



Vendor Statement

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

This statement must be signed by the vendor and given to the purchaser before the purchaser signs the contract.
The vendor may sign by electronic signature.

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

Land	100 MARTIN STREET, BELGRAVE VIC 3160
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Vendor's name	ALEXANDER JONATHAN PAL	Date	3/14/2023
Vendor's signature			
Vendor's name	REBECCA KATE WATSON	Date	3/14/2023
Vendor's signature			

Purchaser's name		Date	/ /
Purchaser's signature	<hr/>		
Purchaser's name		Date	/ /
Purchaser's signature	<hr/>		

1. FINANCIAL MATTERS

1.1 Particulars of any Rates, Taxes, Charges or Other Similar Outgoings (and any interest on them)

(a) Their total does not exceed: \$

OR

(b) Are contained in the attached certificate/s.

OR

(c) Their amounts are:

Authority	Amount	Interest (if any)
(1)	(1) \$	(1) \$
(2)	(2) \$	(2) \$
(3)	(3) \$	(3) \$
(4)	(4) \$	(4) \$

(d) There are NO amounts for which the purchaser may become liable as a consequence of the sale of which the vendor might reasonably be expected to have knowledge, which are not included in the items above; other than any amounts described in this rectangular box. \$

(e) Land Tax may be applicable if land value exceeds \$250,000.00 or a change of use occurs. A purchaser will remain liable for any adjusted increase in a new assessment after the 31 December 2022

1.2 Particulars of any Charge (whether registered or not) imposed by or under any Act to secure an amount due under that Act, including the amount owing under the charge

\$	To	
----	----	--

Other particulars (including dates and times of payments):

None to the vendors knowledge

1.3 Terms Contract

This section 1.3 only applies if this vendor statement is in respect of a terms contract where the purchaser is obliged to make 2 or more payments (other than a deposit or final payment) to the vendor after the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land.

Attached is an 'Additional Vendor Statement'

1.4 Sale Subject to Mortgage

This section 1.4 only applies if this vendor statement is in respect of a contract which provides that any mortgage (whether registered or unregistered), is NOT to be discharged before the purchaser becomes entitled to possession or receipts of rents and profits.

Attached is an 'Additional Vendor Statement'

2. INSURANCE

Owner Builder

This section 2.2 only applies where there is a residence on the land that was constructed by an owner-builder within the preceding 6 years and section 137B of the Building Act 1993 applies to the residence.

(a) Attached is a copy or extract of any policy of insurance required under the Building Act 1993.

OR

(b) Particulars of any required insurance under the Building Act 1993 are as follows:

Name of insurance company:

Policy no: Expiry date:

Note: There may be additional legislative obligations in respect of the sale of land on which there is a building or on which building work has been carried out.

3. LAND USE

3.1 Easements, Covenants or Other Similar Restrictions

(a) A description of any easement, covenant or other similar restriction affecting the land (whether registered or unregistered):

Is in the attached copies of title document/s

OR

Is as follows:

--

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

None to the vendors knowledge

3.2 Road Access

There is NO access to the property by road if the square box is marked with an 'X'

3.3 Designated Bushfire Prone Area

The land is in a designated bushfire prone area within the meaning of regulations made under the *Building Act 1993* if the square box is marked with an 'X'

3.4 Planning Scheme

Attached is a certificate with the required specified information.

OR

The required specified information is as follows:

(a) Name of planning scheme

(b) Name of responsible authority

(c) Zoning of the land

(d) Name of planning overlay

4. NOTICES

4.1 Notice, Order, Declaration, Report or Recommendation

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

Are contained in the attached certificates and/or statements

OR

Are as follows

--

4.2 Agricultural Chemicals

There are NO notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes. However, if this is not the case, the details of any such notices, property management plans, reports or orders, are as follows:

None to the vendors knowledge

4.3 Compulsory Acquisition

The particulars of any notices of intention to acquire that have been served under section 6 of the *Land Acquisition and Compensation Act 1986* are as follows:

None to the vendors knowledge

5. BUILDING PERMITS

Particulars of any building permit issued under the *Building Act 1993* in the preceding 7 years (required only where there is a residence on the land):

Are contained in the attached certificate

OR

Are as follows:

None to the vendors knowledge

6. OWNERS CORPORATION

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

6.1 Attached is a current owners corporation certificate with its required accompanying documents and statements, issued in accordance with section 151 of the *Owners Corporations Act 2006*.

OR

6.2 Attached is the information prescribed for the purposes of section 151(4)(a) of the *Owners Corporations Act 2006* and the copy documents specified in section 151(4)(b)(i) and (iii) of that Act.

OR

6.3 The owners corporation is an inactive owners corporation.

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

Words and expressions in this section 7 have the same meaning as in Part 9B of the *Planning and Environment Act 1987*.

7.1 Work-in-Kind Agreement

This section 7.1 only applies if the land is subject to a work-in-kind agreement.

- (a) The land is NOT to be transferred under the agreement unless the square box is marked with an 'X'
- (b) The land is NOT land on which works are to be carried out under the agreement (other than Crown land) unless the square box is marked with an 'X'
- (c) The land is NOT land in respect of which a GAIC is imposed unless the square box is marked with an 'X'

7.2 GAIC Recording

This section 7.2 only applies if there is a GAIC recording.

Any of the following certificates or notices must be attached if there is a GAIC recording.
The accompanying boxes marked with an 'X' indicate that such a certificate or notice that is attached:

- (a) Any certificate of release from liability to pay a GAIC
- (b) Any certificate of deferral of the liability to pay the whole or part of a GAIC
- (c) Any certificate of exemption from liability to pay a GAIC
- (d) Any certificate of staged payment approval

- (e) Any certificate of no GAIC liability
- (f) Any notice providing evidence of the grant of a reduction of the whole or part of the liability for a GAIC or an exemption from that liability
- (g) A GAIC certificate issued under Part 9B of the Planning and Environment Act 1987 must be attached if there is no certificate or notice issued under any of sub-sections 7.2 (a) to (f) above

8. SERVICES

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

Electricity supply <input type="checkbox"/>	Gas supply <input type="checkbox"/>	Water supply <input type="checkbox"/>	Sewerage <input type="checkbox"/>	Telephone services <input type="checkbox"/>
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9. TITLE

Attached are copies of the following documents:

- 9.1 (a) **Registered Title**
 A Register Search Statement and the document, or part of a document, referred to as the "diagram location" in that statement which identifies the land and its location.
 OR
 (b) **General Law Title**
 The last conveyance in the chain of title or other document which gives evidence of the vendor's title to the land.
- 9.2 Evidence of the vendor's right or power to sell (where the vendor is not the registered proprietor or the owner in fee simple).

10. SUBDIVISION

10.1 Unregistered Subdivision

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

- (a) Attached is a copy of the plan of subdivision certified by the relevant municipal council if the plan is not yet registered.
- (b) Attached is a copy of the latest version of the plan if the plan of subdivision has not yet been certified.

10.2 Staged Subdivision

This section 10.2 only applies if the land is part of a staged subdivision within the meaning of section 37 of the *Subdivision Act 1988*.

- (a) Attached is a copy of the plan for the first stage if the land is in the second or subsequent stage.
- (b) The requirements in a statement of compliance relating to the stage in which the land is included that have not been complied with are as follows:

Not applicable

- (c) The proposals relating to subsequent stages that are known to the vendor are as follows:

Not applicable

- (d) The contents of any permit under the *Planning and Environment Act 1987* authorising the staged subdivision are:

Not applicable

10.3 Further Plan of Subdivision

This section 10.3 only applies if the land is subject to a subdivision in respect of which a further plan within the meaning of the *Subdivision Act 1988* is proposed.

- (a) Attached is a copy of the plan which has been certified by the relevant municipal council (if the later plan has not been registered).
- (b) Attached is a copy of the latest version of the plan (if the later plan has not yet been certified).

11. DISCLOSURE OF ENERGY INFORMATION

(Disclosure of this information is not required under section 32 of the Sale of Land Act 1962 but may be included in this vendor statement for convenience.)

Details of any energy efficiency information required to be disclosed regarding a disclosure affected building or disclosure area affected area of a building as defined by the *Building Energy Efficiency Disclosure Act 2010* (Cth)

- (a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and
- (b) which has a net lettable area of at least 2000m²; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the relevant date):
 - Are contained in the attached building energy efficiency certificate.

OR

- Are as follows:

Not applicable

12. DUE DILIGENCE CHECKLIST

(The Sale of Land Act 1962 provides that the vendor or the vendor's licensed estate agent must make a prescribed due diligence checklist available to purchasers before offering land for sale that is vacant residential land or land on which there is a residence. The due diligence checklist is NOT required to be provided with, or attached to, this vendor statement but the checklist may be attached as a matter of convenience.)

13. ATTACHMENTS

(Any certificates, documents and other attachments may be annexed to this section 13)

(Additional information may be added to this section 13 where there is insufficient space in any of the earlier sections)

(Attached is an "Additional Vendor Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)

As attached

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

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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 04784 FOLIO 780

Security no : 124104207634L
Produced 24/02/2023 12:47 PM

LAND DESCRIPTION

Lot 37 on Plan of Subdivision 007133.
PARENT TITLE Volume 04065 Folio 828
Created by instrument 1106992 28/05/1923

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors

ALEXANDER JONATHAN PAL
REBECCA KATE WATSON both of 100 MARTIN STREET BELGRAVE VIC 3160
AR142840Q 19/06/2018

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AR142841N 19/06/2018
AFSH NOMINEES PTY LTD

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 LP007133 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: 100 MARTIN STREET BELGRAVE VIC 3160

ADMINISTRATIVE NOTICES

NIL

eCT Control 13027E MSA NATIONAL
Effective from 19/06/2018

DOCUMENT END

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Page 35 of 115

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Document Type	Plan
Document Identification	LP007133
Number of Pages (excluding this cover sheet)	6
Document Assembled	28/02/2023 09:50

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Plan of subdivision
of part of Crown Allotment 70^J
re-subdivision of part of L.P. N°5980
Parish of Narree Worrان
County of Mornington

V. 3103 F. G20410

Measurements are in Links
Conversion Factor
LINKS X 0.201168 = METRES

LP 7133

EDITION 3
PLAN MAY BE LODGED
9-6-1917

COLOUR CODE

E-1&E-4 = BLUE
R1, R2 & R3 = BROWN
E-3 = YELLOW

APPROPRIATIONS

THE LAND COLOURED BLUE
IS APPROPRIATED OR SET
APART FOR EASEMENTS OF
DRAINAGE AND ARE 10 LINKS WIDE

ROADS COLOURED BROWN
& YELLOW

ENCUMBRANCES

AS TO THE LAND MARKED E-4
AND ROADS R1, R2 & R3
ANY EASEMENTS AFFECTING
THE SAME

STREET NAME AMENDED

FROM
TO BELGRAVE - GEMBROOK ROAD
CORR 69/14158

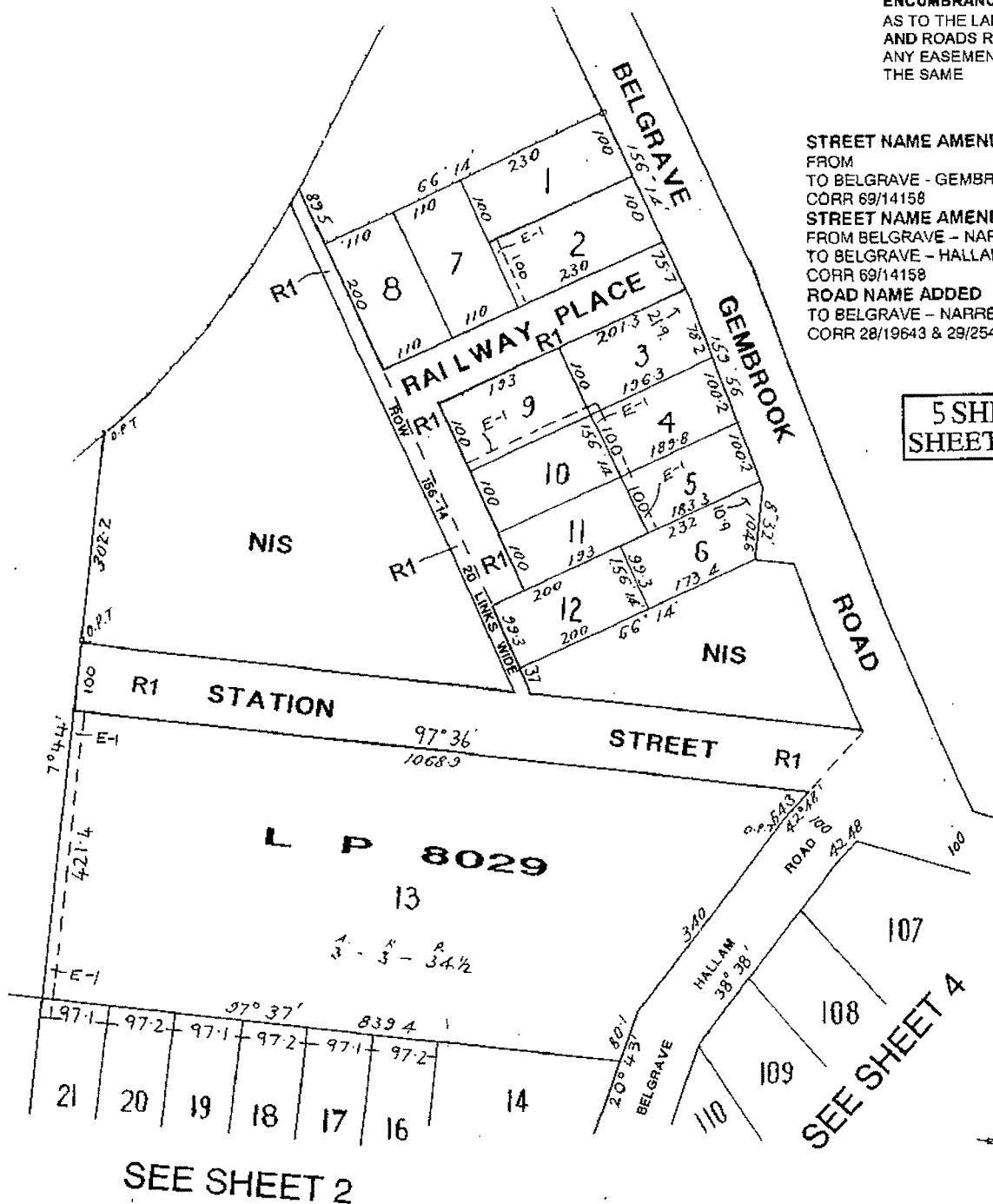
STREET NAME AMENDED

FROM BELGRAVE - NARREE WORRAN ROAD
TO BELGRAVE - HALLAM ROAD
CORR 69/14158

ROAD NAME ADDED

TO BELGRAVE - NARREE WORRAN ROAD
CORR 28/19643 & 29/25432

5 SHEETS
SHEET 1

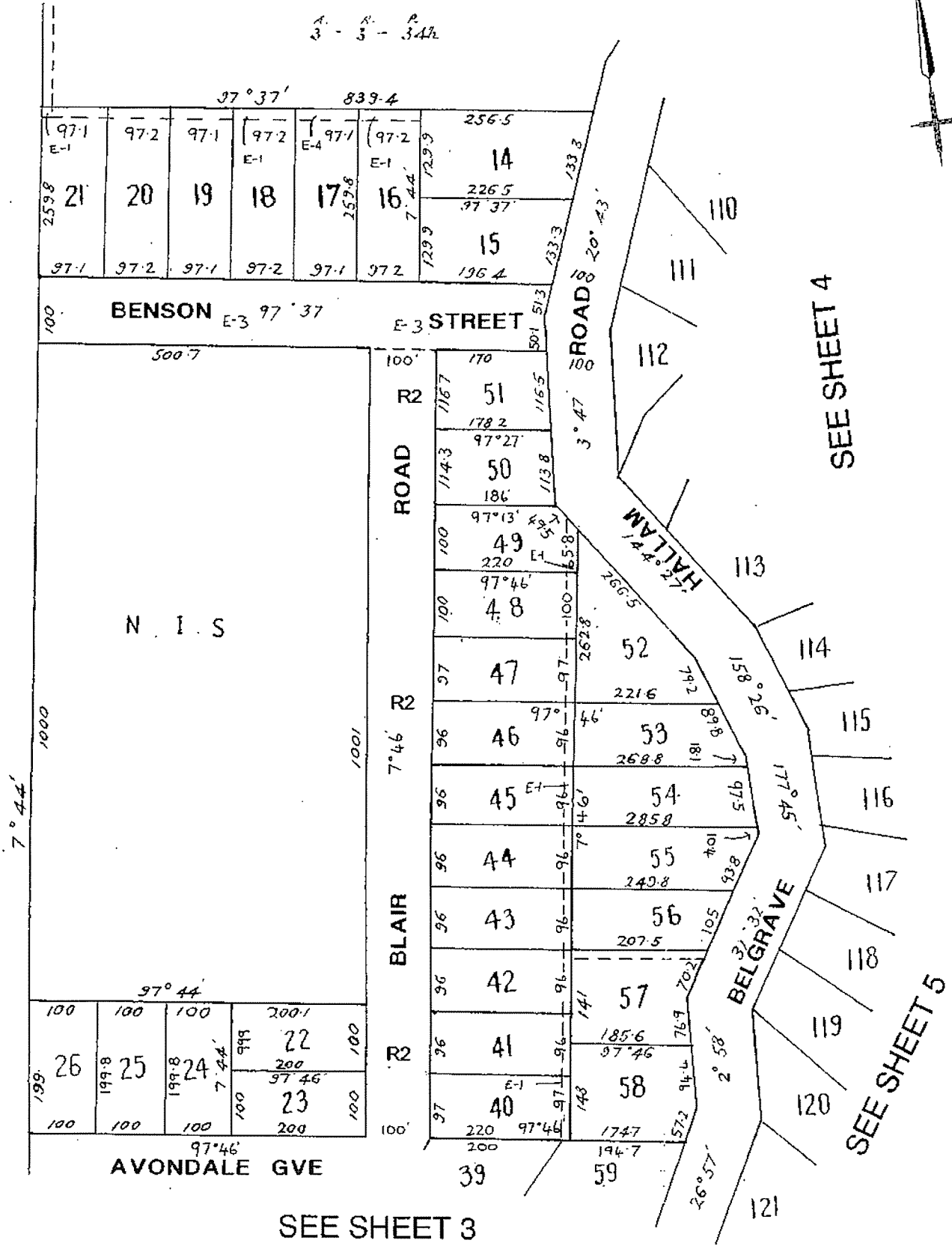


LP 7133

5 SHEETS
SHEET 2

SEE SHEET 1
13

A. R. P.
3 - 3 - 34h



SEE SHEET 4

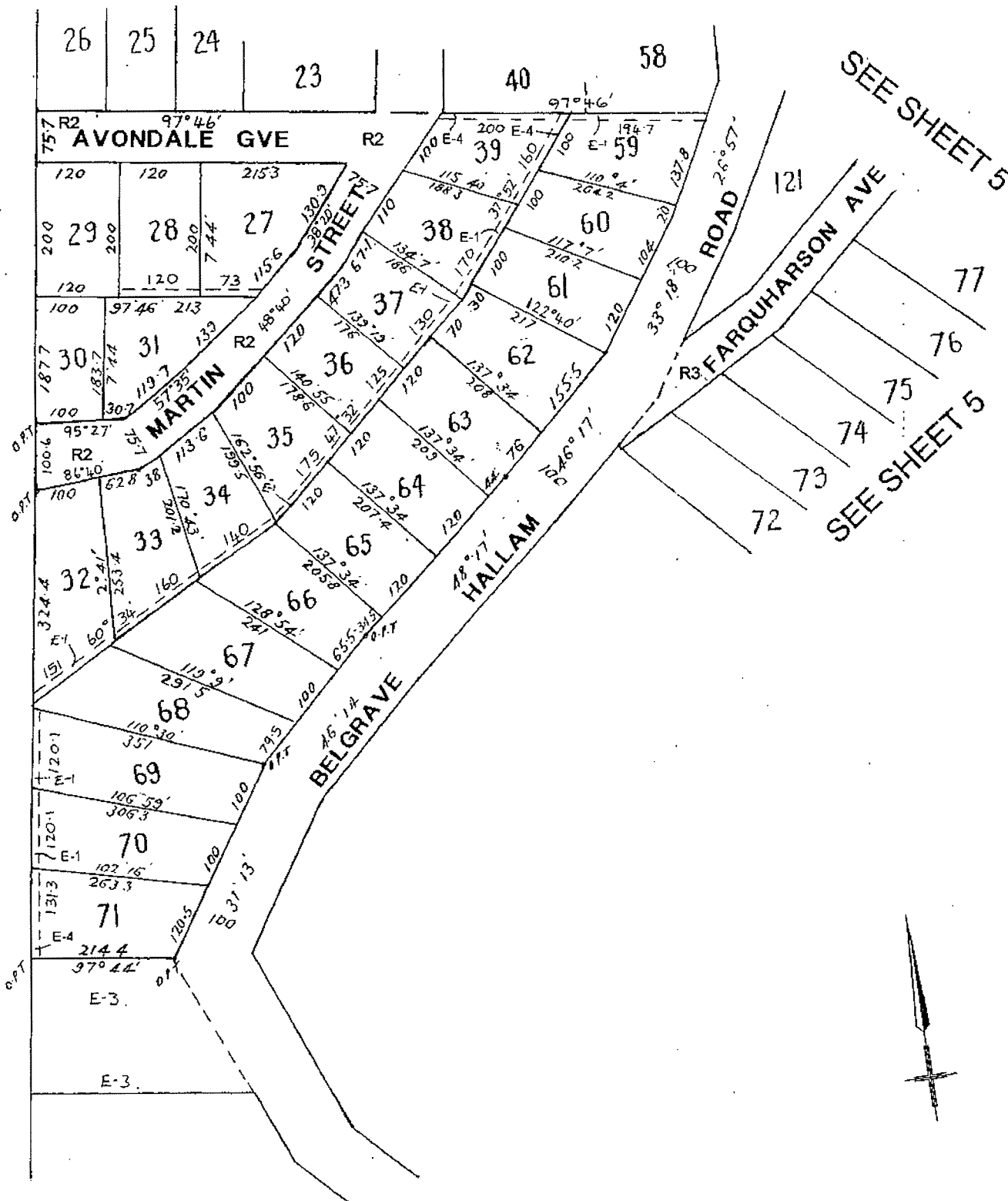
SEE SHEET 5

SEE SHEET 3

LP 7133

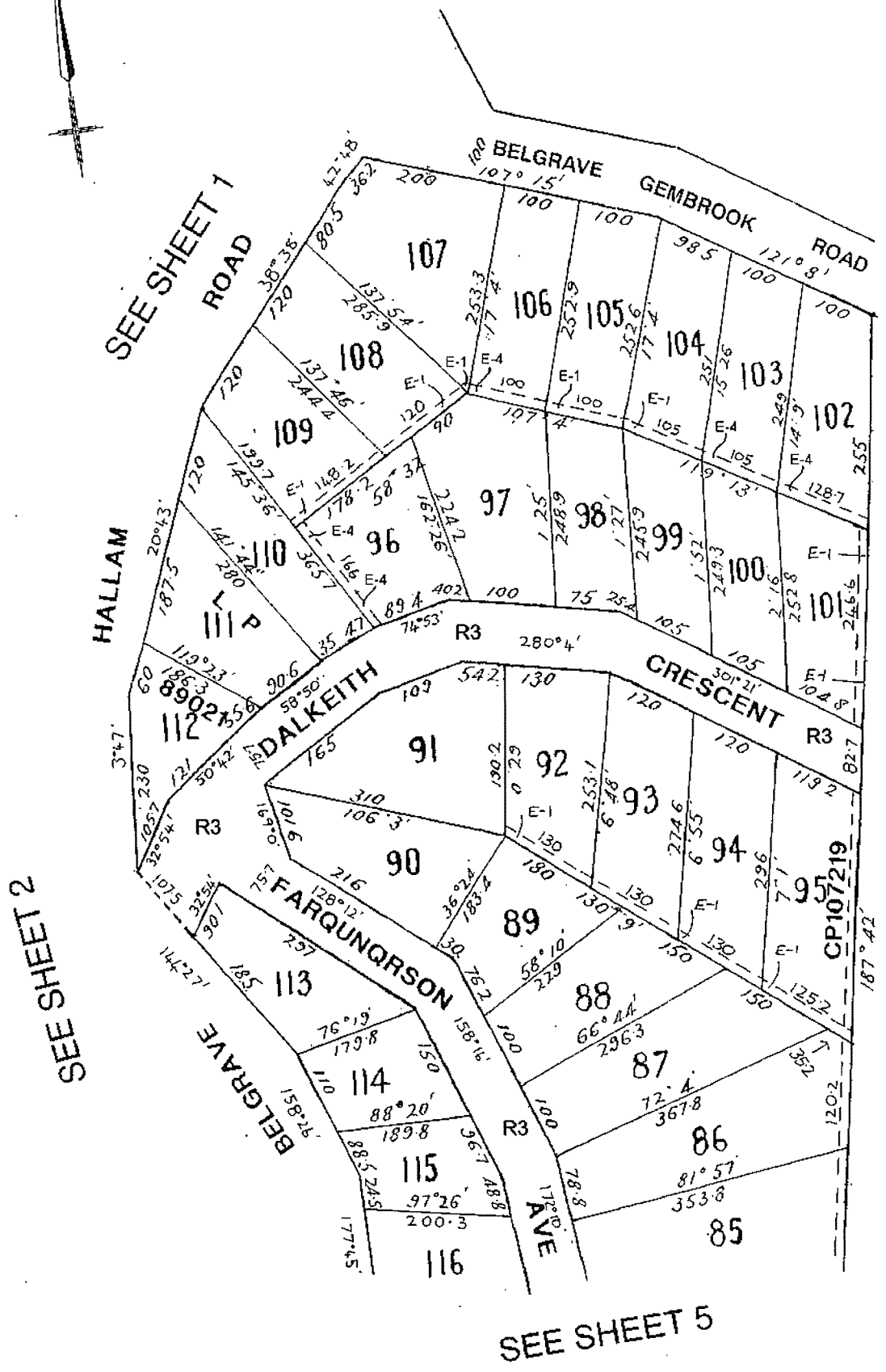
5 SHEETS
SHEET 3

SEE SHEET 2



LP 7133

5 SHEETS
SHEET 4

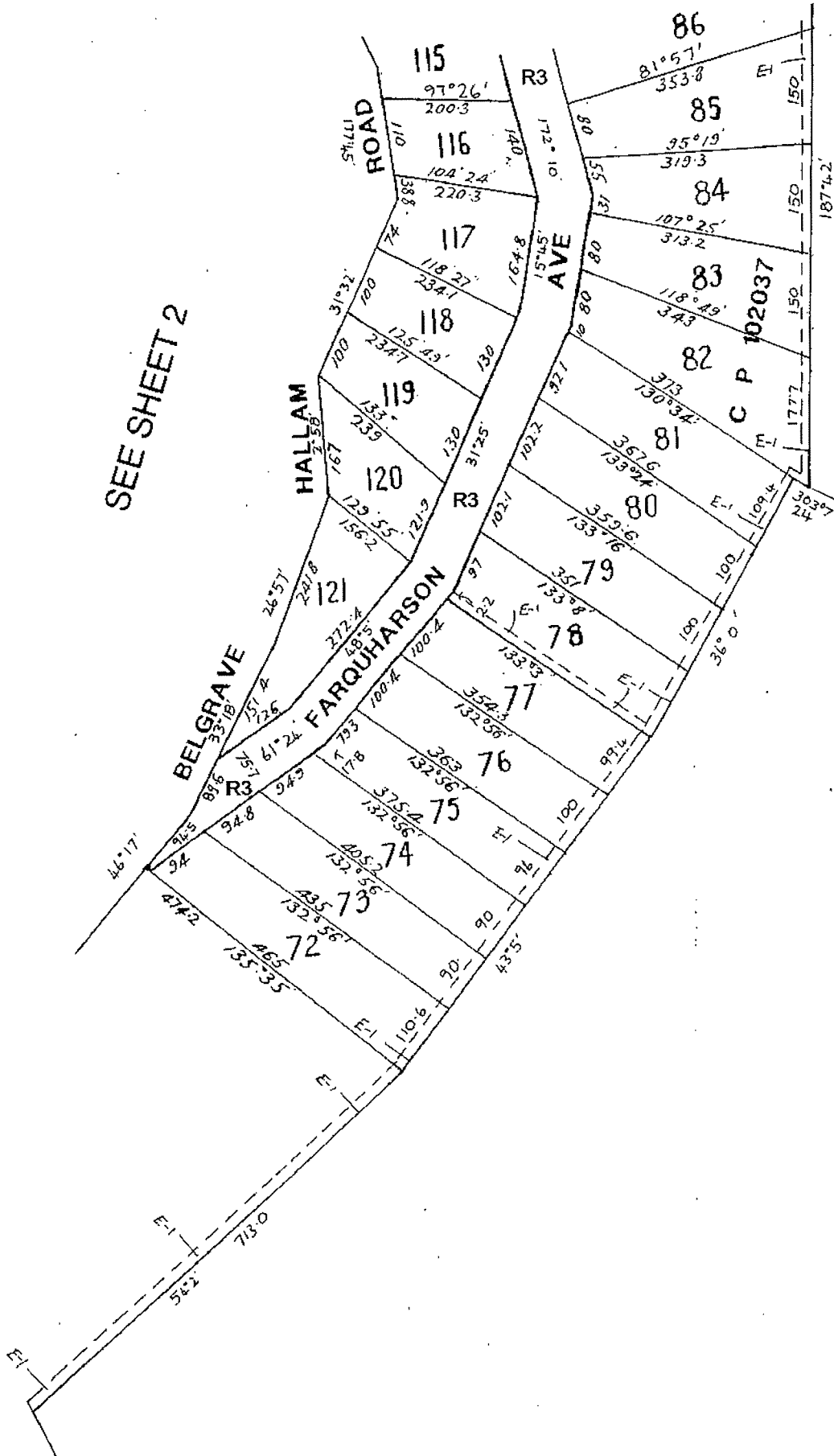


LP 7133

SEE SHEET 4

5 SHEETS
SHEET 5

SEE SHEET 2



MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

WARNING: THE IMAGE OF THIS PLAN/DOCUMENT HAS BEEN DIGITALLY AMENDED.
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL PLAN/DOCUMENT.

PLAN NUMBER
LP 7133

AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	TIME	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
THIS PLAN	E-4	EASEMENTS ENHANCED				2	AD
ROAD	R1, R2 & R3	EASEMENTS ENHANCED				3	AD

PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au at 08 March 2023 04:45 PM

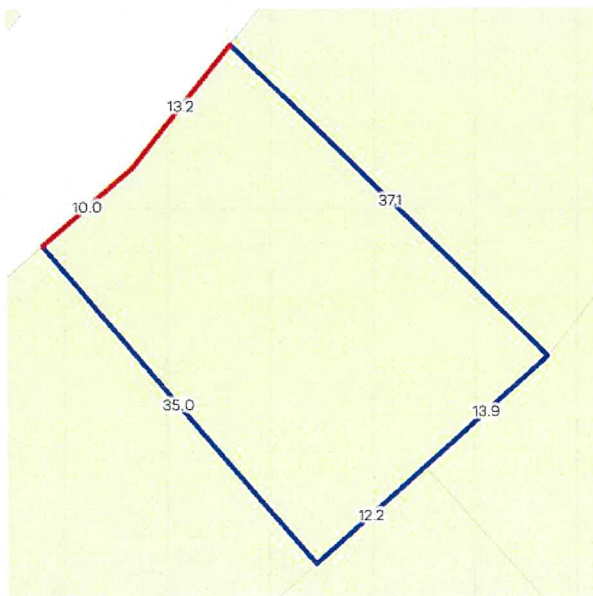
PROPERTY DETAILS

Address: **100 MARTIN STREET BELGRAVE 3160**
Lot and Plan Number: **Lot 37 LP7133**
Standard Parcel Identifier (SPI): **37\LP7133**
Local Government Area (Council): **YARRA RANGES**
Council Property Number: **223995**
Directory Reference: **Melway 75 F12**

www.yarraranges.vic.gov.au

SITE DIMENSIONS

All dimensions and areas are approximate. They may not agree with those shown on a title or plan.



Area: 872 sq. m
Perimeter: 121 m

For this property:

— Site boundaries
— Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available.

Calculating the area from the dimensions shown may give a different value to the area shown above

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

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**

PLANNING INFORMATION

Property Planning details have been removed from the Property Reports to address duplication with the Planning Property Reports which are DELWP's authoritative source for all Property Planning information.

The Planning Property Report for this property can found here - [Planning Property Report](#)

Planning Property Reports can be found via these two links

Vicplan <https://mapshare.vic.gov.au/vicplan/>

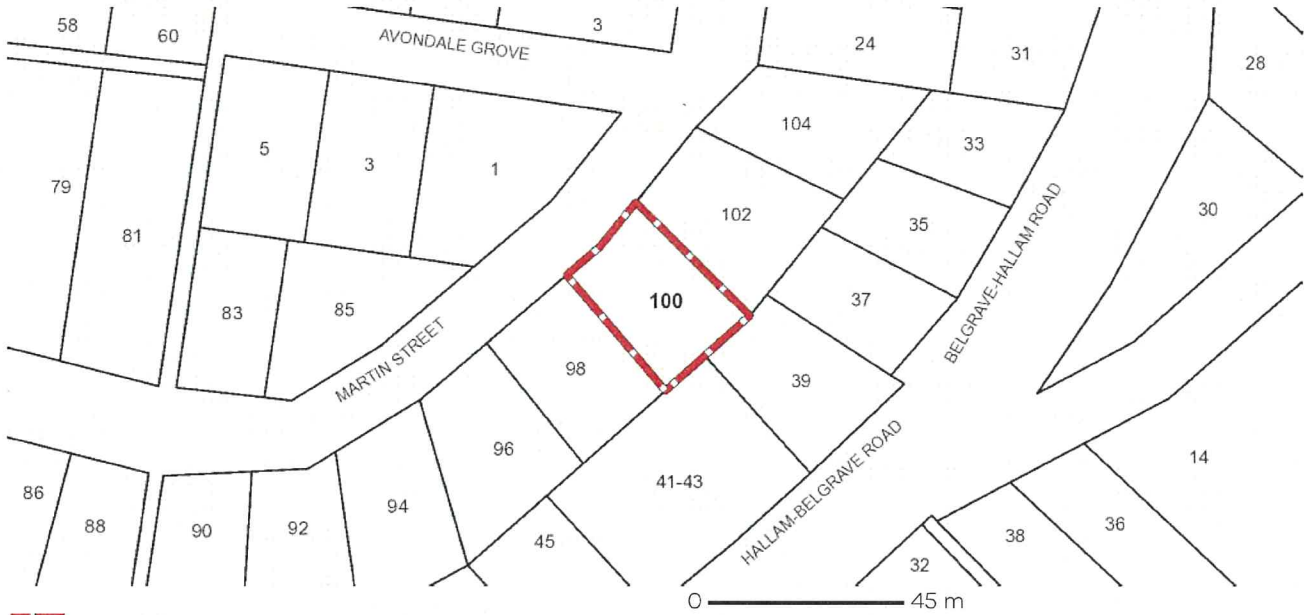
Property and parcel search <https://www.land.vic.gov.au/property-and-parcel-search>

PROPERTY REPORT



Environment,
Land, Water
and Planning

Area Map



 Selected Property

PLANNING PROPERTY REPORT

From www.planning.vic.gov.au at 08 March 2023 04:45 PM

PROPERTY DETAILS

Address: **100 MARTIN STREET BELGRAVE 3160**
Lot and Plan Number: **Lot 37 LP7133**
Standard Parcel Identifier (SPI): **37\LP7133**
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Council Property Number: **223995**
Planning Scheme: **Yarra Ranges**
Directory Reference: **Melway 75 F12**

www.yarraranges.vic.gov.au

[Planning Scheme - Yarra Ranges](#)

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

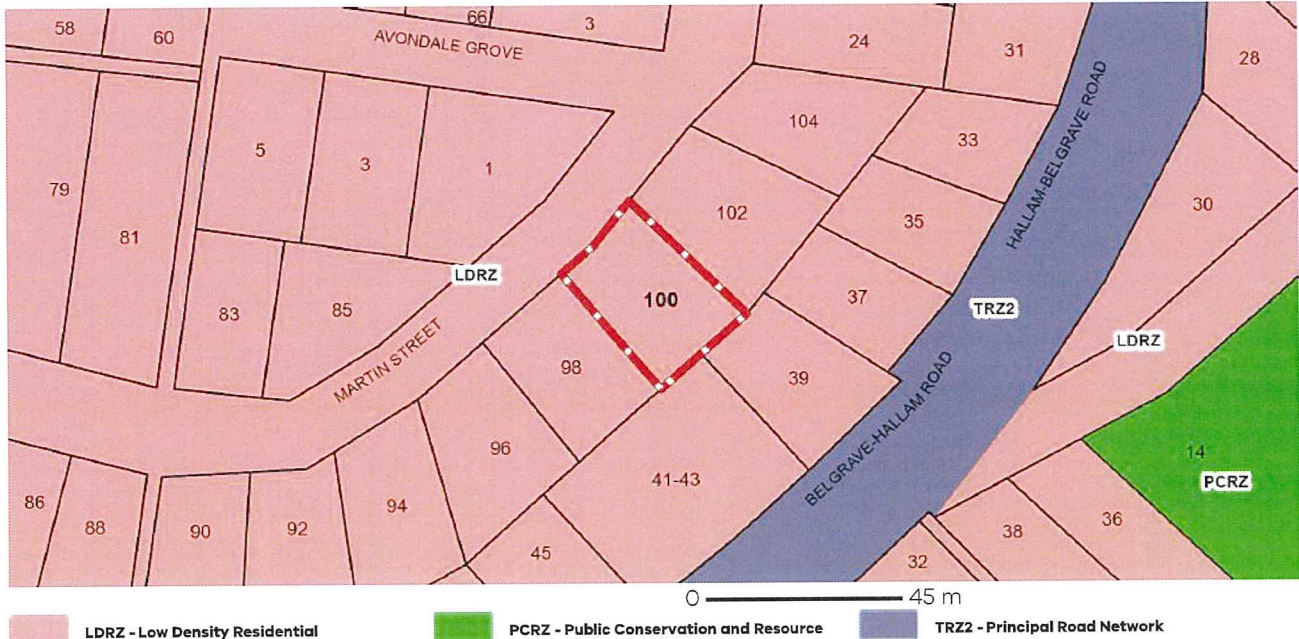
Registered Aboriginal Party: **Wurundjeri Woi Wurrung Cultural
Heritage Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

[LOW DENSITY RESIDENTIAL ZONE \(LDRZ\)](#)

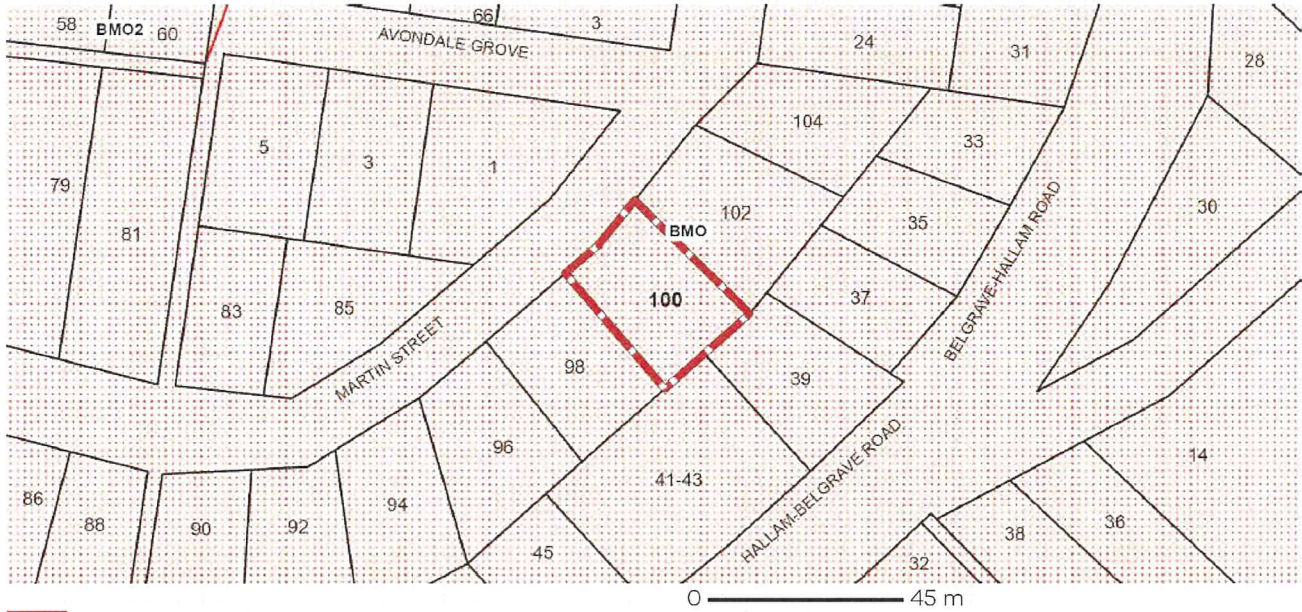
[SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE \(LDRZ\)](#)



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

Planning Overlays

BUSHFIRE MANAGEMENT OVERLAY (BMO)

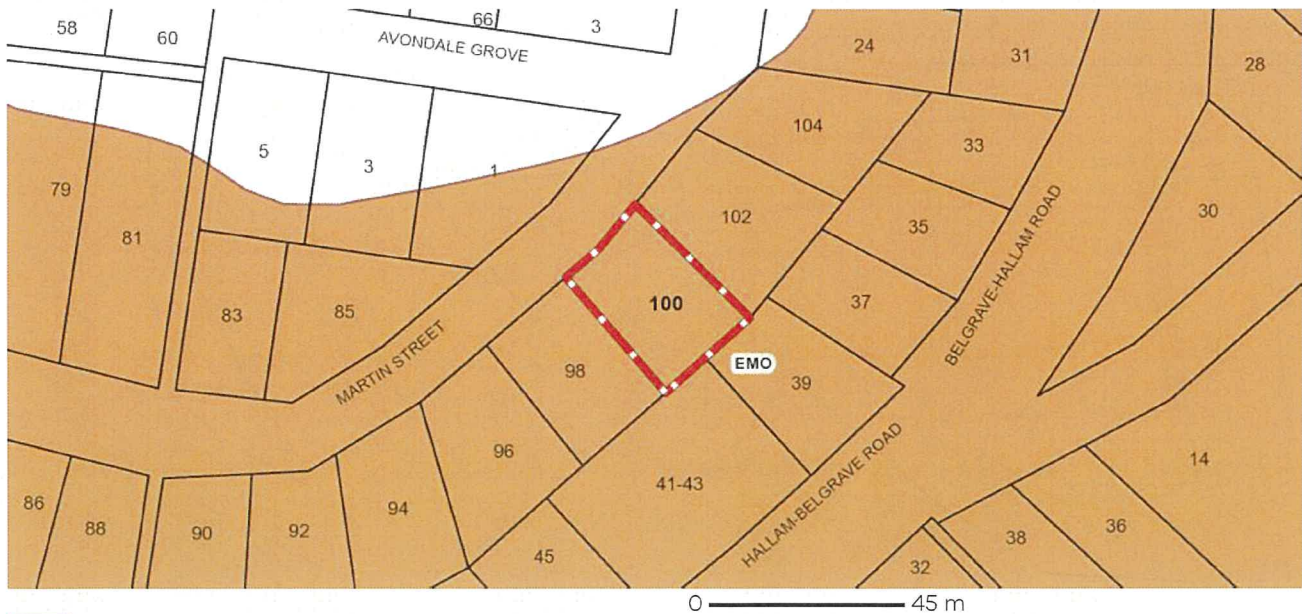


BMO - Bushfire Management Overlay

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)

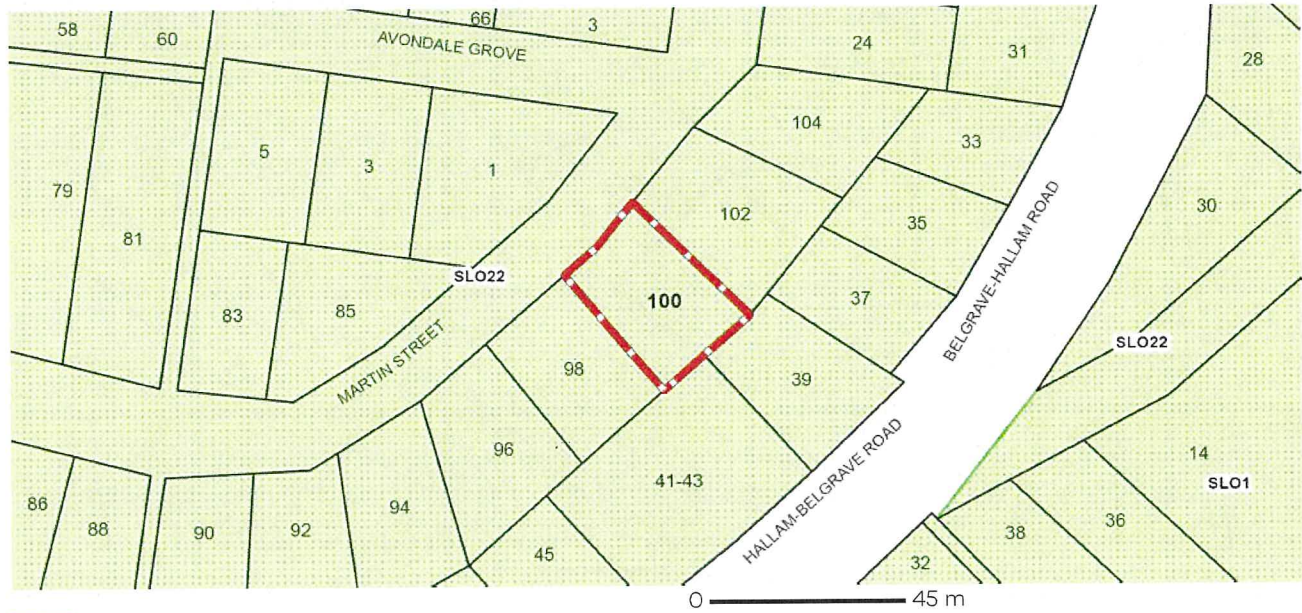


EMO - Erosion Management Overlay

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

Planning Overlays

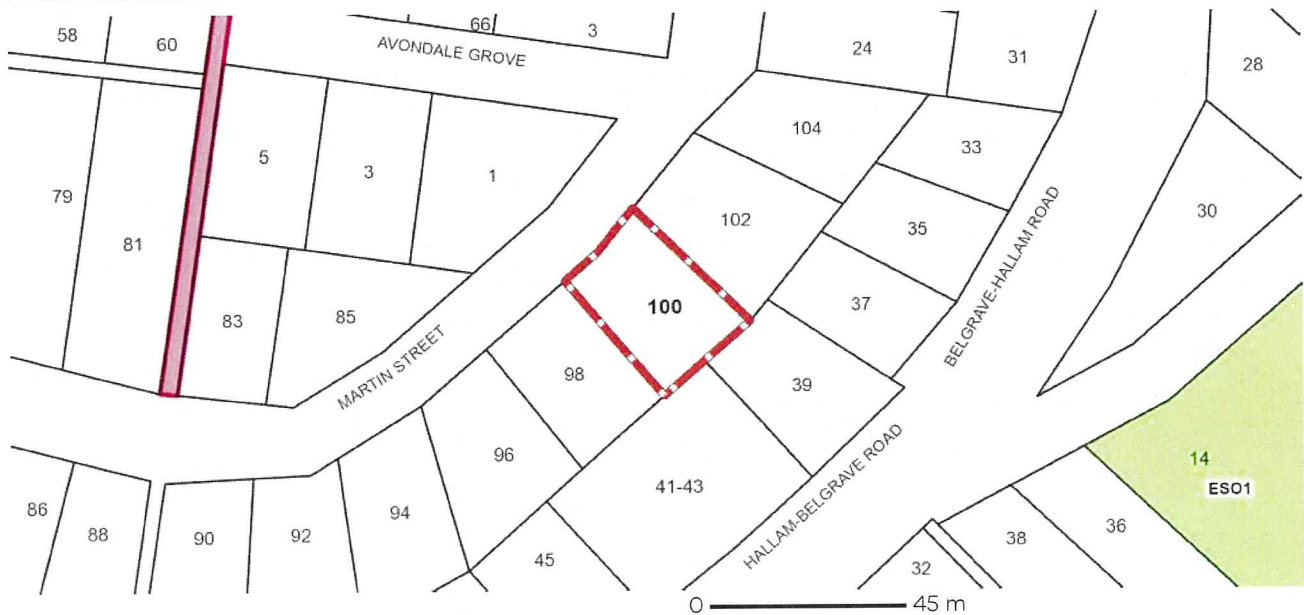
SIGNIFICANT LANDSCAPE OVERLAY (SLO)
SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 22 (SLO22)



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

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)
HERITAGE OVERLAY (HO)



ESO - Environmental Significance Overlay **HO - Heritage Overlay**
 Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Further Planning Information

Planning scheme data last updated on 1 March 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>

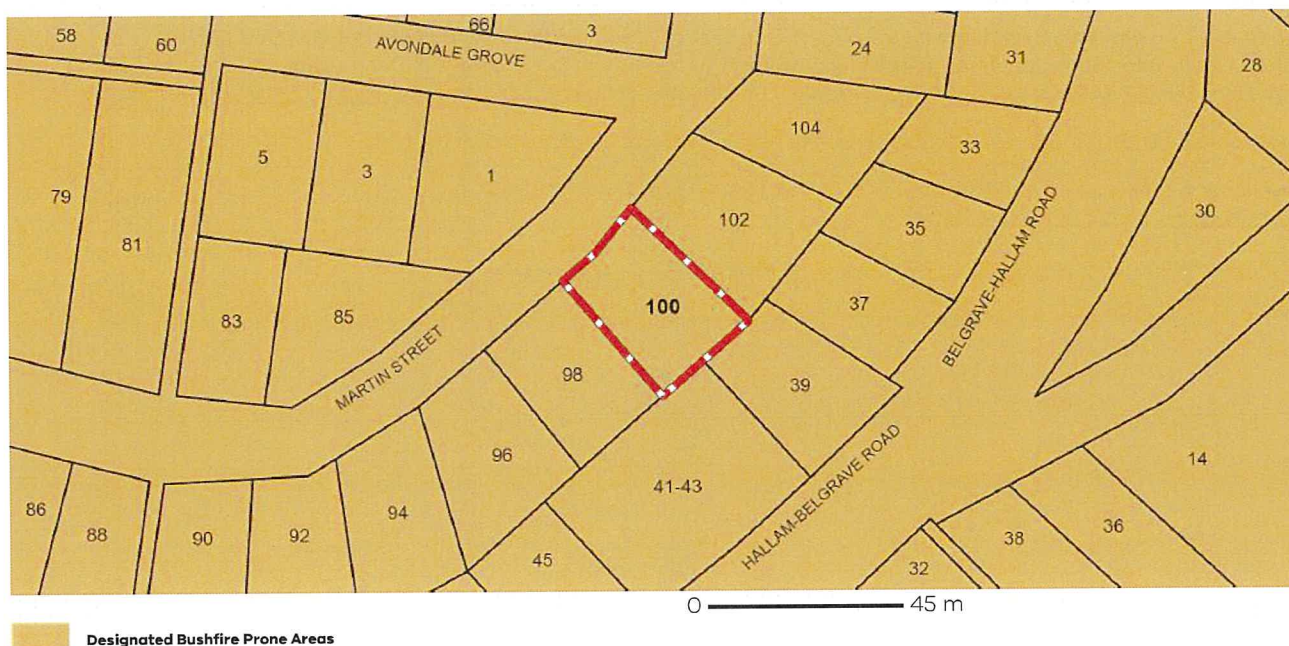
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

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://nvim.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 \(environment.vic.gov.au\)](#)

Yarra Ranges Council

PO Box 105

Lilydale Vic 3140

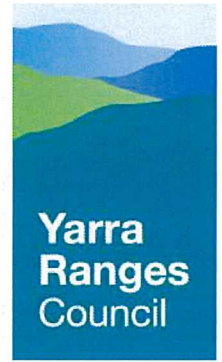
DX 34051

Call 1300 368 333

Fax 03 9735 4249

mail@yarraranges.vic.gov.au

www.yarraranges.vic.gov.au



Rate Statement

Issue Date: 08-Mar-2023

Mr A J Pal and Ms R K Watson
100 Martin Street
BELGRAVE VIC 3160

PROPERTY INFORMATION

Assessment Number: 61564/8
Property Address: 100 Martin Street, Belgrave VIC 3160
Property Description: Lot 37 LP7133 Ca 70J PNarree Worran
APVCC: 110 - Detached Dwelling

VALUATION INFORMATION

Current Level of Value Date: 1 January 2022	Operative Date of Value 01-Jul-2022	
Site Value 525,000	Capital Improved Value 650,000	Net Annual Value 32,500

FINANCIAL INFORMATION

Rates and Charges Levied Year Ending 30 June 2023		Rates and Charges Summary	
Rate or Charge Type	Annual Charge	Description	Balance Outstanding
General Rates	1,546.35	Legal Charges Arrears	0.00
Waste Charge	393.00	Legal Charges Current	0.00
Fire Services Property Levy	151.45	Arrears & Previous Year Interest	0.00
		Current Interest on Arrears	0.00
		Interest on Current Rates	0.00
		Current Year Rates	2,090.80
		Rebates	0.00
		Payments since 1 July 2022	-2,090.80
		Overpayment	0.00
		Other	0.00
		Total Rates Outstanding	0.00
		Chargeable Works or EUA	0.00
		Local Govt Act 1989–Sec. 227	0.00
Total Annual Charge	\$2,090.80	Balance Outstanding	\$0.00

This rate statement has been issued due to the request by the Owner.

METHODS OF PAYMENT

PAYMENT THROUGH MAIL

Make cheque payable to: "Yarra Ranges Council" and crossed "Not Negotiable"

Mail payment to: Yarra Ranges Council
PO Box 105
Lilydale Vic 3140

Proceeds of cheques not available until cleared

PAYMENTS CAN BE MADE IN PERSON AT ANY YARRA RANGES COUNCIL COMMUNITY LINKS.

Payments can be made using Cash, Cheque or EFTPOS including Mastercard and Visa Card. Present notice intact to the Cashier at any of the following Yarra Ranges Council Community Links:-

Lilydale
15 Anderson Street
Phone: 1300 368 333

OFFICE HOURS
8.30am to 5.00pm Weekdays

Healesville
110 River Street

9.00am to 5.00pm Weekdays

Monbulk
21 Main Road

9.00am to 5.00pm Weekdays

Upwey
40 Main Street

9.00am to 5.00pm Weekdays

Yarra Junction
2444 Warburton Highway

9.00am to 5.00pm Weekdays

BPAY



Contact your participating Bank to make this payment directly from your cheque, savings or credit card account.

To use BPay quote the Biller Code 8979 and Customer Reference No.615648.

Telephone



For Telephone credit card payment, using Mastercard or Visa please call 13 18 16. The Postbillpay Code is 0335 and the Reference is 615648

Internet



For Internet payment, using Mastercard or Visa, go to www.yarraranges.vic.gov.au. The Customer Reference Number is 615648

Contract Review Pty Ltd T/A
 Conveyancing Excellence C/- Triconvey
 (Reseller)
 E-mail: certificates@landata.vic.gov.au

Statement for property:
 LOT 37 100 MARTIN STREET
 BELGRAVE 3160
 37 LP 7133

REFERENCE NO.	YOUR REFERENCE	DATE OF ISSUE	CASE NUMBER
59D//18991/84	LANDATA CER 68054274-023-9	28 FEBRUARY 2023	43538166

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	01/01/2023 to 31/03/2023	\$27.42

(b) By South East Water

Water Service Charge	01/01/2023 to 31/03/2023	\$20.93
Sewerage Service Charge	01/01/2023 to 31/03/2023	\$91.94
Subtotal Service Charges		<u>\$221.89</u>
Usage Charges*	Billed until 20/2/2023	\$47.39
Payments		\$81.63
TOTAL UNPAID BALANCE		\$187.65

- The meter at the property was last read on 20/02/2023. Fees accrued since that date may be estimated by reference to the following historical information about the property:

Water Usage Charge	\$0.43 per day
Sewage Disposal Charge	\$0.11 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:

AUTHORISED OFFICER:



MIKALA HEHIR
 GENERAL MANAGER
 CUSTOMER & COMMUNITY ENGAGEMENT

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

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.

- 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.

AUTHORISED OFFICER:



MIKALA HEHIR
GENERAL MANAGER
CUSTOMER & COMMUNITY ENGAGEMENT

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

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

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:

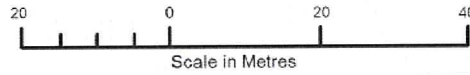


MIKALA HEHIR
GENERAL MANAGER
CUSTOMER & COMMUNITY ENGAGEMENT

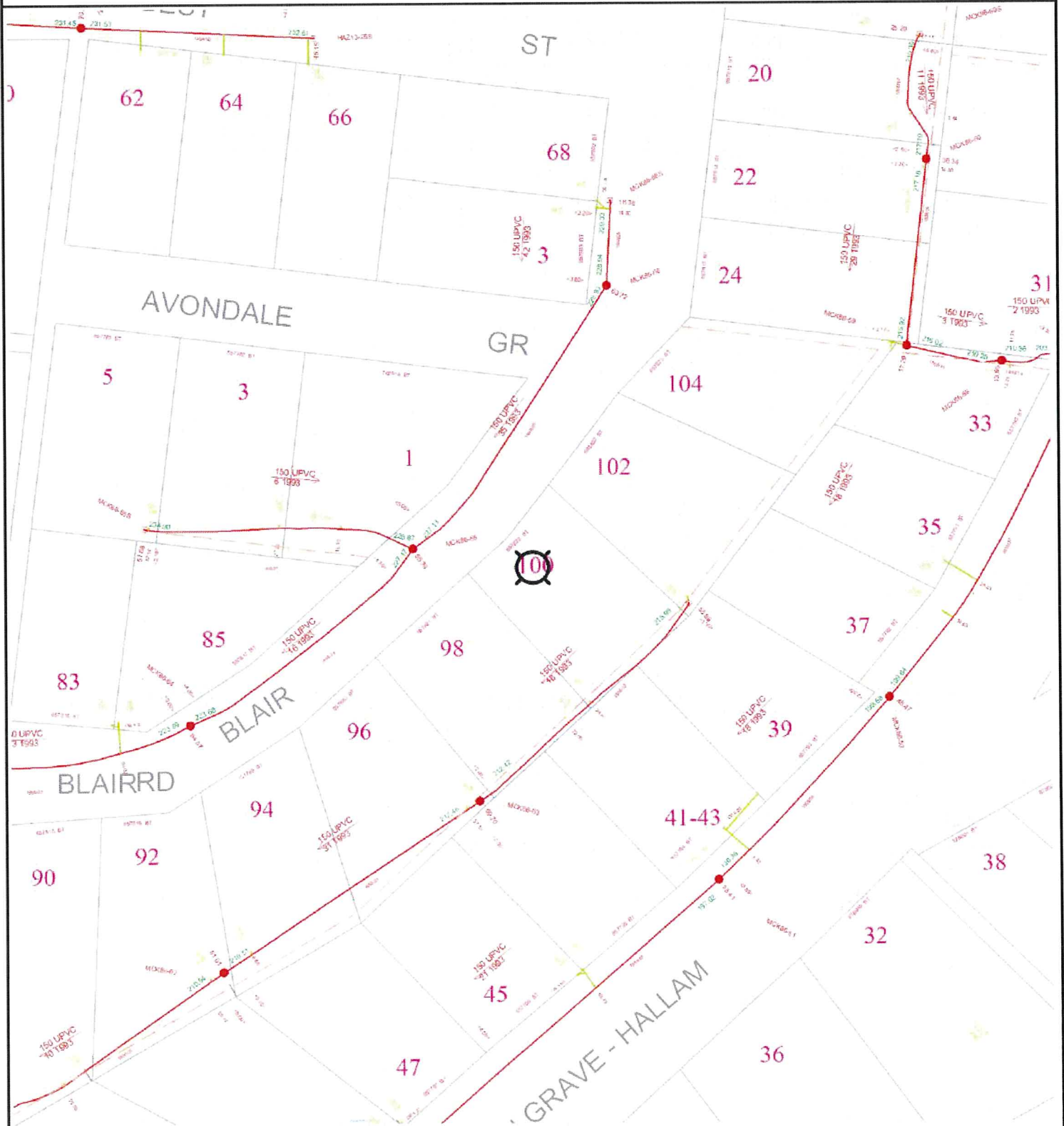
South East Water
Information Statement Applications
PO Box 2268, Seaford, VIC 3198



Case Number: 43538166



Date: 28FEBRUARY2023

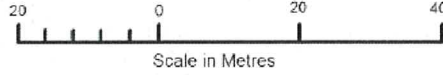


WARNING: This plan is issued solely for the purpose of assisting you in identifying South East Water's and Melbourne Water's specified assets through further investigation only. It is not to be used for any other purpose, including to identify any other assets, property boundaries or dimensions. Accordingly, 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.

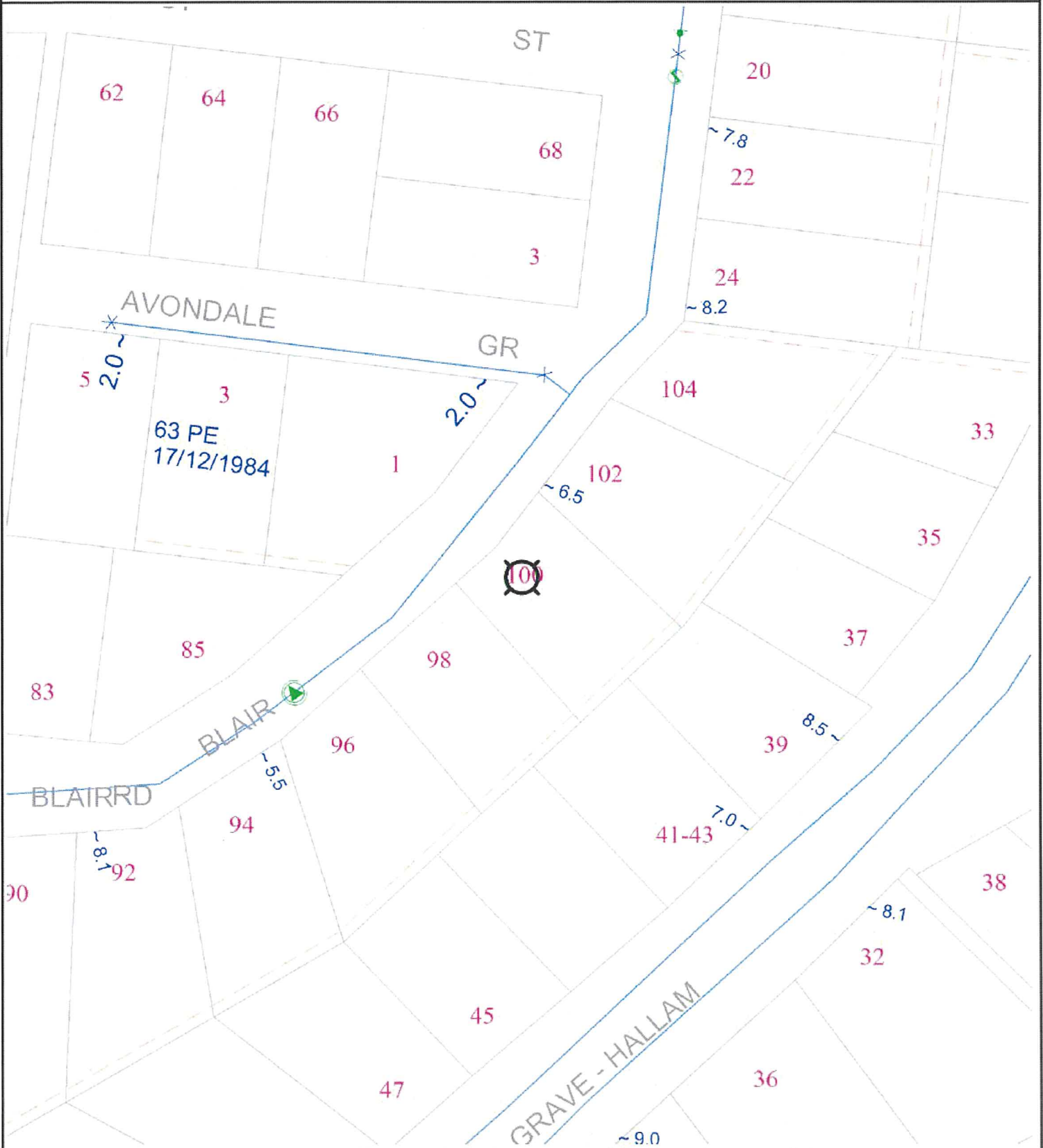


Property: Lot 37 100 MARTIN STREET BELGRAVE 3160



Case Number: 43538166

Date: 28FEBRUARY2023



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 & Services | | Fireplug/Washout |
| | Easement | | | ~ 1.0 | Offset from Boundary |



ASSET INFORMATION - RECYCLED WATER

(RECYCLE WATER WILL APPEAR IF IT'S AVAILABLE)

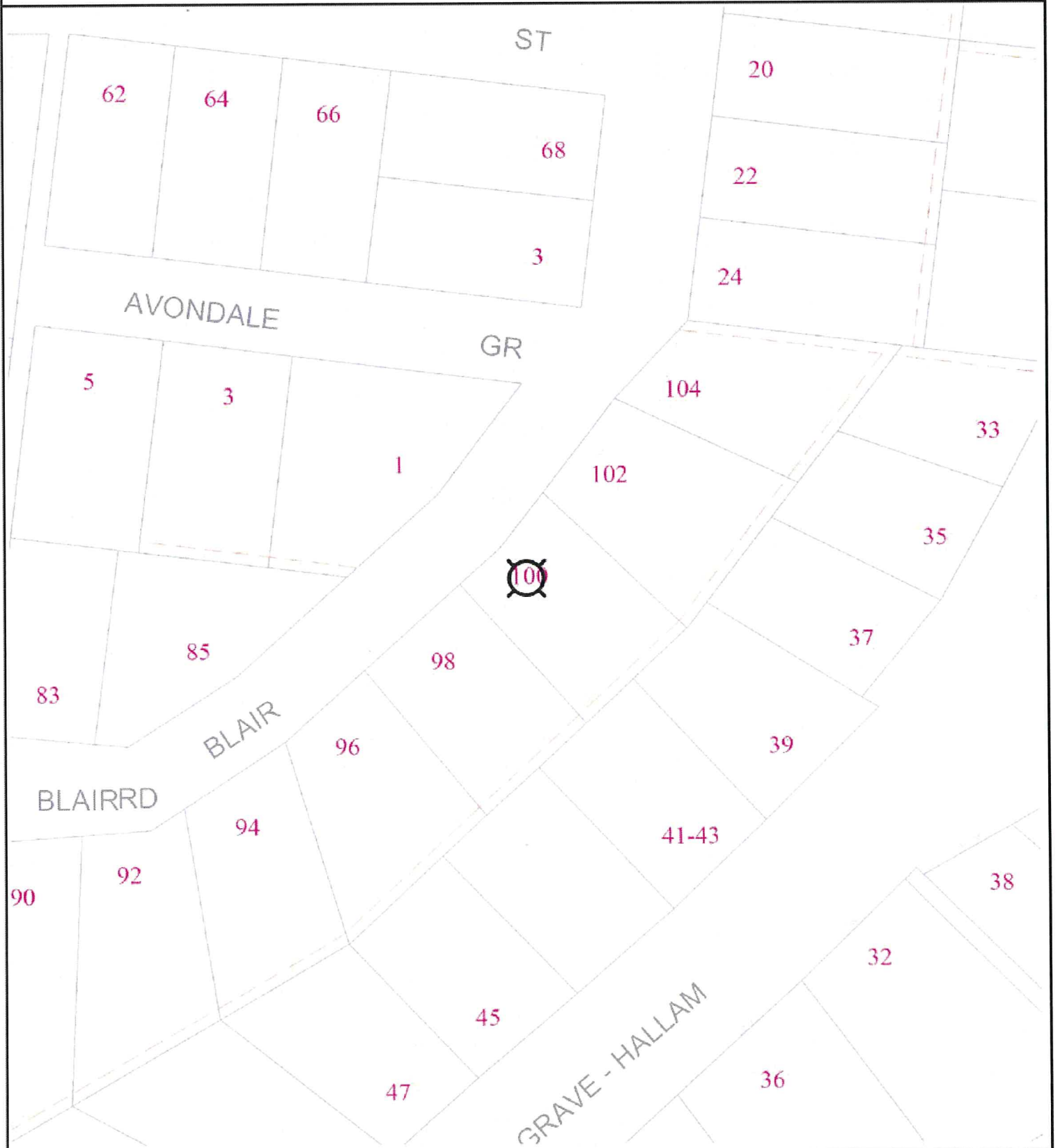
Property: Lot 37 100 MARTIN STREET BELGRAVE 3160



Case Number: 43538166



Date: 28FEBRUARY2023



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:

Contract Review Pty Ltd T/A Conveyancing Excellence C/- Triconvey (Reseller)
77 Castlereagh Street
SYDNEY 2000
AUSTRALIA

Client Reference: 363120

NO PROPOSALS. As at the 28th February 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®.

100 MARTIN STREET, BELGRAVE 3160
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: 28th February 2023

Telephone enquiries regarding content of certificate: 13 11 71

[Vicroads Certificate] # 68054274 - 68054274094444 '363120'

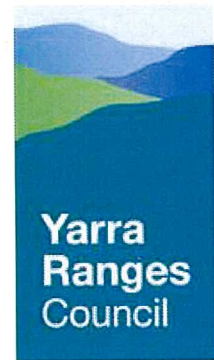
BUILDING APPROVAL PARTICULARS

Building Act 1993 BUILDING REGULATIONS 2018 Regulation 51(1)

Certificate Number 116656
Your Reference 68025051-015-5:140684
Date Issued 27 February 2023

Landata
DX 250639
MELBOURNE VIC

Yarra Ranges Council
PO Box 105
Lilydale Vic 3140
DX 34051
Call 1300 368 333
Fax 03 9735 4249
mail@yarraranges.vic.gov.au
www.yarraranges.vic.gov.au



Property Address 100 Martin Street, Belgrave VIC 3160
Property Description Lot 37 LP7133 Ca 70J PNarree Worrان
Assessment Number 61564

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
		No record of building approvals granted in preceding 10 years		None

Additional information under Regulation 51(2) can be obtained for an additional fee of \$48.80. 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 \$48.80 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.



PO BOX 610, Mentone VIC 3174

Telephone: 1300 764 186 / Email: office@resiwise.com.au / Website: www.resiwise.com.au

INSPECTION & REGULATIVE REPORT: WORKS UNDERTAKEN WITHOUT A BUILDING PERMIT.

Project works:

Construction of alterations, additions, retaining walls and associated site works (excavations to the subfloor area at the rear of the dwelling)

Address:

100 Martin Street Belgrave

Contents

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Description of Works:	4
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AMENITY TO ADJOINING PROPERTY.....	7
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Executive Summary

Resiwise Pty Ltd has been engaged to inspect works undertaken without a valid building permit and consider whether the works are compliant with the Building Regulations 2018, the Building Act 1993, the NCC Volume 2 2019 and other relevant documents

After concluding a site inspection and reviewing documentation provided it was found that the works do not comply with legislative requirements.

Property Details

Owner Details	Alexander Jonathan Pal & Rebecca Kate Watson	
Street Address	100 Martin Street Belgrave	
Lot No: 37 PS: 007133	Volume: 0478	Folio: 780
Municipality	Yarra Ranges Shire Council	
Date of Inspection	Friday 23rd August 2019	
Description of Works	Construction of alterations, additions, retaining walls and associated site works (excavations to the subfloor area at the rear of the dwelling)	
Building Classification	1A	
Planning as per Land Data	Low Density Residential Zone (LDRZ) Bushfire Management Overlay (BMO) Erosion Management Overlay (EMO) Significant Landscape Overlay (SLO22)	
Bushfire Attack Level	This property is in a designated Bush Fire Prone Area	
Documents Provided	<ul style="list-style-type: none"> • Property Information as per Regulation 51 (2) • Legal point of discharge information • Sewer connection point • Full copy of certificate of title • Town Planning information • Bushfire area information 	

Description of Works:

Construction of alterations, additions, retaining walls and associated site works (excavations to the subfloor area at the rear of the dwelling)

Statement of Use

The dwelling & proposed works are used for domestic use

Title Assessment

There are no title constraints that affect the works.

Town Planning Assessment

There is a number of planning overlays that affect the subject site:

Low Density Residential Zone (LDRZ)
Bushfire Management Overlay (BMO)
Erosion Management Overlay (EMO)
Significant Landscape Overlay (SLO22)

The works will be subject to Town Planning approval.

Bushfire Attack Level assessment

The site has been identified as being within a Bushfire Management overlay (BMO).
A detailed assessment and report will be required by a suitably qualified consultant.

Siting

The works do comply with the siting requirements part 5 of the Building Regulations 2018.
However, as the site is subject to Planning overlays (see above) a Planning Permit will be required for the works

National Construction Code of Australia 2019 - Performance Requirements

An assessment against the NCC Volume 2 has been performed:

P2.1 Structural performance:	I am not satisfied that the works meet structural performance. A structural engineer will be required to provide an extensive report on the foundations, frame and other structural components. Furthermore, the property has been identified to be located within Erosion Management Overlay (EMO). A Geotechnical investigation will be required
P2.2.2 Weather-proofing:	I am not satisfied that the works comply relevant to their use. The alterations are currently exposed to the elements.
P2.2.3 Dampness:	I am not satisfied that the works comply relevant to their use as the works are exposed to the elements and works are not completed
P2.3.1 Protection from spread of fire:	I am satisfied that the works that have been constructed on completion will comply with the performance requirement
P2.3.4 Bushfire areas:	The site has been identified as being within a Bushfire Management Overlay (BMO). All relevant documentation will need to consider treatments to comply with bushfire areas
P2.5 Safe movement and access:	I am not satisfied that works comply as construction works are not completed
P2.6.1 Energy efficiency:	I am not satisfied that the works comply with the energy efficiency requirements. A report from a suitably qualified energy rater will be required.

SUBJECT PROPERTY SITING & AMENITY

SETBACKS		
73	Maximum Street Set back Front street set back less than one third site depth	Complies *
74	Minimum Street Set back Front street set back complies with table 74	Complies *
79	Side & rear setbacks (other than the walls on the boundary) Walls that are 1.0m from the title boundary are no greater in height than 3.6m.	Complies *
Height & Length		
80	Walls on Boundary (includes up to 150mm) Walls on the boundary do not exceed 3.2m average height, nor 3.6m absolute height Total length of walls on the boundary do not exceed 10m plus 25% of remaining length of boundary	Complies *
75	Maximum building height The maximum building height does not exceed 9.0m (see regs. For sloping site)	Complies *
Site Coverage & Open Space		
76	Site Coverage Development on the site is less than 60%	Complies *
77	Permeability Permeability of the site is greater than 20%	Complies *
86	Private Open Space At least 80m ² of private open space is provided of which 25m ² is adjacent to a living room	Complies *
Daylight to Windows		
85	Daylight to Habitable Rooms All windows to habitable windows of the dwelling have a light court of 3m ² with a minimum width of 1m clear of eaves and gutters OR open	Complies *

* Note: The site is affected by a number of Planning Overlays, as a result will require Town Planning Approval

AMENITY TO ADJOINING PROPERTY

Daylight and Solar Matters		
81	Daylight to Existing Habitable Room Windows Windows (habitable room) to the adjoining dwelling have a minimum of 1m x 3m light court clear of eaves and gutters	Complies
82	Solar Access to North Facing Habitable Room Windows Walls of the subject building are not closer than 1m from the boundary when windows that near face north of the adjoining dwelling are within 3m of the boundary	Complies
POS Amenity		
84	Overlooking Adjoining Windows of Private Open Space To be confirmed, upon receipt of approved Town Planning Permit and assessment of working drawings	To be confirmed
83	Overshadowing of Private Open Space Shadows are not cast so as to reduce daylight to a minimum POS on the adjoining allotment at the time and dates nominated in the regulation	Complies

Conclusion

By conducting a site inspection and the assessment of relevant documents I consider the works do not meet the regulative performance as outlined.

A Town Planning Permit will be required for the works.

A number of consultants will be required to assess the building works for structural suitability, energy efficiency and bushfire compliance.

A Building Permit will be required for the completion of works

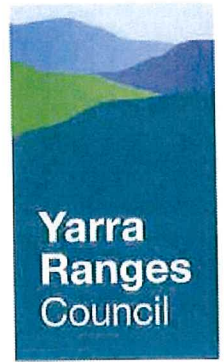
Daniel Cullen
Resiwise Pty Ltd
Registered Building Surveyor
BSL-44390
CBS-L 57031

APPENDICES

- Full Copy of Title
- Property Information
- Legal Point of Discharge
- Sewer Connection Point
- Town Planning Information
- Bushfire Area Information

Our Ref: ONC/8974/2019
Enquiries: John Harrison
Telephone No: 1300 368 333

Yarra Ranges Council
PO Box 105
Lilydale Vic 3140
DX 34051
Call 1300 368 333
Fax 03 9735 4249
mail@yarraranges.vic.gov.au
www.yarraranges.vic.gov.au



1 October 2019

Mr A J Pal and Ms R K Watson
100 Martin Street
BELGRAVE VIC 3160

Dear Mr Pal and Ms Watson,

100 Martin Street, Belgrave VIC 3160
Lot 37 LP7133 Ca 70J PNarree Worrان

The attached document is a **Building Order** served pursuant to Section 111 of the *Building Act 1993* under the provisions of Part 8 of the Building Act 1993.

This Order is a legally enforceable document with which you must comply.

We acknowledge the emails from your building surveyor, Daniel Cullen from Resiwise Building Surveyors on 9th and 18th of September 2019 with a copy of his Inspection and Regulative Report and requesting an extension of time. As we are unable to extend a Building Notice, please find the new date for compliance on the attached Building Order, which in effect provides an extension of time.

Although an Order to demolish the building works has been issued, you still have the opportunity up until the expiry of the Order to demonstrate that the building works comply or have been brought into compliance with the building regulations, in which case the Order will be cancelled.

You are advised to **respond** to this Order **in writing**. Your written response should explain your proposed actions to address the matters contained in the Order as well as your proposed timeframes. If you believe that you require additional time, the Order may be extended if you make a request that is considered reasonable.

Your written response should include details of the property address, the Order details (ONC/8974/2019) and be addressed as follows:

Municipal Building Surveyor
C/- John Harrison
Shire of Yarra Ranges
Anderson Street
Lilydale VIC 3140

It is very important that you complete your written response as soon as practicable after receiving the Order. It is important that you keep Council informed of your progress in addressing the matters contained in the Order.

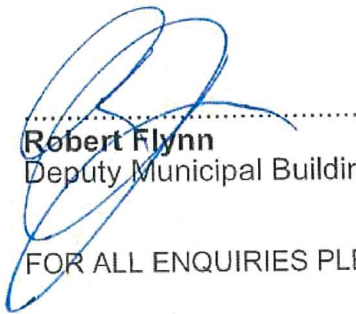
ABN 21 973 226 012
Yarra Ranges Shire Council

If you do not respond or comply within the timeframes specified in the Order, further action by Council will result. Further action is a serious matter, which may include the commencement of proceedings in the Magistrates Court. Prosecution can result in a conviction, the imposition of heavy fines, legal costs and the issuance of Court Orders.

Please note that if a satisfactory response is not received, Council will conduct a site inspection within one (1) week of the expiration of the Order.

If you require clarification on any of the above, please contact Council's **John Harrison** on telephone 1300 368 333 for assistance.

Yours faithfully



Robert Flynn
Deputy Municipal Building Surveyor

FOR ALL ENQUIRIES PLEASE CONTACT **JOHN HARRISON** ON 1300 368 333.

Yarra Ranges Council

PO Box 105

Lilydale Vic 3140

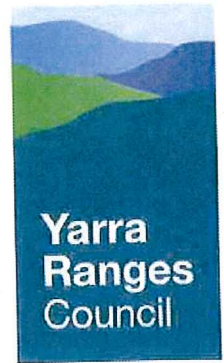
DX 34051

Call 1300 368 333

Fax 03 9735 4249

mail@yarraranges.vic.gov.au

www.yarraranges.vic.gov.au



App No. ONC/8974/2019 MR

FORM 12
Regulation 182(1)

Building Act 1993
BUILDING REGULATIONS 2018

BUILDING ORDER (GENERAL)

THIS BUILDING ORDER IS MADE UNDER SECTION 111 OF THE BUILDING ACT 1993

TO: The owner
Mr A J Pal and Ms R K Watson
Of: 100 Martin Street
BELGRAVE VIC 3160

FROM:
I am a delegate of the **Municipal Building Surveyor** of the **Yarra Ranges Shire Council** pursuant to section 216B of the *Building Act 1993*, and am authorised to make a building Order under Section 111 of the Building Act 1993 ("Act").

LOCATION OF THE BUILDING TO WHICH THIS ORDER APPLIES:

100 Martin Street, Belgrave VIC 3160
Lot 37 LP7133 Ca 70J PNarree Worrان
Municipal District: Yarra Ranges Shire Council

ORDER:

I, as the relevant building surveyor, Order that:

1. Within 90 days (By 30 December 2019) you are required to **demolish** the building work and subject to the issue of a Building Permit **reinstate** the building and land (excavations) back to its original legal condition.

REASON(S) WHY THIS ORDER WAS MADE:

In accordance with section 111 of the **Building Act 1993**, I am of the opinion that the following circumstance exists:

The following building work has been carried out on the building and land without a building permit as required by Section 16 of the Building Act 1993:

Construction of alterations, additions, retaining walls and associated siteworks (excavations) to the sub floor area at the rear of the dwelling

ABN 21 973 226 012
Yarra Ranges Shire Council

DETAILS OF RELEVANT BUILDING NOTICE:

1. Date of service of Building Notice: 24 July 2019
2. The due date for making representations as specified in the Building Notice was 22 September 2019.
3. A copy of the relevant Building Notice is **attached** to this Building Order.
4. At the date of making this Order, the due date for the owner to make representations has now expired.
5. Representations were made by the owner and after considering these representations, I am of the opinion that, for the reasons set out in this Order, the making of this building Order is warranted.
6. Representations were not made by the owner

INSPECTION DETAILS:

The date and time of any inspection relied on by myself as the relevant building surveyor for the purpose of making this Order, and the name and qualifications of the person or persons who conducted the inspection are—

Time of inspection: 10.10am
Date of inspection: 13 June 2019
Name of person: John Harrison
Qualification(s) of person: Council's Building & Planning Compliance Officer

BUILDING ORDER MADE BY:


.....
Robert Flynn

Deputy Municipal Building Surveyor
BS-U 1482

Pursuant to written delegation dated 16 July 2018 under section 216B of the *Building Act 1993* from the Municipal Building Surveyor of the Yarra Ranges Shire Council

mail@yarraranges.vic.gov.au

PO Box 105, Lilydale

Municipal District: Yarra Ranges Shire Council

Building Order No. ONC/8974/2019

DATE OF MAKING: 1 OCTOBER 2019

NOTES:

1. **Duration of Building Order**

A building Order remains in force, and if amended remains in force as amended, until it is complied with or it is cancelled by the Municipal Building Surveyor or the Building Appeals Board (section 117 of the Act).

2. **Amendment or Cancellation of a Building Order**

If there is a change in circumstances after the service of a building Order, the owner may request the Municipal Building Surveyor to amend or cancel the Order pursuant to section 116 of the Act.

3. **Subsequent Owners or Occupiers of the Land**

Pursuant to section 236 of the Act this Order is binding on every subsequent owner or occupier of the land.

4. **Completion of Work Required by Order**

On completion of the work required to be carried out by this Order, the owner must notify the relevant (Municipal) Building Surveyor in writing without delay.

Penalty: 10 penalty units

5. **Penalty for Failure to Comply**

A person to whom a building Order is directed must comply with that Order [penalty: 500 penalty units in the case of a natural person and 2500 penalty units in the case of a body corporate (section 118 (1))].

6. **Appeals to the Building Appeals Board**

Under section 142(1) an owner of a building or land may appeal to the Building Appeals Board against a decision to serve an Order and, a failure within a reasonable time, or refusal, to cancel an Order. In accordance with Section 146 of the Act and regulation 1601 of the Regulations the prescribed appeal period is 30 days from the date of this Order.

7. **Work may be carried out by the Municipal Building Surveyor**

If an owner fails to carry out building work or work as required by an emergency Order or building Order made by the Municipal Building Surveyor, the Municipal Building Surveyor may cause that work to be carried out.

8. Recovery of costs

If the Municipal Building Surveyor carried out any work or takes any action, Council may recover the costs of carrying out the work or taking the action from the owner in a court of competent jurisdiction as a debt due to the Council.

If the Municipal Building Surveyor carries out any work or takes any action, Council may apply any sum or part for which a bond or undertaking is deposited with the council under a condition imposed on a permit under section 22 towards the costs of carrying out the work or taking the action.

9. Building Permit Required

A Building Permit is required for the work required by this Order.

10. Planning Permit

A Planning Permit may be required for the work required by this Order.

Our Ref: ONC/8974/2019
Enquiries: Building Services
Phone: 1300 368 333

COPY

Yarra Ranges Council
111 High Street
Melbourne VIC 3048
Phone: 1300 368 333
Fax: 03 9747 2444



24 July 2019

Mr A J Pal and Ms R K Watson
100 Martin Street
BELGRAVE VIC 3160

Dear Mr Pal and Ms Watson,

Building Notice
100 Martin Street, Belgrave VIC 3160
(Lot 37 LP7133 Ca 70J PNarree Worrان)

Further to an inspection on the 13 June 2019, I am of the opinion that the construction of alterations, additions, retaining walls and associated *siteworks* (excavations) to the sub floor area at the rear of the dwelling have been carried out without a Building Permit required by Section 16 of the *Building Act* 1993

For this reason the attached document, a **Building Notice**, is now served pursuant to Section 106 of that Act.

The Notice must be responded to in writing. Please note it does not require 'demolition', the notice only requires that you provide reasons in writing why you should not demolish the alleged illegal building work. The decision to serve a notice may be appealed to the Building Appeals Board (see Notes).

You are also Ordered to STOP Building Work or work pursuant to Section 112 of the Building Act 1993 except to 'make safe', e.g., propping, bracing, or reinstating soil to an excavation. Note: This Order to Stop Work must be cancelled by council before resuming the building work. The issue of a building permit by a Private Building Surveyors is required prior to commencement of any building work.

The illegal building work can remain and the Notice and Stop Work Building Order cancelled if Council can be satisfied that the work complies with the building regulations.

To satisfy Council that the work complies, you must provide:

1. Certification by a registered building surveyor; (this can be found using the following):
 - Australian Institute of Building Surveyors website: www.aibs.com.au or the
 - Victorian Building Authority web site: www.vba.vic.gov.au or
 - Search on the web under *Building Surveyors*.

that the documentation and building work complies with the relevant provisions of the Building Act 1993 and Building Regulations; and



File No: 61564 8
Our Ref: ONC/8974/2019 MR

FORM 11

Regulation 180

Building Act 1993
BUILDING REGULATIONS 2018

BUILDING NOTICE

THIS BUILDING NOTICE IS SERVED UNDER SECTION 106 OF THE BUILDING ACT 1993

To: Mr A J Pal and Ms R K Watson
Of 100 Martin Street
BELGRAVE VIC 3160 ("Owner")

FROM:

I am a delegate of the **Municipal Building Surveyor** of the Yarra Ranges Shire Council pursuant to section 216B of the *Building Act 1993*, and am authorised to cause a **Building Notice** to be served on you, as the owner of the building to which this notice applies, under Division 2 or Part 8 of the Building Act 1993 ("Act").

LOCATION OF THE BUILDING TO WHICH THIS NOTICE APPLIES:

100 Martin Street, Belgrave VIC 3160
Lot 37 LP7133 Ca 70J PNarree Worrان
Municipal District: Shire of Yarra Ranges

INSPECTION DETAILS:

The date and time of any inspection relied on by myself as the relevant building surveyor for the purpose of making this order, and the name and qualifications of the person or persons who conducted the inspection are—

Time of inspection: 10.10am
Date of inspection: 13 June 2019
Name of person: John Harrison
Qualification(s) of person: Council's Building & Planning Compliance Officer

REASON(S) WHY THIS NOTICE WAS SERVED:

In accordance with section 106 of the **Building Act 1993**, I am of the opinion that the following circumstance exists:

The following building work has been carried out on the building and land without a building permit as required by section 16 of the **Building Act 1993**

Construction of alterations, additions, retaining walls and associated *siteworks* (excavations) to the sub floor area at the rear of the dwelling

Photos

Photo Number	1
Date photo taken:	
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	Aerial. Yellow dashed lines indicate approximate location of the excavation beneath to accommodate the lower storey



Photo Number	3
Date photo taken:	13 June 2019
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	North east corner of the dwelling. New stumps



Photo Number
Date photo taken:
Location:
Photo taken by:
View:

5
13 June 2019
100 Martin Street, Belgrave VIC 3160
John Harrison
View from the rear of the dwelling showing
excavated area, new rock retaining walls, stud walls
and props to lower storey additions and alterations.



Photo Number	7
Date photo taken:	13 June 2019
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	Stud wall to lower storey additions and alterations with new rock retaining wall in the background



Photo Number	9
Date photo taken:	13 June 2019
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	Concrete block piers at rear of dwelling



NOTES:

1. Representation by Owner and Cancellation of Notice:

Under Section 109 of the Act an owner may make representations to the Municipal Building Surveyor about the matters contained in the Building Notice. Any representations are to be made in writing to the Municipal Building Surveyor before the end of the "show cause" period. The Municipal Building Surveyor may cancel a building notice if he considers it appropriate to do so after considering any representations made under section 109 (Section 110 of the Act).

2. Building Order

Subject to Section 107 of the Act, the Municipal Building Surveyor may make a Building Order under Section 111 after the end of the time allowed for making representations.

3. Appeals to the Building Appeals Board

Under Section 142(1) an owner of a building or land may appeal to the Building Appeals Board (Ph: 1300 815 127) within 30 days of the date of this notice against a decision to serve a notice or the failure or refusal within a reasonable time to cancel a notice.

4. Building Appeals Board

Victorian Building Authority
Building Appeals Board
PO Box 536
Melbourne VIC 3001
Phone 1300 421 082
Email bab@vba.vic.gov.au
Fax (03) 9618 9032
Web <http://www.vba.vic.gov.au>

5. Subsequent Owners or Occupiers of the Land

Pursuant to Section 236 of the Act this Building Notice is binding on every subsequent owner or occupier of the land.

6. Building Permit Required

Subject to Regulation 23 and Schedule 3 of the *Building Regulations 2018* a Building Permit is required before carrying out *any* building work.

7. Meaning of 'Demolish'

'Demolish' means the demolition and removal of any structure, building or building work that has not been approved by previous building permit/s or does not otherwise legally exist.



Excel Building Inspections

OWNER BUILDER INSPECTION REPORT

Section 137B (2) (a) of the Building Act 1993.

INSPECTION DETAILS

Registered Practitioners Name: Heath Watkinson — APPROVED by Excel Building Inspections

Registration Number: IN – L 65779

Phone: 0409323804

Email: heath@excelbuildinginspections.com.au

Date of Inspection: 27/02/2023

Time of Inspection: 12:00pm

Weather Conditions: Fine

Date of Report: 27/02/2023

Practitioners Signature: 

DETAILS OF OWNER BUILDER(S)

Name(s): Alexander Pal & Rebecca Watson

Contact Address: 100 Martin Street Belgrave 3160





OWNER BUILDER PROPERTY LOCATION

Street/Road: 100 Martin Street

Suburb/Town: Belgrave

Postcode: 3160

Municipal District: Yarra Ranges Shire

BUILDING APPROVAL DETAILS

Building Permit Number: Not obtained.

Issuing Building Surveyor: Not obtained.

Building Permit Issue Date: Not obtained.

Certificate of Final Inspection Date: Not obtained.

ENTRY HALL:		LAUNDRY:	✓	REMOVAL OF INTERNAL OF INTERNAL STAIRS:	✓
PASSAGE:		PLUMBING:	✓	DECK:	
LOUNGE/LIVING:		BEDROOMS:		BALCONY:	
SEPARATE DINING:		BATHROOM:		KITCHEN:	
CLADDING REMOVAL:	✓	INTERNAL WALL FRAME INSTALLATION:		RETAINING WALLS:	✓
PERGOLA:		SUBFLOOR:	✓	VERANDAH x2:	

ROOMS/STRUCTURES COVERED BY THIS REPORT





DEFECTS IN THE RESIDENTIAL BUILDING WORKS

The Pedestal basin does not have a splashback installed.

The stair removal is incomplete and requires further structural elements to complete the installation.

A retaining wall has an approximate 200mm lean.

INACCESSIBLE AREAS AT THE TIME OF INSPECTION

No access was obtained into any other rooms/buildings on site

No access was obtained on to the roof or into the roof void, wall, or subfloor cavities

SECONDHAND MATERIALS USED (AS CONFIRMED BY OWNER BUILDER AND VISUALLY)

None disclosed

CONDITIONS & STATUS OF INCOMPLETE WORK

None sighted

OTHER RELEVANT COMMENTS

A permit has not been obtained for the installation of the stumps.

A permit has not been obtained for the removal of the internal stairs.

A permit has not been obtained for the installation of approximately 8m of retaining wall.

Re stumping:

Renovation to the dwelling includes the installation of concrete stumps, replacing approximately 95% of the existing stumps.

Laundry:

Renovation to the laundry includes the installation of a cold water supply for the washing machine, and a pedestal basin.

Internal stair removal:

Renovation to the kitchen/family area includes the removal of internal stairs. Temporary propping has been installed to assist in the loadbearing of the existing floor. These works are not complete and require further structural elements to make the removal of the stairs complete.

Chimney removal:

Renovation to the dwelling includes the removal of the existing brick chimney and the installation of a new chimney. The new chimney includes a timber frame, and steel sheet





cladding. A new wood fire has been installed by a licensed plumber in the original fire place space. Temporary props have been installed to assist the loadbearing elements of the chimney area.

Plumbing elements:

Renovation to the dwelling includes the installation of drainage works for future bathroom and kitchen installations.

Subfloor:

The existing 90 x 45 timber floor joists on the lower level have been renewed.

The existing timber joists on the northern side have been laminated to provide bracing to the bearers, approximately every third joists has been laminated to counter brace the temporary props for the chimney. Further bracing has been installed in the subfloor area in the form of 8mm wire running North/South to assist in the lateral bracing of the dwelling.

Cladding removal:

Renovation to the dwelling includes the removal of asbestos cladding from the lower section of the dwelling, this framework is currently bare and as yet not re cladded. The owner has stated that some of the asbestos debris may have entered the stump holes prior to back the backfilling of the soil.

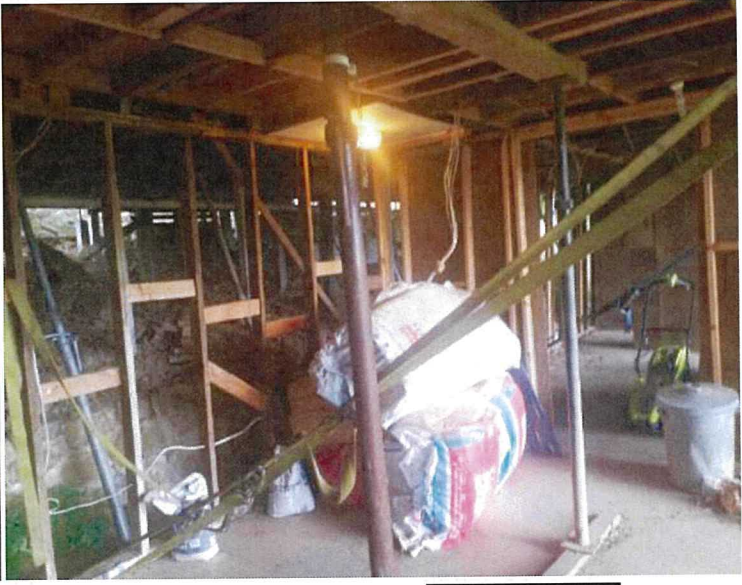
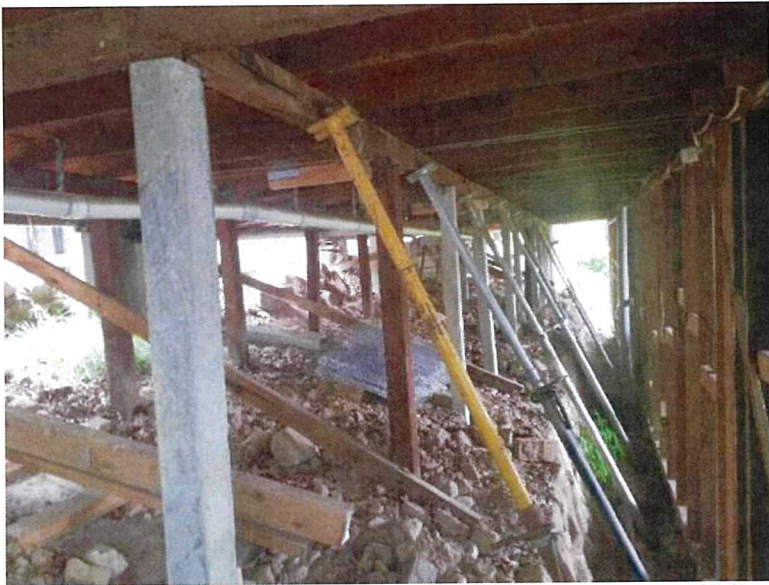
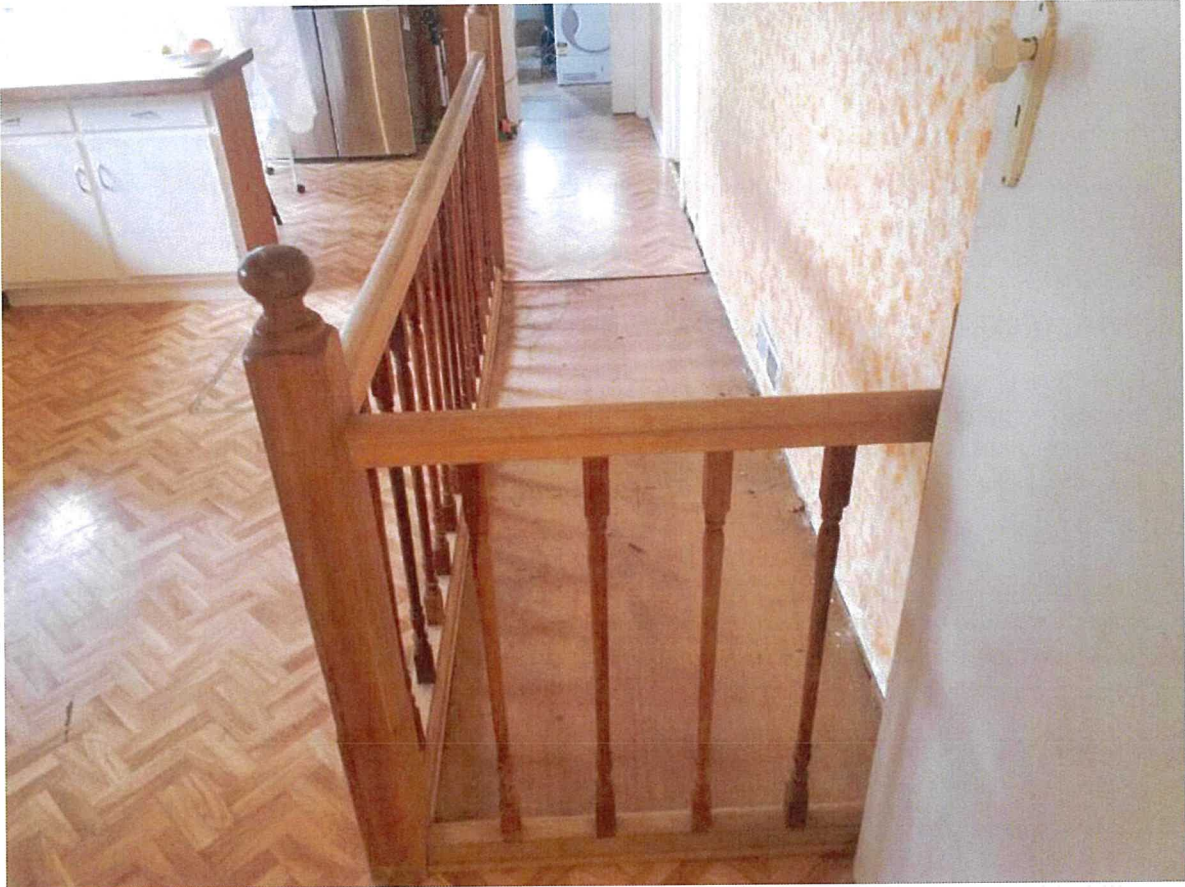
The lower section of the dwelling has had x4 new internal walls installed and an external wall on the North/East side partially renewed.

Retaining walls:

Approximately 60m of retaining walls have been installed in the rear yard of the property. Materials used in the installation include 200 x 50 treated pine sleepers with galvanised uprights. Heights of the retaining walls range from 400mm to 1m. One of the retaining walls is leaning approximately 200mm.

Treated pine planter boxes and stairs have been installed to the rear yard of the dwelling.







SCOPE, PURPOSE AND LIMITATIONS OF THIS REPORT

A copy of any building permits issued, any occupancy permits, or certificates of final inspection issued (as applicable), must be attached to this report or the section 32.

This report has been prepared for the client named herein for the purposes of reporting on the Owner Builder works and for obtaining warranty insurance for Owner Builder works, if the value of works undertaken exceeds \$ 16,000.

The purpose of the report is to provide a condition report in accordance with section 137b of the Building Act where Owner Builder works have been undertaken. It is not a guarantee that works are free from latent or other defects.

The scope of the report is a visual inspection of the works to identify significant defects in the works and to form an opinion regarding the condition of the works at the time of inspection. The property report was obtained by visual means where reasonable access was granted.

Reasonable access is defined in AS 4349.1 and includes in part, Subfloor access through 400 X 500mm openings and subfloor crawl spaces 400mm high. Roof interior crawl spaces 600 X 600 accessible with a 3.6m ladder Roof exteriors accessible with a 3.6m ladder placed on the ground.

The plumbing and electrical systems were not tested.

This report does not include assessment of any matter beyond the consultants expertise.

This report is not a certificate of compliance of the property within the requirements of any Act, regulation, ordinance, or by law. This report does not warrant that works detailed herein have been constructed in accordance with The Building Act and Building Regulations. No warranty is given that building permits and other approvals were correctly obtained and potential purchasers should make their own enquiries with Council.

This report is not a warranty or insurance policy against and problems developing with the building/s in the present or near future.

No excavations were made and no items of furniture have been moved to obtain the information for this report.

No investigation or detection of wood destroying insects such as termites and wood borers has been undertaken.

No investigation of any appliances such as dishwashers, ovens etc has been done. There is no guarantee that all faults and or defects have been identified by this report.

End of Report

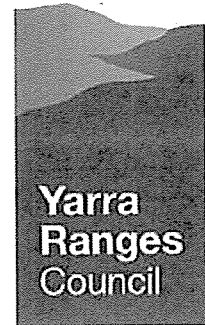


PROPERTY INFORMATION CERTIFICATE

Building Services

To Resi Wise
Email office@resiwise.com.au
Date 10 September 2019

Yarra Ranges Council
PO Box 105
Lilydale Vic 3140
DX 34051
Call 1300 368 333
Fax 03 9735 4249
mail@yarraranges.vic.gov.au
www.yarraranges.vic.gov.au

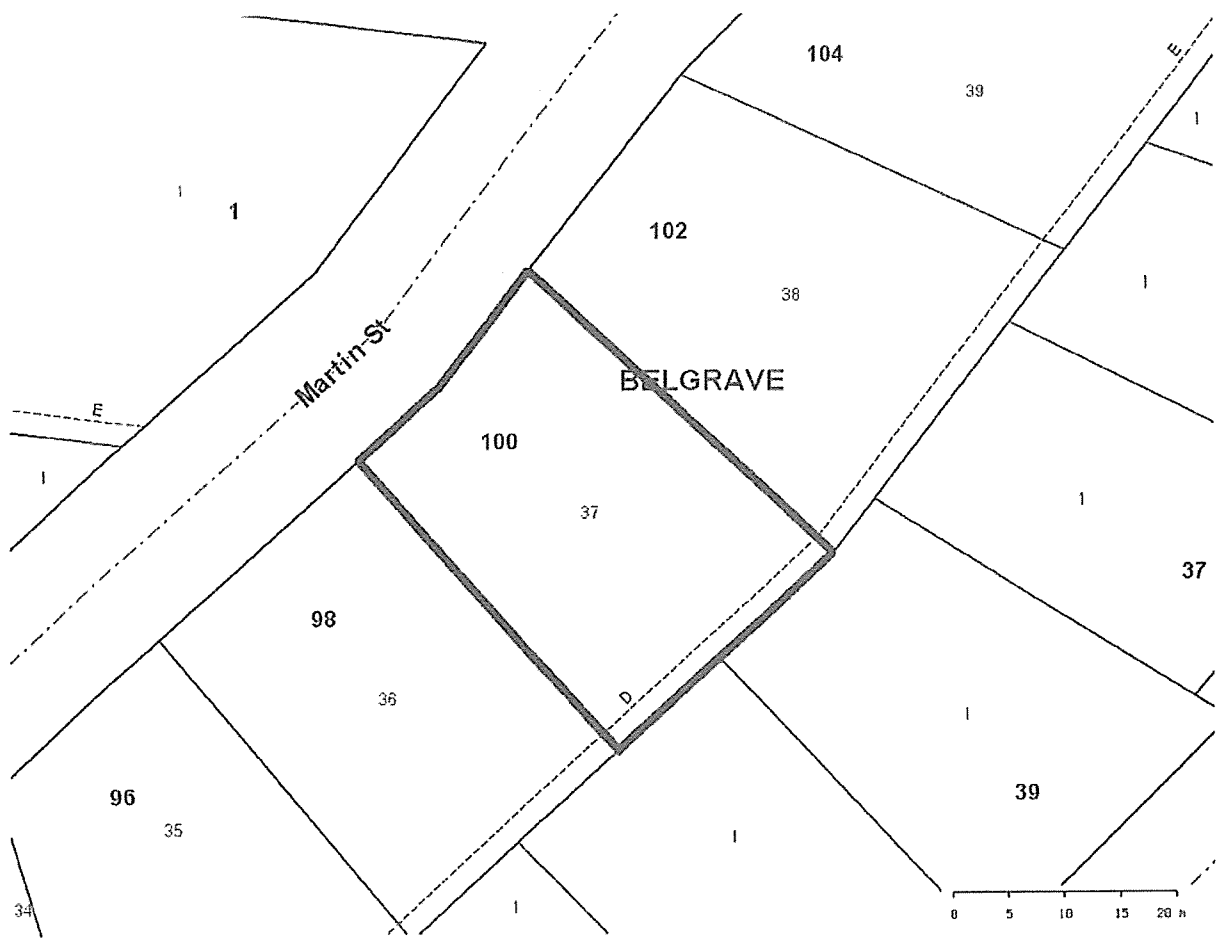


Received the sum of \$47.20 Receipt no: 6269557 for this certificate.

PROPERTY:	100 Martin Street, Belgrave VIC 3160 - SEE MAP ATTACHED
	Lot 37 LP7133 Ca 70J PNarree Worrان
PROPOSAL:	Rectification Works
ASSESSMENT NO:	61564
Sewered Area?	Contact South East Water (Ph 9552 3770) - If in an unsewered area, Council consent is to be obtained from Council's Environmental Health Officer for the installation or alteration to a septic system including alterations to plumbing fixtures and fittings or the construction of a building over an existing septic tank system.
Is property in a Flood Area? (Reg 153)	No
Is property in a Designated Land or Works (uncontrolled overland drainage) area? (Reg 154)	No
Is property in a Termite area? (Reg 150)	Yes
Is property in a Bushfire Prone area?	Information regarding Bushfire Prone areas can be obtained from www.land.vic.gov.au

ABN 21 973 226 012
Yarra Ranges Shire Council

Has a Bushfire Attack Level (BAL) been specified in Yarra Ranges Planning Scheme?	No
Is property in an Alpine (prone to significant snowfalls) area? (Reg 152)	No
Is the property in an area which has been identified as being susceptible to landslip?	The land is affected by the Planning Scheme's Erosion Management Overlay (EMO). In Yarra Ranges, land identified as having a significant susceptibility to landslip is managed through the EMO. More information is contained in the attached Fact Sheet – "Managing Landslip in Yarra Ranges".
Is the property in an area which has been identified as being susceptible to Debris Flow?	The land is not affected by the Planning Scheme's Erosion Management Overlay (EMO). Some land in Montrose has been identified as having a significant susceptibility to debris flow (the rapid downslope movement of soil and rock) is managed through the EMO. No studies have been carried out in other parts of the municipality in relation to debris flow.
Will a development of this type require a Planning Permit?	Please contact Planning Services on 1300 368 333 to determine if these works require a Planning Permit. A fee is applicable.
Wind Speed?	To be determined by Designer and approved by Relevant Building Surveyor.
Crossing Deposit/Inspection	Enquiries should be referred Council's Infrastructure Services Department on 1300 368 333.
Legal Point of Discharge	A Yarra Ranges Approved Point of Discharge Application Form must be submitted directly to Council's Civil Development Services Department – a fee is applicable. The form is available on Council's website www.yarraranges.vic.gov.au or by contacting Civil Development on 1300 368 333.
Infrastructure Levy Required?	No



ABN 21 973 226 012
Yarra Ranges Shire Council

From www.planning.vic.gov.au on 12 September 2019 09:26 AM

PROPERTY DETAILS

Address: 100 MARTIN STREET BELGRAVE 3160
 Lot and Plan Number: Lot 37 LP7133
 Standard Parcel Identifier (SPI): 37\LP7133
 Local Government Area (Council): YARRA RANGES
 Council Property Number: 223995
 Planning Scheme: unknown
 Directory Reference: Melway 75 F12

www.localgovernment.vic.gov.au

planning-schemes.delwp.vic.gov.au/schemes/

UTILITIES

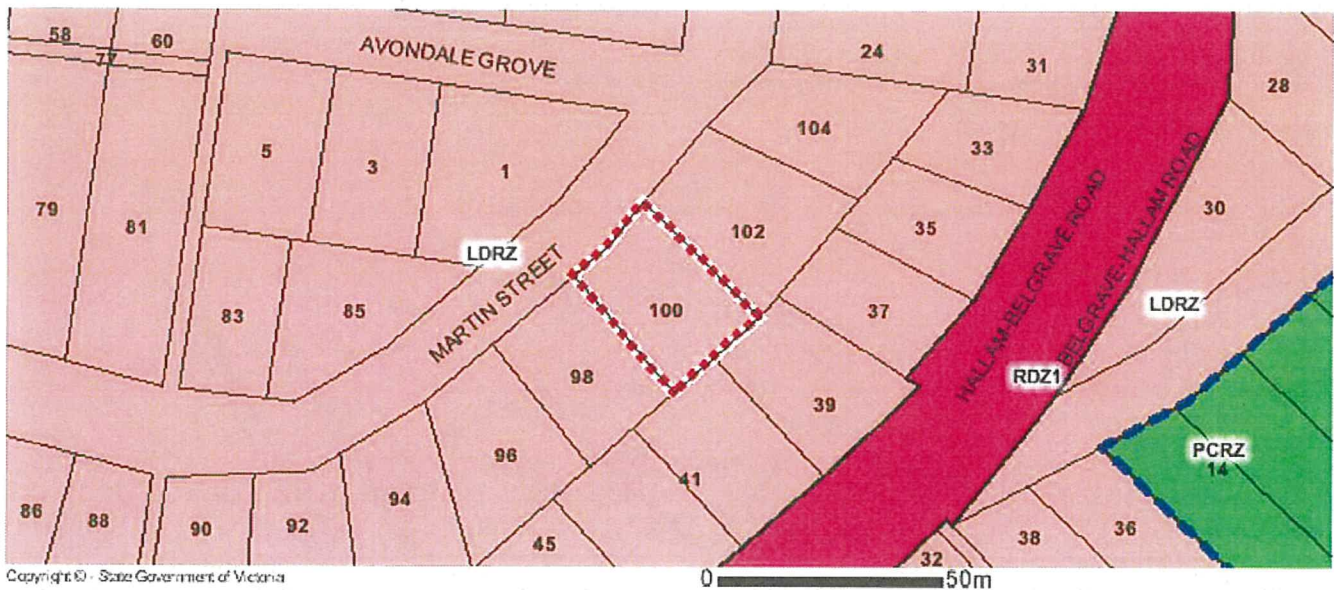
Rural Water Corporation: Southern Rural Water
 Melbourne Water Retailer: South East Water
 Melbourne Water: inside drainage boundary
 Power Distributor: AUSNET

STATE ELECTORATES

Legislative Council: EASTERN VICTORIA
 Legislative Assembly: MONBULK

Planning Zones

LOW DENSITY RESIDENTIAL ZONE (LDRZ)



LDRZ - Low Density Residential
 PCRZ - Public Conservation & Resource
 RDZ1 - Road - Category 1

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

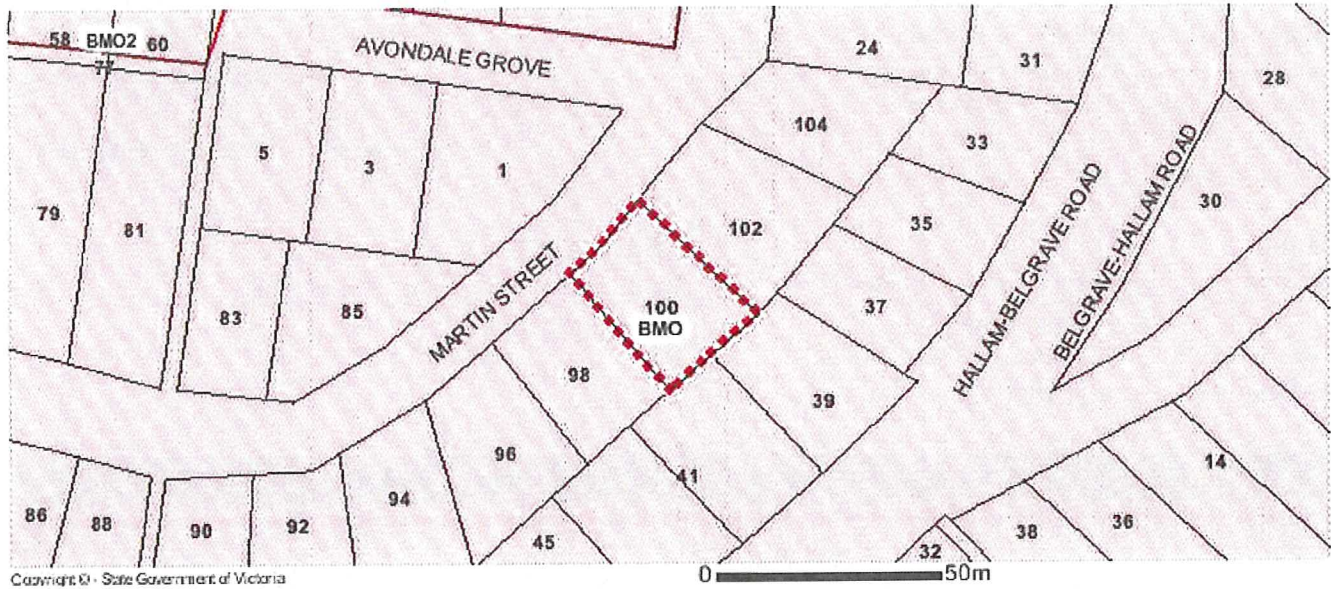
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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

Planning Overlays

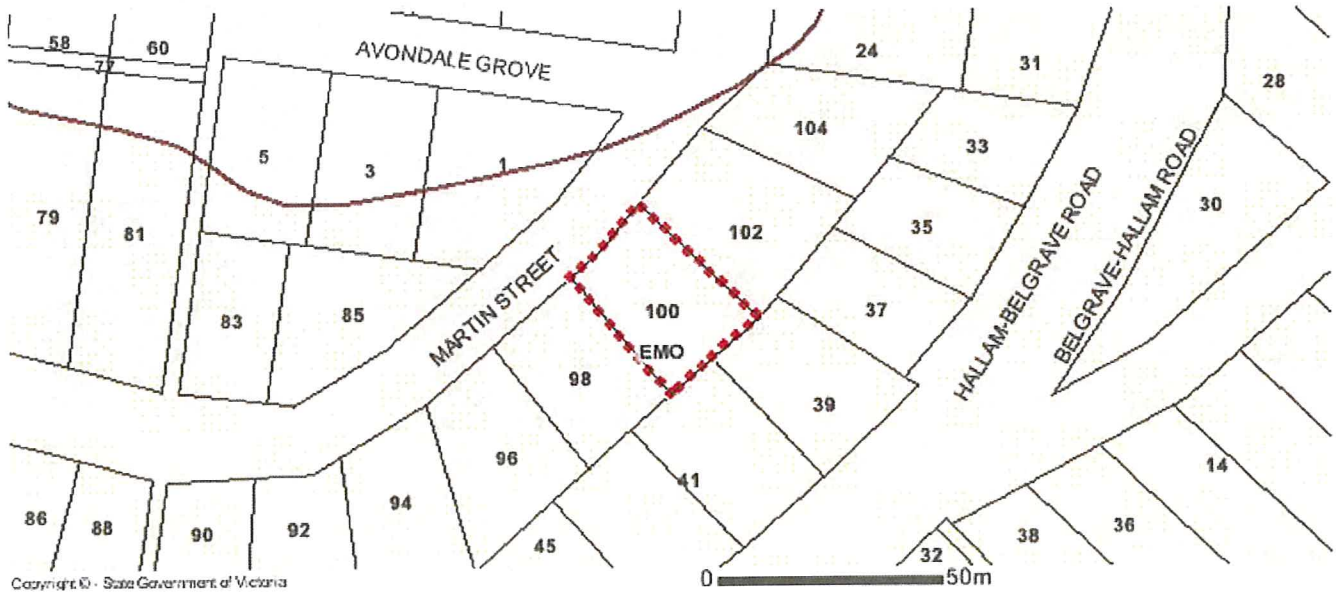
BUSHFIRE MANAGEMENT OVERLAY (BMO)



BMO - Bushfire Management

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

EROSION MANAGEMENT OVERLAY (EMO)



EMO - Erosion Management

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

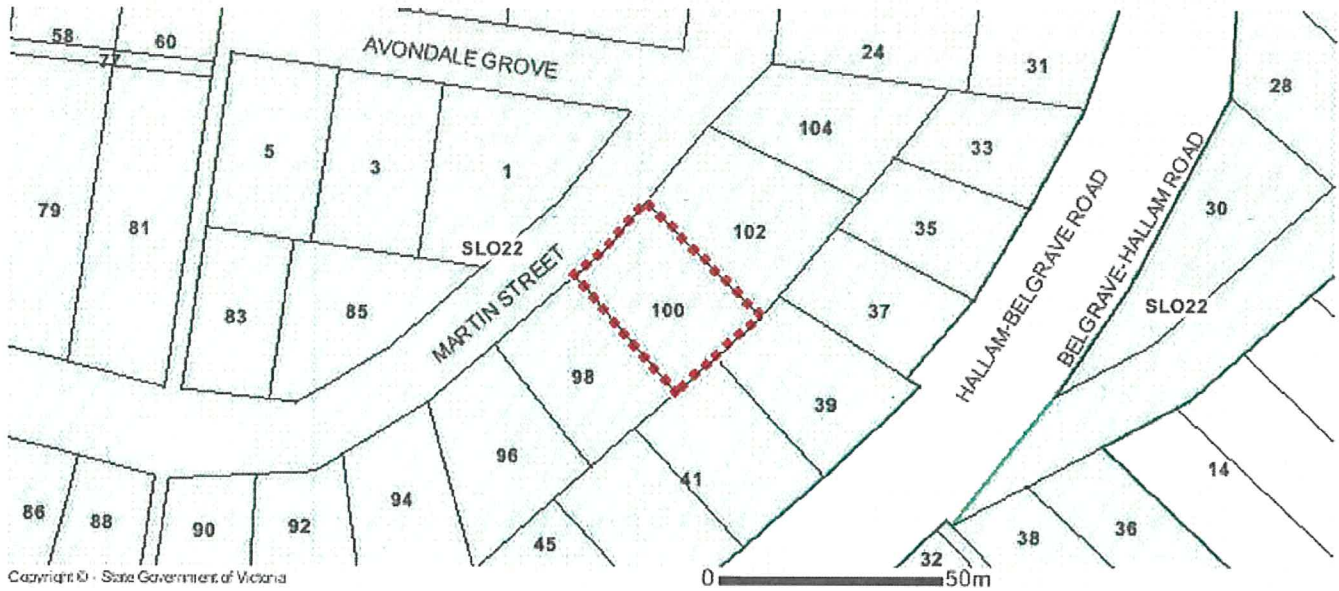
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Planning Overlays

SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 22 (SLO22)

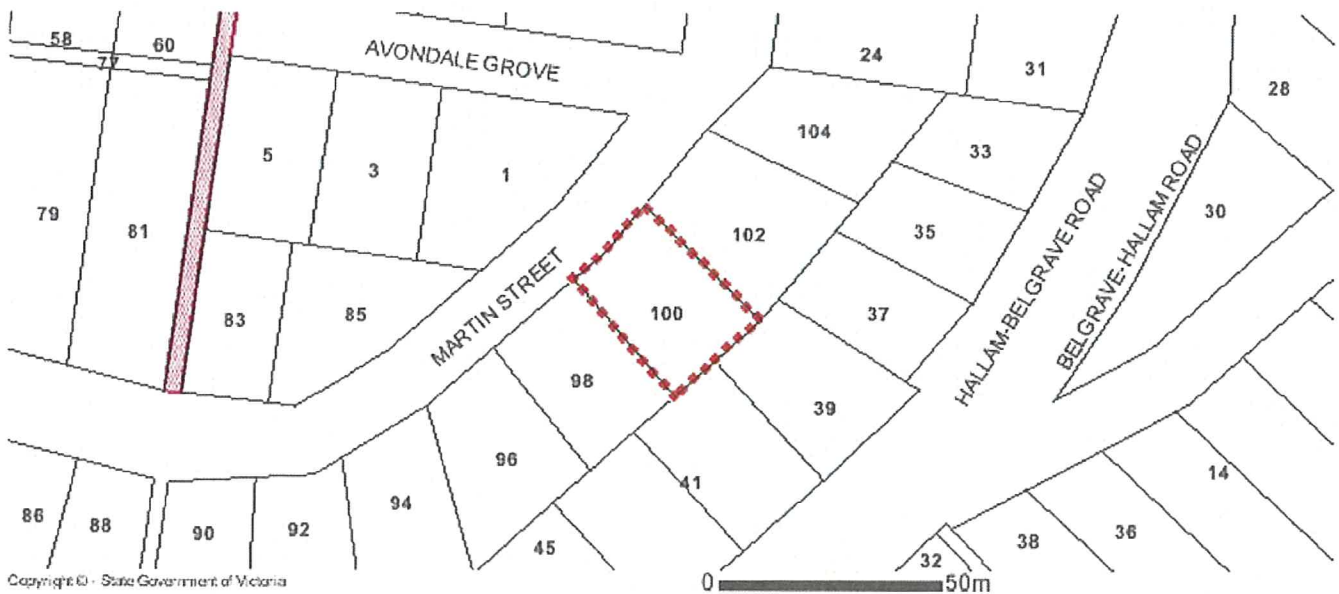



 SLO - Significant Landscape

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



 HO - Heritage

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

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Further Planning Information

Planning scheme data last updated on 10 September 2019.

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 abut the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

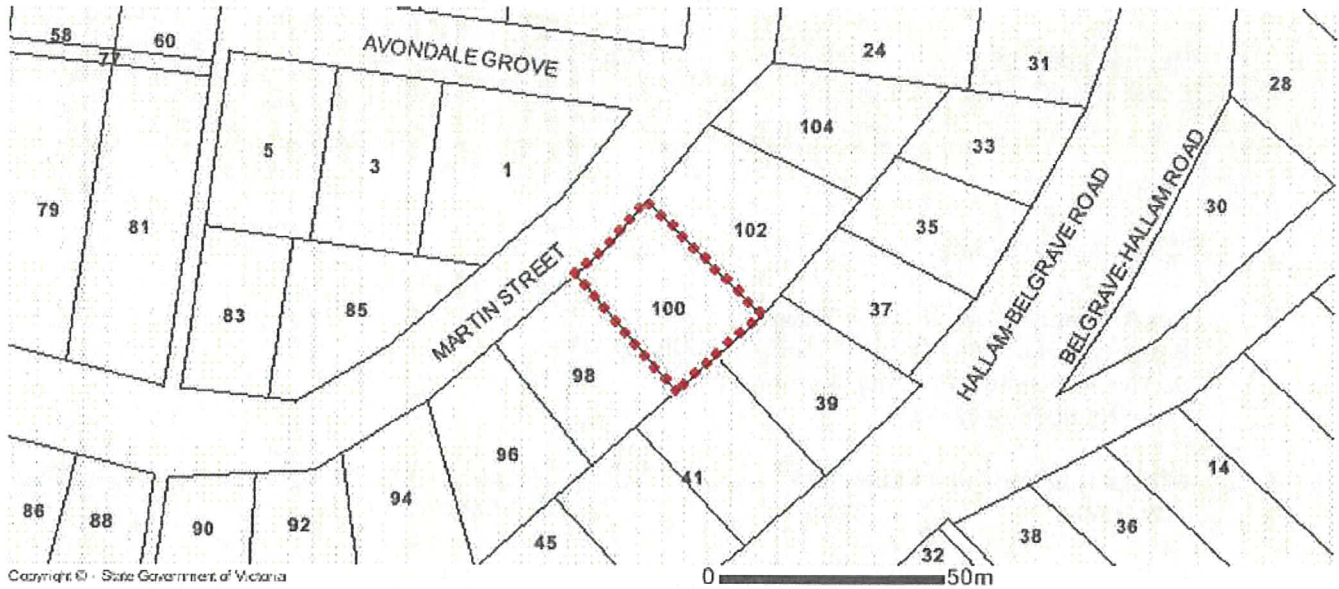
For details of surrounding properties, use this service to get the Reports for properties of interest.

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

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

Designated Bushfire Prone Area

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



Designated Bushfire Prone Area

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.

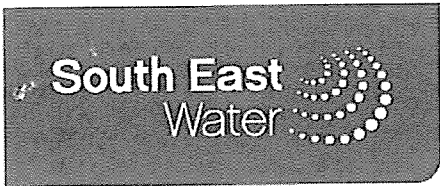
Designated bushfire prone areas maps can be viewed on VicPlan at <http://mapshare.maps.vic.gov.au/vicplan> or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website www.vba.vic.gov.au

Copies of the Building Act and Building Regulations are available from www.legislation.vic.gov.au

For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>



11 SEPTEMBER 2019

*healthy
water
for life*

Melissa Anderson
E-mail: office@resiwise.com.au

Dear Customer,

Please find attached information regarding your application.

Our Reference: Case Number 34635845
Property: Lot 37 100 MARTIN STREET BELGRAVE 3160
Service Requested: Property Sewerage Plan
Order Number: 34025902

Receipt Number and Amount Paid:		
224319355	\$28.54	Credit Card

If you have any enquiries please contact South East Water on 9552 3770.

Yours sincerely

A handwritten signature in black ink, appearing to read "Paul Galvin".

Paul Galvin
MANAGER PROPERTY DEVELOPMENT

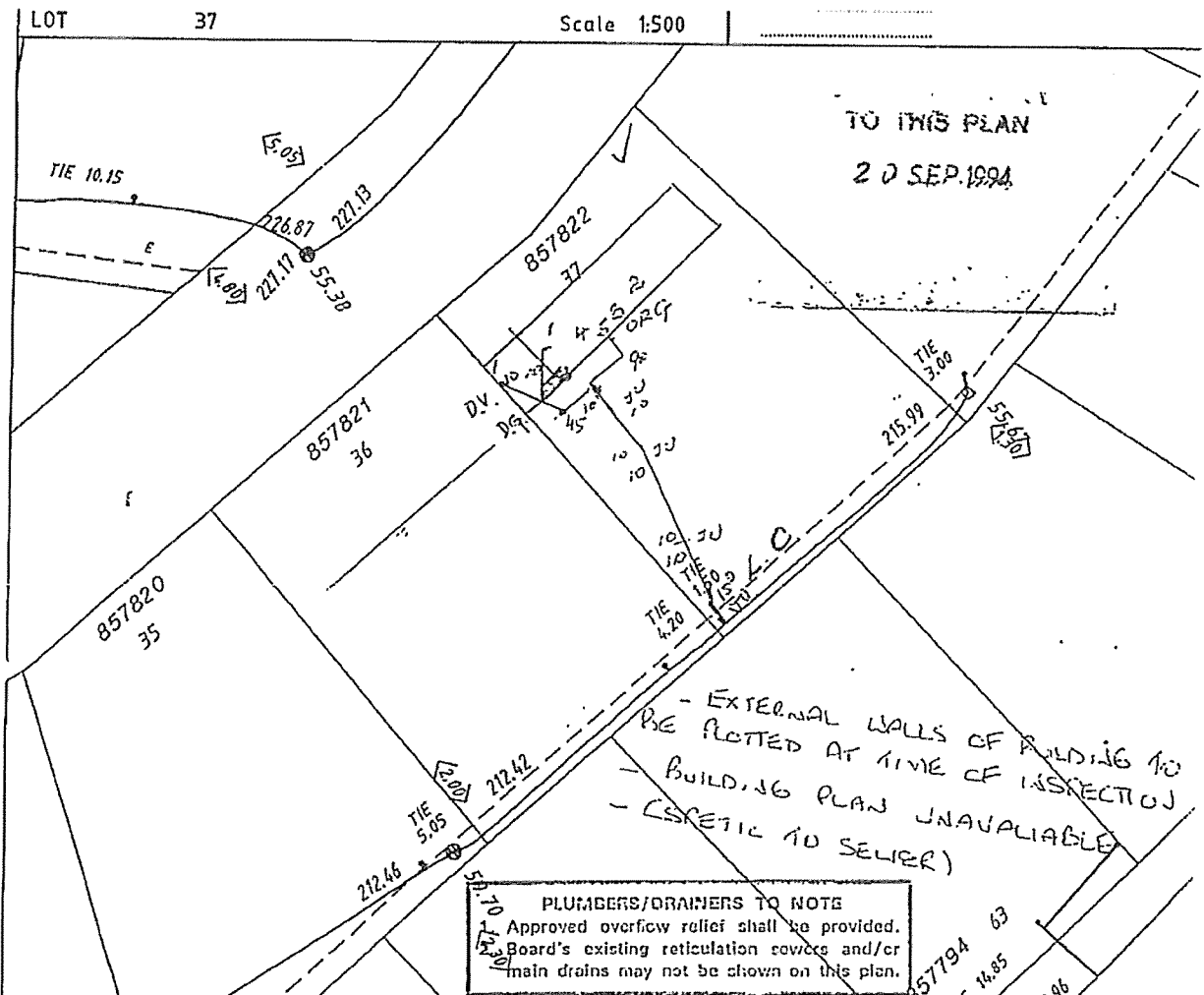
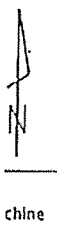


PROPERTY SEWERAGE PLAN - PS: 00857822

Property: Lot 37 100 MARTIN STREET BELGRAVE 3160

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).



PLUMBERS/DRAINERS TO NOTE
 Approved overflow relief shall be provided.
 Board's existing reticulation covers and/or main drains may not be shown on this plan.

<1.00> SEWER OFFSET
 ——— TITLE and ROAD ALIGNMENT
 DT DRY TAPPED WATERMAIN

- - - - - EASEMENTS
 - - - - - FENCES

Prepared	POINT LOCATION DATA	
	E.P.	0.50
	N.S.L.	214.98
Checked	I.L.	214.37
	CHAINAGE FROM H/h TO :-	
	Bch	28.60
	U/S H/h	55.67
SEWER PIPE DIA		150

ENCUMB.	1	2	3	4	ISSUED	1994
RECORD	5	6	7	8	FINALISED	

Melbourne Water accepts no responsibility for any work occasioned by any discrepancy between the stated and actual location, size, depth and grade of any existing drains shown on this plan.

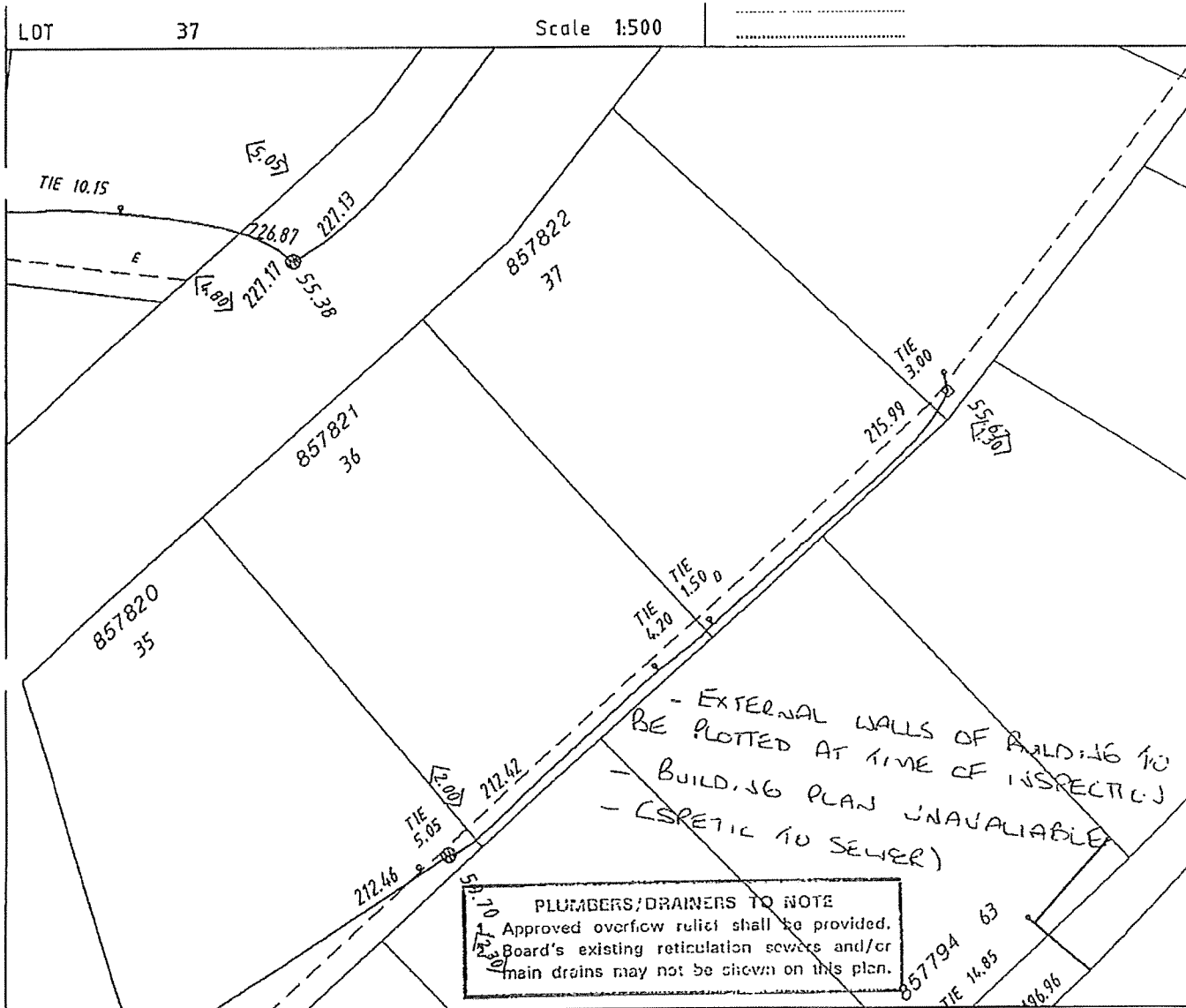


PROPERTY SEWERAGE PLAN - PS: 00857822

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<1.00>	SEWER OFFSET
—————	TITLE and ROAD ALIGNMENT
DT	DRY TAPPED WATERMAIN

- - - - -	EASEMENTS
- - - - -	FENCES

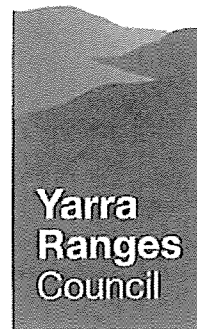
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ENCUMB.	1	2	3	4	ISSUED		
RECORD	5	6	7	8	FINALISED		

Melbourne Water accepts no responsibility for any work occasioned by any discrepancy between the stated and actual location, size, depth and grade of any existing drains shown on this plan.

Ref: ONC/8974/2019
Enquiries: Building Services
Phone: 1300 368 333

Yarra Ranges Council
PO Box 105
Lilydale Vic 3140
DX 34051
Call 1300 368 333
Fax 03 9735 4249
mail@yarraranges.vic.gov.au
www.yarraranges.vic.gov.au



24 July 2019

Mr A J Pal and Ms R K Watson
100 Martin Street
BELGRAVE VIC 3160

Dear Mr Pal and Ms Watson,

Building Notice
100 Martin Street, Belgrave VIC 3160
(Lot 37 LP7133 Ca 70J PNarree Worrان)

Further to an inspection on the 13 June 2019, I am of the opinion that the construction of alterations, additions, retaining walls and associated *siteworks* (excavations) to the sub floor area at the rear of the dwelling have been carried out without a Building Permit required by Section 16 of the *Building Act 1993*

For this reason the attached document, a **Building Notice**, is now served pursuant to Section 106 of that Act.

The Notice must be responded to in writing. Please note it does not require 'demolition', the notice only requires that you provide reasons in writing why you should not demolish the alleged illegal building work. The decision to serve a notice may be appealed to the Building Appeals Board (see Notes).

You are also Ordered to STOP Building Work or work pursuant to Section 112 of the Building Act 1993 except to 'make safe', e.g., propping, bracing, or reinstating soil to an excavation. Note: This Order to Stop Work must be cancelled by council before resuming the building work. The issue of a building permit by a Private Building Surveyors is required prior to commencement of any building work.

The illegal building work can remain and the Notice and Stop Work Building Order cancelled if Council can be satisfied that the work complies with the building regulations.

To satisfy Council that the work complies, you must provide:

1. Certification by a registered building surveyor; (this can be found using the following):
 - Australian Institute of Building Surveyors website: www.aibs.com.au or the
 - Victorian Building Authority web site: www.vba.vic.gov.au or
 - Search on the web under *Building Surveyors*.

that the documentation and building work complies with the relevant provisions of the Building Act 1993 and Building Regulations; and

ABN 21 973 226 012
Yarra Ranges Shire Council

2. A copy of all relevant plans and documentation required by the registered building surveyor to certify compliance with clause 1 above. Certification must be consistent with any required planning permit.

Certification must address any *site-work* in connection with or required by the construction of the building such as excavations, batters, cut/fill, retaining wall/s, and drainage.

Relevant documentation required by council includes Certificate(s) of Compliance from a licensed plumber for all plumbing work and Certificate(s) of Compliance from a licensed electrician for all electrical work.

It is important that you or your designer or building surveyor make enquiries with Council's Planning Services department to determine whether a Planning Permit is required as in some cases a Planning Permit application may be refused or the works may be prohibited under the Planning Scheme. Where a Planning Permit is required you need to ensure that a complete planning permit application is lodged as soon as possible to avoid delays in obtaining a Planning Permit and your Building Surveyor being able to provide certification or the issue of a Building Permit for any rectification works.

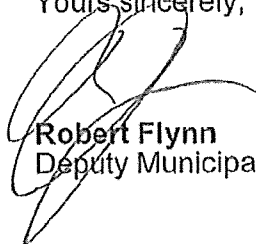
You are requested to provide the name of the person who carried out the work.

Prior to any additional work being carried out, e.g., to complete the work or to bring illegal building work into compliance with the regulations, you **must** obtain a building permit **before** the additional work starts. *Note:* Council is not in the business of issuing building permits; these are obtained from Private Building Surveyors.

If you wish to retain the building it is recommended that you engage a Registered Private Building Surveyor without delay to advise you about addressing this Notice and *Order to Stop Work*. Your building surveyor, if appointed, is encouraged to contact us directly on your behalf to avoid misunderstanding council's requirements.

If you have any queries about this matter, please contact John Harrison on 1300 368 333.

Yours sincerely,



Robert Flynn
Deputy Municipal Building Surveyor

File No: 61564 8
Our Ref: ONC/8974/2019 MR

FORM 11

Regulation 180

Building Act 1993
BUILDING REGULATIONS 2018

BUILDING NOTICE

THIS BUILDING NOTICE IS SERVED UNDER SECTION 106 OF THE BUILDING ACT 1993

To: Mr A J Pal and Ms R K Watson
Of 100 Martin Street
BELGRAVE VIC 3160

("Owner")

FROM:

I am a delegate of the **Municipal Building Surveyor** of the **Yarra Ranges Shire Council** pursuant to section 216B of the *Building Act 1993*, and am authorised to cause a **Building Notice** to be served on you, as the owner of the building to which this notice applies, under Division 2 or Part 8 of the Building Act 1993 ("Act").

LOCATION OF THE BUILDING TO WHICH THIS NOTICE APPLIES:

100 Martin Street, Belgrave VIC 3160
Lot 37 LP7133 Ca 70J PNarree Worrان
Municipal District: Shire of Yarra Ranges

INSPECTION DETAILS:

The date and time of any inspection relied on by myself as the relevant building surveyor for the purpose of making this order, and the name and qualifications of the person or persons who conducted the inspection are—

Time of inspection: 10.10am

Date of inspection: 13 June 2019

Name of person: John Harrison

Qualification(s) of person: Council's Building & Planning Compliance Officer

REASON(S) WHY THIS NOTICE WAS SERVED:

In accordance with section 106 of the **Building Act 1993**, I am of the opinion that the following circumstance exists:

The following building work has been carried out on the building and land without a building permit as required by section 16 of the Building Act 1993

Construction of alterations, additions, retaining walls and associated *siteworks* (excavations) to the sub floor area at the rear of the dwelling

Yarra Ranges Council

PO Box 105

Lilydale Vic 3140

DX 34051

Call 1300 368 333

Fax 03 9735 4249

mail@yarraranges.vic.gov.au

www.yarraranges.vic.gov.au

**Yarra
Ranges
Council**

SHOW CAUSE PROCESS:

You are required to **SHOW CAUSE** in writing within (Sixty) **60 days** (by 22 September 2019) of the date of service of **this Notice**:—

1. Why you should not be required to **demolish** the building work and subject to the issue of a Building Permit **reinstate** the building and land (excavations) back to its original legal condition.

Specified manner for making representations:

The manner for making representations in response to the matters contained in this notice is **in writing**—


to the attention of: John Harrison and include the property address and/or Our Ref: and,

by email sent to council at: mail@yarraranges.vic.gov.au; or,

by mail sent to—

Municipal Building Surveyor
Yarra Ranges Council
PO Box 105
Lilydale VIC 3140

BUILDING NOTICE SERVED BY:



.....
Robert Flynn
Deputy Municipal Building Surveyor
BSU 1482

Pursuant to written delegation dated 16 July 2018 under section 216B of the *Building Act 1993* from the Municipal Building Surveyor of the Shire of Yarra Ranges
mail@yarraranges.vic.gov.au
Shire of Yarra Ranges
PO Box 105, Lilydale
Building Notice No. **ONC/8974/2019**

DATE OF MAKING: 24 JULY 2019

Photos

Photo Number	1
Date photo taken:	
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	Aerial. Yellow dashed lines indicate approximate location of the excavation beneath to accommodate the lower storey



Photo Number	2
Date photo taken:	13 June 2019
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	North east side of the dwelling. New stumps



Photo Number	3
Date photo taken:	13 June 2019
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	North east corner of the dwelling. New stumps



Photo Number	4.
Date photo taken:	13 June 2019
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	New building work, lower storey additions and alterations showing props and strapping in place



Photo Number	5
Date photo taken:	13 June 2019
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	View from the rear of the dwelling showing excavated area, new rock retaining walls, stud walls and props to lower storey additions and alterations.



Photo Number	6
Date photo taken:	13 June 2019
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	View from side of the dwelling showing excavated area, new stud walls, rock retaining walls and new stumps



Photo Number	7
Date photo taken:	13 June 2019
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	Stud wall to lower storey additions and alterations with new rock retaining wall in the background

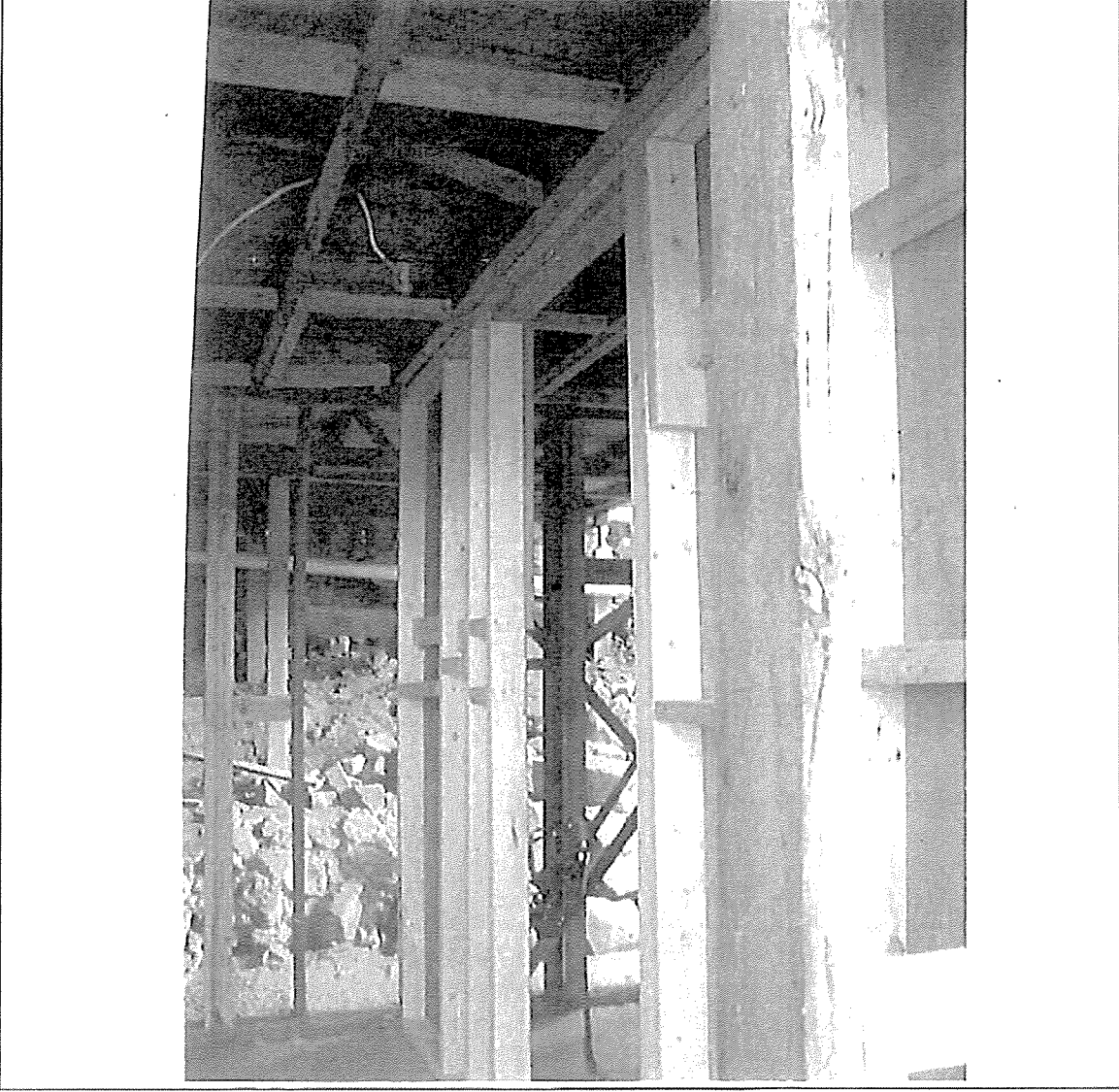


Photo Number	8
Date photo taken:	13 June 2019
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	View of lower storey additions and alterations and rock retaining wall from rear of dwelling



Photo Number	9
Date photo taken:	13 June 2019
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	Concrete block piers at rear of dwelling



Photo Number	10
Date photo taken:	13 June 2019
Location:	100 Martin Street, Belgrave VIC 3160
Photo taken by:	John Harrison
View:	Concrete block piers at rear of dwelling



NOTES:

1. Representation by Owner and Cancellation of Notice:

Under Section 109 of the Act an owner may make representations to the Municipal Building Surveyor about the matters contained in the Building Notice. Any representations are to be made in writing to the Municipal Building Surveyor before the end of the "show cause" period. The Municipal Building Surveyor may cancel a building notice if he considers it appropriate to do so after considering any representations made under section 109 (Section 110 of the Act).

2. Building Order

Subject to Section 107 of the Act, the Municipal Building Surveyor may make a Building Order under Section 111 after the end of the time allowed for making representations.

3. Appeals to the Building Appeals Board

Under Section 142(1) an owner of a building or land may appeal to the Building Appeals Board (Ph: 1300 815 127) within 30 days of the date of this notice against a decision to serve a notice or the failure or refusal within a reasonable time to cancel a notice.

4. Building Appeals Board

Victorian Building Authority
Building Appeals Board
PO Box 536
Melbourne VIC 3001
Phone 1300 421 082
Email bab@vba.vic.gov.au
Fax (03) 9618 9032
Web <http://www.vba.vic.gov.au>

5. Subsequent Owners or Occupiers of the Land

Pursuant to Section 236 of the Act this Building Notice is binding on every subsequent owner or occupier of the land.

6. Building Permit Required

Subject to Regulation 23 and Schedule 3 of the *Building Regulations 2018* a Building Permit is required before carrying out any building work.

7. Meaning of 'Demolish'

'Demolish' means the demolition and removal of any structure, building or building work that has not been approved by previous building permit/s or does not otherwise legally exist.

