

**MARGARET ANITA BOYD as Executor of  
the Estate of Maureen Ann Boyd deceased  
("THE VENDOR")**

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**VENDOR STATEMENT**

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**1 CINEREA AVENUE, FERNTREE GULLY**

**FALCONE & ADAMS  
Lawyers  
323A Main Street  
Emerald 3782  
Tel: 5968 3666  
Fax: 5968 3060**

# Vendor Statement

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

**Purchaser's signature**..... **Date**      /      /2020

## **1. FINANCIAL MATTERS**

### **1.1 Particulars of any Rates, Taxes, Charges or Other Similar Outgoings including any Owners Corporation Charges or Levies (and any interest on them)**

Their total does not exceed \$3,000.00.

### **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:

Nil.

### **1.3 Terms Contract**

Not applicable.

### **1.4 Sale Subject to Mortgage**

Not applicable.

### **1.5 Goods and Services Tax**

The sale price in any contract for the property is exclusive of any Goods and Services Tax ("GST") unless the contract provides otherwise. Should GST be or become payable on the sale of the property the price will be increased by the amount of GST so payable.

## **2. INSURANCE**

### **2.1 Damage and Destruction**

Not applicable.

### **2.2 Owner-Builder**

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):

Is in the attached copies of title document/s.

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

To the best of the Vendors knowledge there is no existing failure to comply with the terms of any easement, covenant or other restriction save as may be apparent from an inspection of the land.

Note: Drains, sewers, water pipes, gas pipes, electricity and telephone cables (whether underground and/or overhead) may be laid outside registered easements and/or under buildings and/or building lines.

### **3.2 Road Access**

There is NO access to the property by road.

**3.3 Designated Bushfire Prone Area**

The land is NOT in a designated 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 approval 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:

None to the Vendors knowledge, however the Vendor has no means of knowing of all decisions of Public Authorities and Government Departments affecting the property unless communicated to the Vendor.

**4.2 Agricultural Chemicals**

Not applicable.

**4.3 Compulsory Acquisition**

Not applicable.

**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) are as follows:

Nil.

**6. OWNERS CORPORATION**

Not applicable.

**7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")**

Not applicable.

**8. SERVICES**

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

Electricity ☐ Gas ☐ Water ☐ Sewerage ☐ Telephone ☒

Where any of the above services are disclosed as not being connected the Purchaser should make his own enquiry of the appropriate Authorities as to their availability and cost of connection to the property.

**9. TITLE**

Attached are copies of the following documents:

**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**

Not applicable.

**11. DUE DILIGENCE CHECKLIST**

Attached.

**12. ATTACHMENTS**

South East Water Information Statement.  
GST Withholding Notice to Purchaser.



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

Page 1 of 1

VOLUME 08259 FOLIO 656

Security no : 124083312821P  
Produced 25/05/2020 11:17 AM

**LAND DESCRIPTION**

Lot 97 on Plan of Subdivision 044842.  
PARENT TITLE Volume 08220 Folio 115  
Created by instrument A859249 19/11/1959

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
MARGARET ANITA BOYD of 493 MONBULK ROAD MONBULK VIC 3793 Executor(s) of  
MAUREEN ANN BOYD deceased  
AS429718F 12/08/2019

**ENCUMBRANCES, CAVEATS AND NOTICES**

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

**DIAGRAM LOCATION**

SEE LP044842 FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

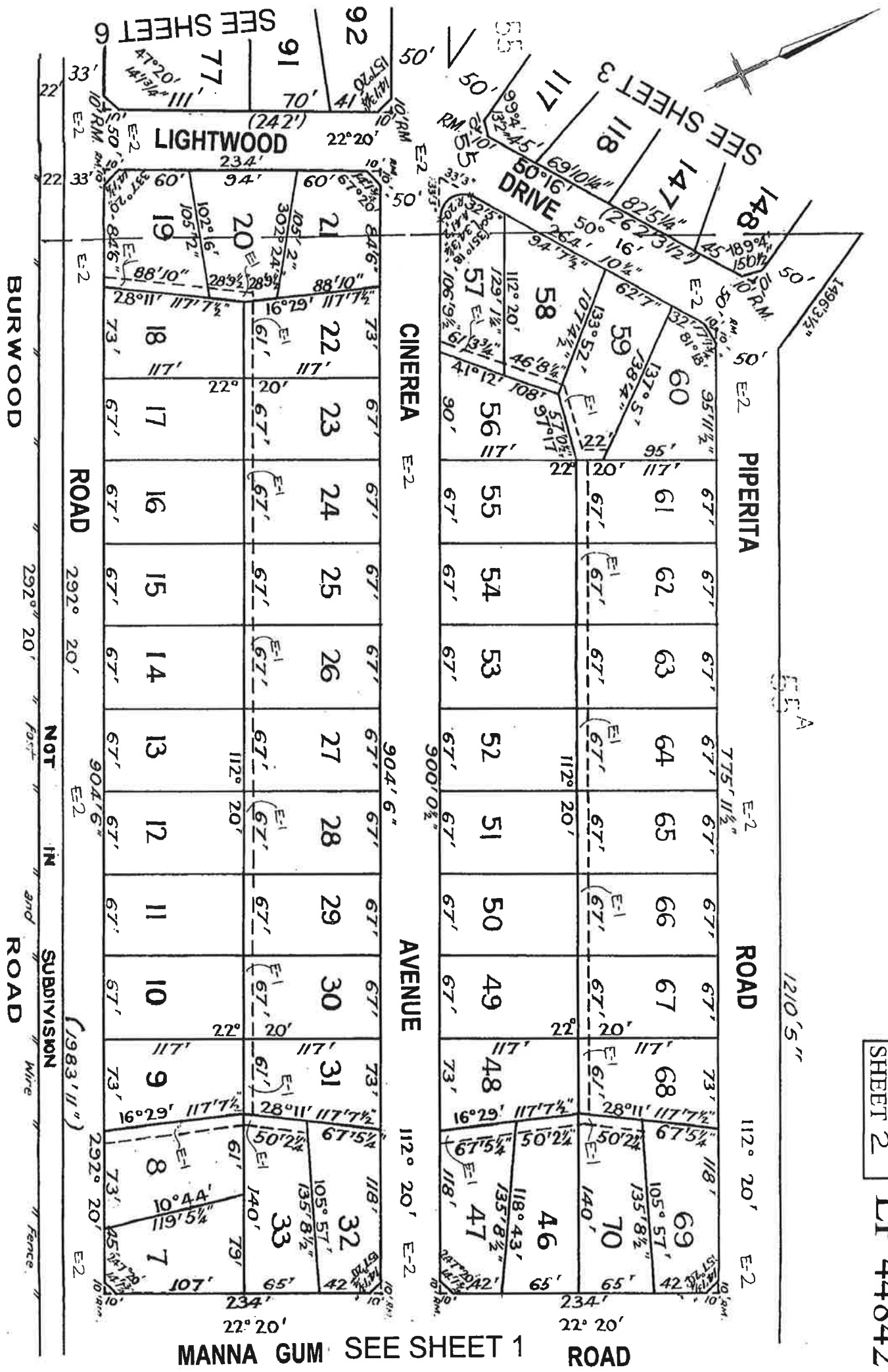
-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 1 CINEREA AVENUE FERNTREE GULLY VIC 3156

DOCUMENT END







6 SHEETS  
SHEET 3

LP 44842

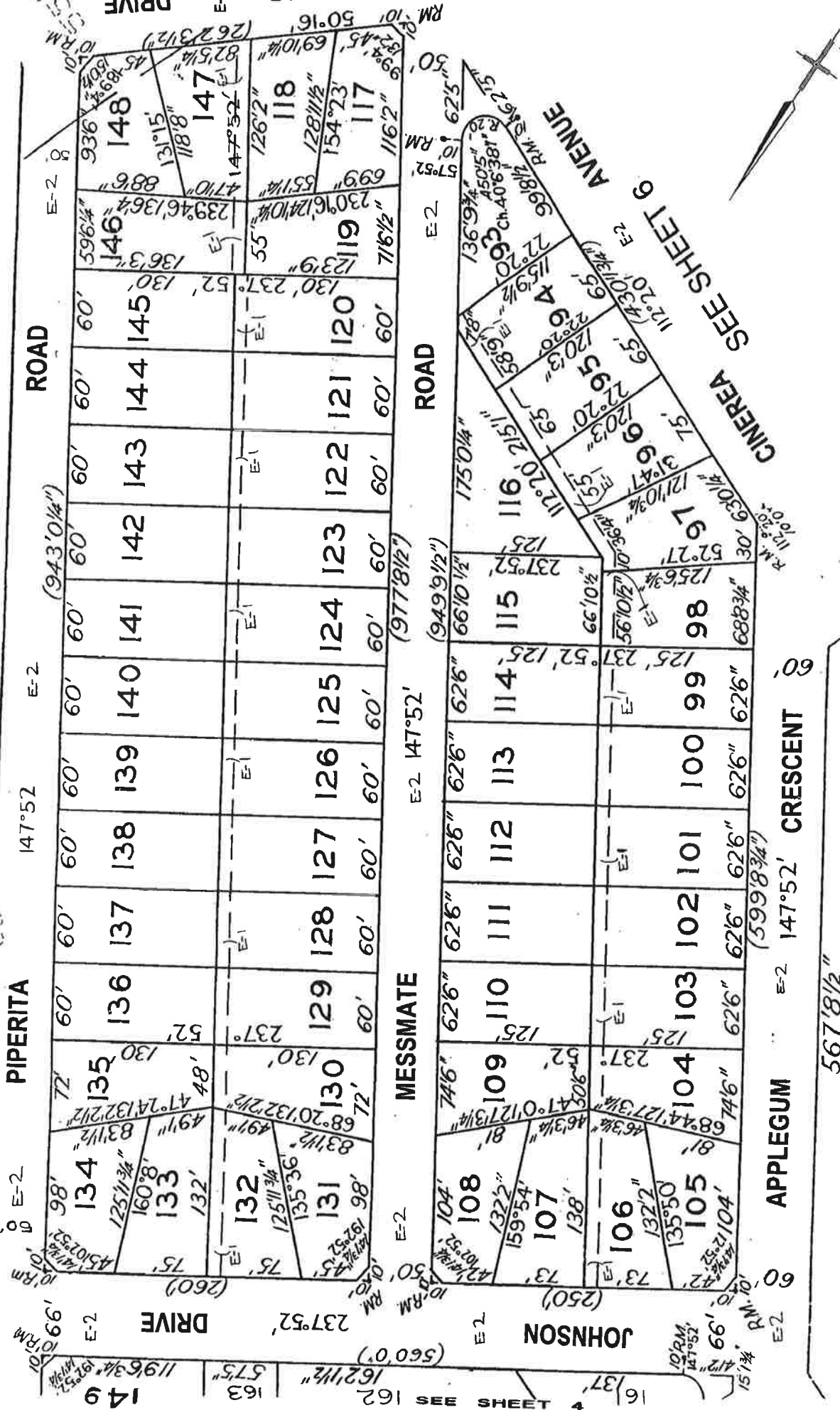
SEE SHEET 2  
DRIVE

LIGHTWOOD

AVENUE

SEE SHEET 6  
CINEREA

60  
APPLEGUM E-2 147°52' CRESCENT 60  
567'8 1/2"



DRIVE

DRIVE

JOHNSON

SEE SHEET 4

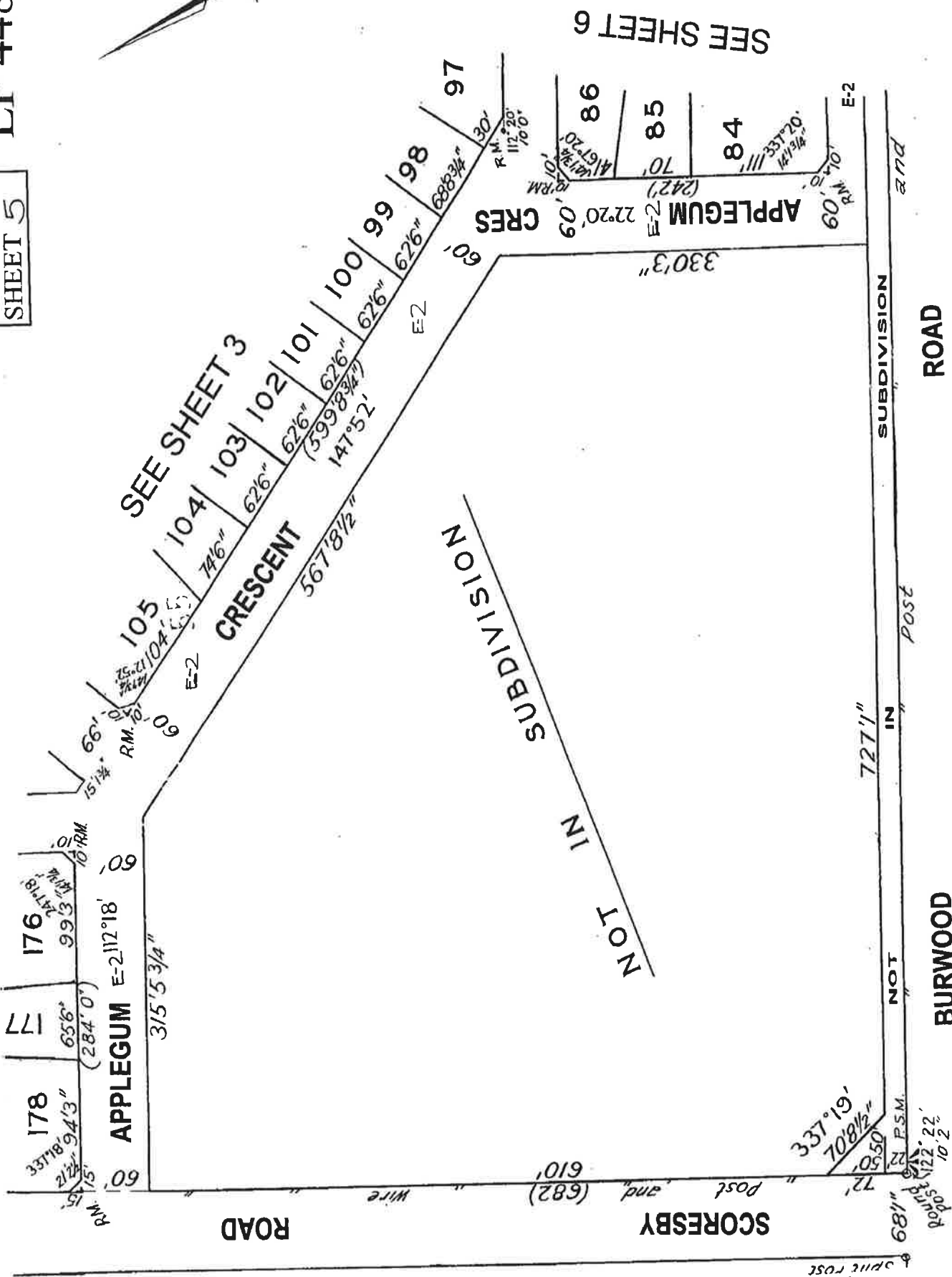
## SCORESBY



SEE SHEET 4

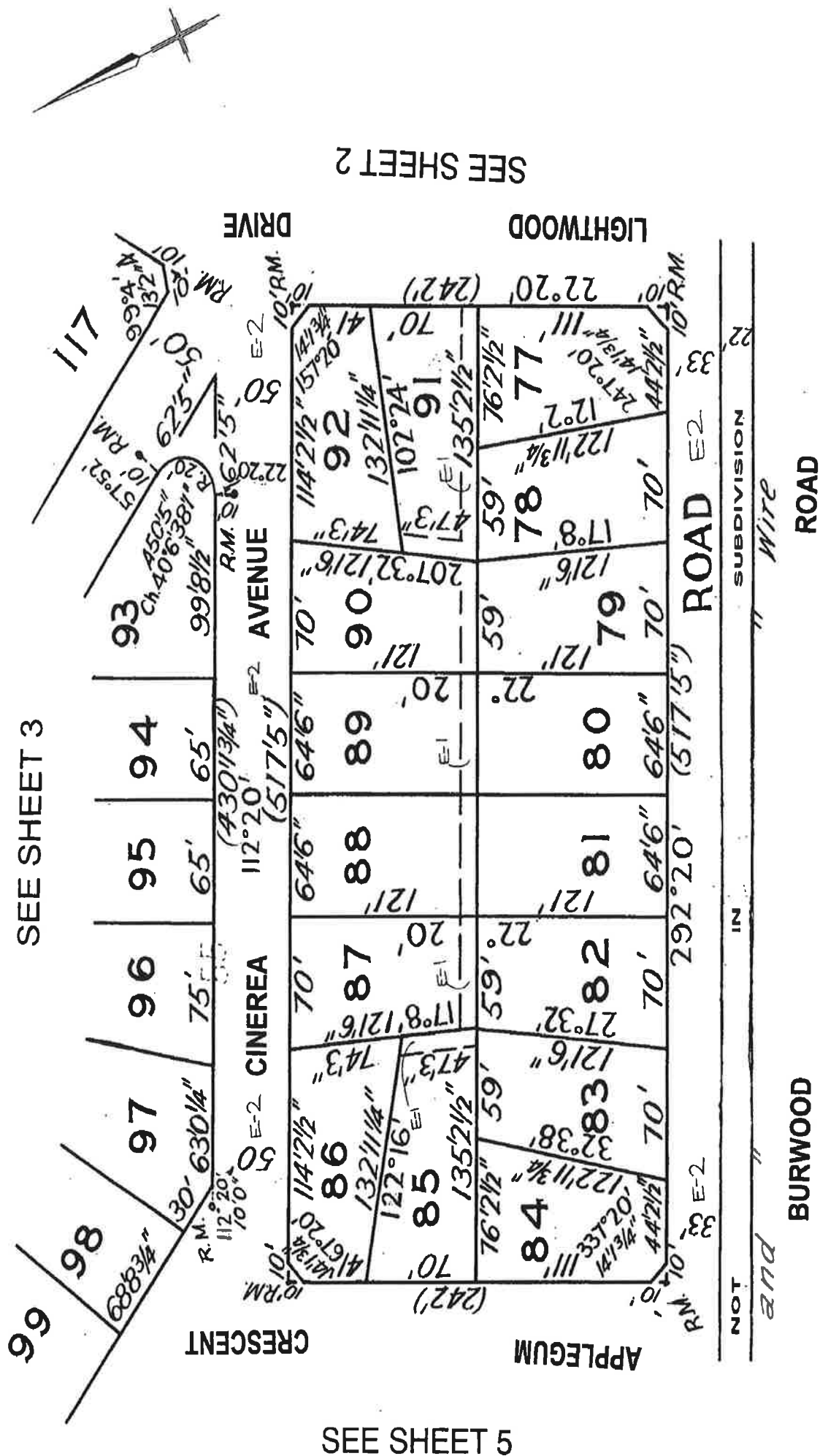
6 SHEETS  
SHEET 5

LP 44842



6 SHEETS  
SHEET 6

LP 44842



[illegible]

# PLANNING CERTIFICATE

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

## CERTIFICATE REFERENCE NUMBER

660454

## APPLICANT'S NAME & ADDRESS

**FALCONE & ADAMS C/- INFOTRACK C/- LANDATA  
MELBOURNE**

## VENDOR

**BOYD, MARGARET ANITA**

## PURCHASER

**OO, OO**

## REFERENCE

**4457**

This certificate is issued for:

**LOT 97 PLAN LP44842 ALSO KNOWN AS 1 CINEREA AVENUE FERNTREE GULLY  
KNOX CITY**

The land is covered by the:

**KNOX PLANNING SCHEME**

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

The land:

- is included in a **GENERAL RESIDENTIAL ZONE - SCHEDULE 2**

A detailed definition of the applicable Planning Scheme is available at :

<http://planningschemes.dpcd.vic.gov.au/schemes/knox>

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

25 May 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](mailto: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.



# INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

Falcone & Adams C/- InfoTrack  
E-mail: [certificates@landata.vic.gov.au](mailto:certificates@landata.vic.gov.au)

Statement for property:  
LOT 97 1 CINEREA AVENUE  
FERNTREE GULLY 3156  
97 LP 44842

REFERENCE NO.	YOUR REFERENCE	DATE OF ISSUE	CASE NUMBER
56M//17629/1	LANDATA CER 37782215-019-1	25 MAY 2020	36421397

## 1. Statement of Fees Imposed

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

### (a) By Other Authorities

<b>Parks Victoria - Parks Service Charge</b>	01/07/2019 to 30/06/2020	\$79.02
<b>Melbourne Water Corporation Total Service Charges</b>	01/04/2020 to 30/06/2020	\$25.52

### (b) By South East Water

<b>Water Service Charge</b>	01/04/2020 to 30/06/2020	\$29.18
<b>Sewerage Service Charge</b>	01/04/2020 to 30/06/2020	\$91.67
<b>Subtotal Service Charges</b>		<u>\$225.39</u>

**Payments** \$225.39

**TOTAL UNPAID BALANCE** \$0.00

- The meter at the property was last read on 09/04/2020. Fees accrued since that date may be estimated by reference to the following historical information about the property:

**Water Usage Charge** \$0.74 per day

**Sewage Disposal Charge** \$0.21 per day

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

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

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

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

AUTHORISED OFFICER:



TERRY SCHUBACH  
GENERAL MANAGER  
CUSTOMER SERVICE DELIVERY

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



# INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

- The total annual service fees and volumetric fees for water usage and sewerage disposal for each class of property are set out at [www.southeastwater.com.au](http://www.southeastwater.com.au).
- Updates of rates and other charges will only be provided for up to six months from the date of this statement.
- If this property has recently been subdivided from a "parent" title, there may be service or other charges owing on the "parent" which will be charged to this property, once sold, that do not appear on this statement. You must contact us to see if there are any such charges as they may be charged to this property on sale and should therefore be adjusted with the owner of the parent title beforehand.
- If the property is sold, the vendor is liable to pay all fees incurred in relation to the property until the vendor gives South East Water a Notice of Disposition of Land required by the Water (Disposition of Land) Regulations 2010. Please include the Reference Number set out above in that Notice.
- Fees relating to the property may change from year-to-year in accordance with the Essential Service Commission's Price Determination for South East Water.
- Every fee referred to above is a charge against the property and will be recovered from a purchaser of the property if it is not paid by the vendor.
- Information about when and how outstanding fees may be paid, collected and recovered is set out in the Essential Services Commission's Customer Service Code, Urban Water Businesses.
- If this Statement only sets out rates and fees levied by Parks Victoria and Melbourne Water, the property may not be connected to South East Water's works. To find out whether the property is, or could be connected upon payment of the relevant charges, or whether it is separately metered, telephone 131 694.
- For a new connection to our water or sewer services, fees / charges will be levied.

## 2. Encumbrance Summary

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

To assist in identifying if the property is connected to South East Waters sewerage system, connected by a shared, combined or encroaching drain, it is recommended you request a copy of the Property Sewerage Plan. A copy of the Property Sewerage Plan may be obtained for a fee at [www.southeastwater.com.au](http://www.southeastwater.com.au). Part of the Property Sewerage Branch servicing the property may legally be the property owners responsibility to maintain not South East Waters. Refer to Section 11 of South East Waters Customer Charter to determine if this is the case. A copy of the Customer Charter can be found at [www.southeastwater.com.au](http://www.southeastwater.com.au). When working in proximity of drains, care must be taken to prevent infiltration of foreign material and or ground water into South East Waters sewerage system. Any costs associated with rectification works will be charged to the property owner.

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

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

AUTHORISED OFFICER:



TERRY SCHUBACH  
GENERAL MANAGER  
CUSTOMER SERVICE DELIVERY

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

## INFORMATION STATEMENT

STATEMENT UNDER SECTION 158, WATER ACT 1989

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

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

### **Important Warnings**

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

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

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

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

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

### **3. Disclaimer**

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

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

AUTHORISED OFFICER:



TERRY SCHUBACH  
GENERAL MANAGER  
CUSTOMER SERVICE DELIVERY

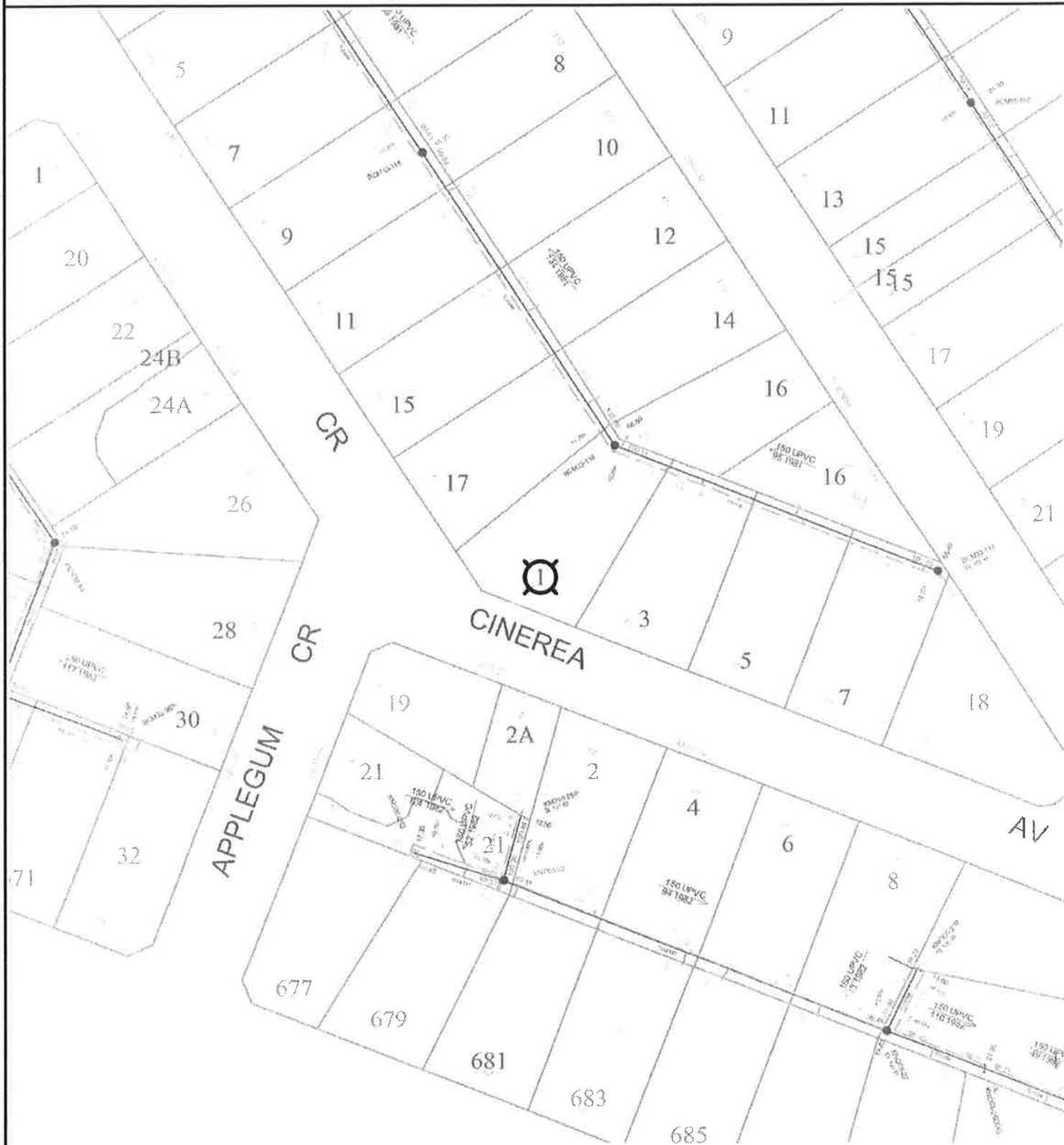
**South East Water**  
**Information Statement Applications**  
PO Box 2268, Seaford, VIC 3198



Case Number: 36421397



Date: 25MAY2020



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

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



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

## LEGEND

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



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

## LEGEND

3. <http://www.irs.gov/efile>

Title/Road Boundary

Proposed Title/Road

## Easement



100 CIEL  
26.9.1975

Subject Property

### Recycled Water Main Valve

## Recycled Water Main & Services



Hydrant



### Fireplug/Washout

~ 10

### Offset from Boundary



**FALCONE & ADAMS**  
**L A W Y E R S**  
INCORPORATING ARMSTRONG ROSS LAWYERS

**GST Withholding Notice to Purchaser**

*On or after 1 July 2018, certain purchasers of a new residential premises or potential residential land will be required to withhold an amount from the contract price for payment to the Australian Taxation Office.*

**Vendor: Margaret Anita Boyd as Executor of the Estate of Maureen Ann Boyd deceased**  
**Property: 1 Cinerea Avenue, Ferntree Gully**

Tick which is applicable to this transaction:

☐ The abovementioned property is a new residential premises or potential residential land.  
The amount of GST that the Purchaser will be required to pay as a withholding to the Australia Taxation Office is \$##.

The payment will be required to be paid from the balance of the contract price on the day of settlement, namely ##.

- OR -

☐ The abovementioned property is a new residential premises or potential residential land.  
No amount of GST is to be withheld as I/we are not registered for GST and/or are not required to be registered for GST for the sale of the above property.

- OR -

☐ The abovementioned property is either an existing residential premises or commercial residential premises and therefore the Purchaser is not required to withhold GST.

Dated this 25th day of May, 2020.

*Falcone & Adams.*

**Falcone & Adams, Lawyers for the Vendor**

**Emerald**

323A Belgrave - Gentbrook Road  
T: (03) 5968 3666  
F: (03) 5968 3060

**Belgrave**

1/1693a Burwood Hwy  
T: (03) 9754 7100

**Pakenham**

Cardinia Corporate Centre,  
Level 1, 25 John Street  
T: (03) 5941 8841

**Narre Warren**

Waterman Business Centre,  
Level 1, 64 Victor Crescent  
T: (03) 5968 3666  
(by appointment only)

**All correspondence to:**

P.O. Box 214 Emerald Vic 3782  
DX: 16001 Belgrave  
E: [office@falconeadams.com.au](mailto:office@falconeadams.com.au)  
W: [www.falconeadams.com.au](http://www.falconeadams.com.au)

# PLANNING PROPERTY REPORT



Environment,  
Land, Water  
and Planning

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 21 May 2020 11:02 AM

## PROPERTY DETAILS

Address: **1 CINEREA AVENUE FERNTREE GULLY 3156**  
Lot and Plan Number: **Lot 97 LP44842**  
Standard Parcel Identifier (SPI): **97\LP44842**  
Local Government Area (Council): **KNOX**  
Council Property Number: **115061**  
Planning Scheme: **Knox**  
Directory Reference: **Melway 73 E1**

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

[Planning Scheme - Knox](#)

## UTILITIES

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

[View location in VicPlan](#)

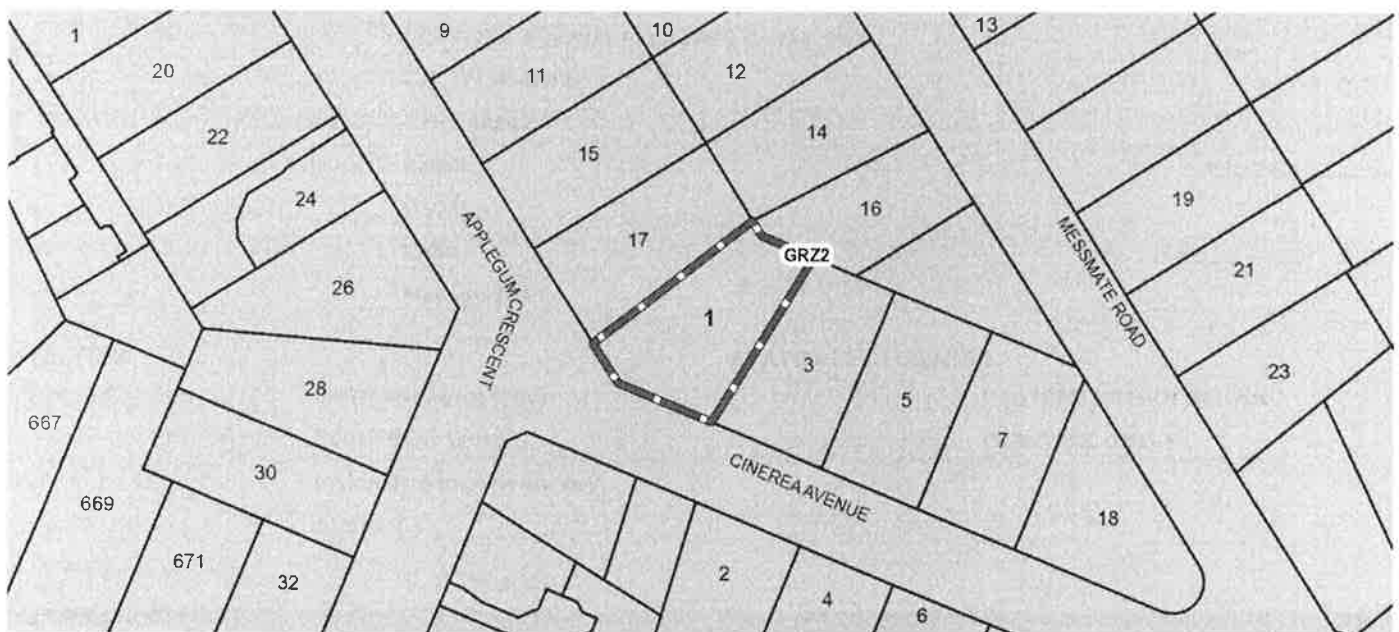
## STATE ELECTORATES

Legislative Council: **EASTERN METROPOLITAN**  
Legislative Assembly: **FERNTREE GULLY**

## Planning Zones

[GENERAL RESIDENTIAL ZONE \(GRZ\)](#)

[GENERAL RESIDENTIAL ZONE - SCHEDULE 2 \(GRZ2\)](#)



GRZ - General Residential



RDZ1 - Road-Category 1

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

## Planning Overlays

No planning overlay found



## Further Planning Information

Planning scheme data last updated on 18 May 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 not in a designated bushfire prone area.**

**No 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>

# Due Diligence Checklist

What you need to know before buying a residential property

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

## Urban living

### ***Moving to the inner city?***

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

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

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

## Growth areas

### ***Are you moving to a growth area?***

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

## Flood and fire risk

### ***Does this property experience flooding or bushfire?***

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

## Rural properties

### ***Moving to the country?***

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

- Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.
- Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.
- Do you understand your obligations to manage weeds and pest animals?
- Can you build new dwellings?
- Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land?

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

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

## Soil and groundwater contamination

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

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

## **Land boundaries**

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

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

## **Planning controls**

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

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

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

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

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

## **Safety**

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

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

## **Building permits**

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

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

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

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

## **Utilities and essential services**

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

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

## **Buyers' rights**

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

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