RANGES SHIRE

The land is covered by the:

YARRA RANGES PLANNING SCHEME

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

The land:

- is included in a - LOW DENSITY RESIDENTIAL ZONE
- is within a SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 22
- and a EROSION MANAGEMENT OVERLAY
- and a BUSHFIRE MANAGEMENT OVERLAY

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

Historic buildings and land protected under the Heritage Act 1995 are recorded in the Victorian Heritage Register at:

<http://vhd.heritage.vic.gov.au/>

15 June 2023

**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.

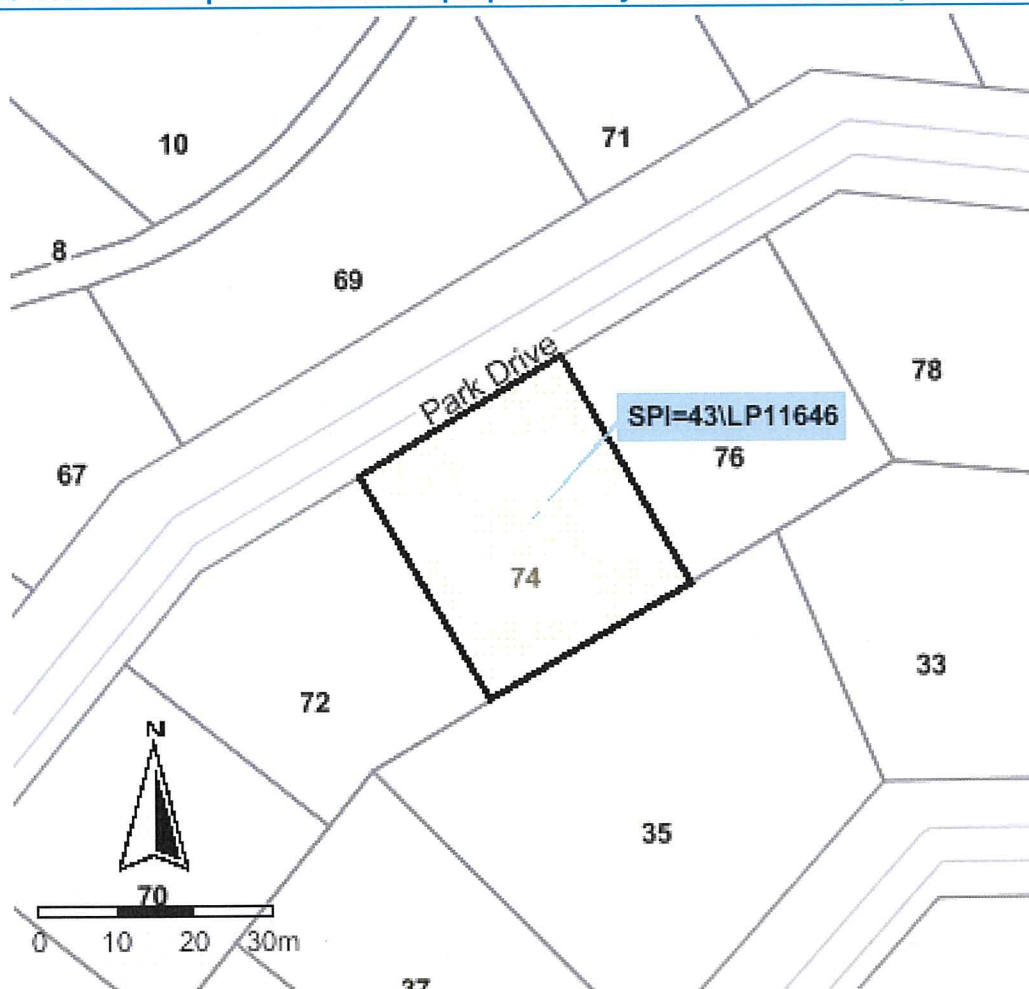
LANDATA®  
T: (03) 9102 0402  
E: [landata.enquiries@servictoria.com.au](mailto:landata.enquiries@servictoria.com.au)

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 15 June 2023 03:40 PM

## PROPERTY DETAILS

Address: **74 PARK DRIVE BELGRAVE 3160**  
 Lot and Plan Number: **Lot 43 LP11646**  
 Standard Parcel Identifier (SPI): **43\LP11646**  
 Local Government Area (Council): **YARRA RANGES**  
 Council Property Number: **224573**  
 Planning Scheme: **Yarra Ranges**  
 Directory Reference: **Melway 75 H12**

[www.yarraranges.vic.gov.au](http://www.yarraranges.vic.gov.au)

[Planning Scheme - Yarra Ranges](#)

## UTILITIES

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

## STATE ELECTORATES

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

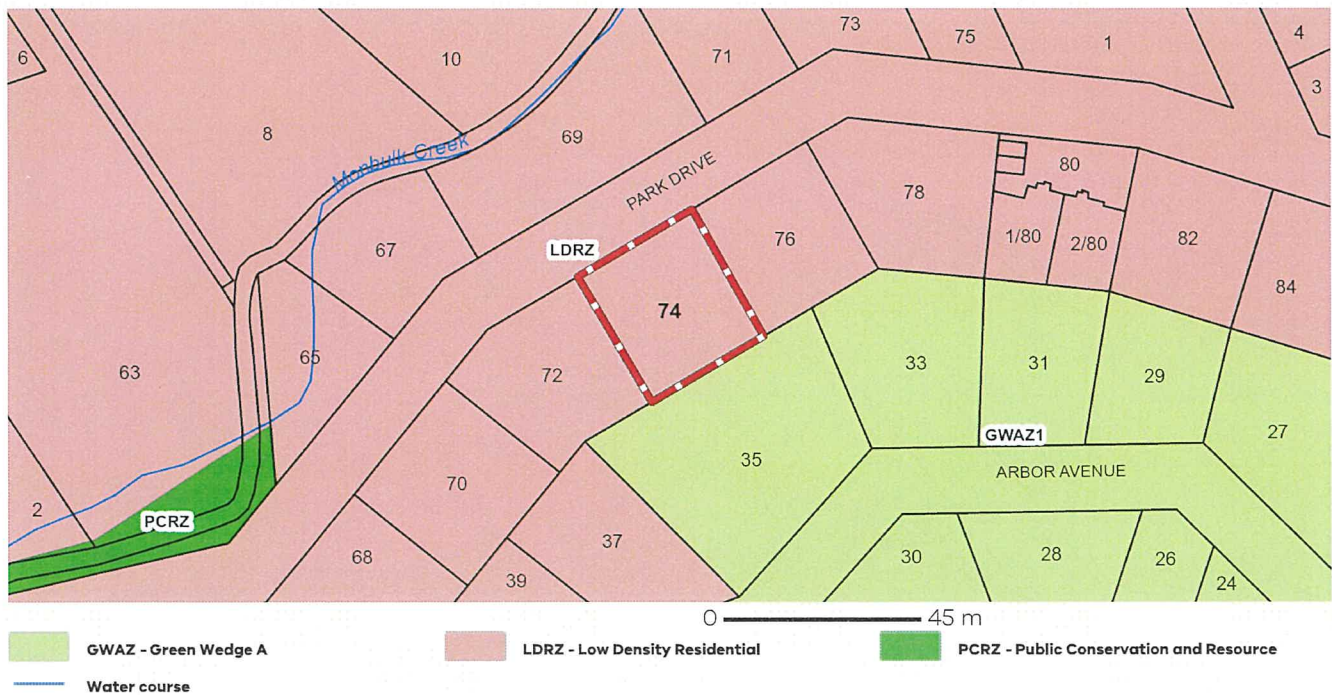
## OTHER

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

[View location in VicPlan](#)

## Planning Zones

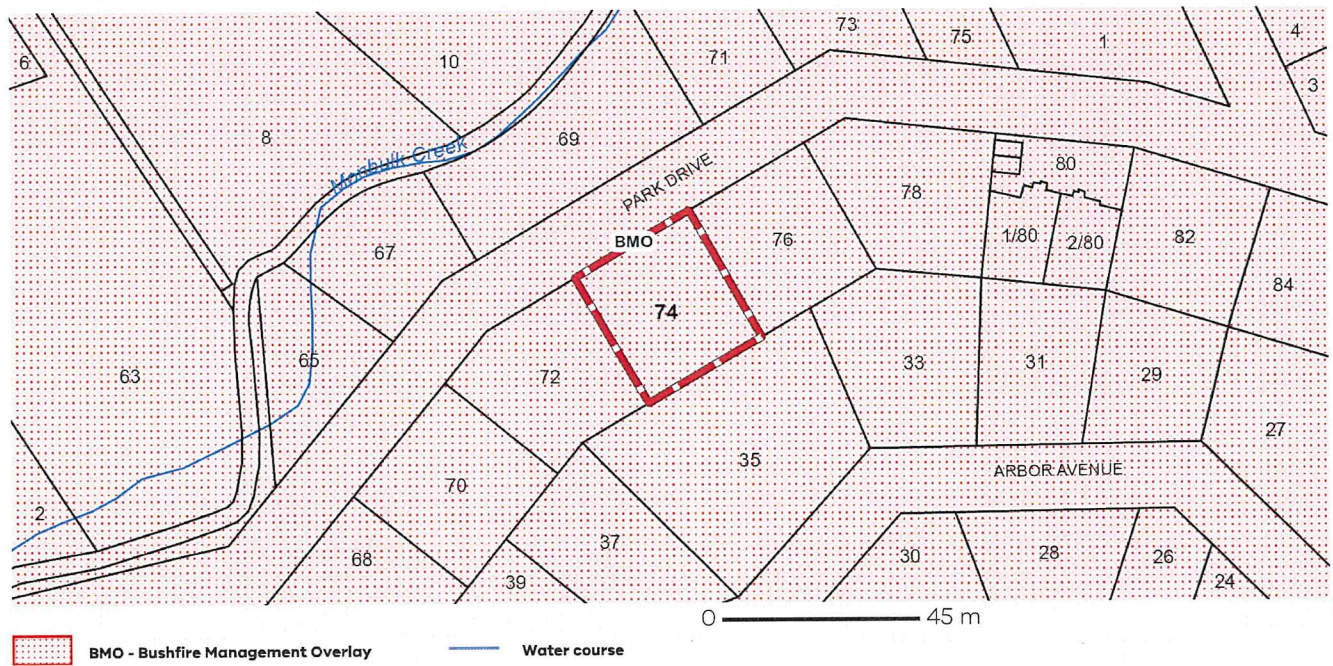
[LOW DENSITY RESIDENTIAL ZONE \(LDRZ\)](#)  
[SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE \(LDRZ\)](#)



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

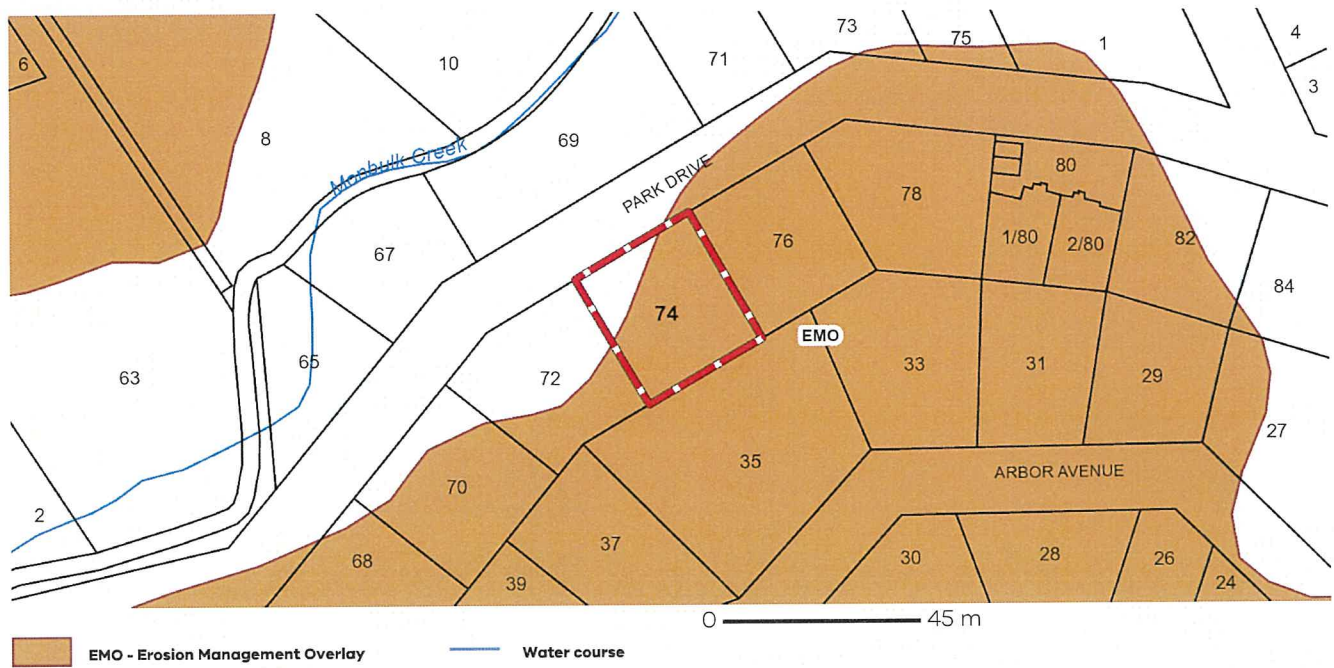
## Planning Overlays

### BUSHFIRE MANAGEMENT OVERLAY (BMO)



### EROSION MANAGEMENT OVERLAY (EMO)

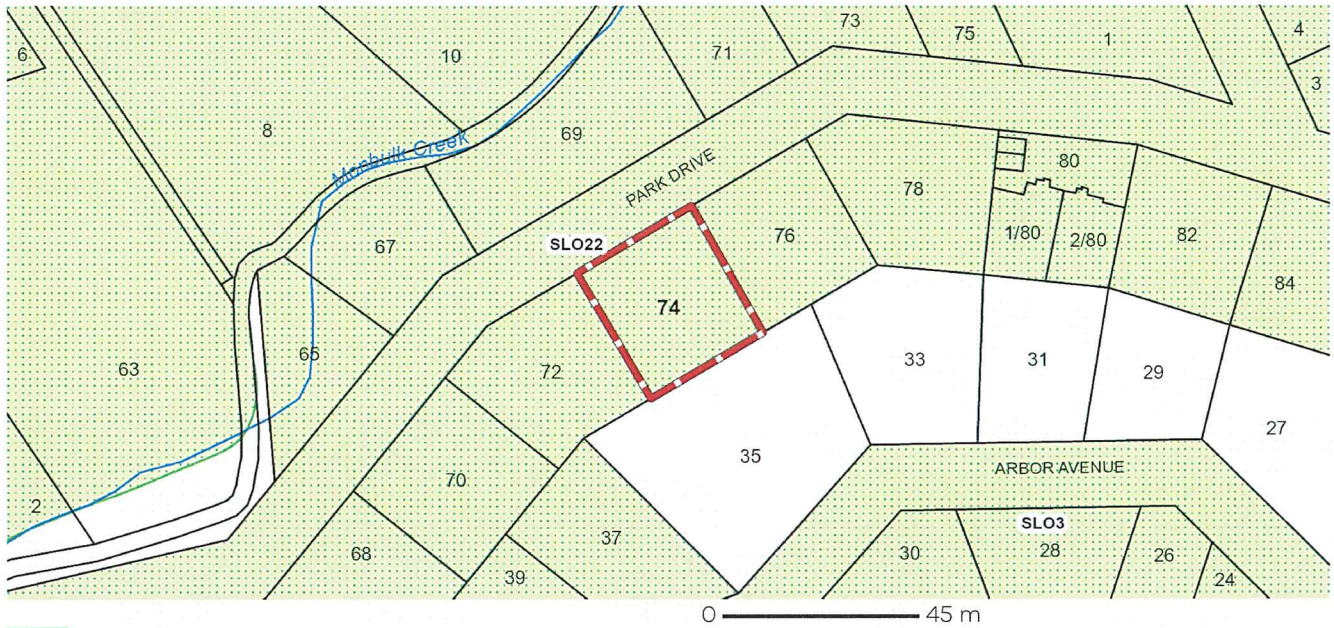
#### EROSION MANAGEMENT OVERLAY SCHEDULE (EMO)



## Planning Overlays

### SIGNIFICANT LANDSCAPE OVERLAY (SLO)

#### SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 22 (SLO22)



SLO - Significant Landscape Overlay      Water course

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

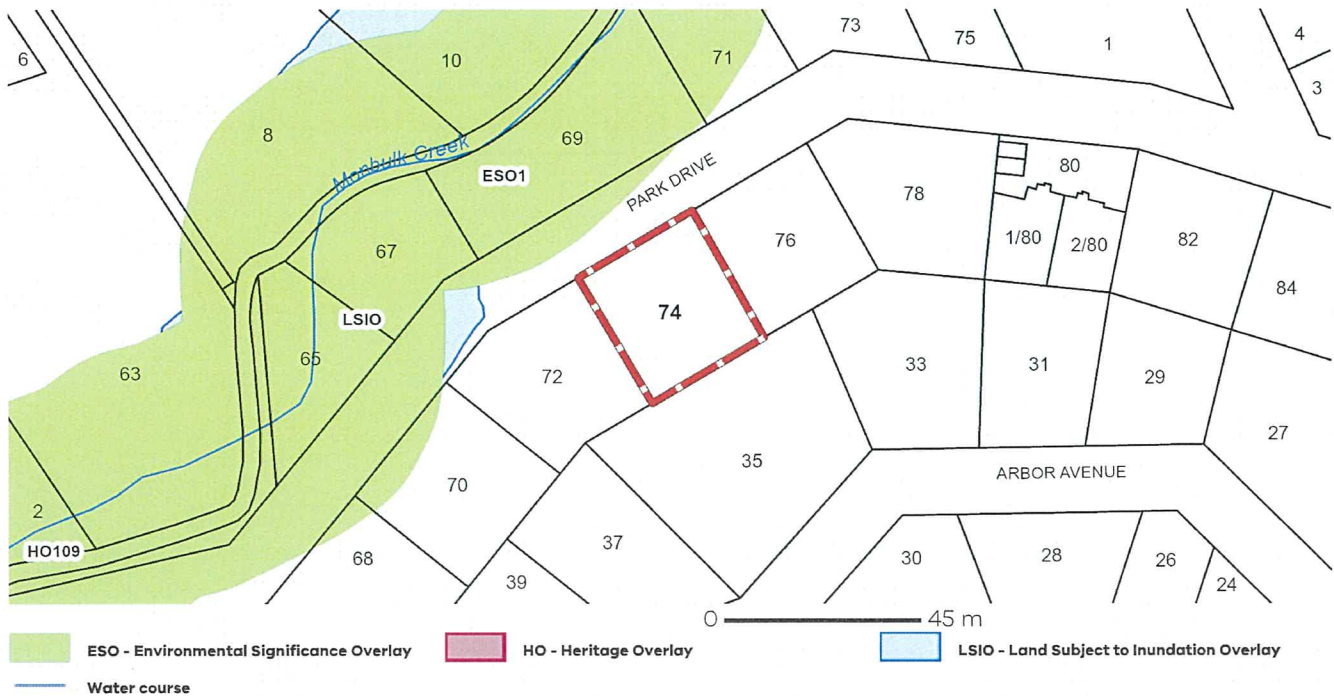
### OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

#### ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

#### HERITAGE OVERLAY (HO)

#### LAND SUBJECT TO INUNDATION OVERLAY (LSIO)



ESO - Environmental Significance Overlay      HO - Heritage Overlay      LSIO - Land Subject to Inundation Overlay  
 Water course

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

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

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

## 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.

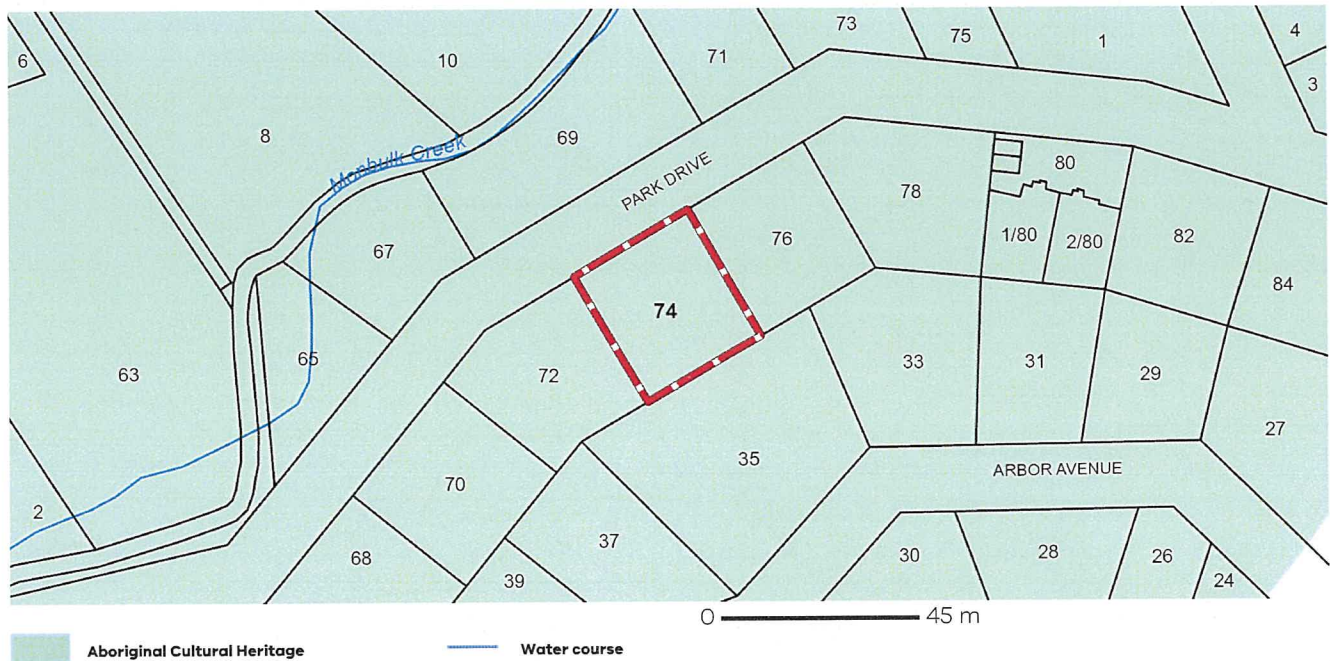
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

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 June 2023.

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

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may apply to 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>

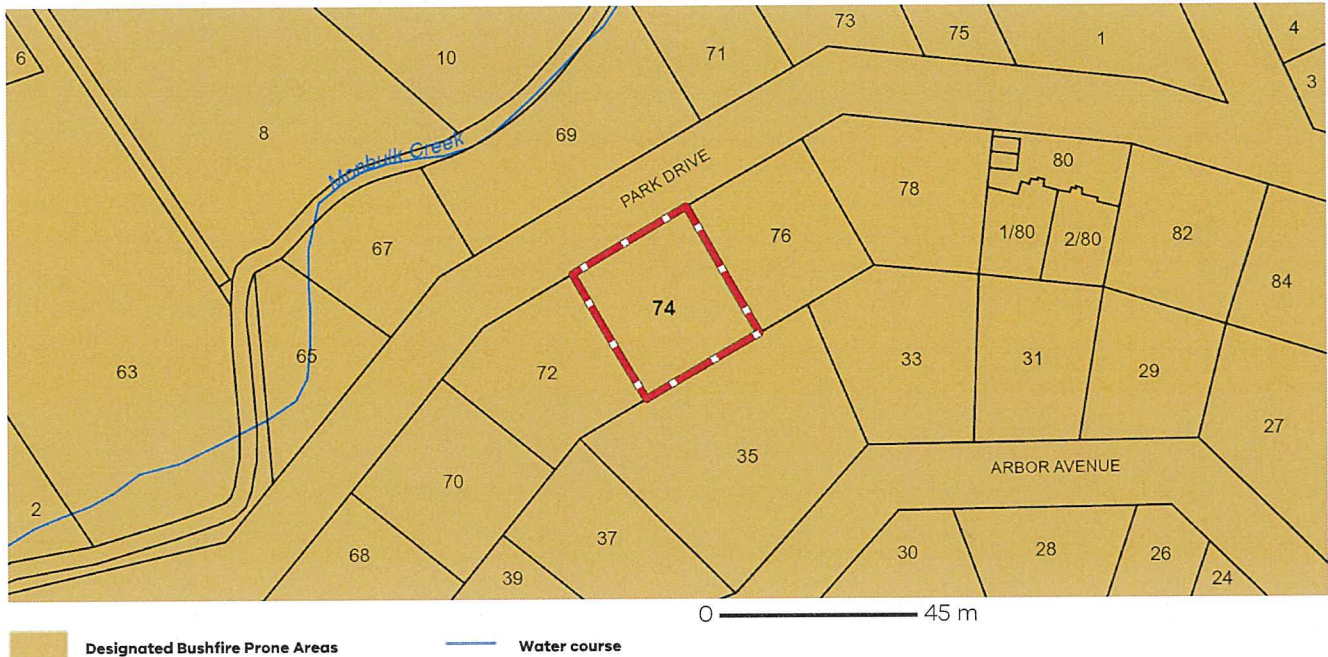
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

## 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://nvm.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](https://www.environment.vic.gov.au) or please contact your relevant council.

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



admin@flie.com.au

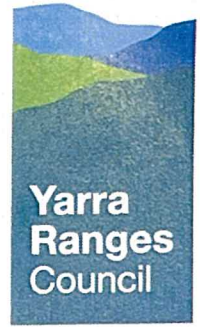
Our Reference: C217  
Enquires: Katherine Baltas  
Telephone No: 9294 6609

14 June 2023

Yarra Ranges Council  
PO Box 105  
Lilydale Vic 3140  
DX 34051

Call 1300 368 333  
Fax 03 9735 4249

mail@yarraranges.vic.gov.au  
www.yarraranges.vic.gov.au



224573 010672 031

The Owner/Occupier



## Yarra Ranges Planning Scheme Amendment C217 Erosion Management Overlay Review

As the owner and/or occupier of the property at **74 & 76 Park Drive BELGRAVE VIC 3160**, this letter is to notify you of Amendment C217 to the Yarra Ranges Planning Scheme, which Council has placed on public exhibition.

### *What the amendment does.*

The amendment proposes to amend the Erosion Management Overlay Schedule 1 (EMO1) to simplify its structure by including new exemptions for minor buildings and works and vegetation removal and include separate requirements for subdivision applications. The amendment also proposes to amend the tolerable risk criteria from Low to Medium in particular circumstances, to ensure the risk provisions in the Planning Scheme are consistent with contemporary guidance provided in the *Australian Geomechanics Society Practice Note Guidelines for Landslide Risk Management* (AGS 2007).

### *Why is the amendment required?*

The amendment is required to make the EMO more streamlined and useable and to make the risk provisions in the schedule consistent with contemporary guidance.

### *Where can I find more information about the proposed amendment?*

The enclosed Fact Sheet provides further information on the amendment and process. An online information webinar will be conducted on 28<sup>th</sup> June 2023. A link to this webinar will be available on Council's website. Detailed information about the proposed amendment, including the amendment documents, and an explanatory report, are available for viewing at the following locations from **22 June 2023**:

- The following **Yarra Ranges Community Link Centres**:
  - Lilydale** 15 Anderson Street, Lilydale
  - Monbulk** 21 Main Road, Monbulk
  - Healesville** 110 River St, Healesville
  - Upwey** 40 Main St, Upwey

ABN 21 973 226 012

Yarra Ranges Shire Council



010672



Yarra Ranges Council



# Erosion Management Overlay Review

## Planning Scheme Amendment C217

**The Erosion Management Overlay is being reviewed.  
Find out more, make a submission or attend a webinar.**

### **What is an Erosion Management Overlay?**

An Erosion Management Overlay (EMO) is a planning control that applies to land identified as having landslip risk. This control includes provisions that relate to protecting areas subject to erosion and landslip and guides how land may be developed. Erosion, landslip and debris flow is found in some areas of Yarra Ranges – like many other areas in Victoria. Overlays are part of the Victoria Planning Provisions and contain provisions that control land use and development. The EMO is one of the provisions and Yarra Ranges Council is responsible for applying it to some properties within the municipality. Currently properties with an EMO need to have a Geotechnical Assessment undertaken if development or earthworks are proposed.

### **What is a Planning Scheme Amendment?**

A Planning Scheme Amendment (PSA) is when changes are proposed to the policies or provisions in a Planning Scheme. This is a formal process and Council must seek permission from the State Government at various stages to make those changes and to seek final approval. The community will be informed about the amendment and given the opportunity to make a submission. The Yarra Ranges Planning Scheme will be amended when the process has been completed.

### **What is Amendment C217 to the Planning Scheme?**

Yarra Ranges Council will seek the State Government's approval to amend the EMO. It is proposed to update the existing schedule to the EMO to simplify its structure, include new exemptions from the need for a planning permit for minor buildings and works and vegetation removal, include separate requirements for subdivision applications and amend the tolerable risk criteria from Low to Medium in particular circumstances.

# Yarra Ranges Council

## Want to find out more?

For further information or to attend an online webinar refer to [www.yarraranges.vic.gov.au/C217](http://www.yarraranges.vic.gov.au/C217).

## How to Participate - make a submission

We would like to hear from our community about the changes Council proposes to help us make better decisions. Submissions to the proposed PSA for the EMO, must be in writing. You can make your submission through the submission portal on Council's website, or by post. Submissions can support or seek changes to proposed planning scheme changes. Submissions are most effective when they demonstrate how a proposal may impact the individual making the submission. You will be able to make a submission from 22 June 2023 to 27 July 2023. Unfortunately, submissions received outside of this time cannot be accepted.

## PSA Submissions and the law

Making submissions to a Planning Scheme Amendment is a legal process and there are some requirements for your submission to be accepted:

- Be received during the consultation period
- Include the name and address of the submitter
- Demonstrate how the proposal impacts you
- Be made to Council via the website or in writing

## What happens to my submission?

A summary of the submissions will be included in a report to a Council meeting and provided to the Minister for Planning during the amendment process. Submissions will be considered along with other information (like technical studies and State Government requirements) to inform the amendment.

## Key dates

- 22 June 2023 - Submissions open
- 28 June 2023 - Webinar
- 27 July 2023 - Submissions close

## Contact

[yarraranges.vic.gov.au/C217](http://yarraranges.vic.gov.au/C217)

[mail@yarraranges.vic.gov.au](mailto:mail@yarraranges.vic.gov.au) or Design and Place address

PO Box 105, Anderson Street, Lilydale, VIC 3140

**Your submission will be acknowledged.**



Issue date - 12 August 2022  
Assessment number - 62128/1



489217-001 006895(28233) D028 H1  
Mr K E Argoon  
76 Park Drive  
BELGRAVE VIC 3160



**Rates and charges at your property - 1 July 2022 - 30 June 2023**

**Assessment number 62128/1**

74 Park Drive, Belgrave VIC 3160  
Lot 43 LP11646 Ca 70G PNarree Worrان

Property Valuations - Valuation Date 1 January 2022 - Valuation first used 1 July 2022

Capital improved value (CIV) - (the CIV is used to calculate your rates)	340,000
Site value - (the site value is included in the CIV)	340,000
Net annual value	17,000

FSPL Classification: Residential. AVPCC: 100  
Description: Vacant Residential Dwelling Site/Surveyed Lot

**General Rate - 2022-2023**

Residential Rate (0.002379 x \$340,000.00) **\$808.85**

**State Government Fire Services Property Levy - Residential**

Fire Services Property Levy (117 + 0.000053 x \$340,000.00) **\$135.00**

**Total amount due \$943.85**

Flie Legal C/- InfoTrack (Smokeball)  
E-mail: certificates@landata.vic.gov.au

Statement for property:  
LOT 43 74 PARK DRIVE BELGRAVE  
3160  
43 LP 11646

REFERENCE NO.	YOUR REFERENCE	DATE OF ISSUE	CASE NUMBER
59D//19013/33	LANDATA CER 69238610-022-3	15 JUNE 2023	44284069

## 1. Statement of Fees Imposed

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

### (a) By Other Authorities

<b>Parks Victoria - Parks Service Charge</b>	01/07/2022 to 30/06/2023	\$81.60
<b>Melbourne Water Corporation Total Service Charges</b>	01/04/2023 to 30/06/2023	\$27.42

### (b) By South East Water

<b>Subtotal Service Charges</b>	\$109.02
<b>Payments</b>	\$109.02
<b>TOTAL UNPAID BALANCE</b>	\$0.00

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

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

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

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

- The total annual service fees and volumetric fees for water usage and sewerage disposal for each class of property are set out at [www.southeastwater.com.au](http://www.southeastwater.com.au).
- Updates of rates and other charges will only be provided for up to six months from the date of this statement.
- If this property has recently been subdivided from a "parent" title, there may be service or other charges owing on the "parent" which will be charged to this property, once sold, that do not appear on this statement. You must contact us to see if there are any such charges as they may be charged to this property on sale and should therefore be adjusted with the owner of the parent title beforehand.

AUTHORISED OFFICER:



MIKALA HEHIR  
GENERAL MANAGER  
CUSTOMER & COMMUNITY ENGAGEMENT

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

- If the property is sold, the vendor is liable to pay all fees incurred in relation to the property until the vendor gives South East Water a Notice of Disposition of Land required by the Water (Disposition of Land) Regulations 2010. Please include the Reference Number set out above in that Notice.
- Fees relating to the property may change from year-to-year in accordance with the Essential Service Commission's Price Determination for South East Water.
- Every fee referred to above is a charge against the property and will be recovered from a purchaser of the property if it is not paid by the vendor.
- Information about when and how outstanding fees may be paid, collected and recovered is set out in the Essential Services Commission's Customer Service Code, Urban Water Businesses.
- If this Statement only sets out rates and fees levied by Parks Victoria and Melbourne Water, the property may not be connected to South East Water's works. To find out whether the property is, or could be connected upon payment of the relevant charges, or whether it is separately metered, telephone 131 694.
- For a new connection to our water or sewer services, fees / charges will be levied.

## 2. Encumbrance Summary

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

Sewer is scheduled to be constructed in the area of the Property. When sewer becomes available, the property owner will be subject to the applicable Essential Services Commission approved New Customer Contribution prior to connection to the sewer system.

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

**ENCUMBRANCE ENQUIRY EMAIL [infostatements@sew.com.au](mailto:infostatements@sew.com.au)**

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

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

### **Important Warnings**

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

AUTHORISED OFFICER:



MIKALA HEHIR  
GENERAL MANAGER  
CUSTOMER & COMMUNITY ENGAGEMENT

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

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

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

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

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

### **3. Disclaimer**

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

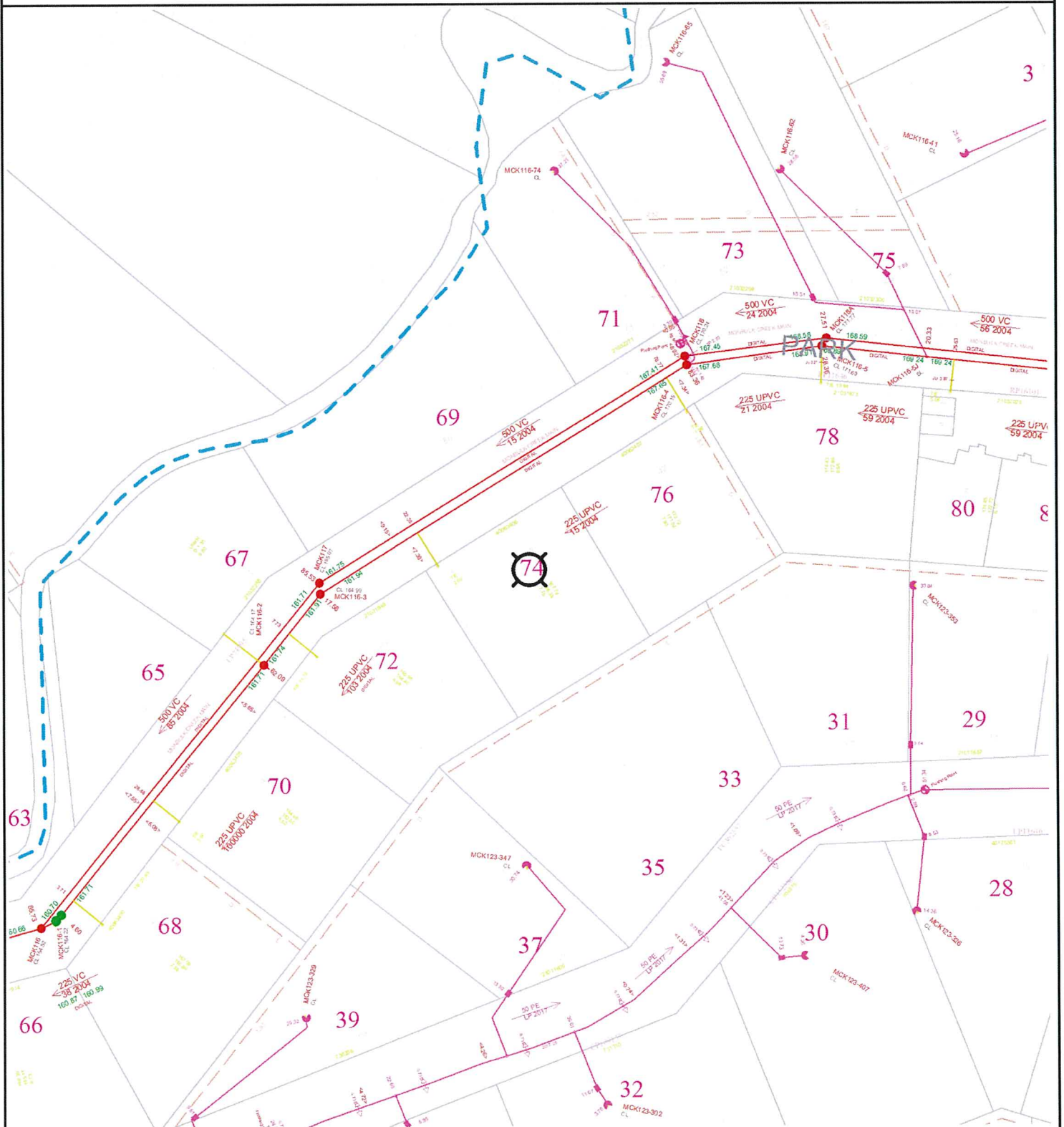
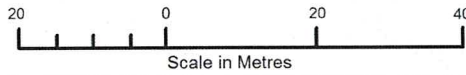
South East Water has prepared the information in this Statement with due care and diligence. It cannot and does not accept liability for any loss or damage arising from reliance on the information given, beyond the extent set out in section 155 of the Water Act 1989 and sections 18 and 29 of the Australian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

AUTHORISED OFFICER:



MIKALA HEHIR  
GENERAL MANAGER  
CUSTOMER & COMMUNITY ENGAGEMENT

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



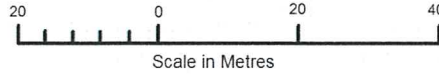
**WARNING:** This plan is issued solely for the purpose of assisting you in identifying South East Water's and Melbourne Water's specified assets through further investigation only. It is not to be used for any other purpose, including to identify any other assets, property boundaries or dimensions.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

Title/Road Boundary	Subject Property	Maintenance Hole
Proposed Title/Road	Sewer Main & Property Connections	Inspection Shaft
Easement	Direction of Flow	Offset from Boundary
<b>Melbourne Water Assets</b>		
Sewer Main	Underground Drain	Natural Waterway
Maintenance Hole	Channel Drain	Underground Drain M.H.



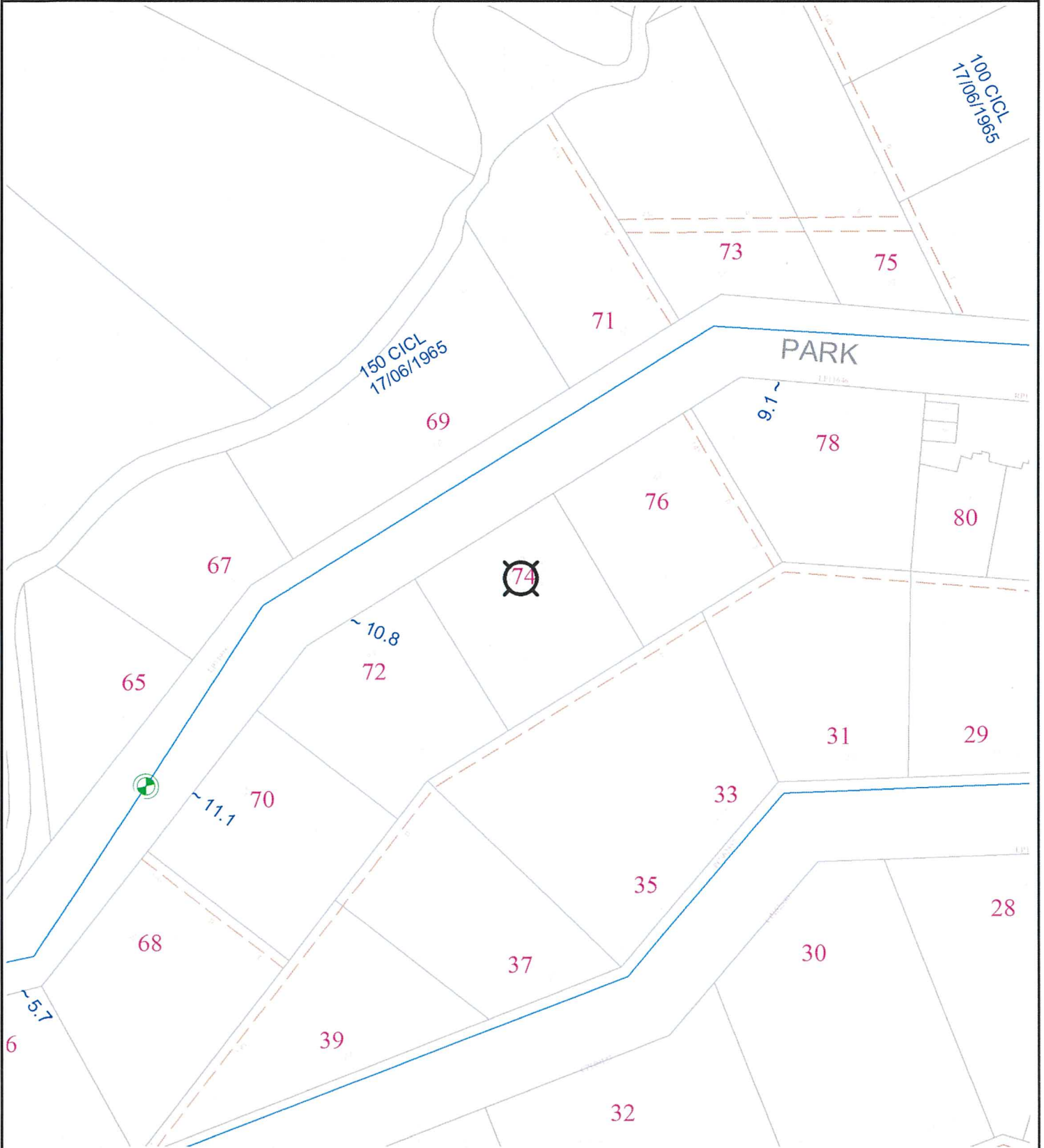


Property: Lot 43 74 PARK DRIVE BELGRAVE 3160



Case Number: 44284069

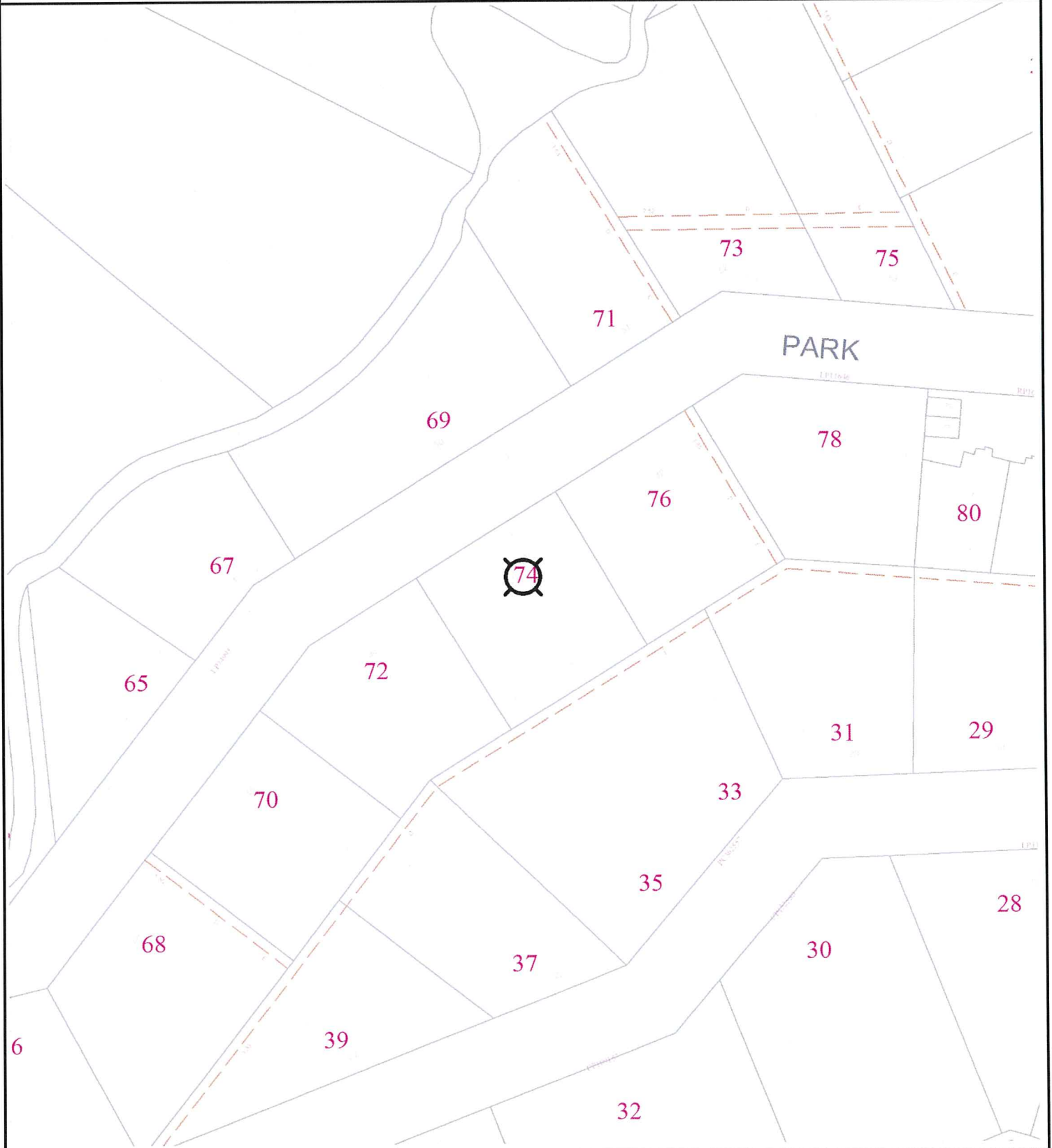
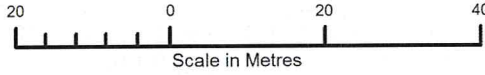
Date: 15JUNE2023



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

**LEGEND**

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



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

**LEGEND**

- Title/Road Boundary
- Proposed Title/Road
- Easement



- Subject Property
- Recycled Water Main Valve
- Recycled Water Main & Services

- Hydrant
- Fireplug/Washout
- Offset from Boundary

# Property Clearance Certificate

## Land Tax



INFOTRACK / FLIE LEGAL

Your Reference: 23431  
Certificate No: 65859830  
Issue Date: 19 JUN 2023  
Enquiries: KXM15

Land Address: 74 PARK DRIVE BELGRAVE VIC 3160

Land Id	Lot	Plan	Volume	Folio	Tax Payable
12628971	43	11646			\$455.00

Vendor: NELEAH HYNES  
Purchaser: FOR INFORMATION PURPOSES

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
ESTATE OF KEITH F ARGOON	2023	\$340,000	\$455.00	\$0.00	\$455.00

Comments: Land Tax will be payable but is not yet due - please see notes on reverse.

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

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

Paul Broderick  
Commissioner of State Revenue

CAPITAL IMPROVED VALUE:	\$340,000
SITE VALUE:	\$340,000
<b>CURRENT LAND TAX CHARGE:</b>	<b>\$455.00</b>

# Notes to Certificate - Land Tax

Certificate No: 65859830

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## Power to issue Certificate

1. Pursuant to section 95AA of the *Taxation Administration Act 1997*, the Commissioner of State Revenue must 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. Pursuant to section 96 of the *Land Tax Act 2005*, 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 set out in the certificate, described as the "Current Land Tax Charge" overleaf. 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 = \$455.00


Taxable Value = \$340,000

Calculated as \$375 plus ( \$340,000 - \$300,000) multiplied by 0.200 cents.

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## Land Tax - Payment Options

**BPAY**




Biller Code: 5249  
Ref: 65859830

**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: 65859830

**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)



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

## ROADS PROPERTY CERTIFICATE

The search results are as follows:

Flie Legal C/- InfoTrack (Smokeball)  
135 King Street  
SYDNEY 2000  
AUSTRALIA

Client Reference: 562656

NO PROPOSALS. As at the 15th June 2023, VicRoads has no approved proposals requiring any part of the property described in your application. You are advised to check your local Council planning scheme regarding land use zoning of the property and surrounding area.

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

74 PARK DRIVE, BELGRAVE 3160  
SHIRE OF YARRA RANGES

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: 15th June 2023

Telephone enquiries regarding content of certificate: 13 11 71

[Vicroads Certificate] # 69238610 - 69238610153401 '562656'

