



# Vendor Statement

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

This statement must be signed by the vendor and given to the purchaser before the purchaser signs the contract. The vendor may sign by electronic signature.

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

**50 Bellbird Crescent, Emerald VIC 3782**

Vendor's name	Stephen Andrew Dewar	Date
		/ /
Vendor's signature	 <small>Stephen (Apr 29, 2024 21:24 GMT+10)</small>	29/04/24
	_____	
Vendor's name	Ellen Grace Dewar	Date
		/ /
Vendor's signature	 <small>Ellen (Apr 29, 2024 15:56 GMT+10)</small>	29/04/24
	_____	

Purchaser's name		Date
		/ /
Purchaser's signature	_____	
Purchaser's name		Date
		/ /
Purchaser's signature	_____	

## 1. FINANCIAL MATTERS

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

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

Cardinia Shire Council  
Yarra Valley Water

(a) Their total does not exceed:

\$4,000.00 p.a.

### 1.2 Particulars of any Charge (whether registered or not) imposed by or under any Act to secure an amount due under that Act, including the amount owing under the charge.

Not Applicable

### 1.3 Terms Contract

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

Not Applicable.

### 1.4 Sale Subject to Mortgage

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

Not Applicable.

## 2. INSURANCE

### 2.1 Damage and Destruction

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

Not Applicable.

### 2.2 Owner Builder

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

Not Applicable.

## 3. LAND USE

### 3.1 Easements, Covenants or Other Similar Restrictions

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

As attached.

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

Not Applicable

The Purchaser/s should note sewers, drains, water pipes, underground and/or overhead electricity cables, underground/or overhead telephone cables, underground NBN cables and underground gas pipes if any, may be laid outside registered easements.

### 3.2 Road Access

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

### 3.3 Designated Bushfire Prone Area

The land is in a designated bushfire prone area within the meaning of regulations made under the *Building Act 1993* if the square box is marked with an 'X'

### 3.4 Planning Scheme

Attached is a certificate with the required specified information.

## 4. NOTICES

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

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

Not Applicable.

The Vendor has no means of knowing decisions of all public authorities and government departments affecting the property unless communicated to the Vendor.

The property is in an area in which is classified as an area in which buildings are likely to be subject to infestation of termites.

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

Nil.

## 5. BUILDING PERMITS

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

As contained in the attached certificate.

## 6. OWNERS CORPORATION

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

Not Applicable.

## 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*.

Not Applicable

## 8. SERVICES

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

Electricity supply <input type="checkbox"/>	Gas supply <input type="checkbox"/>	Water supply <input type="checkbox"/>	Sewerage <input checked="" type="checkbox"/>	Telephone services <input type="checkbox"/>
---	-------------------------------------	---------------------------------------	--	---

- Some services currently noted as connected above may become disconnected prior to settlement. The Purchaser should make their own enquiries in relation to connection and re-connection of services to the land.

## 9. TITLE

Attached are copies of the following documents:

### 9.1 Registered Title

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

## 10. SUBDIVISION

### 10.1 Unregistered Subdivision

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

Not Applicable.

### 10.2 Staged Subdivision

This section 10.2 only applies if the land is part of a staged subdivision within the meaning of section 37 of the *Subdivision Act 1988*.

Not Applicable.

### 10.3 Further Plan of Subdivision

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

Not Applicable.

## 11. DISCLOSURE OF ENERGY INFORMATION

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

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

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

Not Applicable.

## 12. DUE DILIGENCE CHECKLIST

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

Is attached.

## 13. ATTACHMENTS

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

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

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

Water Information Statement
-----------------------------

# PROPERTY REPORT



Energy,  
Environment  
and Climate Action

From [www.land.vic.gov.au](http://www.land.vic.gov.au) at 17 April 2024 12:59 PM

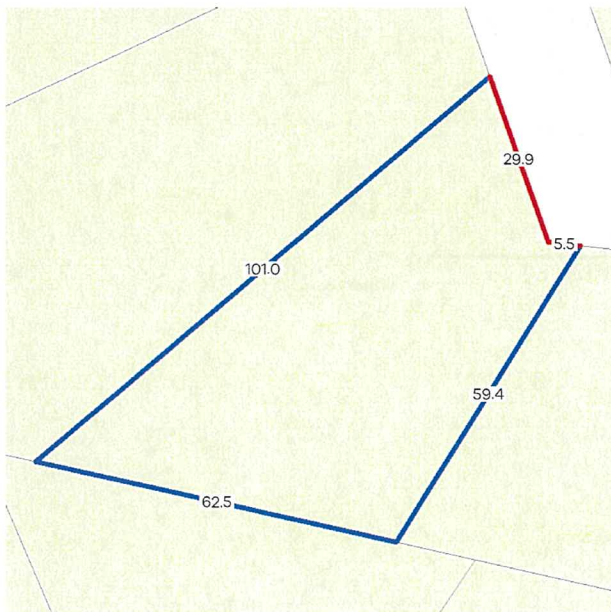
## PROPERTY DETAILS

Address: **50 BELLBIRD CRESCENT EMERALD 3782**  
Lot and Plan Number: **Plan CP159348**  
Standard Parcel Identifier (SPI): **CP159348**  
Local Government Area (Council): **CARDINIA**  
Council Property Number: **2086451800**  
Directory Reference: **Melway 311 A4**

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

## SITE DIMENSIONS

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



**Area:** 3297 sq. m

**Perimeter:** 258 m

For this property:

— Site boundaries

— Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available.

Calculating the area from the dimensions shown may give a different value to the area shown above

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

## UTILITIES

Rural Water Corporation: **Southern Rural Water**  
Melbourne Water Retailer: **Yarra Valley Water**  
Melbourne Water: **Inside drainage boundary**  
Power Distributor: **AUSNET**

## STATE ELECTORATES

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

## PLANNING INFORMATION

Property Planning details have been removed from the Property Reports to avoid duplication with the Planning Property Reports from the Department of Transport and Planning which are the authoritative source for all Property Planning information.

The Planning Property Report for this property can found here - [Planning Property Report](#)

Planning Property Reports can be found via these two links

**Vicplan** <https://mapshare.vic.gov.au/vicplan/>

**Property and parcel search** <https://www.land.vic.gov.au/property-and-parcel-search>

Copyright © - State Government of Victoria

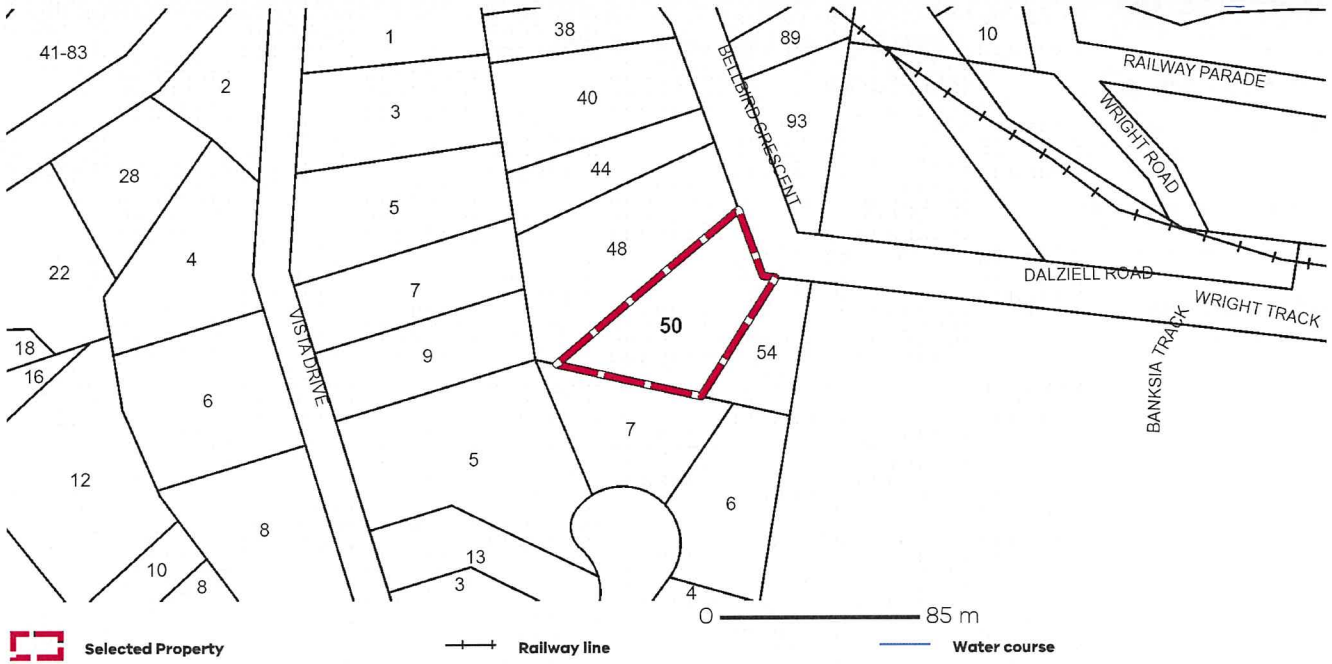
**Disclaimer:** This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided.

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

PROPERTY REPORT: 50 BELLBIRD CRESCENT EMERALD 3782

Page 1 of 2

## Area Map



# PLANNING CERTIFICATE

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

## CERTIFICATE REFERENCE NUMBER

1023324

## APPLICANT'S NAME & ADDRESS

BUY & SELL CONVEYANCING SERVICES C/- TRICONVEY  
(RESELLER) C/- LANDATA  
DOCKLANDS

## VENDOR

DEWAR, STEPHEN ANDREW

## PURCHASER

NOT KNOWN, NOT KNOWN

## REFERENCE

359244

This certificate is issued for:

PLAN CP159348 ALSO KNOWN AS 50 BELLBIRD CRESCENT EMERALD  
CARDINIA SHIRE

The land is covered by the:

CARDINIA PLANNING SCHEME

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

The land:

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

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

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

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

Additional site-specific controls may apply.  
The Planning Scheme Ordinance should be checked carefully.

The above information includes all amendments to planning scheme maps placed on public exhibition up to the date of issue of this certificate and which are still the subject of active consideration

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

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

17 April 2024

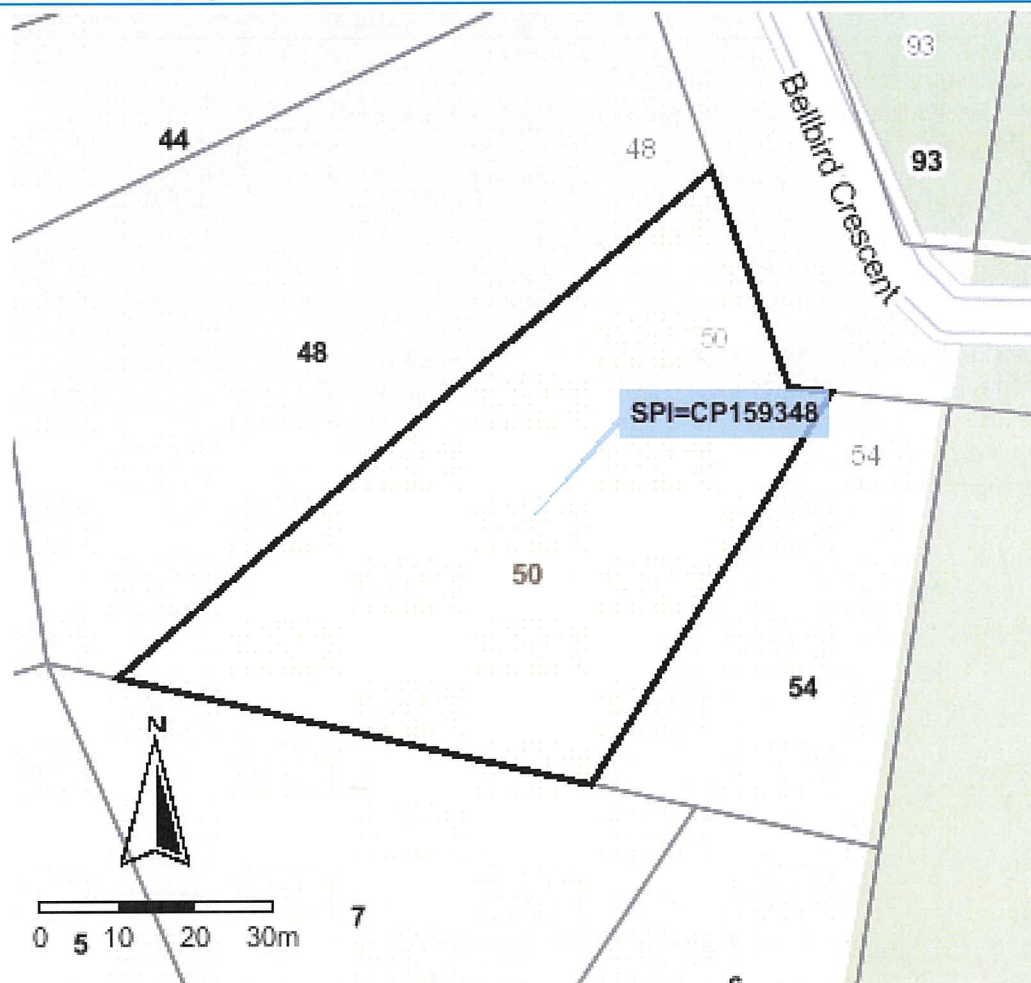
**Sonya Kilkenny**  
Minister for Planning

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) 9102 0402 or email [landata.enquiries@servictoria.com.au](mailto:landata.enquiries@servictoria.com.au)

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



Copyright © State Government of Victoria. Service provided by [maps.land.vic.gov.au](http://maps.land.vic.gov.au)

### Choose the authoritative Planning Certificate

#### *Why rely on anything less?*

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

### Privacy Statement

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



Copyright State of Victoria. No part of this publication may be reproduced except as permitted by the Copyright Act 1968 (Cth), to comply with a statutory requirement or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, its agents or contractors, accepts responsibility for any subsequent publication or reproduction of the information.

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

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

VOLUME 09599 FOLIO 212

Security no : 124114240747D  
Produced 17/04/2024 12:44 PM

LAND DESCRIPTION

Land in Plan of Consolidation 159348X.

PARENT TITLES :

Volume 08392 Folio 087      Volume 08461 Folio 795  
Created by instrument CP159348X 13/03/1985

REGISTERED PROPRIETOR

Estate Fee Simple  
Joint Proprietors

ELLEN GRACE DEWAR  
STEPHEN ANDREW DEWAR both of 50 BELLBIRD CRESCENT EMERALD VIC 3782  
AR478461Y 21/09/2018

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AW398325J 20/12/2022  
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

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

AGREEMENT Section 173 Planning and Environment Act 1987  
AB925210B 06/03/2003

DIAGRAM LOCATION

SEE CP159348X 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: 50 BELLBIRD CRESCENT EMERALD VIC 3782

ADMINISTRATIVE NOTICES

NIL

eCT Control 16165A AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED  
Effective from 20/12/2022

DOCUMENT END

Delivered from the LANDATA® System by InfoTrack Pty Ltd.

The information supplied by Triconvey (Reseller) has been obtained from InfoTrack Pty Limited by agreement between them. The information supplied has been obtained by InfoTrack Pty Limited who is licensed by the State of Victoria to provide this information via LANDATA® System.



# Imaged Document Cover Sheet

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

Document Type	<b>Plan</b>
Document Identification	<b>CP159348X</b>
Number of Pages (excluding this cover sheet)	<b>1</b>
Document Assembled	<b>17/04/2024 12:59</b>

**Copyright and disclaimer notice:**

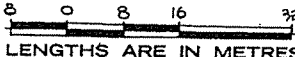
© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the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

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

CP 159348 X

CP159348

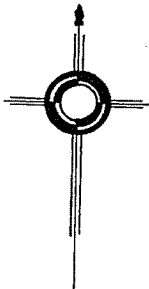
PLAN OF CONSOLIDATION  
 PART OF CROWN ALLOTMENT 52  
**PARISH OF GEMBROOK**  
 COUNTY OF EVELYN

Scale:  LENGTHS ARE IN METRES

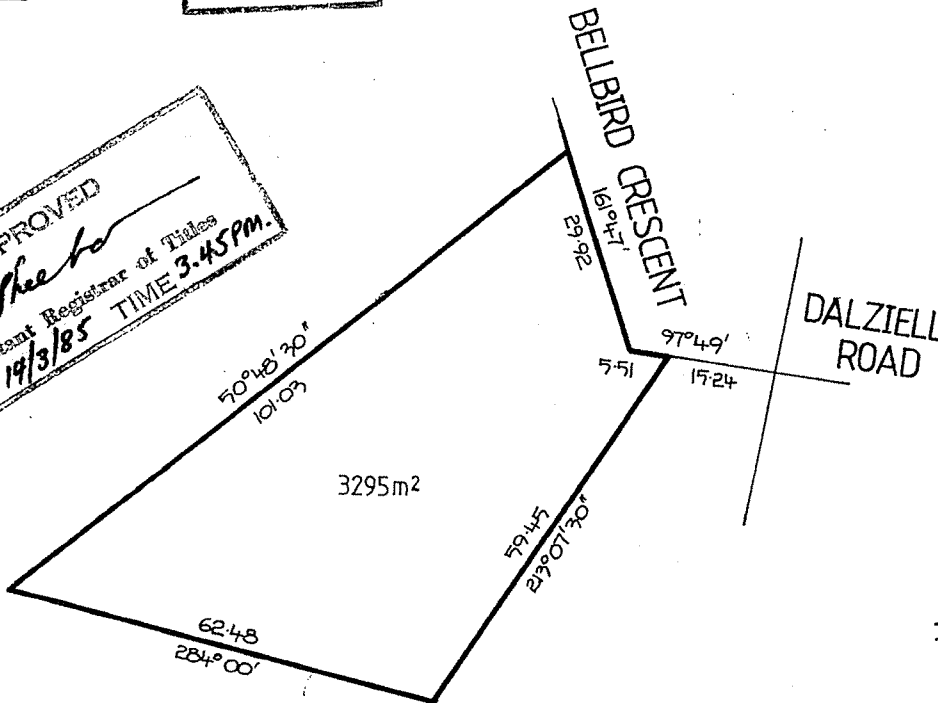
LOTS 60 & 61 L.P. 44573

Vol. 8461 Fol. 795  
Vol. 8392 Fol. 087

CHART No. 16



**APPROVED**  
 For *Office for*  
 Assistant Registrar of Titles  
 DATE *19/3/85* TIME *3.45 PM.*



ACCEPT  
 FEES \$47  
 2 CS/T PRODUCED  
*W.S. 1/3/85*

CP159348

VOL. 9599 FOL 212

SHIRE OF SHERBROOKE

**SEAL & ENDORSEMENT OF MUNICIPALITY**

**SURVEYORS CERTIFICATION**

Sealed Pursuant to the provisions of Sec. 569 A B of the Local Gov. Act

I certify that this plan has been made by me or under my immediate supervision and accords with title.

The Common Seal of the President, Councillors and Ratepayers of the Shire of Sherbrooke is hereto affixed this 18<sup>th</sup> day of February 1985.

*James L.S.*  
LICENCED SURVEYOR

In the presence of  
*Geoffrey Edwards* Councillor.  
*Arthur [unclear]* Councillor  
*[unclear]* Shire Registrar

DATED 22.3.84  
REF 1179

COUNCIL REF: - 52/G/26



# Imaged Document Cover Sheet

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

Document Type	<b>Instrument</b>
Document Identification	<b>AB925210B</b>
Number of Pages (excluding this cover sheet)	<b>5</b>
Document Assembled	<b>17/04/2024 12:59</b>

**Copyright and disclaimer notice:**

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

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

# Application by a Responsible Authority for the making of a recording of an Agreement

**AB925210B**



Section 181 Planning & Environment Act 1987

Lodged by:  
Name: FALCONE & ADAMS  
Phone: (03) 5968 3666  
Address: 323a Main Street Emerald  
Ref: JSF  
Customer Code: 0784 J



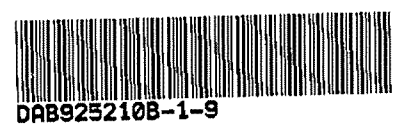
The Responsible Authority having made an agreement requires a recording to be made in the Register for the land.

**Land:** *(Volume and Folio reference)*  
Certificate of Title Volume 9599 Folio 212

**Responsible Authority:** *(Full name and address including postcode)*  
CARDINIA SHIRE COUNCIL of Henty Way, Pakenham, 3810

**Section and Act under which Agreement made:**  
Section 173 of the Planning and Environment Act 1987

A copy of the Agreement is attached to this Application



Date: 20 February 2003

Signature of Responsible Authority TParker

Name of Officer TRACEY PARKER

Office held MANAGER DEVELOPMENT SERVICES

RB 6.3.03

**AGREEMENT PURSUANT TO SECTION 173  
PLANNING AND ENVIRONMENT ACT 1987**

**THIS AGREEMENT** is made the 20<sup>th</sup> day of February 2003 pursuant to Division 2 of Part 9 of the Planning and Environment Act 1987 ("the Act") **BETWEEN** the Responsible Authority and the Owners.

**RECITALS**

- A. The Council is the Responsible Authority administering the Cardinia Planning Scheme ("the Scheme").
- B. The Owners are the registered proprietors of the whole of the land described in Schedule 1 to this Agreement ("the Site").
- C. The Site is regulated by the Scheme.
- D. The Responsible Authority issued Planning Permit No. T020635 ("the Planning Permit") on . . . . . The Planning Permit specifies conditions for the use and development of the Site for the purpose of constructing a dwelling and vegetation removal.
- E. Condition 1 of the Planning Permit provides:  
"Prior to the commencement of the dwelling, the permit holder must enter into a Section 173 Agreement with the Responsible Authority to remove the existing dwelling on the lot upon completion of the new dwelling. The form and consent of the Agreement must be to the satisfaction of the Responsible Authority, and all costs relating to the preparation and registration of the Agreement on Title must be met by the permit holder."
- F. The Owners desire to enter into this Agreement with the Responsible Authority in order to fulfill Condition 1 of the Planning Permit.

**AGREEMENT**

- 1. The Responsible Authority and the Owners shall do all things necessary (including signing any further agreement, acknowledgement or document) to enable a memorandum of this Agreement to be entered on the Certificate of Title to the Site in accordance with Section 181 of the Act.
- 2. Without limiting the operation or effect which this Agreement has, the Owners must ensure that until such time as a Memorandum of this Agreement is registered on the Title to the Site, successors in title shall be required to:
  - (a) give effect to and do all acts and sign all documents which will require those successors to give effect to this Agreement; and
  - (b) execute under seal a deed agreeing to be bound by the terms of this Agreement and upon such execution this Agreement shall continue as if executed by such successors as well as by the parties to this Agreement as if the successor's name appeared in each clause in which the name of the Owners appear in addition to the name of the Owners.

**AB925210B**

06/03/2003 \$59 173  


  
DAB925210B-2-7

3. The costs of the preparation, lodgment and registration and any subsequent removal of the Agreement shall be borne totally by the Owners.
4. The Agreement must be registered on the Certificate of Title for the Site.
5. Evidence of the registration of the Agreement must be provided to the Responsible Authority by the Owners.
6. The Owners agree to and will remove the existing dwelling on the Site upon completion of the new dwelling on the Site.
7. The Owners and the Responsible Authority acknowledge and agree that this Agreement is made pursuant to Section 173 of the Act and during the period of this Agreement the obligations imposed on the Owners are conditions applying to the use or development of the Land and are intended to take effect as covenants which shall be annexed to and run at law and in equity with the Land and bind the Owners, its successors in title, assignees and transferees and the registered proprietor or proprietors for the time being of the Land and every part of the Land.

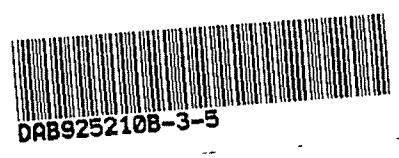
**EXECUTED AS AN AGREEMENT**

Signed by and on behalf, and with the )  
 authority, of the Cardinia Shire Council )  
 by Tracey Parker, in the exercise of a power )  
 conferred by an Instrument of Delegation )  
 dated 16 October 2000 , )  
 in the presence of: )

*Tracey Parker*  
 .....

*Rita Verdilloef*  
 .....

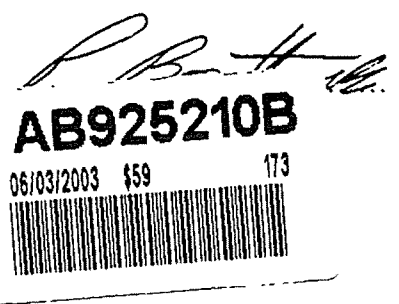
Witness



**SIGNED SEALED AND DELIVERED** )  
 by **PAUL DAVID BORTHWICK** in the presence )  
 of: )

*Paul David Borthwick*  
 .....

Witness



**SIGNED SEALED AND DELIVERED**  
by **LEANNE JUDITH BORTHWICK** in the  
presence of:

)  
)  
)

*Leanne Borthwick*

.....  
Witness



DRB925210B-4-3

**AB925210B**

06/03/2003 \$59 173





## SCHEDULE ONE

1. **Owners:** Paul David Borthwick and Leanne Judith  
Borthwick both of 50 Bellbird Crescent, Emerald,  
3782
  
2. **Responsible Authority:** Cardinia Shire Council of Municipal Offices,  
Henty Way, Pakenham, 3810
  
3. **Site:** Land in Plan of Consolidation 159348X and being  
the whole of the land contained in Certificate of  
Title Volume 9599 Folio 212.
  
4. **Commencement Date:** The date of this Agreement





YARRA VALLEY WATER  
ABN 93 066 902 501

Lucknow Street  
Mitcham Victoria 3132

Private Bag 1  
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

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

17th April 2024

Buy & Sell Conveyancing Services C/- Triconvey (Re  
LANDATA

Dear Buy & Sell Conveyancing Services C/- Triconvey (Re,

**RE: Application for Water Information Statement**

<b>Property Address:</b>	50 BELLBIRD CRESCENT EMERALD 3782
<b>Applicant</b>	Buy & Sell Conveyancing Services C/- Triconvey (Re LANDATA
<b>Information Statement</b>	30843606
<b>Conveyancing Account Number</b>	7959580000
<b>Your Reference</b>	359244

Thank you for your recent application for a Water Information Statement (WIS). We are pleased to provide you the WIS for the above property address. This statement includes:

- Yarra Valley Water Property Information Statement
- Melbourne Water Property Information Statement
- Asset Plan
- Rates Certificate

If you have any questions about Yarra Valley Water information provided, please phone us on **1300 304 688** or email us at the address [enquiry@yvw.com.au](mailto:enquiry@yvw.com.au). For further information you can also refer to the Yarra Valley Water website at [www.yvw.com.au](http://www.yvw.com.au).

Yours sincerely,

Chris Brace  
GENERAL MANAGER  
RETAIL SERVICES



YARRA VALLEY WATER  
ABN 93 066 902 501

Lucknow Street  
Mitcham Victoria 3132

Private Bag 1  
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

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

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

Property Address	50 BELLBIRD CRESCENT EMERALD 3782
------------------	-----------------------------------

STATEMENT UNDER SECTION 158 WATER ACT 1989

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

Existing sewer mains will be shown on the Asset Plan.

Please note: Unless prior consent has been obtained, the Water Act prohibits:

1. The erection and/or placement of any building, wall, bridge, fence, embankment, filling, material, machinery or other structure over or under any sewer or drain.
2. The connection of any drain or sewer to, or interference with, any sewer, drain or watercourse.



YARRA VALLEY WATER  
ABN 93 066 902 501

Luoknow Street  
Mitcham Victoria 3132

Private Bag 1  
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

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

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

Property Address	50 BELLBIRD CRESCENT EMERALD 3782
------------------	-----------------------------------

STATEMENT UNDER SECTION 158 WATER ACT 1989

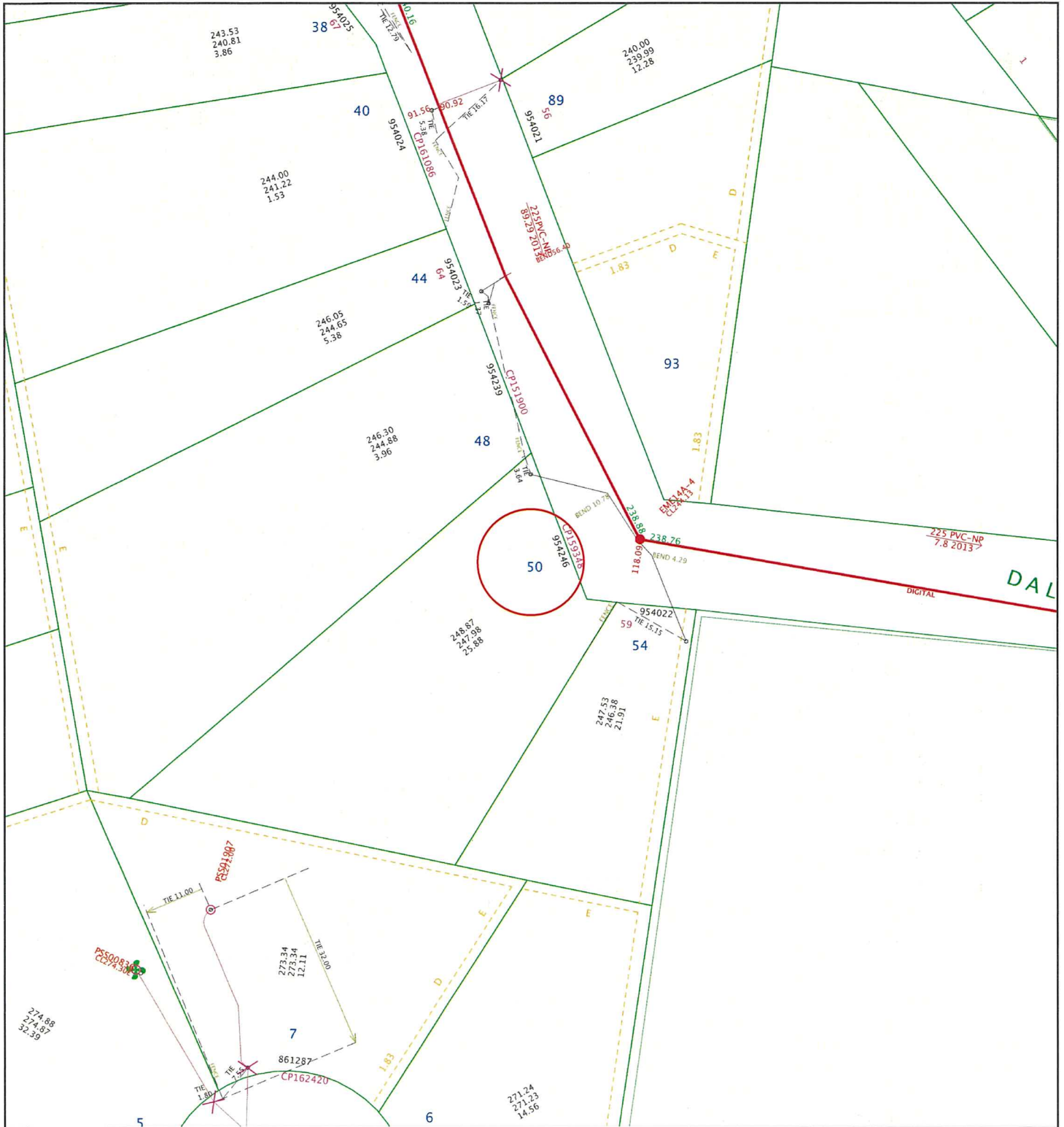
#### **THE FOLLOWING INFORMATION RELATES TO SECTION 158(4)**

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

Please note: Unless prior consent has been obtained, the Water Act prohibits:

1. The erection and/or placement of any building, wall, bridge, fence, embankment, filling, material, machinery or other structure over or under any sewer or drain.
2. The connection of any drain or sewer to, or interference with, any sewer, drain or watercourse.

If you have any questions regarding Melbourne Water encumbrances or advisory information, please contact Melbourne Water on 9679 7517.



<b>Yarra Valley Water</b> <b>Information Statement</b> <b>Number: 30843606</b>	<b>Address</b> 50 BELLBIRD CRESCENT EMERALD 3782		 <b>Yarra Valley Water</b> ABN 93 066 902 501	
	<b>Date</b> 17/04/2024			
	<b>Scale</b> 1:1000			
<b>Existing Title</b>	<b>Access Point Number</b>	<b>GLV2-42</b>		<b>Disclaimer:</b> This information is supplied on the basis Yarra Valley Water Ltd: - Does not warrant the accuracy or completeness of the information supplied, including, without limitation, the location of Water and Sewer Assets; - Does not accept any liability for loss or damage of any nature, suffered or incurred by the recipient or any other persons relying on this information; - Recommends recipients and other persons using this information make their own site investigations and accommodate their works accordingly;
<b>Proposed Title</b>	<b>Sewer Manhole</b>	<b>MW Drainage Underground Centreline</b>		
<b>Easement</b>	<b>Sewer Pipe Flow</b>	<b>MW Drainage Manhole</b>		
<b>Existing Sewer</b>	<b>Sewer Offset</b>	<b>MW Drainage Natural Waterway</b>		
<b>Abandoned Sewer</b>	<b>Sewer Branch</b>			



YARRA VALLEY WATER  
ABN 93 066 902 501

Lucknow Street  
Mitcham Victoria 3132

Private Bag 1  
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

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

Buy & Sell Conveyancing Services C/- Triconvey (Re  
LANDATA  
certificates@landata.vic.gov.au

## RATES CERTIFICATE

Account No: 3885144829  
Rate Certificate No: 30843606

Date of Issue: 17/04/2024  
Your Ref: 359244

With reference to your request for details regarding:

Property Address	Lot & Plan	Property Number	Property Type
50 BELLBIRD CRES, EMERALD VIC 3782		1437986	Residential

Agreement Type	Period	Charges	Outstanding
Residential Water Service Charge	01-04-2024 to 30-06-2024	\$20.03	\$20.03
Residential Water Usage Charge Step 1 – 43.120000kL x \$2.49560000 = \$107.61 Step 2 – 43.120000kL x \$3.18980000 = \$137.54 Step 3 – 17.760000kL x \$4.72560000 = \$83.93 Estimated Average Daily Usage \$3.36	05-12-2023 to 12-03-2024	\$329.08	\$0.00
Parks Fee *	01-04-2024 to 30-06-2024	\$21.10	\$21.10
Drainage Fee	01-04-2024 to 30-06-2024	\$16.13	\$16.13
<b>Other Charges:</b>			
Interest	No interest applicable at this time		
No further charges applicable to this property			
<b>Balance Brought Forward</b>			\$6.64
<b>Total for This Property</b>			\$63.90

\* Please note, from 1 July 2023 the Parks fee will be charged quarterly instead of annually.

GENERAL MANAGER  
RETAIL SERVICES

### Note:

- From 1 July 2023, the Parks Fee will be charged quarterly instead of annually.
- From 1 July 2023, for properties that have water and sewer services, the Residential Water and Sewer Usage charge replaces the Residential Water Usage and Residential Sewer Usage charges.
- This statement details all tariffs, charges, and penalties due and payable to Yarra Valley Water as of the date of this statement and includes tariffs and charges (other than for usage charges yet to be billed) which are due and

payable to the end of the current financial quarter.

4. All outstanding debts are due to be paid to Yarra Valley Water at settlement. Any debts that are unpaid at settlement will carry over onto the purchaser's first quarterly account and follow normal credit and collection activities - pursuant to section 275 of the Water Act 1989.

5. If the total due displays a (-\$ cr), this means the account is in credit. Credit amounts will be transferred to the purchaser's account at settlement.

6. Yarra Valley Water provides information in this Rates Certificate relating to waterways and drainage as an agent for Melbourne Water and relating to parks as an agent for Parks Victoria - pursuant to section 158 of the Water Act 1989.

7. The charges on this rates certificate are calculated and valid at the date of issue. To obtain up-to-date financial information, please order a Rates Settlement Statement prior to settlement.

8. From 01/07/2023, Residential Water Usage is billed using the following step pricing system: 249.56 cents per kilolitre for the first 44 kilolitres; 318.98 cents per kilolitre for 44-88 kilolitres and 472.56 cents per kilolitre for anything more than 88 kilolitres. From 1 July 2023, this charge is applicable for properties with water service only.

9. From 01/07/2023, Residential Water and Sewer Usage is billed using the following step pricing system: 334.38 cents per kilolitre for the first 44 kilolitres; 438.73 cents per kilolitre for 44-88 kilolitres and 509.73 cents per kilolitre for anything more than 88 kilolitres. From 1 July 2023, this charge is applicable for residential properties with both water and sewer services.

10. From 01/07/2023, Residential Recycled Water Usage is billed 188.71 cents per kilolitre.

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

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



YARRA VALLEY WATER  
ABN 93 066 902 501

Lucknow Street  
Mitcham Victoria 3132

Private Bag 1  
Mitcham Victoria 3132

DX 13204

F (03) 9872 1353

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

**To ensure you accurately adjust the settlement amount, we strongly recommend you book a Special Meter Reading:**

- Special Meter Readings ensure that actual water use is adjusted for at settlement.
- Without a Special Meter Reading, there is a risk your client's settlement adjustment may not be correct.

---

**Property No:** 1437986

**Address:** 50 BELLBIRD CRES, EMERALD VIC 3782

**Water Information Statement Number:** 30843606

## HOW TO PAY



**Bill**er Code: 314567  
**Ref:** 38851448296

**Amount  
Paid**

**Date  
Paid**

**Receipt  
Number**



**FORM 2**

Regulation 37(1)  
Building Regulations 2018  
Building Act 1993

# BUILDING PERMIT

Inform Building Permit Ref. No.: BLD202311403

**ISSUE TO :**

**Agent of Owner** : Ambrose Construct Group Pty Ltd  
**ACN/ARBN :** 131 176 102  
**Postal Address :** Unit 1, 317-319 Warrigal Road Cheltenham **Postcode :** 3192  
**Email :** matthew.obrien@ambroseconstruct.com.au  
**Contact Person:** Matthew O'Brien **Telephone :** 07 5373 3580  
**Address for serving or giving Documents:** Unit 1, 317-319 Warrigal Road Cheltenham **Postcode :** 3192

**OWNERSHIP DETAILS :**

**Owner** : Ellen and Stephen Dewar  
**ACN/ARBN :** N/A  
**Postal Address :** 50 Bellbird Crescent Emerald **Postcode :** 3782  
**Email :** ellendewar@yahoo.com.au  
**Contact Person:** Ellen Dewar **Telephone :** 0423 905 405  
**Address for serving or giving Documents :** 50 Bellbird Crescent Emerald **Postcode :** 3782

**PROPERTY DETAILS :**

**Number :** 50 **Street/Road :** Bellbird Crescent **Suburb :** Emerald **Postcode :** 3782  
**Lots/s :** **LP/PS :** CP159348X **Volume :** 09599 **Folio :** 212  
**Crown Allotment :** N/A **Section No. :** N/A **Parish :** **County :**  
**Municipal District :** Cardinia Shire Council

**BUILDER :**

**Name:** Ambrose Construct Group Pty Ltd **Telephone :** 07 5373 3580  
**Address :** Unit 1, 317-319 Warrigal Road Cheltenham **Postcode :** 3192

This builder is specified under section 24B(4) of the Building Act 1993 for the building work to be carried out under this permit

**NATURAL PERSON FOR SERVICE OF DIRECTIONS, NOTICES AND ORDERS**

**Name:** Brett Ambrose **Telephone:** 07 5373 3580  
**Address:** Unit 1, 317-319 Warrigal Road, Cheltenham Vic 3192

**DETAILS OF BUILDING PRACTITIONERS AND ARCHITECTS**

a) To be engaged in the building work

Name	Category/Class	Registration Number
Ambrose Construct Group Pty Ltd	Domestic Builder - Unlimited	CCB-U 74889

b) Who were engaged to prepare documents forming part of the application for the permit

Name	Category/Class	Registration Number
Jared Pajak	Draftsperson - Building Design (Architectural)	DP-AD 74728

**DETAILS OF DOMESTIC BUILDING WORK INSURANCE**

The issuer or provider of required insurance policy is : N/A  
 Insurance policy number : N/A

**DETAILS OF RELEVANT PLANNING PERMIT**

Planning Permit No: N/A  
 Date of grant : N/A

Building Permit No.: BS-U 23308/3477289013450 Date Issued: 27/03/2023

Insurance policy date : N/A

#### NATURE OF BUILDING WORKS

Construction of Alterations to Existing Verandah (Like for Like Replacement)

Storeys contains :	1	Rise in storeys :	N/A
Version of BCA applicable to permit :	NCC 2019	Effective height :	N/A
Type of construction :	N/A		
Cost of Building work:	\$14,730.00		
Total floor area of new building work in m <sup>2</sup> :	0		

#### BUILDING CLASSIFICATION

Part of Building	BCA Class
Verandah	1a(a)

#### PROTECTION WORK

Protection work is not required in relation to the building work proposed in this permit.

#### INSPECTION REQUIREMENTS

The mandatory inspection notification stages are:

1. Inspection of Frame
2. Inspection for Final Certificate

**OCCUPATION OR USE OF BUILDING :** A certificate of final inspection is required prior to the occupation or use of this building..

If an occupancy permit is required, the permit is required for the of the building in relation to which the building work is carried out.

#### COMMENCEMENT AND COMPLETION

This building work must commence by **27 March 2024**

If the building work to which this building permit applies is not commenced by this date, this building permit will lapse unless an extension is applied for and granted by the relevant building surveyor before this date under regulation 59 of the Building Regulations 2018.

This building work must be completed by **27 March 2025**

If the building work to which this building permit applies is not completed by this date this building permit will lapse, unless an extension is applied for and granted by the relevant building surveyor before this date under regulation 59 of the Building Regulations 2018.

#### CONDITIONS AND REQUIRED CERTIFICATES

This building permit is issued subject to compliance with all of the conditions as listed in attached Annexures.

#### RELEVANT BUILDING SURVEYOR

<b>Name :</b>	Steven Esler
<b>Company :</b>	Inform Building Permits
<b>Address :</b>	1/170 Forster Road Mount Waverley VIC 3149
<b>Email :</b>	info@informpermits.com.au,steve@informpermits.com.au
<b>Building Practitioner registration no. :</b>	BS-U 23308
<b>Municipal District :</b>	Cardinia Shire Council
<b>Date of issue of permit :</b>	27 March 2023
<b>Permit No. :</b>	BS-U 23308/3477289013450

A handwritten signature in black ink, appearing to be "S. J. ...", is positioned above the Annexures section.

## ANNEXURES

Annexure A	Building Permit conditions & Relevant building surveyor's notes
Annexure B	Approved documents
Annexure C	Consent to partial compliance
Annexure D	Performance solutions
Annexure E	Building Appeals Board determinations and orders

## Notes

- Note 1 Under Regulation 42 an owner of a building of land for which a building permit has been issued, must notify the relevant building surveyor within 14 days after any change in the name or address of the owner or of the builder carrying out the building work. The penalty for non-compliance is 10 penalty units.
- Note 2 Under Regulation 317 the person in charge of the carrying out of 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 relevant documentation are available for inspection at the allotment while the building works in progress. They must also take all reasonable steps to ensure that the registration numbers and contact details of the builder and building surveyor are displayed in a conspicuous position accessible to the public before and during the building work to which this permit applies.
- Note 3 Include building practitioners with continuing involvement in the building work.
- Note 4 Include building practitioners with no further involvement in the building work.
- Note 5 Domestic builders carrying out domestic building work forming part of this permit (where the contract price for that work is more than \$16,000) must be covered by an Insurance policy as required under section 135 of the Building Act 1993.

# Annexures A

## BUILDING PERMIT CONDITIONS

The following permit conditions form part of this building permit approval, **please read them carefully**. It is the responsibility of the permit holder/owner/applicant/builder to ensure that the building permit conditions listed below are satisfied prior to the completion of the works and issue of the occupancy permit and / or certificate of Final Inspection.

1. All construction must be in accordance with current provision of schedule of referenced documents as listed in BCA 2019 Amdt 1, Vol 2, Schedule 4.
2. No alteration to or variation from the stamped Plans and Specifications may be made without written consent of the Building Surveyor.
3. The person in charge of the building works are not to proceed past the mandatory notification stage being the inspections listed on the building permit, prior to obtaining the inspection approval in writing from Inform Building Permits Pty Ltd.
4. All relevant Planning Conditions must be complied with.
5. Signage listing the registration numbers and contact details of the builder and building surveyor, the number of the relevant building permit and the issue date of the permit are displayed in a conspicuous position accessible to the public.
6. Temporary fencing must be provided to the street front of the allotment throughout the construction period by the owner / agent of the owner and the builder.
7. The building permit is not evidence that the design complies with any restrictive covenant or other encumbrance burdening the subject land. It is the owners responsibility to ensure compliance with any restrictions. The owner may be subject to enforcement proceedings by Council or legal proceedings from other beneficiaries if they do not comply any relevant covenant/encumbrance.

## Annexures B

### APPROVED DOCUMENTATION

Documents forming part of this building permit approval are listed below. A copy of the approved stamped plans are to be kept on site at all times and must be available for viewing by the Building Inspector at the time of the inspection stages nominated by the Relevant Building Surveyor.

Document Description	Prepared By
Working Drawings - Sheets 1-9	Performance Design Drafting

### FORM 17

Regulation 200  
Building Regulations 2018  
Building Act 1993

## CERTIFICATE OF FINAL INSPECTION

#### PROPERTY DETAILS :

**Number :** 50                      **Street/Road :** Bellbird Crescent                      **Suburb :** Emerald                      **Postcode :** 3782  
**Lot/s :**                              **LP/PS :** CP159348X                      **Volume :** 09599                      **Folio :** 212  
**Crown Allotment :** N/A    **Section No. :** N/A                      **Parish :**                      **County :**  
**Municipal District :** Cardinia Shire Council

#### BUILDING PERMIT DETAILS :

**Building permit number:** BS-U 23308/3477289013450  
**Version of BCA Applicable to building permit:** NCC 2019  
**Nature of Building Works:** Construction of Alterations to Existing Verandah (Like for Like Replacement)

#### DESCRIPTION OF BUILDING WORK

Part of Building to which permit applies	Permitted use	BCA Class of building
Verandah	Verandah	1a(a)

#### MAINTENANCE DETERMINATION

A maintenance determination **is not required** to be prepared in accordance with regulation 215 of the Building Regulations 2018.

#### DIRECTIONS TO FIX BUILDING WORKS

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

#### RELEVANT BUILDING SURVEYOR

**Name :** Steven Esler  
**Company :** Inform Building Permits  
**Address :** 1/170 Forster Road Mount Waverley VIC 3149  
**Email :** info@informpermits.com.au  
**Building Practitioner registration no. :** BS-U 23308  
**Municipal District :** Cardinia Shire Council  
**Certificate No. :** BS-U 23308/3477289013450  
**Date of final Inspection :** 19 January 2024  
**Date final certificate issued :** 23 January 2024



# Due diligence checklist

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

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

## Urban living

### Moving to the inner city?

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

### Is the property subject to an owners corporation?

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

## Growth areas

### Are you moving to a growth area?

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

## Flood and fire risk

### Does this property experience flooding or bushfire?

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

## Rural properties

### Moving to the country?

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

- Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.
- Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.
- Do you understand your obligations to manage weeds and pest animals?

### Can you build new dwellings?

Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land?

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

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

## Soil and groundwater contamination

### Has previous land use affected the soil or groundwater?

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

(04/10/2016)

## **Land boundaries**

### **Do you know the exact boundary of the property?**

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

## **Planning controls**

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

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

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

### **Are there any proposed or granted planning permits?**

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

## **Safety**

### **Is the building safe to live in?**

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

## **Building permits**

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

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

### **Are any recent building or renovation works covered by insurance?**

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

## **Utilities and essential services**

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

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

## **Buyers' rights**

### **Do you know your rights when buying a property?**

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