

Vendors Statement to the Purchaser of Real Estate Pursuant to Section 32 of the Sale of Land Act ("the Act")

Vendor: Simone Michele Downes

Property: 7 The Heights, Somerville VIC

The Vendor provides the following information:

1. FINANCIAL MATTERS IN RESPECT OF THE LAND

Information concerning the amount of Rates, Taxes, Charges and other similar outgoings affecting the property and interest (if any) payable thereof (including any Owners Corporation Charges and Interest):

are contained in the attached certificate/s.

are as follows:

AUTHORITY	AMOUNT	INTEREST
Mornington Peninsula Shire	\$1,465.60	per annum

Annual Parks Charge \$81.60

Melbourne Water Corporation Total

Service Charges per quarter \$27.42

Quarterly Water Service Charge \$20.93

Quarterly Sewerage Charge \$91.94

Purchaser is responsible for water usage, drainage & sewerage charges if applicable.

Any further amounts (including any proposed Owners Corporation Levy) for which the Purchaser may become liable as a consequence of the purchase of the property are as follows:-

- (a) Their total does not exceed \$3,500.00
- (b) The particulars of any charge (whether registered or not) over the property imposed by or under any Act to secure an amount due under that Act are as follows:- Nil.

2. INSURANCE DETAILS IN RESPECT OF THE LAND

- (a) if the contract provides that the land does not remain as the vendor's risk before the purchaser is entitled to possession or receipt of rent and profits:

- No such insurance has been effected

- (b) If there is a residence on the land which was constructed within 6 years and section 137B of the **Building Act 1993** applies to the residence:

- No such insurance has been effected

3. MATTERS RELATING TO LAND USE

- (a) Information concerning any easement, covenant or similar restriction affecting the property, registered or unregistered, are as follows:

i. Description:

ii. Particulars of any existing failure to comply with the terms of that easement, covenant and/or restriction are as follows: Nil to the Vendors knowledge. However underground electricity cables, sewers/drains may be laid outside registered easements

- (b) The land is not within a bushfire prone area within the meaning of the regulations made under the **Building Act 1993**;

- (c) There is access to the property by road;

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- (d) In the case of land to which a planning scheme applies a statement specifying -
NAME: Mornington Peninsula Planning Scheme
RESPONSIBLE AUTHORITY: Mornington Peninsula Shire Council
ZONING AND/OR RESERVATION: General Residential Zone

NAME OF ANY PLANNING OVERLAY AFFECTING THE LAND:

- Design and Development Overlay
 - are contained in the attached certificate
- (e) Owner Builder Report – attached

4. NOTICES MADE IN RESPECT OF LAND

- (a) 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 of which the Vendor might reasonably be expected to have knowledge are:-

None to the Vendors knowledge

however the Vendor has no means of knowing all decisions of the Government and other authorities unless such decisions have been communicated to the Vendor
- (b) The Vendor is not aware of 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.
- (c) Particulars of any Notice of intention to acquire served under Section 6 of the *Land Acquisition and Compensation Act, 1986* are: Not Applicable

5. BUILDING PERMITS

Particulars of any building permit issued during the past seven (7) years under the *Building Act 1993* (where the property includes a Residence):

- no such Building Permit has been granted to the Vendor's knowledge

6. INFORMATION RELATING TO ANY OWNERS CORPORATION

The Land is NOT affected by an Owners Corporation within the meaning of the *Owners Corporation Act 2006*.

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION

- (1) The land, in accordance with a work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987* is NOT –
- land that is to be transferred under the agreement.
 - land on which works are to be carried out under the agreement (other than Crown land).
 - land in respect of which a GAIC is imposed
- (2) Attached is a copy of a notice or certificate in the case of land where there is a GAIC recording (within the meaning of Part 9B of the *Planning and Environment Act 1987*):
- any certificate of release from liability to pay;
 - any certificate of deferral of the liability to pay;

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- any certificate of exemption from the liability to pay;
 - any certificate of staged payment approval;
 - any certificate of no GAIC liability;
 - any notice given under that Part providing evidence of the grant of a reduction of the whole or part of the liability to pay;
 - any notice given under that Part providing evidence of an exemption of the liability to pay;
- OR
- a GAIC certificate relating to the land issued by the Commissioner under the *Planning and Environment Act 1987*.

8. **DISCLOSURE OF NON-CONNECTED SERVICES**

Service	Status
Electricity supply	Connected
Gas supply	Connected
Water supply	Connected
Sewerage	Connected
Telephone services	Connected

Connected indicates that the service is provided by an authority and operating on the day of sale. The Purchaser should be aware that the Vendor may terminate their account with the service provider before settlement, and the purchaser will have to have the service reconnected

9. **EVIDENCE OF TITLE**

Attached are copies of the following documents concerning Title:-

- (a) in the case of land under the ***Transfer of Land Act 1958***, a copy of the Register Search Statement and the document, or part of the document, referred to as the diagram location in the Register Search Statement that identifies the land and its location;
- (b) in any other case, a copy of:-
 - (i) the last conveyance in the chain of title to the land; or
 - (ii) any other document which gives evidence of the vendor's title to the land;
- (c) if the vendor is not the registered proprietor of the land or the owner of the estate in fee simple in the land, evidence of the vendor's right or power to sell the land;
- (d) in the case of land that is subject to a subdivision :-
 - (i) if the plan of subdivision has not been registered, a copy of the plan of subdivision which has been certified by the relevant municipal council; or
 - (ii) if the plan of subdivision has not yet been certified, a copy of the latest version of the plan;
- (e) In the case of land that is part of a staged subdivision within the meaning of Section 37 of the ***Subdivision Act 1988***:-
 - (i) if the land is the second or a subsequent stage, a copy of the plan for the first stage;
and
 - (ii) Details of any requirement in a Statement of Compliance relating to the stage in which the land is included that have not been complied with;
and

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- (iii) Details of any proposals relating to subsequent stages that are known to the Vendor;
and
- (iv) A statement of the contents of any permit under the ***Planning and Environment Act 1987*** authorising the stages subdivision;
- (f) In the case of land that is subject to a subdivision and in respect of which a further plan within the meaning of the ***Subdivision Act 1988*** is proposed:-
 - (i) If the later plan has not been registered, a copy of the plan which has been certified by the relevant municipal Council;
 - or
 - (ii) If the plan has not yet been certified, a copy of the latest version of the plan.

DATE OF THIS STATEMENT

/ /20

Name of the Vendor

Simone Michele Downes

Signature/s of the Vendor

x

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

DATE OF THIS ACKNOWLEDGMENT

/ /20

Name of the Purchaser

Signature/s of the Purchaser

x

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IMPORTANT NOTICE - ADDITIONAL DISCLOSURE REQUIREMENTS

Undischarged mortgages – S32A(a)

Where the land is to be sold subject to a mortgage (registered or unregistered) which is not to be discharged before the purchaser becomes entitled to possession or receipt of rents and profits, then the vendor must provide an additional statement including the particulars specified in Schedule 1 of the *Sale of Land Act 1962*.

Terms contracts – S32A(d)

Where the land is to be sold pursuant to a terms contract which obliges the purchaser to make two or more payments to the vendor after execution of the contract and before the vendor is entitled to a conveyance or transfer, then the vendor must provide an additional statement containing the information specified in Schedule 2 of the *Sale of Land Act 1962*.

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

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

VOLUME 09888 FOLIO 866

Security no : 124098870598M

Produced 08/07/2022 05:06 PM

LAND DESCRIPTION

Lot 47 on Plan of Subdivision 206349Y.
PARENT TITLE Volume 09698 Folio 798
Created by instrument LP206349Y 12/07/1989

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
SIMONE MICHELE DOWNES of 21 MADELEINE COURT SOMERVILLE VIC 3912
AM348344Y 23/11/2015

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AM348345W 23/11/2015
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

COVENANT (as to whole or part of the land) in instrument P354609Q

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

DIAGRAM LOCATION

SEE LP206349Y 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: 7 THE HEIGHTS SOMERVILLE VIC 3912

ADMINISTRATIVE NOTICES

NIL

eCT Control 16165A AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
Effective from 22/10/2016

DOCUMENT END

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OFFICE USE ONLY

PLAN OF SUBDIVISION

COUNTY MORNINGTON
PARISH TYABB
CROWN ALLOTMENT 20 (PART)

NUMBER OF SHEETS IN PLAN : 1
NUMBER OF THIS SHEET : 1

SCALE
0 10 20 30
LENGTHS ARE IN METRES

ORIGINAL SCALE 1:500
SHEET A2

OFFICE USE ONLY

LP 206349 Y

VICTORIA

NOTATIONS

LAND APPROPRIATED OR SET APART
E-1 DRAINAGE & SEWERAGE

LAND SUBJECT TO EASEMENT
E-2 & PART OF THE LAND SHOWN MARKED E-1
DRAINAGE VIDE LP 202426

ROADS WITHIN THE CONTINUOUS THICK LINES FOR
WAY DRAINAGE, SEWERAGE AND SUPPLY OF WATER,
ELECTRICITY, TELEPHONE AND GAS.

OTHER NOTATIONS
LOTS 1-45 ARE OMITTED FROM THIS PLAN

TO BE COMPLETED WHERE APPLICABLE
THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS
IN PROCLAIMED SURVEY AREA NO.
THE LAND TO BE SUBDIVIDED IS SHOWN ENCLOSED
BY THICK LINES
TITLE REF. : 1:500, 1:500, 1:500, 1:500
LAST PLAN REF. LP 202426, LOT 23

CERTIFICATION BY SURVEYOR

206349 Y

CERTIFICATE A
THIS PLAN ACCORDS WITH A PLAN
SEAL BY THE COUNCIL UNDER SECTION 569B OF THE LOCAL GOVERNMENT ACT 1988 ON
CONFIRMED BY THE PLANNING APPEALS BOARD ON
AND NO FURTHER REQUIREMENT PURSUANT TO SECTION 569E OF THE LOCAL GOVERNMENT
ACT 1988 HAS BEEN MADE

CERTIFICATE B
THIS PLAN ACCORDS WITH A PLAN EXEMPTED FROM SUBDIVISION (3) OF DIVISION (B) OF PART XIX OF
THE LOCAL GOVERNMENT ACT 1988 BY
THE COUNCIL ON
THE PLANNING APPEALS BOARD ON

DATE

MUNICIPALITY HASTINGS

CERTIFICATE OF MUNICIPAL CLERK

COUNCIL REF. 5301

DATE

MUNICIPAL CLERK

DATE

MUNICIPAL CLERK

PLAN APPROVED
AT
ON 12-7-89

(ASSISTANT) REGISTRAR OF TITLES

AMENDMENTS

WATSONS PTY. LTD.
LICENSED SURVEYORS
7 MAIN STREET, MORNINGTON 3921 (059) 754644

26217

SURVEYOR REF.

AM348344Y

Transfer of Land

Section 45 Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

1. Land/s

Land Title

Volume 9888 Folio 866

2. Estate and Interest

FEE SIMPLE

3. Transferor/s

Transferor

Given Name/s ANN JANET

Family Name BURTON

4. Transferee/s

Transferee

Given Name/s SIMONE MICHELE

Family Name DOWNES

5. Manner of Holding

SOLE PROPRIETOR

6. Address/es of Transferee/s

Address of Transferee

Unit Street No 21

Street Name MADELEINE

Street Type COURT

Locality SOMERVILLE

State VIC Postcode 3912

7. Directing Party

None

8. Consideration

\$ 497,000

9. Signing

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed and subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer.

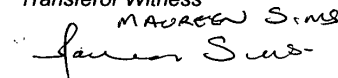
Transferor

ANN JANET BURTON



Signature of Transferor

Transferor Witness

MAUREEN SIMS


Signature of witness

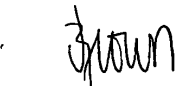
Transferee

SIMONE MICHELE DOWNES



Signature of Transferee

Transferee Witness



Signature of witness

10. Date

Date: (DD/MM/YYYY) 16-11-2015

AM348344Y

Transfer of Land

Section 45 Transfer of Land Act 1958

Privacy Collection Statement

The information from this form is collected by the Registrar of Titles under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

11. Lodging Party

Customer Code ~~42254X~~
Reference JB01507 P

ANZ Retail
15314 Q

You may lodge this form in two ways:

1. In person

Land Registration Services
Land Victoria
Level 9, 570 Bourke Street
Melbourne Vic 3000

2. By mail (extra fee applies)

Land Registration Services
Land Victoria
PO Box 500
East Melbourne Vic 8002
Or DX 250639 Melbourne

Duty Use Only

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\$844
MADE AVAILABLE
 Lodged at the Titles Office *NO* **ISSUE TO** *lodging party*
HIA CONVEYANCING SERVICES

Titles Office Use Only
REC'D.
P 354609Q
 040889 1358 45 43 P354609Q

Code 2552V

VICTORIA

TRANSFER OF LAND

Subject to the encumbrances affecting the land including any created by dealings lodged for registration prior to the lodging of this instrument the transferor for the consideration expressed at the request and by the direction of the directing party (if any) transfers to the transferee the estate and the interest specified in the land described together with any easement hereby created and subject to any easement hereby reserved or restrictive covenant herein contained or covenant created pursuant to statute and included herein. (Notes 1-4)

Land

(Note 5)

Lot No. 47 on Plan of Subdivision No. 206349 being the land comprised in Certificate of Title Volume 9888 Folio 866

Consideration

(Note 6)

\$ 43,500.00

Transferor

(Note 7)

~~OSAKA PADMA NOMINEES PTY. LTD.~~

OSAKA PADMA NOMINEES PTY. LTD.

Transferee

(Note 8)

Gergory Alan CROFT and Lisa Jennette CROFT
both of 3 Betty Close, ROWVILLE as joint proprietors.

Estate and Interest

(Note 9)

An estate in fee simple.

Directing Party

(Note 10)

Comptroller of Stamps Use

Creation (or Reservation) of Easement
 and/or
 Covenant

(Notes 11-12)

OVERLEAF

\$844.00 SMP DTY P354609Q

**STAMP DUTY
 CHECKED**
Don't know
 STAMP DUTIES OFFICE VICTORIA
 Office Use Only

2



R. J. 8/7

Approval No. T2/1

A memorandum of the written instrument
 has been entered in the Register Book



206349
Conceded by Sub-Prefect
of 89/34302
9.10.89

?
? The Transferee with the intent that the benefit of covenants hereinafter mentioned and each of them shall be attached to and run at law and in equity with each and every lot on the said Plan of Subdivision No. 202426E (other than the land hereby sold) and that the burden thereof shall be annexed to and run at law and in equity with the land sold doth hereby for himself his heirs executors administrators and transferees covenant with the transferor and its transferees the registered proprietor or proprietors for the time being of each and every lot in the said Plan of Subdivision No. 202426E and every part or parts thereof (other than the land hereby sold) that the Transferee his heirs executors administrators and transferees shall not:-

- a). At any time erect construct or build or cause to be erected constructed or built or allow to remain erected constructed or built on the said lot hereby sold or part thereof any building other than a building having an interior floor area of not less than 140 square metres (15 squares).
- b). At any time erect construct or build or cause to be erected constructed or built or allow to remain erected constructed or built on the said lot sold or any part thereof any building unless 80 per centum of the external walls (excluding windows or glazed areas) shall be constructed of brick, brick veneer, prefabricated concrete, stone or like material and unless the roof is constructed of cement tiles terracotta tiles slate or other like material or of colourbond metal and in no case shall the roof be constructed or clad with reflective material.
- c). At any time erect construct or build or cause to be erected constructed or built or allow to remain erected constructed or built or build on the said lot sold or any part thereof any building unless the height of such building from the highest point upon the lot hereby transferred to the pitch of the roof shall be restricted to a height of 5 metres in relation to lots 46, 47, 48 and 49 only.
- d). At any time erect construct or build or cause to be erected constructed or built or allow to remain erected constructed or built on the said Lot sold or any part thereof any building unless any buildings which are of a temporary removable or moveable nature and without limiting the generality thereof no caravans mobile homes offices or such like buildings shall be permitted.

Date The 03rd Nov Day of DATE ASCAWOT 1989

(Note 13)

Execution and Attestation

(Note 14)

THE COMMON SEAL of OSAKA PADMA
PTY. LTD. was hereunto affixed in
accordance with its Articles of
Association in the presence of:



J. Panty.....Director

Thant.....Secretary

SIGNED by the Transferees
in the presence of:

B. B. J. Caruana.....Witness

h. t. hofk.

L. Croft

Mornington Peninsula Shire
Private Bag 1000,
Besgrove Street, Rosebud 3939

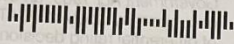
RN
2021

ABN 53 159 890 143

For general enquiries, call us or visit our website

mornpen.vic.gov.au

1300 850 600 (local call, fees apply)



S M Downes
7 The Heights
SOMERVILLE VIC 3912



032
1027421
R3_18885

Property details

7 The Heights SOMERVILLE VIC 3912
Lot 47 LP 206349 Vol 9888 Fol 866

Site Value:

\$470,000

Capital improved value

\$665,000

Net annual value

\$33,250

AVPCC

110 - Residential

Date of issue

11/08/2021

Date of declaration

22/06/2021

Date of valuation

01/01/2021

Financial details

Green Waste Bin	\$140.00
Residential Improved (0.0015555 X CIV)	\$1,034.40
Waste Service Charge	\$338.00
Payments/Adjustments	-\$200.00

Total Shire rates and charges

\$1,312.40

Fire Service Levy Residential Fixed

\$114.00

Fire Service Levy Residential Variable (0.000059 X CIV)

\$39.20

Total State Government Fire Levy

\$153.20

Balance due

\$1,465.60

The rating year is from 01/07/2021 to 30/06/2022. Please check BPAY reference number before making any payments. Important Interest on late payments will be charged at 10.00% p.a. See reverse for details and important information. If 1st instalment payment is not received by 30 September 2021, total amount must be received by 15 February 2022. Please note a \$20.00 charge will apply if another copy of this notice is requested.

2021-22

Rates and Valuation Notice



MORNINGTON
PENINSULA
Shire

Property number

94082

Total amount due

\$1,465.60

Arrears (due immediately)

\$0.00

Current payable

\$1,465.60 15/02/2022

Instalments

1st \$216.40 Due 30/09/2021 ✓

2nd \$416.40 Due 30/11/2021 ✓

3rd \$416.40 Due 28/02/2022

4th \$416.40 Due 31/05/2022

25/9 - \$216.40

22/11 - \$166.40

Brownlow Conveyancing
E-mail:
jenny@brownlowconveyancing.com.au

Statement for property:
LOT 47 7 THE HEIGHTS SOMERVILLE
3912
47 LP 206349

REFERENCE NO.	YOUR REFERENCE	DATE OF ISSUE	CASE NUMBER
03B//01921/2		08 JULY 2022	41971252

1. Statement of Fees Imposed

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

(a) By Other Authorities

Parks Victoria - Parks Service Charge	01/07/2022 to 30/06/2023	\$81.60
Melbourne Water Corporation Total Service Charges	01/07/2022 to 30/09/2022	\$27.42

(b) By South East Water

Water Service Charge	01/07/2022 to 30/09/2022	\$20.93
Sewerage Service Charge	01/07/2022 to 30/09/2022	\$91.94
Subtotal Service Charges		\$221.89
Payments		\$7.40
TOTAL UNPAID BALANCE		\$214.49

- The meter at the property was last read on 17/06/2022. Fees accrued since that date may be estimated by reference to the following historical information about the property:

Water Usage Charge	\$1.06 per day
Sewage Disposal Charge	\$0.28 per day

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

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

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

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

AUTHORISED OFFICER:



MIKALA HEHIR
GENERAL MANAGER
CUSTOMER & COMMUNITY ENGAGEMENT

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

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

2. Encumbrance Summary

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

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

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

ENCUMBRANCE ENQUIRY EMAIL infostatements@sew.com.au

AUTHORISED OFFICER:

A handwritten signature in black ink, appearing to read "Mikala Hehir".

MIKALA HEHIR
GENERAL MANAGER
CUSTOMER & COMMUNITY ENGAGEMENT

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

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

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

Important Warnings

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

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

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

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

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

3. Disclaimer

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

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

AUTHORISED OFFICER:

A handwritten signature in black ink, appearing to read "Mikala Hehir".

MIKALA HEHIR
GENERAL MANAGER
CUSTOMER & COMMUNITY ENGAGEMENT

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

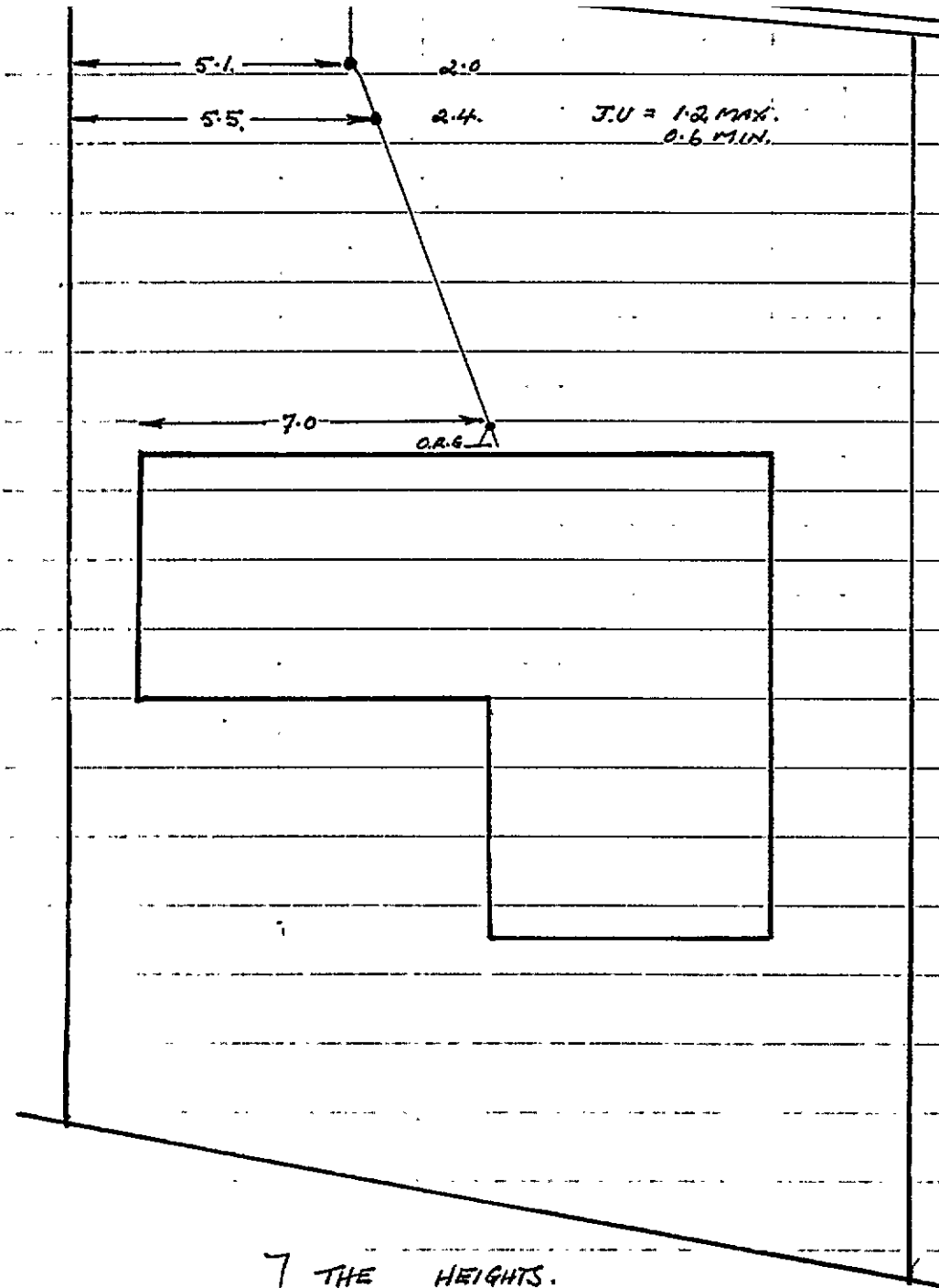
PROPERTY SEWERAGE PLAN - PS: 01516037

Property: Lot 47 7 THE HEIGHTS SOMERVILLE 3912

LEGEND

—— Title/Road boundary BT Boundary Trap - - - - Easement < 1.0 > Offset from Boundary

WARNING: This plan is issued solely for the purpose of assisting you in identifying property service drainage information only and may not show all sewer mains on the property. It is not to be used for any other purpose, including to identify any other assets, property boundaries or dimensions. Accordingly, the location of all assets should be proven by hand on site prior to the commencement of any work. (Refer to attached letter for further details).



Dishwashing Machine
Waste Disposal Unit
Trough
Clothes Washing Machine
Swimming Pool

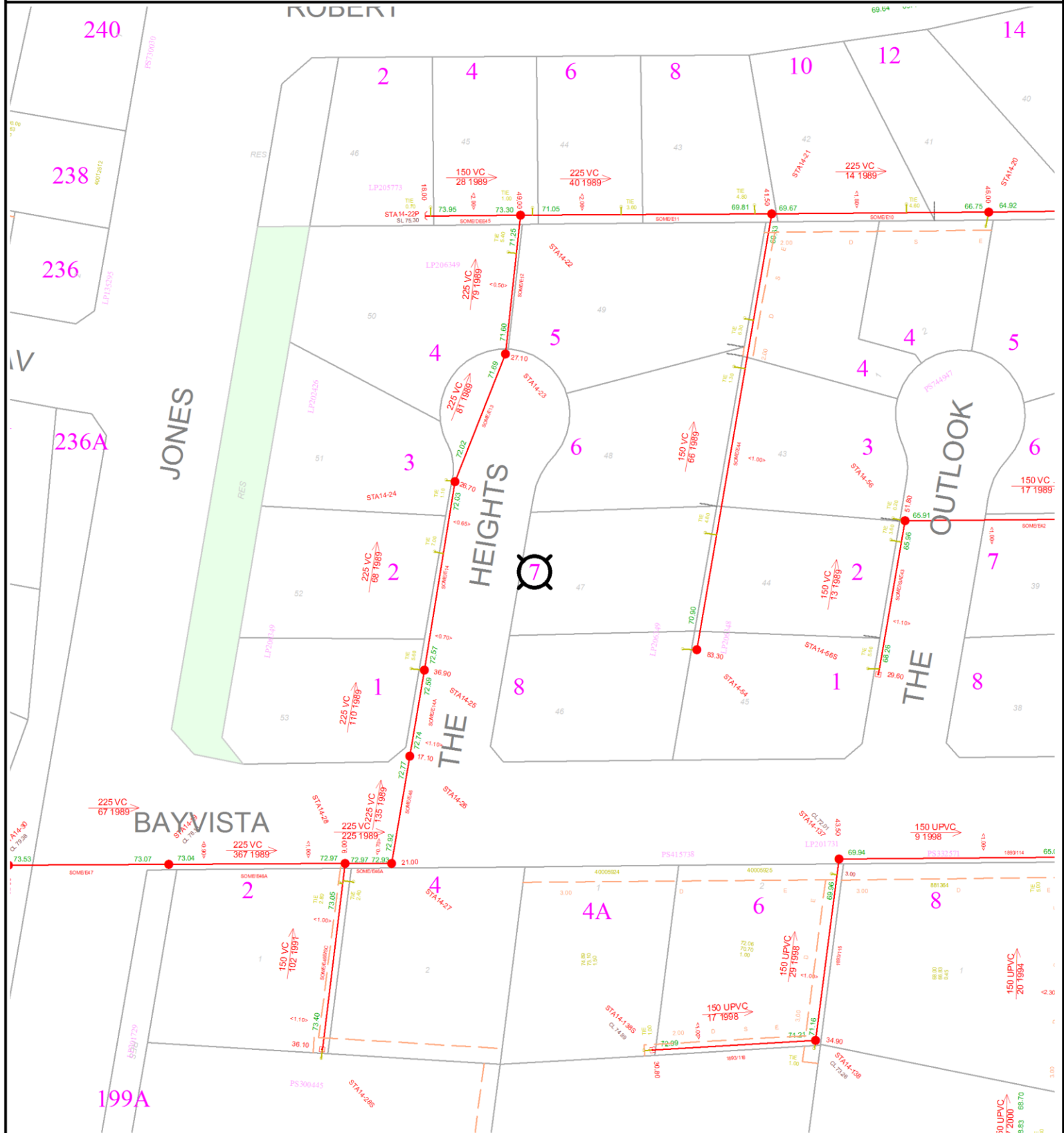
POINT LOCATION DATA

DTH	1.20
T.S.	
TIE	5.1
E.P.	
N.S.L.	
I.L.	

Ch'nge from D/S
manhole to:-

E.P.	
U/S M.H.	

ENCUMB.	RECORD
1	5
2	6
3	7
4	8
ISSUED	FINALISED
3/10.89.	25.3.91.



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

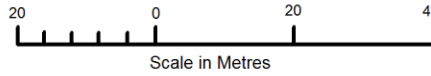
	Title/Road Boundary		Subject Property		Maintenance Hole
	Proposed Title/Road		Sewer Main & Property Connections		Inspection Shaft
	Easement		Direction of Flow		Offset from Boundary

Melbourne Water Assets					
	Sewer Main		Underground Drain		Natural Waterway
	Maintenance Hole		Channel Drain		Underground Drain M.H.

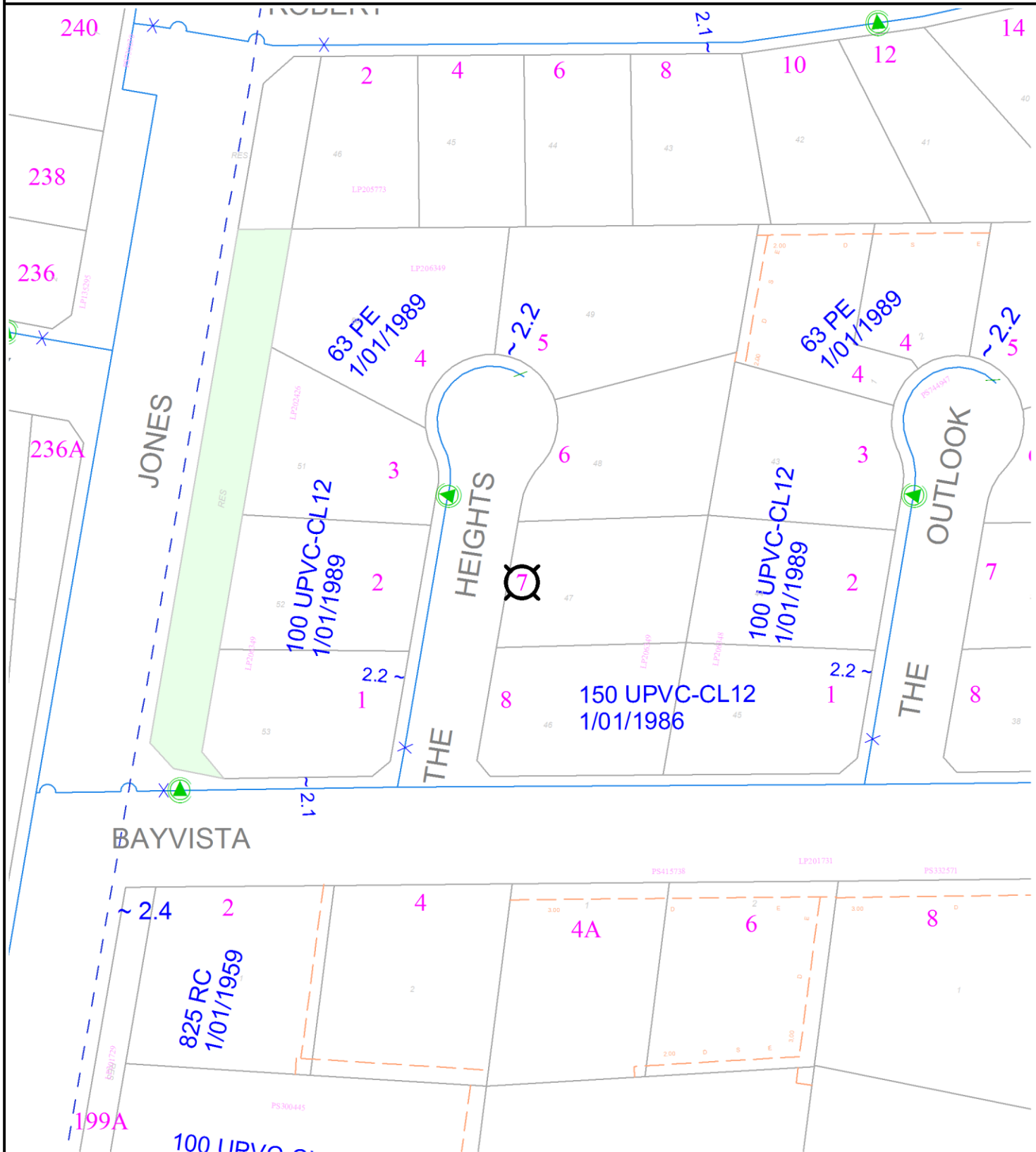


Property: Lot 47 7 THE HEIGHTS SOMERVILLE 3912

Case Number: 41971252



Date: 08JULY2022



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

LEGEND

— Title/Road Boundary

- - - Proposed Title/Road

- - - Easement



Subject Property



Water Main Valve

Water Main & Services



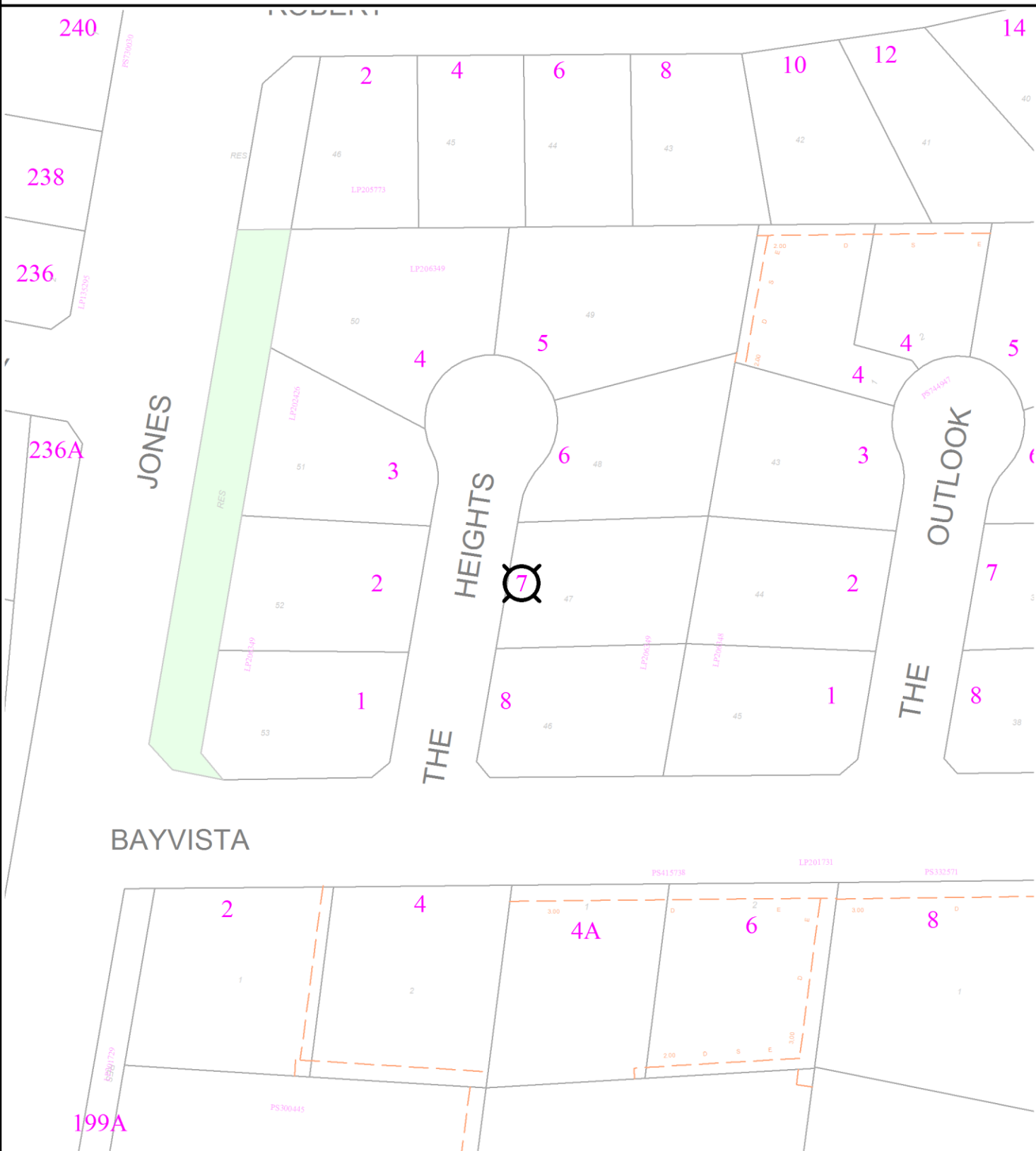
Hydrant



Fireplug/Washout

~ 1.0

Offset from Boundary



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

LEGEND

— Title/Road Boundary

- - - Proposed Title/Road

- - - Easement



Subject Property



Recycled Water Main Valve

Recycled Water Main & Services



Hydrant



Fireplug/Washout



Offset from Boundary

PLANNING PROPERTY REPORT

From www.planning.vic.gov.au at 08 July 2022 08:20 PM

PROPERTY DETAILS

Address: **7 THE HEIGHTS SOMERVILLE 3912**
Lot and Plan Number: **Lot 47 LP206349**
Standard Parcel Identifier (SPI): **47\LP206349**
Local Government Area (Council): **MORNINGTON PENINSULA**
Council Property Number: **94082**
Planning Scheme: **Mornington Peninsula**
Directory Reference: **Melway 148 E3**

www.mornpen.vic.gov.au

[Planning Scheme - Mornington Peninsula](#)

UTILITIES

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

STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
Legislative Assembly: **HASTINGS**

OTHER

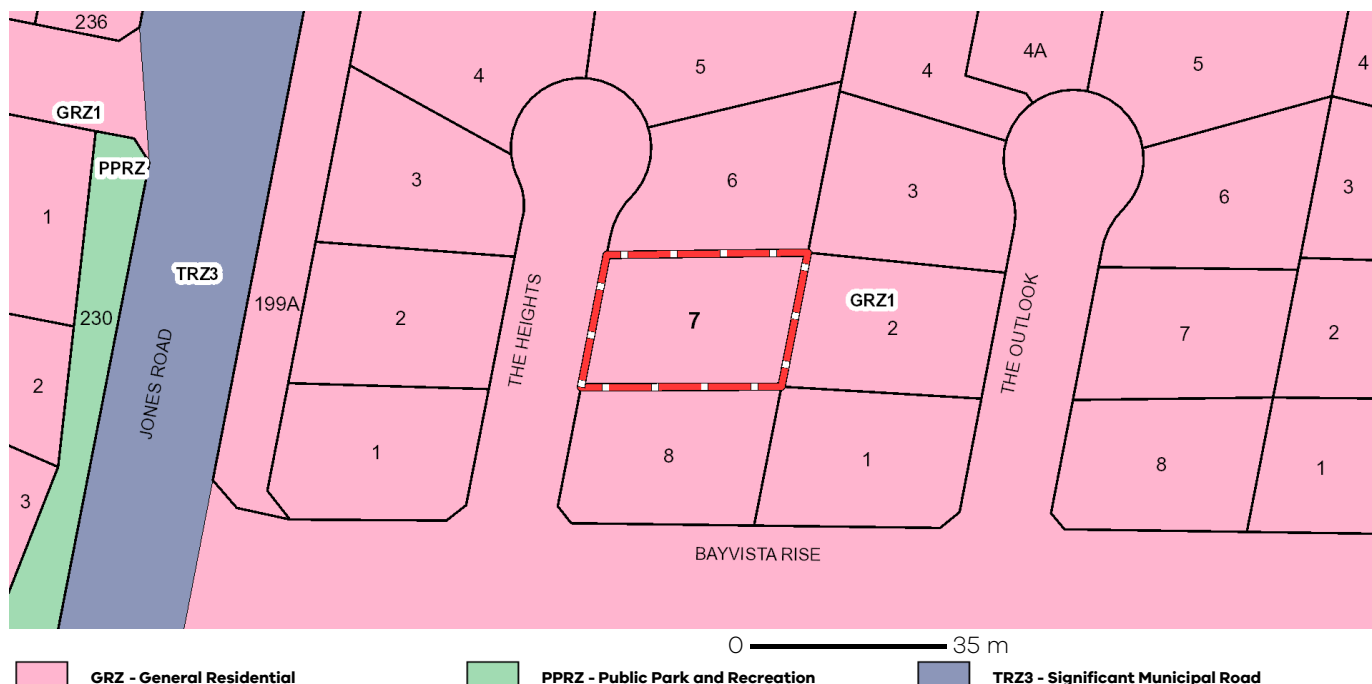
Registered Aboriginal Party: **Bunurong Land Council Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

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

[GENERAL RESIDENTIAL ZONE - SCHEDULE 1 \(GRZ1\)](#)

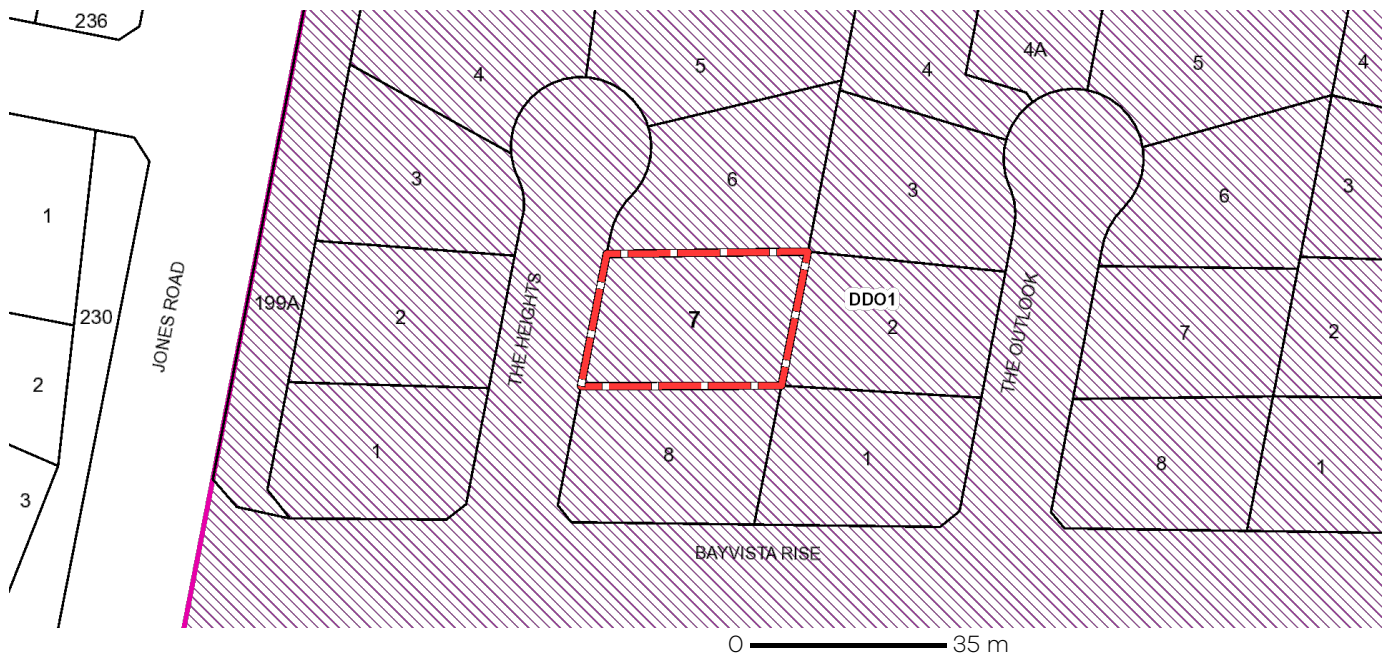


Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

Planning Overlay

[DESIGN AND DEVELOPMENT OVERLAY \(DDO\)](#)

[DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 1 \(DDO1\)](#)



 **DDO - Design and Development Overlay**

Note: due to overlaps, some overlays may not be visible, and some colours 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 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

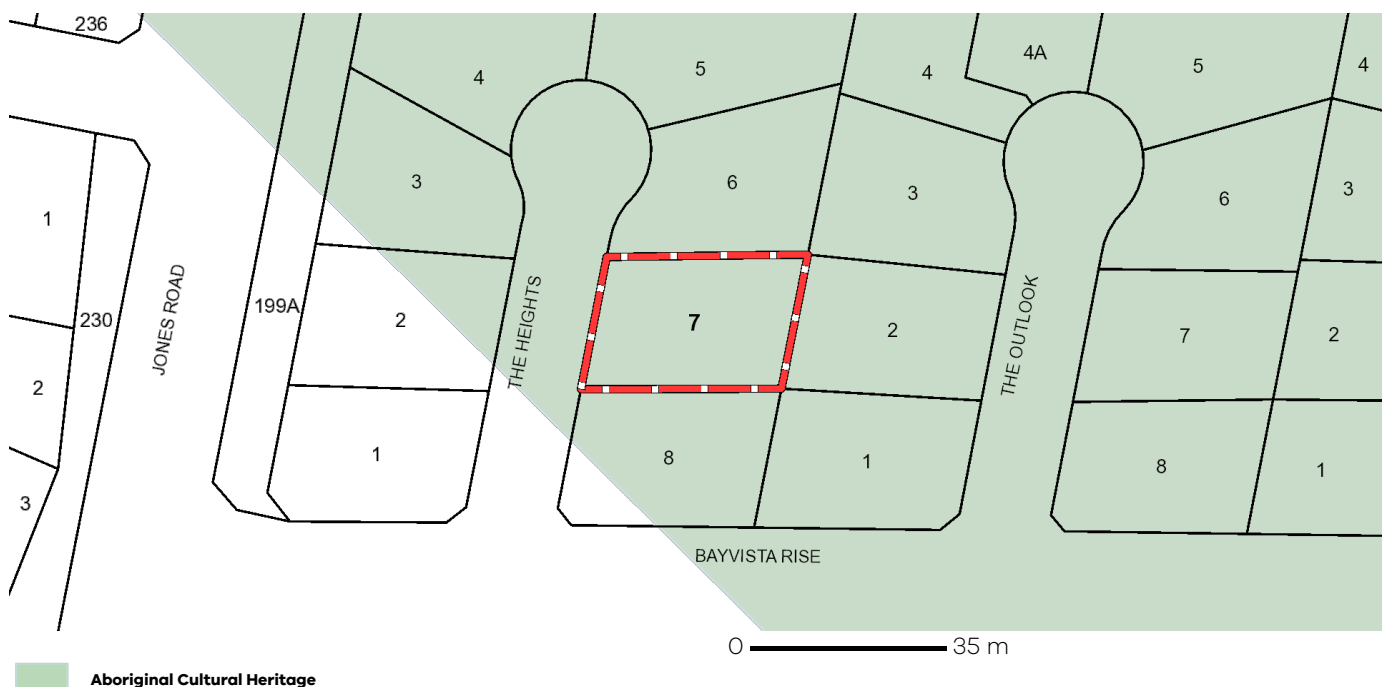
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

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

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

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

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



Further Planning Information

Planning scheme data last updated on 6 July 2022.

A **planning scheme** sets out policies and requirements for the use, development and protection of land. This report provides information about the zone and overlay provisions that apply to the selected land. Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

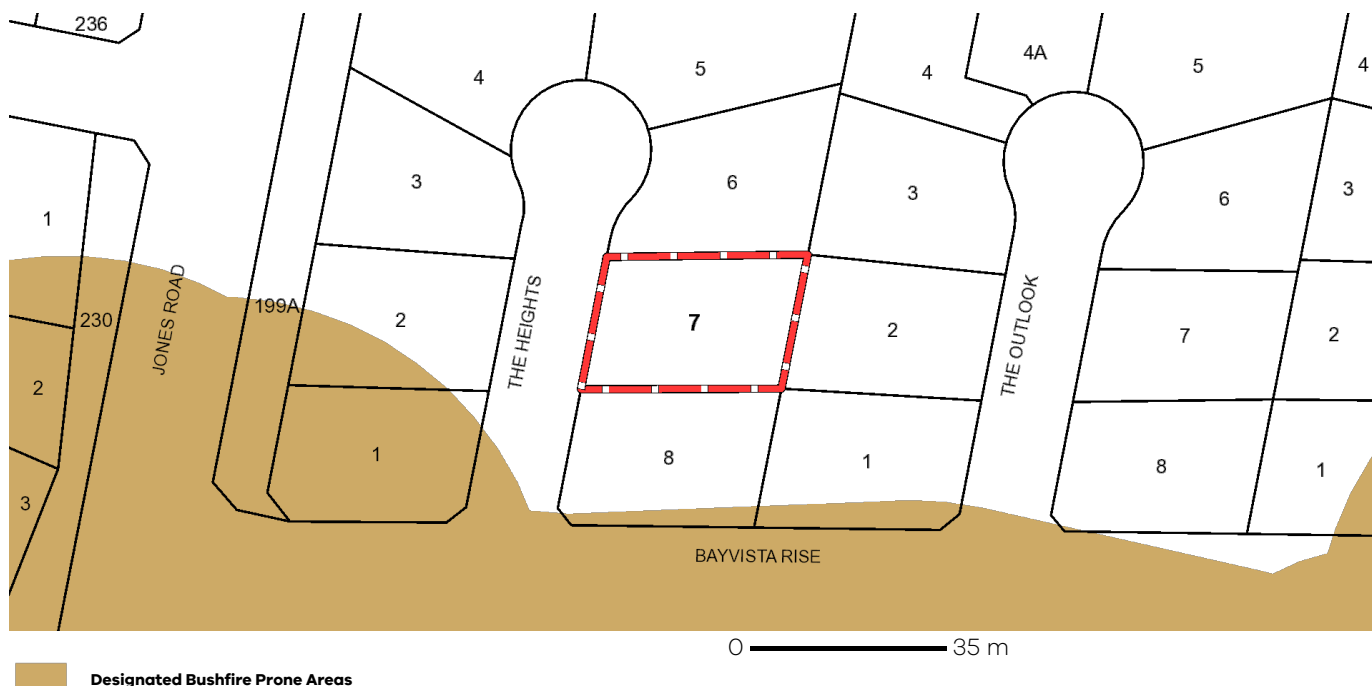
For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <https://mapshare.maps.vic.gov.au/vicplan>

For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This property is not in a designated bushfire prone area.
No special bushfire construction requirements apply. Planning provisions may apply.



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

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

Designated bushfire prone areas maps can be viewed on VicPlan at <https://mapshare.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>

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](https://environment.vic.gov.au) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](https://environment.vic.gov.au)

Owner Builder Report

Report Commissioned By:

Simone and Craig Downes

Property Address:

7 The Heights Somerville



Notable Items - Summary

You must read the entire report and not rely solely on this Summary.

Defects

Enclosed Verandah:

Defects or Maintenance Items:

The structure does not comply with the requirements of Part 3.7.2 (Fire Separation of external walls) of The Building Code of Australia in that the structure is built to the allotment boundary without an adequate fire resistant wall in place.

Rain water tank collecting water from the roof does not have an overflow connected to the legal point of discharge.

The timber framing of the structure does not comply with the requirements of AS1684 (Residential timber framed construction) in that the framing used does not appear to be structurally graded and the bearers have excessive spans. Note that despite this the structure appears to be performing adequately.

Deck:

Defects or Maintenance Items:

The timber framing of the structure does not comply with the requirements of AS1684 (Residential timber framed construction) in that the framing used does not appear to be structurally graded and the bearers have excessive spans. Note that despite this the structure appears to be performing adequately.

VISUAL BUILDING INSPECTION REPORT

Client & Site Information:

COMMISSIONED BY:

Simone and Craig Downes.

DATE OF INSPECTION:

08.07.2022.

PROPERTY ADDRESS:

7 The Heights Somerville.

Important Information Regarding the Scope and Limitations of the Inspection and this Report

Important Information: Any person who relies on the content of this report does so acknowledging that the following clauses both below and at the end of this report. These define the scope and limitations of the inspection and form an integral part of the report. Before you decide to act on this report you should read and understand all of the information contained herein. It will help explain what is involved in an Owner Builder Warranty Inspection, the difficulties faced by an inspector and why it is not possible to guarantee that a property is free of defects, latent or otherwise. This information forms an integral part of the report. If there is anything contained within this report that is not clear or you have difficulty understanding, please contact the inspector prior to acting on this report.

The purpose of the inspection: The purpose of the inspection is to provide a building defects report required under Section 137B of the Building Act when Owner Builder works have been conducted. This will enable the owner of the property to source Builders Warranty Insurance (for works exceeding \$16000) prior to sale.

The Scope of the Inspection: The inspection comprised a visual inspection of the Owner Builder works to identify significant defects and to form an opinion regarding the general condition of the works at the time of the inspection. If the property inspected is part of a Strata or Company Title, then the inspection is limited to the interior and the immediate exterior of the particular residence to be inspected. It does not cover the common property.

Acceptance Criteria: The building shall be compared with a building that was constructed in accordance with the generally accepted practice at the time of construction and which has been maintained such that there has been no significant loss of strength or serviceability.

Limitations: This report is limited to a visual inspection of areas where safe and reasonable access is available and access permitted on the date and at the time of inspection. **The purpose of the inspection is to provide a defects report (for the purpose of gaining Warranty Insurance for works exceeding \$16000) as required under the Building Act.** Areas for Inspection shall cover all safe and accessible areas. It does not purport to be geological as to foundation integrity or soil conditions, engineering as to structural, nor does it cover the condition of electrical, plumbing, gas or motorised appliances on a technical level. It is strongly recommended that an appropriately qualified contractor check these services prior to purchase.

As a matter of course, and in the interests of safety, all prospective purchasers should have an electrical report carried out by a suitably qualified contractor.

If Town Planning Permits, Building Permits or Approved Drawings are not made available at the time of the inspection it is the purchasers responsibility to verify the legality of works inspected.

This report is limited to the works undertaken by the Owner Builder under the Building Permit (or other definition of works undertaken) noted under *Summary of Areas Inspected*.

Safe and Reasonable Access: Only areas to which safe and reasonable access is available were inspected. The Australian Standard 4349.1 defines reasonable access as "areas where safe, unobstructed access is provided and the minimum clearances specified below are available, or where these clearances are not available, areas within the inspector's unobstructed line of sight and within arm's length. Reasonable access does not include removing screws and bolts to access covers." Reasonable access does not include the use of destructive or invasive inspection methods nor does it include cutting or making access traps or moving heavy furniture, floor coverings or stored goods.

Roof Interior - Access opening = 400 x 500 mm - Crawl Space = 600 x 600mm - Height accessible from a 3.6m ladder.

Roof Exterior - Must be accessible from a 3.6m ladder placed on the ground.

Summary of Areas Inspected:

Details:

Only Owner Builder works being for the renovation of the kitchen (including installation of external sliding doors), bathroom, laundry and toilet and the construction of an enclosed verandah and deck were inspected.

Overall Condition of the Building Works

Overall Condition:

Besides the defects listed the Owner Builder works inspected are in good condition and performing as intended.

Summary of Areas Not Inspected:

Externally:

No concealed framing or fixings were inspected.
The footings / foundations of the verandah and deck were not inspected.
The subfloor framing of the deck and verandah was not completely inspected due to restricted access.

Weather Conditions:

Weather Conditions on the Day and at the Time of Inspection:

Overcast.

Incomplete Works:

Were there any incomplete works at the time of inspection?

No incomplete works were noted.

Second hand Materials:

Were there any secondhand materials noted at the time of inspection?

No second hand materials were noted.

Permits and Documents:

Documents made available at the time of the inspection.

No documentation was made available.

This report was conducted by:

Nigel Woodhouse
(IN-L 23566)



NIGEL WOODHOUSE
0413 109 204.

INTERIOR CONDITION REPORT

Doors:

Door/s Condition:

The condition of the doors off the kitchen is good.

KITCHEN

Important Notes: In regard to plumbing or electrical, it should be noted that we are not plumbers or electricians and any comment made is not that of a qualified plumber or electrician. We recommend that a qualified contractor be engaged to make comment on any matter dealing with plumbing or electrical issues.

Kitchen:

Kitchen Cabinets:

The condition of the cabinets is good.

Kitchen Appliances:

The condition of the appliances appears to be good.

Splashbacks:

The condition of the splashbacks is good.

Floor tiles:

The condition of the floor tiles is good.

Sink & Taps:

The sink and taps appear to be in good condition.

BATHROOM

Important Notes: Shower areas (where present) are visually checked for leakage, but leaks often do not show except when the shower is in actual long term use. It is very important to maintain adequate sealing in the bath areas. Very minor imperfections can allow water to get into the wall or floor areas and cause damage. Adequate and proper ongoing maintenance will be required in the future.

In regard to plumbing or electrical, it should be noted that we are not plumbers or electricians and any comment made is not that of a qualified plumber or electrician. We recommend that a qualified contractor be engaged to make comment on any matter dealing with plumbing or electrical issues.

Bathroom:

Shower Condition:

The general condition of the shower area is good. The shower recess was tested and there was no visible water penetration to surrounding areas. **IMPORTANT NOTE:** This test may not reveal water leaks until the shower is put into constant use and surrounding areas monitored over a period of time.

Bath Condition:

The condition of the bath is good.

Splashbacks:

The condition of the splashbacks is good.

Floor tiles:

The condition of the floor tiles is good.

Basin & Taps:

The basin & taps appear to be in good condition.

Vanity Unit:

The condition of the vanity unit is good.

LAUNDRY

Important Notes: In regard to plumbing or electrical, it should be noted that we are not plumbers or electricians and any comment made is not that of a qualified plumber or electrician. We recommend that a qualified contractor be engaged to make comment on any matter dealing with plumbing or electrical issues.

Laundry:

Trough & Taps:

The trough, taps and cabinet all appear to be in good condition.

Splashbacks:

The condition of the splashbacks is good.

Floor tiles:

The condition of the floor tiles is good.

TOILET

Important Notes: In regard to plumbing or electrical, it should be noted that we are not plumbers or electricians and any comment made is not that of a qualified plumber or electrician. We recommend that a qualified contractor be engaged to make comment on any matter dealing with plumbing or electrical issues.

Toilet:

Toilet Condition:

The toilet appears to be in good condition and functioning as intended.

Basin & Taps:

The basin & taps appear to be in good condition.

Splashbacks:

The condition of the splashbacks is good.

Floor tiles:

The condition of the floor tiles is good.

ENCLOSED VERANDAH / DECK

Enclosed Verandah:

Position/Location:

To the rear of the dwelling.

Construction & Condition:

Constructed primarily from timber. The general condition of this structure is fair.

Roof Construction:

The roof is of skillion construction.

Roof is covered with:

Corrugated steel:

Roof Covering Condition:

The overall condition of the roof coverings is good.

Wall are covered with:

Weatherboards and cement sheet cladding.

Wall cladding condition:

The overall condition of the wall cladding is good.

Defects or Maintenance Items:

The structure does not comply with the requirements of Part 3.7.2 (Fire Separation of external walls) of The Building Code of Australia in that the structure is built to the allotment boundary without an adequate fire resistant wall in place.

Rain water tank collecting water from the roof does not have an overflow connected to the legal point of discharge.
The timber framing of the structure does not comply with the requirements of AS1684 (Residential timber framed construction) in that the framing used does not appear to be structurally graded and the bearers have excessive spans. Note that despite this the structure appears to be performing adequately.

Deck:

Position/Location:

In front of the verandah.

Construction & Condition:

Constructed primarily from timber. The general condition of this structure is fair.

Defects or Maintenance Items:

The timber framing of the structure does not comply with the requirements of AS1684 (Residential timber framed construction) in that the framing used does not appear to be structurally graded and the bearers have excessive spans. Note that despite this the structure appears to be performing adequately.

Important Information

Important Information:

The following forms an integral part of the report and MUST be read in conjunction with the entire report.

General Definitions used in this report:

The Definitions of the Terms (Good), (Fair), & (Poor) below apply to defects associated with individual items or specific areas:

Good - The item or area inspected appears to be in Serviceable and/or Sound Condition without any significant visible defects at the time of inspection.

Fair - The item or area inspected exhibits some minor defects or minor damage and may require some repairs of maintenance.

Poor - The item or area inspected requires significant repairs or replacement due to poor construction methods or lack of maintenance or is not finished to an acceptable standard of workmanship.

Appearance Defect - Where in the inspectors opinion the appearance of the building element has blemished at the time of the inspection and the expected consequence of this cracking is unknown until further information is obtained.

Serviceability Defect - Where in the inspectors opinion the function of the building element is impaired at the time of the inspection and the expected consequence of this cracking is unknown until further information is obtained.

Structural Defect - Where in the inspector's opinion the structural performance of the building element is impaired at the time of the inspection and the expected consequence of this cracking is unknown until further information is obtained.

Accessible Area - An area on the site where sufficient, safe and reasonable access is available to allow inspection within the scope of the inspection.

General and Important Information:

Note: In the case of strata and company title properties, the inspection is limited to the interior and immediate exterior of the particular unit being inspected. The Exterior above ground floor level is not inspected. The complete inspection

of other common property areas would be the subject of a Special-Purpose Inspection Report which is adequately specified.

Shower Recesses: Tests may be made on shower recesses to detect leaks (if water is connected). The tests may not reveal leaks or show incorrect waterproofing if silicone liquid or masonry sealant has been applied prior to the inspection. Such application is a temporary waterproofing measure and may last for some months before breaking down. The tests on shower recesses are limited to running water within the recesses and visually checking for leaks. As showers are only checked for a short period of time, prolonged use may reveal leaks that were not detected at the time of inspection. No evidence of a current leak during inspection does not necessarily mean that the shower does not leak.

Trees: Where trees are too close to the house this could affect the performance of the footing as the moisture levels change in the ground. A Geotechnical Inspection can determine the foundation material and advise on the best course of action with regards to the trees.

The septic tanks: Should be inspected by a licensed plumber.

Surface Water Drainage: The retention of water from surface run off could have an effect on the foundation material which in turn could affect the footings to the house. Best practice is to monitor the flow of surface water and stormwater run off and have the water directed away from the house or to storm water pipes by a licensed plumber/drainier.

Important Information Regarding the Scope and Limitations of the Inspection and this Report

Any person who relies upon the contents of this report does so acknowledging that the following clauses, which define the Scope and Limitations of the inspection, form an integral part of the report.

1) This report is not an all encompassing report dealing with the building from every aspect. It is a reasonable attempt to identify any obvious or significant defects apparent at the time of the inspection.

2) **THIS IS A VISUAL INSPECTION ONLY** limited to those areas and sections of the property fully accessible and visible to the Inspector on the date of Inspection. The inspection DID NOT include breaking apart, dismantling, removing or moving objects including, but not limited to, foliage, mouldings, roof insulation/sisalation, floor or wall coverings, sidings, ceilings, floors, furnishings, appliances or personal possessions. The inspector CANNOT see inside walls, between floors, inside skillion roofing, behind stored goods in cupboards and other areas that are concealed or obstructed. The inspector DID NOT dig, gouge, force or perform any other invasive procedures. Visible timbers CANNOT be destructively probed or hit without the written permission of the property owner.

3) This Report does not and cannot make comment upon: defects that may have been concealed; the assessment or detection of defects (including rising damp and leaks) which may be subject to the prevailing weather conditions; whether or not services have been used for some time prior to the inspection and whether this will affect the detection of leaks or other defects (*eg. In the case of shower enclosures the absence of any dampness at the time of the inspection does not necessarily mean that the enclosure will not leak*); the presence or absence of timber pests; gas-fittings; common property areas; environmental concerns; the proximity of the property to flight paths, railways, or busy traffic; noise levels; health and safety issues; heritage concerns; security concerns; fire protection; site drainage (apart from surface water drainage); detection and identification of illegal plumbing work; neighbourhood problems; electrical installation; any matters that are solely regulated by statute; any area(s) or item(s) that could not be inspected by the consultant.

Accordingly this Report is not a guarantee that defects and/or damage does not exist in any inaccessible or partly inaccessible areas or sections of the property. **(NB Such matters may upon request be covered under the terms of a Special-Purpose Property Report.)**

4) **CONSUMER COMPLAINTS PROCEDURE.** In the event of any controversy or claim arising out of, or relating to this Report, either party must give written Notice of the dispute to the other party. If the dispute is not resolved within ten (10) days from the service of the Notice then the dispute shall be referred to a mediator nominated by the Inspector. Should the dispute not be resolved by mediation then either party may refer the dispute to the Institute of Arbitrators and Mediators of Australia for resolution by arbitration.

5) **ASBESTOS DISCLAIMER: "No inspection for asbestos was carried out at the property and no**

report on the presence or absence of asbestos is provided. If during the course of the Inspection asbestos or materials containing asbestos happened to be noticed then this may be noted in the **Additional Comments** section of the report. Buildings built prior to 1982 may have wall and/or ceiling sheeting and other products including roof sheeting that contains Asbestos. Even building built after this date up until the early 90s may contain some Asbestos. Sheeting should be fully sealed. If concerned or if the building was built prior to 1990 or if asbestos is noted as present within the property then you should seek advice from a qualified asbestos removal expert as to the amount and importance of the asbestos present and the cost of sealing or removal. Drilling, cutting or removing sheeting or products containing Asbestos is a high risk to peoples health. You should seek advice from a qualified asbestos removal expert."

6) Mould (Mildew and Non-Wood Decay Fungi) Disclaimer: Mildew and non wood decay fungi is commonly known as Mould. However, Mould and their spores may cause health problems or allergic reactions such as asthma and dermatitis in some people. **No inspection for Mould was carried out at the property and no report on the presence or absence of Mould is provided.** If in the course of the Inspection, mould happened to be noticed it may be noted in the report. If Mould is noted as present within the property or if you notice Mould and you are concerned as to the possible health risk resulting from its presence then you should seek advice from your local Council, State or Commonwealth Government Health Department or a qualified expert such as an Industry Hygienist.

7) Cracking of Building Elements: The use of cracking of building elements as an indicator of structural performance can be problematic. Where any cracking is present in a building element, that cracking may be the result of one or more of a range of factors and that the significance of cracking may vary.

Cracking can be generally categorized into:

Appearance Defect: Where in the inspectors opinion the appearance of the building element has blemished at the time of the inspection and the expected consequence of this cracking is unknown until further information is obtained.

Serviceability Defect: Where in the inspectors opinion the function of the building element is impaired at the time of the inspection and the expected consequence of this cracking is unknown until further information is obtained.

Structural Defect: Where in the inspector's opinion the structural performance of the building element is impaired at the time of the inspection and the expected consequence of this cracking is unknown until further information is obtained.

The criteria for determining whether cracking is a structural defect are not solely related to crack width. Cracks 0.1mm wide may be a structural defect while cracks 5.00mm wide may not be structural defects. Cracking in a structural element does not necessarily indicate a structural defect.

8) CONDITIONS :- This standard property report is conditional upon or conditional in relation to -

- the assessment of any apparent defect including rising damp and leaks, the detection of which may be subject to prevailing weather conditions;
- information provided by the person, the employees or agents of the person requesting the report;
- the specific areas of expertise of the consultant specified in the report;
- apparent concealment of possible defects; or
- any other factor limiting the preparation of the report.

9) If the property to be inspected is occupied then You must be aware that furnishings or household items may be concealing evidence of problems, which may only be revealed when the items are moved or removed. Where the Report says the property is occupied You agree to:

a) Obtain a statement from the occupier as to

- i. any Timber Pest activity or damage;
- ii. timber repairs or other repairs
- iii. alterations or other problems to the property known to them
- iv. any other work carried out to the property including Timber Pest treatments
- v. obtain copies of any paperwork issued and the details of all work carried out

b) Indemnify the Inspector from any loss incurred by You relating to the items listed in clause a) above where no such statement is obtained.

10) You agree that We cannot accept any liability for Our failure to report a defect that was concealed by the owner of the building being inspected and You agree to indemnify Us for any failure to find such concealed defects

11) Where Our report recommends another type of inspection including an invasive inspection and report then You should have such an inspection carried out prior to the exchange of contracts or end of cooling-off period. If You fail to follow Our recommendations then You agree and accept that You may suffer a financial loss and indemnify Us against all losses that You incur resulting from Your failure to act on Our advice.

12) The Report may not be sold or provided to any other Person without Our express written permission, unless the Client is authorised to do so by Legislation. If We give our permission it may be subject to conditions such as payment of a further fee by the other Person and agreement from the other Person to comply with this clause.
However, We may sell the Report to any other Person although there is no obligation for Us to do so.

13) You indemnify Us in respect of any and all liability, including all claims, actions, proceedings, judgments, damages, losses, interest, costs and expenses of any nature, which may be incurred by, brought, made or recovered against Us arising directly or indirectly from the unauthorised provision or sale of the Report by You to a Person without Our express written permission.

IMPORTANT DISCLAIMER

DISCLAIMER OF LIABILITY: -No Liability shall be accepted on an account of failure of the Report to notify any problems in the area(s) or section(s) of the subject property physically inaccessible for inspection, or to which access for Inspection is denied by or to the Inspector (including but not limited to or any area(s) or section(s) so specified by the Report).

DISCLAIMER OF LIABILITY TO THIRD PARTIES: - We will not be liable for any loss, damage, cost or expense, whatsoever, suffered or incurred by any Person other than You in connection with the use of the Inspection Report provided pursuant to this agreement by that Person for any purpose or in any way, including the use of this report for any purpose connected with the sale, purchase, or use of the Property or the giving of security over the Property, to the extent permissible by law. The only Person to whom We may be liable and to whom losses arising in contract or tort sustained may be payable by Us is the Client named on the face page of this Agreement.

CONTACT THE INSPECTOR

Please feel free to contact the inspector who carried out this inspection. Often it is very difficult to fully explain situations, problems, access difficulties, building faults or their importance in a manner that is readily understandable by the reader. Should you have any difficulty in understanding anything contained within this report then you should immediately contact the inspector and have the matter explained to you. If you have any questions at all or require any clarification then contact the inspector prior to acting on this report.

..... End Of Report

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.

(04/10/2016)

Land boundaries

Do you know the exact boundary of the property?

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

Planning controls

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

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

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

Are there any proposed or granted planning permits?

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

Safety

Is the building safe to live in?

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

Building permits

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

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

Are any recent building or renovation works covered by insurance?

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

Utilities and essential services

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

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

Buyers' rights

Do you know your rights when buying a property?

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

SECTION 32 STATEMENT
7 The Heights, Somerville VIC

DATED

VENDOR:.
Simone Michele Downes

VENDORS STATEMENT

Vendor's Representative

BROWNLOW CONVEYANCING

PO Box 102
Somerville Vic 3912
Email:
jenny@brownlowconveyancing.com.au
Tel: (03) 5978 0540
Ref: JB:2688