

# SECTION 32 STATEMENT

FRANCESCO PRAINITO AND  
MIRANDA BONNIE PRAINITO  
**Vendors**

32 BLACKNEY ROAD THE GURDIES VIC 3984  
**Property**

# SECTION 32 STATEMENT

**VENDOR:** FRANCESCO PRAINITO and MIRANDA BONNIE PRAINITO

**PROPERTY:** 32 BLACKNEY ROAD THE GURDIES VIC 3984 being the whole of the land comprised in certificate of title volume 10040 folio 817

## 1 FINANCIAL MATTERS IN RESPECT OF THE LAND TO BE DISCLOSED IN SECTION 32 STATEMENT

Particulars concerning the amount of any rates, taxes, charges or other similar outgoings but not including information under the *Owners Corporation Act* which, if applicable, is included in a later provision of this statement, and any interest payable on any part of them which is unpaid:

1.1 The amount of any rates, taxes, charges or outgoings for which the purchaser may become liable in consequence of the purchase of the property, and which the vendor might reasonably be expected to have the knowledge of, are as follows:

- The total amount of those rates, taxes, charges or other similar outgoings and any interest thereon do not exceed \$3,500.00.

### Terms Contract

This is a terms contract where the purchaser is obliged to make two (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.

- Yes – Refer to Annexure for particulars
- No

### 1.2 Sale Subject to Mortgage

This contract 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.

- Yes – Refer to Annexure for particulars
- No

## 2 INSURANCE DETAILS IN RESPECT OF THE LAND TO BE DISCLOSED IN SECTION 32 STATEMENT

2.1 Particulars of any policy of insurance maintained by the vendor in respect of any damage to or destruction of the land if the contract for the sale of land 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 Particulars of any insurance required under the *Building Act 1993* applying to a residence to which section 137B of the *Building Act 1993* applies which was constructed within the preceding six years:

- Not applicable

## 3 MATTERS RELATING TO LAND USE TO BE DISCLOSED IN SECTION 32 STATEMENT

Information concerning any easement, covenant or other similar restriction affecting the property (registered or unregistered):

### 3.1 Description

As set out in the attached copies of title documents and where relevant, the attached copy statement under section 158 of the *Water Act 1989*.

Sewers/drains/ water pipes, if any, may be laid outside registered easements.

### 3.2 Particulars of any existing failure to comply with their terms are as follows:

Nil to the knowledge of the vendor

### 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*.

Yes

No

### 3.4 Road Access

There is access to the property by road:

Yes

No

### 3.5 Planning Scheme

Attached is a certificate with the required specified information.

## 4 NOTICES MADE IN RESPECT OF LAND TO BE DISCLOSED IN SECTION 32 STATEMENT

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

Are as follows:

Nil to the knowledge of the vendor.

4.2 Any notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes.

Are as follows:

Nil to the knowledge of the vendor.

4.3 Particulars of any notice of intention to acquire served under section 6 of the *Land Acquisition and Compensation Act 1986*:

Are as follows:

Nil to the knowledge of the vendor.

**5 BUILDING PERMITS ISSUED IN RESPECT OF LAND TO BE DISCLOSED IN SECTION 32 STATEMENT**

Particulars of any building permit under the *Building Act 1993* in the preceding seven years in relation to land on which there is a residence:

Are contained in the attached certificate or statement.

**6 INFORMATION RELATING TO ANY OWNERS CORPORATION TO BE DISCLOSED IN SECTION 32 STATEMENT**

The owners corporation is

Not applicable.

**7 GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (GAIC) DETAILS TO BE DISCLOSED IN SECTION 32 STATEMENT**

GAIC applies:

No

**8 DISCLOSURE OF NON-CONNECTED SERVICES IN SECTION 32 STATEMENT**

Information concerning the supply of the following services:

**Service**

Electricity	Not connected. However, an off-grid power system is used for the supply of electricity.
Gas	Not connected
Water	Not connected
Sewerage	Not connected. However, (There is a worm waste system for Sewerage).
Telephone	Not connected

**9 EVIDENCE OF TITLE REQUIRED TO BE DISCLOSED IN SECTION 32 STATEMENT**

**9.1** Attached are copies of the following documents:

A copy of the 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, including a copy of the last plan of subdivision if relevant.

**9.2** Evidence of the vendor's right or power to sell the land where the vendor is not the registered proprietor or the owner in fee simple:

Is attached

Not applicable

**10 SUBDIVISION**

**10.1 Unregistered Subdivision**

If the land is subject to a subdivision which is not registered:

Not applicable

**10.2 Staged Subdivision**

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**

The land is subject to a subdivision in respect of which a further plan within the meaning of the *Subdivision Act 1988* is proposed.

No

DATE OF THIS STATEMENT 2018

Signed by the vendor or on behalf of the vendor  
by an authorised signatory

\_\_\_\_\_  
\_\_\_\_\_

ACKNOWLEDGMENT BY PURCHASER

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

DATE OF THIS ACKNOWLEDGMENT                      2018

Signature of the purchaser

\_\_\_\_\_  
\_\_\_\_\_



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

VOLUME 10040 FOLIO 817

Security no : 124074316193H  
Produced 10/10/2018 09:57 AM

**LAND DESCRIPTION**

Land in Plan of Consolidation 351296E.  
PARENT TITLES :  
Volume 09915 Folio 532      Volume 10035 Folio 109  
Created by instrument PC351296E 23/10/1991

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Joint Proprietors  
FRANCESCO PRAINITO  
MIRANDA BONNIE PRAINITO both of BLACKNEY ROAD THE GURDIES VIC 3984  
AL720668F 27/02/2015

**ENCUMBRANCES, CAVEATS AND NOTICES**

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

**DIAGRAM LOCATION**

SEE PC351296E 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: 32 BLACKNEY ROAD THE GURDIES VIC 3984

DOCUMENT END



# Imaged Document Cover Sheet

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Document Type	<b>plan</b>
Document Identification	<b>PC351296E</b>
Number of Pages (excluding this cover sheet)	<b>1</b>
Document Assembled	<b>10/10/2018 10:07</b>

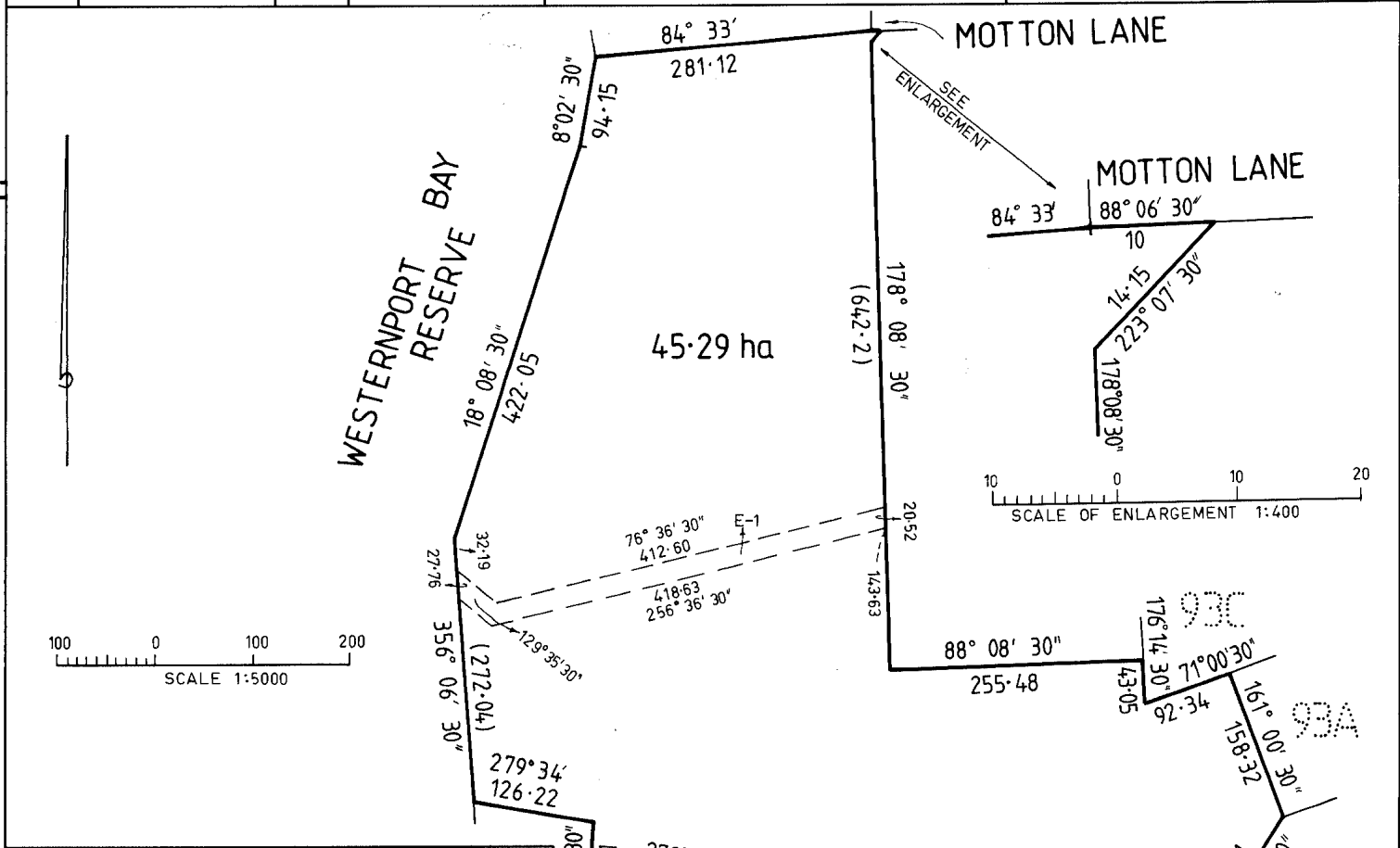
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<b>PLAN OF CONSOLIDATION</b>	LTO use only <b>EDITION 1</b>	Plan Number <b>PC 351296E</b>		
<b>Location of Land</b> <b>Parish:</b> CORINELLA <b>Township:</b> _____ <b>Section:</b> _____ <b>Crown Allotment:</b> 98(PART), 98A(PART), <b>Crown Portion:</b> 98B(PART) & 98C <b>LTO Base Record:</b> LITHO SH. 2 (2453) <b>Title Reference:</b> VOL 9915 FOL 532 VOL 10035 FOL 109 <b>Last Plan Reference:</b> L.P. 217188 <b>Postal Address:</b> P.S. 302497G (at time of subdivision)  <b>AMG Co-ordinates</b> E 373500 (of approx. centre of land N 5752200 in plan) Zone: 55	<b>Council Certification and Endorsement</b> Council Name: SHIRE OF BASS Ref: 90/21 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. <del>This plan is certified under section 11(7) of the Subdivision Act 1988.</del> <del>Date of original certification under section 6 / /</del> 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. Council Delegate Council Seal Date 29 / 10 / 1990  <del>Re-certified under section 11(7) of the Subdivision Act 1988</del> <del>Council Delegate</del> <del>Council Seal</del> Date / /	<b>LTO use only</b> Statement of Compliance/ Exemption Statement Received <input checked="" type="checkbox"/> Date 25 / 3 / 91  <b>LTO use only</b> PLAN REGISTERED TIME 4.15 PM DATE 23 / 10 / 91 Assistant Registrar of Titles  <b>Notations</b>  <b>Depth Limitation:</b> TO SO MUCH AS LIES ABOVE THE DEPTH OF 15.24m BELOW THE SURFACE FOR THE LAND MARKED E-1 ONLY.		
<b>Easement Information</b>				
<b>Legend:</b> A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				
<b>Easement Reference</b>	<b>Purpose</b>	<b>Width (Metres)</b>	<b>Origin</b>	<b>Land Benefited/In Favour Of</b>
E-1	DRAINAGE	SEE DIAGRAM	CROWN GRANT VOL 8085 FOL 380	SEE CROWN GRANT VOL 8085 FOL 380



<b>beveridge williams &amp; co. pty. ltd.</b> SURVEYORS · PLANNERS · ENGINEERS Wonthaggi - 31 Murray Street 3995 (056) 72 1505		LICENSED SURVEYOR (PRINT)..... PETER ALAN TOOLE ..... SIGNATURE..... DATE 6 / 6 / 90 REF 5050/2 VERSION	Sheet 1 of 1 Sheets DATE 29 / 10 / 90 COUNCIL DELEGATE SIGNATURE Original sheet size A3
ORIGINAL	SCALE	LENGTHS ARE IN METRES 	
SCALE AS SHOWN	SHEET SIZE A3		

# PLANNING CERTIFICATE

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

## CERTIFICATE REFERENCE NUMBER

547003

## APPLICANT'S NAME & ADDRESS

CORNWALL STODART C/- INFOTRACK C/- LANDATA  
MELBOURNE

## VENDOR

PRAINITO, MIRANDA BONNIE

## PURCHASER

N/A, N/A

## REFERENCE

356066

This certificate is issued for:

PLAN PC351296 ALSO KNOWN AS 32 BLACKNEY ROAD THE GURDIES  
BASS COAST SHIRE

The land is covered by the:

BASS COAST PLANNING SCHEME

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

The land:

- is included in a FARMING ZONE
- is within a BUSHFIRE MANAGEMENT OVERLAY
- and a ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1
- and a LAND SUBJECT TO INUNDATION OVERLAY

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

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

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

10 October 2018

**Hon. Richard Wynne MP**  
Minister for Planning

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.

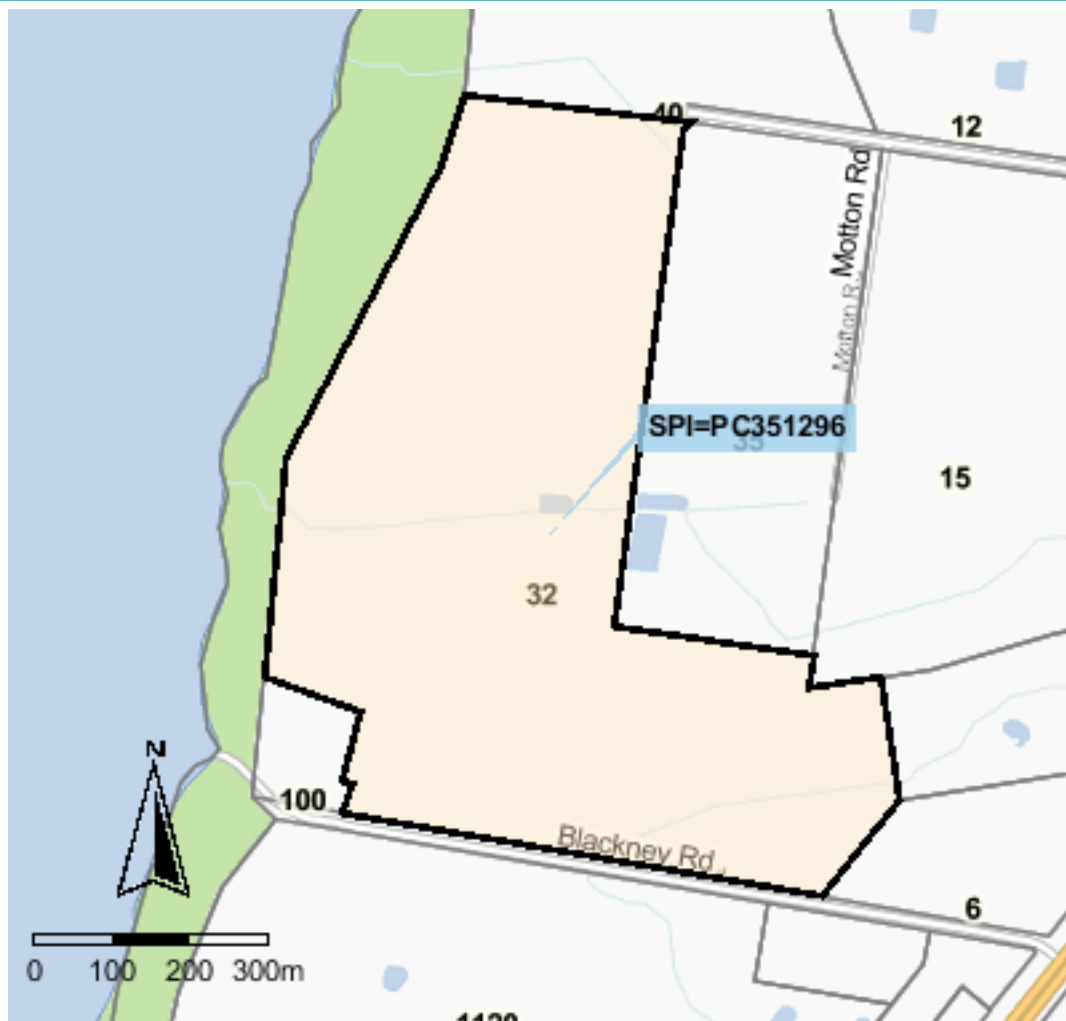
LANDATA®  
2 Lonsdale Street  
Melbourne VIC 3000  
Tel: (03) 9194 0606

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.**



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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.

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# Planning Property Report

from [www.planning.vic.gov.au](http://www.planning.vic.gov.au) on 01 November 2018 11:06 AM

**Address:** 32 BLACKNEY ROAD THE GURDIES 3984

**Lot and Plan Number:** Plan PC351296

**Local Government (Council):** BASS COAST **Council Property Number:** 7041500300.0000

**Directory Reference:** VicRoads 96 A7

## Planning Zone

[FARMING ZONE \(FZ\)](#)

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

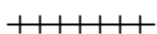


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Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

### Zones Legend

ACZ - Activity Centre	IN1Z - Industrial 1	R1Z - General Residential
B1Z - Commercial 1	IN2Z - Industrial 2	R2Z - General Residential
B2Z - Commercial 1	IN3Z - Industrial 3	R3Z - General Residential
B3Z - Commercial 2	LDRZ - Low Density Residential	RAZ - Rural Activity
B4Z - Commercial 2	MUZ - Mixed Use	RCZ - Rural Conservation
B5Z - Commercial 1	NRZ - Neighbourhood Residential	RDZ1 - Road - Category 1
C1Z - Commercial 1	PCRZ - Public Conservation & Resource	RDZ2 - Road - Category 2
C2Z - Commercial 2	PDZ - Priority Development	RGZ - Residential Growth
CA - Commonwealth Land	PPRZ - Public Park & Recreation	RLZ - Rural Living
CCZ - Capital City	PUZ1 - Public Use - Service & Utility	RUZ - Rural
CDZ - Comprehensive Development	PUZ2 - Public Use - Education	SUZ - Special Use
DZ - Dockland	PUZ3 - Public Use - Health Community	TZ - Township
ERZ - Environmental Rural	PUZ4 - Public Use - Transport	UFZ - Urban Floodway
FZ - Farming	PUZ5 - Public Use - Cemetery/Crematorium	UGZ - Urban Growth
GRZ - General Residential	PUZ6 - Public Use - Local Government	Urban Growth Boundary
GWAZ - Green Wedge A	PUZ7 - Public Use - Other Public Use	
GWZ - Green Wedge	PZ - Port	



Railway



River, stream



Lake, waterbody

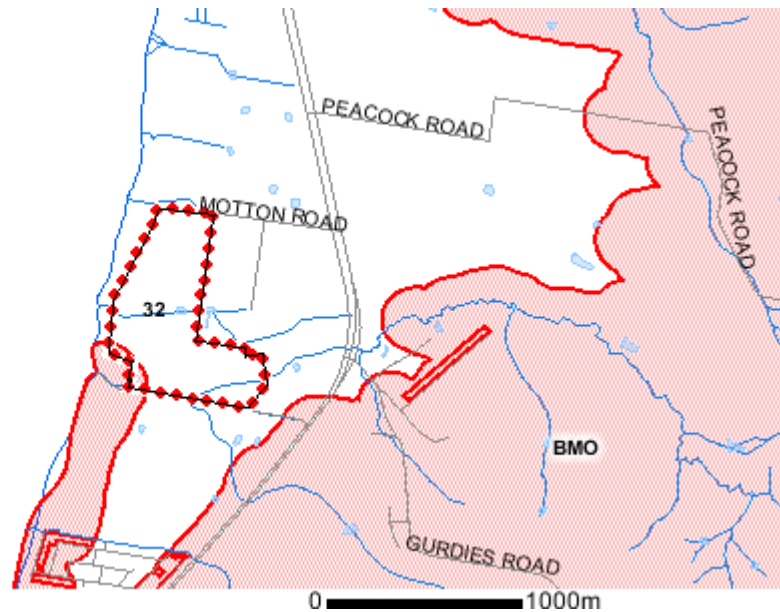
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## Planning Overlays

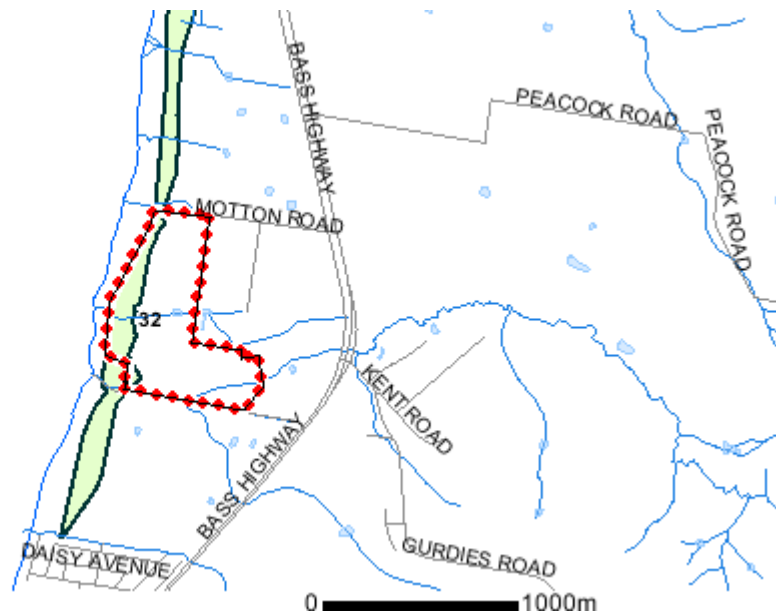
### BUSHFIRE MANAGEMENT OVERLAY (BMO)



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### ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

#### ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 (ESO1)



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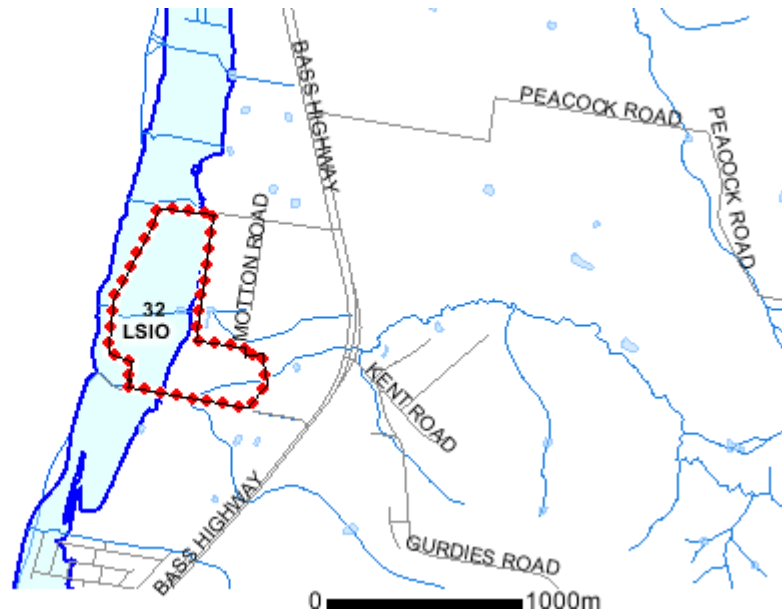
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## Planning Overlays

LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

LAND SUBJECT TO INUNDATION OVERLAY SCHEDULE (LSIO)



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### OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

DESIGN AND DEVELOPMENT OVERLAY (DDO)

PUBLIC ACQUISITION OVERLAY (PAO)



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## Planning Overlays Legend

### Overlays Legend

 AEO - Airport Environs	 IPO - Incorporated Plan
 BMO - Bushfire Management	 LSIO - Land Subject to Inundation
 CLPO - City Link Project	 MAEO1 - Melbourne Airport Environs 1
 DCPO - Development Contributions Plan	 MAEO2 - Melbourne Airport Environs 2
 DDO - Design & Development	 NCO - Neighbourhood Character
 DDOPT - Design & Development Part	 PD - Parking
 DPO - Development Plan	 PAO - Public Acquisition
 EAO - Environmental Audit	 RO - Restructure
 EMO - Erosion Management	 RCO - Road Closure
 ESO - Environmental Significance	 SBO - Special Building
 FO - Floodway	 SLO - Significant Landscape
 HO - Heritage	 SMO - Salinity Management
 ICPO - Infrastructure Contributions Plan	 SRD - State Resource
 Railway	 VPD - Vegetation Protection
 Tram	 River, stream
 River, stream	 Lake, waterbody

Note: due to overlaps some colours on the maps may not match those in the legend.

## Areas of Aboriginal Cultural Heritage Sensitivity

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

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2007, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

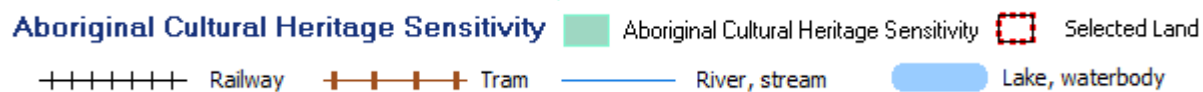
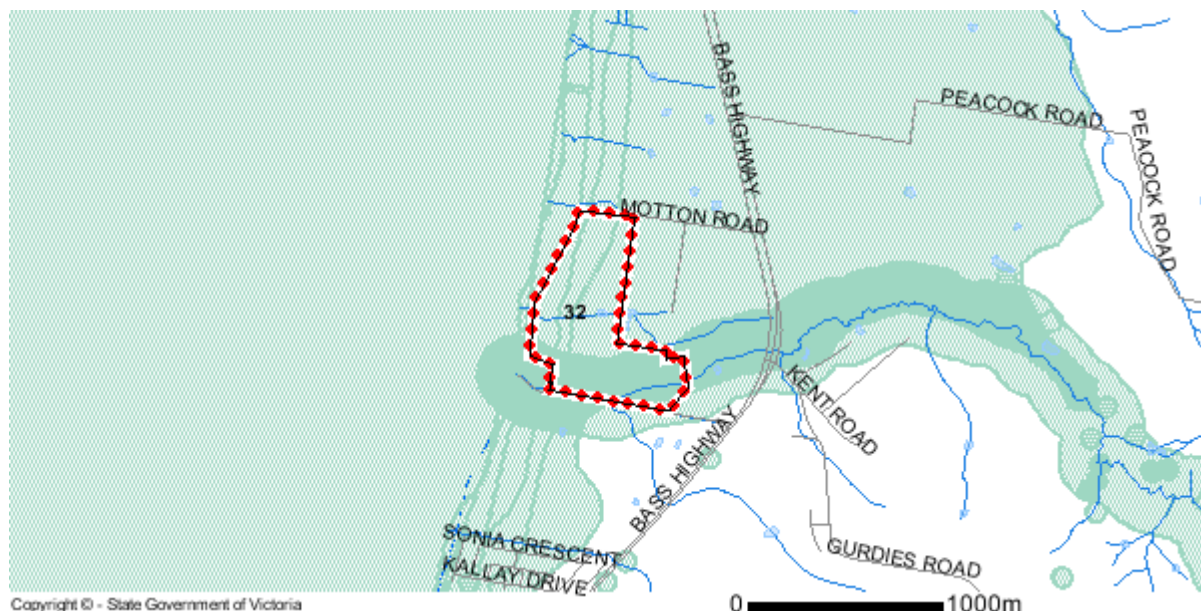
Under the Aboriginal Heritage Regulations 2007, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

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

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

For further information about whether a Cultural Heritage Management Plan is required go to <http://www.aav.nrms.net.au/aavQuestion1.aspx>

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2007, can also be found here - <https://www.vic.gov.au/aboriginalvictoria/heritage/planning-and-heritage-management-processes.html>



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## Further Planning Information

Planning scheme data last updated on 30 October 2018.

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, local, particular and general provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting [Planning Schemes Online](#)

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the Planning & 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](#)

For details of surrounding properties, use this service to get the Reports for properties of interest

To view planning zones, overlay and heritage information in an interactive format visit [Planning Maps Online](#)

For other information about planning in Victoria visit [www.planning.vic.gov.au](http://www.planning.vic.gov.au)

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# Designated Bushfire Prone Areas

from [www.planning.vic.gov.au](http://www.planning.vic.gov.au) on 10 October 2018 10:05 AM

**Address:** 32 BLACKNEY ROAD THE GURDIES 3984

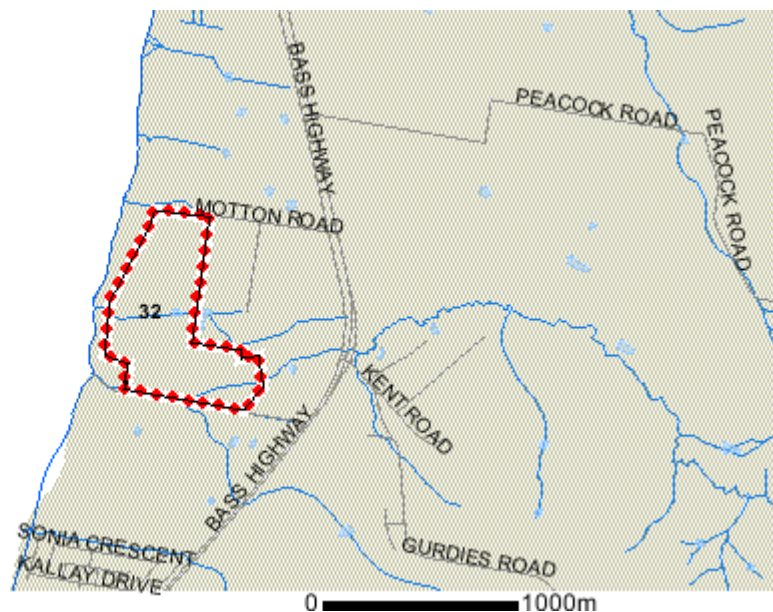
**Lot and Plan Number:** Plan PC351296

**Local Government (Council):** BASS COAST **Council Property Number:** 7041500300.0000

**Directory Reference:** VicRoads 96 A7

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

## Designated Bushfire Prone Area Map



### Bushfire Prone Area Legend

	Bushfire Prone Area		Selected Land
	Railway		River, stream
	Tram		Lake, waterbody

Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011, as amended by gazette notices on 25 October 2012, 8 August 2013, 30 December 2013, 3 June 2014, 22 October 2014, 29 August 2015, 21 April 2016, 18 October 2016, 2 June 2017, 6 November 2017 and 16 May 2018.

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 via the Bushfire Prone Areas Map Service at <http://services.land.vic.gov.au/maps/bushfire.jsp> 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 in the Building Commission section of the Victorian Building Authority website [www.vba.vic.gov.au](http://www.vba.vic.gov.au)

Copies of the Building Act and Building Regulations are available from [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)

For Planning Scheme Provisions in bushfire areas visit [Planning Schemes Online](#)

For Planning Scheme Provisions for this property return to the GetReports list and select the Planning Property Report.

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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32(2)(dc) of the Sale of Land 1962 (Vic).

# Extract of EPA Priority Site Register

Page 1 of 1



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

## PROPERTY INQUIRY DETAILS:

STREET ADDRESS: 32 BLACKNEY ROAD  
SUBURB: THE GURDIES  
MUNICIPALITY: BASS COAST  
MAP REFERENCES: Vicroads Eighth Edition, State Directory, Map 96 Reference A7  
DATE OF SEARCH: 1st November 2018

## PRIORITY SITES REGISTER REPORT:

A search of the Priority Sites Register for the above map references, corresponding to the address given above, has indicated that this site is not listed on, and is not in the vicinity of a site listed on the Priority Sites Register at the above date.

## IMPORTANT INFORMATION ABOUT THE PRIORITY SITES REGISTER:

You should be aware that the Priority Sites Register lists only those sites for which EPA has requirements for active management of land and groundwater contamination. Appropriate clean up and management of these sites is an EPA priority, and as such, EPA has issued either a:

Clean Up Notice pursuant to section 62A, or a

Pollution Abatement Notice pursuant to section 31A or 31B

of the Environment Protection Act 1970 on the occupier of the site to require active management of these sites.

The Priority Sites Register does not list all sites known to be contaminated in Victoria. A site should not be presumed to be free of contamination just because it does not appear on the Priority Sites Register.

Persons intending to enter into property transactions should be aware that many properties may have been contaminated by past land uses and EPA may not be aware of the presence of contamination. EPA has published information advising of potential contaminating land uses. Municipal planning authorities hold information about previous land uses, and it is advisable that such sources of information also be consulted.

For sites listed on the Priority Sites Register, a copy of the relevant Notice, detailing the reasons for issue of the Notice, and management requirements, is available on request from EPA for \$8 per Notice.

For more information relating to the Priority Sites Register, refer to EPA contaminated site information bulletin: Priority Sites Register Contaminated Land Audit Site Listing (EPA Publication 735). For a copy of this publication, copies of relevant Notices, or for more information relating to sites listed on the Priority Sites Register, please contact EPA as given below:

Environment Protection Authority Victoria  
GPO Box 4395 Melbourne Victoria 3001  
Tel: 1300 372 842

[Extract of Priority Sites Register] # 30025458 - 30025458092025  
'356066'



# Catchment and Land Protection (Section 90)

**Cornwall Stodart C/- InfoTrack**  
**135 King Street**  
**SYDNEY 2000**

## **CERTIFICATE**

Pursuant to Section 90 of the *Catchment and Land Protection Act 1994*

YOUR REF: **356066**

CERTIFICATE NO: **29806549**

This Certificate is issued for the following property:

PROPERTY ADDRESS:

**32 Blackney Road, The Gurdies**

PROPERTY DESCRIPTION:

Lot/Plan:

**PC351296E**

Crown description:

Volume/Folio:

**10040/817**

Directory reference:

- 
- |  |            |
|--|------------|
| 1. A regional catchment strategy applies to the land.            | <b>YES</b> |
| 2. The land is in a special area.                                | No         |
| 3. A special area plan applies to the land.                      | No         |
| 4. A land use condition applies to the land.                     | No         |
| 5. A land management notice is in force in relation to the land. | No         |
| 6. A copy of the land management notice is attached.             | No         |
- 

**By Authority**

**Secretary to the Department of Environment, Land, Water & Planning**

**DATED: 10/10/2018**

23 October 2018

Cornwall Stodart C/- InfoTrack C/- LANDATA

2 Lonsdale Street Melbourne

Dear Cornwall Stodart C/- InfoTrack C/- LANDATA,

Proposal: Flood level certificates

Site Location : (PC351296) 32 BLACKNEY ROAD, THE GURDIES 3984

Melbourne Water reference: MWA-1088636

Eflood reference number: 29806549

Date referred: 10/10/2018

Applicable Flood Level:

The property is traversed by Hurdy Gurdy Creek (DR3831). Detailed flood modelling has not been undertaken along this waterway, so flood levels to Australian Height Datum are not available. Some preliminary estimation of flooding shows that once the capacity of the waterway is exceeded, floodwaters will spread out across the property. The depth of flow across the property would average 0.2m to 0.3m.

The property is also subject to inundation from Western Port Bay. The estimated flood level for this property is 3.1metres to Australian Height Datum (AHD), that has an Annual Exceedance Probability AEP, that is, a 1% probability of being equalled or exceeded in any one year.

A licensed surveyor should be engaged to determine the exact effect of the applicable flood level on the property.

The property may be affected by more frequent flooding. To determine whether the property is affected by flooding from the local drainage system, please consult your local Council.

Important to note:

Melbourne Water provides flood advice under Section 202(2) of the Water Act 1989.

This letter does not constitute approval for any proposed development for planning or building.

To obtain flow rate velocity information or Melbourne Water's requirements for any proposed development, please contact our Customer Service Centre on 131 722 or

make an application [here](#).

The flood level advice provided is based on the most accurate information currently available. This estimated flood information may change and is valid for 3 months from the date of this letter. If you are proposing to develop this land after such time, it is recommended that new advice be obtained from Melbourne Water.

#### Advice

The Victorian Coastal Strategy 2014 identifies the need to plan for sea level rise of not less than 0.8 metres by 2100 when assessing risks and impacts associated with climate change. Melbourne Water, as the relevant floodplain management authority has identified that this property may be affected by increases to the mean sea level of Western Port.

For more information in relation to flooding or additional services that Melbourne Water can provide please visit our [website](#).

For general development enquiries contact our Customer Service Centre on 131722.

Regards,

A handwritten signature in black ink, appearing to be 'SK' with a stylized flourish at the end.

Shobana Kirupanantha  
CSR

## **CERTIFICATE**

Pursuant to Section 58 of the *Heritage Act 2017*

**Cornwall Stodart C/- InfoTrack  
135 King Street  
SYDNEY 2000**

CERTIFICATE NO:  
**30047031**

PROPERTY ADDRESS:  
**32 BLACKNEY ROAD  
THE GURDIES**

PARCEL DESCRIPTION:  
**PC351296E**

1. The place or object is not included in the Heritage Register.
2. The place is not in a World Heritage Environs Area.
3. The place or object is not subject to an interim protection order.
4. A nomination has not been made for inclusion of the place or object in the Heritage Register.
5. The place or object is not being considered for inclusion in the Heritage Register.
6. The site is not included in the Heritage Inventory.
7. A repair order is not in force in respect of the place or object.
8. There is not an order of the Supreme Court under Division 3 of Part 10 in force in respect of the place or object.
9. There is not a Governor in Council declaration made under section 227 in force against the owner of the place or object.
10. There is not a court order made under section 229 in force against a person in respect of the place or object.
11. There are no current proceedings for a contravention of this Act in respect of the place or object.
12. There has not been a rectification order issued in respect of the place or object.



**CERTIFICATE**

Pursuant to Section 58 of the *Heritage Act 2017*

A handwritten signature in black ink, appearing to read "Alan King".

**Executive Director**

**DATED: 02/11/2018**

*Note: This Certificate is valid at the date of issue.*



## Victorian Aboriginal Heritage Register – Advice as to the existence of records in relation to a nominated area of land.

Reference Number:

21804

### SECTION 1 – Applicant Information

Name of applicant:

Ms Thandi Ellis

Organisation:

InfoTrack

Postal address:

North Tower, Level 5/459 Collins Street

Melbourne

VIC 3000

Telephone number:

03 8609 4740

Email address:

vicsearching@infotrack.com.au

Customer Reference No.

1045128

### SECTION 2 – Land Description (as provided by the applicant)

Subdivisional References (Lot / Plan):

PC351296E

Crown References:

Title References (Volume / Folio) :

10040/817

Street Address:

32 BLACKNEY ROAD, THE GURDIES 3984

Other description:

Order Id 52091564

Directory Reference:

96A7

Directory:

VicRoads

### SECTION 3 – Registered Information

Are there any registered Aboriginal Places or Objects on the nominated area of land?

No

Are there any other areas of cultural heritage sensitivity associated with the nominated area of land? (See over).

Yes

Does the Register contain a record of a notified place (ie a place reported but not yet inspected) in relation to the nominated area of land?

No

Does a stop order exist in relation to any part of the nominated area of land?

No

Does an interim or ongoing protection declaration exist in relation to any part of the nominated area of land?

No

Does a cultural heritage agreement or Aboriginal cultural heritage land management agreement exist in relation to any part of the nominated area of land?

No

Signed:

Date: 19/Nov/2018



Heather Bannerman  
 Manager, Heritage Information  
 Aboriginal Victoria

**SECTION 4 – Terms & Conditions****Terminology**

In these terms and conditions, the expressions "we", "us" and "our" are a reference to the Government of the State of Victoria, acting through Aboriginal Victoria, an agency of the Department of Premier and Cabinet.

**Advice provided from the Register**

Access to the information requested from the Register in the "Application for advice as to the existence of records in relation to a nominated area of land" form (the "Form") is subject to the discretion of the Secretary and the requirements of the Act.

The absence of records on the Register for a nominated area of land does not necessarily mean that the area is devoid of Aboriginal cultural heritage values. Applicants should be aware of the provisions of s.17 and s.24 of the *Aboriginal Heritage Act 2006*, which require the reporting of Aboriginal remains, Aboriginal places and objects discovered in Victoria. Applicants should also be aware that it is an offence under the *Aboriginal Heritage Act 2006* to harm Aboriginal cultural heritage, for which significant penalties apply. This advice does not abrogate any requirement to prepare a Cultural Heritage Management Plan under the *Aboriginal Heritage Act 2006*.

**Specific conditions of advice provided from the Register for an application under s.147**

The Secretary, Department of Premier and Cabinet may refuse to provide any information to the Applicant if the provision of the information would be likely to endanger Aboriginal cultural heritage (refer to s.147 (4) of the Act).

**Use of information**

Information provided to the Applicant from the Register as a result of this application and for the land described in Section 2 ("Information") may only be used for the purposes nominated by the Applicant in the Form (and for no other purposes). The Information may not be on-sold or rebadged without our written permission.

**Documents to be lodged with Registrar**

Two copies (one of which must be in digital format) of any article, publication, report or thesis which relies on any Information provided to the Applicant must be lodged with the Registrar as soon as practicable after their completion.

**Acknowledgment of source of Information**

We must be acknowledged in any article, publication, report or thesis (including a newspaper article or display) which incorporates or refers to material supplied from the Register.

**Copyright**

We retain copyright in all materials for which legal title of the relevant organisation is clear. Apart from fair dealing for the purposes of private study, research, criticism or review, as permitted under the copyright legislation, and apart from uses specifically authorised by these terms and conditions, no part may be reproduced or reused for any commercial purposes whatsoever.

Specifically, and other than for the purposes of and subject to the conditions prescribed in the *Copyright Act 1968* (Cth), you may not in any form or by any means adapt, reproduce, store, create derivative works, distribute, print, display, perform, publish or commercialise the Information without our written permission.

**Disclaimer**

The Information is provided for information purposes only. Except as expressly stated to the contrary, no claim is made as to the accuracy or authenticity of its content. The Information is provided on the basis that any persons having access to it undertake responsibility for assessing the relevance and accuracy of its content. We do not accept responsibility for any loss or damage, however caused (including through negligence) which you may directly or indirectly suffer in connection with your use of the Information, nor do we accept any responsibility for any such loss arising out of your use or reliance (or any other person's use or reliance) on the Information.

The disclaimer set out in these terms and conditions is not affected or modified by any of the other terms and conditions in these Terms and Conditions. Nevertheless, our disclaimer does not attempt to purport to exclude liability in relation to any term implied by law which cannot be lawfully excluded.

**Indemnity**

You agree to indemnify and hold us, our agents and employees, harmless from any claim or demand, made by any third party due to, or arising out of or in connection with, your breach of these terms and conditions, or your infringement of any rights of a third party, or the provision of any information to a third party.

**Governing Law**

These terms and conditions are governed by the laws in force in the State of Victoria, Australia.

**Third Party Disclosure**

Where the information obtained from the Register is provided to a third party, details of the above Terms and Conditions must also be provided.

**Areas of Cultural Heritage Sensitivity**

You can find out more about 'areas of Aboriginal Cultural Heritage Sensitivity' including maps showing these areas, at

<http://www.dpc.vic.gov.au/index.php/aboriginal-affairs/heritage-tools/areas-of-cultural-heritage-sensitivity>>

22 October 2018

Via email: [landata.online@delwp.vic.gov.au](mailto:landata.online@delwp.vic.gov.au)

## Regulation 51(2) Building Permit Information

Dear sir/madam,

**Address: 32 Blackney Road The Gurdies**  
**Your Ref: 29806549-013-7**

I refer to your recent request for Building Permit Information relating to the above property, and advise that with regard to your request for property information, a check of Council's records indicates the following:

• Is the land designated under Regulation 150, Building Regulations 2018 as an area in which buildings are likely to be subject to attack by termites?	<b>YES</b>
• Is the land in an area determined under Regulation 152, Building Regulations 2018 as likely to be subject to significant snowfalls?	<b>NO</b>
• Is the land liable to flooding within the meaning of Regulation 153, Building Regulations 2018?	<b>YES</b>
• Is the land designated land within the meaning of Regulation 154, Building Regulations 2018?	<b>NO</b>

### Designated Bushfire Prone Areas

As of the 8<sup>th</sup> September 2011 the Minister determines that areas which are subject , or which are likely to be subject, to bushfires are designated bushfire prone areas.

Refer [www.land.vic.gov.au](http://www.land.vic.gov.au) for mapping information.

### Notes:

1. Land Liable to Flooding:  
For further information on land liable to flooding contact the Statutory Planning Department at Bass Coast Shire Council or the local Catchment Management Authority.
2. Planning & Legal Point of Discharge:  
For Planning permit information or a legal point of discharge, contact the Bass Coast Shire Council planning and infrastructure departments respectively. Forms may be found on our website at [www.basscoast.vic.gov.au](http://www.basscoast.vic.gov.au).

3. Council does not have details on the presence of landslip within the municipality. Details regarding wind speeds should be directed to your chosen design engineer for confirmation and compliance with the relevant Australian Standards.

Information supplied in accordance with Regulation 51 of the Building Regulations 2018 is provided based on the information contained in records held by Council.

Should you require any further information please contact this office on 1300 BCOAST (226 278).

Yours faithfully



Cindy Kent

**Administration Officer**  
**Municipal Building Services & Enforcement**  
**Strategy & Growth**

22 October 2018

[landata.online@delwp.vic.gov.au](mailto:landata.online@delwp.vic.gov.au)

## Form 51(1) Building Permit Information

Dear Sir/Madam

**Address: 32 Blackney Road The Gurdies**

**Our Ref: 7041500300**

**Your Ref: 29806549-013-7**

I refer to your recent request for Building Permit Information relating to the above property, and advise that our records contain information relating to Building Permits, Occupancy Permits or Certificate of Final Inspection issued during the past ten (10) years:

Building Permit No: 1419 20145707/0 was issued on 08 Jan 2015 for Dwelling & Garage, Issued By David Madeira (BSU-27484)

Works:- Occupancy Permit number 1419 20145707/0 was issued on 20 Jul 2015

**Details of any current statements issued under Reg 64(1) or 231(2) of the building regulations 2018:** NIL

**Details of any current building notices or orders issued:** NIL

For Planning permit information or a legal point of discharge, contact councils planning and infrastructure departments respectively. Forms may be found on our website at [www.basscoast.vic.gov.au](http://www.basscoast.vic.gov.au). Council does not have details on the presence of landslip within the municipality. Details regarding wind speeds should be directed to the design engineer for confirmation and compliance with the relevant Australian Standards.

Information supplied in accordance with Regulation 51 of the Building Regulations 2018 is provided based on the information contained in records held by Council. Should you require any further information please contact this office on 1300 BCOAST (226 278).

Yours faithfully



Cindy Kent

**Administration Officer**

**Municipal Building Services & Enforcement**

## ROADS PROPERTY CERTIFICATE

The search results are as follows:

Cornwall Stodart C/- InfoTrack  
135 King Street  
SYDNEY 2000  
AUSTRALIA

Client Reference: 356066

NO PROPOSALS. As at the 10th October 2018, VicRoads has no approved proposals requiring any part of the property described in your application. You are advised to check your local Council planning scheme regarding land use zoning of the property and surrounding area.

This certificate was prepared solely on the basis of the Applicant-supplied address described below, and electronically delivered by LANDATA®.

32 BLACKNEY ROAD, THE GURDIES 3984  
BASS COAST SHIRE

This certificate is issued in respect of a property identified above. VicRoads expressly disclaim liability for any loss or damage incurred by any person as a result of the Applicant incorrectly identifying the property concerned.

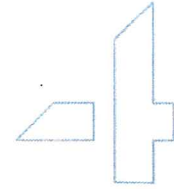
Date of issue: 10th October 2018

Telephone enquiries regarding content of certificate: 13 11 71

# BUILDING PERMIT

Form 2 Building Act 1993 Building Regulations 2006 - Regulation 313

Permit No: 1419 20145707/0



GROUP FOUR  
BUILDING SURVEYORS

## Issued To:

Anchor Homes - Gippsland  
55 Industrial Road  
STRATFORD, VIC 3862  
Phone: (03) 5145-7110

## Builder:

Anchor Homes  
55 Industrial Road  
STRATFORD, VIC 3862  
Phone: (03) 5145-7110

## City/Shire:

Bass Coast

## Ownership:

H Douglas  
455 Caldermeade Road  
CALDERMEADE, VIC 3984

## Property Address:

110 Blackney Road (Motton Lane Entry), THE GURDIES 3984

## Project Description:

Construction of Detached dwelling & Garage (1ai & 10a) - Single storey dwelling and garage

Title Details: LP/PS: 351296E, Vol: 10040, Folio: 817

## Building Classification: 1ai & 10a

Stage of work permitted: As shown on the approved plans

Existing dwellings: 0 Demolished dwellings: 0 Constructed dwellings: 1

Total new floor area (m2): 220.3 Cost of building work:

## Practitioners:

Mr C.D Watts	EC 1402	Engaged to prepare documents	Engineer - Civil
T.Messer	EC 36692	Engaged to prepare documents	Engineer - Civil
Mr K Raikes	DB-U 2108	Engaged in the building work	Builder - Domestic - Unlimited

## Domestic Building Work Insurance:

Insured by: QBE residential builders warranty insurance Policy Number: 460055165BWI-54 Policy Issued: 22-Dec-2014

## Reporting Authorities:

Reporting Authority	Matter Reported On	Regulation
Council	Installation or alteration of a septic tank system, or construction of a building over an	reg. 801(1)

## Required Inspections: (For Building Inspections phone (03) 9544-0544)

- Stump Hole
- Frame Anchor Homes factory
- Final - Dom/Res
- Footing

08-Jan-2016

08-Jan-2017

An Occupancy Permit is required prior to the occupation or use of this building.

52677

Group Four Building Surveyors  
ABN 96158953425  
www.groupfour.com.au

1st Floor, 12 Hardner Road MOUNT WAVERLEY VIC 3149  
TEL (03) 9544-0544  
FAX (03) 9544-0244  
EMAIL reception@groupfour.com.au

# BUILDING PERMIT

Form 2 Building Act 1993 Building Regulations 2006 - Regulation 313

Permit No: 1419 20145707/0



GROUP FOUR  
BUILDING SURVEYORS

## Property Address:

110 Blackney Road (Motton Lane Entry), THE GURDIES 3984

## Project Description:

Construction of Detached dwelling & Garage (1ai & 10a) - Single storey dwelling and garage

## Documents Supporting Application:

<u>Document Name</u>	<u>Prepared By</u>
- Certificate of Title	PermitPro
- Report and Consent - Septic Tank - Regulation 801	PermitPro
- Property Information - Building	
- Structural Form 1507	
- Architectural Drawings	
- BAL Assessment	
- Builders Warranty Insurance	
- Energy Rating Report	
- Ownership Details	
- Land Capability Assessment Report	
- Soil Report	
- Structural Drawings	
- Structural Form 1507 - Shed	
- Structural Drawings - Shed	
- Energy Rating Report - Endorsed Drawings	
- Application Form	

## Permit Conditions:

- All relevant Planning Conditions and covenants on title must be complied with.
- The work must be carried out strictly in conformity with the endorsed plans and specifications, one copy of which must be kept on site and made available for inspection while the work is in progress.
- There must be no unauthorized encroachment of any part of the work beyond the building alignment.
- All building works are to be carried out in accordance with the endorsed building permit documents and/or suitable equivalent to the satisfaction of the Building Inspector and/or the Relevant Building Surveyor.
- Truss computations, certification and layouts to be submitted for approval prior to the frame inspection.
- Energy rating certificates to be submitted prior to the occupancy permit. Please supply a plumbing certificate for the installation of the rain water tank.
- The Dwelling is to be protected against bush fire in accordance with AS 3959 -2009. Bal 12.5
- Energy rating certificates to be submitted prior to the occupancy permit. Please supply a plumbing certificate for the installation of the rain water tank.
- It is the Builders responsibility to ensure that the storm water is dispersed a minimum of 10 meters from any building and boundary line and ensure that the storm water discharge point does not cause a nuisance to any building or adjoining property.

Signed:

Building Surveyor: Gary Gommers

Date permit issued:

08-Jan-2015

Registration No:

BS-U 1419

Assessing Officer: Jarrad Gray

Authorised:

52677

Group Four Building Surveyors  
ABN 96158953425  
www.groupfour.com.au

1st Floor, 12 Hardner Road MOUNT WAVERLEY VIC 3149  
TEL (03) 9544-0544  
FAX (03) 9544-0244  
EMAIL reception@groupfour.com.au



# BUILDING PERMIT

Form 2 Building Act 1993 Building Regulations 2006 - Regulation 313

Permit No: 1419 20145707/0



GROUP FOUR  
BUILDING SURVEYORS

## Property Address:

110 Blackney Road (Motton Lane Entry), THE GURDIES 3984

## Project Description:

Construction of Detached dwelling & Garage (1ai & 10a) - Single storey dwelling and garage

## Terms and Conditions

### 1. Role of Group Four

#### 1.1 Professional Standard of Care

In performing the Services, Group Four shall:

(a) exercise the degree of reasonable skill, care and diligence;

(b) and maintain the ethical standards; normally expected of the profession of building surveyors.

1.2 Notice of Matters Likely to Change Scope or Timing of Services If Group Four becomes aware of anything which may change the scope or timing or cost of the Services, then it shall as soon as practicable give written notice to the Client. The notice shall as far as practicable contain particulars of the change.

### 2. Payment to Group Four for Services

#### 2.1 Client to Make Payment

In consideration of the promise by Group Four to perform the Services, the Client promises to pay to Group Four the fees and the expenses as set out in Group Four's Letters.

#### 2.2 Timing of Payment

At or after the time that any part of the Services are performed by Group Four, Group Four may give the Client an account for that part of the Services performed and for any expenses incurred. The Client shall pay the full amount owing in respect of each account within fourteen (14) days of issue of the account.

#### 2.3 Interest on Overdue Payment

In addition to all other rights and remedies of Group Four, if the Client fails to pay all monies as and when due, Group Four shall be entitled to recover interest at the higher of 15% per annum and the rate that is 2% higher than the rate for the time being fixed under Section 2 of the Penalty Interest Rates Act 1983.

#### 2.4 Disputed Claims

If the Client disputes the whole or any portion of the amount claimed in an account submitted by Group Four, then it shall pay that portion of the amount stated in the account which is not in dispute and it shall notify Group Four in writing of the reasons for disputing the account. If it is established that some or all of the amount in dispute ought properly to have been paid at the time it was first claimed, then the Client shall pay the amount finally established together with interest on that amount in accordance with clause 3.3.

#### 2.5 Payment of Costs if Building Works Delayed

If the performance of the Services is delayed beyond a reasonable period for any reason other than a breach of the Agreement by Group Four, then the Client shall pay to Group Four a reasonable sum of money to cover the consequential costs and expenses suffered by Group Four as a result of the delay.

#### 2.6 Effect of Termination on Right to Payment

If the engagement of Group Four is terminated for any reason other than for breach of these Terms of Engagement by Group Four, then Group Four shall be entitled to pro rata payment for the Services carried out and consequential costs and expenses incurred as a result of the termination, for the period up to and including the date of termination.

#### 2.7 Changes in Laws

If after the date of these Terms of Engagement there is any change to the laws, by-laws, regulations or ordinances of the Commonwealth of Australia or a State or Territory of Australia or any statutory authority and that change directly or indirectly increases or decreases the costs or expenses incurred by Group Four in performing the Services, then the fees and expenses otherwise payable to Group Four under these Terms of Engagement shall be increased or decreased accordingly.

### 3. Scope of Liability

#### 3.1 Direct and Indirect Loss

The liability of Group Four to the Client arising out of the performance or non-performance of the Services, whether under the law of contract, tort or otherwise shall be limited to the direct cost of rectifying the Building Works.

#### 3.2 Maximum Amount of Liability

The maximum liability of Group Four to the Client arising out of the performance or non-performance of the Services, whether under the law of contract, tort or otherwise, shall be the amount of \$50,000.00.

#### 3.3 Release

The Client releases Group Four from, and agrees that Group Four is not liable for, any liability or loss arising from or any costs incurred in connection with the Services in excess of the Group Four's liability determined in accordance with clause 4.2.

#### 3.4 Duration of Liability

Group Four shall be deemed to have been discharged from all liability in respect of the Services, whether under the law of contract, tort or otherwise, at the expiration of one (1) year from the completion of the Services, and the Client (and persons claiming through or under the Client) shall not be entitled to commence any action or claim whatsoever against Group Four (or any employee of Group Four) in respect of the Services after that date.

#### 3.5 Extent of Warranty

Except to the extent imposed by law or specifically provided for in these Terms of Engagement, Group Four does not give any warranty nor accept any liability in relation to the performance or non-performance of the Services. If, apart from this clause, any warranty would be implied whether by law, custom or otherwise, that warranty is to the full extent permitted by law hereby excluded. Nothing herein, contained shall be read or applied so as to purport to exclude, restrict or modify or have the effect of excluding, restricting or modifying the application in relation to the supply of any goods or services pursuant to these Terms of Engagement of all or any of the provisions of Part V of the Trade Practices Act 1974 (as amended) or any relevant State Act or Territorial Ordinance which by law cannot be excluded, restricted or modified.

### 3.6 Indemnity

The Client shall indemnify and keep indemnified Group Four from and against all suits, actions, claims or demands by any person for any loss, damages, expense or costs as a result of any negligence or default by the Client.

### 4.0 Termination of Services

#### 4.1 Termination by Client

Subject always to the provisions of the Building Act 1983 (as amended), the Client may by notice in writing served on Group Four terminate the Group Four's engagement under these Terms of Engagement.

(a) If Group Four is in breach of the provisions of these Terms of Engagement and the breach has not been remedied within twenty-eight (28) days (or such longer period as the Client may allow) of the service by the Client on Group Four of a notice requiring the breach to be remedied, or

(b) If the Client serves on Group Four a notice requiring that these Terms of Engagement be terminated on a date specified in the notice being not less than sixty (60) days after from the date of issue of the notice.

#### 4.2 Termination by Group Four Subject always to the provisions of the Building Act 1983 (as amended), Group Four may by notice in writing served on the Client terminate Group Four's obligations under these Terms of Engagement:

(a) If the Client is in breach of the conditions of any part of clause 3 hereof and the breach has not been remedied within seven (7) days (or such longer period as Group Four may allow) of the service by Group Four on the Client of a notice requiring the breach to be remedied, or

(b) If the Client is in breach of the provisions of any other clause hereof and the breach has not been remedied within twenty-eight (28) days (or such longer period as Group Four may allow) of the service by Group Four on the Client of a notice requiring the breach to be remedied, or

(c) If Group Four serves on Group Four on the Client a notice requiring that these Terms of Engagement be terminated on a date specified in the notice being not less than sixty (60) days after the date of the notice.

#### 4.3 Termination Not to Affect Rights in Respect of Prior Breaches

Termination shall be without prejudice to any claim which either party may have against the other in respect of any breach of the provisions of these Terms of Engagement which occurred prior to the date of determination.

#### 4.4 Work-in-Progress

If Group Four's obligations are terminated, then the Client shall pay for all work-in-progress performed by Group Four up until the date of termination.

### 5. General Matters

#### 5.1 Transfer and Assignment

(a) Group Four and the Client each binds itself and its partners (if any), successors, executors, administrators, permitted assigns and legal representatives to the other party to these Terms of Engagement and to the partners (if any), successors, executors, administrators, permitted assigns and legal representatives of the other party in respect to all covenants and obligations of these Terms of Engagement.

(b) Neither Group Four nor the Client shall assign, sublet or transfer any right or obligation under the Agreement without the written consent of the other party. Unless specifically stated to the contrary in any written consent to an assignment, no assignment shall release or discharge the assignor from any obligation under these Terms of Engagement.

(c) Nothing contained in this Clause shall prevent Group Four from employing such persons or companies as it may deem appropriate to assist it in the performance of these Terms of Engagement.

#### 5.2 Consultants

If circumstances arise which require the services of a specialist or expertise outside the field of Group Four, then Group Four may with the prior approval of the Client engage the appropriate consultant. The consultant shall be engaged at the Client's expense and on its behalf. The Client's approval shall not be unreasonably withheld.

### 6. Definitions and Interpretation

#### 6.1 Definitions

Except where the context requires otherwise, "the Client" means the owner of the Property and to the extent appropriate includes the agents (including the builder), officers and employees of the owner, "fees", "expenses" and "Services" means the fees, expenses and Services referred to in Group Four's Letters to the Client, "Group Four's Letters" means Group Four's correspondence setting out its proposal to the Client and its confirmation of its engagement by the Client, "Building Works", "owner" and "Property" mean the Building Works, owner and Property described on the Application for the Building Permit.

**Severability** The parties agree that a construction of these Terms of Engagement that results in all the provisions being enforceable is to be preferred to a construction that does not so result. If however a provision of these Terms of Engagement is illegal or unenforceable, then (a) if the provision would not be illegal or unenforceable if a word or words were omitted, that word or words are severed, and (b) in any other case, the whole provision is severed, and the remainder of these Terms of Engagement continue in force.

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Group Four Building Surveyors  
ABN 96158953425  
www.groupfour.com.au

1st Floor, 12 Hardner Road MOUNT WAVERLEY VIC 3149  
TEL (03) 9544-0544  
FAX (03) 9544-0244  
EMAIL reception@groupfour.com.au

# OCCUPANCY PERMIT

Form 6 Building Act 1993 Building Regulations 2006 - Regulation 1005

Permit No: 1419 20145707/0



GROUP FOUR  
BUILDING SURVEYORS

## Property Details:

**110 Blackney Road (Motton Lane Entry), THE GURDIES 3984**

Title Details: LP/PS: 351296E, Vol: 10040, Folio: 817  
Crown Allotment: , Section: , Parish: , County: Australia  
City/Shire: Bass Coast

## Project Description:

**Construction of Detached dwelling & Garage (1ai & 10a) - Single storey dwelling and garage**

## Building Details:

<u>Part of Building</u>	<u>Permitted Use</u>	<u>BCA Class</u>	<u>Max permissible floor loading</u>
Single storey dwelling and garage	Residential	1ai & 10a	1.50

## Other Conditions:

- External steps & landings to be maintained to comply with BCA 3.9. All paving to be completed within 6 months & ensure a max step of 190mm to the dwelling.
- All cooking appliances, hot water appliances and if applicable the rain water tank to be operational prior to occupation. All services to be connected prior to occupation.
- All landscaping works to maintain a minimum distance from below weep holes of 150mm to ungraded soil; or 75mm to paving or graded soil; or 50mm to paving with a roof cover.
- All landscaping to ensure a vapour barrier is installed and maintained to the edge beam of the slab. Such vapour barrier is to extend above the height of soil.

## Suitability for Occupation:

The building or part of a building or place of public entertainment to which this permit applies is suitable for occupation.

Signed:

Building Surveyor: Gary Gommers

Registration No: BS-U 1419

Date of OP inspection: 20-Jul-2015

Date of issue: 21-Jul-2015

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EMAIL reception@groupfour.com.au

**Domestic Building Insurance  
Certificate of Insurance**

Policy Number 460055165BWI-54

QBE Insurance (Australia) Ltd  
628 BOURKE STREET  
MELBOURNE VIC 3000  
Phone: (03) 9246 2666  
Fax: (03) 9246 2611  
ABN: 78 003 191 035  
AFS License No: 239545



FRANK PRAINITO  
6 WASHINGTON ST  
TOORAK 3142

**Account Number**  
46BWADR04  
**Date Issued**  
22/12/2014

**Policy Schedule Details**

**Certificate in Respect of Insurance**

Domestic Building Contract

A contract of insurance complying with the Ministerial Order for Domestic Building Insurance issued under Section 135 of the Building Act 1993 (Vic) (Domestic Building Insurance) has been issued by QBE Insurance (Australia) Limited ABN 78 003 191 035 for and on behalf of the insurer Victorian Managed Insurance Authority a Statutory Corporation established under the Victorian Managed Insurance Authority Act 1996 (Vic), in respect of the domestic building work described below.

**Domestic Building Work**

NEW SINGLE DWELLING CONSTRUCTION CONTRACT

**At the property**

32-96110 BLACKNEY ROAD  
THE GURDIES VIC 3984

**Carried out by the builder**

ANCHOR CONSTRUCTION GROUP P/L  
ACN: 165 548 907

**! Important note:** If the builder's name and/or its ABN/ACN listed above does not exactly match with the information on the domestic building contract, please contact QBE **IMMEDIATELY**. If these details are incorrect, the domestic building work will not be covered.

**For the building owner**

FRANK PRAINITO

**Pursuant to a domestic building contract dated**

18/12/2014

**For the contract price of**

**Type of cover**

Cover is only provided if ANCHOR CONSTRUCTION GROUP P/L has died, becomes insolvent or has disappeared\*

**Period of cover**

Cover commences on the earlier of the date of the domestic building contract or date of building permit for the domestic building work and concludes:

- Two years from completion of the domestic building work or termination of the domestic building contract for non structural defects\*
- Six years from completion of the domestic building work or termination of the domestic building contract for structural defects\*

**The maximum policy limit for all claims made under this policy is**

\$300,000 all inclusive of costs and expenses\*

**The maximum policy limit for all claims for non-completion of the domestic building works is**

20% of the contract price\*

\*The cover and policy limits described in this Certificate are only a summary of the cover and limits and must be read in conjunction with, and are subject to, the terms, limitations and exclusions contained in the policy terms and conditions.



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000307-02-000000

QM1824-1207

**Domestic Building Insurance  
Certificate of Insurance**

Policy Number 460055165BWI-54

QBE Insurance (Australia) Ltd  
628 BOURKE STREET  
MELBOURNE VIC 3000  
Phone: (03) 9246 2666  
Fax: (03) 9246 2611  
ABN: 78 003 191 035  
AFS License No: 239545



Subject to the Building Act 1993, and the Ministerial Order and the conditions of the insurance contract, cover will be provided to the Building Owner named in the domestic building contract and to the successors in title to the Building Owner in relation to the domestic building work undertaken by the builder.

Issued by QBE Insurance (Australia) Limited for and on behalf of

**Victorian Managed Insurance Authority (VMIA)**

**IMPORTANT:**

This certificate must be read in conjunction with the policy terms and conditions and kept in a safe place. These documents are very important and must be retained by you and any successive owners of the property for the duration of the period of cover.

**If the information on this Certificate does not match what's on your domestic building contract, please contact QBE IMMEDIATELY on 1300 790 723**

Below are some examples of what to look for:

CERTIFICATE OF INSURANCE		YOUR DOMESTIC BUILDING CONTRACT
<p>Owner: _____</p> <p>Carried out by the builder: → ACME CONSTRUCTIONS PTY LTD → ACN: 12 345 678</p>	<p><b>MATCH</b></p> <p><i>Both name of builder and ACN or ABN match</i></p> <p>✓</p>	<p>Owner: _____</p> <p>Builder: → ACME CONSTRUCTIONS PTY LTD → ACN: 12 345 678</p>
<p>Owner: _____</p> <p>Carried out by the builder: → JOHN CITIZEN ABN: 12 345 678 910</p>	<p><b>NO MATCH</b></p> <p><i>Call QBE, name of builder does not match</i></p> <p>✗</p>	<p>Owner: _____</p> <p>Builder: → CITIZEN CONSTRUCTIONS PTY LTD ACN: 12 345 678</p>
<p>Owner: _____</p> <p>Carried out by the builder: → ACME CONSTRUCTIONS PTY LTD → ACN: 12 345 678</p>	<p><b>NO MATCH</b></p> <p><i>Call QBE, ABN or ACN does not match</i></p> <p>✗</p>	<p>Owner: _____</p> <p>Builder: ACME CONSTRUCTIONS PTY LTD → ACN: 87 956 123</p>

