

Vendor Statement

Salvatore Failla and Josephine Eleanor Failla

455 Ure Road, Gembrook

REF AP:KC:219145

Vendor Statement

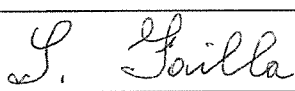
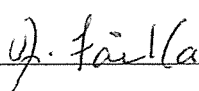
The vendor makes this statement in respect of the land in accordance with section 32 of the *Sale of Land Act* 1962.

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.

Electronic/Digital execution

- DocuSign means the secure electronic technology system operated by DocuSign Inc.
- The parties acknowledge and agree that prior to the signing of this Vendor Statement all parties consented to the document being electronically signed using DocuSign.
- The parties further acknowledge that this Vendor Statement may be electronically signed either wholly or in part by the parties.
- The parties agree that they will be bound by, have complied with and will comply with the *Electronic Transactions (Victoria) Act 2000*, in relation to the execution of this Vendor Statement.

Land	455 Ure Road, Gembrook 3783	
Vendor's name	Salvatore Failla	Date 26/4/2021
Vendor's signature		
Vendor's name	Josephine Eleanor Failla	Date 24/4/2021
Vendor's signature		
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)

(a) Their total does not exceed:

\$5,000.00

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

Other particulars (including dates and times of payments):

None to the vendors knowledge except for the usual adjustment of rates at settlement.

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): -

Is in the attached copies of title documents.

(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 similar restriction.

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

The required specified information is as follows:

Name of planning scheme	Cardinia
Name of responsible authority	Cardinia Shire
Zoning of the land	Green Wedge Zone - Schedule 1 (Gwz)
Name of planning overlay	Bushfire Management Overlay (Bmo) And Environmental Significance Overlay - Schedule 1 (Eso1)

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.

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):

Not Applicable.

6. OWNERS CORPORATION

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

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

9. TITLE

Attached are copies of the following documents:

9.1 (a) Registered Title

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

10. SUBDIVISION

10.1 Unregistered Subdivision

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

Not Applicable.

10.2 Staged Subdivision

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 1000m²; (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)

Attached are the following documents contained in the title;

13.1 Certificate of Title Volume: 11374 Folio: 128

13.2 Plan of Subdivision PS638595G

13.3 Section 173 Agreement AH128217D

13.4 Planning Report

13.5 Bushfire Prone Area Report

13.6 Southern Rural Water Take and Use Licence BEE023942

13.7 Southern Rural Water Works Licence WLE 041988

13.8 Melbourne Water Take and Use Licence BEE020233

13.9 Melbourne Water Works Licence WLE030842

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](http://consumer.vic.gov.au/duediligencechecklist) (consumer.vic.gov.au/duediligencechecklist).

Urban living

Moving to the inner city?

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

Is the property subject to an owners corporation?

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

Growth areas

Are you moving to a growth area?

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

Flood and fire risk

Does this property experience flooding or bushfire?

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

Rural properties

Moving to the country?

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

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

Can you build new dwellings?

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

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

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

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

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

Land boundaries

Do you know the exact boundary of the property?

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

Planning controls

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

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

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

Are there any proposed or granted planning permits?

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

Safety

Is the building safe to live in?

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

Building permits

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

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

Are any recent building or renovation works covered by insurance?

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

Utilities and essential services

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

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

Buyers' rights

Do you know your rights when buying a property?

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

(

04/10/2016)

consumer.vic.gov.au/duediligencechecklist

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

VOLUME 11374 FOLIO 128

Security no : 124089372819K

Produced 19/04/2021 04:52 PM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 638595G.
PARENT TITLES :
Volume 10435 Folio 493 Volume 11196 Folio 714
Created by instrument PS638595G 31/08/2012

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
SALVATORE FAILLA
JOSEPHINE ELEANOR FAILLA both of 435 URE ROAD PAKENHAM VIC 3810
PS638595G 31/08/2012

ENCUMBRANCES, CAVEATS AND NOTICES

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

AGREEMENT Section 173 Planning and Environment Act 1987
AH128217D 29/03/2010

DIAGRAM LOCATION

SEE PS638595G 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: 455 URE ROAD GEMBROOK VIC 3783


DOCUMENT END

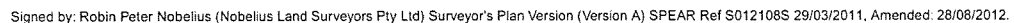
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Signed by Council: Cardinia Shire Council, Council Ref: S11/031, Original Certification: 18/11/2011, S.O.C.: 18/11/2011, Amendments accepted: 29/08/2012

PLAN OF SUBDIVISION		LRS use only EDITION 1	Stage No. /	Plan Number PS 638595 G
LOCATION OF LAND Parish: Nangana Township: --- Section: --- Crown Allotment: 16 (Pt) Crown Portion: --- Title Reference: V. 10435 F. 493 V. 11196 F. 714 Last Plan Reference: Lot 2 PS 609541 V Lot 1 PS 422914 W Postal Address: 435 Ure Road (at time of subdivision) GEMBROOK 3783 MGA94 Co-ordinates E 371 940 (of approx. centre of land in plan) N 5 803 310 Zone: 55		COUNCIL CERTIFICATION AND ENDORSEMENT COUNCIL NAME : CARDINIA REF: 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6 / / 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage..... Council Delegate Council Seal Date / / Re-certified under section 11(7) of the Subdivision Act 1988 Council Delegate Council Seal Date / /		
Vesting of Roads or Reserves				
Identifier	Council / Body / Person			
Nil	Nil			
Notations				
Depth Limitation: DOES NOT APPLY		Staging This is not a staged subdivision Planning Permit No. T070456		
This is a Spear Plan <u>Other Purpose of Plan</u> Removal of Drainage Easement noted as E-1 & E-2 on PS 422914 W <u>Grounds for removal</u> Easement merges on registration of this Plan.		Lot 2 is not the Subject of this Survey. <u>Survey</u> This plan is based on Survey This survey has been connected to permanent marks no(s) In Proclaimed Survey Area No. ---		
Easement Information				
Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E - 1	Drainage	3	This Plan	Lot 1 on this Plan
E - 2	Powerline	See Plan	PS 422914 W & Sec. 44 of the Elect. Ind. Act 1993	Eastern Energy Limited
E - 3	Drainage	3	PS 507889 V	Lot 3 on PS 507889 V
E - 4	Powerline	10	This Plan & Sec. 88 of the Elect. Industry Act 2000.	SPL Electricity Pty. Ltd.
LRS use only Statement of Compliance/ Exemption Statement Received <input checked="" type="checkbox"/> DATE 20 / 8 / 2012 LRS use only PLAN REGISTERED TIME 11.58am DATE 31 / 8 / 2012 Kevin Bond Assistant Registrar of Titles Sheet 1 of 2 sheets				
NOBELIUS LAND SURVEYORS  P.O. BOX 461 PAKENHAM 3810 Ph 03 5941 4112 Fax 03 5941 7359 rob@nobelius.com.au		LICENSED SURVEYOR: R. P. NOBELIUS SIGNATURE.....DIGITALLY SIGNED..... REF: 3639 VERSION A		
		DATE / / COUNCIL DELEGATE SIGNATURE Original sheet size A3		



Plan of Subdivision PS638595G
Certification & Statement of Compliance (Form 6)

SUBDIVISION (PROCEDURES) REGULATIONS 2000

SPEAR Reference Number: S012108S

Plan Number: PS638595G

Responsible Authority Name: Cardinia Shire Council

Responsible Authority Reference Number 1: S11/031

Surveyor's Plan Version: Version A

Certification

☒ This plan is certified under section 6 of the Subdivision Act 1988

Statement of Compliance

☒ This is a statement of compliance issued under section 21 of the Subdivision Act 1988

Public Open Space

A requirement for public open space under section 18 of the Subdivision Act 1988

☐ Has not been made

Digitally signed by Council Delegate: Carolyn Murphy

Organisation: Cardinia Shire Council

Date: 18/11/2011

Signed by: Carolyn Murphy (Cardinia Shire Council) 18/11/2011

Planning and Environment Regulations 1998 No. 8

Form 13



AH128217D

29/03/2010 \$102.90 173



Section 181

APPLICATION BY A RESPONSIBLE AUTHORITY FOR THE MAKING OF A
RECORDING OF AN AGREEMENT

Planning and Environment Act 1987

Lodged at the Land Titles Office by:

Name: • Duffy & Simon.
Phone: • 59411 622.
Address: • D2 81001 Pakenham
Ref: • 11750 Falk Customer Code: • 0756 P

The Authority having made an agreement referred to in Section 181(1) of the Planning and Environment Act 1987 requires a recording to be made in the Register for the land.

Land (Insert Volume and Folio reference) (if part only, define the part)

Certificate of Title Volume 10386 Folio 952

Certificate of Title Volume 10977 Folio 014

Authority (name and address)

Cardinia Shire Council, Municipal Offices, 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

13 NOV 2009

Signature for the Authority:

J. Cussen

Name of Officer:

JAN CUSSEN

Date: 27 November 2009

This Agreement is made on the 27th day of November 2009

Between

Cardinia Shire Council
of
Henty Way, Pakenham, Victoria
("the Council")

and

Salvatore Failla & Josephine Eleanor Failla
of
435 Ure Road, Gembrook VIC 3783 ("the Owner/s")



Recitals

- A. The Owners are registered as owners of the land in Certificate of Title Volume 10386 Folio 952, being Lot 1 on TPO10711W and also Certificate of Title Volume 10977 Folio 014, being Lot 2 on P5507889V and known as 435 Ure Road, Gembrook VIC 3783 ("the Land").
- B. The Council is the Responsible Authority under the Planning and Environment Act 1987.
- C. Nobelius Land Surveyors on behalf of the Owners, made application to the Responsible Authority for a permit to re-subdivide the Land into two (2) lots.
- D. The Responsible Authority granted Planning Permit No. T070456 ("the Permit") on 18 October 2007 for the realignment of two (2) boundaries of the Land subject to a condition.
- E. Condition 2 of the Permit provides that:

The permit holder must enter into a Section 173 Agreement with the responsible authority preventing any further subdivision of the land that creates any additional lots. The form and content 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. Prior to the issue of a Statement of Compliance, the permit holder must provide a dealing number to Responsible Authority to demonstrate that the agreement has been lodged with the Land Titles Office.

13 NOV 2009
DEPARTMENT OF

AH128217D

29/03/2010 \$102.90 173



The Agreement

1. Agreement to be binding on owners and their successors

- (1) The parties acknowledge and agree that this Agreement is made under Section 173 of the Planning and Environment Act 1987.
- (2) The obligations imposed on the Owners are binding on the successors, purchasers, transferees, mortgagees and assigns of the Owners and on any person obtaining possession of the Land or any part of the Land as if each of those persons had individually executed this Agreement.
- (3) The Owners must not sell, transfer, dispose of or part with possession of the Land or any part of it without first disclosing the existence and nature of this Agreement.

2. Covenants

The Owner covenant and agree with the Council that:

- (1) There will be no further subdivision of either of the lots created by the subdivision authorised by planning permit T070456 and by Plan of Subdivision PS609541V, other than a subdivision which does not create any additional lots.

NOTE: This Agreement lapses upon any future rezoning of the land that allows the Land to be Subdivided.

3. Terms and registration of this Agreement

- (1) The terms of this Agreement come into force immediately on execution, and runs with the Land.
- (2) The Owner/s must use their best endeavours to have a memorandum of this Agreement registered on the title to the Land by the Registrar of Titles in accordance with Section 181 of the Planning and Environment Act 1987.

4. Cost

The Owner/s must bear the cost of and incidental to the making and the registration of this Agreement.

RECEIVED
13 NOV 2010
COUNCIL OF THE CITY OF MELBOURNE

In witness whereof the parties have set their hands and seals the day and year set out above.

Signed, sealed and delivered

)
)
)

S. Failla

Owner: Salvatore Failla

In the presence of:

[Signature]

Witness

Signed, sealed and delivered

)
)
)

J. Failla

Owner: Josephine Eleanor Failla

In the presence of:

[Signature]

Witness

Signed by and on behalf, and with
the authority of the Cardinia Shire
Council by Jan Cussen in the
exercise of power conferred by
an Instrument of Delegation
dated 19 June 2006.

)
)
)
)
)
)
)

J. Cussen

In the presence of:

P. Caney

Witness

AH128217D

29/03/2010 \$102.90 173



18 NOV 2010

10 DEPAS

PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au at 22 April 2021 10:10 AM

PROPERTY DETAILS

Address: **455 URE ROAD GEMBROOK 3783**
Lot and Plan Number: **Lot 2 PS638595**
Standard Parcel Identifier (SPI): **2\PS638595**
Local Government Area (Council): **CARDINIA**
Council Property Number: **5000024288**
Planning Scheme: **Cardinia**
Directory Reference: **Melway 310 K10**

www.cardinia.vic.gov.au

[Planning Scheme - Cardinia](#)

UTILITIES

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

[View location in VicPlan](#)

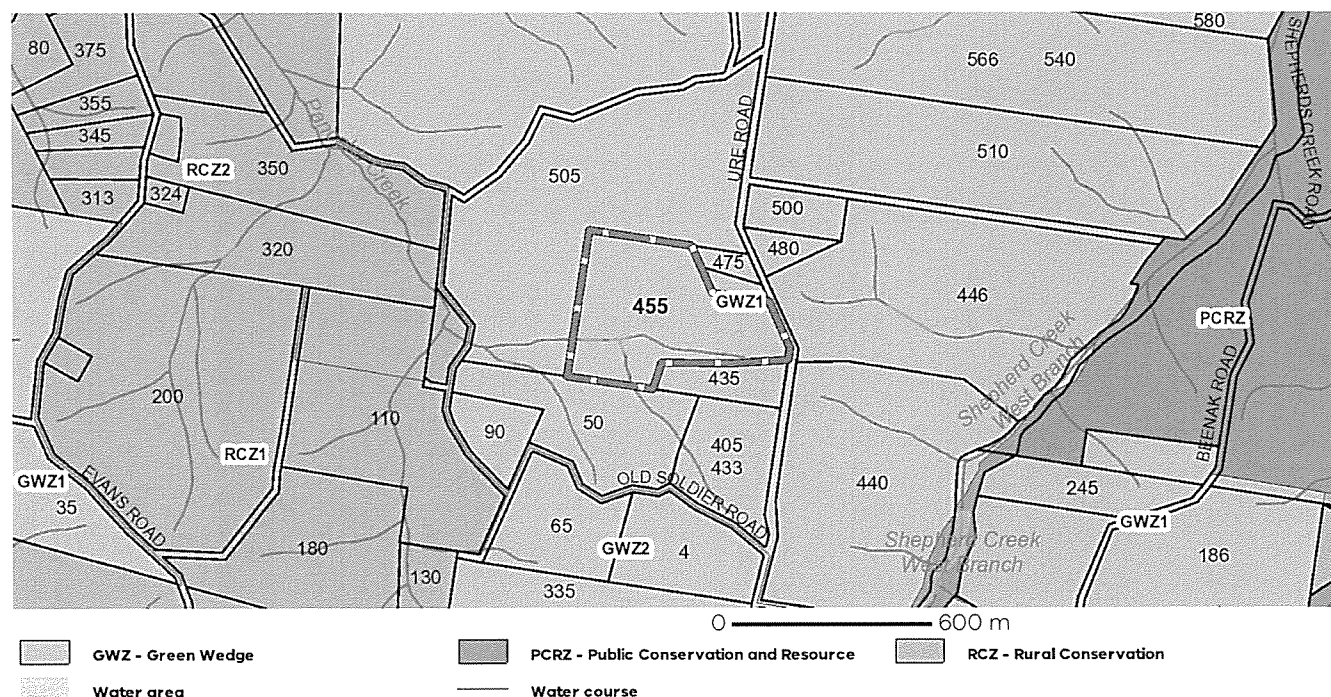
STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
Legislative Assembly: **GEMBROOK**

Planning Zones

[GREEN WEDGE ZONE \(GWZ\)](#)

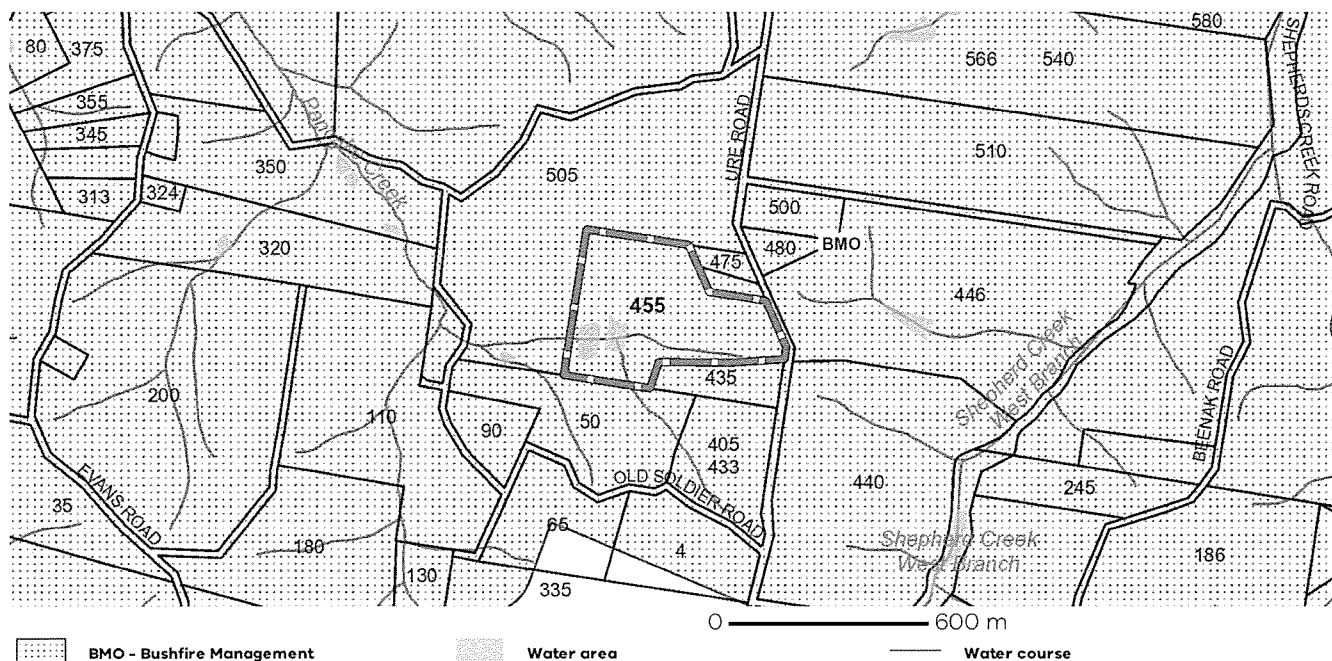
[GREEN WEDGE ZONE - SCHEDULE 1 \(GWZ1\)](#)



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

Planning Overlays

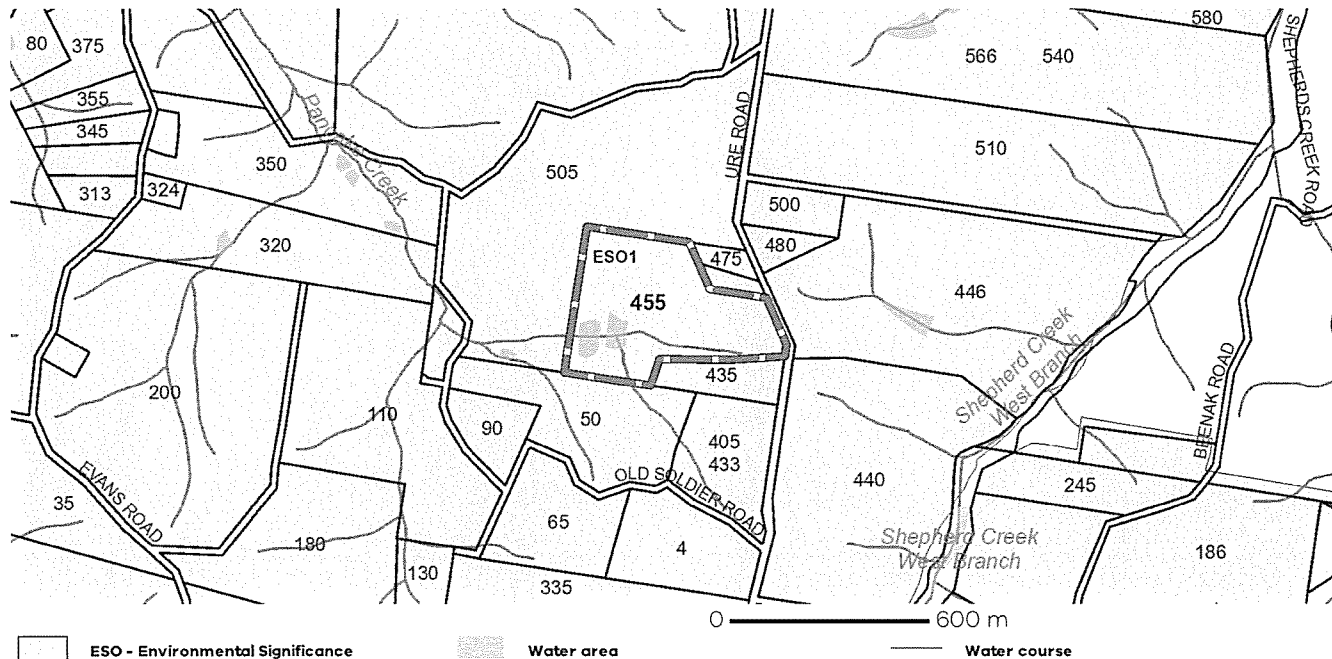
BUSHFIRE MANAGEMENT OVERLAY (BMO)



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

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 (ESO1)



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

PLANNING PROPERTY REPORT



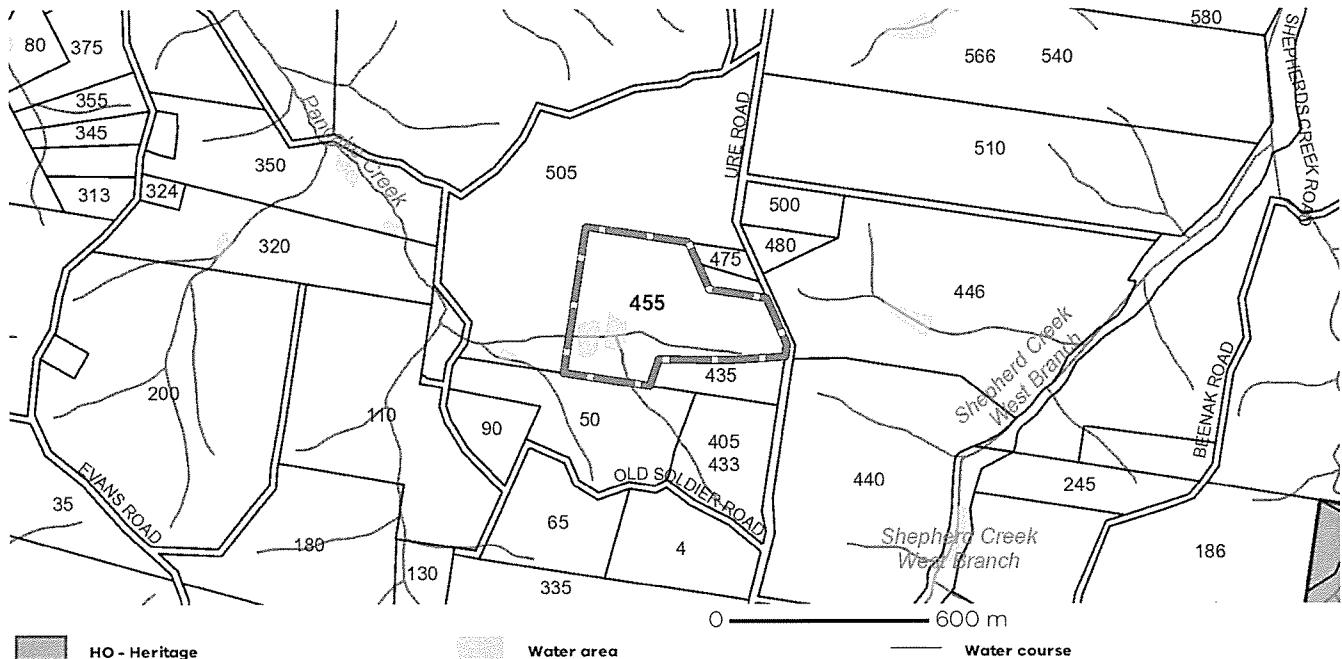
Environment,
Land, Water
and Planning

Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

HERITAGE OVERLAY (HO)



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

Further Planning Information

Planning scheme data last updated on 14 April 2021.

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>

PLANNING PROPERTY REPORT

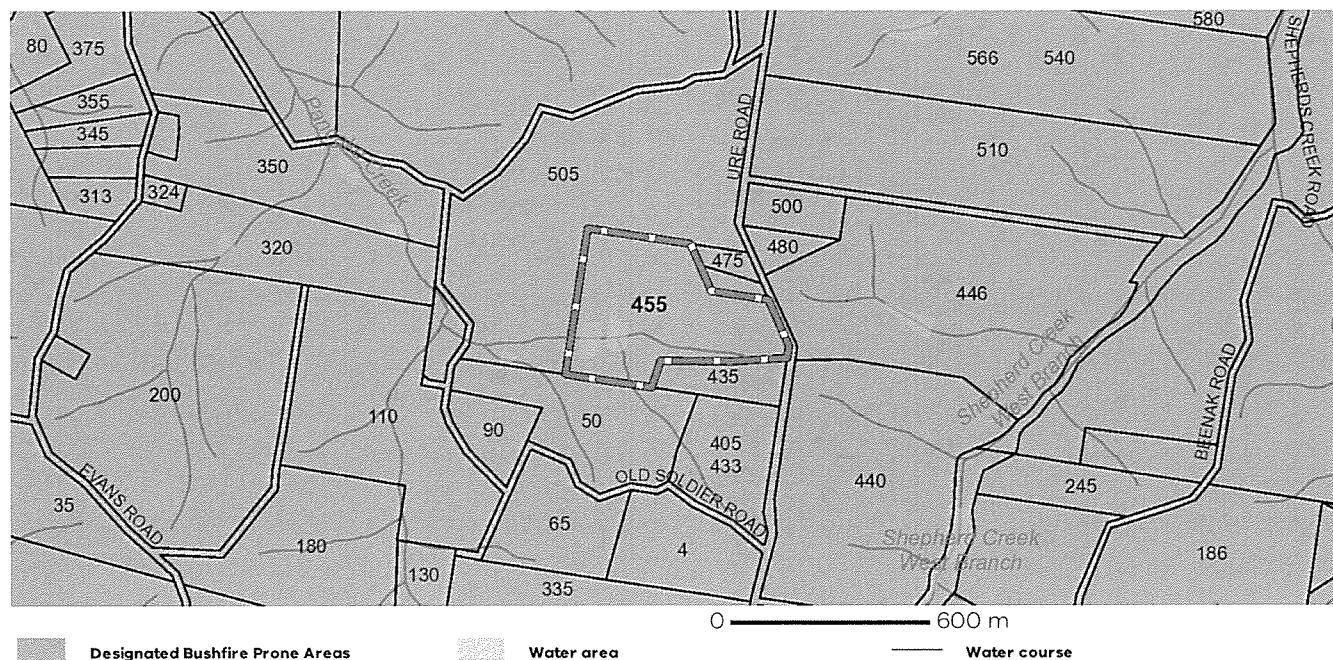


Environment,
Land, Water
and Planning

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>

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)

SALVATORE FAILLA of PO BOX 98 GEMBROOK VIC 3783

Licence Contact Details

S FAILLA

PO BOX 98
GEMBROOK VIC 3783

Licence Description

Expiry date	30 Jun 2034
Status	Active
Authority	Southern Rural Water
Name of waterway, aquifer or works	UNC-Unincorporated
Water system type	Groundwater (East Port Phillip Bay catchment)
River basin or groundwater unit	Unincorporated (GMU)
Licence volume	38.0 megalitres
Licence volume adjusted for temporary trade	38.0 megalitres
Method of taking	Direct extraction from Groundwater
Period during which water can be taken	01 Jul - 30 Jun inclusive
Use of water	Irrigation - as well as domestic and stock use, dairy use, and general non-irrigation farm use
Trading Zone	Unincorporated

Licence Volume Details

Licence volume	38.0 megalitres
Licence volume adjusted for temporary trade	38.0 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>
371626	5803038	Zone 55	Nil

Land on which the Water is to be Used

Land description

Volume 11374 Folio 128
Lot 2 of Plan PS638595G

Volume 11374 Folio 127
Lot 1 of Plan PS638595G

Property address

435 URE RD, GEMBROOK, VIC 3783
455 URE RD, GEMBROOK, VIC 3783

Maximum area to be irrigated 4.00 hectares

Related Instruments

Related entitlements	Nil
Related works licences	WLE041988
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>
BER044941	Modify	Approved	21 Jun 2019	21 Jun 2019	
BER030304	Modify	Approved	25 Feb 2016	29 Feb 2016	
BEI473965	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 method specified in 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 0.21 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.

Water allocations

- 7 The Authority may determine water allocations at 1 July or during the course of the subsequent twelve-month period that are less than 100% of the licence volume, in which case the licence volume is correspondingly reduced for that twelve-month period.

Take period

- 8 Unless otherwise directed by the Authority, water may be taken at any time between 1 July and 30 June.

Rosters and restrictions

- 9 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

- 10 Water may only be taken under this licence if it is taken through a meter approved by the Authority.
- 11 Meters must be installed, in accordance with the specifications set by the Authority, at the licence holder's expense.
- 12 Meters used for the purpose of this licence are deemed to be the property of the Authority.
- 13 The licence holder must at all times provide the Authority with safe access to meters for the purpose of reading, calibration or maintenance.
- 14 The licence holder must notify the Authority within one business day if the meter ceases to function or operate properly.
- 15 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.
- 16 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.
- 17 The Authority may, if it deems necessary, make an estimate of the total volume of water taken

under this licence.

Use of water

- 18 Water taken under this licence may only be used on the land, and for the purposes, specified in the licence.
- 19 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.

Managing drainage disposal

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

Fees and charges

- 21 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)

SALVATORE FAILLA of PO BOX 98 GEMBROOK VIC 3783

Licence Contact Details

S FAILLA

PO BOX 98
GEMBROOK VIC 3783

Licence Details

Expiry date	30 Jun 2034
Status	Active
Authority	Southern Rural Water
Name of waterway or aquifer	UNC-Unincorporated
Water system	Unincorporated (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>
WRK043127	Bore	Irrigation

Description of Licensed Works

WORKS ID WRK043127

Works type	Bore
Constructed depth	55.770 metres

Extraction Details

Service point/s	SP072576 NGMA.83692
Maximum extraction rate	0.210 megalitres per day (The physical capacity of the works)
Maximum daily volume	0.210 megalitres (The volume authorised to be extracted via the works)
Maximum annual volume	38.000 megalitres
Use of water	Irrigation - as well as domestic and stock use, dairy use, and general non-irrigation farm use

Works location

<i>Easting</i>	<i>Northing</i>	<i>Zone MGA</i>
371739.2	5803222.1	Zone 55

Land description

Volume 11374 Folio 128
Lot 2 of Plan PS638595G

Property address

455 URE RD, GEMBROOK, VIC 3783

Related Instruments

Related entitlements BEE023942

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>
WLR003173	Modify	Approved	21 Jun 2019	21 Jun 2019	
WLV009489	Modify	Approved	25 Feb 2016	29 Feb 2016	
WLI560397	Issue	Approved	29 Aug 2009	29 Aug 2009	

Conditions

Licence WLE041988 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 this licence, in accordance with the timeframe, specifications, guidelines and standards prescribed by the Authority.

Rosters and restrictions

- 3 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

- 4 Water may only be taken under this licence if it is taken through a meter approved by the Authority.
- 5 Meters must be installed, in accordance with the specifications set by the Authority, at the licence holder's expense.
- 6 Meters used for the purpose of this licence are deemed to be the property of the Authority.
- 7 The licence holder must at all times provide the Authority with safe access to meters for the purpose of reading, calibration or maintenance.
- 8 The licence holder must notify the Authority within one business day if the meter ceases to function or operate properly.
- 9 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.
- 10 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.
- 11 The Authority may, if it deems necessary, make an estimate of the total volume of water taken under this licence.

Protecting other water users

- 12 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.
- 13 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.
- 14 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.
- 15 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.
- 16 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.
- 17 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.

- 18 The bore(s) must not be altered or decommissioned without a works licence that authorises alteration, or decommissioning.

Operation and maintenance

- 19 Water may only be taken through the works at the specified location.
- 20 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.
- 21 Water may only be taken through the works if the works are sited, constructed, operated and maintained to the satisfaction of the Authority.
- 22 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.

Protecting biodiversity

- 23 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.
- 24 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

- 25 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

TAKE AND USE LICENCE

under Section 51 of the Water Act 1989

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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)

SAM FAILLA of P O BOX 98 GEMBROOK VIC 3783

Licence Contact Details

S FAILLA

P O BOX 98
GEMBROOK VIC 3783

Licence Description

Expiry date	30 Jun 2019
Status	Active
Authority	Melbourne Water
Name of waterway, aquifer or works	Pancake Creek
Water system type	Unregulated waterway, spring or run-off
River basin or groundwater unit	Yarra
Licence volume	25.0 megalitres
Licence volume adjusted for temporary trade	25.0 megalitres
Method of taking	Direct extraction from surfacewater
Period during which water can be taken	01 Jul - 30 Jun inclusive
Use of water	Irrigation - as well as domestic and stock use, dairy use, and general non-irrigation farm use
Trading Zone	Woori Yallock Creek

Licence Volume Details

Licence volume	25.0 megalitres
Licence volume adjusted for temporary trade	25.0 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>
371732	5803234	Zone 55	Downstream Dam

Land on which the Water is to be Used

Land description

Volume 11374 Folio 128
Lot 2 of Plan PS638595G

Volume 11374 Folio 127
Lot 1 of Plan PS638595G

Property address

435 URE RD, GEMBROOK, VIC 3783
455 URE RD, GEMBROOK, VIC 3783

Maximum area to be irrigated 4.20 hectares

Related Instruments

Related entitlements	Nil
Related works licences	WLE030842
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>
BER036549	Modify	Approved	13 Sep 2016	13 Sep 2016	
BER036056	Modify	Approved	25 Aug 2016	25 Aug 2016	
BER034465	Modify	Approved	25 Jul 2016	25 Jul 2016	
BER027784	Modify	Approved	30 Nov 2015	04 Dec 2015	
BER019787	Modify	Approved	30 Jun 2014	15 Sep 2014	
BER015677	Modify	Approved	16 Oct 2013	16 Oct 2013	
BER013360	Modify	Approved	20 Feb 2013	20 Feb 2013	
BER004037	Modify	Approved	19 Oct 2010	19 Oct 2010	
BEI470256	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 method specified in 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 0.50 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.

Take period

- 7 Unless otherwise directed by the Authority, water may be taken at any time between 1 July and 30 June.

Rosters and restrictions

- 8 The licensee must not take water from a waterway when the combined seven-day rolling average stream flow at Nangana gauging station on Shepherd Creek (229677) and Nangana gauging station on Cockatoo Creek (229248):
 - a) is 20 ML /day or less, at any time between 1 December and 31 May; or
 - b) is 33 ML /day or less, at any time between 1 July and 31 October; or
 - c) is 30 ML /day or less, at any time in the month of June and November.
- 9 The licensee must not take water from a waterway except in accordance with any rostering or other arrangements set out in the Melbourne Water Drought Response Plan for Licensed Water users, when the combined seven-day rolling average stream flow at Nangana gauging station on Shepherd Creek (229677) and Nangana gauging station on Cockatoo Creek (229248):
 - a) is 30 ML /day or less, at any time between 1 December and 31 May; or
 - b) is 50 ML /day or less, at any time between 1 July and 31 October; or
 - c) is 40 ML /day or less, at any time in the month of June and November.
- 10 The Licensee must in order to determine their entitlement to take water from a waterway, check the restriction or ban status within their catchment before taking water under their licence, either by calling 131 722 or at the website www.melbournewater.com.au/diverters.
- 11 The licence holder must comply with any roster or restriction prepared and implemented by Melbourne Water as set out in the Melbourne Water Drought Response Plan for Licensed Water Users.

Metering of water taken and used

- 12 Water may only be taken under this licence if it is taken through a meter approved by the Authority.

- 13 Meters must be installed , in accordance with the specifications set by the Authority, at the licence holder's expense.
- 14 Meters used for the purpose of this licence are deemed to be the property of the Authority.
- 15 The licence holder must at all times provide the Authority with safe access to meters for the purpose of reading, calibration or maintenance.
- 16 The licence holder must notify the Authority within one business day if the meter ceases to function or operate properly.
- 17 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.
- 18 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.
- 19 The Authority may, if it deems necessary, make an estimate of the total volume of water taken under this licence.

Use of water

- 20 Water taken under this licence may only be used on the land, and for the purposes, specified in the licence.
- 21 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

- 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 Works must not be altered, removed or decommissioned without a licence that authorises alteration, removal or decommissioning.
- 24 The licence holder must maintain all works and appliances used to take water under this licence in a safe and efficient working order including any dam if water is taken from a dam under this licence.

Preventing pollution

- 25 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.
- 26 The licence holder must not pollute any water, or the environment, through the spillage of fuel or lubricant or any gaseous, liquid or solid matter used in connection with the works and appliances associated with this licence.

Managing groundwater infiltration

- 27 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

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

Fees and charges

- 29 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

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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)

SAM FAILLA of P O BOX 98 GEMBROOK VIC 3783

Licence Contact Details

S FAILLA

P O BOX 98
GEMBROOK VIC 3783

Licence Details

Expiry date	30 Jun 2016
Status	Active
Authority	Melbourne Water
Name of waterway or aquifer	Pancake Creek
Water system	Yarra

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>
WRK030620	Dam	Irrigation
WRK031330	Pump	Irrigation

Description of Licensed Works

WORKS ID WRK030620

Works type	Dam
Works subtype	On stream storage
Hazardous	Yes
ANCOLD hazard category	Low
Dam depth	8.000 metres
Dam capacity	22.00 megalitres
Dam wall height	10.000 metres
Dam surface area	7000.000 square metres

Extraction Details

Use of water	Irrigation - as well as domestic and stock use, dairy use, and general non-irrigation farm use
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Works location

<i>Easting</i>	<i>Northing</i>	<i>Zone MGA</i>
371804	5803237	Zone 55

Land description

Volume 11374 Folio 128
Lot 2 of Plan PS638595G

Volume 11374 Folio 127
Lot 1 of Plan PS638595G

Property address

435 URE RD, GEMBROOK, VIC 3783
455 URE RD, GEMBROOK, VIC 3783

Description of Licensed Works

WORKS ID WRK031330

Works type	Pump
Manufacturer	Kelly & Lewis
Model	70, centrifugal
Suction pipe size	50 millimetres
Delivery pipe size	36 millimetres
Prime mover type	Electric

Extraction Details

Service point/s	SP070988 MPA29047/101FL
Maximum daily volume	1.250 megalitres (The volume authorised to be extracted via the works)
Maximum annual volume	25.000 megalitres
Use of water	Irrigation - as well as domestic and stock use, dairy use, and general non-irrigation farm use

Works location

<i>Easting</i>	<i>Northing</i>	<i>Zone MGA</i>
371732	5803234	Zone 55

Land description

Volume 10977 Folio 015
Lot 3 of Plan PS507889V

Volume 11196 Folio 715
Lot 4 of Plan PS609541V

Volume 11374 Folio 128
Lot 2 of Plan PS638595G

Volume 11374 Folio 127
Lot 1 of Plan PS638595G

Property address

435 URE RD, GEMBROOK, VIC 3783
455 URE RD, GEMBROOK, VIC 3783

Related Instruments

Related entitlements BEE020233

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>
WLV512388	Modify	Approved	30 Nov 2015	30 Nov 2015	
WLI549251	Issue	Approved	29 Aug 2009	29 Aug 2009	

Conditions

Licence WLE030842 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 this licence, in accordance with the timeframe, specifications, guidelines and standards prescribed 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 2.5 megalitres per day.

Passing flows

- 5 The licence holder must, at all times that there is natural inflow into the on-waterway storage, maintain a flow in the waterway downstream of the storage, to the satisfaction of the Authority.

Rosters and restrictions

- 6 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

- 7 Meters used for the purpose of this licence are deemed to be the property of the Authority.
- 8 The licence holder must at all times provide the Authority with safe access to meters for the purpose of reading, calibration or maintenance.
- 9 The licence holder must notify the Authority within one business day if the meter ceases to function or operate properly.
- 10 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.
- 11 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.
- 12 The Authority may, if it deems necessary, make an estimate of the total volume of water taken under this licence.

Dam safety and surveillance

- 13 The dam and associated works must not be altered, removed or decommissioned without a works licence that authorises alteration, removal or decommissioning.
- 14 The licence holder must, in the event of a potential or actual dam failure, immediately provide warnings to potentially impacted downstream property owners and communities, SES, Victoria Police, Council and the Authority and must take steps to make the dam safe.
- 15 If a deficiency is found in the structure of the dam that is not minor in nature, the licence holder must immediately advise the Authority of the nature of the deficiency and engage a suitably qualified engineer to propose a program to rectify it, and complete the works having appropriate regard to the ANCOLD guidelines.
- 16 The licence holder must carry out, to the satisfaction of the Authority, any remedial works identified by a suitably qualified engineer.

Protecting other water users

- 17 Water may only be taken under this licence if the maximum volume taken in any one day is no more than 2.5 megalitres per day.

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.
- 19 Water may only be taken through the works if the works are sited, constructed, operated and maintained to the satisfaction of the Authority.
- 20 Works must not be altered, removed or decommissioned without a licence that authorises alteration, removal or decommissioning.

Protecting biodiversity

- 21 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.
- 22 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.
- 23 Matter must not be disposed of through the works if the Authority reasonably believes that such disposal will have a detrimental impact on the beneficial use of surrounding groundwater, land and surface water.

Fees and charges

- 24 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.

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