

# SECTION 32 STATEMENT

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

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**Vendor:** Kenneth Arthur Hildebrand and Janice Gwendolyn Chivers

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**Property:** 19 Deery Road, Emerald VIC 3782

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**VENDORS REPRESENTATIVE**

Victorian Statewide Conveyancing Pty Ltd  
PO Box 32, Narre Warren VIC 3805  
Tel: 87905488  
Fax: 87949072

Email: [info@victorianstatewide.com.au](mailto:info@victorianstatewide.com.au)

Ref: TG:20241866

**32A FINANCIAL MATTERS**

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

<b>Provider</b>	<b>Amount (&amp; interest if any)</b>	<b>Period</b>
Cardinia Shire Council	\$2892.96	Per annum
Yarra Valley Water	\$151.00	Per annum

Any further amounts (including any proposed Owners Corporation Levy) for which the Purchaser may become liable as a consequence of the purchase of the property are as follows:-

**None to the vendors knowledge**

**Their total does not exceed \$3500.00**

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

32A(b)The 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 are as follows:-

Not Applicable

**. Commercial and Industrial Property Tax**

1. The land is tax reform scheme land within the meaning of the Commercial and Industrial Property Tax Reform Act 2024.

Yes  No

2. The AVPCC number is;

3. The Entry Date of the land was;

**32B INSURANCE**

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

Not Applicable

(b) Where there is a residence on the land which was constructed within the preceding six years, and section 137B of the *Building Act 1993* applies, particulars of the required insurance are as follows:-

Not Applicable

### 32C LAND USE

#### (a) RESTRICTIONS

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

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

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

#### (b) BUSHFIRE

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

#### (c) ROAD ACCESS

There is access to the Property by Road.

#### (d) PLANNING

Planning Scheme: Cardinia Shire Council Planning Scheme  
Responsible Authority: Cardinia Shire Council  
Zoning: RCZ – Rural Conservation Zone – Schedule 2  
Planning Overlay/s: BMO – Bushfire Management Overlay, ESO – Environmental Significance Overlay – Schedule 1

### 32D NOTICES

- (a) Particulars of any Notice, Order, Declaration, Report or recommendation of a Public Authority or Government Department or approved proposal directly and currently affecting the land of which the Vendor might reasonably be expected to have knowledge are:- Apart from any matters disclosed in the attached certificates, none to the Vendors knowledge however the Vendor has no means of knowing all decisions of the Government and other authorities unless such decisions have been communicated to the Vendor
- (b) The Vendor is not aware of any Notices, Property Management Plans, Reports or Orders in respect of the land issued by a Government Department or Public Authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes.
- (c) Particulars of any Notice of intention to acquire served under Section 6 of the *Land Acquisition and Compensation Act, 1986* are: Not Applicable.

**32E BUILDING PERMITS**

Particulars of any Building Permit issued under the *Building Act 1993* during the past seven years (where there is a residence on the land):-

No such Building Permit has been granted to the Vendors knowledge.

**32F OWNERS CORPORATION**

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

**32G GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (GAIC)**

(1) The land, in accordance with a work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987* is NOT –

- land that is to be transferred under the agreement.
- land on which works are to be carried out under the agreement (other than Crown land).
- land in respect of which a GAIC is imposed

**32H SERVICES**

<b>Service</b>	<b>Status</b>
Electricity supply	<b>Connected</b>
Gas supply	<b>Not Connected</b>
Water supply	<b>Connected</b>
Sewerage	<b>Not Connected</b>
Telephone services	<b>Connected</b>

Connected indicates that the service is provided by an authority and operating on the day of sale. The Purchaser should be aware that the Vendor may terminate their account with the service provider before settlement, and the purchaser will have to have the service reconnected.

**32I TITLE**

Attached are the following documents concerning Title:

1. Register Search Statement Volume 9045 Folio 550
2. Plan of Subdivision 202684

**DATE OF THIS STATEMENT**

22 / 10 / 20 24

**Name of the Vendor**

**Kenneth Arthur Hildebrand and Janice Gwendolyn Chivers**

**Signature/s of the Vendor**

*K.A. Hildebrand*  
22-10-24

*Jan Chivers*  
22-10-24

x

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

**DATE OF THIS ACKNOWLEDGMENT**       /  /20

**Name of the Purchaser**

**Signature/s of the Purchaser**

x

**IMPORTANT NOTICE - ADDITIONAL DISCLOSURE REQUIREMENTS**

**Undischarged mortgages – S32A(a)**

Where the land is to be sold subject to a mortgage (registered or unregistered) which is not to be discharged before the purchaser becomes entitled to possession or receipt of rents and profits, then the vendor must provide an additional statement including the particulars specified in Schedule 1 of the *Sale of Land Act 1962*.

**Terms contracts – S32A(d)**

Where the land is to be sold pursuant to a terms contract which obliges the purchaser to make two or more payments to the vendor after execution of the contract and before the vendor is entitled to a conveyance or transfer, then the vendor must provide an additional statement containing the information specified in Schedule 2 of the *Sale of Land Act 1962*.

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

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

VOLUME 09045 FOLIO 550

Security no : 124118739746M  
Produced 03/10/2024 02:16 PM

LAND DESCRIPTION

Lot 1 on Title Plan 202684C.  
PARENT TITLE Volume 08516 Folio 069  
Created by instrument F315301 23/05/1974

REGISTERED PROPRIETOR

Estate Fee Simple  
Joint Proprietors  
KENNETH ARTHUR HILDEBRAND  
JANICE GWENDOLYN CHIVERS both of 19 DEERY ROAD EMERALD VIC 3782  
AK488457T 26/07/2013

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 set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP202684C 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: 19 DEERY ROAD EMERALD VIC 3782

ADMINISTRATIVE NOTICES

NIL

eCT Control 18217W FALCONE & ADAMS LAWYERS  
Effective from 26/10/2023

DOCUMENT END

Delivered from the LANDATA® System by Landchecker Pty Ltd



# Imaged Document Cover Sheet

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Document Identification	<b>TP202684C</b>
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Document Assembled	<b>03/10/2024 14:16</b>

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TITLE PLAN		EDITION 1	TP 202684C
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<p><b>Location of Land</b></p> <p>Parish: GEMBROOK          Township:          Section:          Crown Allotment: 46 (PT)          Crown Portion:</p> <p>Last Plan Reference: LP 64680          Derived From: VOL 9045 FOL 550          Depth Limitation: NIL</p>	<p style="text-align: center;"><b>Notations</b></p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>
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<p><b>Description of Land / Easement Information</b></p>	<p>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</p> <p>COMPILED: 29/10/1999          VERIFIED: BC</p>
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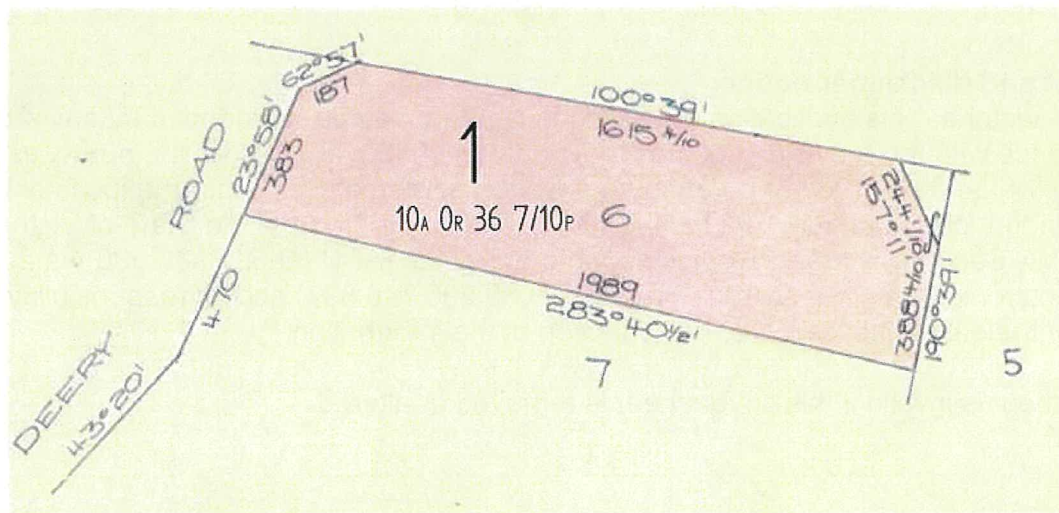


TABLE OF PARCEL IDENTIFIERS
<p>WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962</p>
<p>PARCEL 1 = LOT 6 (PT) ON LP 64680</p>

<p>LENGTHS ARE IN LINKS</p>	<p>Metres = 0.3048 x Feet          Metres = 0.201168 x Links</p>	<p>Sheet 1 of 1 sheets</p>
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# Imaged Document Cover Sheet

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**AK488457T**

# Transfer of Land

## Section 45 Transfer of Land Act 1958

**Privacy Collection Statement**  
The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

Lodged by

Name: Falcone + Adams

Phone: .....

Address: .....

Reference: .....

Customer Code: 7845

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

Land: (volume and folio)

Volume 9045 Folio 550

Estate and Interest: (e.g. "all my estate in fee simple")

All my estate in fee simple

Consideration:

Love and affection

Transferor: (full name)

Kenneth Arthur Hildebrand

Transferee: (full name and address including postcode)

Kenneth Arthur Hildebrand AND Janice Gwendolyn Chivers both of 19 Deery Road, Emerald, Victoria 3782 as joint proprietors

Directing Party: (full name)

Dated:

Execution and attestation:

Signed by **KENNETH ARTHUR HILDEBRAND** in the presence of: )

*[Signature]*

*K. A. Hildebrand*

Witness: .....

Signed by **JANICE GWENDOLYN CHIVERS** in the presence of: )

*[Signature]*

*Jan Chivers*

Witness: .....

2189119A

Order to Register

Duty Use Only

# T1

Please register and issue Certificate of Title to

Page 1 of 1

Signed

Customer Code:

**THE BACK OF THIS FORM MUST NOT BE USED**

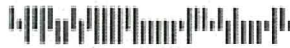
Land Victoria, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010

# Valuation, rates and charges notice

For period 1 July 2024 to 30 June 2025



ABN 32 210 906 807



Hildebrand, K A  
P O Box 119  
EMERALD VIC 3782

Date of issue 15/08/2024  
Property number 2222350300

Instalment 1  
Due 30  
September 2024 \$723.00

Instalment 2  
Due 30 November  
2024 \$723.00

Instalment 3  
Due 28 February  
2025 \$723.00

Instalment 4  
Due 31 May 2025 \$723.96

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

## Rates and valuation information for your property

### Description and location of property

19 Deery Rd  
Emerald 3782  
L1 TP202684

Capital Improved Value (CIV) as at 1 January 2024 \$1,095,000

Site Value (SV) \$730,000

Net Annual Value (NAV) \$54,750

Land Use Classification Residential

Australian Valuation Property Classification Code (AVPCC)  
117 : Single Residential Accommodation - Residential Rural/Rural Lifestyle (0.4 to 20 Hectares)

Owner Name(s) Hildebrand, K A

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

### Rates and Charges

Base Rate	1095000 x \$0.0021041	\$2,303.99
120t Garbage & Recycling Charge	1 x \$361.70	\$361.70
State Fire Services Property Levy	1095000 x \$0.000087 + \$132.00	\$227.27
<b>Total</b>		<b>\$2,892.96</b>

BPAY - 24/9/24  
REC NO 600461



Scan here to pay



## Payment options

**FlexiPay** Set up regular direct debit payments at [cardinia.vic.gov.au/flexipay](http://cardinia.vic.gov.au/flexipay)  
Verification code: FV05

**BPAY** Biller code: 858044  
Ref: 22223503008

BPAY is this payment via internet or phone banking  
BPAY View is - view and pay this bill via internet banking  
BPAY View registration number: 22223503008

**Post Billpay** Billpay Code: 0860  
Ref: 2222 3503 0000 008

Call 131 816 to pay over the phone  
Go to [postbillpay.com.au](http://postbillpay.com.au) or visit an Australia Post store

**POST billpay**



Instalment \*860 222235030000008

**Services Australia** Set up regular Centrepay deductions from your Centrelink payments at [www.servicesaustralia.gov.au/centrepay](http://www.servicesaustralia.gov.au/centrepay) CRN: 555 012 959V

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

**Call 131 816** to pay by credit card over the phone

**Register** to have your notice emailed  
Register at [cardinia.enotices.com.au](http://cardinia.enotices.com.au)  
Reference No: 7DF7AD9E1I

**MyCardinia** To verify your property in MyCardinia use verification code: FV05  
[www.cardinia.vic.gov.au/mycardinia](http://www.cardinia.vic.gov.au/mycardinia)



YARRA VALLEY WATER  
ABN 93 066 902 501

Lucknow Street  
Mitcham Victoria 3132

Private Bag 1  
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

E [enquiry@yvw.com.au](mailto:enquiry@yvw.com.au)  
[yvw.com.au](http://yvw.com.au)

4th October 2024

VICTORIAN STATEWIDE CONVEYANCING P/L.

Dear VICTORIAN STATEWIDE CONVEYANCING P/L.,

**RE: Application for Water Information Statement**

<b>Property Address:</b>	19 DEERY ROAD EMERALD 3782
<b>Applicant</b>	VICTORIAN STATEWIDE CONVEYANCING P/L.
<b>Information Statement</b>	30888964
<b>Conveyancing Account Number</b>	8998494776
<b>Your Reference</b>	20241866

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 [propertyflow@yvw.com.au](mailto:propertyflow@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,

Lisa Anelli  
GENERAL MANAGER  
RETAIL SERVICES



YARRA VALLEY WATER  
ABN 93 066 902 501

Lucknow Street  
Mitcham Victoria 3132

Private Bag 1  
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[yvw.com.au](http://yvw.com.au)

### **Yarra Valley Water Property Information Statement**

Property Address	19 DEERY ROAD EMERALD 3782
------------------	----------------------------

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.



YARRA VALLEY WATER  
ABN 93 066 902 501

Lucknow Street  
Mitcham Victoria 3132

Private Bag 1  
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

E [enquiry@yvv.com.au](mailto:enquiry@yvv.com.au)  
[yvv.com.au](http://yvv.com.au)

### **Melbourne Water Property Information Statement**

Property Address	19 DEERY ROAD EMERALD 3782
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STATEMENT UNDER SECTION 158 WATER ACT 1989

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

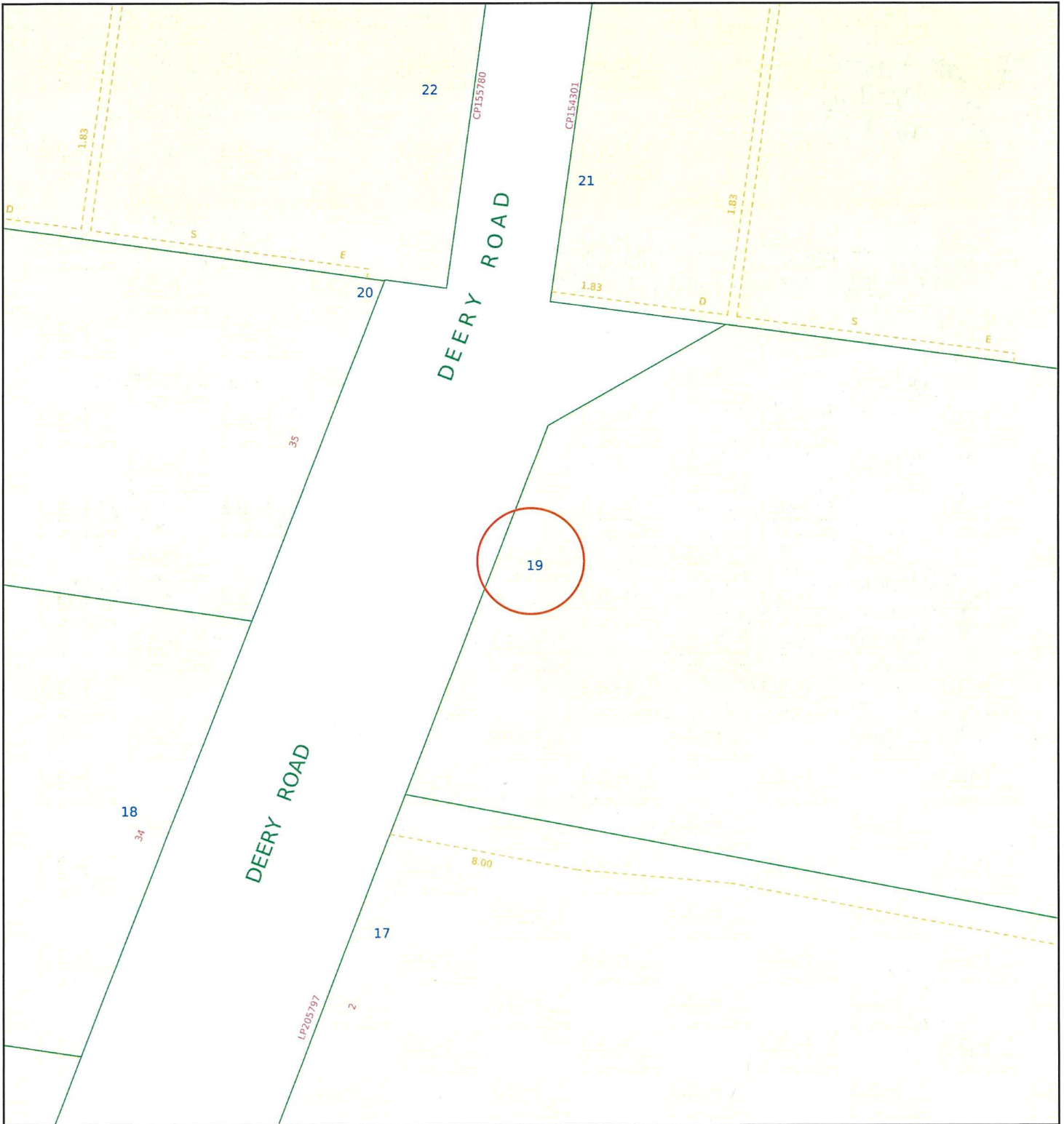
Information available at Melbourne Water indicates that this property is not subject to flooding from Melbourne Water's drainage system, based on a flood level that has a probability of occurrence of 1% in any one year.
















A natural valley floor draining south towards Cardinia Reservoir is located at the western portion of the property.

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.



<b>Yarra Valley Water</b> <b>Information Statement</b> <b>Number: 30888964</b>	<b>Address</b>	19 DEERY ROAD EMERALD 3782		  Yarra Valley Water ABN 93 066 902 501	
	<b>Date</b>	04/10/2024			
	<b>Scale</b>	1:1000			
Existing Title	 Access Point Number	GLV2-42	MW Drainage Channel Centreline		<b>Disclaimer:</b> 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;
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				



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F (03) 9872 1353

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

VICTORIAN STATEWIDE CONVEYANCING P/L.  
CERTIFICATES@VICTORIANSTATEWIDE.COM.AU

### RATES CERTIFICATE

**Account No:** 5965170000  
**Rate Certificate No:** 30888964

**Date of Issue:** 04/10/2024  
**Your Ref:** 20241866

With reference to your request for details regarding:

Property Address	Lot & Plan	Property Number	Property Type
19 DEERY RD, EMERALD VIC 3782	1\TP202684	1407558	Residential

Agreement Type	Period	Charges	Outstanding
Residential Water Service Charge	01-10-2024 to 31-12-2024	\$20.86	\$20.86
Residential Water Usage Charge <i>Step 1 – 9.000000kL x \$2.49560000 = \$4.91</i> <i>Step 1 – 0.000000kL x \$2.56310000 = \$18.03</i> Estimated Average Daily Usage \$0.26	11-06-2024 to 06-09-2024	\$22.94	\$0.00
Drainage Fee	01-10-2024 to 31-12-2024	\$16.89	\$16.89
<b>Other Charges:</b>			
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>	\$37.75

GENERAL MANAGER  
RETAIL SERVICES

**Note:**

1. From 1 July 2023, the Parks Fee has been charged quarterly instead of annually.
2. From 1 July 2023, for properties that have water and sewer services, the Residential Water and Sewer Usage charge replaces the Residential Water Usage and Residential Sewer Usage charges.
3. This statement details all tariffs, charges, and penalties due and payable to Yarra Valley Water as of the date of this statement and 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.
4. 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.
5. If the total due displays a (-\$ cr), this means the account is in credit. Credit amounts will be transferred to the



purchaser's account at settlement.

6. 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.

7. 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.

8. From 01/07/2024, Residential Water Usage is billed using the following step pricing system: 256.31 cents per kilolitre for the first 44 kilolitres; 327.60 cents per kilolitre for 44-88 kilolitres and 485.34 cents per kilolitre for anything more than 88 kilolitres. From 1 July 2023, this charge is applicable for properties with water service only.

9. From 01/07/2024, Residential Water and Sewer Usage is billed using the following step pricing system: 343.42 cents per kilolitre for the first 44 kilolitres; 450.59 cents per kilolitre for 44-88 kilolitres and 523.50 cents per kilolitre for anything more than 88 kilolitres. From 1 July 2023, this charge is applicable for residential properties with both water and sewer services.

10. From 01/07/2024, Residential Recycled Water Usage is billed 192.59 cents per kilolitre.

11. From 01/07/2022 up to 30/06/2023, Residential Sewer Usage was calculated using the following equation: Water Usage (kl) x Seasonal Factor x Discharge Factor x Price (/kl) 1.1540 per kilolitre. From 1 July 2023, this charge will no longer be applicable for residential customers with both water and sewer services.

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



YARRA VALLEY WATER  
ABN 93 066 902 501

Lucknow Street  
Mitcham Victoria 3132

Private Bag 1  
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DX 13204

F (03) 9872 1353

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

**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:** 1407558

**Address:** 19 DEERY RD, EMERALD VIC 3782

**Water Information Statement Number:** 30888964

## HOW TO PAY



Billor Code: 314567  
Ref: 59651700007

Amount  
Paid

Date  
Paid

Receipt  
Number

# PROPERTY REPORT

19 Deery Road, Emerald Vic 3782

## Details

### LOT/PLAN NUMBER OR CROWN DESCRIPTION

Lot. 1 TP202684

### LOCAL GOVERNMENT (COUNCIL)

Cardinia

### LEGAL DESCRIPTION

1\TP202684

### COUNCIL PROPERTY NUMBER

2222350300

### LAND SIZE

41,480m<sup>2</sup> Approx

### ORIENTATION

East

### FRONTAGE

114.57m Approx

### ZONES

RCZ - Rural Conservation Zone - Schedule 2

### OVERLAYS

BMO - Bushfire Management Overlay

ESO - Environmental Significance Overlay - Schedule 1

## State Electorates

### LEGISLATIVE COUNCIL

Eastern Victoria Region

### LEGISLATIVE ASSEMBLY

Monbulk District

## Schools

### CLOSEST PRIVATE SCHOOLS

Dandenong Ranges Steiner School - School Road Campus (5678 m)

Maxwell Creative School (5683 m)

Dandenong Ranges Steiner School (6328 m)

### CLOSEST PRIMARY SCHOOLS

Emerald Primary School (2468 m)

### CLOSEST SECONDARY SCHOOLS

Emerald Secondary College (2919 m)

## Burglary Statistics

### POSTCODE AVERAGE

1 in 124 Homes

### STATE AVERAGE

1 in 76 Homes

### COUNCIL AVERAGE

1 in 85 Homes

## Council Information - Cardinia

### PHONE

1300787624 (Cardinia)

### EMAIL

mail@cardinia.vic.gov.au

### WEBSITE

<http://www.cardinia.vic.gov.au/>



# Due Diligence Checklist

## What you need to know before buying a residential property

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

