

DATED

2020

PHILIP JAMES KEEGAN
and
HELEN MARY KEEGAN

VENDOR'S STATEMENT

Property
413 Willatook- Warrong Road, Warrong

219 Koroit Street | WARRNAMBOOL VIC 3280
DX 28001 WARRNAMBOOL

Tel: 03 5560 2000 | Fax: 03 5560 2099
Ref: FJG:201340

VENDOR'S STATEMENT PURSUANT TO 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.

VENDOR **PHILIP JAMES KEEGAN and HELEN MARY KEEGAN**

PROPERTY **413 Willatook- Warrong Road, Warrong**

1. FINANCIAL MATTERS

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

- (a) Are contained in the attached certificates.
- (b) Amounts for which the purchaser may become liable as a consequence of the sale of which the vendor might reasonably be expected to have knowledge of, are as follows:
 - (i) The purchaser will be liable for municipal, water, sewerage and drainage rates and charges from the date of settlement.
 - (ii) The purchaser may also become liable for State Land Tax depending on the use to which the property is put and other properties owned by the purchaser.

1.2 Particulars of any Charges (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.

Nil.

1.3 Terms Contract

This section 1.3 only applies if the 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, particulars are as follows:

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 to the receipt of rents and profits, are as follows:

Nil.

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 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.

- See attached Condition Report dated 27 October 2020.

- **WARNING:**

There is no domestic building insurance in force with respect to the building on the land sold.

- The Vendor has been unable to obtain Owner Builder insurance as required by the Building Act due to the length of time between issue of the Building Permit and issue of the Certificate of Occupancy per letter dated 13 November 2020 from Australian Owner Builder Services Pty Ltd.
- In respect of the building on the land:
 - (a) the Vendor warrants that all domestic building work carried out in relation to the construction by or on behalf of the Vendor of the building was carried out in a proper and workmanlike manner; and
 - (b) the Vendor warrants that all materials used in that domestic building work were good and suitable for the purpose for which they were used and that, unless otherwise stated in the Contract, those materials were new; and
 - (c) the Vendor warrants that that domestic building work was carried out in accordance with all laws and legal requirements, including, without limiting the generality of this warranty, the Building Act 1993 and the regulations made under the Building Act.

3. LAND USE

3.1 Easements, Covenants or Other Similar Restrictions

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

- (a)
 - (i) Are as set out in the attached copies of title documents.
 - (ii) There is an unregistered easement in favour of Telstra Corporation relating to the subterranean installation of fibre optic cables on Crown Allotment 2 Section 26 Parish of Willatook – see attached Plan VK – 20868 attached.
 - (iii) Aside from the registered and unregistered easements referred to 3.1(a)(i) and (ii) above, none known to the vendor.
- (b) Particulars of any existing failure to comply with the terms of that easement, covenant 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.

3.2 Road Access

There is access to the property by road.

3.3 Designated Bushfire Prone Area

The land is in a bushfire prone area under section 192A of the *Building Act 1993*.

3.4 Planning Scheme

Attached is a certificate with the required specified information.

4. NOTICES

4.1 Notice, Order, Declaration, Report or Recommendation

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

Nil.

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:

Nil.

4.3 Compulsory Acquisition

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

Nil.

5. BUILDING PERMITS

Particulars of any building permits issued under the *Building Act 1993* in the preceding 7 years (required only where there is a residence on the land) are attached.

6. OWNERS CORPORATION

The land is not affected by an Owners Corporation within the meaning of the *Owners Corporations Act 2006*.

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

Words and expressions in this section 7 have the same meaning as in Part 9B of the *Planning and Environment Act 1987*.

7.1 Work-in-Kind Agreement

There is no work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987*).

7.2 GAIC Recording

The land is not affected by the GAIC.

8. SERVICES

The following services are **not** connected to the land:

- (a) gas supply;
- (b) town water supply;
- (c) sewerage.

9. TITLE

9.1 Attached is a copy of the Register Search Statement and the document, or part of the document, referred to as a "diagram location" in the Statement that identifies the land and its location.

10. DISCLOSURE OF ENERGY EFFICIENCY INFORMATION

There is no certificate relating to Energy Efficiency Information applicable.

11. 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 the 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.

The vendor makes this statement in respect of the land in accordance with section 32 of the *Sale of Land Act 1962*.

Date of this Statement:

Signatures of the vendor:
PHILIP JAMES KEEGAN
.....
HELEN MARY KEEGAN

The purchaser acknowledges being given a duplicate of this statement signed by the vendor with the attached documents before the purchaser signed any contract.

Date of this Acknowledgment:

Signature/s of the purchaser:

Name/s of the purchaser:

VICTORIAN CIVIL AND ADMINISTRATIVE TRIBUNAL

CIVIL DIVISION

BUILDING AND PROPERTY LIST

VCAT Reference: BP1877/2020

APPLICANTS: Helen Keegan t/as Philip J & Helen M Keegan
(ABN: 20 661 349 854), Philip Keegan t/as Philip J
& Helen M Keegan (ABN: 20 661 349 854)

TYPE OF ORDER: In Chambers

BEFORE: Senior Member S Kirton

DATE OF ORDER: 18 November 2020

ORDERS

1. Based on the declaration of the applicant made 14 November 2020 and the documents provided, the Tribunal orders pursuant to s.68 of the *Domestic Building Contracts Act 1995* that the building situated at 413 Willatook-Warrong Road, Warrong, Victoria, Certificate of Title Volume 8067 Folio 961, ("the Property"), is exempted from the operation of s.137B(2)(b) and (c) of the *Building Act 1993* subject to the following conditions:

- (a) The Vendor's statement to be provided under s.32 of the *Sale of Land Act 1962* and the contract of sale with respect to any sale of the Property must include, in prominent, bold type, the following clause:

WARNING:

There is no domestic building insurance in force with respect to the building on the land sold.

- (b) These orders do not alter or affect any obligation on the applicant, in respect of any sale of the Property, to provide a building inspection report to an intending purchaser of the Property in accordance with s.137B(2)(a) of the *Building Act 1993*.
- (c) The Vendor's statement to be provided under s.32 of the *Sale of Land Act 1962* and the contract of sale with respect to any sale of the Property must include the following clause:

"In respect of the building on the land:

- (a) *the vendor warrants that all domestic building work carried out in relation to the construction by or on behalf of the vendor of the building was carried out in a proper and workmanlike manner; and*



- (b) *the vendor warrants that all materials used in that domestic building work were good and suitable for the purpose for which they were used and that, unless otherwise stated in the contract, those materials were new; and*
- (c) *the vendor warrants that that domestic building work was carried out in accordance with all laws and legal requirements, including, without limiting the generality of this warranty, the Building Act 1993 and the regulations made under the Building Act."*
- (d) A copy of this order must be annexed to the Contract of Sale of the Property and the Vendor's statement.
- (e) If the Property is sold by public auction, the warning clause referred to in paragraph 1(a) above must be read out immediately before the auction.

SENIOR MEMBER S KIRTON





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

VOLUME 08067 FOLIO 961

Security no : 124086075706D
Produced 15/10/2020 06:12 PM

CROWN GRANT

LAND DESCRIPTION

Crown Allotment 3 Section 26 Parish of Willatook.

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors

PHILIP JAMES KEEGAN
HELEN MARY KEEGAN both of 413 WILLATOOK-WARRONG ROAD WARRONG 3283
AB142379W 12/03/2002

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AB142380N 12/03/2002
COMMONWEALTH BANK OF AUSTRALIA

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below. For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP813578T 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: "WILLARONG" 413 WILLATOOK-WARRONG ROAD WARRONG VIC 3283

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA
Effective from 23/10/2016

DOCUMENT END



Imaged Document Cover Sheet

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Document Type	Plan
Document Identification	TP813578T
Number of Pages (excluding this cover sheet)	2
Document Assembled	15/10/2020 18:16

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

TITLE PLAN	EDITION 1	TP 813578T
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Location of Land

Parish : WILLATOOK
 Township: -
 Crown Allotment: 3
 Crown Portion: -
 Section: 26

Base record : DCMB
 Last Plan Reference : -
 Derived From : VOL. 8067 FOL. 961

Depth Limitation : 50 FEET

Notations

SUBJECT TO THE RESERVATIONS AND CONDITIONS AND POWERS IN CROWN GRANT VOL. 8067 FOL. 961 AND NOTED ON SHEET 2 OF THIS PLAN

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

Description of Land/ Easement Information

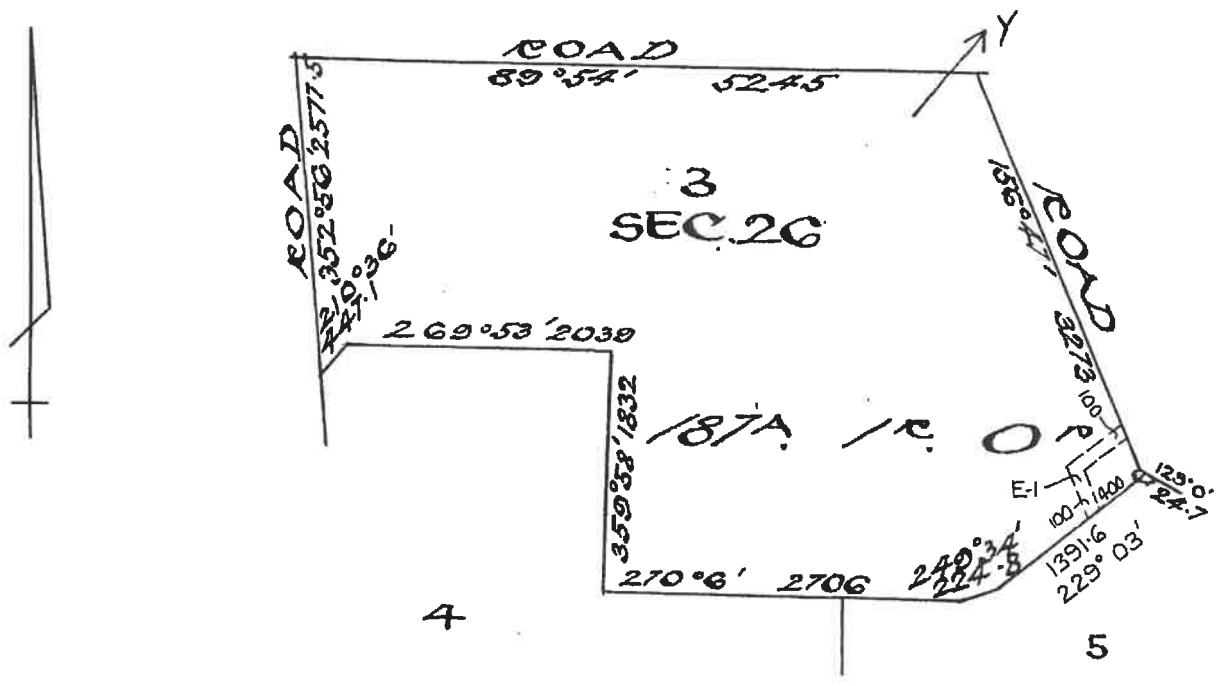
ENCUMBRANCES

AS TO THE LAND MARKED E-1
 THE EASEMENT FOR WATER SUPPLY &
 DRAINAGE CREATED BY INST. NO. C891258

THIS PLAN HAS BEEN PREPARED BY
 LAND REGISTRY, LAND VICTORIA FOR
 TITLE DIAGRAM PURPOSES

COMPILED: Date 25/11/05
 VERIFIED: A. DALLAS
Assistant Registrar of Titles

COLOUR CODE
 E-1 & Y = YELLOW



TITLE PLAN

TP 813578T

**LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS
CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT**

ALL THAT PIECE OF LAND in the said State containing one hundred and eighty-seven acres and one rood more or less being Allotment three of Section twenty-six in the Parish of Willstock County of Villiers

delineated and coloured yellow in the map in the margin hereof TOGETHER with the right to sink wells for water and to the use for all purposes of any wells and springs now or hereafter upon the said land as though this Grant had been made without any limitation as to depth PROVIDED that this Grant is made subject to—

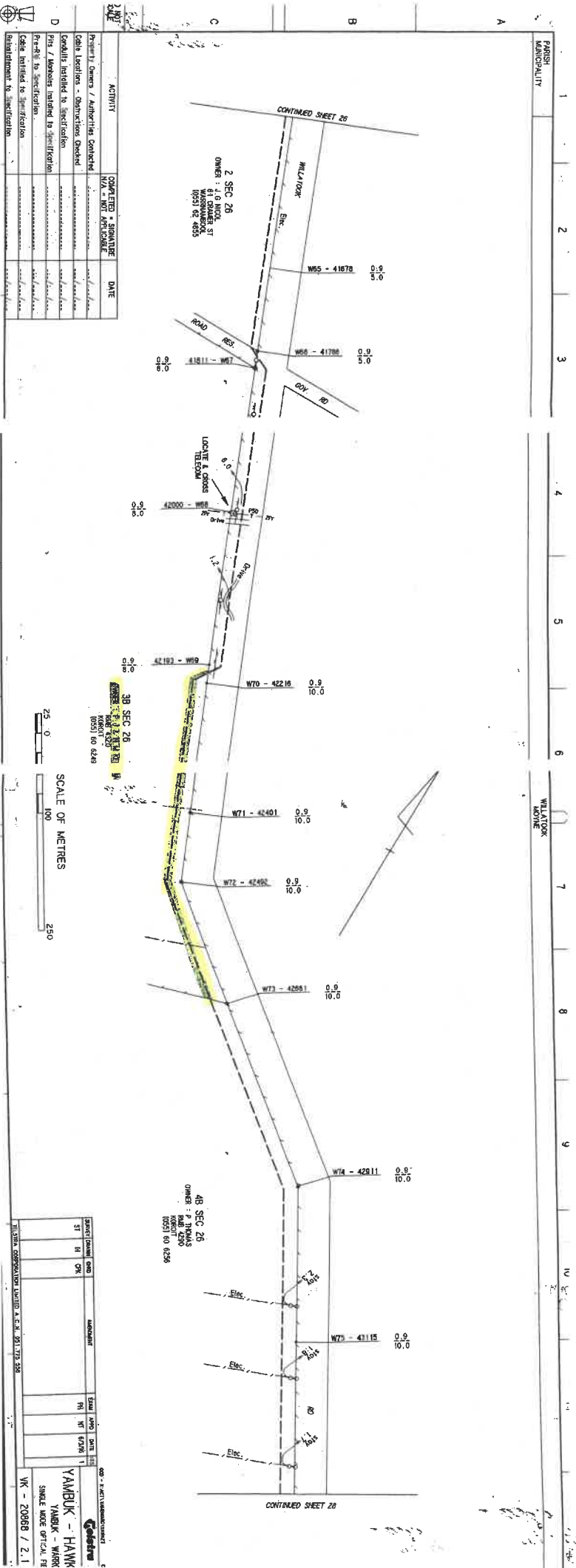
- (a) the reservation to Us Our heirs and successors of—
 - (i) all gold silver uranium thorium and minerals within the meaning of the *Mines Act 1958* and petroleum within the meaning of the *Petroleum Act 1958* (hereinafter called “the reserved minerals”);
 - (ii) rights of access for the purpose of searching for and obtaining the reserved minerals in any part of the said land;
 - (iii) rights for access and for pipe-lines works and other purposes necessary for obtaining and conveying on and from the said land any of the reserved minerals which is obtained in any part of the said land;
- (b) the right to resume the said land for mining purposes pursuant to section 205 of the *Land Act 1958*;
- (c) the right of any person being the holder of a miner’s right or of a mining lease or mineral lease under the *Mines Act 1958* or any corresponding previous enactment to enter on the said land and to mine for gold or minerals within the meaning of that Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those under which such a person has now the right to mine for gold and silver in and upon Crown lands provided that compensation as prescribed by Part II. of that Act is paid for surface damage to be done to the said land by reason of mining thereon.

To hold unto the grantees in fee simple

LENGTHS ARE IN
LINKS

Metres = 0.3048 x Feet
Metres = 0.201168 x Links

Sheet 2 of 2 Sheets



ACTIVITY	COMPLETED	REQUIRE	DATE
Project Owners / Authorities Contacted	NAK - UPE	APPROVAL	
Costs Incurred - Construction Checked			
Conditions Included in Specification			
Price / Monitors Included in Specification			
Per-File to Specification			
Cable Installed to Specification			
Reinstatement to Specification			

ST	IN	CH	AMOUNT	TOTAL	DATE

TR. STA. CORPORATION LIMITED S. 6. 5117/25 358

YAMBUK - HAWK
YAMBUK - WARR
SINGLE MADE OFFICIAL FILE
YK - 20068 / 2.1



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

Page 1 of 1

VOLUME 09300 FOLIO 439

Security no : 124086075705E
Produced 15/10/2020 06:12 PM

LAND DESCRIPTION

Crown Allotment 21 Section B Parish of Willatook.
PARENT TITLE Volume 08331 Folio 327
Created by instrument G803111 28/09/1977

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
PHILIP JAMES KEEGAN
HELEN MARY KEEGAN both of 413 WILLATOOK-WARRONG ROAD WARRONG 3283
AB142378Y 12/03/2002

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AB142380N 12/03/2002
COMMONWEALTH BANK OF AUSTRALIA

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP813566B 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: "WILLARONG" 413 WILLATOOK-WARRONG ROAD WARRONG VIC 3283

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA
Effective from 23/10/2016

DOCUMENT END



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TITLE PLAN	EDITION 2	TP 813566B
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Location of Land

Parish : WILLATOOK
 Township : -
 Crown Allotment : 21
 Crown Portion : -
 Section : B

Base record : DCMB
 Last Plan Reference : -
 Derived From : VOL. 9300 FOL. 439

Depth Limitation : 15.24 METRES

Notations

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

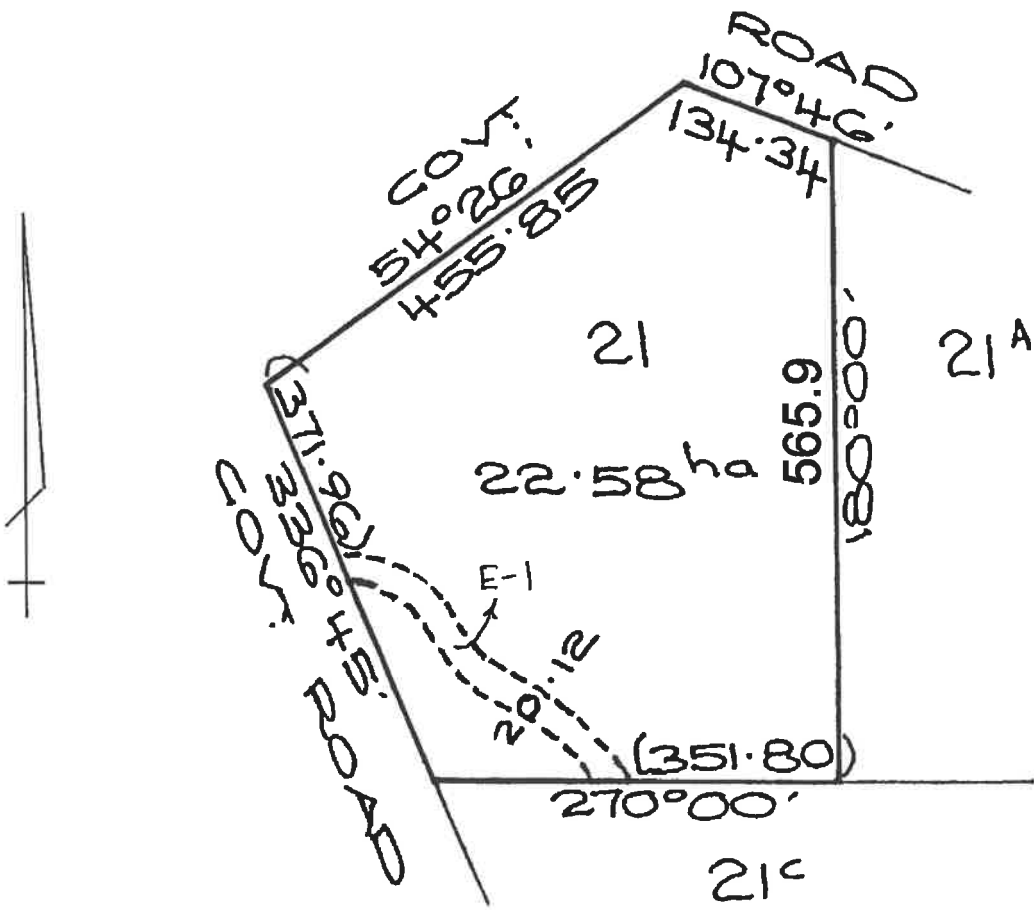
Description of Land/ Easement Information

THIS PLAN HAS BEEN PREPARED BY
 LAND REGISTRY, LAND VICTORIA FOR
 TITLE DIAGRAM PURPOSES

COMPILED: Date 20/12/05
 VERIFIED: A. DALLAS
Assistant Registrar of Titles

ENCUMBRANCES

AS TO THE LAND MARKED E-1
THE CONDITION relating to Drainage set
 out in Crown Grant Vol.8331 Fol.327 --



LENGTHS ARE IN
 METRES

Metres = 0.3048 x Feet
 Metres = 0.201168 x Links



LAND INFORMATION CERTIFICATE
Section 229 of the Local Government Act 1989

This Certificate provides information regarding Valuation, Rates, Charges, and other monies owing and any orders and notices made under the Local Government Act 1958, Local Government Act 1989 or under local law or by-law of the Moyne Shire, and specified flood level by Moyne Shire (if any). This Certificate is not required to include information regarding Planning, Building, Health, Landfill, Land slip, other Flooding information or Service Easements. Information regarding these matters may be available from the Council or relevant authority. A fee may be charged for such information.

Applicant: **Landata**
DX 250639
MELBOURNE

Issue Date: **16/10/2020**

Certificate No: **LIC-21/90252**

Your Reference: **41655932-025-2**

Property No.: **505402**

Property Location: **413 Willatook-Warrong Road WARRONG VIC 3283**

Property Description: **WILLATOOK Lot 21 Sec B 22.710000 HA Willatook Lot 3 Sec 26
 76.760000 Ha**

Site Value: **\$660000.00** Capital Improved Value: **\$1120000.00** Net Annual Value: **\$56000.00**

Level of Valuation: **01/01/2020** Effective Date of Valuation: **01/07/2020**

Rates are levied on the Capital Improved Value. Rate in the \$: .0020724

RATES, CHARGES AND OTHER MONIES
For the year ending 30th June 2021

Details of Rates, Charges, Outstanding Notices and Works for which a charge has been made:

Description	Levied	Outstanding Arrears	Outstanding Current	Total Outstanding
General Rate	\$2321.08	\$0.00	\$1739.76	\$1739.76
Municipal Charge	\$267.00	\$0.00	\$200.13	\$200.13
Waste Facilities Service Charge	\$135.00	\$0.00	\$101.19	\$101.19
Fire Services Levy	\$442.80	\$0.00	\$331.92	\$331.92
Schemes (L.G.A. 1958) Interest to A/C No.				
Separate Rates (L.G.A. 1958) Interest to A/C No.				
Special Rates & Charges Interest to A/C No.				
				\$2373.00

PLEASE NOTE: IN ACCORDANCE WITH SECTION 175(1), LOCAL GOVERNMENT ACT, 1989, THE OWNER **MUST PAY** ALL RATES AND CHARGES THAT ARE CURRENT OR IN ARREARS WHICH ARE DUE AND PAYABLE. **THE ARREARS AMOUNTS SHOWN ON THIS CERTIFICATE ARE ACCURATE AT THE TIME OF ISSUE.**

COUNCIL ADVISES RECIPIENTS OF LAND INFORMATION CERTIFICATES TO CONTACT THE RATES DEPARTMENT FOR AN UPDATE OF THIS INFORMATION PRIOR TO SETTLEMENT

MOYNE SHIRE COUNCIL

LAND INFORMATION CERTIFICATE (CONT.)

Property Address: **413 Willatook-Warrong Road WARRONG VIC 3283**

Property No.: **505402**

Certificate No.: **LIC-21/90252**

Important Notes:

1. This certificate may be updated verbally within the Current Rate period up to three (3) months from date of issue. It should be noted that Council will only be held responsible for information given in writing. (i.e. A new certificate - **not** information provided or confirmed verbally.)
2. Rates and Charges not paid by the due dates are subject to penalty interest. Interest will continue to accrue at the rate fixed under Section 2 of the Penalty Interest Rates Act 1983 until such time as payment of outstanding rates and charges is received.
3. This Land Information Certificate does not contain any information about the planning controls that apply to the land. Planning controls may regulate the use or development of the land. You should make enquiries of Council through its Planning Department or apply for a planning certificate under the **Planning and Environment Act 1987** to ascertain the planning controls that may apply to the land.
4. Payments are subject to clearance by the bank.
5. The rates and charges are for the period **01/07/2020** to **30/06/2021**.
6. In accordance with Section 175 of the Local Government Act 1989, the purchaser must pay at settlement any rates or charges (including interest) which are due and payable by Instalments on: **30/09/2020; 30/11/2020; 28/02/2021; 31/05/2021**.


For further information, please contact Council's Rates Office on ☎ (03) 5568 0555

Receipt for the sum of \$27.00 being the fee for this Certificate is acknowledged.

I hereby certify that as at the date of this Certificate, the information given in this Certificate is true and correct and conforms with the requirements of the appropriate section of the Local Government Act 1989.

.....
Trudy Kelly
Rates Officer

Please check Rate Account balance with Shire before making payment.

	Biller Code : 71944
	Reference : 5054020

PLANNING CERTIFICATE

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

CERTIFICATE REFERENCE NUMBER

689685

APPLICANT'S NAME & ADDRESS

**MADDENS LAWYERS VIC C/- INFOTRACK C/- LANDATA
MELBOURNE**

VENDOR

KEEGAN, PHILIP JAMES

PURCHASER

D, D D

REFERENCE

351959

This certificate is issued for:

LAND CONTAINED IN VOLUME: 8067 FOLIO: 961 CROWN ALLOTMENT 3 SECTION 26 PARISH OF WILLATOOK
ALSO KNOWN AS 413 WILLATOOK-WARRONG ROAD WARRONG
MOYNE SHIRE

The land is covered by the:

MOYNE PLANNING SCHEME

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

The land:

- is included in a **FARMING ZONE**

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

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

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®
2 Lonsdale Street
Melbourne VIC 3000
Tel: (03) 9194 0606

16 October 2020

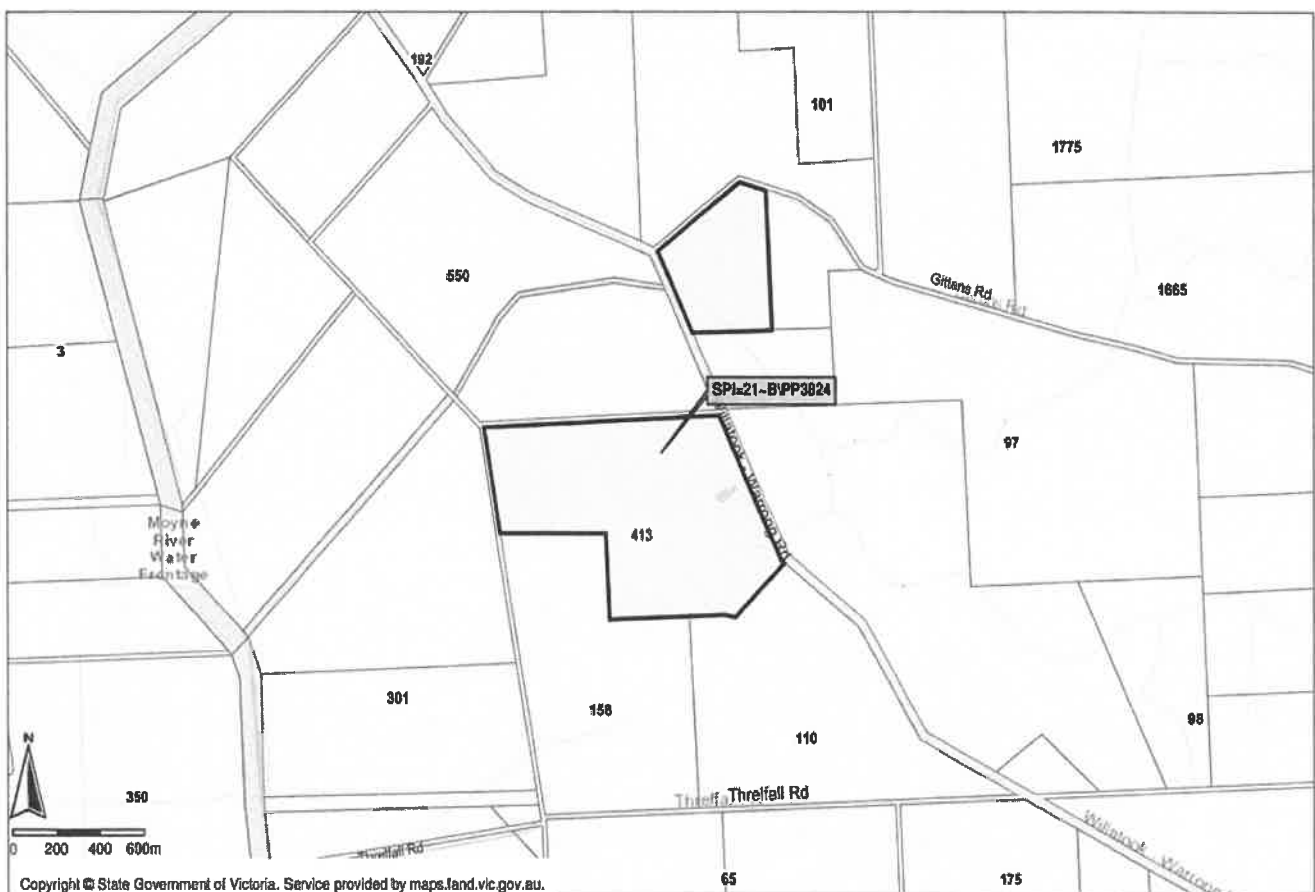
Hon. Richard Wynne MP
Minister for Planning

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) 9194 0606 or email landata.enquiries@delwp.vic.gov.au.

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



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.



PLANNING CERTIFICATE

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

CERTIFICATE REFERENCE NUMBER

689648

APPLICANT'S NAME & ADDRESS

MADDENS LAWYERS VIC C/- INFOTRACK C/- LANDATA
MELBOURNE

VENDOR

KEEGAN, PHILIP JAMES

PURCHASER

N/A, N/A

REFERENCE

351959

This certificate is issued for:

LAND CONTAINED IN VOLUME: 9300 FOLIO: 439 CROWN ALLOTMENT 21 SECTION B PARISH OF WILLATOOK
ALSO KNOWN AS 413 WILLATOOK-WARRONG ROAD WARRONG
MOYNE SHIRE

The land is covered by the:

MOYNE PLANNING SCHEME

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

The land:

- is included in a FARMING ZONE

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

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

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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®
2 Lonsdale Street
Melbourne VIC 3000
Tel: (03) 9194 0606

16 October 2020

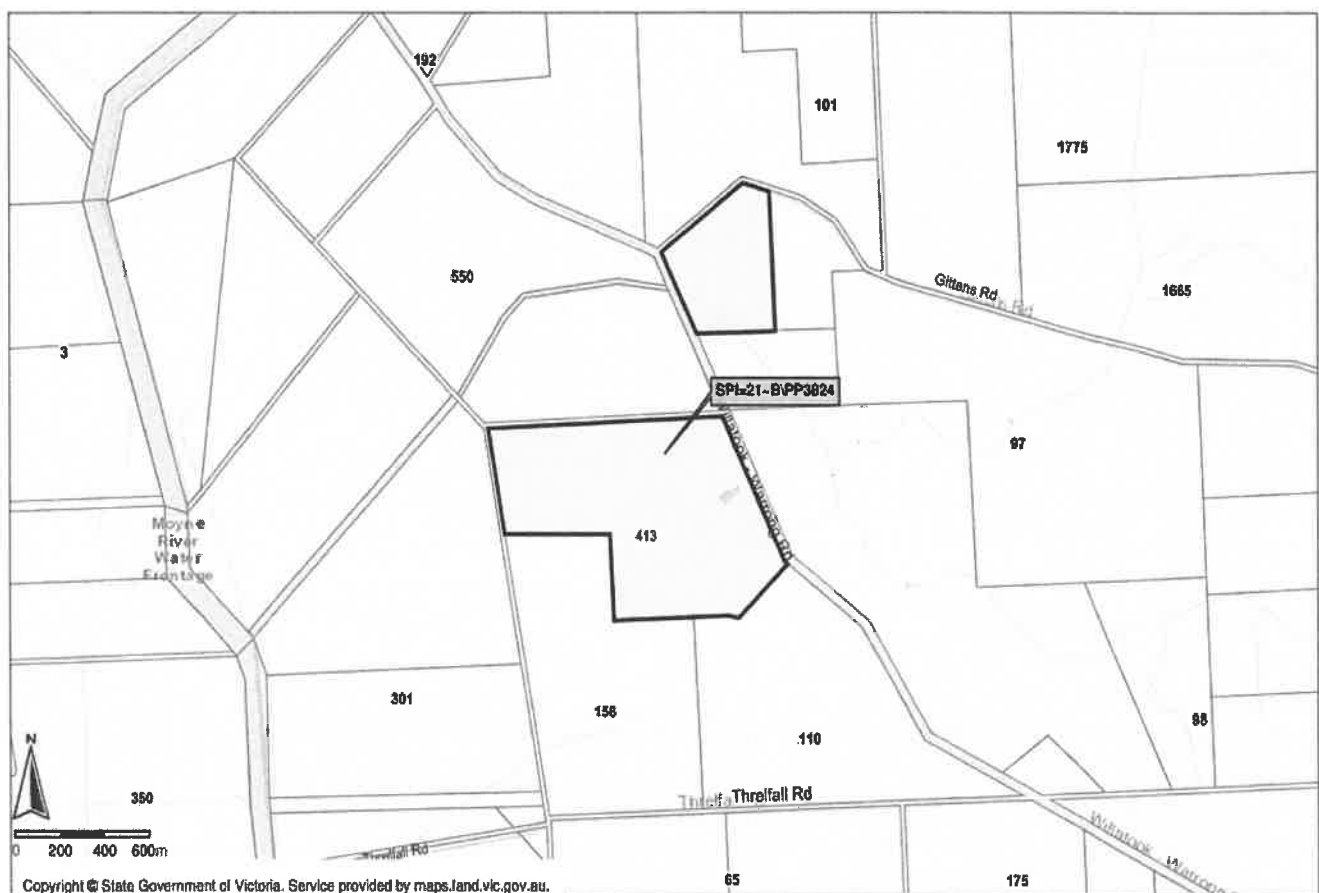
Hon. Richard Wynne MP
Minister for Planning

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) 9194 0606 or email landata.enquiries@delwp.vic.gov.au.

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



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.

Land Tax Clearance Certificate

Land Tax Act 2005



INFOTRACK / MADDENS LAWYERS VIC

Your Reference: FJG:201340

Certificate No: 40214772

Issue Date: 20 OCT 2020

Enquiries: MXM0

Land Address: 413 WILLATOOK-WARRONG ROAD WARRONG VIC 3283

Land Id	Lot	Plan	Volume	Folio	Tax Payable
4374819			9300	439	\$0.00
			8067	961	

Vendor: HELEN KEEGAN & PHILIP KEEGAN

Purchaser: FOR INFORMATION PURPOSES

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
MR PHILIP JAMES KEEGAN	2020	\$315,000	\$0.00	\$0.00	\$0.00

Comments: Property is exempt: LTX primary production land.

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: \$615,000

SITE VALUE: \$315,000

AMOUNT PAYABLE: \$0.00

Notes to Certificates Under Section 105 of the *Land Tax Act 2005*

Certificate No: 40214772

1. Under Section 96 of the *Land Tax Act 2005* (the Act), unpaid land tax (including special land tax and vacant residential land tax) is a first charge on the land to which it relates and should the vendor default, payment will be obtained from the purchaser. The purchaser should take into account the possibility that the vendor may default where land tax has been assessed but not paid.
2. A purchaser who has obtained a Certificate is only liable to a charge on the land to the amount of unpaid land tax as certified by a Certificate. A purchaser must obtain the Certificate from the Commissioner. They cannot rely on the Certificate obtained by the vendor.
3. If land tax (including special land tax and vacant residential land tax) is due but not paid on a property, the Land Tax Clearance Certificate will certify the amount of land tax due and payable on that land. This amount will be binding on the Commissioner of State Revenue (the Commissioner) for purposes of section 96 of the Act whether or not it is paid to the State Revenue Office (SRO) on, or shortly after, settlement.
4. The amount of land tax on this certificate relates to the amount of land tax (including special land tax and vacant residential land tax) due and payable as at the date of the application only and not to any future liability or the tax status of the land.
5. A 'Nil' Land Tax Clearance certificate does not mean that the land on the certificate is exempt from land tax or vacant residential land tax.
6. If land tax (including special land tax or vacant residential land tax) will be payable on a property but payment is not due at the time the application is processed, the certificate will certify the amount that should be retained by the purchaser at settlement and remitted to the SRO. The Commissioner will consider himself bound by this amount against the purchaser, only if the amount is remitted to the SRO.
7. If the amount in 4. (above) is understated, the Commissioner has the right to seek recovery of the correct amount, or the balance, as the case may be, from the:
 - a. vendor, or
 - b. purchaser, if the vendor defaults and the certified amount has not been remitted to the SRO.
8. If an amount is certified in respect of a proposed sale which is not completed, the Commissioner will not be bound by the same amount in respect of a later sale of the subject land - another certificate must be applied for in respect of that transaction.
9. If an amount certified is excessively high (for example, because an exemption or concession has not been deducted in calculating the amount) the Commissioner will issue an amended certificate, without an additional fee being charged on receipt of sufficient evidence to that effect from the vendor.
10. If no land tax (including special land tax or vacant residential land tax) is stated as being payable in respect of the property, the Commissioner will consider himself bound by that certification, in respect of the purchaser, if the land is subsequently found to be taxable and the vendor defaults.
11. If the vendor refuses to be bound by an amount stated by the Commissioner and does not agree to the amount being withheld and remitted at settlement, the purchaser cannot rely on such refusal as a defence to an action by the Commissioner to recover the outstanding amount from the purchaser under Sections 96 or 98 of the Act.
12. The information on a certificate cannot preclude the Commissioner from taking action against a vendor to recover outstanding land tax (including special land tax and vacant residential land tax).
13. You can request a free update of a Land Tax Clearance Certificate via our website if:
 - there is no change to the parties involved in the transaction, and
 - the request is within 90 days of the original certificate being issued.

For Information Only

LAND TAX CALCULATION BASED ON SINGLE OWNERSHIP

Land Tax = \$405.00

Taxable Value = \$315,000

Calculated as \$275 plus (\$315,000 - \$250,000) multiplied by 0.200 cents.

Land Tax Clearance Certificate - Payment Options

BPAY



Billers Code: 5249
Ref: 40214772

Telephone & Internet Banking - BPAY®

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

www.bpay.com.au

CARD



Ref: 40214772

Visa or Mastercard.

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

sro.vic.gov.au/paylandtax



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

ROADS PROPERTY CERTIFICATE

The search results are as follows:

Maddens Lawyers VIC C/- InfoTrack
135 King Street
SYDNEY 2000
AUSTRALIA

Client Reference: 351959

NO PROPOSALS. As at the 15th October 2020, 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®.

"WILLARONG", 413 WILLATOOK-WARRONG ROAD, WARRONG 3283
SHIRE OF MOYNE

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 October 2020

Telephone enquiries regarding content of certificate: 13 11 71

[Vicroads Certificate] # 41655932 - 41655932181245 '351959'

INFORMATION STATEMENT

Issued pursuant to S. 158 of the Water Act (1989) showing Orders, Rates and charges due to be paid to Southern Rural Water (SRW) with respect to the land described here under.

Info Stmt No: 20-1600349
Date: 4 November 2020
Your Ref: 42142567-034-8

Applicant: Maddens Lawyers VIC C/-InfoTrack
c/o LANDATA
landata.online@victorianlrs.com.au

Property & Vendor Details						
Vendor	Address	Lot	Plan	Section	Crown Allot.	Parish
Philip James Keegan Helen Mary Keegan	Willatook-Warrong Road, Warrong	-	-	26	3	Willatook

SRW Service associated with this property: (refer overleaf for details) ✓= Applicable, * = Not Applicable				
Surfacewater Licence	*		Conditional Section 51	*
Groundwater Licence	✓		Registration Licence	*
Hazardous Dam	*			

Service Charge Summary 2020/21:	Amount \$
2020/2021 Tariff (Period 1 July 2020 - 30 June 2021)	\$381.40
Paid	\$0.00
Total Payable A/c No. 1044117 as at 4 November 2020:	\$381.40

Any outstanding fees listed above are required to be paid in full prior to any transfer being affected, as outlined in S.275 (1) of the Water Act 1989.

Encumbrances/Outstanding Works:


The maximum volume of water that may be applied to the land referred to in the licence in any 12-month period from 1 July to 30 June is the annual use limit which is equal to the licence volume, or if the annual use limit is adjusted by the Authority on account of seasonal conditions this adjusted annual use limit.

IMPORTANT INFORMATION

A Surfacewater or Groundwater Licence, or a Water Share **do not automatically transfer** and/or follow a change of ownership of land. An application to transfer the above Licence or Water Share must be made in the prescribed form and lodged with the Authority together with the prescribed fee * for consideration by SRW. **A Licence or Water Share cannot be transferred without the approval of SRW.** Current water usage may not have been included in this statement. Should you require a meter reading please contact this office giving adequate notice and lodge with the prescribed fee. Please note that there are document preparation fees for new Permits/Agreements that may have to be issued as a result of the change of ownership.

- | | |
|---|--|
| • Surfacewater Transfer Fee - \$126.00 | • Part Transfer of a Licence - \$387.50 |
| • Groundwater Transfer Fee - \$126.00 | • Special Meter Reading Fee - \$116.00 |
| • Registration Transfer Fee - \$126.00 | |

You should otherwise make your own enquires of the owner or occupier of the land in respect of whom or which this information statement is provided.



Jane Waller
Team Leader Applications

NOTE: The information provided is current as at the date of this statement and is provided in good faith.

INFORMATION STATEMENT (Cont)

Service Details:

Licence No:	BEE025767 & WLE036550	Licence Expiry: 30/06/2022		
Licence Type:	Licence to take and use groundwater and to operate works (South West Limestone GMU)			
Volume (Megalitres):	4.1			
Purpose:	Dairy			
Annual Tariff Description (Subject to Annual Review)		Volume	Rate \$	Amount \$
Licence Fixed Charge Component		1	365.00	365.00
Licence Variable Charge Component per ML of Licensed Volume		4.1	4.00	16.40
Total Charges 2020 / 2021:				\$381.40

Taking water from a bore for domestic and stock purposes does not require a licence. As such domestic and stock water does not appear on groundwater licenses nor are fees charged for this purpose.

Southern Rural Water
PO Box 153
Maffra VIC 3860
srw@srw.com.au
1300 139 510

COPY OF RECORD IN THE VICTORIAN WATER REGISTER TAKE AND USE LICENCE

under Section 51 of the Water Act 1989

The information in this copy of record is as recorded at the time of printing. Current information should be obtained by a search of the register. The State of Victoria does not warrant the accuracy or completeness of this information and accepts no responsibility for any subsequent release, publication or reproduction of this information.

This licence does not remove the need to apply for any authorisation or permission necessary under any other Act of Parliament with respect to anything authorised by the take and use licence.

Water used under this entitlement is not fit for any use that may involve human consumption, directly or indirectly, without first being properly treated.

The Authority does not guarantee, by the granting of the licence, that the licensee will obtain any specific quantity or quality of water. The Authority is not liable for any loss or damage suffered by the licensee as a result of the quantity of water being insufficient or the quality of the water being unsuitable for use by the licensee at any particular time or for any particular purpose.

This take and use licence entitles its holders to take and use water as set out under the licence description, subject to the conditions that are specified.

Licence Holder(s)

PHILIP JAMES KEEGAN of 413 WILLATOOK - WARRONG ROAD WARRONG VIC 3282
HELEN MARY KEEGAN of 413 WILLATOOK - WARRONG ROAD WARRONG VIC 3283

Licence Contact Details

HM & PJ KEEGAN 413 WILLATOOK - WARRONG ROAD
WARRONG VIC 3282
AU

Licence Description

Expiry date	30 Jun 2022
Status	Active
Authority	Southern Rural Water
Name of waterway, aquifer or works	UMTA - South West Limestone
Water system type	Groundwater (Portland catchment)
River basin or groundwater unit	South West Limestone (GMU)
Licence volume	4.1 megalitres
Licence volume adjusted for temporary trade	4.1 megalitres
Method of taking	Direct extraction from Groundwater
Period during which water can be taken	01 Jul - 30 Jun inclusive
Use of water	Dairy use - as well as domestic and stock use and general non-irrigation farm use
Trading Zone	South West Limestone UMTA
Carryover provision	Yes

Licence Volume Details

Licence volume 4.1 megalitres
Licence volume adjusted for temporary trade 4.1 megalitres

Temporary volume transaction details

<i>Approval date</i>	<i>Volume traded (ML)</i>	<i>Expiry date</i>
Nil		

Extraction Point Details

<i>Easting</i>	<i>Northing</i>	<i>Zone MGA</i>	<i>Location description</i>
611990	5773101	Zone 54	413 WILLATOOK - WARRONG ROAD, WARRONG

Land on which the Water is to be Used

Land description

Volume 8067 Folio 961
CA 3 Section 26 Parish of Willatook

Property address

413 WILLATOOK-WARRONG ROAD, WARRONG, VIC 3283

Related Instruments

Related entitlements	Nil
Related works licences	WLE036550
Other related entities	Nil

Application History

<i>Reference</i>	<i>Type</i>	<i>Status</i>	<i>Lodged date</i>	<i>Approved date</i>	<i>Recorded date</i>
BER006610	Modify	Approved	26 May 2011	27 May 2011	
PTN006960	Name and address amendment	Recorded	21 Apr 2011	21 Apr 2011	21 Apr 2011
BEI475790	Issue	Approved	29 Aug 2009	29 Aug 2009	

Conditions

This take and use licence is subject to the following conditions:

Method of taking

- 1 Water may only be taken under this licence if it is taken by the methods expressly approved by this licence.
- 2 The licence holder must at all times provide the Authority with safe access to inspect all works and appliances used to take water under this licence.

Take location

- 3 Water may only be taken under this licence if it is taken at the location specified in the licence under "extraction point details".

Take volume and rate

- 4 The volume of water taken under this licence in any twelve-month period from 1 July to 30 June must not exceed the licence volume, less any volume that has been temporarily transferred to another person or location.
- 5 The maximum volume that may be taken under this licence in any one day is 0.05 megalitres per day.

Temporary transfers to the licence holder

- 6 If there has been a temporary transfer of another licence to take water at the location, and use water on the land, specified in this licence: a) the extra volume of water taken must not exceed the volume transferred, and b) all the conditions of this licence apply to the taking and using of water consequential to the transfer.

Rosters and restrictions

- 7 When directed by the Authority, water must be taken in accordance with the rosters and restrictions determined by the Authority, and advised to the licence holder.

Metering of water taken and used

- 8 Water may only be taken under this licence if it is taken through a meter approved by the Authority.
- 9 Meters must be installed, in accordance with the specifications set by the Authority, at the licence holder's expense.
- 10 Meters used for the purpose of this licence are deemed to be the property of the Authority.
- 11 The licence holder must at all times provide the Authority with safe access to meters for the purpose of reading, calibration or maintenance.
- 12 The licence holder must notify the Authority within one business day if the meter ceases to function or operate properly.
- 13 The licence holder must, if required by the Authority, keep an accurate record of the quantity of water taken under this licence and allow the Authority to inspect this record at all reasonable times, and provide a copy of the record when requested.
- 14 The licence holder must not, without the consent of the Authority, interfere with, disconnect or remove any meter used for the purposes of the licence.
- 15 The Authority may, if it deems necessary, make an estimate of the total volume of water taken under this licence.

Use of water

- 16 Water taken under this licence may only be used on the land, and for the purposes, specified in the licence.
- 17 The licence holder must at all times provide the Authority with safe access to inspect the land on which water is licensed to be used.

Operation and maintenance

- 18 The licence holder must keep all works, appliances and dams associated with this licence,

including outlet pipes and valves, in a safe and operable condition, and free from obstacles and vegetation that might hinder access to works.

Preventing pollution

- 19 The licence holder must construct and maintain bund walls around any hydrocarbon-fuel-driven engine, motor, fuel storage, or chemical storage used in connection with this licence, in accordance with the timeframe, specifications, guidelines and standards prescribed by the Authority.

Managing groundwater infiltration

- 20 The maximum volume of water that may be applied to the land referred to in the licence in any 12-month period from 1 July to 30 June is the annual use limit which is equal to the licence volume, or if the annual use limit is adjusted by the Authority on account of seasonal conditions this adjusted annual use limit.

Managing drainage disposal

- 21 Where water use results in drainage from the land specified in the licence, that drainage water must be disposed in ways that meet the standards, terms and conditions adopted from time to time by the Authority.

Fees and charges

- 22 The licence holder must, when requested by the Authority, pay all fees, costs and other charges under the Water Act 1989 in respect of this licence.

END OF COPY OF RECORD

COPY OF RECORD IN THE VICTORIAN WATER REGISTER

LICENCE TO OPERATE WORKS

under Section 67 of the Water Act 1989

The information in this copy of record is as recorded at the time of printing. Current information should be obtained by a search of the register. The State of Victoria does not warrant the accuracy or completeness of this information and accepts no responsibility for any subsequent release, publication or reproduction of this information.

This licence does not remove the need to apply for any authorisation or permission necessary under any other Act of Parliament with respect to anything authorised by the works licence.

Water used under this licence is not fit for any use that may involve human consumption, directly or indirectly, without first being properly treated.

This licence is not to be interpreted as an endorsement of the design and/or construction of any works (including dams). The Authority does not accept any responsibility or liability for any suits or actions arising from injury, loss, damage or death to person or property which may arise from the maintenance, existence or use of the works.

Each person named as a licence holder is responsible for ensuring all the conditions of this licence are complied with.

This licence authorises its holders to operate the described works, subject to the conditions.

Licence Holder(s)

PHILIP JAMES KEEGAN of 413 WILLATOOK - WARRONG ROAD WARRONG VIC 3282
HELEN MARY KEEGAN of 413 WILLATOOK - WARRONG ROAD WARRONG VIC 3283

Licence Contact Details

HM & PJ KEEGAN 413 WILLATOOK - WARRONG ROAD
WARRONG VIC 3282
AU

Licence Details

Expiry date	30 Jun 2022
Status	Active
Authority	Southern Rural Water
Name of waterway or aquifer	UMTA - South West Limestone
Water system	South West Limestone (GMU)

Summary of Licensed Works

The details in this section are a summary only. They are subject to the conditions specified in this licence.

<i>Works ID</i>	<i>Works type</i>	<i>Use of water</i>
WRK032142	Bore	Dairy

Description of Licensed Works

WORKS ID WRK032142

Works type Bore
Works subtype Drilled bore

Extraction Details

Service point/s SP085381 122991
Maximum extraction rate 0.100 megalitres per day (The physical capacity of the works)
Maximum daily volume 0.050 megalitres (The volume authorised to be extracted via the works)
Maximum annual volume 4.100 megalitres
Use of water Dairy use - as well as domestic and stock use and general non-irrigation farm use

Works location

<i>Easting</i>	<i>Northing</i>	<i>Zone MGA</i>
611990	5773101	Zone 54

Land description

Volume 8067 Folio 961
CA 3 Section 26 Parish of Willatook

Property address

413 WILLATOOK-WARRONG ROAD, WARRONG, VIC 3283

Related Instruments

Related entitlements BEE025767

Related water-use entities Nil

Application History

<i>Reference</i>	<i>Type</i>	<i>Status</i>	<i>Lodged date</i>	<i>Approved date</i>	<i>Recorded date</i>
WLV514113	Modify	Approved	26 May 2011	27 May 2011	
PTN006960	Name and address amendment	Recorded	21 Apr 2011	21 Apr 2011	21 Apr 2011
WLI554959	Issue	Approved	29 Aug 2009	29 Aug 2009	

Conditions

Licence WLE036550 is subject to the following conditions:

Preventing pollution

- 1 Water must not be taken through the works if the Authority reasonably believes fuel, or lubricant, or any other matter used in connection with works and appliances associated with this licence, is at risk of contaminating a waterway, or aquifer, or the riparian or riverine environment.
- 2 The licence holder must, construct and maintain bund walls around any hydrocarbon fuel driven engine, motor, fuel storage, or chemical storage used in connection with works and appliances associated with this licence, in accordance with the timeframe, specifications, guidelines or standards set down by the Authority.

Method of taking

- 3 The licence holder must at all times provide the Authority with safe access to inspect all works and appliances used to take water under this licence.

Take volume and rate

- 4 The maximum volume that may be taken under this licence in any one day is 0.05 megalitres per day.

Rosters and restrictions

- 5 When directed by the Authority, water must be taken in accordance with the rosters and restrictions determined by the Authority, and advised to the licence holder.

Metering of water taken and used

- 6 Water may only be taken under this licence if it is taken through a meter approved by the Authority.
- 7 Meters must be installed , in accordance with the specifications set by the Authority, at the licence holder's expense.
- 8 Meters used for the purpose of this licence are deemed to be the property of the Authority.
- 9 The licence holder must at all times provide the Authority with safe access to meters for the purpose of reading, calibration or maintenance.
- 10 The licence holder must notify the Authority within one business day if the meter ceases to function or operate properly.
- 11 The licence holder must, if required by the Authority, keep an accurate record of the quantity of water taken under this licence and allow the Authority to inspect this record at all reasonable times, and provide a copy of the record when requested.
- 12 The licence holder must not, without the consent of the Authority, interfere with, disconnect or remove any meter used for the purposes of the licence.
- 13 The Authority may, if it deems necessary, make an estimate of the total volume of water taken under this licence.

Protecting other water users

- 14 The licence holder must, if required by the Authority, monitor and record water levels in the bore(s) before and after pumping; the licence holder must also provide this information in writing as directed by the Authority.
- 15 The licence holder must, at the licence-holder's expense, if required by the Authority, conduct a pumping test and obtain a hydrogeological report, to the Authority's specification, on the potential for bore operation to interfere with any bore, aquifer, groundwater dependent ecosystem or waterway.
- 16 The licence holder must, if required by the Authority, provide the Authority with the results of water quality tests on samples of water pumped from the bore.
- 17 The licence holder must provide the Authority with safe access to the licensed bore and works for the purposes of obtaining water level measurements, water samples and any other

information or data pertaining to the operation of the bore, the works and the aquifer.

- 18 The licence holder must, if required by the Authority, cease taking water entirely, or cease taking water for a given period, or reduce the quantity of water taken during any period if, the Authority reasonably believes, or in accordance with the assessment in a Groundwater Management Plan, the use or disposal of water under this licence may injure or adversely affect any other person or an aquifer or the environment.
- 19 The licence holder must, if required by the Authority, enter into a formal agreement to supply water to any party affected by interference from bore operation.
- 20 The bore(s) must not be altered or decommissioned without a works licence that authorises alteration, or decommissioning.

Operation and maintenance

- 21 Water may only be taken through the works if the works are located at the location specified in the licence under "works location" .
- 22 The licence holder must keep all works, appliances and dams associated with this licence, including outlet pipes and valves, in a safe and operable condition, and free from obstacles and vegetation that might hinder access to works.
- 23 Water may only be taken through the works if the works are sited, constructed, operated and maintained to the satisfaction of the Authority.

Protecting biodiversity

- 24 Water must not be taken through the works if the Authority reasonably believes that the taking of water, through the works and appliances associated with this licence, is at risk of causing damage to the environment.
- 25 The licence holder must, if required by the Authority, remedy any damage to the environment that in the opinion of the Authority is a result of the installation, operation or maintenance of the works.

Fees and charges

- 26 The licence holder must, when requested by the Authority, pay all fees, costs and other charges under the Water Act 1989 in respect of this licence.

END OF COPY OF RECORD



Department of Environment, Land, Water & Planning

Your Ref : 41655932-036-8
Our Ref : 0306271

16 October 2020

Landata
Email: landata.online@delwp.vic.gov.au

PO Box 879
15 Hume and Hovell Road
Seymour Vic 3660
Telephone: (03) 5735 4300
Facsimile: (03) 5792 3230
www.delwp.vic.gov.au
DX 218676

Dear Sir/Madam

RE: PROPERTY ENQUIRY - KEEGAN PJ & HM - ALLOTMENT 21 SECTION B WILLATOOK, ALLOTMENT 3 SECTION 26 WILLATOOK

I refer to your recent property enquiry and advise that licence number 0306271 may be associated with 413 Willatook-Warrong Road Warrong . This licence is in the name of Keegan.

Please be advised that holding the above described licence does not give the licensee or proposed licensee exclusive use of the Crown Land that the licence is issued over, it only gives consent to use the Crown Land for a specified purpose as listed on the transfer form.

Transfer of this licence should not be used as a condition of sale as the transfer is not an automatic process and will be subject to approval of the land manager. Please advise prospective purchasers of this information.

Approval to transfer will be sought on receipt of the following information:

- **Enclosed transfer form completed by both parties.**
- **Payment of the transfer fee, being \$59.25 and any outstanding rental as detailed on the transfer form.**
- Payment of the transfer fee and outstanding rental (if applicable) can be made in the following ways:
 - **Cheque or Money Order** – Please make payment out to “Department of Environment, Land, Water & Planning” or “DELWP”.
 - **Invoice for payment** – if you wish to opt for the transfer fee and any applicable rental to be invoiced and sent with the licence document following the transfer, please tick the box below the transfer fee on the enclosed form.
- **Copy of a “Notice of Acquisition of an interest in land”, titles and/or Rates Notice to enable confirmation of the area to be transferred.**

Please review the enclosed transfer form as it has changed.

The preferred method of sending out Licence documentation following a transfer will be via email. Unless otherwise advised, once the transfer has been completed, the licence document shall be signed electronically and emailed to the email address listed on the covering letter, under your reference. If no covering letter is included the documentation shall be sent to the email address listed on the transfer form. If you wish to discuss this change please email transactioncentre@delwp.vic.gov.au.

Should you have any queries regarding this matter please contact transactioncentre@delwp.vic.gov.au.

Yours sincerely

Transaction Centre

Transaction Centre



Email: transactioncentre@delwp.vic.gov.au

TRANSFER OF LICENCE

Details of present licence holder/s

I/We Helen Mary KEEGAN; Phillip James KEEGAN
of "WILLARRONG", WARONG ROAD, WARONG, Victoria, 3282, Australia

being the holder(s) of Licence No: 0306271

granted under the provisions of the Land Act 1958 do hereby agree to transfer the said licence.

Signature/s: _____ Date: _____

Required to be supplied with completed form:

1. Transfer fee of \$59.25 (GST exempt)

Please send an invoice for the Transfer fee and any outstanding rental (if applicable) with the Licence document following the transfer.

This section to be completed by proposed licence holder/s (Please Print)

I/We _____
(Full Names or Company Name)

of _____
(Proposed Residential Address)

Town: _____ P/Code: _____

_____ Town: _____ P/Code: _____
(Address for future correspondence, if different to above)

- do hereby agree to accept the transfer of the said licence to me/us and supply the following information which is true and correct, and
- acknowledge this licence is issued for the purpose of GRAZING

Particulars of adjoining freehold land which is now occupied or owned (or in the process of purchase) by me / us are:

Allotment or Plan No.: _____ Section or Lot No.: _____

Parish: _____ Township: _____

Council Property Number (from Rate Certificate): _____

Signature/s: _____ Date: _____

Preferred Contact phone no.: _____ Email: _____

RENTAL INFORMATION

Licence No. 0306271 (Unused Road) – Rental of \$ 237.41 has been paid for 3 Years till 30/9/2021. Long term Offer: \$ 1099.56 to period ending 30/9/2093.



Legend

<p>Township</p> <p>Parish</p> <p>Parcel</p> <p>Crown Parcel</p> <p> <input type="checkbox"/> Crown Land <input type="checkbox"/> Government Road </p> <p>Plan Noting</p> <p>Apiary</p> <p> <input type="checkbox"/> Temporary Apiary Rights <input type="checkbox"/> Beefarm and Range licences </p>	<p>Linear Tenure</p> <p> <input type="checkbox"/> Other Pipelines <input type="checkbox"/> Industrial Commercial licences <input type="checkbox"/> Recreation Amusement licences <input type="checkbox"/> Occupancy licences <input type="checkbox"/> Radio TV Telecom site licences <input type="checkbox"/> Emergency Services Use licences <input type="checkbox"/> Water Supply licences <input type="checkbox"/> Miscellaneous General licences <input type="checkbox"/> Easements <input type="checkbox"/> Pipe Consents </p>	<p>Lease</p> <p> <input type="checkbox"/> General Licence <input type="checkbox"/> Delegated Lease <input type="checkbox"/> Delegated Licence <input type="checkbox"/> Grazing Licence <input type="checkbox"/> Riparian Management Licence <input type="checkbox"/> Water Frontage Licence <input type="checkbox"/> Unused Road Licence <input type="checkbox"/> Delegated Management Reserve <input type="checkbox"/> Direct Management Reserve </p>	<p>Government Road</p> <p> <input type="checkbox"/> Government Road <input type="checkbox"/> Dual Status Government Road </p>	<p>1:5,000</p> <p>Overview Map</p> <p> Mildura Swan Hill Wodonga Bendigo Shepparton Ballarat Melbourne Geelong Traralgon Portland </p>
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Public Land Services
BARWON SOUTH WEST
 Dept of Environment, Land, Water & Planning
 Mt Napier Road
 Hamilton
 03 5573 0900

Disclaimer: This map is a snapshot generated from Victorian Government data. This material may be of assistance to you but the State of Victoria does not guarantee that the publication is without flaw of any kind or is appropriate for your particular purposes and therefore disclaims all liability for error, loss or damage which may arise from reliance upon it. All persons accessing this information should make appropriate enquiries to ensure the currency of the data.

Property Report

from www.land.vic.gov.au on 15 October 2020 06:04 PM

Address: 413 WILLATOOK-WARRONG ROAD WARRONG 3283

Lot and Plan Number: This property has 2 parcels. See table below.

Standard Parcel Identifier (SPI): See table below.

Local Government (Council): MOYNE Council **Property Number:** 505402

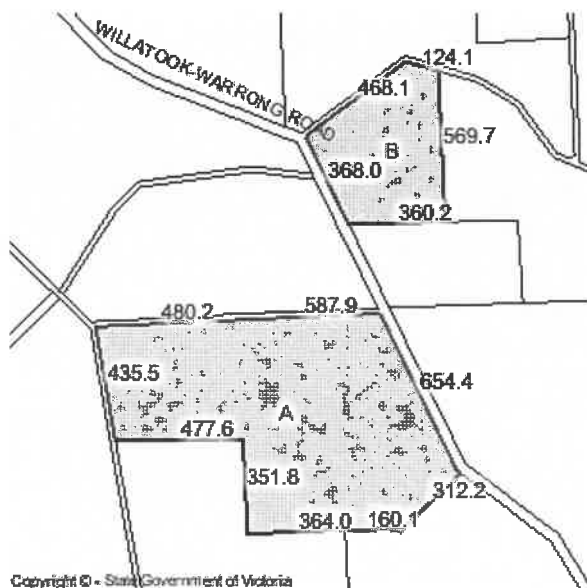
Directory Reference: VicRoads 89 F4

This property is in a designated bushfire prone area. Special bushfire construction requirements apply. Planning provisions may apply.

Further information about the building control system and building in bushfire prone areas can be found in the Building Commission section of the Victorian Building Authority website www.vba.vic.gov.au

Site Dimensions

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



Area: 995321 sq. m
(99.5 ha)
Perimeter: 5779 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.

2 dimensions shorter than 50m not displayed

Calculating the area from the dimensions shown may give a different value to the area shown above - which has been calculated using all the dimensions.

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

Parcel Details

Letter in first column identifies parcel in diagram above

	Lot/Plan or Crown Description	SPI
	PARISH OF WILLATOOK	
A	Allot. 3 Sec. 26	3~26\PP3824
B	Allot. 21 Sec. B	21~B\PP3824

State Electorates

Legislative Council: WESTERN VICTORIA

Legislative Assembly: SOUTH-WEST COAST

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Utilities

Rural Water Corporation: Southern Rural Water

Urban Water Corporation: Wannon Water

Melbourne Water: outside drainage boundary

Power Distributor: POWERCOR ([Information about choosing an electricity retailer](#))

Planning Zone Summary

Planning Zone: FARMING ZONE (FZ)
SCHEDULE TO THE FARMING ZONE (FZ)

Planning Overlay: None

Areas of Aboriginal Cultural Heritage Sensitivity:

All or part of this property is an 'area of cultural heritage sensitivity'.

Planning scheme data last updated on 14 October 2020.

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 [Planning Schemes Online](#)

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](#)

The Planning Property Report includes separate maps of zones and overlays

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 [Planning Maps Online](#)

For other information about planning in Victoria visit www.planning.vic.gov.au

Areas of Aboriginal 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

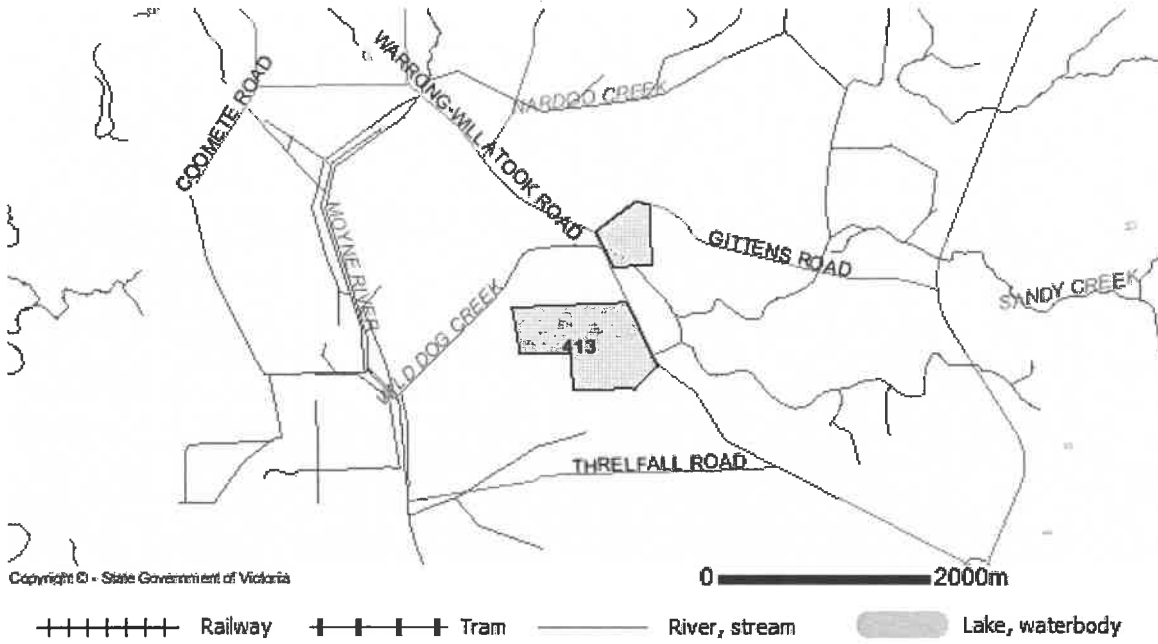
<http://www.aav.nrms.net.au/aavQuestion1.aspx>

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

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Area Map



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From www.planning.vic.gov.au at 15 October 2020 06:05 PM

PROPERTY DETAILS

Address: **413 WILLATOOK-WARRONG ROAD WARRONG 3283**
 Crown Description: **More than one parcel - see link below**
 Standard Parcel Identifier (SPI): **More than one parcel - see link below**
 Local Government Area (Council): **MOYNE**
 Council Property Number: **505402**
 Planning Scheme: **Moyne**
 Directory Reference: **Vicroads 89 F4**

www.moyne.vic.gov.au

[Planning Scheme - Moyne](#)

This property has 2 parcels. For full parcel details get the free Property report at [Property Reports](#)

UTILITIES

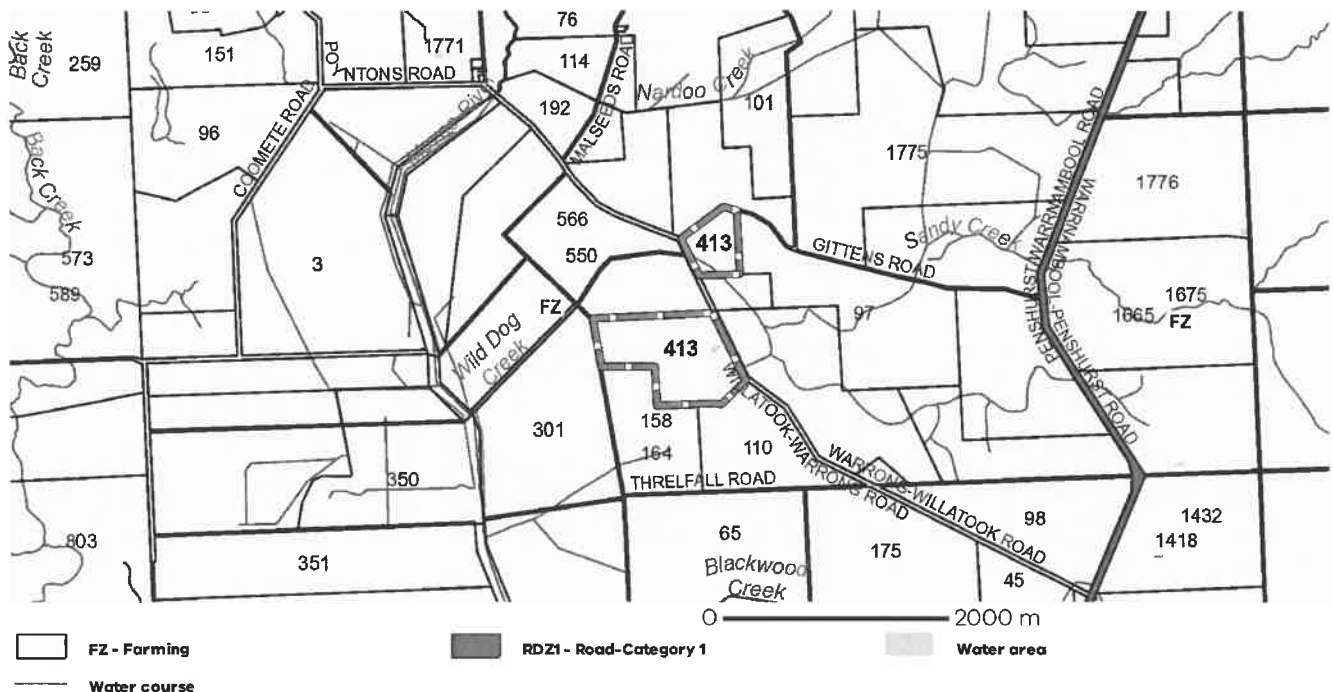
Rural Water Corporation: **Southern Rural Water**
 Urban Water Corporation: **Wannon Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **POWERCOR**
[View location in VicPlan](#)

STATE ELECTORATES

Legislative Council: **WESTERN VICTORIA**
 Legislative Assembly: **SOUTH-WEST COAST**

Planning Zones

[FARMING ZONE \(FZ\)](#)
[SCHEDULE TO THE FARMING ZONE \(FZ\)](#)



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

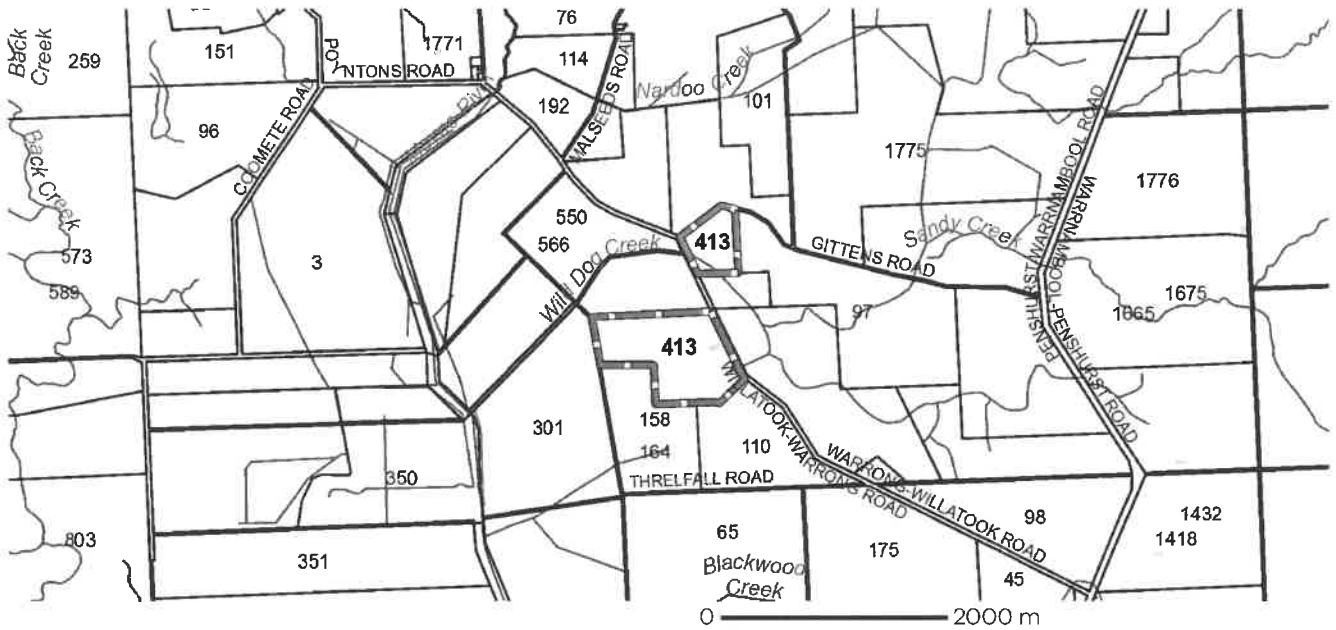
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 Read the full disclaimer at <https://www2.delwp.vic.gov.au/disclaimer>

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

Planning Overlays

No planning overlay found



Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this property is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

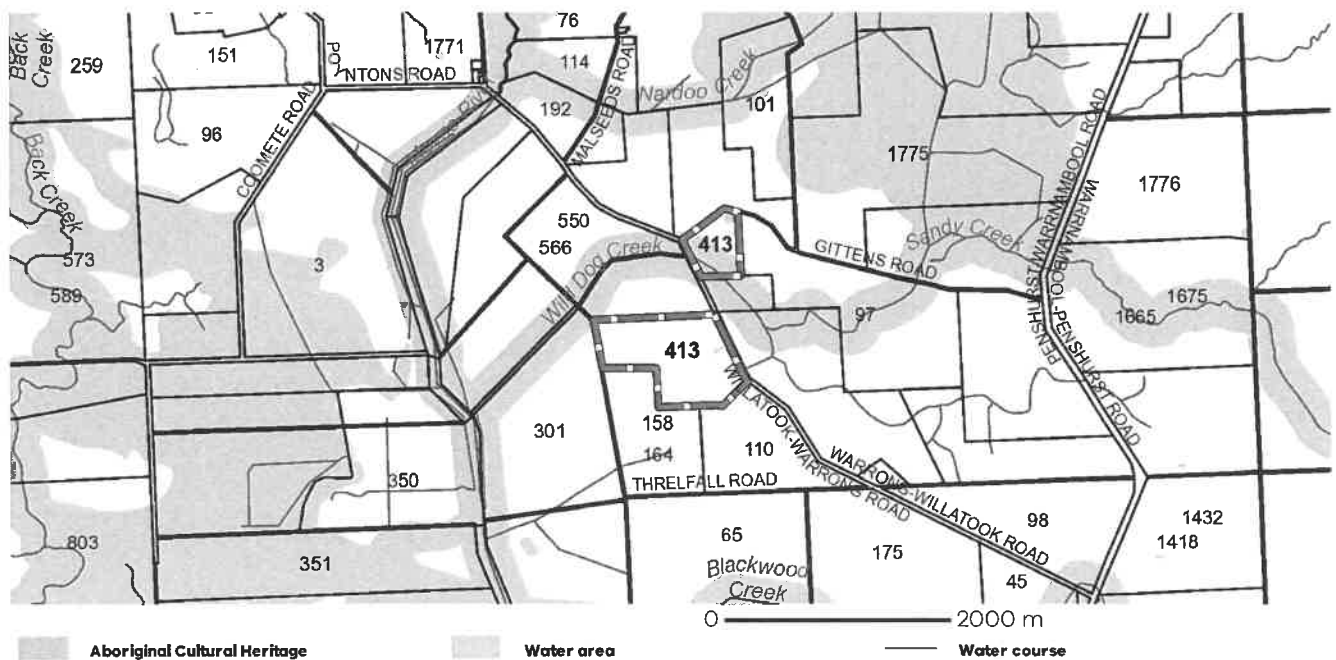
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to <http://www.gav.nrms.net.au/gavQuestion1.aspx>

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



Further Planning Information

Planning scheme data last updated on 14 October 2020.

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.

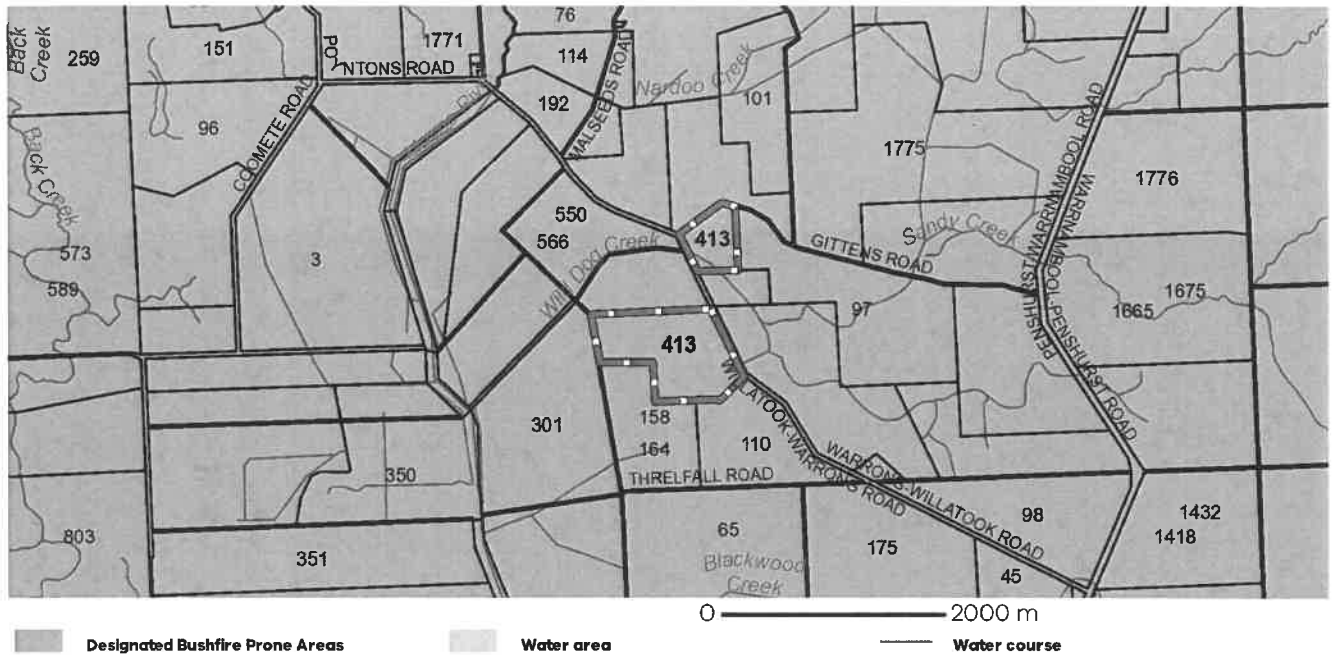
To view planning zones, overlay and heritage information in an interactive format visit

<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. Planning provisions may apply.



Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at <https://mapshare.maps.vic.gov.au/vicplan> or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

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>

**Building Control Act 1993
BUILDING REGULATIONS 2018
Regulation 51
BUILDING APPROVAL PARTICULARS RESPONSE
AMENDED**

11 November 2020

Maddens Lawyers VIC C/- InfoTrack
Landata
DX 250639
MELBOURNE

YOUR REFERENCE: 42196153-026-7
ADDRESS: 413 Willatook-Warrong Road WARRONG VIC 3283
REGISTERED OWNER: Helen M E Keegan
TITLE DETAILS: Lot 3 Sec 26 – Parish of Willatook

**PARTICULARS:
Regulation 51(1)**

- a. **Details of permit or certificate of final inspection issued in the preceding 10 years:**
17115/20123736/0 - Construction of a spa enclosure & deck - Permit Issued 24/04/2012 - Certificate of Final Inspection Issued 17/07/2012 (Council Ref: BP-3946)
17115/20134184/0 - Construction of Garage - Permit Issued 04/07/2013 - Certificate of Final Inspection Issued 02/11/2020 (Council Ref: BP-4293)
- b. **Details of any current determination made under regulation 64(1) or exemption granted under regulation 231(2)**
None
- c. **Details of any current notice, order or certificate issued under these Regulations or the Act: and/or the Building Control Act 1981: and/or the Victorian Building Regulations 1983:**
No current Notice

Information Supplied by: Wayne L Wilkie (Municipal Building Surveyor)

Signature:.....

Property Ref: 505402

Reference No. Binf-20/0200

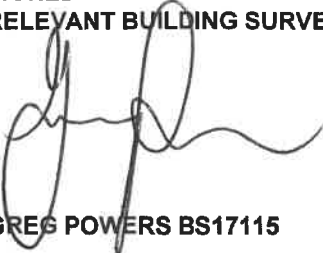
Postal Address

18 Nicholson Street
Warrnambool Vic 3280Form 2
Building Act 1993
Building Regulations 2006: Regulation 313**Building Permit BS-U17115/20123736/0**Date of issue: 24th April 2012TO: **OWNER** Philip & Helen Keegan
413 Willatook-Warrong Rd
Warrong 3282**AGENT** Philip & Helen Keegan
413 Willatook-Warrong Rd
Warrong 3282**ADDRESS FOR SERVING OF NOTICES**Name Philip & Helen Keegan Willatook-Warrong Rd Warrong 3282
Ph1 55606249 Ph2 Fax no:**PROPERTY DETAILS** 413 Willatook-Warrong Rd Warrong 3282**Title details** Allotment area m2**Municipal District:** Moyne Shire Council**Builder** Philip & Helen Keegan 413 Willatook-Warrong Rd Warrong 3282**DETAILS OF RELEVANT PLANNING PERMIT** (if applicable)

Planning Permit No: Planning Permit Date:

STAGES OF WORK PERMITTED To completion of project

Project estimated value: \$8,000.00

NATURE OF BUILDING WORK Construction of Spa Enclosure & deck**Building details:**Class 1a & 10b
No of storeys 1
Allowable live load 1.5kPa
Area (m2) 27**OCCUPATION/USE OF A BUILDING: A Final Certificate is required prior to use****COMMENCEMENT AND COMPLETION** This building work must commence by 24/04/2013 and must be completed by 24/04/2014**MANDATORY INSPECTIONS**Inspection for pad footings
Inspection for final certificate**SIGNED****RELEVANT BUILDING SURVEYOR**
GREG POWERS BS17115

Page 1 of 2

Building Permit BS-U17115/20113736/0

Permit Date: 24/04/2012

Conditions

1. Deck is to be constructed to comply with requirements for Bushfire Assessment Level 12.5 of AS 3959 2009 & Building Regulations 810 & 811
2. Swimming pool/spa barriers are to comply with Australian Standard 1926.1-2007
3. All works are to be in accordance with the Building Act 1993, Building Regulations 2006, BCA2011 and relevant Australian Standards.
4. Under Regulation 317 the person in charge of the carrying out of the building work on an allotment must take all reasonable steps to ensure that a copy of this permit and one set of any approved plans, specifications and documents are available for inspection at the allotment while the building work is in progress. They must also take all reasonable steps to ensure that the registration numbers and contact details of the builder, building surveyor and the number and date of issue of this permit are displayed in a conspicuous position accessible to the public before and during work to which this permit applies.
5. Under Regulation 318 an owner of a building or land, for which a building permit has been issued, must notify the relevant building surveyor within 14 days after any change in the name of address of the owner or of the builder carrying out the building work. The penalty for non-compliance is 10 penalty units.
6. Domestic builders carrying out domestic building work forming part of this permit (where the contract price for that work is more than \$12,000) must be covered by an insurance policy as required under Section 135 of the Building Act 1993.
7. The owner and/or builder shall be responsible to clearly define the boundaries and easements within the allotment.
8. All site cuts are to be graded to an angle less than 45° to the satisfaction of the relevant Building Surveyor. Provide details of any retaining walls that exceed 1m in height for approval by the Relevant Building Surveyor.
9. For residential works in unsewered areas an application for installation of the septic tank must be submitted to the relevant authority.
10. A copy of the Certificate Of Completion under Section 221ZH of the Building Act 1993 for plumbing work on this project to be submitted prior to the issue of the Occupancy Permit.

B.C.A CLASS

BUILDING DESCRIPTION

- | | |
|-----------------|--|
| Class 1 | One or more buildings which in association constitutes -
a) Class 1a - a single dwelling being -
- a detached house; or
- one or more attached dwellings, each being a building, separated by a <i>fire-resisting wall</i> , including a row house, terrace house, town house or villa unit; or
b) Class 1b - a boarding house, guest house, hostel or the like with a total <i>floor</i> area not exceeding 300m ² and in which not more than 12 persons would ordinarily be resident.
which is not located above or below another dwelling or another Class of building other than a <i>private garage</i> . |
| Class 2 | A building containing 2 or more <i>sole-occupancy units</i> each being a separate dwelling. |
| Class 3 | A residential building, other than a building of Class 1 or 2, which is a common place of long term or transient living for a number of unrelated persons, including -
a) a boarding-house, guest house, hostel, lodging-house or backpackers accommodation; or
b) a residential part of an hotel or motel, or
c) a residential part of a school, or
d) accommodation for the aged, disabled or children; or
e) a residential part of a health-care building which accommodates members of staff. |
| Class 4 | A dwelling in a building that Class 5, 6, 7, 8 or 9 if it is the only dwelling in the building |
| Class 5 | An office building used for professional or commercial purposes, excluding buildings of Class 6, 7, 8 or 9. |
| Class 6 | A shop or other building for the sale of goods by retail or the supply of services direct to the public, including-
a) an eating room, cafe, restaurant, milk or soft-drink bar; or
b) a dining room, bar, shop or kiosk part of a hotel or motel; or
c) a hairdresser's or barber's shop, public laundry or undertakers establishment; or
d) market or sale room, showroom, or service station. |
| Class 7 | A building which is -
a) Class 7a - a carpark; or
b) Class 7b - for storage or display of goods or produce for sale by wholesale |
| Class 8 | Laboratory or a building in which a handicraft or process for the production, assembling, altering, repairing, packing, finishing or cleaning of goods is carried out for trade, sale or gain. |
| Class 9 | A building of a public nature -
a) Class 9a - a health care building; including those parts of the building set aside as a laboratory; or
b) Class 9b - an assembly building, including a trade workshop, laboratory or the like in a primary or secondary school, but excluding any other parts of the building that are of another class.
c) Class 9c ;- an aged care building. |
| Class 10 | A non-habitable building or structure -
a) Class 10a - a non-habitable building being a private garage, carport, shed or the like; or
b) Class 10b - a structure being a fence, mast antenna, retaining or free-standing wall, swimming pool, or the like. |

Phone: 03 55629158

Fax: 03 55617552

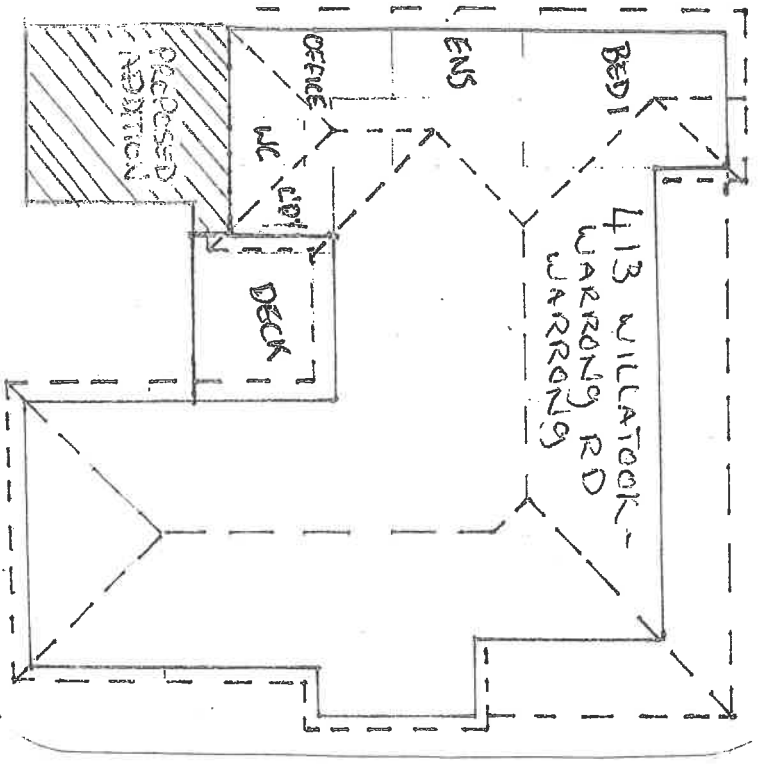
Mobile: 0439 639158

Email: pbs3@bigpond.com.au

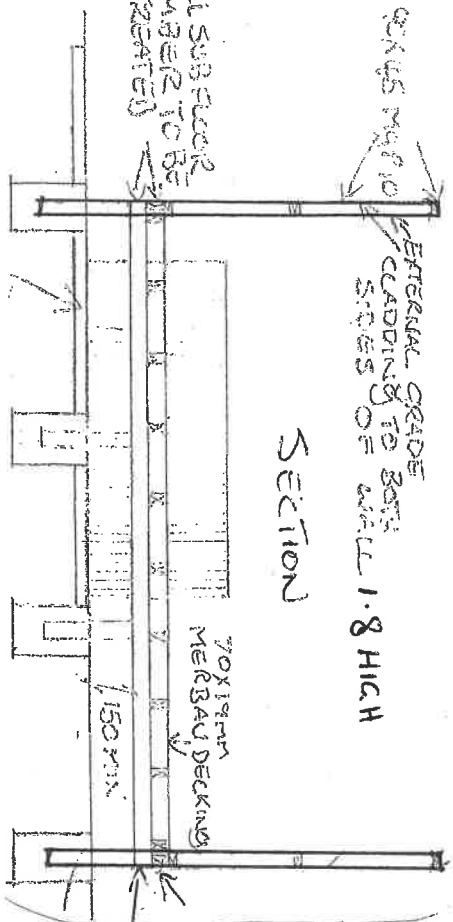
Address: 18 Nicholson St. Warrnambool 3280

Reg: BS-U17115

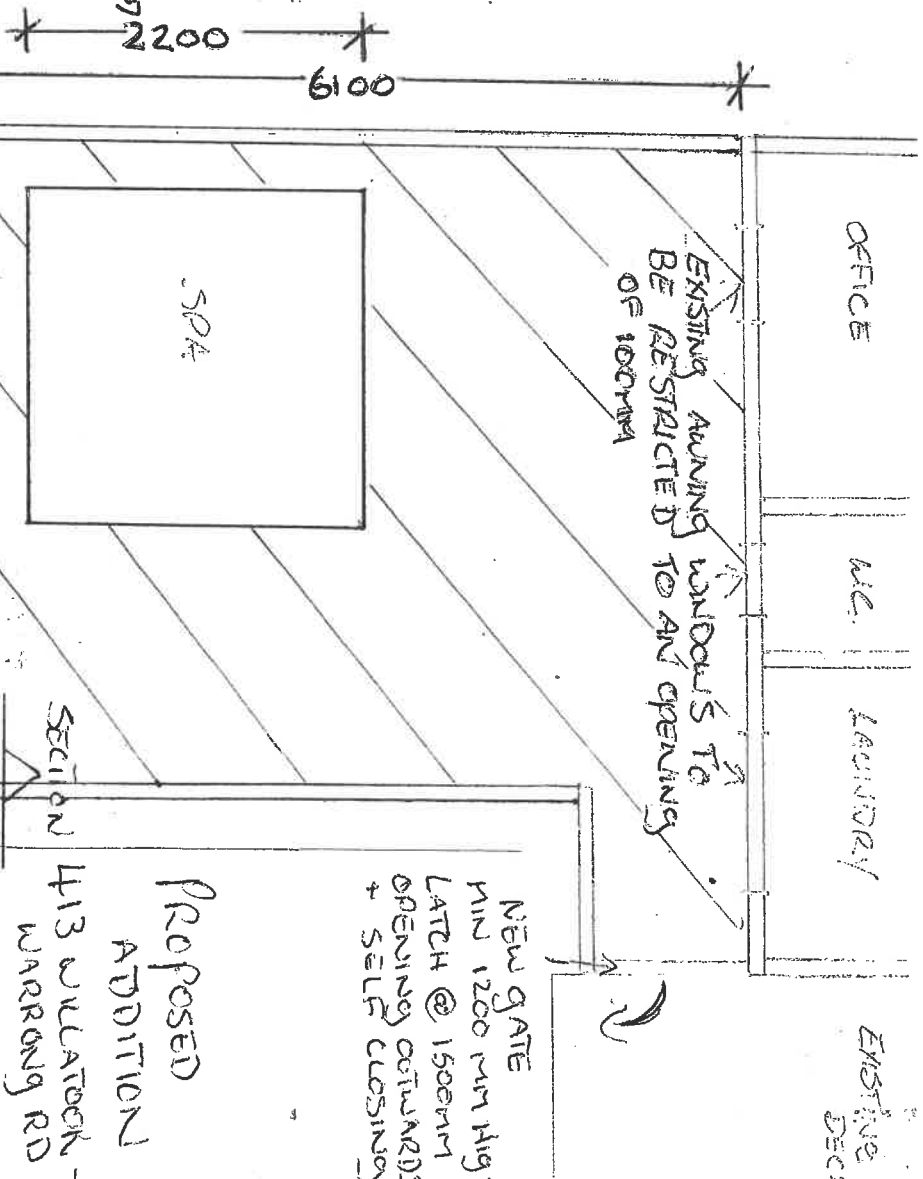
ABN: 39 103 463 654



Spa Barrier to comply with AS 1926.1-2009



100MM CONCRETE SLAB WITH ONE LAYER #82 MESH



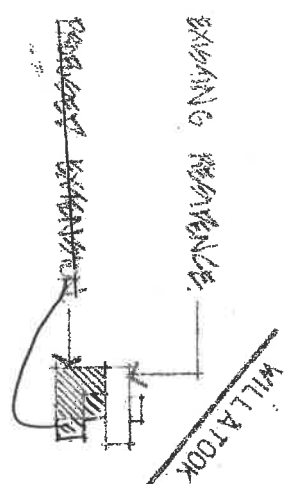
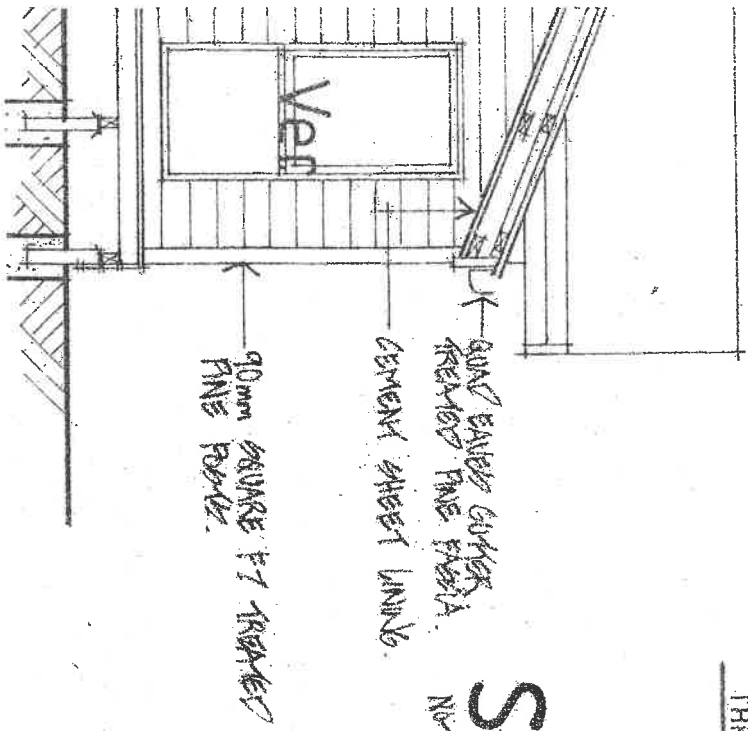
90x45 MGP 10 JOISTS max span 1.8m

290x45 BOARDS NAIL LAMINATED max span

100MM CONCRETE SLABS IN 300mm 600 DEEP FOOTING

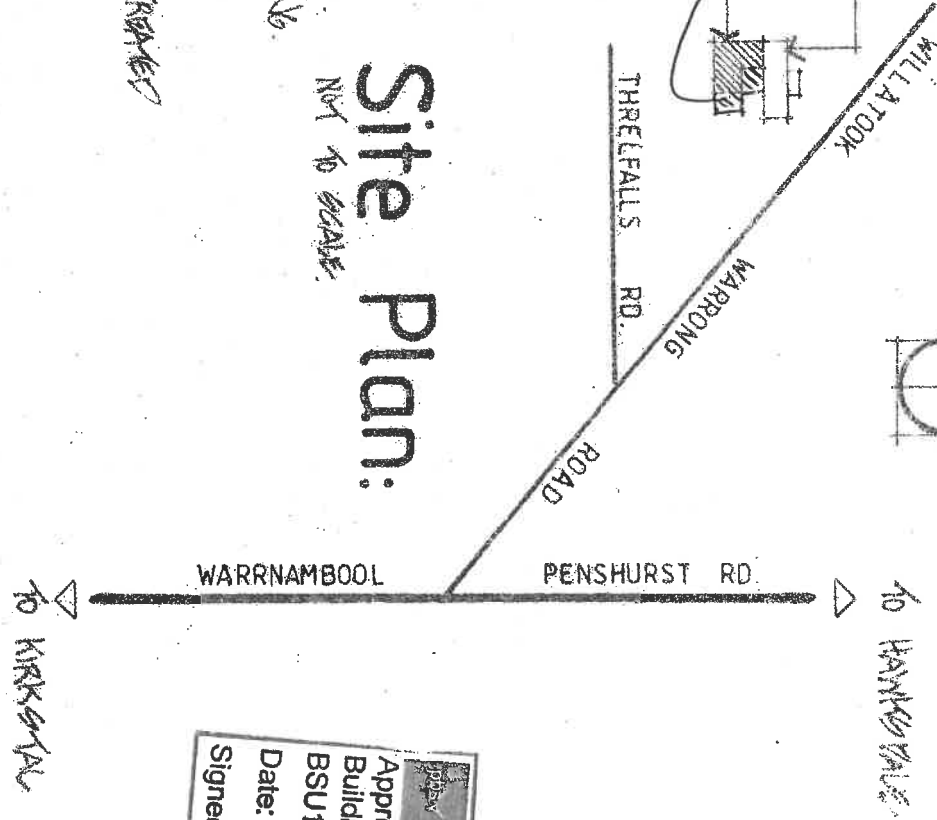
P.J + H.M
KEEGAN



Approved Plans and Documents
 Building Permit: BSU17115/2017 3735 12
 Date: 24/4/17
 Signed: [Signature]



Site Plan:

NOT TO SCALE




Power Building Surveying Pty Ltd
 Approved Plans and Documents
 Building Permit
 BSU17115/2012 3736 10
 Date: 24/4/12
 Signed: 

2012/04/24

SWIMMING POOL SAFETY BARRIER GUIDE & OPTIONS

To Australian Standard AS1926.1-2007 & BCA 2010

Measurements are in millimetres, drawings are not to scale

INTRODUCTION: A new standard for swimming pool fencing, Australian Standard AS1926.1-2007 has been introduced and is effective for pools/spas built after 1st May 2010. Australian Standard AS1926.1-1993 remains in use for pools and spas built prior to May 1st 2010. There are several changes, two in particular. Protection of property boundary fences and restriction of the use of a "child resistant doorset" as part of the pool safety barrier. To protect against climbing a property boundary fence and typical barrier, a Non Climbable Zone (NCZ) has been introduced.

With the introduction of the NCZ, it is now preferable for the horizontal rails of a property boundary fence to be on the neighbours side rather than on the pool side of the fence. This means that a neighbouring property will not affect compliance with AS1926.1-2007. Therefore there are no restrictions on the placement of objects on the adjoining property i.e. sheds, trees, dog kennels and BBQ's etc.

The new standard requires a safety barrier to be provided between the dwelling and its associated buildings, and the swimming pool. Cubbies, BBQ's or clothes lines etc. are not recommended within the swimming pool safety barrier.

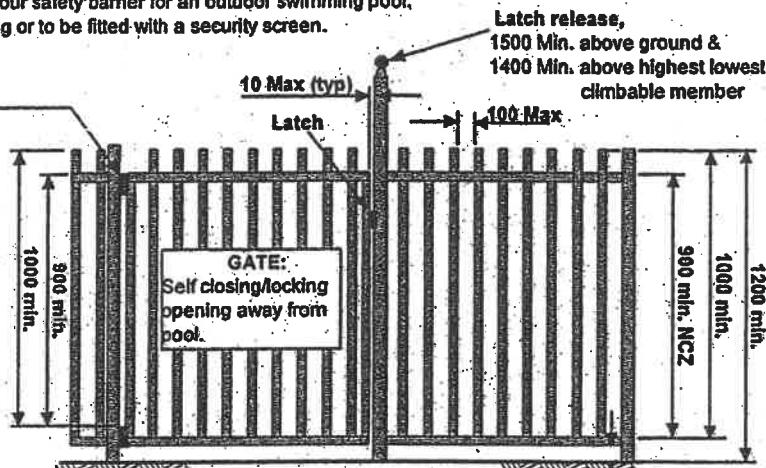
OBJECTIVE: The objective is to create a barrier to restrict the access of young children under the age of 5 years to swimming pools.

MATERIALS: The materials and design for the barrier must be sufficiently strong and rigid to prevent forced entry by a child to the swimming pool area and must comply with Australian Standard AS1926.1-2007. All barriers must remain in good condition and constructed of durable materials fit for the purpose (intended use).

CHILD RESISTANT DOORSETS & WINDOWS: (not illustrated)

Child Resistant Doorsets are NOT PERMITTED as part of your safety barrier for an outdoor swimming pool. Child Resistant Windows to be restricted to 100 max opening or to be fitted with a security screen.

Where hinges protrude more than 10mm or the gap between the post and gate is greater than 10mm a 900 min. and a 1000 min. vertical separation is required to prevent hinges climbable.



TYPICAL SAFETY BARRIER: The minimum height of an internal swimming pool barrier is 1200 measured on the approach side (outside) of the barrier. Refer figure 1. Where the barrier is to be installed on a slope and the fence panels are to be stepped, attention to the distance between the horizontal members of adjoining panels is required.

A 900 NCZ between the horizontal rails on each panel and 1000 Min. to the top must be maintained.

GATES: Gates installed in the internal barrier must be self closing and self latching with a latch release 1500 high and must open away (outward) from the pool.

Figure 1 STANDARD TYPICAL POOL SAFETY BARRIER (with gate)

100 Max. to a permanent stable surface, paving, lawn etc.

NON CLIMBABLE ZONE (NCZ):

The NCZ is a 900 high vertical continuous section on the barrier, free of projections & indentations greater than 10mm, that can be used as a finger or foothold, enabling a child to climb up or down the barrier. Which side of the barrier the NCZ is positioned and the height it is measured from depends on whether the barrier is a typical pool barrier or a boundary fence. For an typical pool barrier the 900 NCZ is measured from the top of the highest horizontal member on the outside of the barrier. For a boundary fence the 900 NCZ is measured on the poolside from the top of the fence.

As shown in figures 2a & 2b, the NCZ includes an associated area within a 900 radius. No climbable object, tree or structure with a horizontal surface greater than 10mm is permitted within this area. Note - Climbable objects are not to be placed where the object may compromise the minimum barrier height requirement.

300 NCZ inside of pool safety barrier. Not required where vertical members are less than 10mm apart or where solid type fencing material is used.

Remove all potential finger or footholds (indentations/projections) greater than 10mm on tree within the 900 NCZ of the barrier.

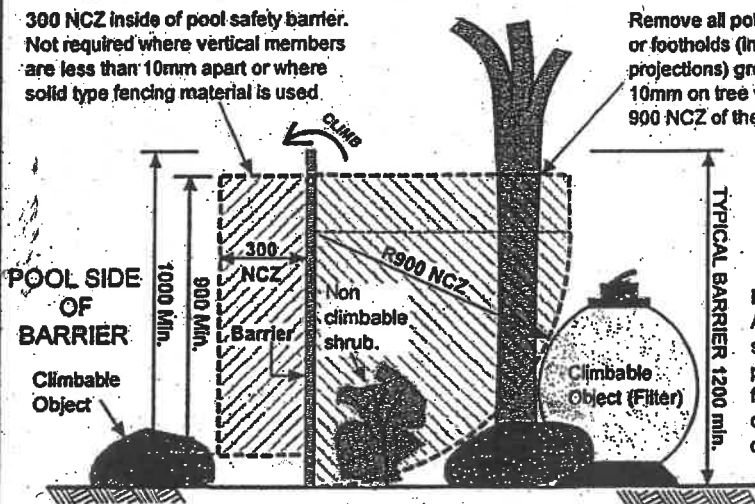


Figure 2a NON CLIMBABLE ZONE TYPICAL SAFETY BARRIER

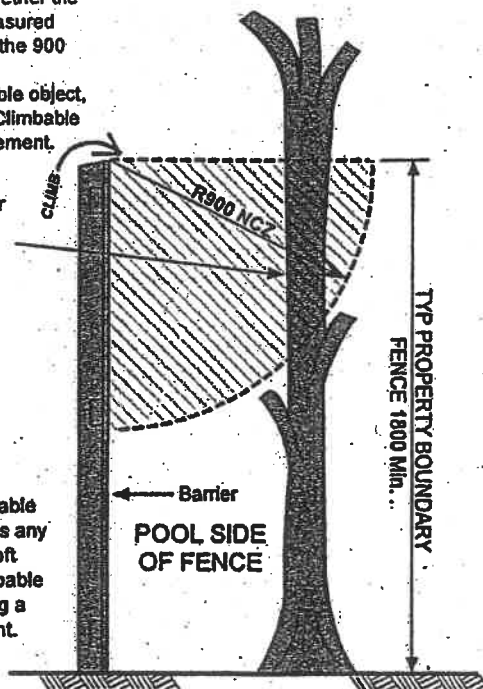


Figure 2b NON CLIMBABLE ZONE PROPERTY BOUNDARY FENCE

Note: A non climbable shrub means any plant with soft foliage incapable of supporting a child's weight.

SWIMMING POOL SAFETY BARRIER GUIDE & OPTIONS

To Australian Standard AS1926.1-2007 & BCA 2010

Measurements are in millimetres, drawings are not to scale

PROPERTY BOUNDARY FENCE:- The minimum height of a boundary fence, paling, colorbond etc, is 1800 measured on the pool side of the fence. The NCZ is measured from the top of the fence. Ideally Option A in Figure 3 with the horizontal rails on the neighbours side is the easiest option. Where the horizontal rails are on the pool side of the fence, option B,C, or D can be used where the rails must be made non-climbable.

Option "B" - Provide vertical palings to cover the top and middle rails staggered with 10mm max. gap or a solid type sheeting. Securely fasten with screws or nails (allow for shrinkage in the timber).

Option "C" - Fix a second timber rail on the top rail finishing flush with the top of the fence, to provide the 900NCZ to the middle rail or the next rail down. Finish flush with the vertical face of the top horizontal rail.

Option "D" - A 60 deg timber splay fixed to the top rail. Fill gaps between the staggered palings above the rail with a timber infill to the top of the fence. No gaps greater than 10mm (allow for shrinkage).

Option "E" - Construct a fence with rails correctly spaced, See figure 5, page 3 for details.

Note: The property boundary fence height may depend on type of intersecting pool barrier used to maintain the 900NCZ between the top surface of the pool barrier and top surface of the barrier fence. Refer figure 4

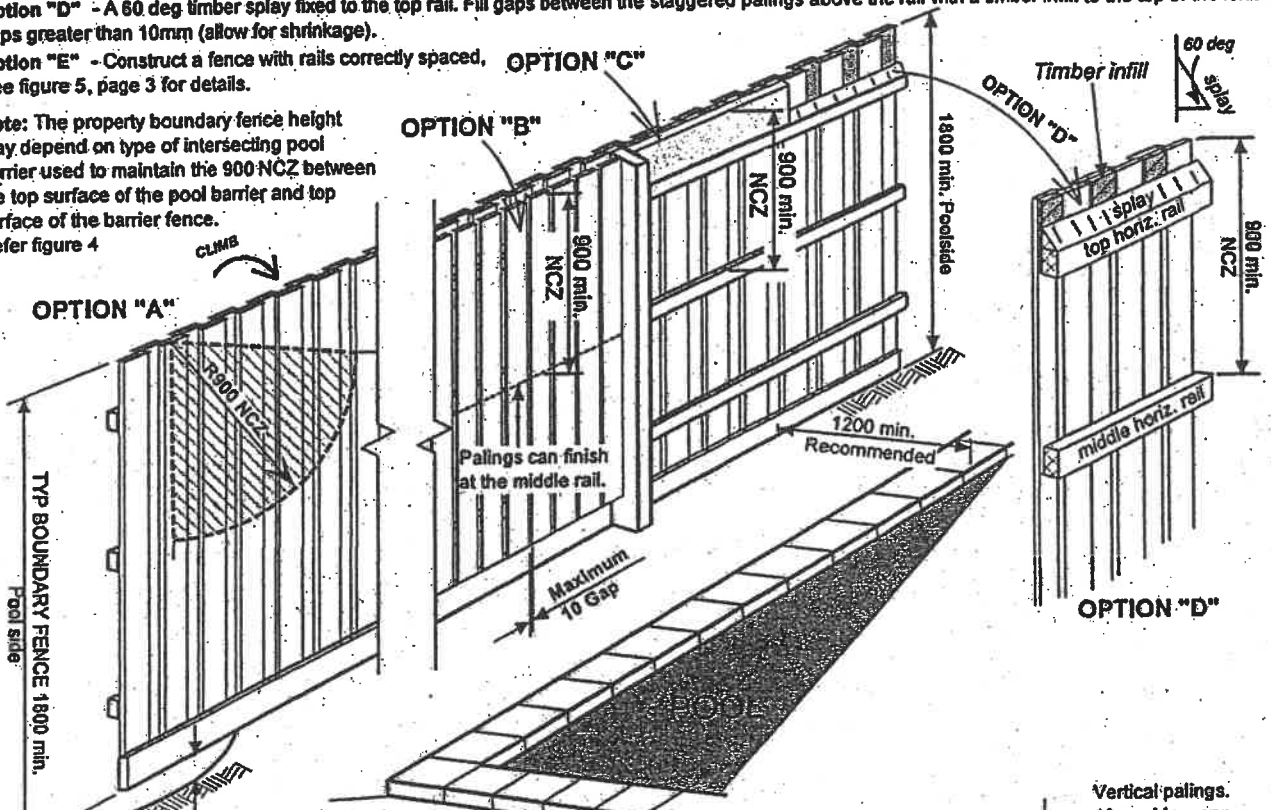


Figure 3 STANDARD BOUNDARY PALING FENCE

100 Max. to a permanent stable surface, paving, lawn etc.

BOUNDARY FENCE INTERSECTING WITH POOL BARRIER: Refer figure 4, a property boundary fence needs to be 2100 high, measured on the pool side, adjacent to an intersecting internal pool barrier, to be able to provide 900NCZ above an intersecting internal pool barrier (tubular type shown). Protect horizontal rails on the boundary fence within 900mm on both sides of the intersecting internal pool barrier. Provide vertical palings staggered with 10mm max. gap and a 50 x 35 stiffening batten. Securely fasten with screws. Allow for shrinkage in timber.

Note - Refer figure 2a & 4, where typical swimming pool barriers intersect, the horizontal rails need only be protected for 300mm inside the pool barrier. See figure 2a for further reference.

PLEASE NOTE: This Safety Barrier Guide and Options are some examples of methods to help compliance with the Australian Standard for swimming pool safety, AS 1926.1-2007. Following this guide does not guarantee compliance nor are options limited to those shown. Please consult your Relevant Building Surveyor and the relevant standard. All fences must comply with Building Regulations. Boundary fencing is regulated by the Fencing Act 1968(VIC).

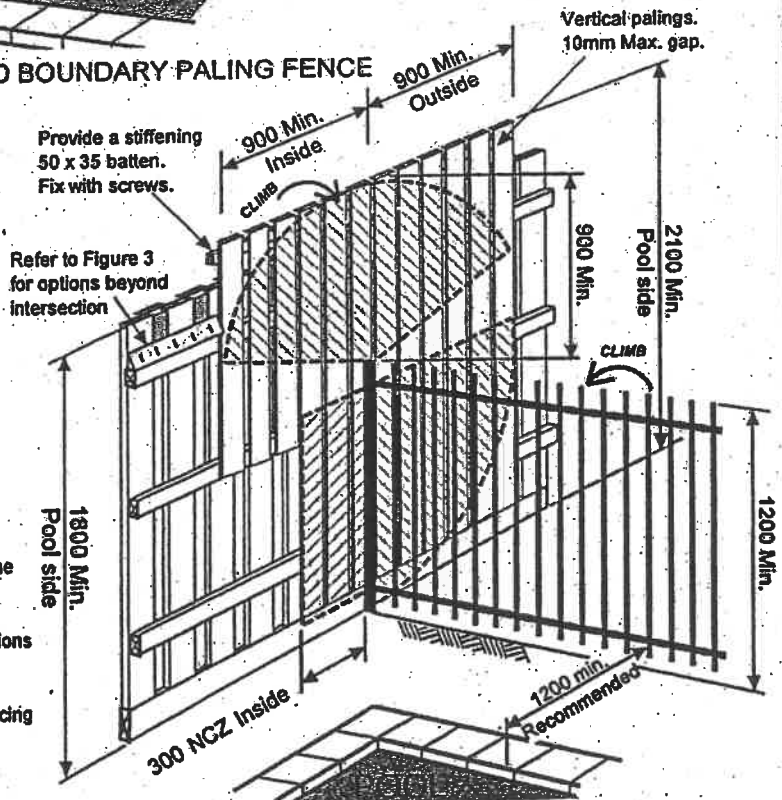


Figure 4 PROPERTY BOUNDARY FENCE INTERSECTING AN INTERNAL POOL BARRIER (Existing Fence)

= Hatched areas denotes NCZ

SWIMMING POOL SAFETY BARRIER GUIDE & OPTIONS
To Australian Standard AS1926.1-2007 & BCA 2010

Measurements are in millimetres drawings are not to scale

Top horizontal rail has been raised to the top of the fence to establish 900 NCZ. Recommended for new fence construction where rails need to be on the poolside.

ALTERNATIVE BOUNDARY FENCE: (fig. 5)
 Construct the fence with the top horizontal rail raised to the top of the fence and the middle rail (next rail down) 900 mm below. This will provide the 900 NCZ required.

Where a pool barrier fence intersects with the property boundary fence, raise the height of the intersecting pool barrier to the top of the property boundary fence to 900 mm. of the property boundary fence. Note - Vertical members may need to be strengthened or gaps between the members reduced to ensure fence complies with loading requirements.

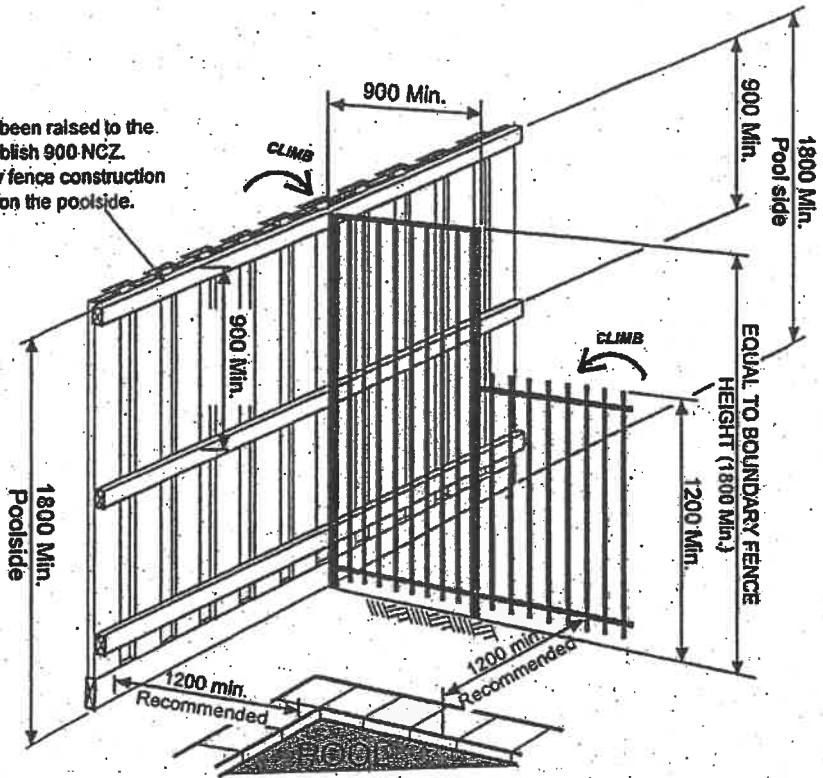


Figure 5. ALTERNATIVE BOUNDARY FENCE INTERSECTING A TYPICAL POOL BARRIER

Note,
 Height of property boundary fence at intersection, is dependant on pool safety barrier type, design and NCZ requirements.

Fill any gap between pool barrier and boundary fence to prevent any finger or footholds.

Protect horizontal rails, Option "D" shown.

ALTERNATIVE BOUNDARY FENCE: (fig. 6)
 Raise the property boundary fence only, where required, to 900 Min. each way (inside and outside) of the intersecting pool barrier. Protection of the horizontal rails within 900mm of the pool barrier on the outside of the pool barrier will be required and 300mm on the inside of the pool barrier if the pool barrier type has gaps greater than 10mm.

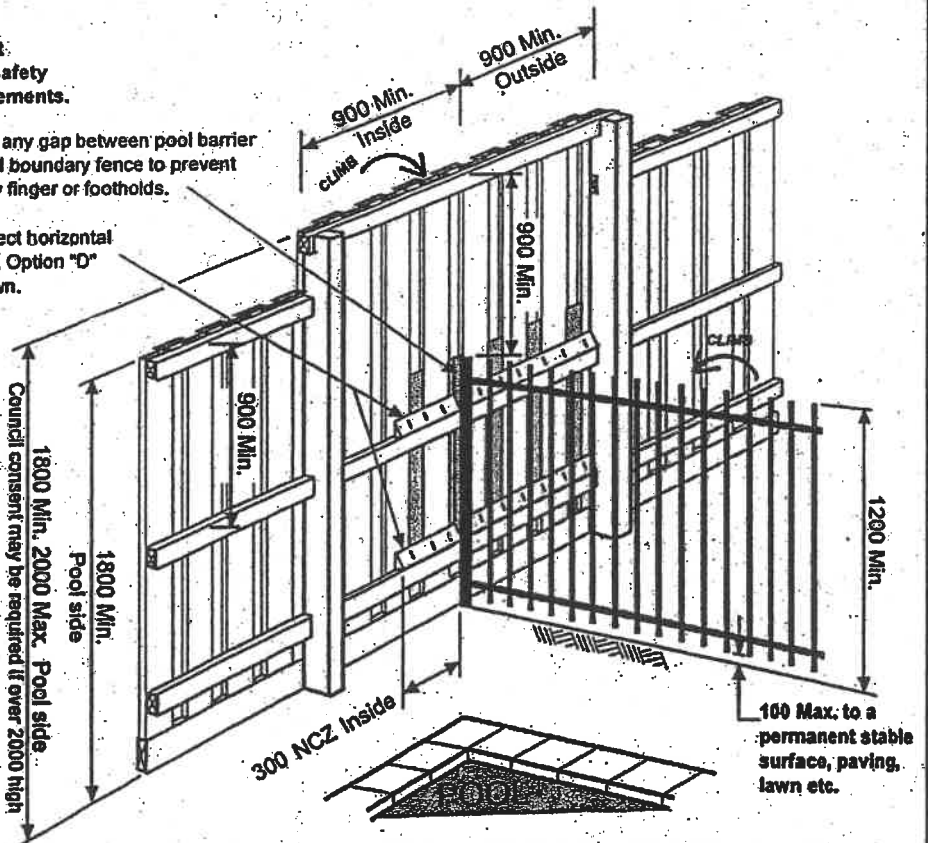


Figure 6. ALTERNATIVE BOUNDARY FENCE INTERSECTING A TYPICAL POOL BARRIER

CERTIFICATE OF FINAL INSPECTION

Certificate Number: 20123736/0
Date of issue: Tuesday, 17 July 2012

**To
Agent**

Owner
Philip & Helen Keegan
413 Willatook-Warrong Rd
Warrong 3282

Property Details: No 413 Willatook-Warrong Rd Warrong 3282

Municipal District: Moyne Shire Council

Description of Building Works: Construction of Spa Enclosure and Deck

Project use: spa bath

Classification: 10A

Directions


All directions under Part 4 of the Building Act 1993 have been complied with.

Inspection Records

Inspection for footings Date: 1/05/2012
Inspection for final certificate Date: 9/07/2012

Conditions: none

**SIGNED
RELEVANT BUILDING SURVEYOR**



Greg Powers
Registration BS-U17115

Page 1 of 1

CERTIFICATE OF ELECTRICAL SAFETY for Non-Prescribed Electrical Installation Work

ELECTRICITY SAFETY ACT 1998, ELECTRICITY SAFETY (INSTALLATIONS) REGULATIONS 2009

Certificate no.

6126 8910 5



CERTIFICATE OF COMPLIANCE

1 Responsible Person (eg. electrical contractor, supervising electrician, electrician)

REC reg./licence no. **7 0 2 6 5 2.** Telephone no. **55658425**
 Name **PMULGAVIN**
 Business Address **44 KING ST KOROIT**

2 Licensed Electrical Installation Worker (eg. electrician)

Licence no. **1 0 3 2 8 2.**
 Name **PMULGAVIN**

3 Details of Electrical Installation

Name of customer **P+H KEEGAN**
 Address of installation (include lot no. if required) **413 WILLOOCH RD.**
 Suburb or town **WARRONG.** Postcode **3 2 8 4**
 Telephone **0 3 5 5 6 0 6 2 4 9.**
 NMI (if available)

4 Electrical Work Undertaken

No. light points	No. single Socket outlets	No. doubles	Have you installed Air Conditioning?
	2.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Maximum demand in amps per phase on completion 48.		Consumers mains capacity in amps 63.	

Description of work undertaken (if insufficient space, please attach list)

**CONNECTION OF SPA TUB IN OUTDOOR DECK AREA (New circuit)
 2x P/POINTS FOR PROVISION FOR DECK LIGHTS.**

5 Has this electrical installation work failed a previous audit?

Yes No

If yes, quote previous certificate number

6 Type of property where the electrical installation work is carried out; (refer back of certificate for types)

1 Domestic 2 Non Domestic 3 Construction

I, the licensed electrical installation worker named above, who carried out the electrical installation work described above, certify that the electrical work has passed all the required tests and complies in all respects with the Electricity Safety Act 1998 and the Electricity Safety (Installations) Regulations 2009.

Signature (Licensed Electrical Installation Worker) **PMulganin**

7 Date of completion of work **28.10.12.** 8 Date Certified **30.06.12.**

Certificate of Electrical Safety

energy safe
VICTORIA



Form 2
 Building Act 1993
 Building Regulations 2006: Regulation 313

Postal Address
 18 Nicholson Street
 Warrnambool Vic 3280

Building Permit BS-U17115/20134184/0

Date of issue: 4th July 2013

TO: OWNER Philip & Helen Keegan
 413 Willatook-Warrong Road
 Warrong 3282

AGENT Philip & Helen Keegan
 413 Willatook-Warrong Road
 Warrong 3282

ADDRESS FOR SERVING OF NOTICES

Name Philip & Helen Keegan 413 Willatook-Warrong Road Warrong 3282
 Ph1 5560 6249 Ph2 Fax no:

PROPERTY DETAILS 413 Lot 3 Willatook-Warrong Road Warrong 3282

Title details Vol 8067 Fol 961 Allotment area m2

Municipal District: Moyne Shire Council

Builder Philip & Helen Keegan 413 Willatook-Warrong Road Warrong 3282

DETAILS OF RELEVANT PLANNING PERMIT (if applicable)

Planning Permit No: Planning Permit Date:

STAGES OF WORK PERMITTED To completion of project

Project estimated value: \$38,000.00

NATURE OF BUILDING WORK Construction of Garage

Building details:

Class 10A
 No of storeys 1
 Allowable live load 1.5kPa
 Area (m2) 70

OCCUPATION/USE OF A BUILDING: A Final Certificate is required prior to use

COMMENCEMENT AND COMPLETION This building work must commence by 4/07/2014 and must be completed by 4/07/2015

MANDATORY INSPECTIONS

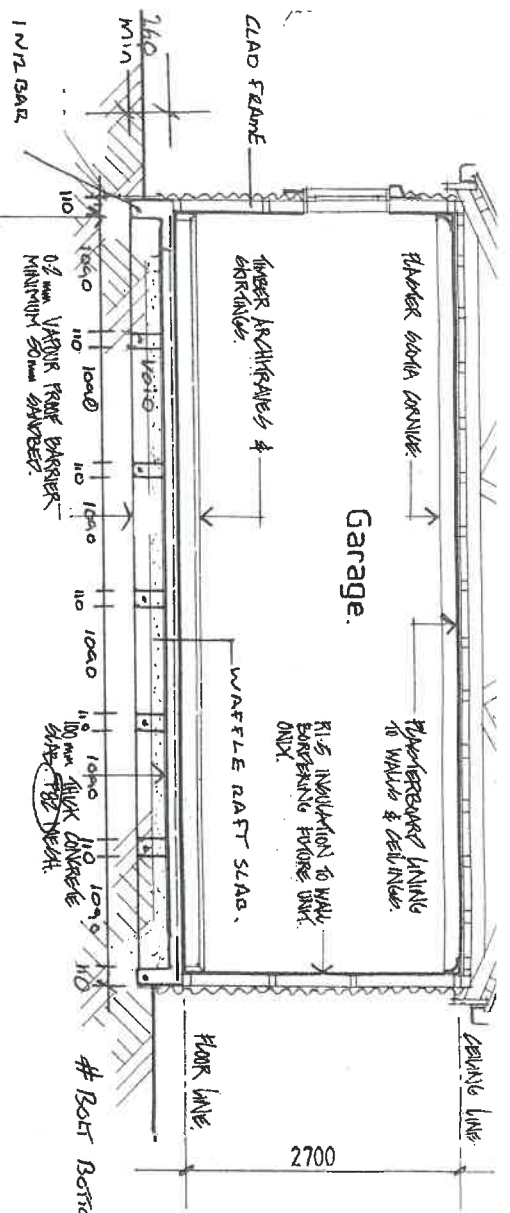
Inspection of pre-pour
 Inspection of framework
 Inspection for final certificate

SIGNED

RELEVANT BUILDING SURVEYOR



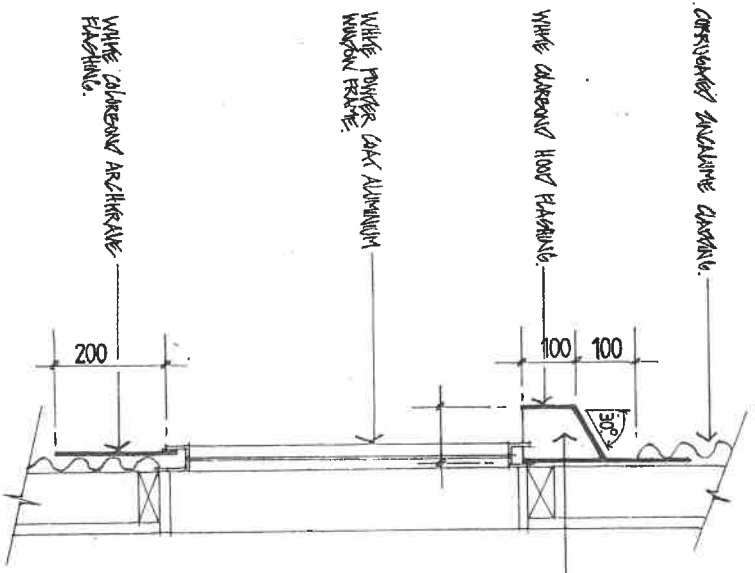
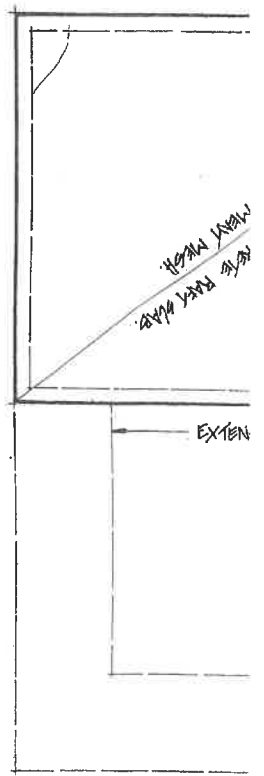
GREG POWERS BS-U 17115



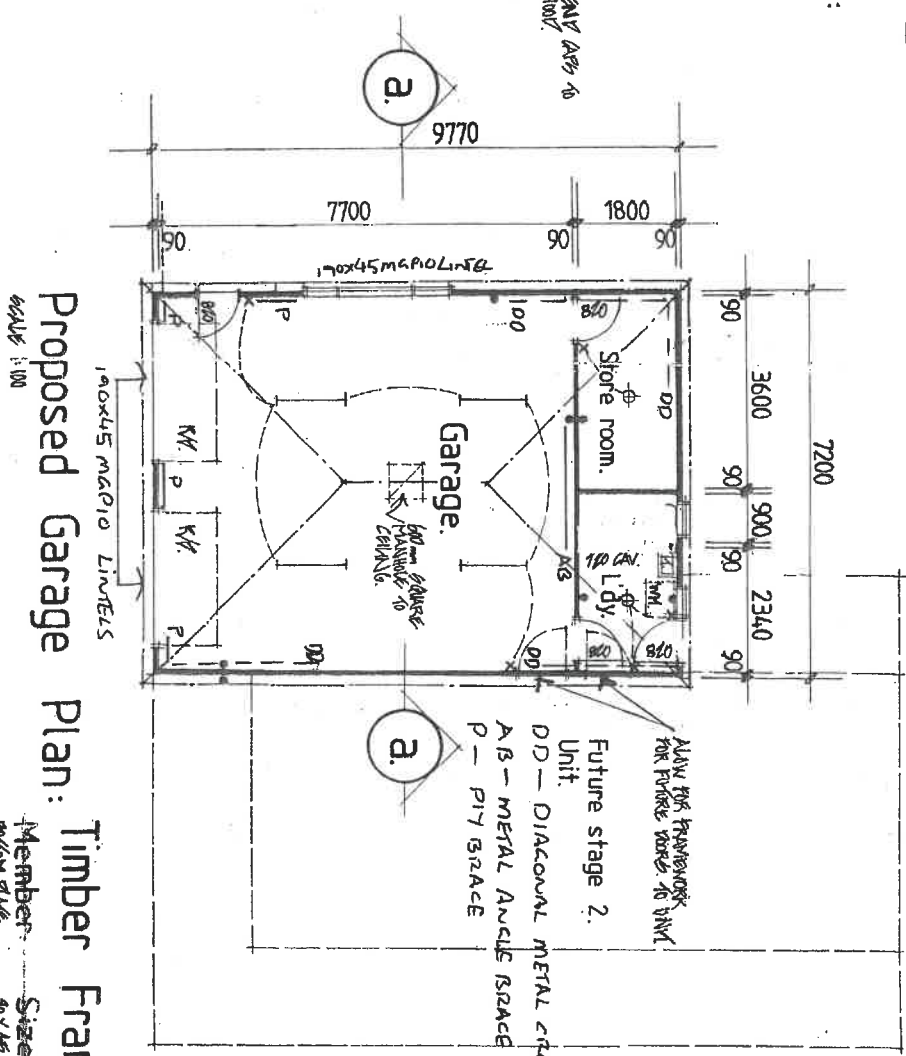
Refer to edge beam to match framing type of existing residence.

Section a-a:
Scale 1/80

Concrete Slab Plan:
Scale 1/100



Flashing Detail:
Scale 1/10



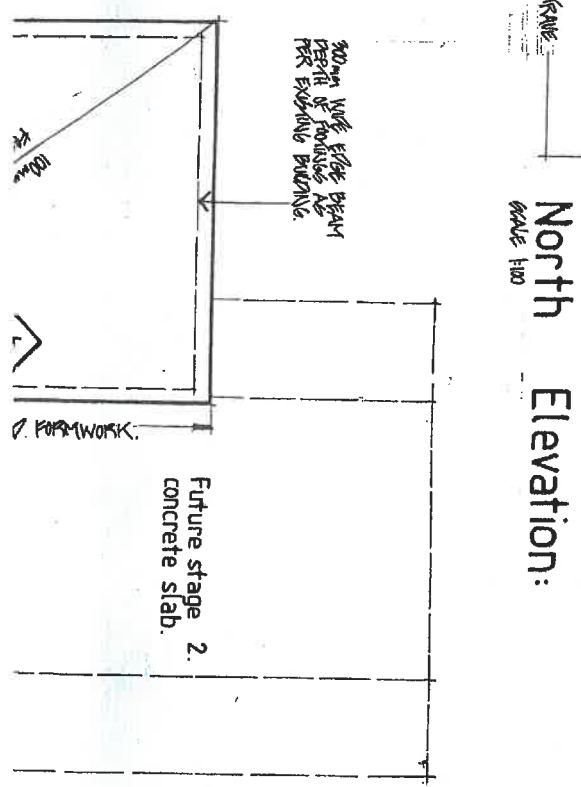
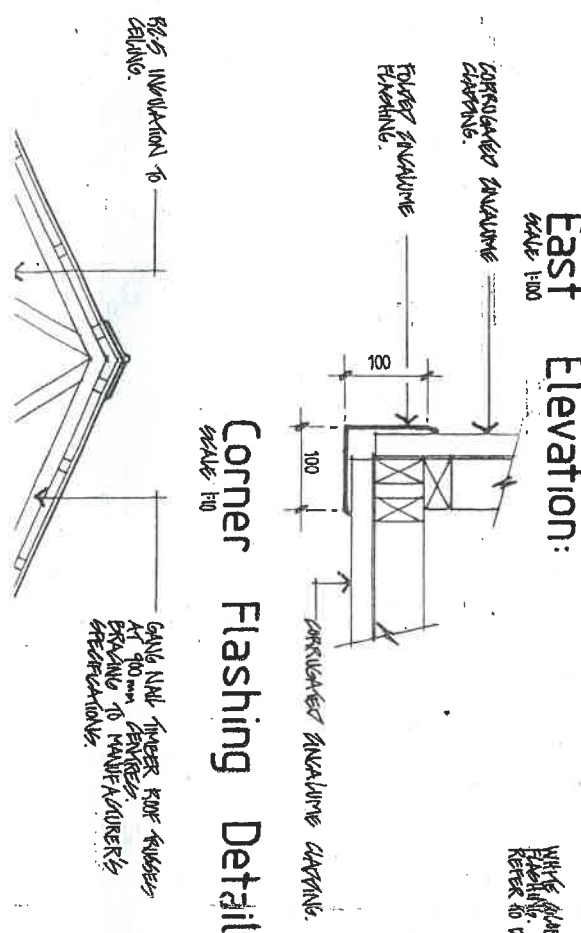
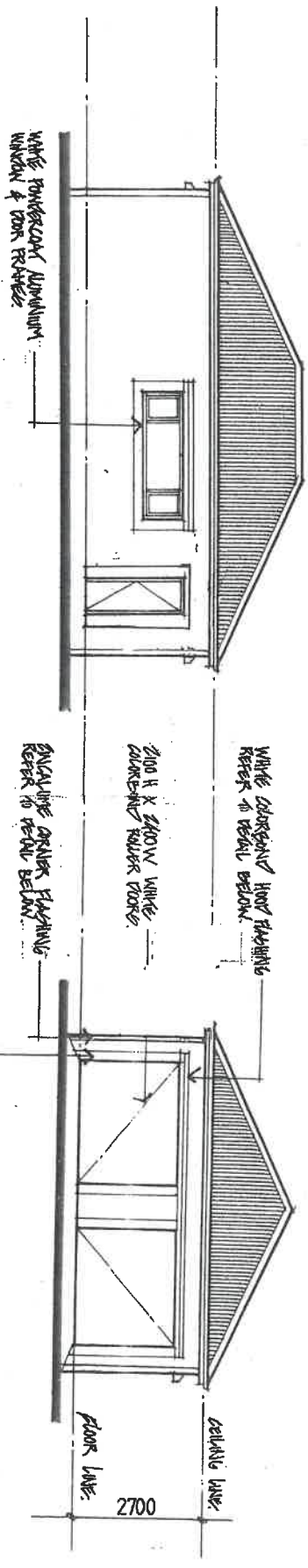
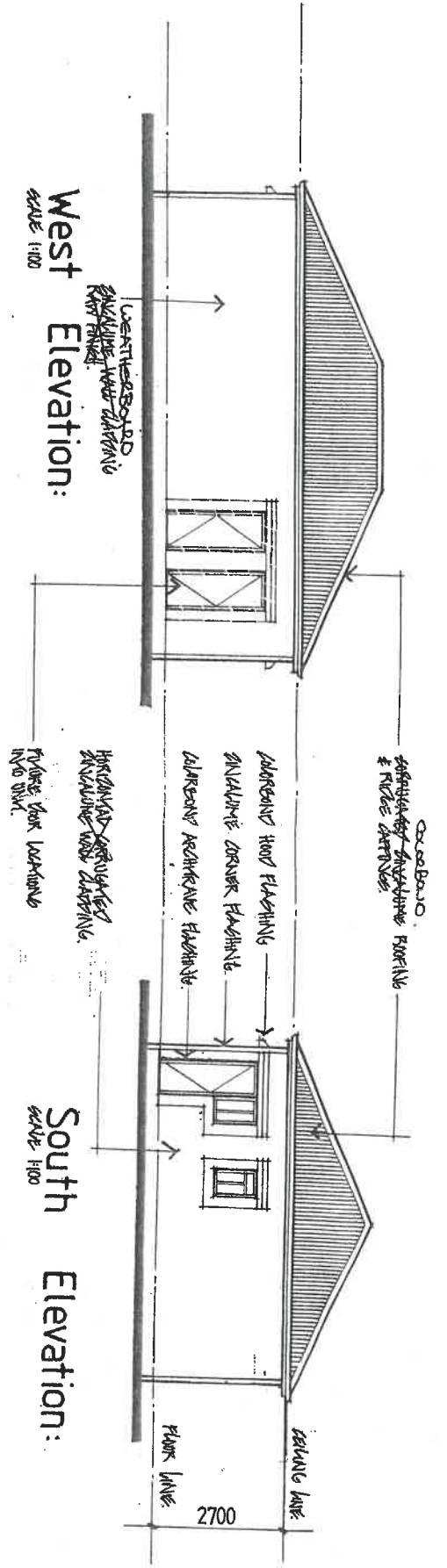
Proposed Garage Plan:
Scale 1/100

Timber Framing Schedule:

Member	Size	Centres	Material
Bottom Plate	10x45	450	MGR 10, FINE
ATTACH BRGS	9x45	450	MGR 10, FINE
SAID BRGS	9x45	450	MGR 10, FINE
TOP PLATE	9x45	450	MGR 10, FINE
CEILING BRG/END	9x45	450	MGR 10, FINE
ROOFING BRG/END	9x45	450	MGR 10, FINE
VERTICAL BRG/END	9x45	450	MGR 10, FINE

powers building surveying inc
 Approved Plans and Documents
 Building Permit
 BSU1711620134184
 Date: 4/7/13
 Signed: [Signature]

STAGE 1.





Application Number: 20134184

Form 17

Regulation 200
Building Act 1993
Building Regulations 2018

CERTIFICATE OF FINAL INSPECTION

Property Details

Number: **413** Street/Road: **Willatook-Warrong Road** Suburb: **Warrong** Postcode: **3282**
Lot/s: **3** LP/PS: Volume: **8067** Folio: **961**
Crown allotment: Section: No Parish: **Willatook** County: **Villiers**
Municipal District: **Moyne Shire Council**

Building permit details

Building permit number: **BS-U17115/20134184/0**
Version of BCA applicable to building permit: **2012**

Description of building work

Part of building to which permit applies	Permitted use	BCA Class of building
Garage/Storage Shed	outbuilding	10a

Directions to fix building work

All directions to fix building work under Part 4 of the **Building Act 1993** have been complied with.

Relevant building surveyor

Name: **Greg Powers**
Address: **18 Nicholson Street, Warrnambool Vic 3280**
Email: **greg@powersbuildingsurveying.com**
Building practitioner registration no.: **BS-U17115**
Municipal district name: **Moyne Shire Council**
Certificate no. **BS-U17115/20134184/0**
Date of issue: **2 November 2020**
Date of final inspection **27 October 2020**
Signature:

Powers Building Surveying Pty Ltd

18 Nicholson Street

Warrnambool 3280

E: greg@powersbuildingsurveying.com

M: 0439639158

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



Property Details

Address:	413 Willatook – Warrong Road
Suburb/Town:	Warrong 3282
Municipality:	Warrnambool City Council
Part Applicable:	Detached Garage/Shed

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

Date of Inspection: 27/10/2020	Date of Report: 30/10/2020
---------------------------------------	-----------------------------------

Property Details	
Number: 413	Street: Willatook-Warrong Road
Suburb/Town: Warrong	Postcode: 3282
Municipality: Moyne Shire Council	
Building Permit No.: BS-U17115/20134184/0	Date Issued: 04/07/2013
Relevant Building Surveyor: Greg Powers	
Certificate Of Final Inspection No: 20134184/0	Date Issued: 2/11/2020

Owner(s)	
Name(s): Phillip & Helen Keegan	
Contact Address: 413 Willatook-Warrong Rd Warrong 3282	
Telephone No:	Mobile: 0438116222

Inspector	
Name: Greg Powers	BBP No(s): BS-U17115
Address: 18 Nicholson Street WARRNAMBOOL 3280	
Telephone No(s): (03) 5562 9158	
Mobile: 0439 639158	

Inspection Details	
Time of Arrival: 11am	Time of Departure: 12pm
Prevailing Weather Conditions: Mild spring conditions with some recent heavy rainfalls.	
Part Applicable: Detached Garage/Shed	

DESCRIPTIVE SUMMARY OF BUILDING WORK

Site	
Side of street: (sealed/unsealed)	The property is located on the south side of Willatook-Warrong Road which is a sealed road with open drainage channels.
Site falls to: (approx. slope)	The site is relatively flat with slight fall to the south west. The garage is located to the west of the existing dwelling.
Significant Aspects (i.e. large trees, site cut, exposure).	The site is located within rural farming area. There are some large gum trees around the site but are far enough away that they would not effect this structure. The allotment has some shelter from the prevailing weather from the south west.
Construction	
Footings:	n/a
Floor:	Concrete slab in good condition
Roof pitch	Approximately 22degrees.
Roof frame:	Timber trusses not visible but roof shows no signs of misalignment or sagging.
Roof cladding:	Zincalume metal sheet roofing in good condition.
Ceiling lining:	Timber lining boards stained and in good condition
Window frames:	Painted timber in good condition
Stumps/Posts:	Not applicable
Wall structure:	Timber framing not visible
Wall lining (internal):	Painted timber lining boards in good condition.
Wall cladding (external):	Painted timber weatherboards in good condition.
No. of storeys:	1
Services	
Sewerage system:	WC and sink connected to existing system.
Gas Supply:	Not applicable
Intercom:	Not applicable
Hot water system:	Connected to sink
Electricity supply:	mains
Water supply:	Connected from existing tank supply
Heating:	Not applicable
Air Conditioning:	Not applicable

Ducted vacuum system:	Not applicable
Alarm system:	Not applicable
Smoke Detectors:	Not applicable
Other Items:	Not applicable

General summary of Inspection:

The overall workmanship and finish are generally of a very good standard. The garage shows signs of normal wear and tear which have not been considered as defects. The paintwork and internal areas are in good order. The structure appears to be performing adequately and is fit for purpose. The slab floor is in very good structural condition but does have some staining which is only cosmetic. There are some alterations to the original approved plans including a double tilt panel door installed in lieu of the two single doors but this is not of concern and the structure appears to have been built to cater for this. The external cladding was originally shown as zincalume metal and timber weatherboards have been installed also the roofing was shown as colorbond and zincalume has been used. Windows were approved as powder coated aluminium and timber windows have been installed. None of these changes adversely effect the structure and are all products commonly used. On the south west corner there is a small amount of exposed slab which it would be recommended to compact some fill back against and grade away. Also a small verandah has been built to give some protection from the weather which was not part of the original permit and has not been assessed as part of this report.

Items Nominated as defects: None
Incomplete Works: None
Inaccessible Areas: None:
Second Hand Materials: None visible

This inspection report is undertaken to comply with the requirements of Section 137B of the Building Act 1993. (Owner Builder Construction).

Signed: 

Registration Number: **BS-U17115**

Terms and Conditions

This visual inspection is limited to those areas and sections of the property fully accessible to the inspector at the time and on the date of the inspection. The inspection did not include any dismantling, removal or breaking of objects or any other invasive procedures in order to carry out the inspection.

No responsibility will be accepted for defects which are latent or otherwise not reasonably detected on a visual inspection having regard to the above.

Scope

This report has been commissioned, conducted and prepared to comply with the requirements of Section 137(b) of the Building Act 1993.

Nothing contained in this report implies that the building complies with any Act, Regulation, Building Code or Australian Standard.

No investigation has been carried out with respect to the accurateness of existing boundary fencing in relation to Title Boundaries.

Attached Documents.

Certificate of Final Inspection
Building Permit
Approved Plans

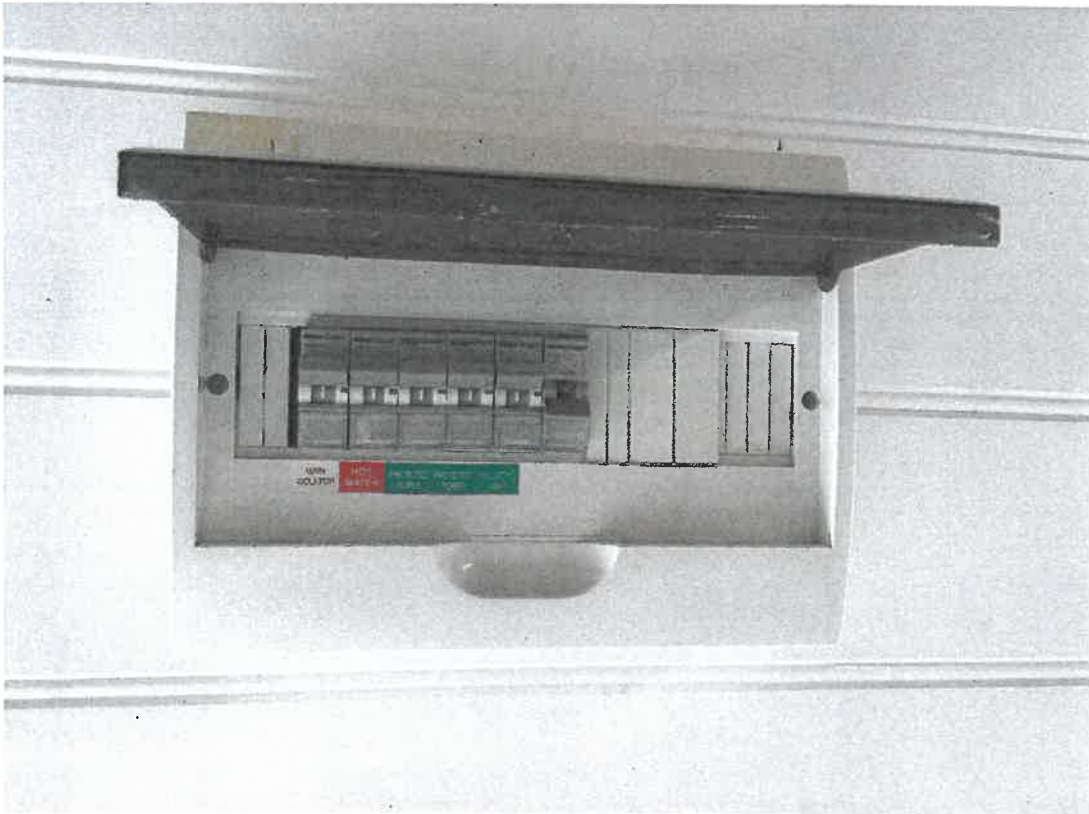
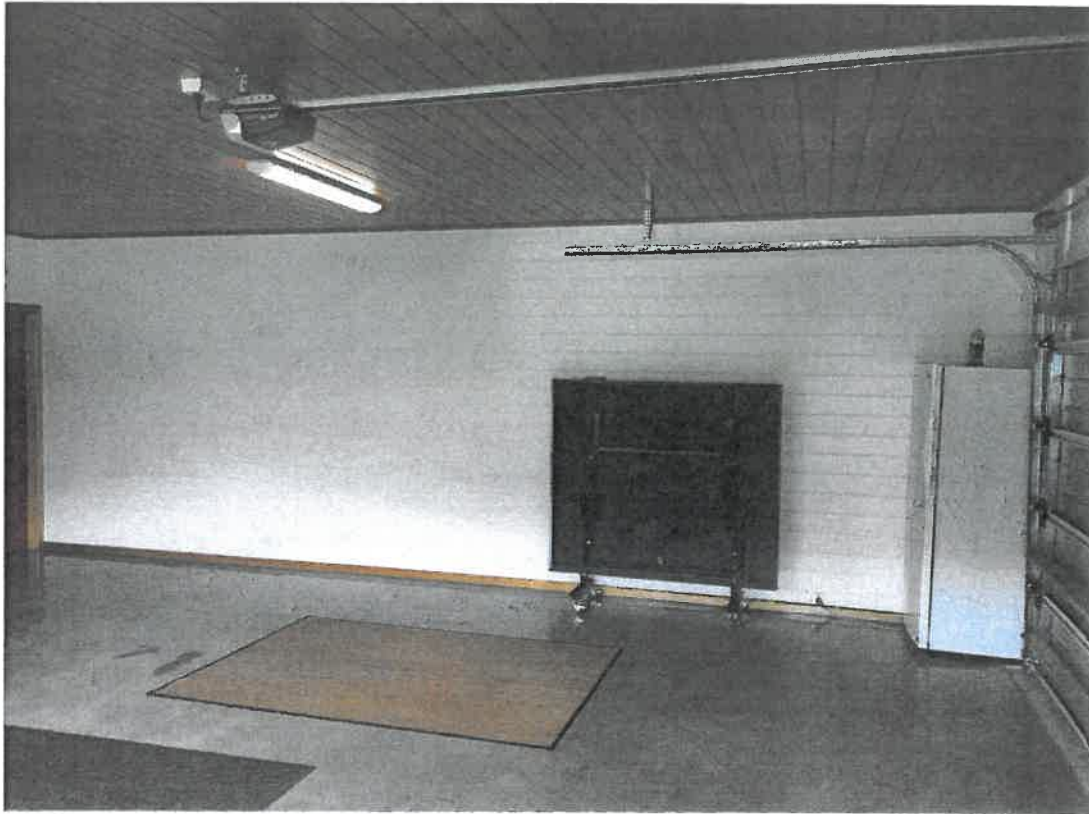
Photos 413 Willatook-Warrong Road Warrong 3282 sec137b report



Photos 413 Willatook-Warrong Road Warrong 3282 sec137b report



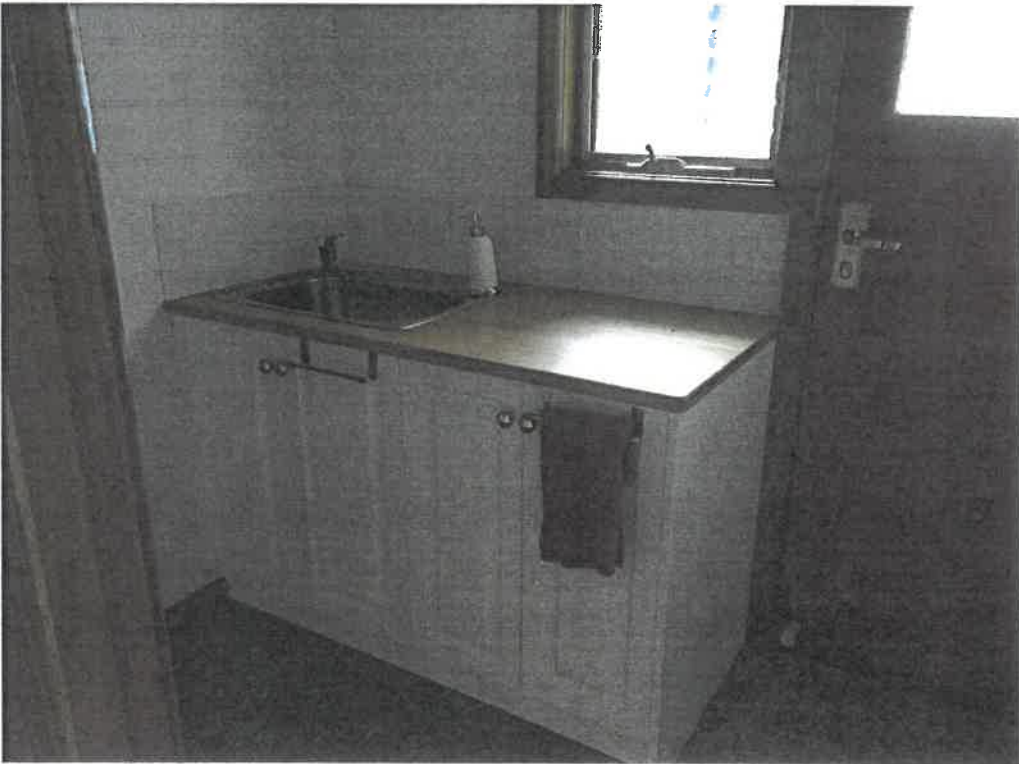
Photos 413 Willatook-Warrong Road Warrong 3282 sec137b report



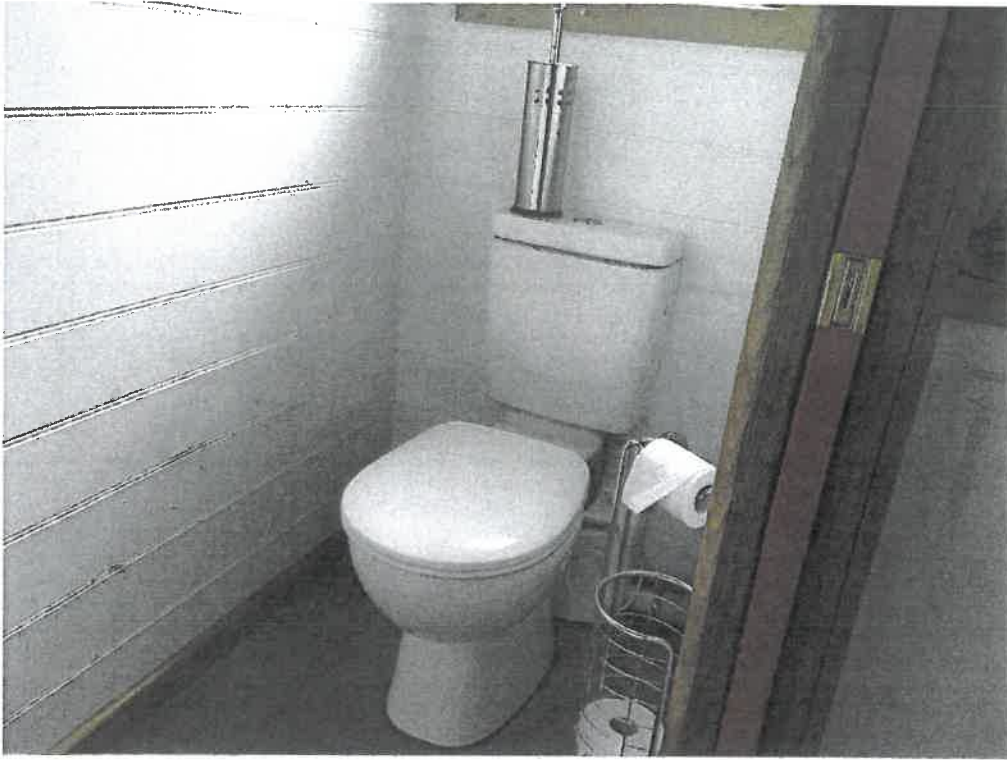
Photos 413 Willatook-Warrong Road Warrong 3282 sec137b report



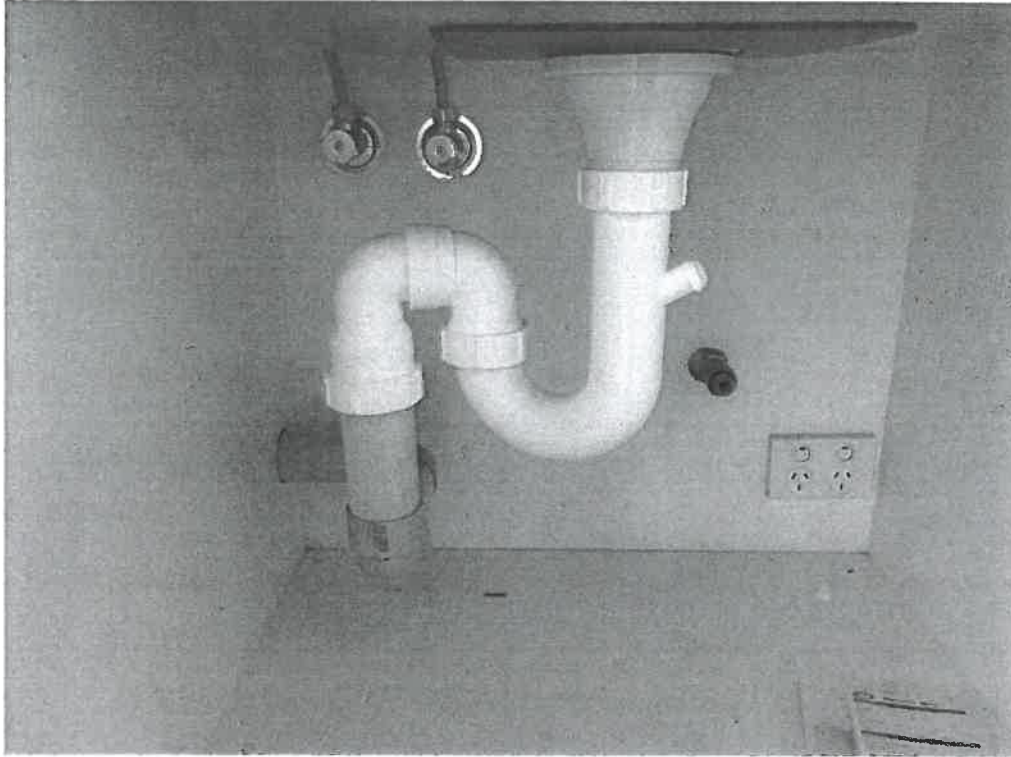
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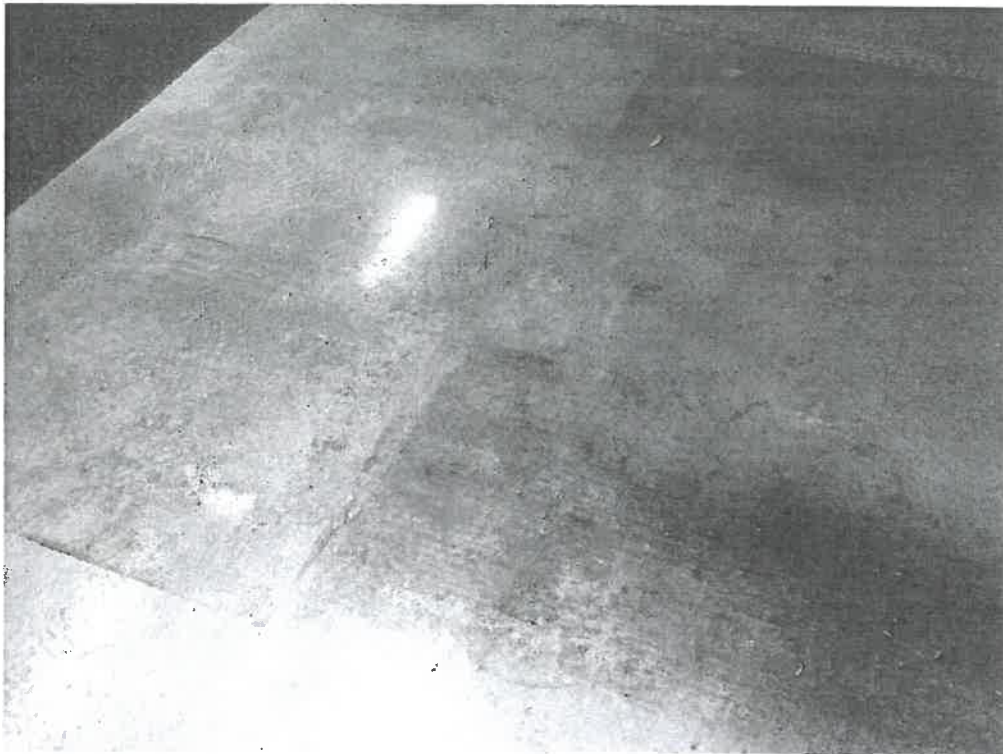
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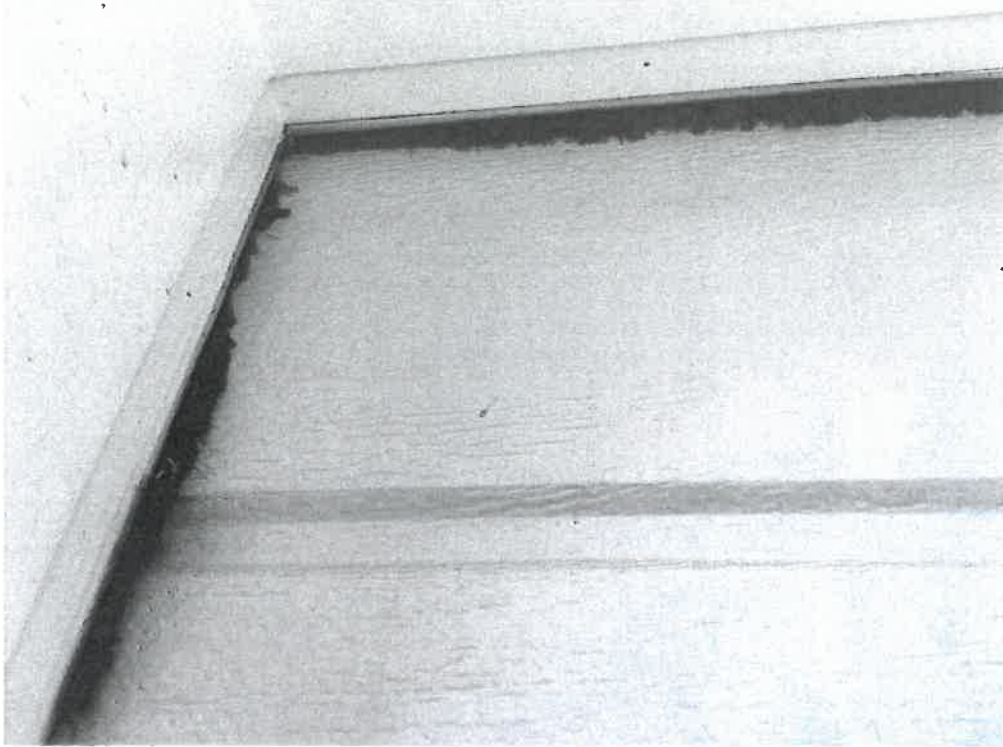
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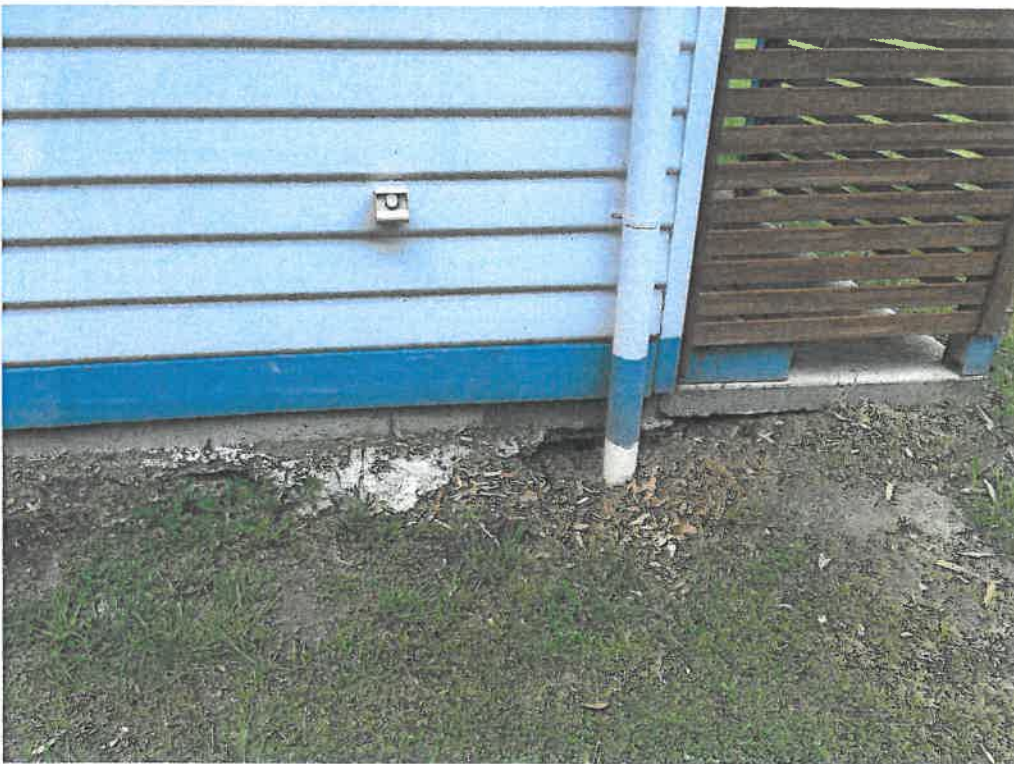
Photos 413 Willatook-Warrong Road Warrong 3282 sec137b report



Photos 413 Willatook-Warrong Road Warrong 3282 sec137b report



Photos 413 Willatook-Warrong Road Warrong 3282 sec137b report



Photos 413 Willatook-Warrong Road Warrong 3282 sec137b report





Australian Owner Builder Insurance Service Pty Ltd
Email: underwriter@aobis.com.au
Phone: 1300 850 131
ABN 95 122 431 654 AFSL 308705

The Owner Builder Specialists

Jenny Ladhams
MGA Insurance Group
jennifer.ladhams@mga.com

13/11/2020

Dear Jenny,

Re: Owner Builder Warranty, 413 Willatook-Warrong Road, Warrong, VIC 3282

Reference: BS-U17115/20134184/0

Thank you for the Owner Builder Warranty application for, **Philip & Helen Keegan 413 Willatook-Warrong Road, Warrong, VIC 3282**

Unfortunately, we are unable to offer Owner Builder Warranty due to gap between the building permit and the Final certificate being greater than five years.

I apologise for any inconvenience,

Kind Regards

A handwritten signature in cursive script that reads 'Emily Brooks'.

Emily Brooks

Underwriter

Australian Owner Builder Services Pty Ltd

Phone: 1300 850 131 Email: underwriter@aobis.com.au



MR PHILIP J KEEGAN
413 WILLATOOK-WARRONG ROAD
WARRONG VIC 3282

Our reference: 7119265318047

Phone: 13 28 66

12 November 2020

Your foreign resident capital gains withholding clearance certificate

- › Purchasers are not required to withhold and pay an amount
- › Provide a copy to the purchaser and retain a copy for your records

Hello PHILIP,

We have decided that purchasers are not required to withhold and pay an amount. Your certificate is below:

Notice number	2410488729944
Vendor name	PHILIP JAMES KEEGAN
Clearance Certificate Period	10 November 2020 to 10 November 2021

The Commissioner may withdraw this clearance certificate at any time if we obtain further information indicating you are a foreign resident.

Yours sincerely,
James O'Halloran
Deputy Commissioner of Taxation

NEED HELP

Learn more about foreign resident capital gains withholding at ato.gov.au/FRCGW

CONTACT US

In Australia? Phone us on **13 28 66**

If you're calling from overseas, phone **+61 2 6216 1111** and ask for **13 28 66** between 8:00am and 5:00pm Australian Eastern Standard time, Monday to Friday.



MRS HELEN M KEEGAN
C/- TERRY FOGARTY
PO BOX 1468
WARRNAMBOOL VIC 3280

Our reference: 7119265351979

Phone: 13 28 66

12 November 2020

Your foreign resident capital gains withholding clearance certificate

- › Purchasers are not required to withhold and pay an amount
- › Provide a copy to the purchaser and retain a copy for your records

Hello HELEN,

We have decided that purchasers are not required to withhold and pay an amount. Your certificate is below:

Notice number	2410488733617
Vendor name	HELEN MARY KEEGAN
Clearance Certificate Period	10 November 2020 to 10 November 2021

The Commissioner may withdraw this clearance certificate at any time if we obtain further information indicating you are a foreign resident.

Yours sincerely,
James O'Halloran
Deputy Commissioner of Taxation

NEED HELP

Learn more about foreign resident capital gains withholding at ato.gov.au/FRCGW

CONTACT US

In Australia? Phone us on **13 28 66**

If you're calling from overseas, phone **+61 2 6216 1111** and ask for **13 28 66** between 8:00am and 5:00pm Australian Eastern Standard time, Monday to Friday.

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 \(consumer.vic.gov.au/duediligencechecklist\)](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.