

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	5 Darshan Lane, Koonwarra 3954	
Vendor's name	Fabio Dal Pozzo	Date / /
Vendor's signature		
Vendor's name	Leah Joy Dal Pozzo	Date / /
Vendor's signature		
Purchaser's name		Date / /
Purchaser's signature		
Purchaser's name		Date / /
Purchaser's signature		

1 FINANCIAL MATTERS

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

- (a) Are contained in the attached certificate/s.

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):		

1.3 Terms Contract

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

Not Applicable

1.4 Sale Subject to Mortgage

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

Not Applicable

1.5 Commercial and Industrial Property Tax

- (a) The land is tax reform scheme land within the meaning of the Commercial and Industrial Property Tax Reform Act 2024.

No

- (b) The AVPCC number is: 530.2

- (c) The Entry Date of the land was: N/A

2 INSURANCE

2.1 Damage and Destruction

This section 2.1 only applies if this vendor statement is in respect of a contract which does NOT provide for the land to remain at the risk of the vendor until the purchaser becomes entitled to possession or receipt of rents and profits.

Not Applicable.

2.2 Owner Builder

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

Not Applicable.

3 LAND USE

3.1 Easements, Covenants or Other Similar Restrictions

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

Is in the attached copies of title documents.

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

To the best of the vendor's knowledge, there is no existing failure to comply with the terms of any easement, covenant or other similar restriction.
--

3.2. Road Access

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

☐

3.3. Designated Bushfire Prone Area

The land is in a designated bushfire prone area under section 192A of the *Building Act* 1993 if the square box is marked with an 'X'

☒

3.4. Planning Scheme

The required specified information is as follows:

Name of planning scheme	SOUTH GIPPSLAND PLANNING SCHEME
Name of responsible authority	SOUTH GIPPSLAND SHIRE COUNCIL
Zoning of the land	FARMING ZONE
Name of planning overlay	BUSHFIRE MANAGEMENT OVERLAY, EROSION MANAGEMENT OVERLAY - SCHEDULE 1 AND ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2

4 NOTICES

4.1. Notice, Order, Declaration, Report or Recommendation

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

Not Applicable.

4.2. Agricultural Chemicals

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

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.

6 OWNERS CORPORATION

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

Not Applicable.

7 GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

Not Applicable.

8 SERVICES

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

Electricity supply ☐	Gas supply ☒	Water supply ☒	Sewerage ☒	Telephone services ☒
---	--	--	--	--

9 TITLE

Attached are copies of the following documents:

9.1 (a) Registered Title

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

10 SUBDIVISION

10.1. Unregistered Subdivision

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

Not Applicable.

10.2. Staged Subdivision

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

Not Applicable.

10.3. Further Plan of Subdivision

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

Not Applicable.

11 DISCLOSURE OF ENERGY INFORMATION

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

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

- (a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and
- (b) which has a net lettable area of at least 1000m²; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the relevant date);

Not Applicable.

12 DUE DILIGENCE CHECKLIST

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

- ☐ Vacant Residential Land or Land with a Residence
- ☒ Attach Due Diligence Checklist (this will be attached if ticked)

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)

Certificate of Title Volume 10836 Folio 033
Plan of Subdivision No PS526636U
Section 173 Agreement No AD176069E

Land Information Certificate
Building Permit
Occupancy Permit
Domestic Building Insurance
Permit to Install a Septic System
Certificate to Use Septic Tank System
Building Permit
Certificate of Final Inspection
Owner Builder Report
Property Report
Planning Property Report

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

Page 1 of 1

VOLUME 10836 FOLIO 033

Security no : 124129124980P
Produced 20/10/2025 07:33 AM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 526636U.

PARENT TITLES :

Volume 09871 Folio 298 to Volume 09871 Folio 299

Created by instrument PS526636U 20/10/2004

REGISTERED PROPRIETOR

Estate Fee Simple

Joint Proprietors

FABIO DAL POZZO

LEAH JOY DAL POZZO both of 155 CAITHNESS ROAD KOONWARRA VIC 3954

AD747978H 14/07/2005

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AW964740R 22/06/2023

COMMONWEALTH BANK OF AUSTRALIA

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

AGREEMENT Section 173 Planning and Environment Act 1987

AD176069E 13/10/2004

DIAGRAM LOCATION

SEE PS526636U 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: 5 DARSHAN LANE KOONWARRA VIC 3954

ADMINISTRATIVE NOTICES

NIL

eCT Control 20381U COMMONWEALTH BANK OF AUSTRALIA

Effective from 22/06/2023

DOCUMENT END

Imaged Document Cover Sheet

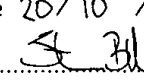
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Document Type	Plan
Document Identification	PS526636U
Number of Pages (excluding this cover sheet)	3
Document Assembled	20/10/2025 07:33

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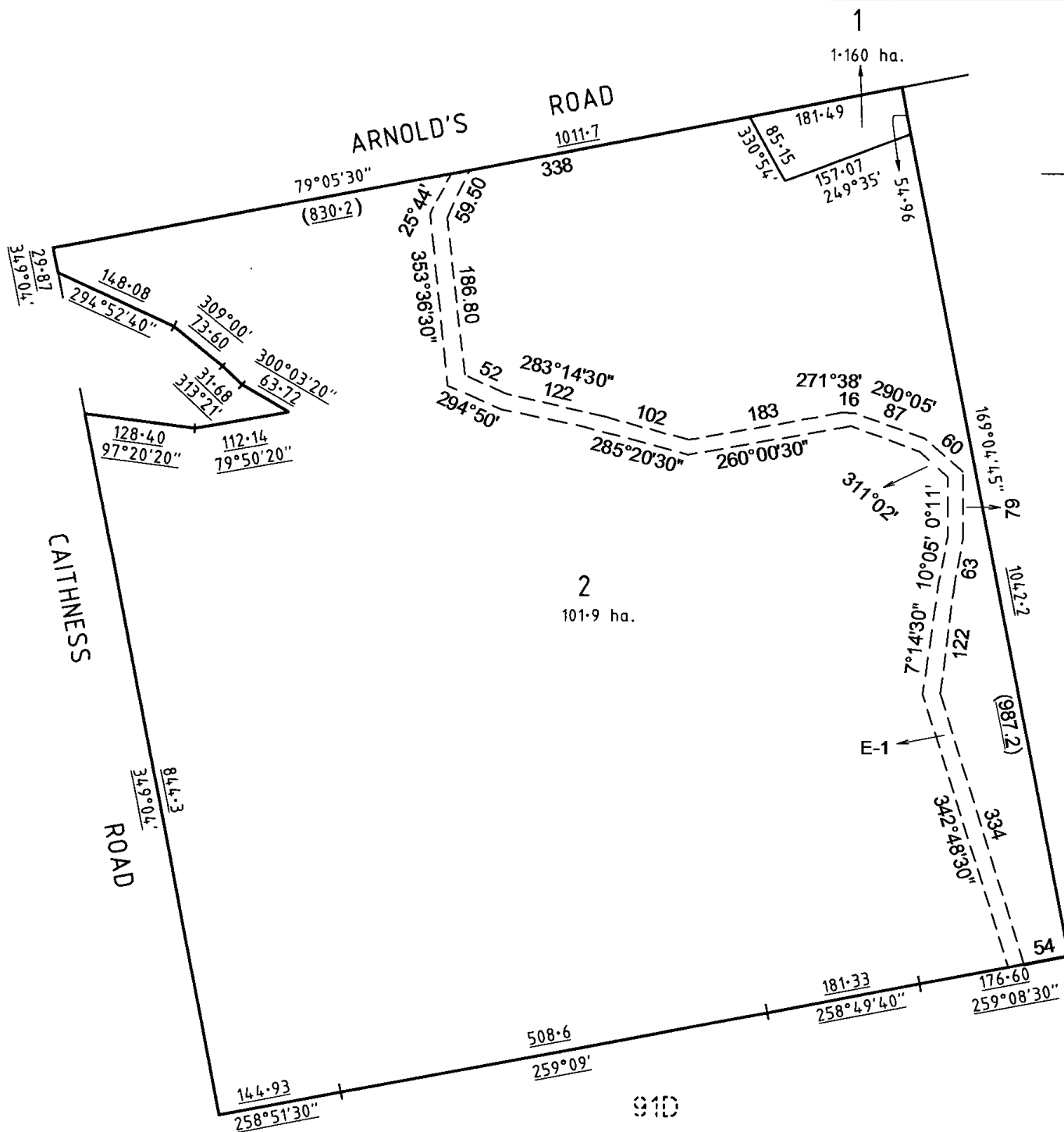
PLAN OF SUBDIVISION		STAGE NO. /	LR use only EDITION 3	Plan Number PS 526636U
Location of Land Parish: LEONGATHA Township: _____ Section: _____ Crown Allotment: 32 (PART) Crown Portion: _____ Title Reference: VOL.9871 FOL.298 VOL.9871 FOL.299 Last Plan Reference: LP214556X LOTS 1 & 2 Postal Address: (at time of subdivision) ARNOLDS ROAD, KOONWARRA AMG Co-ordinates E 408 950 ZONE: 55 (of approx. centre of land in plan) N 5730 150		Council Certification and Endorsement Council Name: SOUTH GIPPSLAND SHIRE COUNCIL Ref: 2003/492 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6 / / 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has /has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage Council Delegate Council Seal Date 18 / 08 / 04 Re-certified under section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date / /		
Vesting of Roads and / or Reserves				
Identifier	Council/Body/Person			
NIL	NIL			
		Notations		
		Staging This is /is not a staged subdivision Planning Permit No. 2003/492		
		Depth Limitation DOES NOT APPLY. THE DIMENSIONS OF LOT 2 SHOWN THUS <u>424.16</u> ARE NOT THE RESULT OF THIS SURVEY. THE AREA OF LOT 2 HAS BEEN DERIVED BY DEDUCTION FROM TITLE.		
The land being subdivided is enclosed within thick continuous lines. Survey This plan is is /is not based on survey. This survey has been connected to permanent marks no(s). 68 in Proclaimed Survey Area No. _____				
Easement Information				
Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement A - Appurtenant Easement R - Encumbering Easement (Road)				
Subject Land	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	WATER SUPPLY & SEWERAGE PIPELINE	20.12	AK258185L	SOUTH GIPPSLAND REGION WATER CORPORATION
				LR use only Statement of Compliance/Exemption Statement Received ☒ Date 13 / 10 / 04
				LR use only PLAN REGISTERED Time 4:07pm Date 20 / 10 / 2004  Assistant Registrar of Titles
				Sheet 1 of 2 Sheets
 BEVERIDGE WILLIAMS & CO. PTY.LTD. ACN 006 197 235 ABN 44 622 029 694 SURVEYORS .ENGINEERS .PLANNERS ENVIRONMENTAL CONSULTANTS PO BOX 2205 CAULFIELD JUNCTION 3161 95284444 PO BOX1465 BALLARAT MAIL CENTRE 3354 53313877 PO BOX 161 LEONGATHA 3953 56622630 PO BOX 129 WONTHAGGI 3995 56721505 PO BOX 1916 TRARALGON 3844 51760374		LICENSED SURVEYOR GRANT, MICHAEL HAILES (PRINT) SIGNATURE DATE 12/07/2004 L4672 REF. K:\DATA\L4672\SUBD.DGN VERSION 1		DATE 18/03/04 COUNCIL DELEGATE SIGNATURE Original sheet size A3

PLAN OF SUBDIVISION

Stage No.

Plan Number

PS 526636U



BEVERIDGE WILLIAMS & CO. PTY.LTD.
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 PO BOX1465 BALLARAT MAIL CENTRE 3354 53313877
 PO BOX 161 LEONGATHA 3953 56622630
 PO BOX 129 WONTHAGGI 3995 56721505
 PO BOX 1916 TRARALGON 3844 51760374

ORIGINAL

SCALE

SCALE
1:5000
SHEET
SIZE
A3

50 0 50 100 150 200

LENGTHS ARE IN METRES

LICENSED SURVEYOR GRANT MICHAEL HAILES
(PRINT)

SIGNATURE DATE 12/07/2004

L4672

REF K \DATA\4672\SUBD DGN

VERSION 1

Sheet 2 of 2 Sheets

DATE 18 / 8 / 04

COUNCIL DELEGATE SIGNATURE

Original sheet size A3

Imaged Document Cover Sheet

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Document Type	Instrument
Document Identification	AD176069E
Number of Pages (excluding this cover sheet)	10
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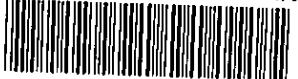
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APPLICATION FOR RECORDING OF AN AGREEMENT

SECTION 181(1) PLANNING & ENVIRONMENT ACT 1987

AD176069E

13/10/2004 \$90 173




Application by
Responsible Authority
Relevant Authority
Referral Authority or Council
For the making of recording of an agreement
Section 181(1) Planning and Environment Act 1987

Lodged by:

Name: Oakleys McKenzie – McHarg Lawyers
Phone: (03) 5662 3401
Address: 13 McCartin Street, Leongatha, 3953
Ref: CAM: KC:04-2111
Customer Code: 0311F



The Authority or Council having made an agreement requires a recording to be in the Register for the land.

Land: Certificates of Title Volume 9871 Folios 298 & 299 ~~being the land~~ *10.*
~~in Plan of Subdivision 526636U.~~

Authority or Council: South Gippsland Shire Council *of 9 SMITH STREET, LEONGATHA*
1123953

Section and Act under which agreement made: Section 173 of the Planning and Environment Act 1987.

A copy of the agreement is attached to the application

Date: *28/08/2004*

Signed by Authorised Officials of South Gippsland Shire Council:

[Signature] *Chief Executive*
.....
(Official of Authority of signing Officer – specify office held)

JOSEPH PATRICK Cullen
.....
(please print full name)

Gi
13/10/04

This Agreement dated the

28 day of August

2004

is made pursuant to Section 173 of the Planning and Environment Act 1987 ("the Act")

BETWEEN

JASON WILLIAM HARRIS and MELISSA LOUISE HARRIS both formerly of 16 Mary Rogers Crescent, Leongatha, but now of 18 Higg Street, Leongatha in the State of Victoria ("the Applicant")

AND



DAD176069E-2-5

SOUTH GIPPSLAND SHIRE COUNCIL of 9 Smith Street, Leongatha in the State of Victoria ("the Responsible Authority")

RECITALS:

- A. The Responsible Authority is responsible under enforcement of the South Gippsland Shire Council Planning Scheme ("the Planning Scheme") the Act for the administration and
- B. The Applicant is the registered proprietor of the land described in Certificates of Title Volume 9871 & Folios 298 & 299 being Lots 1 & 2 on PS 214556X, Parish of Leongatha ("the land").
- C. The Applicant has sought consent from the Responsible Authority to subdivide the land in accordance with the Proposed Plan of Subdivision, copy as annexed hereto and the requirements of Planning Permit No. 2003/492 issued on the 27th of March 2004 a copy of which is also annexed. A copy of the Surveyed Plan of Subdivision as eventually issued is also enclosed.
- D. The Responsible Authority and The Applicant have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as that it can be so treated this Agreement shall be treated as being an Agreement under Section 173 of the Planning and Environment Act 1987.

NOW IT IS AGREED:

1. In this Agreement, unless inconsistent with its context or subject matter, "the Applicant" shall mean the Owner or the person or persons entitled from time to time to be registered by the Registrar of Titles as the proprietor or proprietors of any estate in fee simple of the land or part thereof.
2. The Applicant agrees with the Responsible Authority to implement and be bound by the provision of clause 2 of the Planning Permit which states:

Prior to a Statement of Compliance being issued the owner of the subject land must enter into an agreement with the Responsible Authority, pursuant to Section 173 of the Planning and Environment Act 1987, which prevents Lots 1 and 2 shown on the endorsed plan from being further subdivided into additional Lots. Such agreement must be registered against each title. All costs relating to the preparation and registration on title of the agreement must be borne by the applicant.

AD176069E

173

\$90

13/10/2004



3. The Applicant and the Responsible Authority acknowledge and agree that this Agreement is made pursuant to Section 173 of the Act and during the period of this Agreement the obligations imposed on the Applicant are intended to take effect as covenants which shall be annexed to and run at law and in equity with the land and bind the Applicant, her successors in title, assignees and transferees and the registered proprietor for the time being of the land.
4. The Applicant will without delay pay upon demand costs of the Responsible Authority of and in connection with and incidental to the preparation and execution of this Agreement and with the lodging of a Memorandum of this Agreement at the Land Titles Office pursuant to Section 181 of the Act.
5. The Responsible Authority will register this Agreement in accordance with Section 181 of the Act.
6. The provisions of this Agreement come into effect on the date of this Agreement.

IN CONFIRMATION of their agreement the parties have executed this Agreement on the date set out in the commencement of the Agreement.



Signed by authorised officials of
South Gippsland Shire Council

.....Councillor

Chief Executive Officer
Joseph Patrick Cullen

(Please print full name above)

(Please print full name above)

SIGNED by the said JASON WILLIAM HARRIS
and MELISSA LOUISE HARRIS in the
presence of:

)
Jason
)
Melissa

Witness
B. Nagel
NAGEL'S PHARMACY
B. NAGEL PROP.
40 - 14 BAIR ST.
LEONGATHA VIC 3953
APPROVAL NO:
217814

* Please sign to Oakleys.
PHONE: 5662 2297

AD176069E

13/10/2004 \$90 173





AD176069E

13/10/2004 \$90 173



South Gippsland Shire Council

PLANNING PERMIT

Permit No: 2003/492
Planning Scheme: South Gippsland
Responsible Authority: South Gippsland Shire Council

Applicant: J & M Harris C/- Beveridge Williams & Co

ADDRESS OF THE LAND:

Land Title: Lot 1 & 2 PS214556X, Parish of Leongatha

Land Address: 155 Caithness Road Koonwarra

THE PERMIT ALLOWS:

The land to be Subdivided (Restructure Titles) in accordance with the endorsed plans.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

1. The layout of the subdivision, as shown on the approved plan/s, must not be altered or modified without the consent in writing of the Responsible Authority.
2. Prior to a Statement of Compliance being issued the owner of the subject land must enter into an agreement with the Responsible Authority, pursuant to Section 173 of the Planning and Environment Act 1987, which prevents Lots 1 and 2 shown on the endorsed plan from being further subdivided into additional lots. Such agreement must be registered against each title. All costs relating to the preparation and registration on title of the agreement must be borne by the applicant.
3. South Gippsland Shire Council Engineering Conditions:
 - New driveway/access to be constructed from the end of Arnolds Road to Lot 1 to the following standards:
 - Layout of driveway to generally be in accordance with Council's Standard Drawing 60-15A (copy attached).
 - Driveway to have a minimum consolidated pavement depth of 100 mm thick crushed rock or 2nd grade gravel on a

Signature for Responsible Authority

27 March 2004

Date of Issue
Form 4.6



DAD176069E-5-0

AD176069E

13/10/2004 \$90 173



South Gippsland Shire Council

PLANNING PERMIT

Permit No: 2003/492
Planning Scheme: South Gippsland
Responsible Authority: South Gippsland Shire Council

suitably prepared and firm subgrade between the road and the property boundary.

- The property owner checks with the relevant authorities before any excavation work is undertaken (eg Telstra, TXU).
 - All work to be to the satisfaction of the South Gippsland Shire Council.
4. The applicant/developer must provide electricity to lot 1 by underground means to the satisfaction of the responsible authority.
 5. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
 6. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
 7. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of the Act.
 8. This permit will expire if:
 - a) The Subdivision is not commenced within two (2) years of the date of this permit; or
 - b) The subdivision is not completed within five (5) years of the date of commencement.

The Responsible Authority may extend the periods referred to, if a request is made in writing before the permit expires or within three (3) months afterwards.


Signature for Responsible Authority

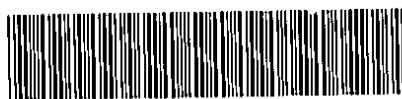
27 March 2004
Date of Issue
Form 4.6



South Gippsland Shire Council

PLANNING Permit No: 2003/492
PERMIT Planning Scheme: South Gippsland
Responsible Authority: South Gippsland Shire Council

The starting of the subdivision is regarded by Section 68 (3A) of the Planning and Environment Act 1987 as the certification of a plan, and completion is regarded as the registration of the plan.



DAD176069E-6-8

AD176069E



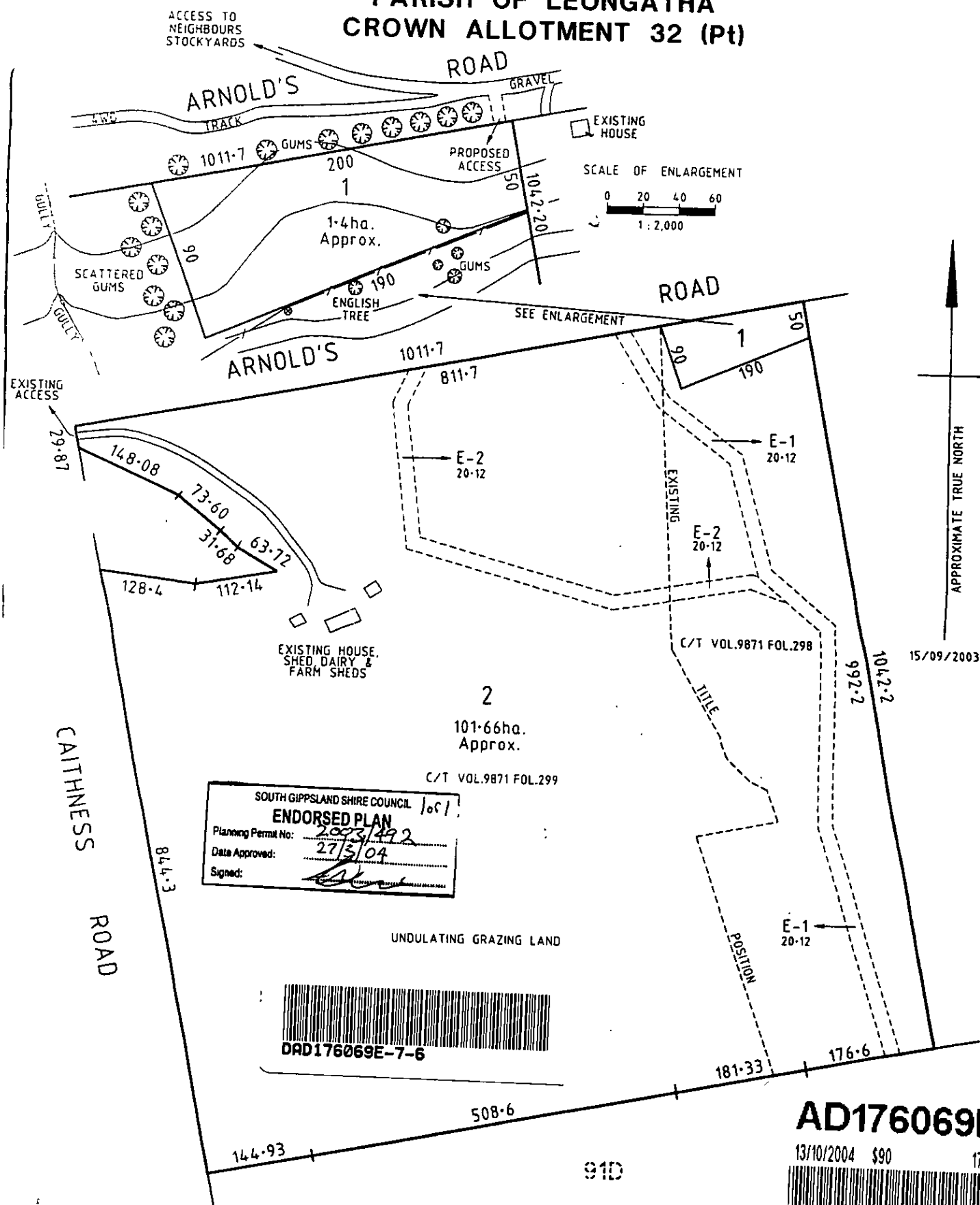
A handwritten signature in black ink, likely of the Responsible Authority.

Signature for Responsible Authority

27 March 2004

Date of Issue
Form 4.6

PLAN OF PROPOSED SUBDIVISION COUNTY OF BULN BULN PARISH OF LEONGATHA CROWN ALLOTMENT 32 (Pt)

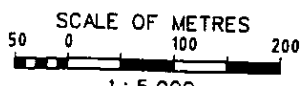


SOUTH GIPPSLAND SHIRE COUNCIL
ENDORSED PLAN
Planning Permit No: 2093/492
Date Approved: 27/3/04
Signed: [Signature]



DAD176069E-7-6

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ACN 006 197 235 ABN 44 622 029 694
SURVEYORS, ENGINEERS, PLANNERS
ENVIRONMENTAL CONSULTANTS
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PO BOX 1465 BALLARAT MAIL CENTRE 3354 53313877
PO BOX 161 LEONGATHA 3953 56622630
PO BOX 129 WORTHAGG 3955 56721505
PO BOX 1915 TRARALGON 3844 56722000



NOTE: ALL AREAS AND DIMENSIONS ARE APPROXIMATE ONLY AND ARE SUBJECT TO SURVEY AND FINAL COMPUTATIONS.
E-1 EXISTING SEWERAGE EASEMENT.
E-2 EXISTING WATER EASEMENT.

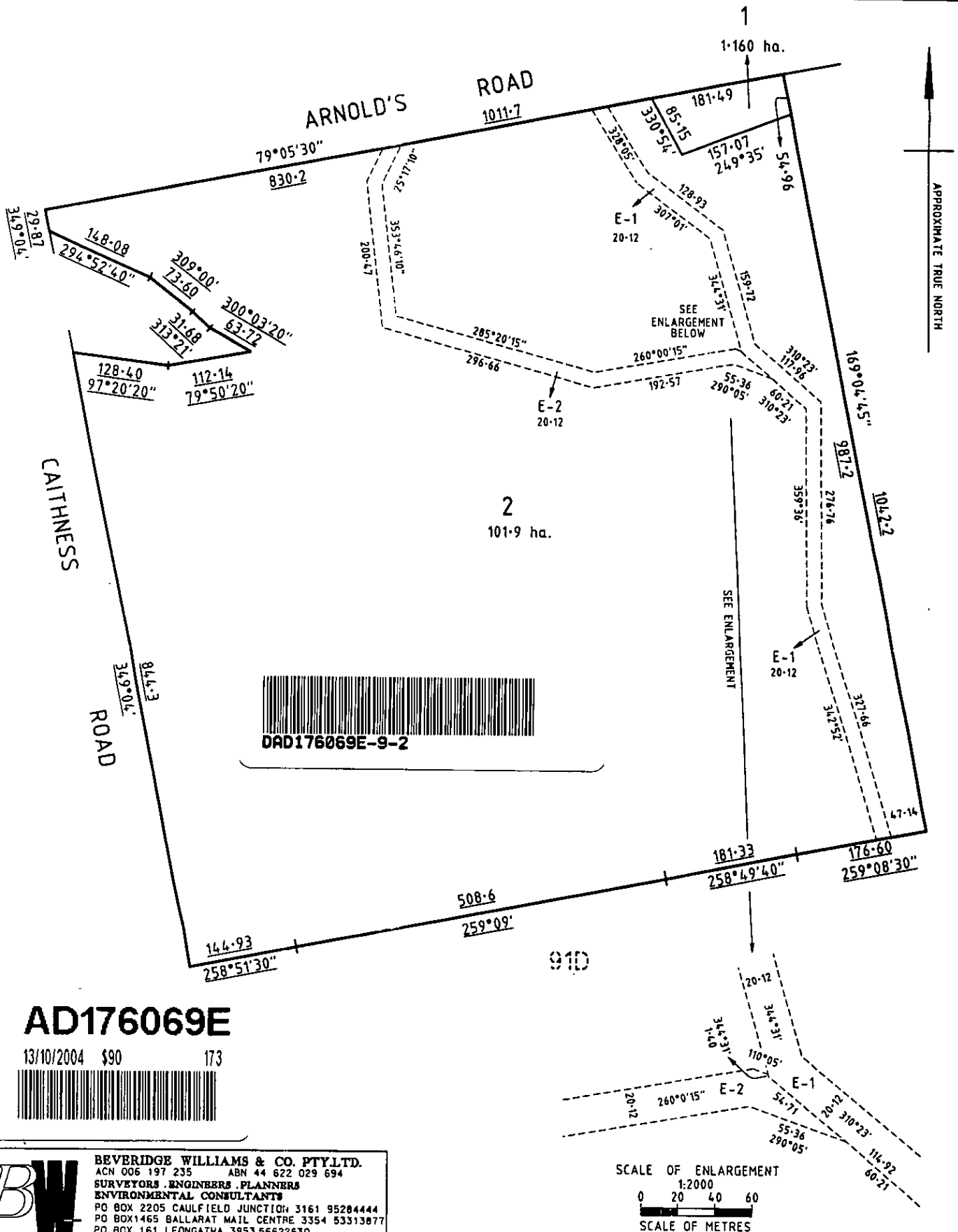
DEE N 1 / 173

PLAN OF SUBDIVISION

Stage No.

Plan Number

PS 526636U



AD176069E

13/10/2004 \$90 173



BEVERIDGE WILLIAMS & CO. PTY.LTD.
ACN 006 197 235 ABN 44 622 029 694
SURVEYORS ENGINEERS PLANNERS
ENVIRONMENTAL CONSULTANTS
PO BOX 2205 CAULFIELD JUNCTION 3161 95204444
PO BOX 1465 BALLARAT MAIL CENTRE 3354 53313677
PO BOX 161 LEONGATHA 3953 56622630
PO BOX 129 WORTHAGGI 3995 56721505
PO BOX 1916 TRARALGON 3844 51760374

ORIGINAL

SCALE SHEET SIZE
1:5000 A3

SCALE

50 0 50 100 150 200

LENGTHS ARE IN METRES

LICENSED SURVEYOR GRANT MICHAEL HAILES
(PRINT)

SIGNATURE DATE 12/07/2004

REF. **L4672** K:\DATA\4672\SUB0.DGN VERSION 1

Sheet 2 of 2 Sheets

DATE / /

COUNCIL DELEGATE SIGNATURE

DATED the

28 day of August

2004.

SECTION 173 AGREEMENT

-between-

JASON WILLIAM HARRIS and MELISSA LOUISE HARRIS

-and-

SOUTH GIPPSLAND SHIRE COUNCIL



DAD176069E-10-0

OAKLEYS McKENZIE-McHARG
Solicitors
13 McCartin Street,
LEONGATHA VIC 3953
DX 94022 LEONGATHA
PH: (03) 56 623 401
FAX: (03) 56 624 282
REF: CAM:KC:04-2111

Land Information Certificate



South Gippsland
Shire Council

Assessment No: 83273-6

Certificate No 33177
Date printed 20 October 2025
Enquiries 03 5662 9878

Applicants Ref 78478355-015-9
Receipt No
Fee \$30.60

Landata
2MQ, Level 13
697 Collins Street
Docklands VIC 3008

Property Address	5 Darshan Lane Koonwarra VIC 3954
Property Description	L2 PS526636U Parish of Leongatha
Land Use	530.2 Mixed farming and grazing with Infrastructure
Land Area	101.9H

Valuation effective date 1 July 2025		
Level of value date 1 January 2025		
Site Value	Capital Improved Value	Net Annual Value
\$2,425,000	\$3,075,000	\$153,750

Rates & Charges for the period ending 30 June 2026

Arrears brought forward	
General Rates	0.00
Interest	0.00
Legal Fees	0.00
Current Charges	
General Rates	6,412.75
Emergency Services and Volunteers Fund	1,157.50
Municipal Charge	0.00
Pension/ESVF Concession/TFN Rebate	0.00
Total Current	7,570.25
Other Current Charges	
Current Interest	0.00
Legal Fees	0.00
Special Rates & Charges	0.00
Payments	0.00
Total Balance	\$7,570.25

Please contact us for an updated balance prior to Settlement.

Payment method:

Bpay – Biller Code **35097** Customer Reference No: **000000000832736**
ABN: 67 816 770 786 GST Exempt

Land Information Certificate

Details of all rates and charges are for the period ending 30/06/26. Rates (except instalments) are due and payable on or before 15/02/26. Interest is charged at 10% on all lump sum overdue rates and charges and overdue instalments, backdated to the date on which the instalment was due.

NOTE: In accordance with section 175(1), Local Government Act 2020 the purchaser must pay all rates and charges overdue at the time that person becomes the owner of the land.

NOTICES, ORDERS, OUTSTANDING OR POTENTIAL/SUBDIVISIONAL REQUIREMENT

- There is no potential liability for rates under the Cultural and Recreational Lands Act 1963.
- There is no potential liability for the land to become rateable under Section 173 or 174A of the local Government Act 1989.
- There is no outstanding amount required to be paid for recreational purposes or any transfer of land required to be made to council for recreational purposes under section 18, Subdivision of Land act 1988 or the Local Government Act 1958.
- There are no notices or orders on the land that have been served by council under the Local Government Act 1958, Local Government Act 2020, any other act or regulation, under a Local Law of the Council, which have a continuing application as at the date of this certificate.
- If a bin has been supplied, it MUST remain at the property. If the Vendor has removed the bin and the Purchaser requests a replacement bin, a fee may apply.
- A flood level has not been determined by council under the Victorian Building Regulations.
- This certificate is not required to include information regarding planning, building, health, land fill, land slip, other flooding information or service from the council or the relevant authority. A fee may be charged for such information.
- Properties not connected to town sewer will have an on-site wastewater system (septic tank or treatment plant). The property owner / occupier is required to service and maintain the wastewater system in accordance with the original permit conditions. Please contact Council's Environmental Health Unit on 5662 9262 for further details.
- This certificate provides information regarding valuation, rates, charges, other money owing and any orders and notices made under the Local Government Act 2020, the Local Government Act 1989, the Local Government Act 1958 or under a local law of the Council.
- Potential purchasers need to ensure that the land is not a fire risk under the Emergency Services and Volunteers Fund Act 2012 or under a Local Law or by the law of the council.
- There is not any environmental upgrade charge in relation to the land which is owed under Section 181C of the Act.
- All payments are subject to bank clearance.

I hereby certify that as at the date of issue, the information given in the certificate is a true and correct disclosure of the rates and other monies and interest payable to the South Gippsland Shire Council together with any notices or orders referred to in this certificate.



Authorised by: Rachel De Luca
Rates & Valuations Officer

Date: 20-Oct-2025

House

BUILDING SURVEYING VICTORIA

E: info@bsvic.com.au P: 03 9707 4443 M: PO Box 629, Beaconsfield VIC 3807

BUILDING PERMIT - FORM 2

Building Act 1993, Building Regulations 2018, Regulation 37

Job Reference Number: 026212

Building Permit Number: 5605058514791 Issued: 24/05/2023

Property Details:

Address: **5 Darshan Lane, KOONWARRA**
Allotment: **2**
Municipality: **South Gippsland Shire Council**

Postcode: **3954**
LP/PS: **PS526636**

Issued To:

Name: **Kialla Homes Pty Ltd**
Address: **Fact 2, 22 Embrey Court, PAKENHAM**
Email: **reception@kiallahomes.com.au**

Phone: **5941 3996**
Postcode: **3810**
ACN: **006 613 403**

The above address is the 'Address for Serving or Giving of Documents' unless noted otherwise.

Ownership Details:

Name: **Fabio & Leah Dal Pozzo**
Address: **5 Darshan Lane, KOONWARRA**
Email: **well63east@dodo.com.au**

Phone: **0458 642 373**
Postcode: **3954**

Builder:

Name: **Kialla Homes Pty Ltd**
Address: **Fact 2, 22 Embrey Court, PAKENHAM**
Building practitioner registration no: **CDB-U 49019**

Phone: **5941 3996**
Postcode: **3810**
ACN: **006 613 403**

Natural person for service of directions, notices and orders:

Name: **Geoff Robbins**
Address: **Fact 2, 22 Embrey Court, PAKENHAM**

Phone: **5941 3996**
Postcode: **3810**

Building practitioner or architects engaged to prepare documents for this permit:

Name	Category / Class	Registration number
Annette Cunningham	Drafting	DP-AD 44606
Francis Collins	Civil Engineer	PE0002747

Nature of Building Works: Construction of a dwelling

Building Classification:	Part of Building	BCA Classification
	Dwelling	1a(a)

Total new floor area:	305m ²	Stage of work permitted:	All
Cost of Works:	\$623,085	Version of BCA applicable:	NCC 2019

Details of Relevant Planning Permit (if applicable):
Details of Domestic Building Work Insurance:

Planning Permit No: 2022/460 Date: 28/03/2023
VMIA C787732

PHONE 9707 4443 TO BOOK INSPECTIONS - MINIMUM 24 HOURS NOTICE REQUIRED

The mandatory notification stages for inspection are:

BORED PIERS
PRE-SLAB
SLAB STEEL
FRAME
FINAL

www.bsvic.com.au

BUILDING SURVEYING VICTORIA PTY LTD ABN 59 881 876 191

Commencement and Completions:

This building work must commence by: **24/05/2024**

If the building work to which this building permit applies is not commenced by this date, this building permit will lapse unless an extension is applied for and granted by the relevant building surveyor *before* this date under regulation 59 of the Building Regulations 2018.

This building must be completed by: **24/05/2025**

If the building work to which this building permit applies is not completed by this date, this building permit will lapse unless an extension is applied for and granted by the relevant building surveyor *before* this date under regulation 59 of the Building Regulations 2018.

Occupancy of Building:

An Occupancy Permit (whole) is required prior to the occupation or use of this building in relation to which the building work is carried out.

Protection work:

Protection work is not required in relation to the building work proposed in this permit.

Where the above indicates protection works are not required, this is based on the documentation provided at time of assessment indicating that no risk of significant damage to any adjoining property was evident. In this instance, the person in charge of carrying out building works is to notify the relevant building surveyor should a risk of significant damage become apparent.

General Building Permit Conditions

- Under Regulation 41, the person in charge of carrying out of the building work on an allotment must ensure that a copy of approved documents are available on-site at all times and take all reasonable steps to ensure that the registration numbers and contact details of the builder and building surveyor and date of issue of this permit are displayed in a conspicuous position accessible to the public before and during the building work to which this permit applies.
- The mandatory inspection notification stages of work are (a) before placing a footing; (b) before pouring an in situ reinforced concrete member; (c) the completion of framework; (e) final, on the completion of all building work. Inspection requirements listed on the previous page are common terms used to describe the mandatory stages but do not over-ride these requirements. Building work must not continue past a mandatory notification stage without written approval of that stage first being issued by BSV (s33(2)).
- The relevant building surveyor must be notified without delay after completion of each mandatory stage including any additional stage specified in this permit.
- All materials & work practices shall comply with, but not limited to, the Building Regulations 2018, the National Construction Code and all relevant current Australian Standards (as amended) referred to therein.
- The person in charge of carrying out the building work must ensure that the building work does not encroach over the title boundaries of the subject allotment.
- Where plumbing and/or electrical work for which required the issue of a compliance certificate is carried out in conjunction with the building work included in this permit, a copy of that certificate must be supplied to the relevant building surveyor along with the application for occupancy permit (Form 15) prior to the issue of any Occupancy Permit.
- Where insulation and energy efficiency requirements are applicable, certificates / declaration must be provided to the building surveyor prior to the issuance of a final certificate / occupancy permit.
- Where waterproofing of wet area works are carried out a certificate must be provided to the building surveyor prior to the issuance of a final certificate / occupancy permit.
- Where any prefabricated items such as Roof trusses, Wall framing and/or Floor joists are applicable the layouts and design certificate must be provided to BSV prior to the frame inspection being undertaken.**
- Where a termite management system is required it shall be carried out in accordance with AS 3660.1 - 2014. If there is any doubt regarding methods required to achieve compliance the relevant building surveyor must be consulted. Certificates showing the system/s used and locations installed must be provided to the building surveyor prior to a final certificate / occupancy permit being able to be issued. It is the owners responsibility to carry out regular inspections of the building for evidence of termite activity.

Prescribed reporting authority

The following bodies are prescribed reporting authorities for the purposes of the application for this permit in relation to the matters set out below.

Reporting authority	Regulation number	Matter reported on or consented to
South Gippsland Shire Council	Reg. 132(1)	Consent for septic system
South Gippsland Shire Council	Reg. 133(2)	Point of discharge of storm water

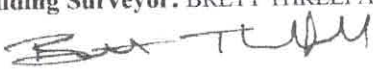
Additional Permit Conditions / Notes

These works are to be constructed in accordance with the required bushfire provisions of AS3959 for a Bushfire Attack Level of **BAL 12.5**

Section 10(2) of the Building Act 1993 has been applied as NCC 2019 will be adopted for this project on the basis that substantial design had progressed prior to the 01 May 2023 when NCC 2022 was adopted.

A report and consent under Regulation 187 of the Building Regulations 2018 must be obtained from Council for the use of the septic system prior to the application for an occupancy permit.

Relevant Building Surveyor: BRETT THRELFALL

Signature: 

Registration No: BS-U 30045

Date of Issue: 24/05/2023

House

BUILDING SURVEYING VICTORIA

E: info@bsvic.com.au P: 03 9707 4443 M: PO Box 629, Beaconsfield VIC 3807

OCCUPANCY PERMIT - FORM 16

Building Act 1993, Building Regulations 2018, Regulation 192

For Building Permit Number: 5605058514791

Property Details:

5 Darshan Lane
KOONWARRA 3954
Lot: 2 LP/PS: PS526636
Municipal district: South Gippsland Shire Council

Nature of Building Works Construction of a dwelling
Allowable Floor Loading: 1.5 kPa
Version of BCA NCC 2019

Building Description

Part of Building
Dwelling

BCA Class
1a(a)

Reporting Authority
South Gippsland Shire Council
South Gippsland Shire Council

Matter Reported On
Consent for septic system
Point of discharge of storm water

Regulations
Reg. 132(1)
Reg. 133(2)

Maintenance Determination

The requirement for maintenance determinations does not apply to these works, as such a maintenance determination **is not** required to be prepared in accordance with regulation 215 of the Building Regulations 2018.

Conditions

- All cooking appliances, hot water appliances and if applicable the rain water tank to be operational prior to occupation. All services to be connected prior to occupation.
- All landscaping works to maintain a minimum distance from below weep holes of 150mm to soil; or 75mm to paving; or 50mm to paving graded away from the building with a roof covering.
- The owner's attention is drawn to the document published by the Victorian Building Authority - 'Minimising Foundation Movement and Damage to Your House' and further to the requirements of AS 2870, both of which indicate the owner's responsibilities with regard to the regular maintenance of the building, site drainage, plumbing leaks, excessive or irregular watering of gardens adjacent to the building, and vegetation plantation and growth.

Suitability for Occupation

- At the date this occupancy permit is issued, the building to which this permit applies is suitable for occupation.
- This Occupancy Permit does not constitute a statement of compliance with the Building Act 1993 or the Building Regulations 2018.

Certificate Number: 026212

Relevant Building Surveyor: BRETT THRELFALL

Registration No: BS-U 30045

Signature:



Date of Issue: 08 May 2024

Inspection Approval Dates

Inspection Type
BORED PIERS
PRE-SLAB
SLAB STEEL
FRAME
FINAL

Approval Date
06/06/2023
31/07/2023
02/08/2023
02/10/2023
29/04/2024

www.bsvic.com.au

BUILDING SURVEYING VICTORIA PTY LTD ABN 59 881 876 191

Domestic Building Insurance

Certificate of Insurance

Fabio & Leah Dal Pozzo

**5 Darshan Lane
 KOONWARRA
 VIC 3954**

Policy Number:
C787732

Policy Inception Date:
09/05/2023

Builder Account Number:
013710

A contract of insurance complying with the Ministerial Order for Domestic Building Insurance issued under Section 135 of the Building Act 1993 (Vic) (Domestic Building Insurance) has been issued by the insurer Victorian Managed Insurance Authority a Statutory Corporation established under the Victorian Managed Insurance Authority Act 1996 (Vic), in respect of the domestic building work described below.

Policy Schedule Details

Domestic Building Work: **C01: New Single Dwelling Construction**

At the property: **5 Darshan Lane KOONWARRA VIC 3954 Australia**

Carried out by the builder: **KIALLA HOMES PTY. LTD.**

Builder ACN: **006613403**

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

For the building owner(s): **Fabio & Leah Dal Pozzo**

Pursuant to a domestic building contract dated: **29/04/2023**

For the contract price of: **\$ 623,085.00**

Type of Cover: **Cover is only provided if KIALLA HOMES PTY. LTD. has died, becomes insolvent or has disappeared or fails to comply with a Tribunal or Court Order ***

The maximum policy limit for claims made under this policy is: **\$300,000 all inclusive of costs and expenses ***

The maximum policy limit for non-completion claims made under this policy is: **20% of the contract price limited to the maximum policy limit for all claims under the policy***

PLEASE CHECK

If the information on this certificate does not match what's on your domestic building contract, please contact the VMIA immediately on 1300 363 424 or email dbi@vmia.vic.gov.au

IMPORTANT

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

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

Period of Cover

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

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

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

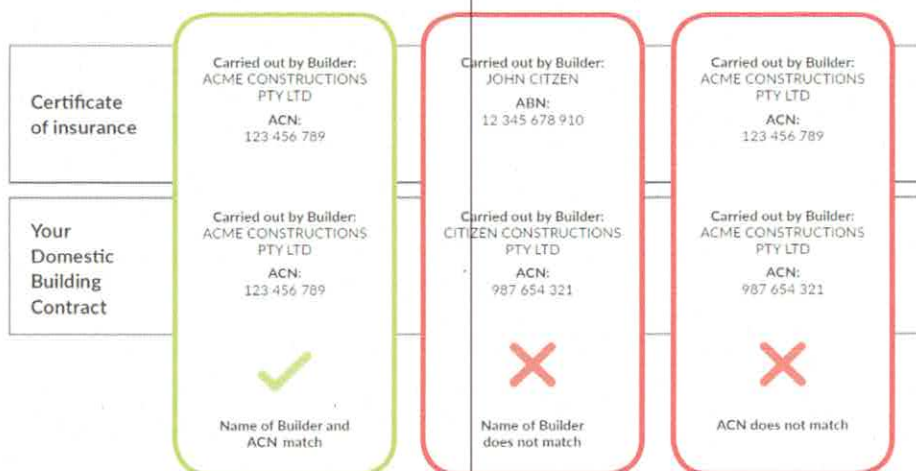
Issued by Victorian Managed Insurance Authority (VMIA)

Domestic Building Insurance Premium and Statutory Costs

Base DBI Premium:	\$830.00
GST:	\$83.00
Stamp Duty:	\$91.30
Total:	\$1,004.30

If the information on the certificate does not match exactly what is on your domestic building contract, please contact VMIA on 1300 363 424

Below are some example of what to look for





South Gippsland
Shire Council

ST-2023-19
23-May-2023

Kialla Homes Pty Ltd
Lot 8 Johanna Court
Pakenham VIC 3810

Dear Sir/Madam

Permit to install a septic system at 5 Darshan Lane Koonwarra VIC 3954

NOTE: This Permit is not valid unless all Councils Planning requirements have been met.

Please find enclosed permit number **ST-2023-19** to install a septic tank system.

The permit enclosed is subject to compliance with the approved plan, and any changes proposed must be approved in writing prior to installation.

This permit expires if the installation has not been completed and a "Permit to Use" has not been issued within 2 years from the approved date.

Council may reissue a Permit provided that application meets the standards of the time, if an Extension to a Permit to install application form is received before the permit expires or within three (3) months afterwards.

This letter is deemed to be a Report and Consent pursuant to Regulation 132 of the Building Regulations 2018. If you require any further information please contact the Environmental Health Team on 5662 9200.

Yours sincerely

Lynda Kee
Authorised Officer

PERMIT TO INSTALL A SEPTIC TANK SYSTEM – ST-2023-19

This permit is granted to install a system within the specified parameters, under the Environment Protection Act 2017 by a person Authorised under the Act by the South Gippsland Shire Council and is subject to the conditions contained herein.

Owner: F Dal Pozzo and L J Dal Pozzo

To be installed at: 5 Darshan Lane Koonwarra VIC 3954 (L2 PS526636U Parish of Leongatha)

Expiry date: 23-May-2025

GENERAL

		<i>Reference</i>
Bed Rooms*	4	<i>EPAV Pub 891.4</i>
Number of people to use system	5	<i>EPAV Pub 891.4</i>
Water Supply	Tank Water Only	<i>EPAV Pub 891.4</i>
Fitting & Fixtures	Full Water Reduction Fixtures	<i>EPAV Pub 891.4</i>
Unit Hydraulic load (l/person/day)	150 (L/P/D)	<i>EPAV Pub 891.4</i>
Max Daily Hydraulic Load (l/day)	750 (L/D)	<i>EPAV Pub 891.4</i>
Max BOD gm/day	300 (GM/D)	<i>EPAV Pub 891.4</i>

* Bedrooms include all rooms that are reasonably able to be used as bedrooms, e.g. of adequate size and substantially enclosed.

SITE INFORMATION

Site Size (m ²)	101.90 Ha	<i>Intramaps</i>
Soil Description	Loam	<i>AS/NZS 1547:2012</i>
Design Irrigation Rate (mm/week)	4 (MM/Week)	<i>EPAV/891.4 & AS/NZS 1547:2012 or from LCA</i>

TREATMENT SYSTEM

EPAV Approved Treatment System	Fuji Clean ACE 1200	<i>EPAV website COC listing</i>
Subsurface Drip Irrigation Area m ² – size & construction requirements	400m ² (600mm spacing's between dripper lines)	<i>AS/NZS 1547:2012 & 3500:2003</i>

MAINTENANCE FREQUENCIES

Sludge Removal (months)	3 years or when sludge >50% of tank volume	<i>CA1.1/03 – 4 Feb 2003 & AS/NZS 1547:2012</i>
Inspection (months)	3monthly	<i>EPA website</i>
Service (months)	3monthly	<i>EPA website</i>
Analysis (months)	On Request by Council	<i>EPA website</i>

CONDITIONS

Special Conditions

1. The effluent sub-irrigation field must be setback 30metres from the two dams located near the Land Application Area as stated in Environment Protection Authority Code of Practice 89.4. Table 5.
2. The owner/occupier of the property should ensure the performance of the system is monitored, particularly in the Winter period. Any surface

wastewater impacts should be addressed by referral to Council for an inspection and your installing plumber for comment.

Standard Conditions:

- A This Permit is only valid for **24 months** from the date of issue unless an application to extend permit is approved by Council;
- B This permit has no force or effect until a Building Permit has been issued for a residential building to which this permit refers;
- C A Licensed Drainage Practitioner must carry out all work;
- D The system approved for installation by this permit must not be altered or modified, except with the approval of Council. An application to Amend a Permit to Install must be submitted for approval by Council.
- E The permit holder must notify Council at least 48 hours (excluding weekends) prior to the installation of the system's treatment and disposal components to arrange for a construction inspection.
- F A Plumbers Compliance Certificate (PCC) and "as constructed" plan must be submitted to South Gippsland Shire Council before a Final Inspection is undertaken.

NOTE: A final inspection should not be booked unless all works have been completed. If a final inspection occurs and these works have not been finalised, an additional inspection fee will apply.

- G The system must not be used until Council has issued a Certificate to Use for the system. A Certificate to Use will not be issued until Council has received a completed 'Plumbers Certificate of Compliance' and 'Treatment Plant Commissioning Certificate';
- H If sewer becomes available to the premises, this system must cease to operate and all wastewater is to be connected and discharged to sewer;
- I The system must be constructed in accordance with the septic tank permit application **ST-2023-19**. In the event of any inconsistency arising between the application and the conditions of this permit, the conditions of this permit will apply;
- J The system must be constructed, installed and maintained in accordance with the references summarised above and listed in detail below:
 - i) EPA certificate/s of conformity SMK 0717 as informed by CA 1.1/02 Septic Tanks.
 - ii) AS/NZS 1547: 2012: Appendix L – Land Application Methods – Trenching as informed by CA 1.2/03 Soil Absorption Systems
 - iii) AS/NZS 1547: 2012: Appendix M – Land Application Methods – Irrigation



- iv) The current edition of EPA's Code of Practice – Septic Tanks On-site Domestic Wastewater Management
 - v) Australian/New Zealand Standard 1547 On-site domestic-wastewater management
 - vi) Australian/New Zealand Standard 3500 National plumbing and drainage code
 - vii) Council Guidelines; and
 - viii) Other relevant Australian Standards;
- K The system approved by the subsequent Certificate to Use must not be altered or modified, except in accordance with a Permit to Alter a septic tank system issued by Council. This includes any alteration to the septic tank system or the hydraulic loading rate;
- L Effluent from the system must not be discharged beyond the boundaries of the allotment and the system must not create a nuisance;
- M All access openings for the septic tank system must be brought up to ground level and comply with Australian Standard 1547, On-site Domestic Wastewater Treatment Units;

Mechanical components:

- N An alarm system with suitable visual and/or audio (with mute facility) warning signal must be installed in an appropriate location to indicate failure of any effluent pump or aeration component.

System maintenance:

General

- O The Owner is to enter into and maintain a service contract with an authorised service representative according with the requirements of the current EPA COC and maintenance conditions specified above.
- P The system must be assessed for permit compliance by an accredited person/person acceptable to the Council, maintained, sampled and analysed in accordance with the COC and maintenance conditions specified above, relevant guidelines and standards.

Care of effluent disposal systems:

- Q The effluent disposal area must be maintained as a permanent, dedicated area.
- R Vehicles and livestock must be excluded from the effluent disposal area.

S Buildings, decks, driveways, concrete, tennis courts, swimming pools, garden beds, vegetable gardens, large trees and the like must not be placed in or on effluent disposal areas.

Effluent irrigation:

- T The effluent irrigation area must be maintained as a permanent, dedicated area.
- U Vehicles and livestock must be excluded from the effluent irrigation area.
- V Suitable plants and landscaping must be established on the effluent irrigation area before effluent application commences; and the plants and landscaping must be maintained over the life of the system.
- W Storm water must be diverted around the effluent irrigation area to a Council approved point of discharge.
- X All irrigation pipe work and fittings must comply with Australian Standard 2698 – Plastic pipes and fittings for irrigation and rural applications.
- Y The irrigation system must be permanently fixed with distribution pipes buried at least 100mm below the natural ground surface.

Reporting to council:

- Z Reports must be provided to Council in accordance with the EPA Certificate of Conformity and maintenance condition frequency specified above.

Lynda Kee

Lynda Kee
Authorised Officer.

By Authority of South Gippsland Shire Council.
22-May-2023

South Gippsland Shire Council

Approved Septic Tank Plan

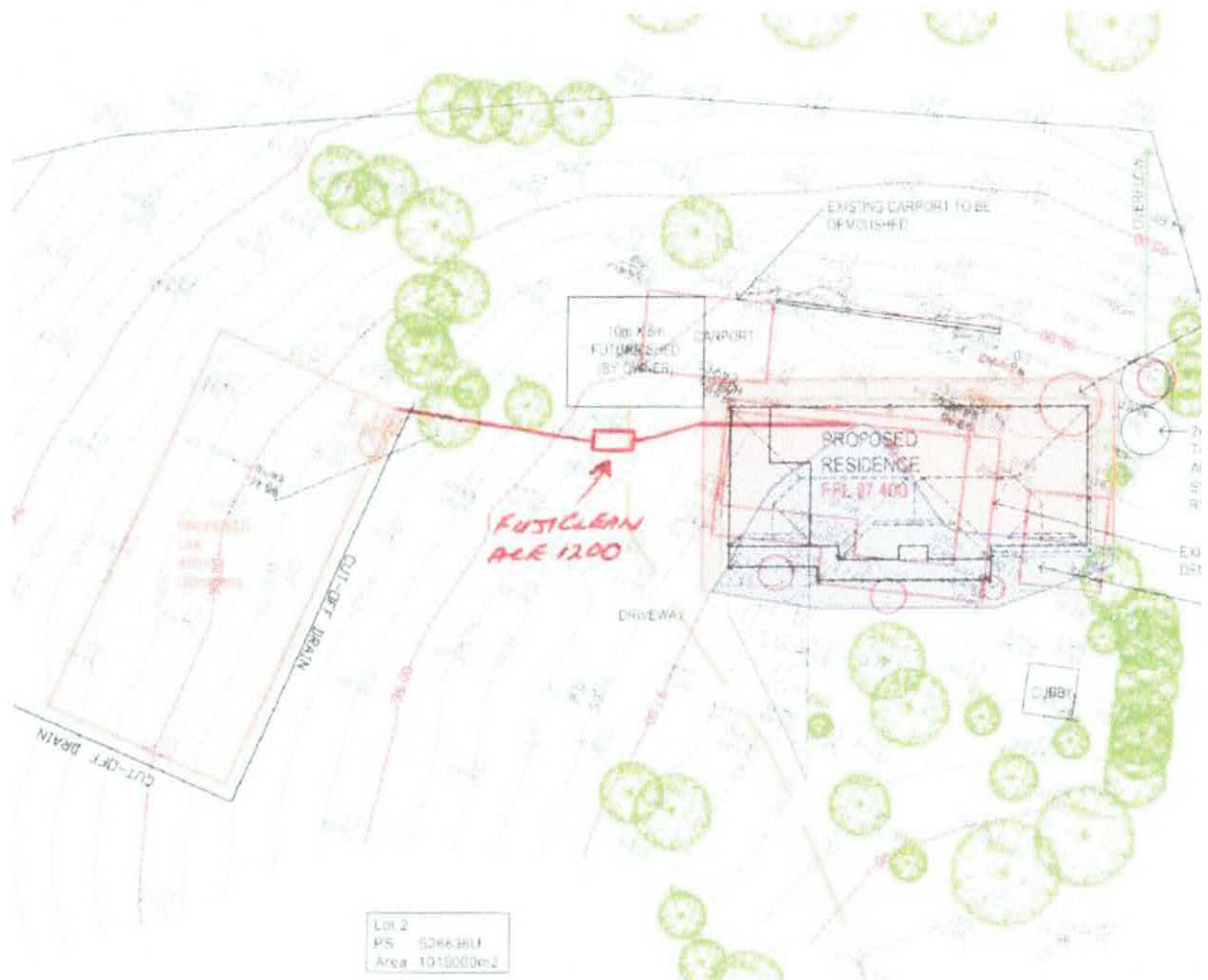
Permit No. ST-2023-19

Date. 23-May-2023

Signed. *Lynda Kee*



South Gippsland
Shire Council





South Gippsland
Shire Council

ST-2023-19

22 March 2024

C Ellis
15 Main Street
Garfield VIC 3814

Dear Sir/Madam

**Certificate to Use Septic Tank System at 5 Darshan Lane Koonwarra VIC 3954 (L2
PS526636U Parish of Leongatha)**

Please find enclosed Certificate to Use the installed septic tank system (number **ST-2023-19**) at the above location. The use of the system is subject to a number of conditions as listed on the Certificate.

Advice must be sought from Council's Wastewater Management Unit BEFORE any trees are planted in close proximity to the effluent disposal area.

Any alteration of the Septic Tank System must be approved in writing by the Council, BEFORE any action is taken.

If you require any further information please contact the Environmental Health Team on 5662 9262.

Yours sincerely,

A handwritten signature in dark ink that reads "Dean Graham".

Dean Graham
Authorised Officer

CERTIFICATE TO USE SEPTIC TANK SYSTEM ST-2023-19

Owner: F Dal Pozzo and L J Dal Pozzo
Address: 5 Darshan Lane
Koonwarra VIC 3954
Property Description: L2 PS526636U Parish of Leongatha

Permission is granted to use the septic tank system described in the Permit to Install number **ST-2023-19** under the Environment Protection Act 2017 by delegated authority of the South Gippsland Shire Council.

This Certificate is subject to the conditions listed below.

CONDITIONS

1. The system shall be operational at all times and maintained in accordance with all requirements set out in the Permit to Install.
2. The wastewater disposal area shall be maintained with suitable plants and grasses and with minimal soil disturbance.
3. The following activities **shall not** be carried out unless approval is granted in writing by the South Gippsland Shire Council: -
 - a) Alter any part of the septic tank system,
 - b) Alter the existing dwelling, including addition of bedrooms or connection to alternate water supplies.
 - c) Alter the surface level over the waste water disposal area more than 100 millimetres;
 - d) Construct buildings, driveways, swimming pools, paths or other structures over any part of the system;
 - e) Allow vehicular traffic or stock over any tanks or the effluent disposal system; or
4. Notify Council of Septic Tank sludge removal and system inspection within 14 days of the maintenance being carried out.
5. Please note that you should not construct bores closer than 50 metres or dams closer than 60 metres to any part of the effluent disposal area.

9 Smith Street (Private Bag 4 Leongatha - 3953 DX 94026 Leongatha

Telephone: (03) 5662 9200 Facsimile (03) 5662 9754

Email: council@southgippsland.vic.gov.au

Website: www.southgippsland.vic.gov.au

Note: This Permit has no force or effect until a Licensed Plumber has issued a Certificate of Compliance certifying that the house drain, vents, gullies and all fittings have been installed to the required standard.

A handwritten signature in dark ink that reads "Dean Graham". The signature is written in a cursive, flowing style.

Dean Graham
Authorised Officer

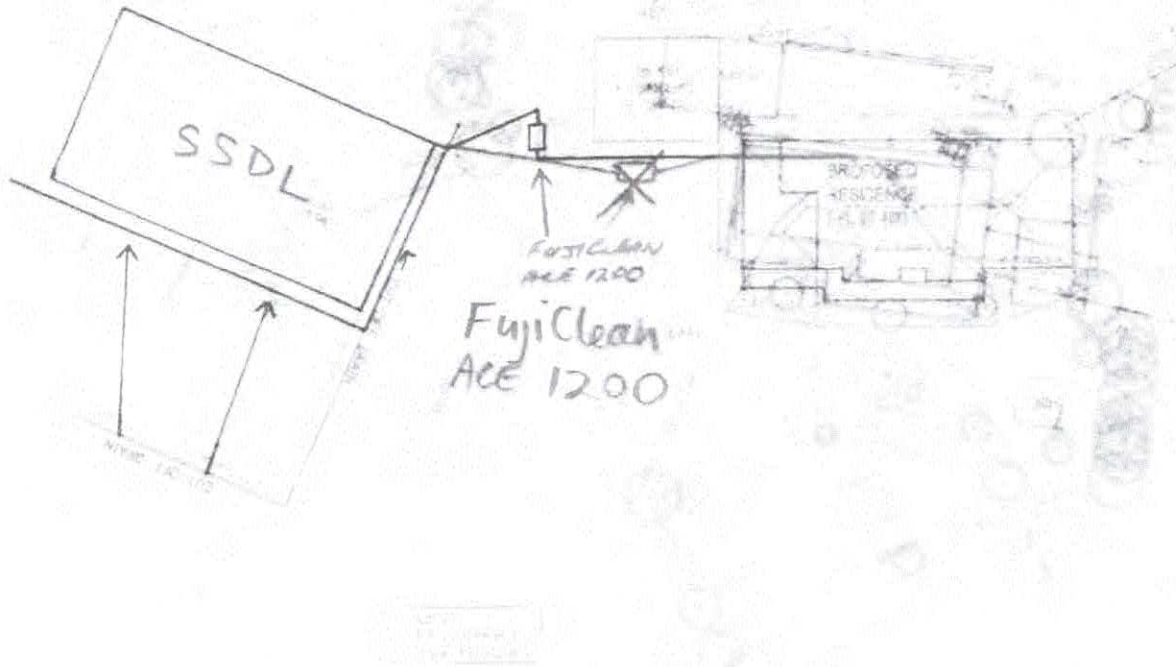
ST-2023-19 20/3/24

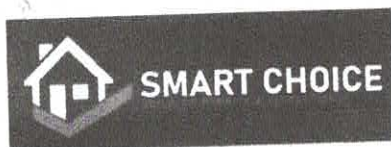
5 DARSHAN LANE . KOONWARRA

Dean Graham
EHO
SGSC



South Gippsland
Shire Council





JPED

Smart Choice Permits Pty Ltd
29 Hotham Street Traralgon VIC 3844
03 7019 5521
admin@scbuildingpermits.com.au
www.scbuildingpermits.com.au
ABN 52 642 030 288

Job Number: 202301228

FORM 2

Building Act 1993
Building Regulations 2018 - Regulation 37(1)

Building Permit No. 2496506592089
12 February 2024
Amendment To Permit: 15 February 2024

Issued to

Owner **Fabio and Leah Dal Pozzo**
Postal Address **5 Darshan Lane Koonwarra VIC**
Email **well63east@dodo.com.au**
Address for serving or giving of documents: **5 Darshan Lane Koonwarra**
Contact Person **Fabio and Leah Dal Pozzo**

Postcode **3954**

Postcode **3954**

Telephone **0428 642 373**

Ownership Details

Owner **Fabio and Leah Dal Pozzo**
Postal Address **5 Darshan Lane Koonwarra VIC**
Email **well63east@dodo.com.au**
Contact Person **Fabio and Leah Dal Pozzo**

Postcode **3954**

Telephone **0428 642 373**

Property Details

Number **5** Street/Road **Darshan Lane**
Lot/s **2** LP/PS **PS 526636U**
Crown allotment **Section No**
Municipal District **South Gippsland Shire Council**

Suburb **Koonwarra**

Volume **10836**

Parish

Postcode **3954**

Folio **033**

County

Builder

Name **Fabio and Leah Dal Pozzo**
Owner Builder
Address **5 Darshan Lane Koonwarra VIC**

Telephone **0428 642 373**

Postcode **3954**

This builder is specified under section 24B 24B(5) of the **Building Act 1993** for the building work to be carried out under this permit.

Building practitioner or architect engaged to prepare documents for this permit

Name	Category/class	Registration Number
John Mewett	Civil Engineer	PE0003132

Details of Domestic Building Work Insurance

The issuer or provider of the required insurance policy is: **N/A**
Insurance policy number : **N/A**
Insurance policy date :

Details of Relevant Planning Permit

Planning Permit No: **2022/460**

Date of grant of Planning Permit: **28/03/2023**

Nature of Building Work

Description: **Shed**
Storeys contained: **1**
Version of BCA applicable to permit: **NCC 2022 Volume 2**
Cost of Building Work: **\$15,488.00**
Total floor area of new building work in m²: **80**

Revisions

1. Amendment to Permit - 15 February 2024: Amendment 1 - Surname Correction

Building classification

BCA Classification	Permitted Use	Part of Building
10a	Domestic Shed	All

Protection Work

Protection work is not required in relation to the building work proposed in this permit.

Inspection Requirements

The mandatory inspection notification stages are:

1. Inspection of pad footing- Prior to pouring concrete
2. Inspection of framework/ final upon Completion of building Work

Occupation or User of Building

A certificate of final inspection is required prior to the occupation or use of this building.

If an occupancy permit is required, the permit is required for the whole of the building in relation to which the building work is carried out.

Commencement and Completion

This building work must commence by: **12/02/2025**

If the building work to which this building permit applies is not commenced by this date, this building permit will lapse unless an extension is applied for and granted by the relevant building surveyor **before this date** under regulation 59 of the Building Regulations 2018.

This building work must be completed by: **12/02/2026**

If the building work to which this building permit applies is not completed by this date this building permit will lapse, unless an extension is applied for and granted by the relevant building surveyor **before this date** under regulation 59 of the Building Regulations 2018.

Relevant Building Surveyor

Name: **Darren Hood**

ABN: **52 642 030 288**

Address: **29 Hotham Street Traralgon VIC 3844**

Email: **admin@scbuildingpermits.com.au**

Building practitioner registration no.: **BS-L 58816**

Permit no.: **2496506592089**

Date of issue of permit: **12/02/2024**

DS Hood

Annexures 'A' Conditions of Approval

The building permit for this project has been issued subject to the following conditions and further information being submitted prior to completion of works certificate being issued:

1. Request for inspections require 48 HOURS NOTICE and may be arranged by telephoning office on 7019 5521
2. It is not the responsibility of the relevant building surveyor to confirm compliance with any section 173 agreement, covenant, memorandum of common provisions or other restrictions on the land and by issuing this permit the relevant building surveyor does not warrant that the works authorised by this permit will comply with any section 173, covenant, memorandum of common provisions or other restriction on the land and the relevant building surveyor may be in breach of the Building Act or Building Regulations where he does refuse a permit on those grounds. The building owner is responsible to ensure that they comply with any of the above restrictions and an appropriately qualified person must be consulted by the owner to confirm that they comply with any of the above restrictions prior to commencing construction.

- The relevant building surveyor accepts no responsibility for noncompliance with any section 173 agreements, covenants, memorandum of common provisions or other restrictions that may be applicable to the property.
3. This permit does not remove or replace the need for an asset protection permit or equivalent approval that may be required from the relevant authority and a fee or bond that may be required to be paid to the relevant authority.
 4. In accordance with the NCC 2019 Volume Two part 3.7.4 and AS 3959 - 2018 (Amendments 1, 2 and 3) Construction of buildings in a bushfire-prone area, properties are required to have the appropriate bushfire attack level (BAL) assessed. Please refer to stamped plans for BAL ratings. Construction will be required to conform with the above mentioned NCC 2019.
 5. Prior to the commencement of any building works the owner/builder must ensure no part of the building is built over services or easements. Failure to contact "Dial before you dig" may leave you liable for cost incurred for damage to the underground infrastructure
 6. The use of the building must be consistent with the 'property information statement' provided with the Form 1 - Building Permit Application
 7. Contrary to what is shown on the approved plans, building work is only included as part of this building permit if it is written on the form 2 building permit.
 8. Under Building Regulation 41, the person in charge of carrying out of building work on the allotment must take all reasonable steps to ensure that the registration numbers and contact details of the builder and building surveyor and the number and date of issue of this permit to which this permit applies are displayed. during the building work
 9. Carry out all work in a sound workmanlike manner and according to the codes and standards
 10. The applicant, landowner and builder must ensure that the building work allowed by this permit is located on the correct property, within that property's boundaries and clear of easement. Failure to contact dial before did you do may leave you liable for cost incurred for damage to the underground infrastructure
 11. Where an easement is on the property ensure that no part of the structure is over, under, or within the airspace of the easement. If the proposed building or structure is adjacent to the easement, then the footings need to be past the angle of repose of the invert level of any pipe within the easement.
 12. Excavations and fill utilising unprotected embankments must comply with Part 3.1.1 of NCC 2019, Volume 2 and table 3.1.1.1.
 13. This building permit does not authorise or override your obligations under the 'fences act 1968' which requires you to obtain written permission from an adjoining owner prior to altering or removing a dividing boundary fence.
 14. Where the wall of the proposed shed or carport on or within 200mm of the boundary must be constructed to achieve a Fire-Resistance Level (FRL) of 60/60/60.
 15. Footings are to be founded into natural ground level and to a depth specified in the engineered plans.
 16. If a Report and Consent has been granted the buildings works must be consistent with the approved council report and consent. Any changes to the approved plans may require an amendment from the council municipal Building Surveyor.
 17. If a planning permit has been issued all building works must be consistent with the approved planning permit, height, floor area, dimensions, location of set-backs to buildings / boundaries, windows, doors etc.
Any changes may need secondary consent from the council planning department.
 18. Under no circumstances shall the building be used for habitable purposes without prior written consent from the relevant council.
 19. Lighting must not exceed 3w/m2 in the shed / carport / verandah.
 20. Downpipes must discharge to the properties legal point of discharge (stormwater drainage system) nominated by council
 21. This permit is conditional upon the owner/builder nominated on this permit accepting full responsibility for his/her obligations under the Building Act 1993, the Building Regulation 2018, Domestic Building Contracts and Tribunal Act 1995, National Construction Code 2019, relevant codes and any local Laws of the Relevant Municipality. No variation from the approved documents shall be permitted without the consent of the Relevant Building Surveyor.
 22. The sides marked open on the approved plans have been deemed and shown open on the elevation plans, these sides must remain open (unenclosed) for the structure to comply as a carport, any alterations to the wall configuration may affect the compliance of the structure with National Construction Codes
 23. An Owner Builder is advised that if a registered builder carries out more than \$10,000 works on this project, then a contract with the builder is to be entered into and the registered builders' number forwarded to the relevant building surveyor. If works on this project exceed \$16,000 then a copy of the Builders Warranty Insurance certificate is also to be given to the relevant building surveyor.
 24. The site shall be adequately fenced off during construction to prevent public access in accordance with Building Regulations 2018, regulation 116 and/or comply with the relevant council local laws.
 25. Install safety mesh under all plastic roof sheets to comply with AS1562.3 where the vertical distance between the finished floor level and underside of the roof cladding is greater than 3.0m, measured vertically.
 26. It is the owner/builders responsibility to ensure that any new/altered crossovers are approved by the council.
 27. The Council may require a deposit (asset protection) for damage to the footpath kerbs and crossing.
 28. A wind classification of N2 applies to the site unless otherwise noted on the approved working drawings or structural plans and computations.



SHED

Smart Choice Permits Pty Ltd
29 Hotham Street Traralgon VIC 3844
03 7019 5521
admin@scbuildingpermits.com.au
www.scbuildingpermits.com.au
ABN 52 642 030 288

202301228

Form 17

Regulation 200
Building Act 1993
Building Regulations 2018

CERTIFICATE OF FINAL INSPECTION

Property Details

Number **5** Street/Road **Darshan Lane** Suburb **Koonwarra** Postcode **3954**
Lot/s **2** LP/PS **PS 526636U** Volume **10836** Folio **033**
Crown allotment Section No Parish County
Municipal District **South Gippsland Shire Council**

Building permit details

Building permit number: **2496506592089**
Version of BCA applicable to building permit: **NCC 2022 Volume 2**

Description of building work

Part of building to which permit applies	Permitted use	BCA Class of building
All	Domestic Shed	10a

Maintenance determination

A maintenance determination is not required to be prepared in accordance with regulation 215 of the Building Regulations 2018.

Inspection approval dates for mandatory inspections that have been carried out are as follows:

Inspection Type	Approved Date
Inspection of pad footing- Prior to pouring concrete	19/02/2024
Inspection of framework/ final upon Completion of building Work	19/03/2024

Directions to fix building work

All directions to fix building work under Part 4 of the Building Act 1993 have been complied with.

Relevant Building Surveyor

Name: **Darren Hood**
Address: **29 Hotham Street Traralgon VIC 3844**
Email: **admin@scbuildingpermits.com.au**
Building practitioner registration no.: **BS-L 58816**
Company Name: **Smart Choice Permits Pty Ltd**
ABN: **52 642 030 288**
Municipal district: **South Gippsland Shire Council**
Certificate no.: **2496506592089**

Certificate issue date: **20/03/2024**

DS Hood

INSPECTION REPORT

Building Act 1993
Section 35
Building Regulations 2018
Regulation 173

File No.: 202301228
Permit Number: 2496506592089

To:

Owner: Fabio and Leah Dal Pozzo
5 Darshan Lane
Koonwarra
well63east@dodo.com.au

Builder:

Fabio and Leah Dal Pozzo
5 Darshan Lane
Koonwarra VIC 3954
well63east@dodo.com.au

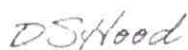
This is the result of your recent inspection

Project Address:	Lot 2, 5 Darshan Lane Koonwarra VIC 3954
Project Description:	Shed
Stage of Building work:	0
Storeys:	1
Class:	10a
BCA Assessment Year:	NCC 2022 Volume 2
Inspection Result:	Approved
Type of Inspection:	Inspection of framework/ final upon Completion of building Work
Inspection Date:	19/03/2024
Inspection Time:	12.30pm
Inspected By:	Peter Shearer
Registration Number:	IN-L 41888

I do Certify that the works described as Inspection of framework/ final upon Completion of building Work inspection have been inspected by me and comply with the provisions of the Act, regulations, NCC and relevant Australian Standards.

Name: **Darren Hood**
Address: **29 Hotham Street Traralgon VIC 3844**
Email: **darren.hood@scbuildingpermits.com.au**
Building practitioner registration category and class: **BS-L 58816**
Building practitioner registration no: **BS-L 58816**
Date of issue of certificate: **19/03/2024**

Signature:





137B Defect Report - Shed



Property Address: 5 DARSHAN LANE Koonwarra 3954

Inspection Date: 29 Oct 2025

Contents

Inspection Details	3
General description of property	4
Accessibility	5
Summary	6
Significant Items	7
Additional comments	7
Conclusion	13
Terms on which this report was prepared	13

If you have any queries with this report or require further information, please do not hesitate to contact the person who carried out the inspection.

Inspection Details

Property Address: 5 DARSHAN LANE Koonwarra 3954

Date: 29 Oct 2025

Client

Name: Fabio and Leah Pozzo

Principal Name: Fabio and Leah Pozzo

Email Address: dalpozzofabio.fdp@gmail.com

Phone Number: 0428 642 373

Consultant

Name: Reece Campbell

Email Address: admin@scbuildingpermits.com.au

Licence / Registration Number: IN-L 100057

Company Name: Smart Choice Building Permits & Inspections

Company Address: 29 Hotham Street, Traralgon

Company Phone Number: (03) 7019 5521

General description of property

Building Type:	Shed
Storeys:	Single storey
Siting of the building:	Towards the middle of a large block
Gradient:	The land is sloping
Site drainage:	The site appears to be adequately drained
Weather conditions:	Dry

Primary method of construction

Main building – floor construction:	Slab on ground
Main building – wall construction:	N/A
Main building – roof construction:	Steel framed, Finished with sheet metal roofing

Special conditions or instructions

Special requirements, requests or instructions given by the client or the client's representative -

There are no special conditions or instructions

Accessibility

Areas Inspected

The inspection covered the Readily Accessible Areas of the property. Please note obstructions and limitations to accessible areas for inspection are to be expected in any inspection.

- Shed

The inspection does not include areas which are inaccessible due to obstructions, or where access cannot be gained due to unsafe conditions.

Obstructions and Limitations

The following obstructions may conceal defects:

- Stored articles

Obstructions increase the risk of undetected defects, please see the overall risk rating for undetected defects.

Inaccessible Areas

The following areas were inaccessible:

- Concrete slab floor / foundations

Any areas which are inaccessible at the time of inspection present a high risk for undetected building defects. The client is strongly advised to make arrangements to access inaccessible areas urgently.

Summary

SUMMARY INFORMATION: The summary below is used to give a brief overview of observations made in each inspection area. The items listed in the summary are noted in detail under the applicable sub headings within the body of the report. The summary is NEVER to be relied upon as a comprehensive report and the client MUST read the entire report and not rely solely on this summary. If there is a discrepancy between the information provided in this summary and that contained within the body of the Report, the information in the body of the Report shall override this summary. (See definitions & information below the summary to help understand the report)

Evidence of defects	Not Found
---------------------	------------------

Evidence of incomplete works	Not Found
------------------------------	------------------

Evidence of non compliant works	Not Found
---------------------------------	------------------

Additional specialist inspections

The following inspections / reports are recommended

Not Applicable

Significant Items

Defect

No evidence was found

Incomplete Works

No evidence was found

Non compliant

No evidence was found

Additional comments

There are no additional comments

For Your Information

For Your Information 1.01

Location:	All areas
Finding:	Downpipes
	Downpipes are connected to an approved stormwater drainage system.



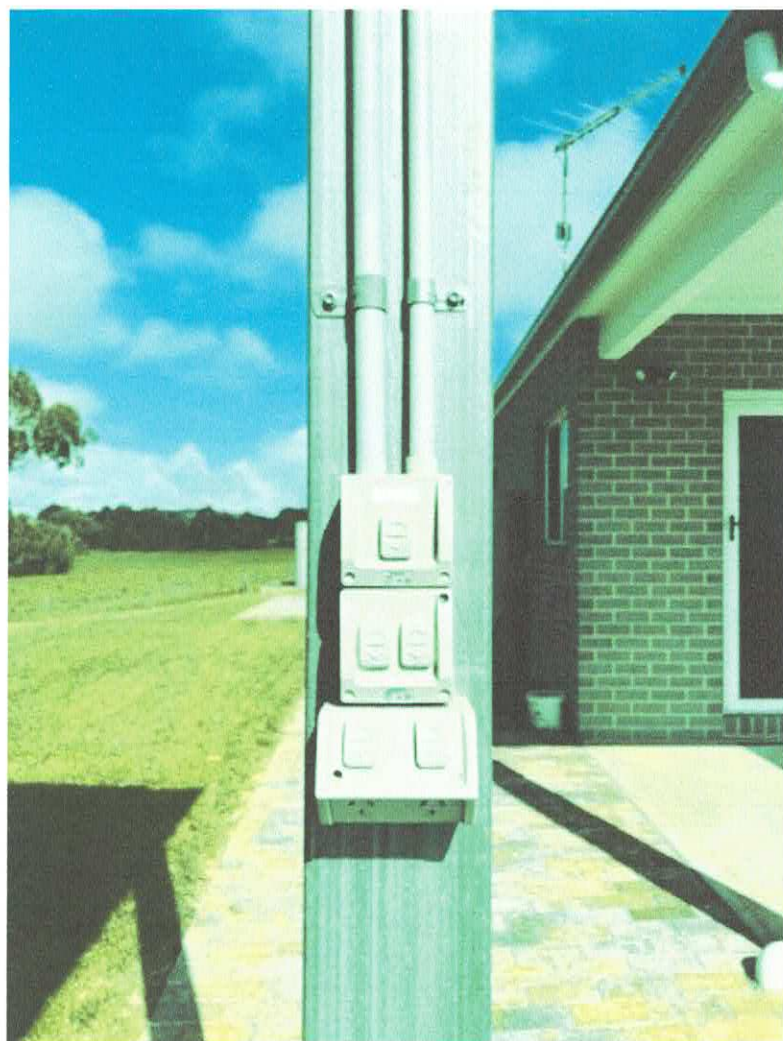


For Your Information 1.02

Location: All areas

Finding: Electrical Works

Electrical works have been completed within the shed that weren't part of the original permit. These works should have been completed by a licensed electrician and an electrical certificate should have been provided.

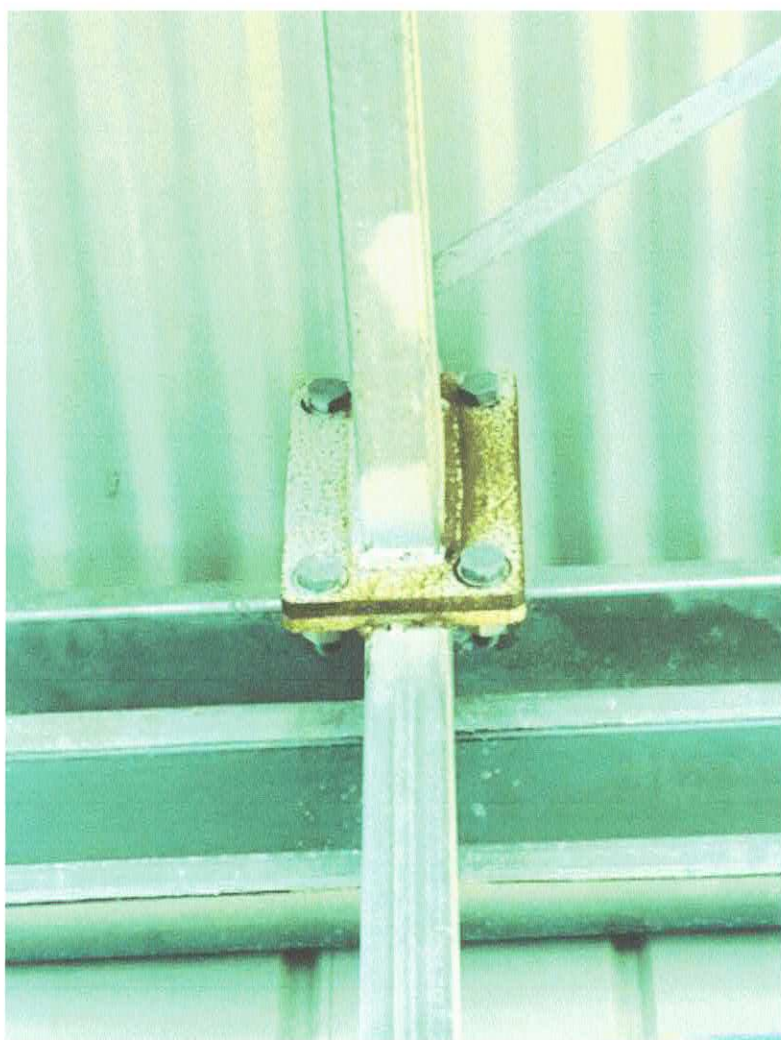


For Your Information 1.03

Location: All areas

Finding: Corrosion on shed connections

The shed connections on the open section of the shed display corrosion.

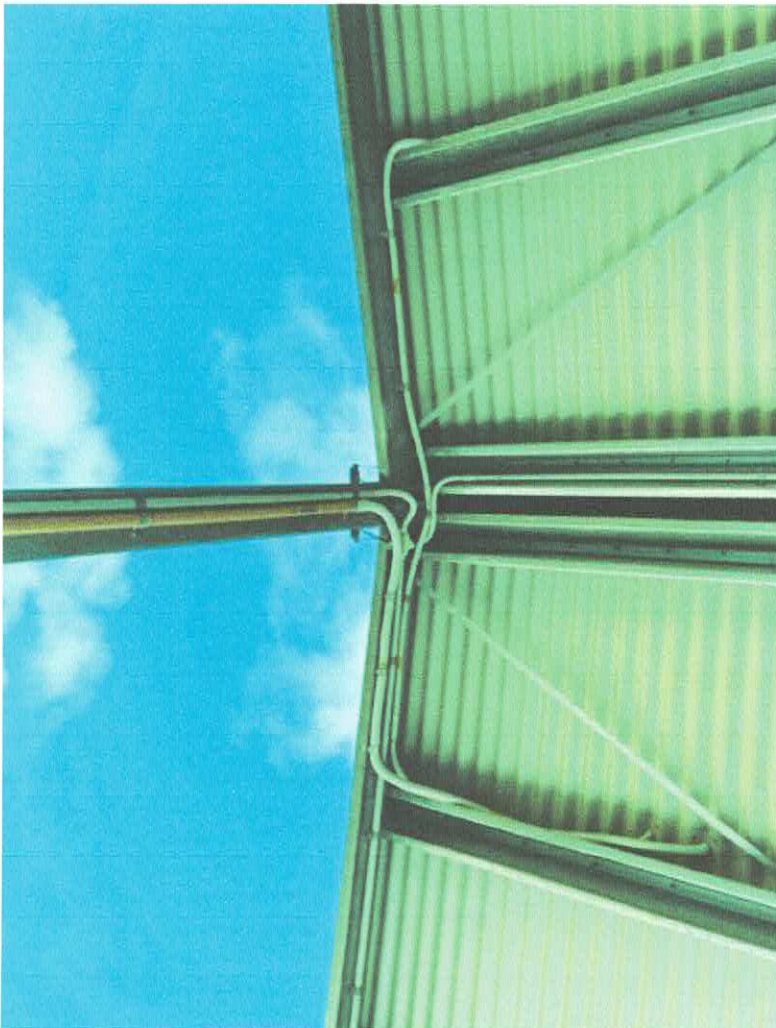
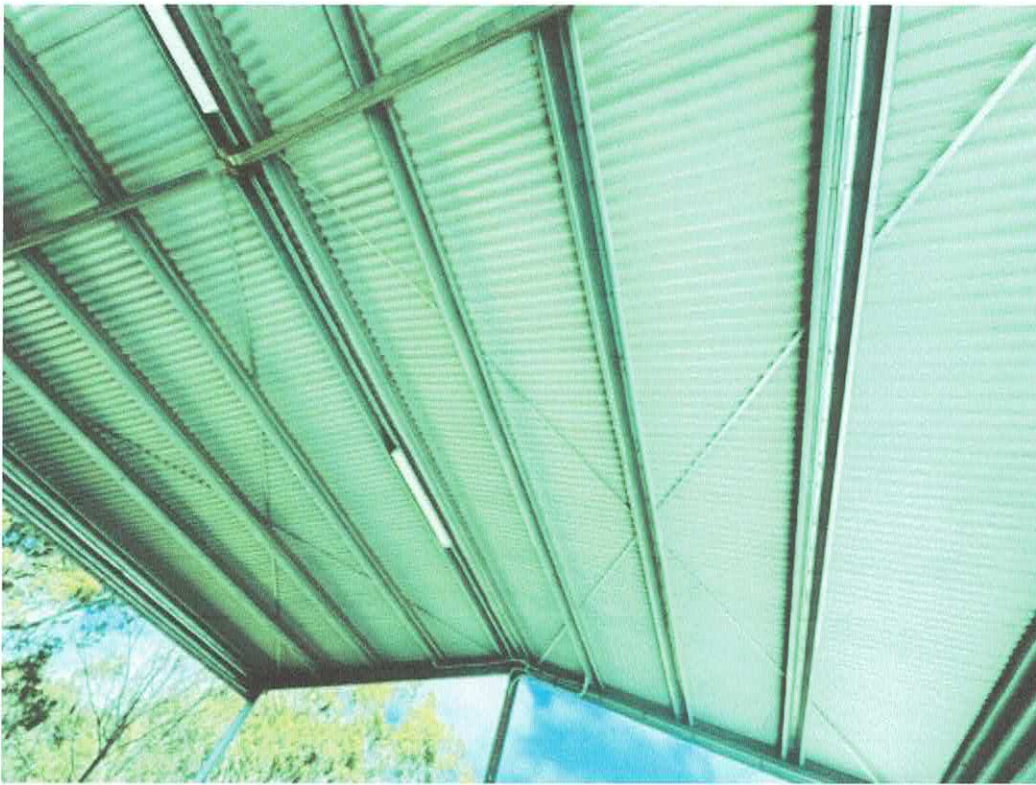


For Your Information 1.04

Location: All areas

Finding: Shed connections

The connections of the steel framing are adequate and have not been altered.





Conclusion

Building consultant's summary

A building permit #2496506592089 was issued by BS-L 58816 on the 12/2/2024 and a certificate of final inspection has been issued on the 20/3/2024

The shed has been constructed to a satisfactory standard.

Signature of consultant -

Rcampbell

Terms on which this report was prepared

Service

1. This agreement is between the building consultant ("Inspector") and you ("Client"). You have requested the Inspector to carry out an inspection of your property for the purpose of preparing a Standard Property Report ("Report") to you outlining their findings and recommendation from the inspection.

2. The purpose of the inspection is to provide the Client with an overview of the Inspector's findings at the time of the inspection and advice as to the nature and extent of their findings.

3. This Report has been prepared at the direction of and exclusively for the Client. Details contained within this Report are tailored to the Pre-Inspection Agreement between the Inspector and the Client at the time of the Inspection and no other party can rely on the Report nor is the Report intended for any other party.

Scope of the Report

4. This Report is limited to the findings of the of the Inspector at the time of the inspection and any condition of the property which is not within the scope as set out herein or which occurs after the inspection is expressly excluded from this Report.

5. This Report expressly addresses only the following discernible to the Inspector at the time of inspection:

- (a) Major Defects in the condition of Primary Elements including Structural Damage and Conditions Conducive to Structural Damage;
- (b) any Major Defect in the condition of Secondary Elements and Finishing Elements and collective (but not individual) Minor Defects; and
- (c) any Serious Safety Hazard.

6. This Report is limited to the observations and conclusions of the Inspector that were readily observable at the building or site and given the state of property at the time of the Inspection.

7. This Report does not include the inspection and assessment of items or matters that are beyond the Inspectors direct expertise.

Inspection Limitations

8. The Inspection is limited to Readily Accessible Areas of the Building & Site based on the Inspector's visual examination of surface work (excluding furniture and stored items) and the carrying out of Tests.

9. Where the Inspection is carried out on a strata or company title property, the Inspection is limited to the interior and the immediate exterior of the residence inspected. The Inspection does not extend to common property areas and the Inspector will not inspect common property areas.

10. The Inspector's findings do not extend to matters where the Inspector was restricted or prevented from assessing the building or site as a result of:

- (a) possible concealment of defects, including but not limited to, defects concealed by lack of accessibility, obstructions such as furniture, wall linings and floor coverings, or by applied finishes such as render and paint;
- (b) undetectable or latent defects, including but not limited to, defects that may not be apparent at the time of inspection due to seasonal changes, recent or prevailing weather conditions, and whether or not services have been used some time prior to the inspection being carried out; and
- (c) areas of the building or site that were obstructed at the time of the inspection or not Readily Accessible Areas of the Building Site. An obstruction may include a condition or physical limitation which inhibits or prevents inspection and may include – but are not limited to – roofing, fixed ceilings, wall linings, floor coverings, fixtures, fittings, furniture, clothes, stored articles/materials, thermal insulation, sarking, pipe/duct work, builder's debris, vegetation, pavements or earth.

Exclusions

11. This Report does not consider or deal with the following:

- (a) any individual Minor Defect;
- (b) solving or providing costs for any rectification or repair work;
- (c) the structural design or adequacy of any element of construction;
- (d) detection of wood destroying insects such as termites and wood borers;
- (e) the operation of fireplaces and chimneys;
- (f) any services including building, engineering (electronic), fire and smoke detection or mechanical;
- (g) lighting or energy efficiency;
- (h) any swimming pools and associated pool equipment or spa baths and spa equipment or the like;
- (i) any appliances or white goods including dishwashers, refrigerators, ovens, stoves and ducted vacuum systems;
- (j) a review of occupational, health or safety issues such as asbestos content, the provision of safety glass or the use of

- (i) any appliances or white goods including dishwashers, refrigerators, ovens, stoves and ducted vacuum systems;
- (j) a review of occupational, health or safety issues such as asbestos content, the provision of safety glass or the use of lead based paints;
- (k) a review of environmental or health or biological risks such as toxic mould;
- (l) whether the building complies with the provisions of any building Act, code, regulation(s) or by-laws;
- (m) whether the ground on which the building rests has been filled, is liable to subside, swell or shrink, is subject to landslip or tidal inundation, or if it is flood prone; and
- (n) in the case of strata and company title properties, the inspection of common property areas or strata/company records.

12. Should the Client seek information from the Inspector related to one of exclusions above, that information is to be provided by way of a Special-Purpose Inspection Report which is adequately specified and must be undertaken by an appropriately qualified inspector. Additional information requested by the Client is not included in this Report.

Workplace Safety

13. The Client warrants to the Inspector (including the Inspector's, agents, employees and other personnel) that the Building Site is, to the Client's reasonable knowledge, safe and free of hazardous materials and that no party of the Building site constitutes a dangerous environment or work place safety concern.

Acceptance Criteria

14. The Inspector may compare the building being inspected with a similar building, unless specified otherwise in the Special Conditions or Instructions. The similar building which the Inspector may compare the current building to was, to the best of the Inspector's knowledge, constructed in accordance with ordinary building construction and maintenance practices at the time of construction and as such has not encountered significant loss or of strength or serviceability.

15. The Inspector assumes in their Report that the existing use of the building or site will continue unless specified otherwise in the Special Conditions or Instructions.

Acknowledgments

16. The Client Acknowledges that contents of the Report is subject to the Scope of the Report, Inspection Limitations, Exclusions and Acceptance Criteria. This Report does not include recommendations or advice about matters outside the scope of the requested inspection.

17. Should the Client have any queries or concerns about the purposes, scope or acceptance criteria on which this Report was prepared, all enquiries or concerns are to be discussed with the Inspector within a reasonable time upon receipt of this report.

18. The Client acknowledges that they will take all reasonable steps to implement any recommendation or advice provided by the Inspector in their Report as a matter of urgency specified otherwise.

19. Any further discussions the Inspector following the production of this Report addressing concerns will not be reflected in this Report and as such the Report may not contain all advice or information related to the building or site provided by the Inspector.

20. The Client acknowledges that a visual only inspection restricts the Inspectors capacity to inspect the building or site thoroughly and is not recommended by the Inspector unless an inspection of the Readily Accessible Areas and appropriate tests are also carried out.

21. The Client Acknowledges that in accordance with the Australian Standard AS4349.0 2007 Inspection of Buildings, this Report does not warrant or give insurance that the building or site from developing issues following the date of inspection.

22. The Client acknowledges that the Inspector is not affiliated with Hello Inspections Pty Ltd ACN 620 518 238 ("Hello Inspections") nor is Hello Inspections liable for the content of the Report prepared by the Inspector or any other third party and the Client hereby indemnifies Hello Inspections from all claims, losses and damage arising, either directly or indirectly, from the Report and the Client accepts this document can be presented to a court as a complete bar to any proceedings by the client or its agents or related parties against Hello Inspections. The Client further acknowledges the Inspector is the agent for Hello Inspections solely for the purposes of this clause.

Inspector is the agent for Hello Inspections solely for the purposes of this clause.

23. The Client acknowledges that Hello Inspections may reproduce the content within this Report for any commercial purpose, including sale of the Report in whole or in part to third parties, provided personal details or information of the Client contained therein are excluded.

Created at 20 October 2025 07:26 AM

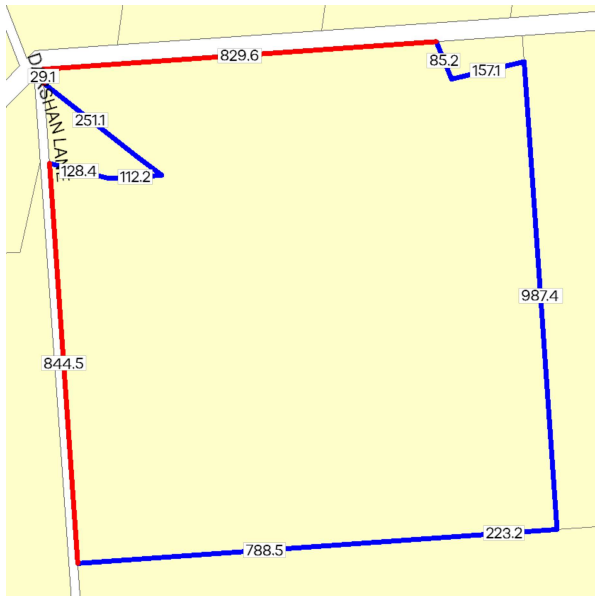
PROPERTY DETAILS

Address: **5 DARSHAN LANE KOONWARRA 3954**
 Lot and Plan Number: **Lot 2 PS526636**
 Standard Parcel Identifier (SPI): **2\PS526636**
 Local Government Area (Council): **SOUTH GIPPSLAND**
 Council Property Number: **196145**
 Directory Reference: **Vicroads 102 J3**

www.southgippsland.vic.gov.au

SITE DIMENSIONS

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



Area: 1021710 sq. m (102.17 ha)

Perimeter: 4502 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.

3 overlapping dimension labels are not being displayed

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**
 Urban Water Corporation: **South Gippsland Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **AUSNET**

STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
 Legislative Assembly: **GIPPSLAND SOUTH**

PLANNING INFORMATION

Property Planning details have been removed from the Property Reports to avoid duplication with the Planning Property Reports from the Department of Transport and Planning which are the 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>

Area Map



PLANNING PROPERTY REPORT

From www.planning.vic.gov.au at 20 October 2025 07:26 AM

PROPERTY DETAILS

Address: **5 DARSHAN LANE KOONWARRA 3954**
Lot and Plan Number: **Lot 2 PS526636**
Standard Parcel Identifier (SPI): **2\PS526636**
Local Government Area (Council): **SOUTH GIPPSLAND**
Council Property Number: **196145**
Planning Scheme: **South Gippsland**
Directory Reference: **Vicroads 102 J3**

www.southgippsland.vic.gov.au

[Planning Scheme - South Gippsland](#)

UTILITIES

Rural Water Corporation: **Southern Rural Water**
Urban Water Corporation: **South Gippsland Water**
Melbourne Water: **Outside drainage boundary**
Power Distributor: **AUSNET**

STATE ELECTORATES

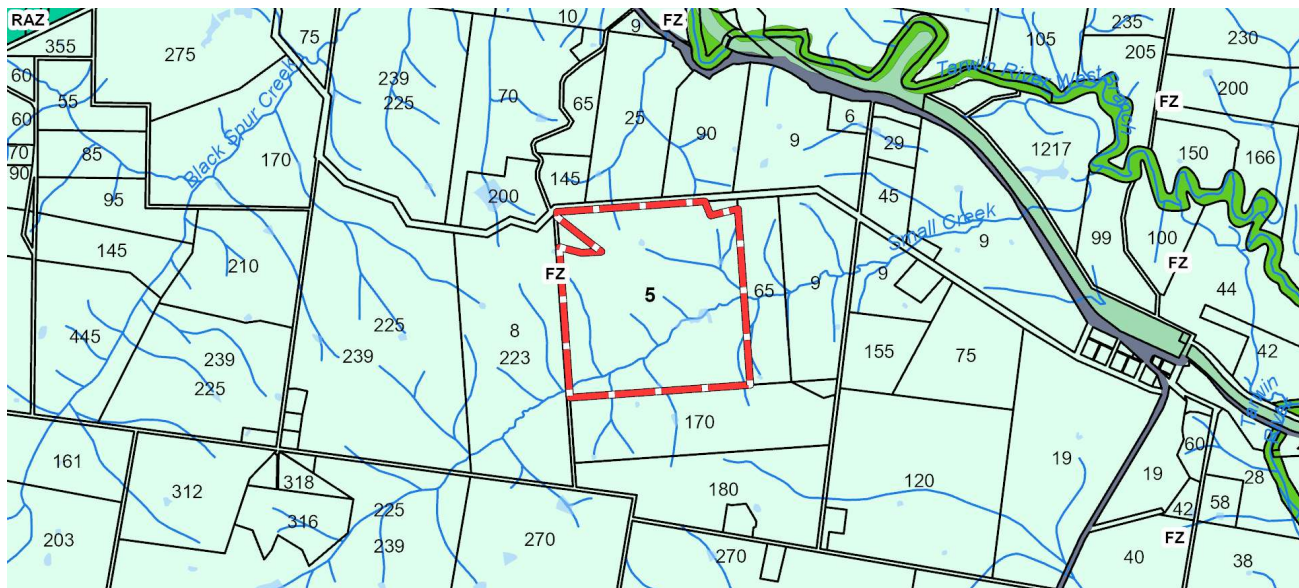
Legislative Council: **EASTERN VICTORIA**
Legislative Assembly: **GIPPSLAND SOUTH**
OTHER
Registered Aboriginal Party: **Bunurong Land Council**
Aboriginal Corporation
Fire Authority: **Country Fire Authority**

[View location in VicPlan](#)

Planning Zones

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

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



FZ - Farming	PCRZ - Public Conservation and Resource	PPRZ - Public Park and Recreation
PUZ1 - Public Use-Service and Utility	RAZ - Rural Activity	TR22 - Principal Road Network
TR23 - Significant Municipal Road	Water area	Water course

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

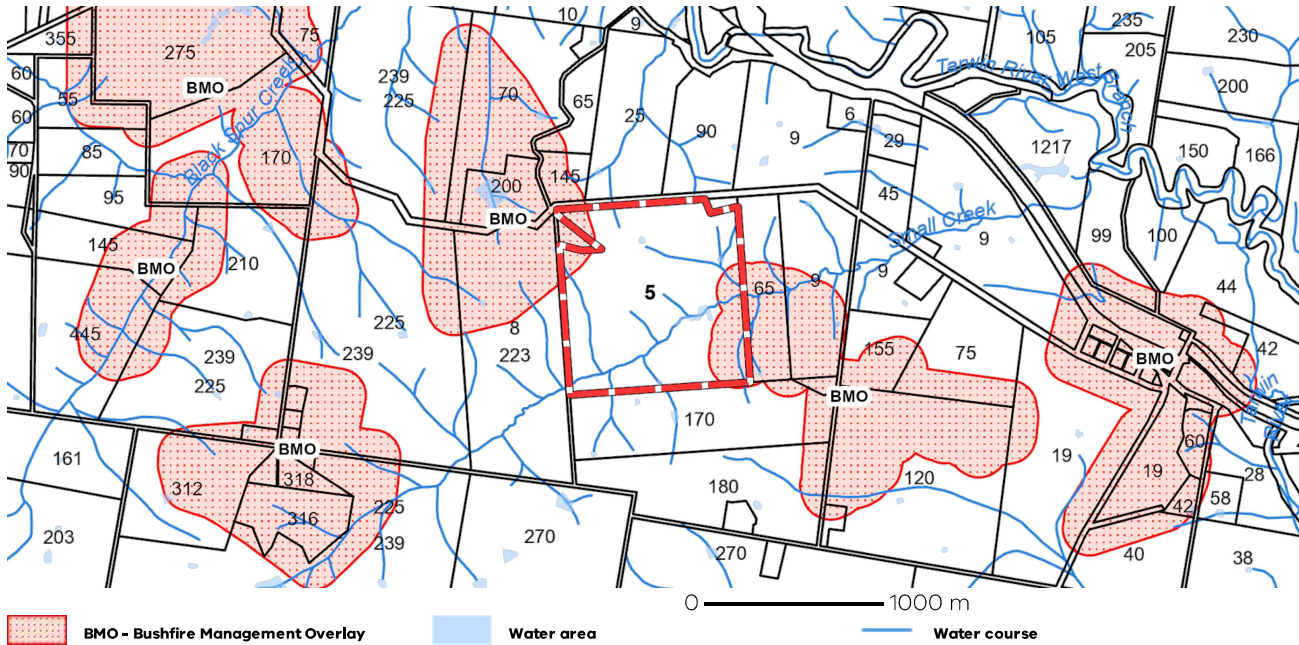
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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

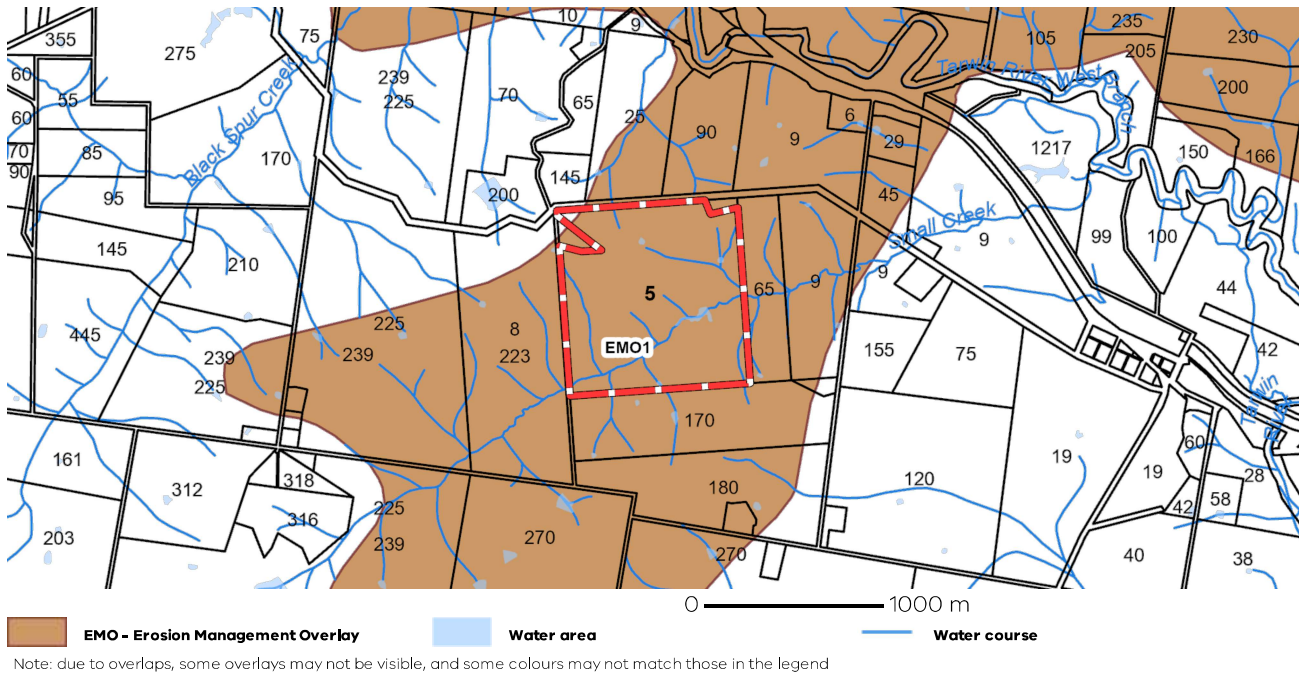
Planning Overlays

BUSHFIRE MANAGEMENT OVERLAY (BMO)



EROSION MANAGEMENT OVERLAY (EMO)

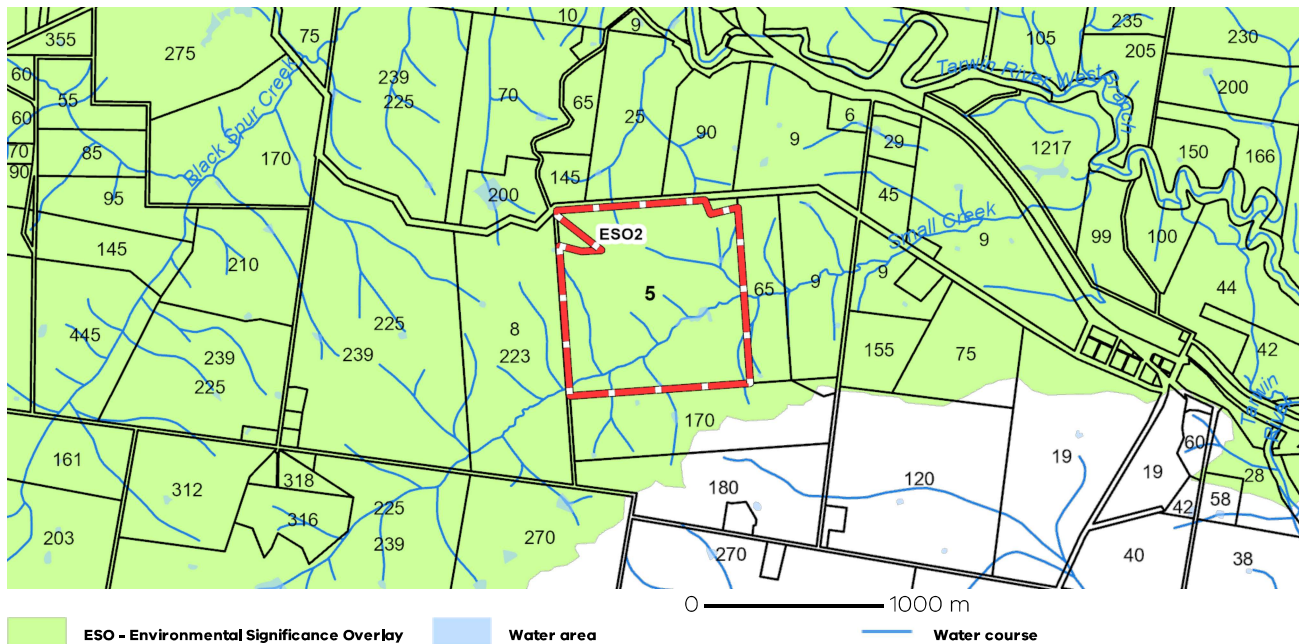
EROSION MANAGEMENT OVERLAY - SCHEDULE 1 (EMO1)



Planning Overlays

[ENVIRONMENTAL SIGNIFICANCE OVERLAY \(ESO\)](#)

[ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 2 \(ESO2\)](#)



OTHER OVERLAYS

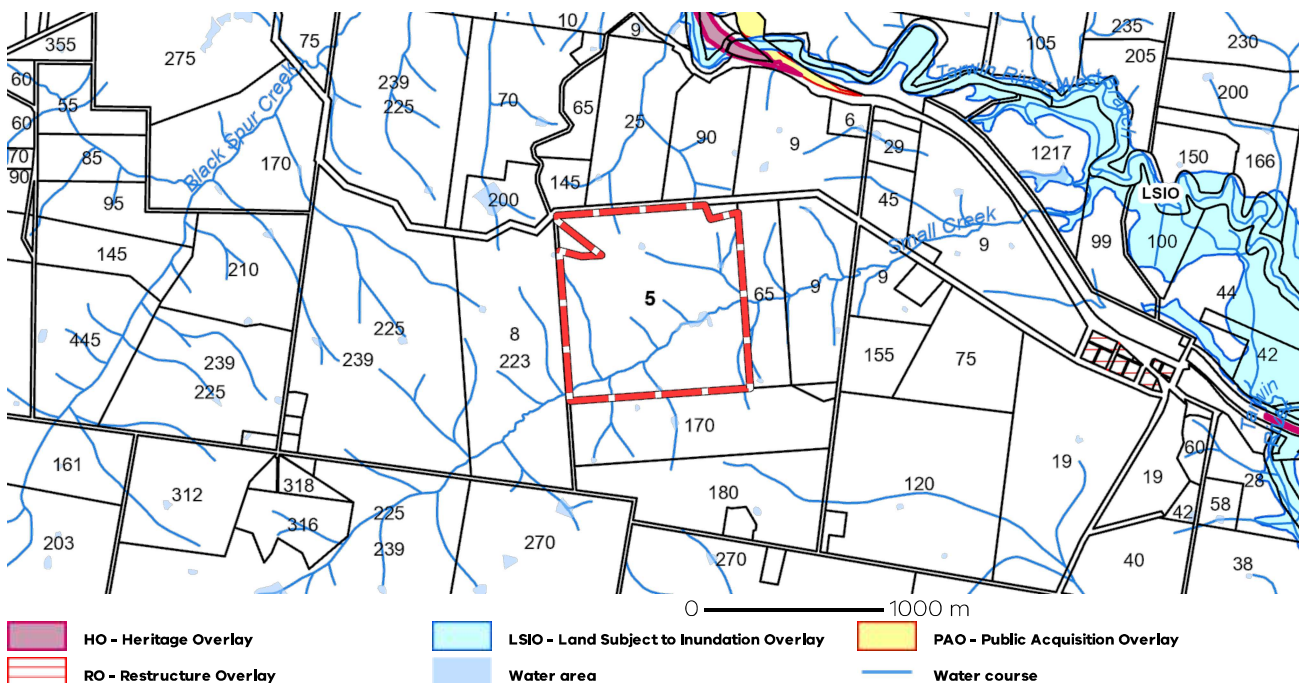
Other overlays in the vicinity not directly affecting this land

[HERITAGE OVERLAY \(HO\)](#)

[LAND SUBJECT TO INUNDATION OVERLAY \(LSIO\)](#)

[PUBLIC ACQUISITION OVERLAY \(PAO\)](#)

[RESTRUCTURE OVERLAY \(RO\)](#)



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Areas of Aboriginal Cultural Heritage Sensitivity

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

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

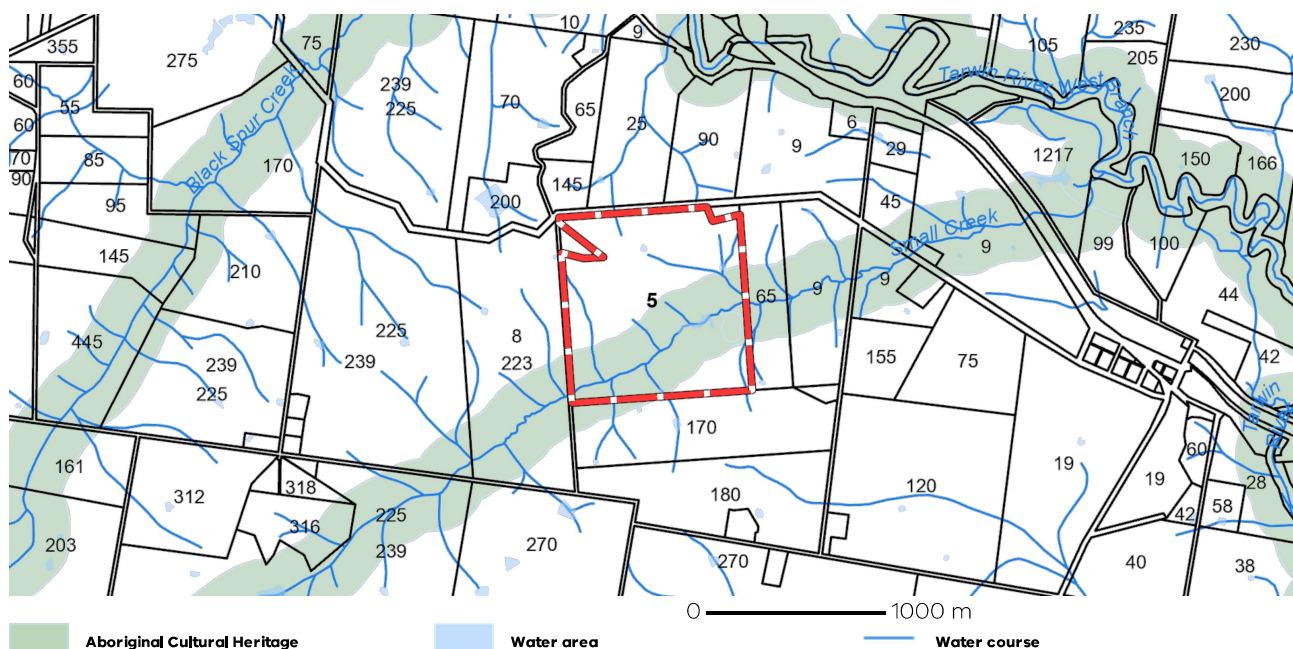
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

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

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

For further information about whether a Cultural Heritage Management Plan is required go to <https://heritage.achris.vic.gov.au/aavQuestion1.aspx>

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



Further Planning Information

Planning scheme data last updated on 16 October 2025.

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.vic.gov.au/vicplan/>

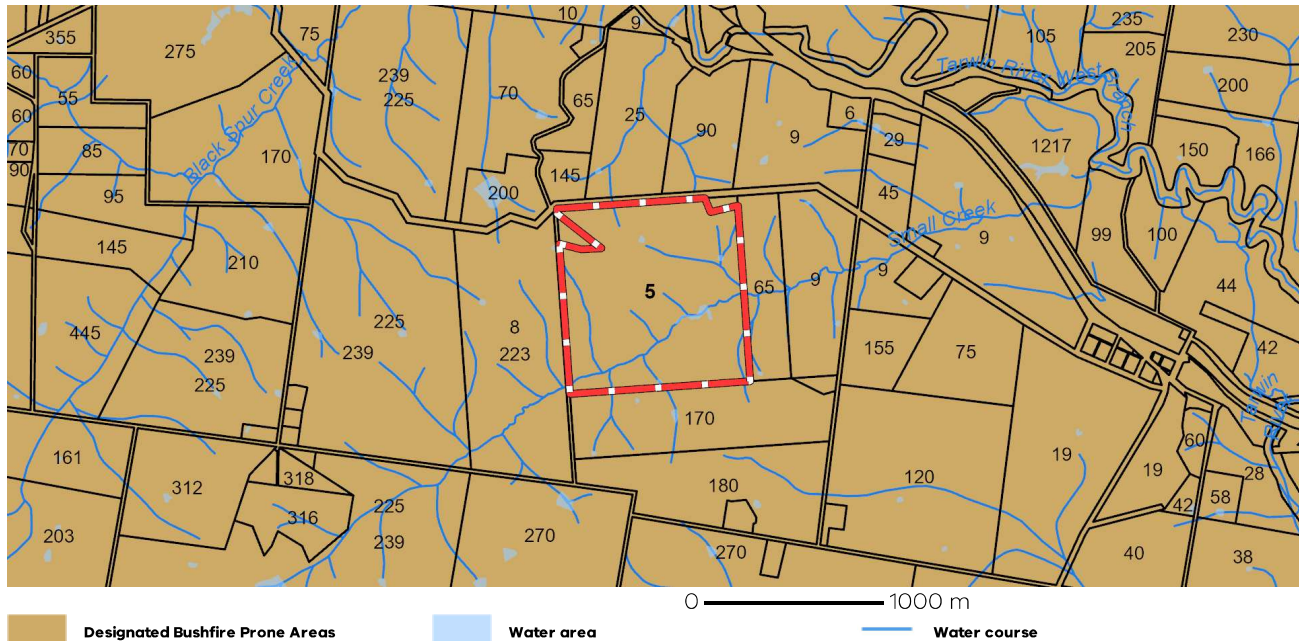
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

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 Victoria 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 Regulations Map (NVR Map) <https://mapshare.vic.gov.au/nvr/> 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 \(environment.vic.gov.au\)](#)

35.07
31/07/2018
VC148

FARMING ZONE

Shown on the planning scheme map as **FZ** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

To encourage the retention of employment and population to support rural communities.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

35.07-1
15/08/2025
VC290

Table of uses

Section 1 – Permit not required

Use	Condition
Abattoir	Must be used in conjunction with Animal production on the same land or contiguous land in the same ownership. Must not have a gross floor area more than 200 square metres. Must not slaughter or process animals, including birds, at a designed throughput of greater than 120 tonnes of product per year. Must not exceed a wastewater design or actual flow rate of greater than 5,000 litres per day. Must not be within 100 metres of a dwelling in separate ownership. The land must be at least 100 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone, Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution. Must not be a purpose listed in the table to Clause 53.10 with no threshold distance.
Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.

SOUTH GIPPSLAND PLANNING SCHEME

Use	Condition
	Must be located more than one kilometre from the nearest title boundary of land subject to: ▪ A permit for a wind energy facility; or ▪ An application for a permit for a wind energy facility; or ▪ An incorporated document approving a wind energy facility; or ▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i> . Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Cattle feedlot	Must meet the requirements of Clause 53.08. The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the <i>Catchment and Land Protection Act 1994</i> . The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 5 animals.
Dwelling (other than Bed and breakfast)	Must be the only dwelling on the lot. The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares. Must meet the requirements of Clause 35.07-2. Must be located more than one kilometre from the nearest title boundary of land subject to: ▪ A permit for a wind energy facility; or ▪ An application for a permit for a wind energy facility; or ▪ An incorporated document approving a wind energy facility; or ▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i> . Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Grazing animal production	
Home based business	

SOUTH GIPPSLAND PLANNING SCHEME

Use	Condition
Informal outdoor recreation	
Poultry farm	Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.
Primary produce sales	Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.
Racing dog husbandry	Must be no more than 5 animals.
Railway	
Rural industry (other than Abattoir and Sawmill)	Must not have a gross floor area more than 200 square metres. Must not be within 100 metres of a dwelling in separate ownership. Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016.
Rural store	Must be used in conjunction with Agriculture. Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres. Must be the only Rural store on the lot.
Rural worker accommodation	The number of persons accommodated at any time must not be more than 10. Must be used in conjunction with Agriculture on the same land or contiguous land in the same ownership. Must be used exclusively for accommodating workers engaged on the same land or contiguous land in the same ownership.

Use	Condition
	Must be the only accommodation other than a dwelling on the same land or contiguous land in the same ownership. Must be on the same lot as an existing dwelling. The lot must be at least the area specified in a schedule to this zone for which no permit is required to use land for a dwelling. If no area is specified, the lot must be at least 40 hectares. Must meet the requirements of Clause 35.07-2. Must be located more than one kilometre from the nearest title boundary of land subject to: ▪ A permit for a wind energy facility; or ▪ An application for a permit for a wind energy facility; or ▪ An incorporated document approving a wind energy facility; or ▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i> . Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling. Must meet the requirements of Clause 35.07-2. Must be located more than one kilometre from the nearest title boundary of land subject to: ▪ A permit for a wind energy facility; or ▪ An application for a permit for a wind energy facility; or ▪ An incorporated document approving a wind energy facility; or ▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i> . Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Timber production	Must meet the requirements of Clause 53.11. The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares. The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area. The plantation must not be within 100 metres of: ▪ Any dwelling in separate ownership.

SOUTH GIPPSLAND PLANNING SCHEME

Use	Condition
	- Any land zoned for residential, commercial or industrial use. - Any site specified on a permit which is in force which permits a dwelling to be constructed. The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.
Tramway	
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 – Permit required

Use	Condition
Animal production (other than Cattle feedlot, Grazing animal production and Poultry farm)	
Broiler farm - if the Section 1 condition to Poultry farm is not met	Must meet the requirements of Clause 53.09.
Camping and caravan park	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Cattle feedlot – if the Section 1 condition is not met	Must meet the requirements of Clause 53.08. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.
Cemetery	
Crematorium	
Domestic animal boarding	
Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met	Must meet the requirements of Clause 35.07-2.
Emergency services facility	
Freeway service centre	Must meet the requirements of Clause 53.05.
Group accommodation	
Host farm	
Industry (other than Automated collection point and Rural industry)	

SOUTH GIPPSLAND PLANNING SCHEME

Use	Condition
Landscape gardening supplies	
Leisure and recreation (other than Informal outdoor recreation)	
Manufacturing sales	
Market	
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)	
Primary school	
Racing dog husbandry – if the Section 1 condition is not met	Must meet the requirements of Clause 53.12.
Renewable energy facility (other than Wind energy facility)	Must meet the requirements of Clause 53.13.
Residential hotel	
Restaurant	
Rice growing	
Rural worker accommodation – if the Section 1 condition is not met	Must meet the requirements of Clause 35.07-2.
Sawmill	
Secondary school	
Timber production – if the Section 1 condition is not met	Must meet the requirements of Clause 53.11.
Trade supplies	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse (other than Rural store)	
Wind energy facility	Must meet the requirements of Clause 52.32.
Winery	
Any other use not in Section 1 or 3	

Section 3 – Prohibited**Use**

Accommodation (other than Bed and breakfast, Camping and caravan park, Dwelling, Group accommodation, Host farm, Residential hotel, Rural worker accommodation and Small second dwelling)

Amusement parlour

Cinema based entertainment facility

Education centre (other than Primary school and Secondary school)

Nightclub

Office

Retail premises (other than Market, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant and Trade supplies)

Small second dwelling – if the Section 1 condition is not met

35.07-2
14/12/2023
VC253

Use of land for a dwelling, small second dwelling or rural worker accommodation

A lot used for a dwelling, small second dwelling or rural worker accommodation must meet the following requirements:

- Access to the dwelling, small second dwelling or rural worker accommodation must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dwelling, small second dwelling or rural worker accommodation must be connected to reticulated sewerage, if available. If reticulated sewerage is not available all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- The dwelling, small second dwelling or rural worker accommodation must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling, small second dwelling or rural worker accommodation must be connected to a reticulated electricity supply or have an alternative energy source.

35.07-3
14/12/2023
VC253

Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.

- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

A permit cannot be granted which would allow a separate lot to be created for land containing a small second dwelling.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where:	Clause 59.01
▪ Each new lot is at least the area specified for the land in the zone or the schedule to the zone. ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change. ▪ The land is not used for Rural worker accommodation	
Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone where the land is not used for Rural worker accommodation.	Clause 59.12

35.07-4
14/12/2023
VC253

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.07-1. This does not apply to:
 - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres.
 - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres.
 - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres. The building must not be used to keep, board, breed or train animals.
 - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
 - The setback from a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road specified in a schedule to this zone or, if no setback is specified, 50 metres.
 - The setback from any other road or boundary specified in a schedule to this zone.
 - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
 - 100 metres from a small second dwelling not in the same ownership.

- 100 metres from a waterway, wetlands or designated flood plain or, the distance specified in the schedule to this zone. Any distance specified must be less than 100 metres.
- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production constructed within 100 metres of:
 - A waterway, wetland or designated flood plain.
 - A dwelling or small second dwelling not in the same ownership.
 - A residential or urban growth zone.
- A building or works associated with accommodation located within one kilometre from the nearest title boundary of land subject to:
 - A permit for a wind energy facility; or
 - An application for a permit for a wind energy facility; or
 - An incorporated document approving a wind energy facility; or
 - A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.
- A building or works associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works associated with a Section 1 use in the Table of uses of the zone with an estimated cost of up to \$500,000.	Clause 59.13
Any works must not be earthworks specified in the schedule to the zone.	
Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to \$500,000 where:	Clause 59.13
■ The land is not used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry, Rural industry or Rural worker accommodation. ■ The land is not within 30 metres of land (not a road) which is in a residential zone. ■ The building or works are not associated with accommodation located within one kilometre from the nearest title boundary of land subject to: – A permit for a wind energy facility; or – An application for a permit for a wind energy facility; or – An incorporated document approving a wind energy facility; or – A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>. ■ The building or works are not associated with accommodation located within 500 metres from the nearest title boundary of land on	

Class of application**Information
requirements and
decision guidelines**

which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

Any works must not be earthworks specified in the schedule to the zone.

35.07-5

19/01/2006
VC37

Application requirements for dwellings

An application to use a lot for a dwelling must be accompanied by a written statement which explains how the proposed dwelling responds to the decision guidelines for dwellings in the zone.

35.07-6

22/03/2022
VC219

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

Agricultural issues and the impacts from non-agricultural uses

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.
- Whether Rural worker accommodation is necessary having regard to:
 - The nature and scale of the agricultural use.
 - The accessibility to residential areas and existing accommodation, and the remoteness of the location.
- The duration of the use of the land for Rural worker accommodation.

Accommodation issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.

- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.
- The potential for accommodation to be adversely affected by noise and shadow flicker impacts if it is located within one kilometre from the nearest title boundary of land subject to:
 - A permit for a wind energy facility; or
 - An application for a permit for a wind energy facility; or
 - An incorporated document approving a wind energy facility; or
 - A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.
- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use and development will require traffic management measures.
- The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one kilometre from the nearest title boundary of land subject to:
 - A permit for a wind energy facility; or
 - An application for a permit for a wind energy facility; or
 - An incorporated document approving a wind energy facility; or

- A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978* .
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990* .

35.07-7
31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4.

SCHEDULE 1 TO CLAUSE 35.07 FARMING ZONEShown on the planning scheme map as **FZ or FZ1**.**1.0****Subdivision and other requirements**

	Land	Area/Dimensions/Distance
Minimum subdivision area (hectares).	All land	80 hectares
Minimum area for which no permit is required to use land for a dwelling (hectares).	All land	40 hectares
Maximum area for which no permit is required to use land for timber production (hectares).	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).	None specified	None specified
Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)	None specified	None specified
Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).	None specified	None specified
Minimum setback from a road (metres).	A Transport Zone 2 or land in a Public Acquisition Overlay if: ▪ The Head, Transport for Victoria is the acquiring authority; and ▪ The purpose of the acquisition is for a road.	None specified
	A Transport Zone 3 or land in a Public Acquisition Overlay if: ▪ The Head, Transport for Victoria is not the acquiring authority; and ▪ The purpose of the acquisition is for a road.	40 metres
	Any other road	20 metres
Minimum setback from a boundary (metres).	Any other boundary	5 metres

SOUTH GIPPSLAND PLANNING SCHEME

	Land	Area/Dimensions/Distance
Minimum setback from a dwelling not in the same ownership (metres).	Any dwelling not in the same ownership	100 metres

Permit requirement for earthworks	Land
Earthworks which change the rate of flow or the discharge point of water across a property boundary.	None specified
Earthworks which increase the discharge of saline groundwater.	None specified

44.06
31/07/2018
VC148

BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as **BMO** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

44.06-1
19/09/2017
VC132

Bushfire management objectives and application of schedules

A schedule to this overlay must contain a statement of the bushfire management objectives to be achieved for the area affected by the schedule and when the requirements within it apply.

44.06-2
14/12/2023
VC253

Permit requirement

Subdivision

A permit is required to subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.

Buildings and works

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation (including a moveable unit as defined under the *Housing Act 1983*)
- Education centre
- Hospital
- Industry
- Leisure and recreation
- Office
- Place of assembly
- Retail premises
- Service station
- Timber production
- Warehouse

This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.
- An alteration or extension to an existing building used for a dwelling or a small second dwelling that is less than 50 percent of the gross floor area of the existing building.
- An alteration or extension to an existing building (excluding a dwelling and a small second dwelling) that is less than 10 percent of the gross floor area of the existing building.

- A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.
- A building or works associated with Timber production provided the buildings or works are not within 150 metres of Accommodation or land zoned for residential or rural residential purposes.

44.06-3

20/03/2023
VC229

Application requirements

Unless a schedule to this overlay specifies different requirements, an application must be accompanied by:

- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.
- A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.
- A **bushfire management statement** describing how the proposed development responds to the requirements in this clause and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

44.06-4

31/07/2018
VC148

Requirements of Clause 53.02

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02.

44.06-5

31/07/2018
VC148

Mandatory condition

Subdivision

A permit which creates a lot for a single dwelling on land zoned for residential or rural residential purposes must include the following condition:

“Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- *State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the [*insert name of applicable planning scheme] Planning Scheme.*
- *Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.*
- *State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.*

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”

This does not apply:

- If a schedule to this overlay specifies that a Section 173 Agreement is not required.
- Where the relevant fire authority states in writing the preparation of an agreement under Section 173 of the Act is not required for the subdivision.
- For the subdivision of the land into lots each containing an existing dwelling or car parking space.

A permit to subdivide land must include any condition specified in a schedule to this overlay.

Buildings and works

A permit to construct a building or construct or carry out works must include the following condition:

“The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.”

A permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3 must include the following condition:

“Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:

- *A dwelling constructed in accordance with planning permit [*insert planning permit reference] must not be occupied until a private bushfire shelter (a Class10c building within the meaning of the Building Regulations 2006) is:*
 - *Constructed on the same land as the dwelling.*
 - *Available for use by the occupants of the dwelling at all times.*
 - *Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.*

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”

A permit to construct a building or construct or carry out works must include any condition specified in a schedule to this overlay.

44.06-6

19/09/2017
VC132

Referral of applications

An application must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03, unless a schedule to this overlay specifies otherwise.

44.06-7

31/07/2018
VC148

Notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act, unless a schedule to this overlay specifies otherwise.

A schedule to this overlay may specify that notice be given to any person or body in accordance with section 52(1)(c) of the Act.

44.06-8

31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 53.02 and Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.

- Any other matters specified in a schedule to this overlay.

44.06-9

19/09/2017
VC132

Transitional arrangements

The requirements of Clause 44.06 Bushfire Management Overlay do not apply to a single dwelling, or a dependent person's unit, when a permit under the *Building Act 1993* was issued before the commencement of Amendment GC13, if:

- vegetation is managed to accord with the bushfire attack level assessment undertaken at the time the building permit was issued; and
- a static water supply of:
 - 2500 litres on lots of 500 square metres or less
 - 5000 litres on lots of more than 500 square metres,
is provided to the satisfaction of the responsible authority.
- no permit was required for such development under Clause 44.06 before the commencement of Amendment GC13.

44.01
06/09/2021
VC171

EROSION MANAGEMENT OVERLAY

Shown on the planning scheme map as **EMO** with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development.

44.01-1
31/07/2018
VC148

Erosion management objectives and statement of risk

A schedule to this overlay may contain:

- Erosion management objectives to be achieved.
- A statement of risk.

44.01-2
14/12/2023
VC253

Buildings and works

A permit is required to construct a building or construct or carry out works, including:

- Roadworks (other than roadworks constructed or carried out by or on behalf of the Head, Transport for Victoria).
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Any other matter specified in Clause 62.02-2 if specified in a schedule to this overlay.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for:	Clause 59.05
▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank.	
The buildings and works must be associated with a dwelling or a small second dwelling.	

44.01-3
31/07/2018
VC148

Vegetation removal

A permit is required to remove, destroy or lop any vegetation. This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- If the table to Clause 44.01-4 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

Table of exemptions

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped: - in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or - where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.
Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: - fire fighting; - planned burning; - making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; - making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); - is ground fuel within 30 metres of a building and is vegetation other than native vegetation; - in accordance with a fire prevention notice issued under either: - section 87 of the <i>Fire Rescue Victoria Act 1958</i>; - section 65 of the <i>Forests Act 1958</i>; or - section 41 of the <i>Country Fire Authority Act 1958</i>. - keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; - minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i>
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i>.
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i>.

The requirement to obtain a permit does not apply to:

Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
Mineral exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i> : ▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i> ; or ▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i> . <i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is: ▪ bracken (<i>Pteridium esculentum</i>) ; or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).

The requirement to obtain a permit does not apply to:

Stone exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: ▪ a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i> ; or ▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).
Tram stops	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

44.01-531/07/2018
VC148**Subdivision**

A permit is required to subdivide land.

44.01-631/07/2018
VC148**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay and information showing:

- The existing site conditions, including land gradient and the extent of any existing erosion, landslip or other land degradation.
- The extent of any proposed earthworks.
- The means proposed to stabilise disturbed areas.
- Any other application requirements specified in a schedule to this overlay.

44.01-715/09/2022
VC225**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

44.01-814/01/2025
VC237**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Regional Catchment Strategy (*Catchment and Land Protection Act 1994*).
- *Civil Construction, Building and Demolition Guide* (Publication 1834, Environment Protection Authority, November 2020).
- *Control of Erosion on Construction Sites* (Michael Ransom and Soil Conservation Authority, 1984).
- *Your Dam: an Asset or a Liability* (Department of Conservation and Natural Resources and Rural Water Corporation Victoria, 1993).
- Any proposed measures to manage concentrated runoff and site drainage.
- Any proposed measures to minimise the extent of soil disturbance.
- Whether the removal of vegetation will increase the possibility of erosion, the susceptibility to landslip or other land degradation processes, and whether such removal is consistent with sustainable land management.
- The need to stabilise disturbed areas by engineering works or revegetation.
- Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern.
- Whether buildings or works are likely to cause erosion or landslip.
- Whether access and servicing of the site or building envelope is likely to result in erosion or landslip.
- Land Capability Report (if prepared) as developed by the Department of Energy, Environment and Climate Action.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any technical information or reports required to be provided by a schedule to this overlay.
- Any other matters specified in a schedule to this overlay.

15/08/2024
C119sgip**SCHEDULE 1 TO CLAUSE 44.01 EROSION MANAGEMENT OVERLAY**

Shown on the planning scheme map as **EMO1**.

AREAS SUSCEPTIBLE TO EROSION**1.0**15/08/2024
C119sgip**Erosion management objectives to be achieved**

To ensure buildings and works are located and designed to avoid risk to life and property from erosion.

To ensure that environmental values are protected in areas susceptible to erosion.

To retain existing vegetation and encourage new plantings to prevent and minimise erosion.

2.015/08/2024
C119sgip**Statement of risk**

None specified.

3.015/08/2024
C119sgip**Permit requirement**

A permit is not required to:

- Construct a building or carry out works, including buildings and works associated with a small second dwelling, where the difference between finished ground level and natural ground level does not exceed 1 metre.
- Construct a domestic above ground swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot where the difference between finished ground level and natural ground level does not exceed 1 metre.
- Construct roadworks provided the roadworks are undertaken by or on behalf of a public land manager.
- Remove, destroy or lop non-native vegetation in a domestic garden.

A permit is required to:

- Construct a bicycle pathway or trail where the difference between finished ground level and natural ground level exceeds 1 metre.

4.015/08/2024
C119sgip**Application requirements**

The following application requirements apply to an application for a permit under Clause 44.01, in addition to those specified in Clause 44.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority.

- All applications to include:
 - Any existing buildings and works including cut and fill, access or driveways, stormwater drainage, subsurface drainage, water supply pipelines, sewerage pipelines or effluent disposal installations and pipelines, water tanks, dams and any otherwise identified geotechnical hazards on both the subject lot(s) and adjacent land.
 - Elevations and/or cross sections which depicts the extent of the cut and fill.
 - 1 metre contours in the vicinity of proposed buildings and works or vegetation removal.
 - Details and location of existing vegetation, including any vegetation to be removed.
 - Details of the proposed accessways or driveways, including cut and fill requirements.
 - Details of any retaining walls.
- Subdivision applications to include:

- Location and details of the slope of the building envelope/s, including the slope across the building envelope.
- Details of any retaining walls or the extent of cut and fill, likely required if buildings and works were carried out.
- Dam applications to include:
 - Detailed plans, including cross sections, drawn to scale and with dimensions, showing:
 - Length, depth and width of the dam.
 - Capacity of the dam in megalitres.
 - Width at base of dam wall.
 - Width at top of dam wall.
 - Slope of the dam wall batters.
 - Details of the wall of the dam, including the material it will be constructed from, the slope of the wall batters, and how the wall will achieve stability and be watertight.
 - Details of the spillway including proposed materials.
 - Diversion mechanisms.
 - Erosion protection measures.
 - Native vegetation protection measures.
- Geotechnical Assessment report; or a completed Geotechnical Declaration and Verification Form (Form A of Appendix D of AGS 2007c (as amended/updated)) prepared by a suitably qualified Geotechnical Practitioner.

Geotechnical Practitioner means a specialist Geotechnical Engineer or Engineering Geologist who is degree qualified, is a member of a professional institute, and who has achieved chartered professional status as a:

 - Chartered Professional Engineer (CPEng); or
 - Chartered Professional Geologist (CPGeo); or
 - Registered Professional Geologist (RPGeo);

with experience in the management of slope stability problems and landslip risk as core competence to the satisfaction of the responsible authority. The Geotechnical Assessment report should state whether or not a Landslip Risk Assessment is required and if the buildings and works should be approved and specify what conditions should be included in the permit.
- A Landslip Risk Assessment report must be prepared by a Geotechnical Practitioner in accordance with AGS 2007c, if required by the Geotechnical Assessment.
- A completed Geotechnical Declaration of Minor Impact (Form D of Appendix D of AGS 2007c (as amended/updated)) prepared by a Geotechnical Practitioner to justify why a Geotechnical Assessment is not required, if applicable.
- A written Geotechnical Assessment, Landslide Hazard Assessment or Landslip Risk Assessment (as appropriate) is not required where, in the opinion of the responsible authority, the application for subdivision or buildings and works will not adversely increase the landslip risk to life or property affecting the subject lot(s) or adjoining or nearby land.
- The responsible authority may require an independent peer review of any application documentation, at the applicant's cost.

5.015/08/2024
C119sgip**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 44.01, in addition to those specified in Clause 44.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent of earthworks and its likelihood to cause erosion.
- The risk to life, property and the environment.
- Whether there is any reasonable alternative site for the proposed building and works outside of the overlay area, or any alternative land management practices or construction methods, that would better meet the objectives of this schedule, that would avoid risk to life and property from erosion and would minimise the extent of vegetation removal and site works.
 - The use of appropriate design responses such as stumps and split levels.
 - Whether the buildings and works follow the contours and step down along slopes to minimise the need for earthworks.
- The grade of any access ways or driveways to ensure safe and efficient access by vehicles or machinery.
- The soil type, slope and the proposed development's likely impact on soil and slope stability.
- Any known erosion present in the vicinity and landslip that has occurred in the past.
- Possible impacts on any nearby waterways.
- The proposed remediation of the site including planting schedule, sediment control and stabilisation methods.
- Whether the proposal avoids and minimises vegetation removal.
- Whether the subdivision layout responds to topography, is an appropriate size and considers the design and grade of road access.
- Whether the subdivision requires building envelopes.
- The impact the construction of a dam could have on erosion, river and stream stability, environmental flows and water quality.
- The recommendations of the Geotechnical Assessment, Landslip Risk Assessment and any other information accompanying the application.
- The advice of any Geotechnical Practitioner who has peer reviewed the application.
- The risks associated with the development requiring ongoing monitoring and maintenance of all mitigation measures.
- The impacts of the building or works associated with the development of a wastewater system.

42.01
31/07/2018
VC148

ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO** with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas where the development of land may be affected by environmental constraints.

To ensure that development is compatible with identified environmental values.

42.01-1
31/07/2018
VC148

Environmental significance and objectives

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

42.01-2
16/10/2025
VC288

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.
- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
 - If a schedule to this overlay specifically states that a permit is not required.
 - If the table to Clause 42.01-3 specifically states that a permit is not required.
 - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Subdivide land to realign the common boundary between two lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision.	Clause 59.02

Class of application	Provision
Subdivide land into two lots if:	Clause 59.02
▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	
Subdivide land into two lots if:	Clause 59.02
▪ A permit has been issued under a provision of a residential zone to construct up to two dwellings on the land and the permit has not expired. ▪ Each lot will contain either: – one existing dwelling; or – one dwelling permitted to be constructed in accordance with the permit.	
Construct a fence.	Clause 59.05
Remove, destroy or lop one tree provided:	Clause 59.06
▪ A permit has not been granted for a VicSmart application to remove, destroy or lop a tree on the same land within the last 12 months. ▪ There is no other current VicSmart application to remove, destroy or lop a tree on the same land.	
Construct a building or construct or carry out works for:	Clause 59.05
▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank. The buildings and works must be associated with a dwelling or a small second dwelling.	

42.01-3
16/08/2024
VC262

Table of exemptions

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped: ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.

The requirement to obtain a permit does not apply to:

Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: – section 87 of the <i>Fire Rescue Victoria Act 1958</i> ; – section 65 of the <i>Forests Act 1958</i> ; or – section 41 of the <i>Country Fire Authority Act 1958</i> . ▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i> ; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i> . <i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i>
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
Mineral exploration and mining	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i> : ▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i> ; or

The requirement to obtain a permit does not apply to:

	in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is: - bracken (<i>Pteridium esculentum</i>); or - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Stone exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: 1 hectare of vegetation which does not include a tree. 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.

The requirement to obtain a permit does not apply to:

Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: ▪ a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i> ; or ▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).
Tram stops	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

42.01-431/07/2018
VC148**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

42.01-531/07/2018
VC148**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and Planning Policy Framework.
- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay.

25/07/2019
C121sgip

SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO2**.

SPECIAL WATER SUPPLY CATCHMENT AREAS

1.0

25/07/2019
C121sgip

Statement of environmental significance

Approximately 30 percent of land in South Gippsland Shire is located in a water catchment that are used to provide water for human consumption, domestic use, agriculture and industrial activities. These catchments are declared as 'Special Water Supply Catchment Areas' as defined in the *Catchment and Land Protection Act 1994*.

Special Water Supply Catchments cover large areas with water take-off points occurring in the lower parts of catchments. Land use or development within Special Water Supply Catchments and in close proximity of the water take-off points should be managed carefully to minimise the impact on water quality.

Cumulative use or development in catchments over extended time periods has the potential to gradually diminish water quality and increase risk to human health. The management of use or development in catchments must focus on the long term protection of the natural asset and strongly encourage the implementation of measures to avoid detrimental impacts on water quality and quantity.

2.0

25/07/2019
C121sgip

Environmental objective to be achieved

To protect and maintain water quality and quantity in Special Water Supply Catchment areas used for human consumption, domestic, industrial and rural water supply.

To ensure that development activity and land management practices are consistent with environmental values and the long term conservation of potable water supply resources.

To minimise the impact of residential development and intensive farming activity in Special Water Supply Catchment areas, particularly near water supply take-off points and storage reservoirs.

To encourage retention of native vegetation and the establishment of new vegetation cover, particularly within 30 metres of a waterway.

To consider the cumulative impact of use and development on Special Water Supply Catchments over an extended time period having regard to both climate variability and anticipated reduced inflows in catchments.

To minimise the impact of development in townships without reticulated sewerage, particularly having regard to small lot sizes, existing water contamination levels and the long term expectation that small towns will remain unsewered.

To ensure new development proposals meet best practice guidelines for agricultural, domestic, commercial and industrial wastewater treatment which result in reduced nutrient, pathogenic and sediment flows.

To protect public health from the risk of waterborne diseases.

3.0

25/07/2019
C121sgip

Permit requirement

A permit is not required for the following:

- Buildings, works, subdivision of land, or to remove, destroy or lop any vegetation where reticulated sewer is connected to the lot.
- Buildings and works associated with the use of the land for a single dwelling on a lot of 40 hectares or greater.
- Buildings and works where they are located more than 100 metres from a waterway or more than 300 meters from a water supply reservoir or potable water supply take-off structure, other than:

- Buildings and works that will generate waste water or effluent requiring permissions under Section 53L of the *Environment Protection Act 1970* (to construct, install or alter a septic tank system).
- Buildings and works associated with the use of land for intensive animal husbandry or industry.
- Buildings and works associated with 'informal outdoor recreation' or a 'telecommunication facility' provided it does not require permanent onsite waste water or effluent treatment.
- Buildings and works (including vegetation removal, destruction or lopping) undertaken by, or on behalf of a municipality or public authority which are necessary to control flooding, fight fires, abate fire risk or preserve public safety.
- The removal, destruction or lopping of vegetation which is non-native to Victoria except where the vegetation is within 30 metres of a waterway, wetland, flood plain¹ or water reservoir².
- Earthworks associated with timber production that meets all the relevant requirements of the *Code of Practice for Timber Production 2007* (as amended).
- A subdivision by a public authority, or a utility provider, provided the subdivision does not create a new lot within 100 metres of a waterway, wetland, flood plain¹ and/or within 300 metres of a water supply reservoir² or potable water supply take-off structure.
- An outdoor sign/structure.
- Buildings and works specifically identified in a whole farm plan approved by the responsible authority and water supply authority.
- Windmills and solar units.

Permit requirement explanatory notes:

Flood plain¹. For the purpose of this schedule a flood plain is land included in a planning scheme overlay flood control and land affected by the 100 year Average Recurrence Interval flood level (1 in 100 year flood level) recognised and mapped by the relevant floodplain management authority.

Water supply reservoir². The requirement for a planning permit within 300 metres of a water supply reservoir (measured from the full supply level) does not apply to proposals on land outside of the water supply reservoir capture slope (downhill of the reservoir) or any circumstance where the water supply reservoir is an above ground structure.

4.0
17/10/2024
C129sgip

Application requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A Land Capability Assessment (in accordance with the background document *EPA Publication 746.1 Land Capability Assessment for Onsite Domestic Wastewater Management* (as amended) demonstrating the land is capable of absorbing sewage and sullage effluent generated on the lot in accordance with the background document *EPA Code of Practice - Onsite Wastewater Management (Publication 891.3)* (as amended).
- A report, prepared by a suitable qualified person, demonstrating that:
 - The design of any wastewater treatment system will ensure that nutrients, pathogens or other pollutants from wastewater will not enter any waterway, wetland, flood plain or water supply reservoir or otherwise detrimentally affect the designated beneficial uses of groundwater or surface water.
 - How activities will be carried out and maintained to prevent erosion and the siltation of any waterway or wetland in accordance with *EPA Victoria publication - Construction*

Techniques for Sediment Pollution Control 1991 or any superseding document(s).

- Any removal, destruction or lopping of native vegetation will not compromise the quality of water within proclaimed catchment areas.
- The siting of buildings and wastewater treatment systems will not compromise the quality of water within declared catchment areas.
- Details of slope (including contours at an appropriate scale), soil type, extent of excavation and vegetation including details of new plantings to occur.
- A revegetation plan where buildings or works are proposed within 30 metres of a waterway.

5.0

17/10/2024
C129sglp

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The likely impacts of the proposed development on water quality and quantity in the water supply catchment.
- The potential cumulative impact of development on the quality and quantity of water in the water supply catchment over extended periods of time.
- Whether new development proposals will lead to an increase in the amount of nutrients, pathogens or other pollutants reaching streams, surface water bodies and groundwater.
- Whether subdivision and intensive farming activities in water supply catchments, especially in the lower areas of water supply catchments near takeoff points are appropriate.
- Any relevant catchment management plan, policy, strategy or Ministerial Direction, including the *Ministerial Guideline for Planning Permit Applications in Open Potable Water Supply Catchment Areas* or any superseding document.

Due diligence checklist

What you need to know before buying a residential property

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

Urban living

Moving to the inner city?

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

Is the property subject to an owners corporation?

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

Growth areas

Are you moving to a growth area?

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

Flood and fire risk

Does this property experience flooding or bushfire?

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

Rural properties

Moving to the country?

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

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

Can you build new dwellings?

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

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

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

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

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

Land boundaries

Do you know the exact boundary of the property?

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

Planning controls

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

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

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

Are there any proposed or granted planning permits?

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

Safety

Is the building safe to live in?

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

Building permits

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

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

Are any recent building or renovation works covered by insurance?

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

Utilities and essential services

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

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

Buyers' rights

Do you know your rights when buying a property?

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

(04/10/2016)

DATED

2025

FABIO DAL POZZO AND LEAH JOY DAL POZZO

VENDORS STATEMENT

Property: 5 Darshan Lane, Koonwarra 3954

South Gippsland Conveyancing Pty Ltd
Licensed Conveyancer
230 Berrys Road
Loch VIC 3945
Tel: 0413297857
Fax: 03 8677 1185

Ref: LS:25/2490