

# SECTION 32 STATEMENT

PURSUANT TO DIVISION 2 OF PART II  
SECTION 32 OF THE SALE OF LAND ACT 1962 (VIC)

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**Vendor:** ROBYN DENISE GARGANO AND CHARLES PASQUALE GARGANO

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**Property:** 36 BELMONT AVENUE, UPWEY VIC 3158

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**VENDORS REPRESENTATIVE**  
MOUNTAIN CONVEYANCING

Tel: 03 9754 7615

Email: [office@mountainconveyancing.com.au](mailto:office@mountainconveyancing.com.au)

Ref: 23-6747

SECTION 32 STATEMENT  
36 BELMONT AVENUE, UPWEY VIC 3158

**32A FINANCIAL MATTERS**

32A(a) Information concerning any rates, taxes, charges or other similar outgoings AND any interest payable on any part of them is contained in the attached certificate/s and as follows-

<b>Provider</b>	<b>Amount (&amp; interest if any)</b>	<b>Period</b>
Yarra Ranges Shire Council	Approx. \$2,800.00	Per annum
South East Water	See attached certificate	Per annum

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:- None to the vendors knowledge

**Their total does not exceed \$3,800.00**

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

32A(b) The particulars of any Charge (whether registered or not) over the land imposed by or under an Act to secure an amount due under that Act, including the amount owing under the charge are as follows:- Not Applicable

**32B INSURANCE**

- (a) Where the Contract does not provide for the land to remain at the risk of the Vendor, particulars of any policy of insurance maintained by the Vendor in respect of damage to or destruction of the land are as follows: - Not Applicable
- (b) Where there is a residence on the land which was constructed within the preceding six years, and section 137B of the *Building Act 1993* applies, particulars of the required insurance are as follows:- Not Applicable

No such Insurance has been effected to the Vendors knowledge.

**32C LAND USE**

(a) RESTRICTIONS

Information concerning any easement, covenant or similar restriction affecting the land (whether registered or unregistered) is as follows:-

- Easements affecting the land are as set out in the attached copies of title.
- Covenants affecting the land are as set out in the attached copies of title.
- Other restrictions affecting the land are as attached.
- Particulars of any existing failure to comply with the terms of such easement, covenant and/or restriction are as follows:-

To the best of the Vendor's knowledge there is no existing failure to comply with the terms of any easement, covenant or similar restriction affecting the land. The Purchaser should note that there may be sewers, drains, water pipes, underground and/or overhead electricity cables, underground and/or overhead telephone cables and underground gas pipes laid outside any registered easements and which are not registered or required to be registered against the Certificate of Title.

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(b) BUSHFIRE

This land is in a designated bushfire- prone area within the meaning of the regulations made under the *Building Act 1993*.

(c) ROAD ACCESS

There is access to the Property by Road.

(d) PLANNING

Planning Scheme:	Yarra Ranges Planning Scheme
Responsible Authority:	Yarra Ranges Shire Council
Zoning:	See attached certificate
Planning Overlay/s:	See attached certificate

**32D NOTICES**

- (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
- (d) If the property sold includes a swimming pool as defined in the Building Regulations 2006 (Vic) (the "Regulations") in respect of which suitable barriers as defined in the Regulations have not been provided, then the purchaser does hereby acknowledge, agree and declare that it shall be the purchaser's responsibility at their sole cost and expense to construct suitable barriers in compliance with the Regulations and to the satisfaction of the responsible authority with the time prescribed in the Regulations.

**32E BUILDING PERMITS**

Particulars of any Building Permit issued under the *Building Act 1993* during the past seven years (where there is a residence on the land):-

Is contained in the attached Certificate/s.

**32F OWNERS CORPORATION**

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

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**32G GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (GAIC)**

- (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

**32H SERVICES**

The following are **not** connected if mark with X

Electricity  Gas supply  Water supply  Sewerage  Telephone services

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.

**32I TITLE**

Attached are the following document/s concerning Title:

- (a) In the case of land under the *Transfer of Land Act 1958* a copy of the Register Search Statement/s and the document/s, or part of the document/s, referred to as the diagram location in the Register Search Statement/s 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 Vendors title to the land.
- (c) Where the Vendor is not the registered proprietor or the owner of the estate in fee simple, copies of the documents bearing 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) a copy of the Plan of Subdivision which has been certified by the relevant municipal council (if the Plan of Subdivision has not been registered), or
  - (ii) a copy of the latest version of the plan (if the Plan of Subdivision has not been certified).
- (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 in the second or a subsequent stage, a copy of the plan for the first stage; and
  - (ii) details of any requirements in a Statement of Compliance relating to the stage in which the land is included that have not been complied with; and
  - (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 staged 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 later plan has not yet been certified, a copy of the latest version of the plan.

**ATTACHMENTS**

Attached to this Section 32 Statement please find:-

- All documents noted as attached within this Section 32 Statement
- **Due Diligence Checklist**

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**MATERIAL FACT**

Yarra Ranges Shire Council planning application in progress at 34 Belmont Avenue, Upwey VIC 3158 (YR-2022/527) for three (3) lot re-subdivision and vegetation removal

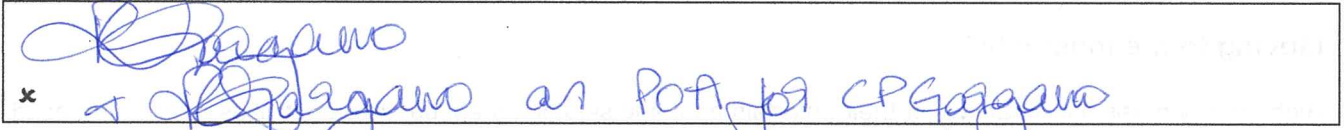
**DATE OF THIS STATEMENT**

/  /20

**Name of the Vendor**

**ROBYN DENISE GARGANO and CHARLES PASQUALE GARGANO**

**Signature/s of the Vendor**



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

The Purchaser further acknowledges being directed to the DUE DILIGENCE CHECKLIST.

**DATE OF THIS ACKNOWLEDGMENT**

/  /20

**Name of the Purchaser**

**Signature/s of the Purchaser**

## Due Diligence Checklist

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

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

### Urban living

#### Moving to the inner city?

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

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

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

### Growth areas

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

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

### Flood and fire risk

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

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

### Rural properties

#### Moving to the country?

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

Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.

Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.

Do you understand your obligations to manage weeds and pest animals?

#### Can you build new dwellings?

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

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

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

### **Soil and groundwater contamination**

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

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

### **Land boundaries**

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

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

### **Planning controls**

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

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

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

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

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

### **Safety**

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

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

### **Building permits**

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

There are laws and regulations about how buildings and retaining walls are constructed, which you may wish to investigate to ensure any completed or proposed building work is approved. The local council may be able to give

you information about any building permits issued for recent building works done to the property, and what you must do to plan new work. You can also commission a private building surveyor's assessment.

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

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

### **Utilities and essential services**

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

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

### **Buyers' rights**

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

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





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

Page 1 of 1

VOLUME 08820 FOLIO 856

Security no : 124110347718G  
Produced 08/11/2023 01:23 PM

**LAND DESCRIPTION**

Lots 1 and 2 on Title Plan 444849T (formerly known as part of Lot 13 on Plan of Subdivision 006646, part of Lot 14 on Plan of Subdivision 006646).

PARENT TITLES :

Volume 05336 Folio 040            Volume 05601 Folio 125

Created by instrument D655533 06/03/1970

**REGISTERED PROPRIETOR**

Estate Fee Simple

Joint Proprietors

CHARLES PASQUALE GARGANO

ROBYN DENISE GARGANO both of 36 BELMONT AV UPWEY 3156

T891623H 02/10/1995

**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 TP444849T FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

DOCUMENT END



# Imaged Document Cover Sheet

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Document Type	<b>Plan</b>
Document Identification	<b>TP444849T</b>
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# PLANNING CERTIFICATE

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

## CERTIFICATE REFERENCE NUMBER

979395

## APPLICANT'S NAME & ADDRESS

MELANIA SERWYLO C/- LANDATA  
MELBOURNE

## VENDOR

GARGANO, ROBYN

## PURCHASER

NOT, APPLICABLE

## REFERENCE

23-6747

This certificate is issued for:

LOT 2 PLAN TP444849, LOT 1 PLAN TP444849 ALSO KNOWN AS 36 BELMONT AVENUE UPWEY  
YARRA RANGES SHIRE

The land is covered by the:

YARRA RANGES PLANNING SCHEME

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

The land:

- is included in a LOW DENSITY RESIDENTIAL ZONE
- is within a EROSION MANAGEMENT OVERLAY
- and a BUSHFIRE MANAGEMENT OVERLAY - SCHEDULE 2
- and a SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 22

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

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

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

08 November 2023

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

Location of Land

Parish: SCORESBY  
 Township:  
 Section:  
 Crown Allotment: 72D (PT)  
 Crown Portion:

Last Plan Reference: LP 6646  
 Derived From: VOL 8820 FOL 856  
 Depth Limitation: NIL

Notations

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land / Easement Information

ALL THAT piece of land delineated and -- coloured red and blue on the map in the margin being part of lots 13 and 14 on Plan of Subdivision No. 0646 and being part of Crown Allotment 72<sup>D</sup> Parish of Scoresby County of Mornington as to the said part of lot 13 together with a right of carriageway over the road coloured brown and yellow-cross-hatched on the said map and over Roma Parade and Belmont Avenue coloured brown and brown-hatched on the said Plan of Subdivision and no-utter with a right of drainage over the land coloured yellow-yellow-hatched and yellow-cross-hatched on the said map as to the said part of lot 14 together with a right of drainage over the land coloured yellow-hatched and yellow-cross-hatched on the said map

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT  
 COMPILED: 19/05/2000  
 VERIFIED: AK

ENCUMBRANCES REFERRED TO

as to the land coloured blue

THE EASEMENTS (if any) existing over the same by virtue of Section 98 of the Transfer of Land Act

COLOUR CODE  
 R=RED  
 BR=BROWN  
 BL=BLUE  
 Y=YELLOW  
 H=HATCHED  
 CH=CROSS HATCHED

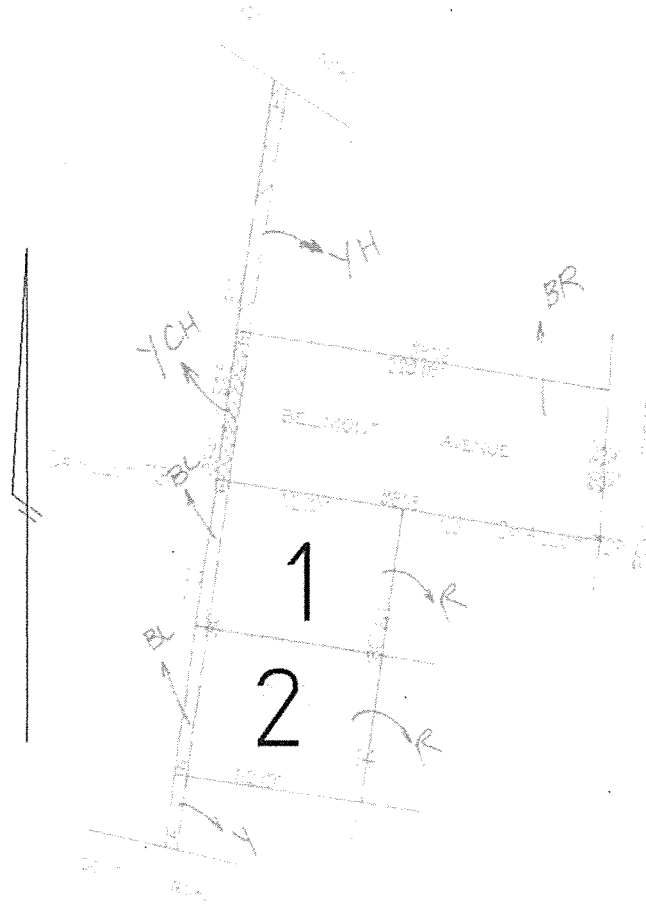


TABLE OF PARCEL IDENTIFIERS

WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962

PARCEL 1 = LOT 13 (PT) ON LP 6646

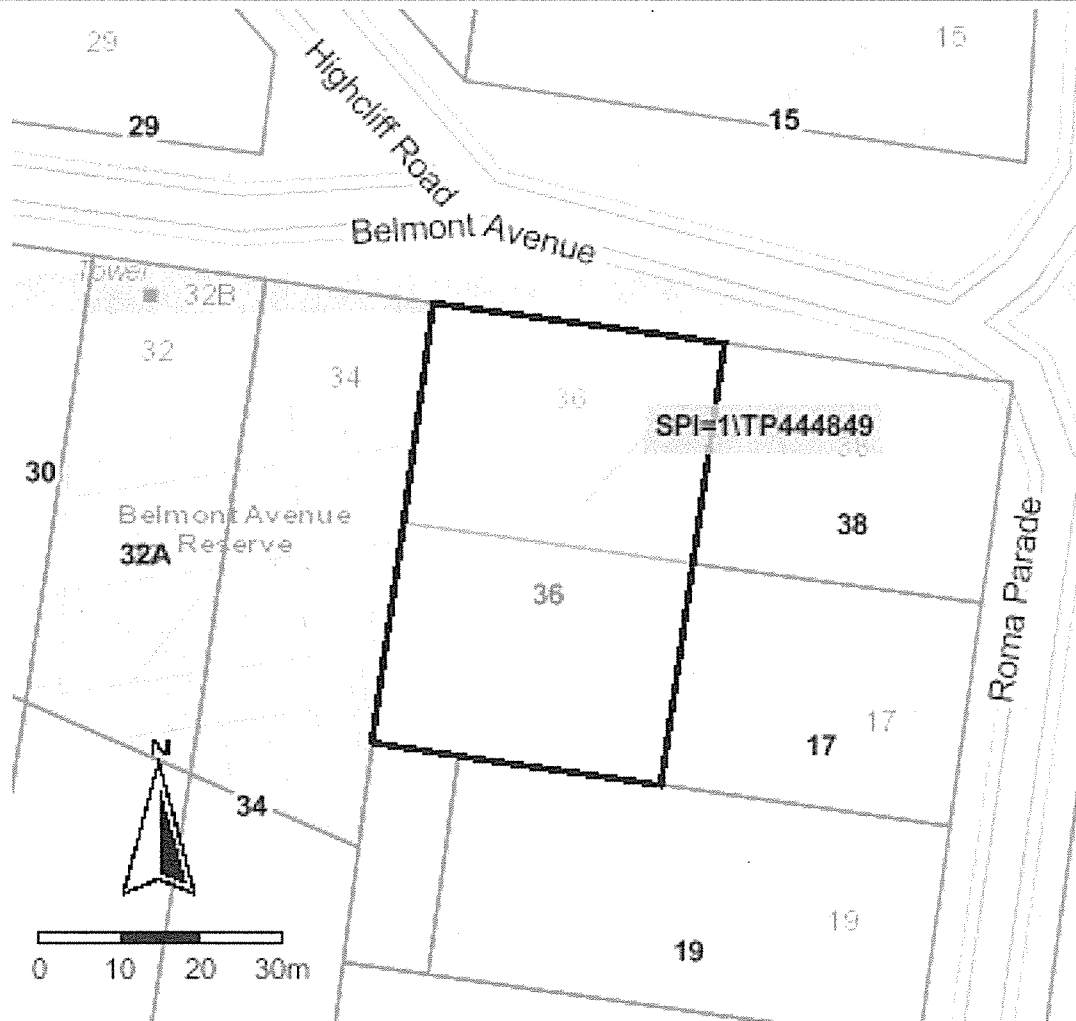
PARCEL 2 = LOT 14 (PT) ON LP 6646

The attached certificate is issued by the Minister for Planning of the State of Victoria and is protected by statute.

The document has been issued based on the property information you provided. You should check the map below - it highlights the property identified from your information.

If this property is different to the one expected, you can phone (03) 9102 0402 or email [landata.enquiries@servictoria.com.au](mailto:landata.enquiries@servictoria.com.au)

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



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

### Choose the authoritative Planning Certificate

#### Why rely on anything less?

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

### Privacy Statement

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

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 08 November 2023 01:20 PM

## PROPERTY DETAILS

Address: **36 BELMONT AVENUE UPWEY 3158**  
 Lot and Plan Number: **More than one parcel - see link below**  
 Standard Parcel Identifier (SPI): **More than one parcel - see link below**  
 Local Government Area (Council): **YARRA RANGES**  
 Council Property Number: **214947**  
 Planning Scheme: **Yarra Ranges**  
 Directory Reference: **Melway 74 J9**

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

[Planning Scheme - Yarra Ranges](#)

This property has 2 parcels. For full parcel details get the free Property report at [Property Reports](#)

## UTILITIES

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

## STATE ELECTORATES

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

## OTHER

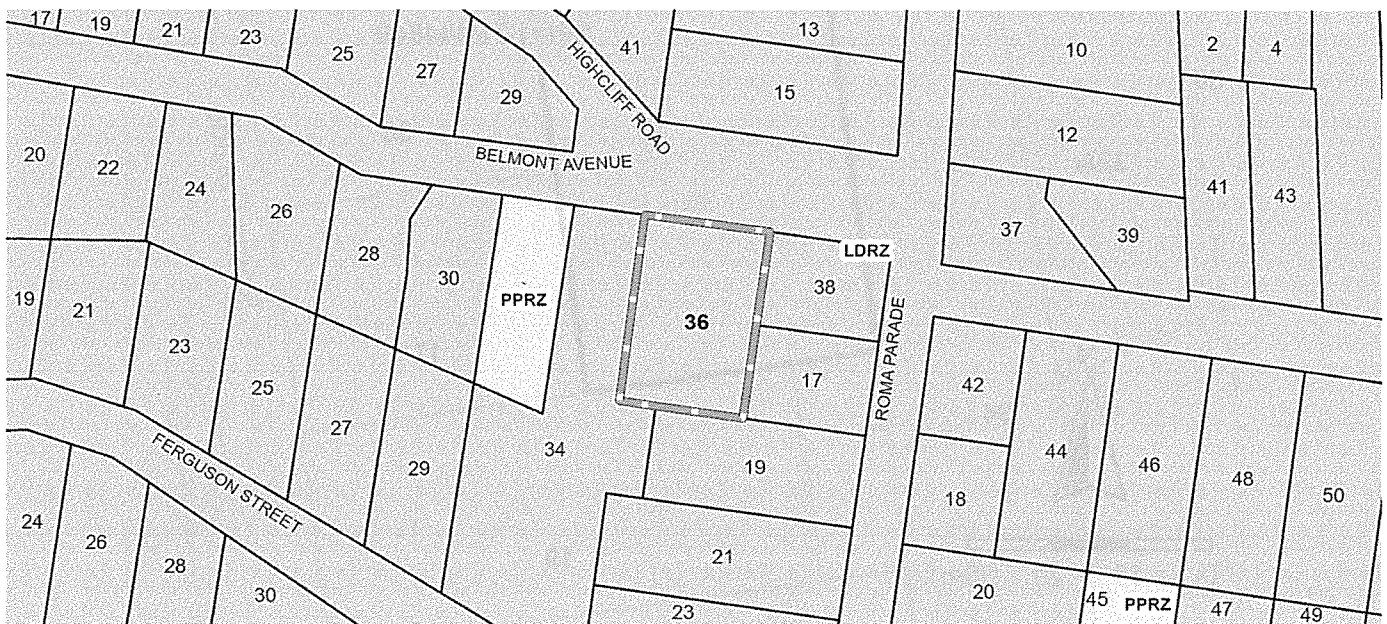
Registered Aboriginal Party: **Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation**

[View location in VicPlan](#)

## Planning Zones

### LOW DENSITY RESIDENTIAL ZONE (LDRZ)

### SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE (LDRZ)



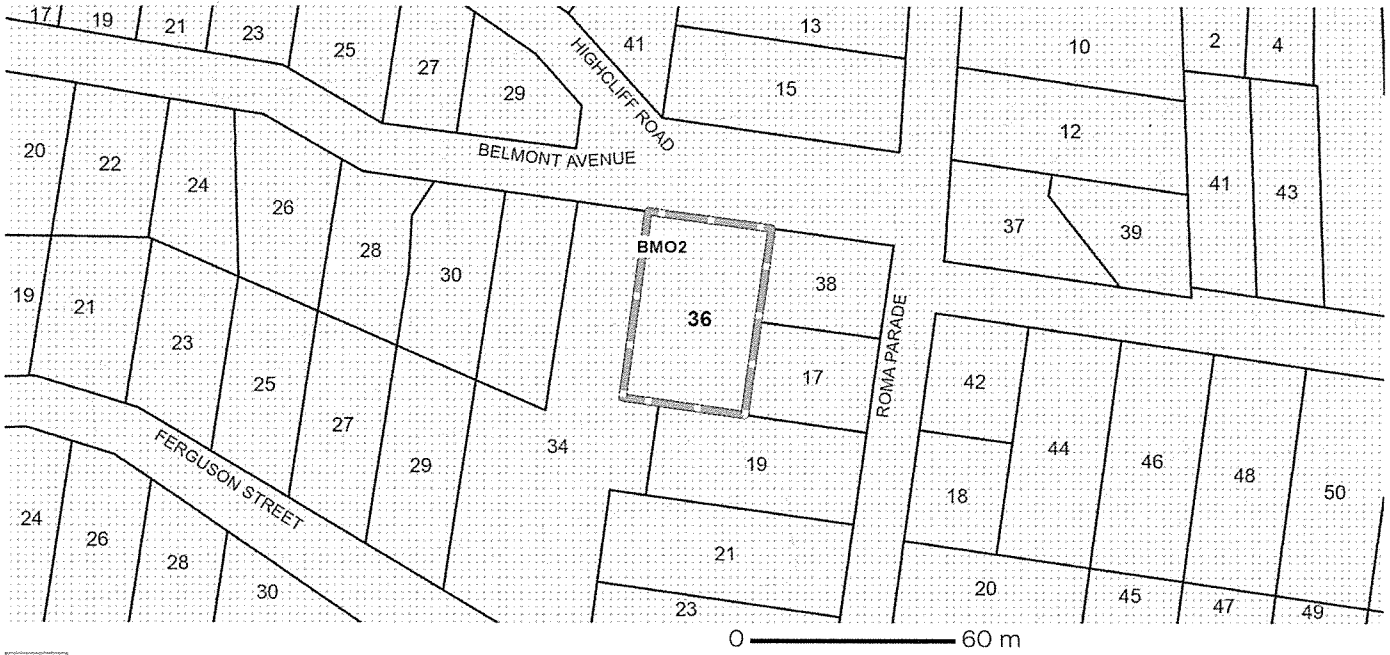
**LDRZ - Low Density Residential**      **PPRZ - Public Park and Recreation**

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

## Planning Overlays

### BUSHFIRE MANAGEMENT OVERLAY (BMO)

### BUSHFIRE MANAGEMENT OVERLAY - SCHEDULE 2 (BMO2)



**BMO - Bushfire Management Overlay**

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

### EROSION MANAGEMENT OVERLAY (EMO)

### EROSION MANAGEMENT OVERLAY SCHEDULE (EMO)



**EMO - Erosion Management Overlay**

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

## Planning Overlays

### SIGNIFICANT LANDSCAPE OVERLAY (SLO)

#### SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 22 (SLO22)



**SLO - Significant Landscape Overlay**

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

### OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

#### HERITAGE OVERLAY (HO)

#### RESTRUCTURE OVERLAY (RO)



**HO - Heritage Overlay**

**RO - Restructure Overlay**

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



## Designated Bushfire Prone Areas

**This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.**

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at <https://mapshare.vic.gov.au/vicplan/> or at the relevant local council.

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

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://nvm.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](#) or please contact your relevant council.

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

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

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 32C (b) of the Sale of Land 1962 (Vic).

## Further Planning Information

Planning scheme data last updated on 2 November 2023.

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>

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Melania Serwyllo  
E-mail: certificates@landata.vic.gov.au

Statement for property:  
LOT 13 36 BELMONT AVENUE  
UPWEY 3158  
13 LP 6646

REFERENCE NO.	YOUR REFERENCE	DATE OF ISSUE	CASE NUMBER
59A/18734/52	LANDATA CER 70828284-026-9	08 NOVEMBER 2023	45346602

## 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.

DESCRIPTION	PERIOD	AMOUNT
<b>Parks Victoria - Parks Service Charge</b>	01/10/2023 to 31/12/2023	\$21.21
<b>Melbourne Water Corporation Total Service Charges</b>	01/10/2023 to 31/12/2023	\$29.54
<b>Water Service Charge</b>	01/10/2023 to 31/12/2023	\$21.48
<b>Sewerage Service Charge</b>	01/10/2023 to 31/12/2023	\$94.37
<b>Subtotal Service Charges</b>		<u>\$166.60</u>
<b>TOTAL UNPAID BALANCE</b>		\$166.60

- The meter at the property was last read on 16/08/2023. Fees accrued since that date may be estimated by reference to the following historical information about the property:

**Water Usage Charge** **\$1.32 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.

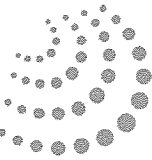
Interest may accrue on the South East Water charges listed in this statement if they are not paid by the due date as set out in the bill.

AUTHORISED OFFICER:



LARA SALEMBIER  
GENERAL MANAGER  
CUSTOMER EXPERIENCE

**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](http://www.southeastwater.com.au).
- Updates of rates and other charges will only be provided for up to six months from the date of this statement.
- If this property has recently been subdivided from a "parent" title, there may be service or other charges owing on the "parent" which will be charged to this property, once sold, that do not appear on this statement. You must contact us to see if there are any such charges as they may be charged to this property on sale and should therefore be adjusted with the owner of the parent title beforehand.
- If the property is sold, the vendor is liable to pay all fees incurred in relation to the property until the vendor gives South East Water a Notice of Disposition of Land required by the Water (General) Regulations 2021, please include the Reference Number set out above in that Notice.
- Fees relating to the property may change from year-to-year in accordance with the Essential Service Commission's Price Determination for South East Water.
- Every fee referred to above is a charge against the property and will be recovered from a purchaser of the property if it is not paid by the vendor.
- Information about when and how outstanding fees may be paid, collected and recovered is set out in the Essential Services Commission's Customer Service Code, Urban Water Businesses.
- If this Statement only sets out rates and fees levied by Parks Victoria and Melbourne Water, the property may not be connected to South East Water's works. To find out whether the property is, or could be connected upon payment of the relevant charges, or whether it is separately metered, telephone 131 694.
- For a new connection to our water or sewer services, fees / charges will be levied.

## 2. Encumbrance Summary

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

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

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

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

AUTHORISED OFFICER:

LARA SALEMBIER  
GENERAL MANAGER  
CUSTOMER EXPERIENCE

**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:



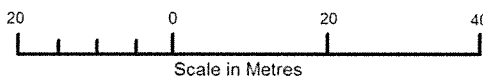
LARA SALEMBIER  
GENERAL MANAGER  
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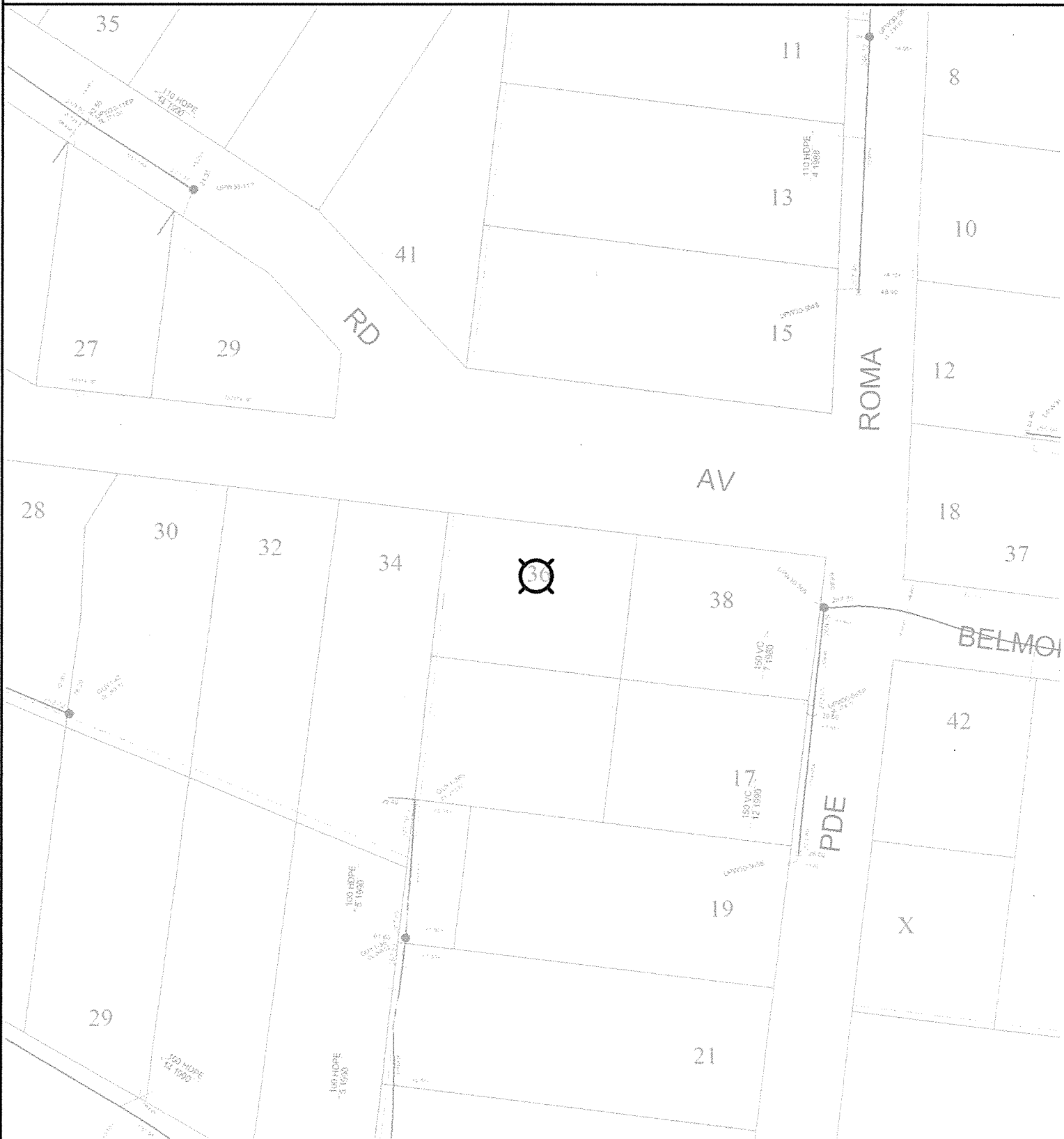


Property: Lot 13 36 BELMONT AVENUE UPWEY 3158

Case Number: 45346602

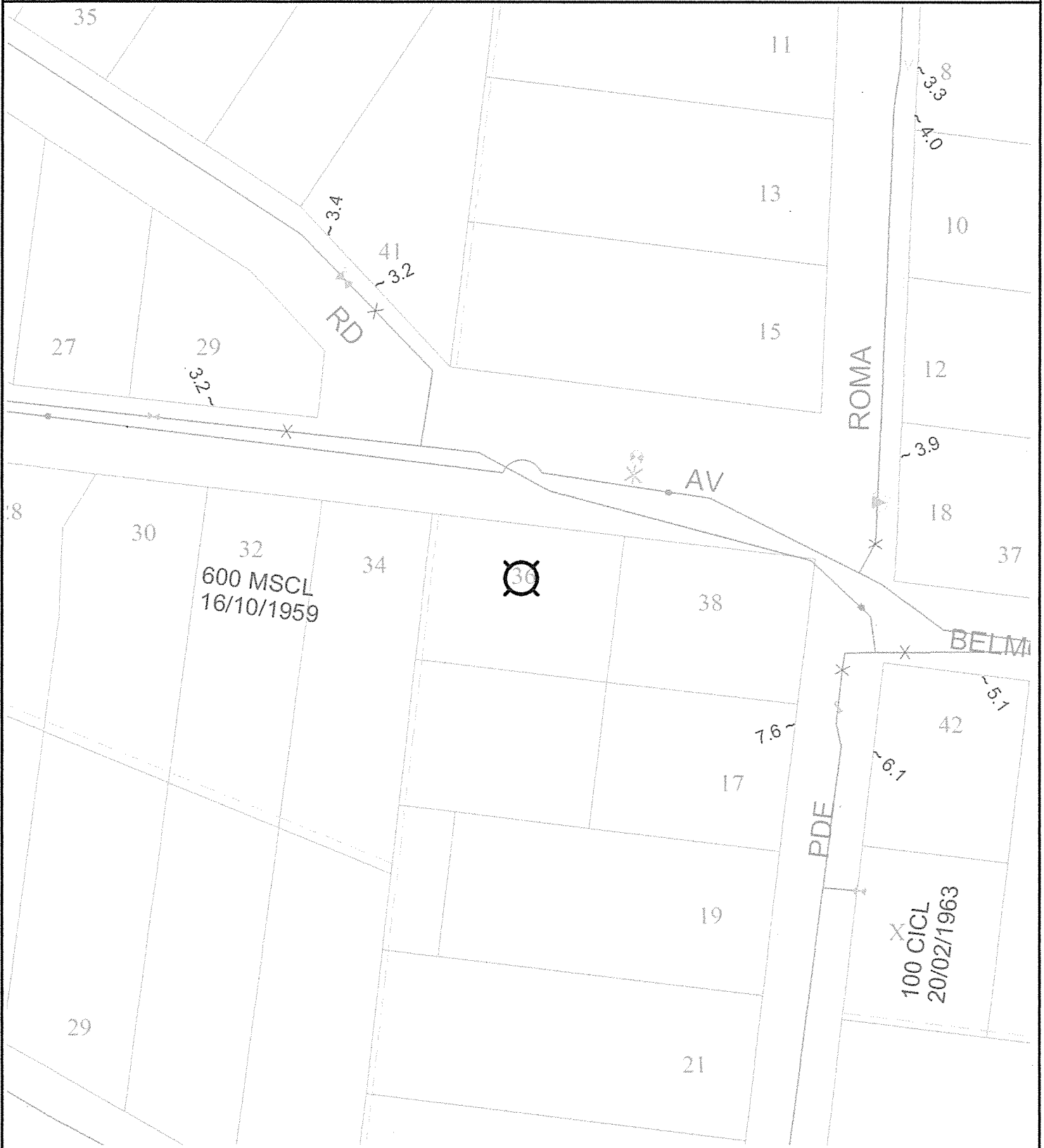
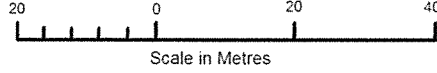


Date: 08NOVEMBER2022



**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
Sewer Main	Melbourne Water Assets Underground Drain	Natural Waterway



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

**LEGEND**

	Title/Road Boundary		Subject Property		Hydrant
	Proposed Title/Road		Water Main Valve		Fireplug/Washout
	Easement		Water Main & Services		~ 1.0
					Offset from Boundary

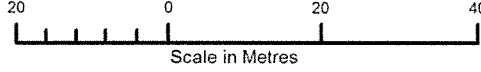
# ASSET INFORMATION - RECYCLED WATER

(RECYCLE WATER WILL APPEAR IF IT'S AVAILABLE)

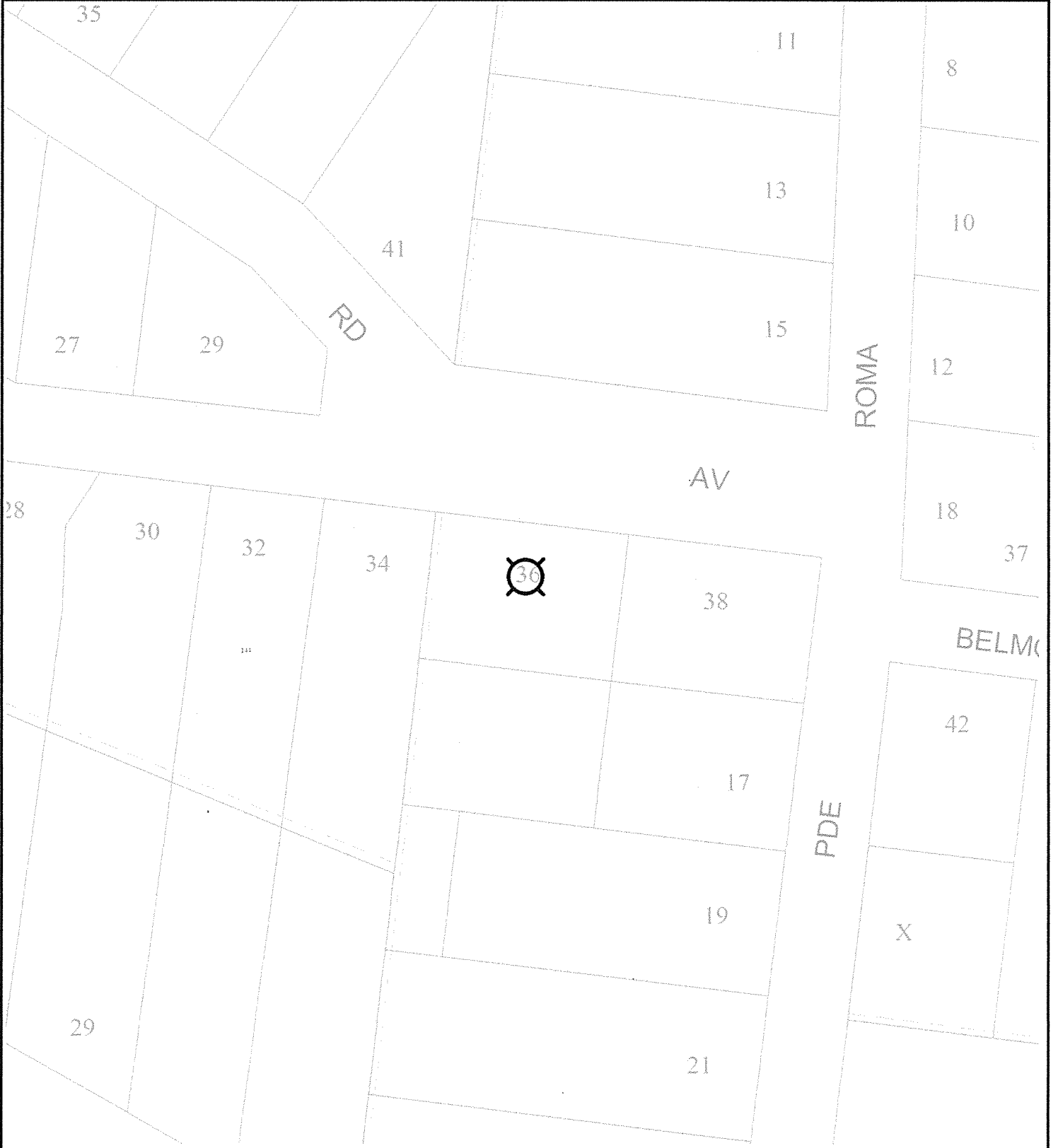
Property: Lot 13 36 BELMONT AVENUE UPWEY 3158



Case Number: 45346602



Date: 08NOVEMBER2023



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

**LEGEND**

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





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

## ROADS PROPERTY CERTIFICATE

The search results are as follows:

Melania Serwylo  
4/1567 Burwood highway  
TECOMA 3160

Client Reference: 23-6747

NO PROPOSALS. As at the 8th November 2023, 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®.

36 BELMONT AVENUE, UPWEY 3158  
SHIRE OF YARRA RANGES

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: 8th November 2023

Telephone enquiries regarding content of certificate: 13 11 71

[Vicroads Certificate] # 70828284 - 70828284132329 '23-6747'

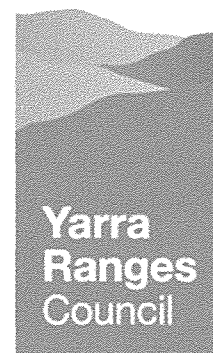
# BUILDING APPROVAL PARTICULARS

Building Act 1993 BUILDING REGULATIONS 2018 Regulation 51(1)

Certificate Number 119423  
Your Reference 23-6747:150476  
Date Issued 14 November 2023

**MOUNTAIN CONVEY**  
4/1567 Burwood Hwy  
[office@mountainconveyancing.com.au](mailto:office@mountainconveyancing.com.au)

Yarra Ranges Council  
PO Box 105  
Lilydale Vic 3140  
DX 34051  
Call 1300 368 333  
Fax 03 9735 4249  
[mail@yarraranges.vic.gov.au](mailto:mail@yarraranges.vic.gov.au)  
[www.yarraranges.vic.gov.au](http://www.yarraranges.vic.gov.au)



**Property Address** 36 Belmont Avenue, Upwey VIC 3158  
**Property Description** Part Lot 13 & Lot 14 LP6646 Ca 72D P Scoresby  
**Assessment Number** 52374

An examination of Council's records reveals the following building approvals have been issued for the above property in the preceding 10 years and any current notices.

Please direct all enquiries to Building Services on 1300 368 333				
Permit Number	Date issued	Brief Description of Works	Final Inspection	Reg 502(1) Statement, Notices, Order or Certificate
BS-30045 012810/0 Council ref: 46119/2018/0	14/02/2018	<b>Construction of a carport / garage</b> Issuer: Building Surveying Victoria Builder: O'Dowd Constructions Pty Ltd (DB-U 9533 Patrick O'Dowd) Insurer: Assetinsure Pty Ltd Cost: \$121,730	31/05/2018	Certificate of Final Inspection issued: 14/06/2018
BS-30045 015976 Council ref: 48040/2018/0	8/11/2018	<b>Construction of a verandah</b> Issuer: Building Surveying Victoria Builder: O'Dowd Constructions Pty Ltd (CDB-U 57269) Insurer: Assetinsure Pty Ltd Cost: \$25,000	19/12/2018	Certificate of Final Inspection issued: 19/12/2018

Additional information under Regulation 51(2) can be obtained for an additional fee of \$50.70. This information will include details on whether a property is liable to flooding/designated land or works (uncontrolled overland drainage), subject to significant snowfalls or in a designated termite area.

Received the sum of \$50.70 on Receipt No: 7771475 for this certificate.

**George Avramopoulos**  
Municipal Building Surveyor

ABN 21 973 226 012  
Yarra Ranges Shire Council

## **NOTES**

### **Smoke Alarms/Sprinkler Systems**

The Building Regulations Part 7 Division 2 – Fire Safety in Certain Existing Residential Buildings states that you may be required to provide hard wired smoke alarms and/or automatic fire sprinkler systems in residential buildings.

Note: Smoke Alarms were required to be installed by 1.2.99 or within 30 days of settlement, whichever was the earlier.

### **Swimming Pools**

The Building Regulations requires all swimming pools and spas capable of holding a depth of water exceeding 300mm to be provided with pool fencing/barriers. A building permit is required for any new fencing/barrier or alteration to existing fencing/barrier.

Registration No: PSR/4185/2021  
Enquiries: Pool Registrations 1300 368 333

Yarra Ranges Council  
PO Box 100  
Lilydale Vic 3140  
DX 34051  
Call 1300 368 333  
Fax 03 725 4249  
[mail@yarraranges.vic.gov.au](mailto:mail@yarraranges.vic.gov.au)  
[www.yarraranges.vic.gov.au](http://www.yarraranges.vic.gov.au)



21 September 2022

Mrs R D Gargano  
36 Belmont Avenue  
UPWEY VIC 3158

Dear Mrs Gargano

**Certificate of Compliance: Permanent Swimming Pool**  
Property: 36 Belmont Avenue, Upwey VIC 3158

Thank you for lodging your Certificate of Pool and Spa Barrier compliance dated 1 September 2022 with Yarra Ranges Council.

In accordance with Regulation 147V of the Building Regulations 2018, Owners of Swimming Pools and Spas are required to lodge a Certificate of Compliance with Council every 4 years. Therefore, your next Certificate of Compliance submission date is 1 September 2026.

*Note: Building Regulations 2018 - Division 3 (Maintenance and operation of barriers for swimming pools and spas) prescribes the ongoing responsibilities of owners, occupiers and users of the swimming pool to maintain the pool safety barriers.*

If you have any questions regarding this matter, please contact Pool Registrations Team 1300 368 333 or [poolregistrations@yarraranges.vic.gov.au](mailto:poolregistrations@yarraranges.vic.gov.au)

Yours sincerely,

**George Avramopoulos**  
Municipal Building Surveyor

**FOR ALL ENQUIRIES, PLEASE CONTACT POOL REGISTRATION TEAM  
ON 1300 368 333**

**FORM 23**  
**REGULATIONS 147Y(4), 147ZB(2)**  
**Building Act 1993**

Building Regulations 2018

**CERTIFICATE OF POOL AND SPA BARRIER COMPLIANCE**

**Issued to:**

1. Name of applicant of the land on which the swimming pool or spa is located: Robyn Gargano
2. Postal address: 36 Belmont Avenue Upwey Vic 3158
3. Telephone number: 0414754702
4. Email address: garganorob@hotmail.com

**Property details:**

Number :36	Street/road: Belmont Avenue	Suburb: Upwey	Postcode : 3158
Lot/s :	LP/PS:	Volume	Folio :
Crown allotment :	Section :	Parish :	County :
Municipal District: Yarra Ranges Shire Council			

**Type of swimming pool or spa:**

- Permanent swimming pool
- Permanent spa
- Relocatable swimming pool
- Relocatable spa

5. Date of construction of the swimming pool or spa: 30 October 1975
6. Applicable barrier standard: Part 9A, Division 2 of the Building Regulations 2018
7. The applicable barrier standard applies under:
  - Division 2 of Part9A of the Building Regulations 2018
  - Deemed to satisfy provisions of the BCA
  - A performance solution in accordance with the BCA
8. Date(s) of inspection(s) of the swimming pool or spa barrier: 01/09/2022, 02/07/2022

**Certification of compliance**

Following inspection of the swimming pool barrier on the date(s) referred to in item 8 of this certificate, I certify that the barrier complies with the applicable barrier standard.

**Signature of Building Inspector:**

*Michael Gray*

**Date of certificate:** 01/09/2022

Note – Certificate is valid for 30 days from this date.

