

# HOUSE & LAND CONVEYANCING PTY LTD

Licence No. 000185L

Director / Licensed Conveyancer – Hilary Martin  
Licence number Licence number: 000184L

1458 Burwood Highway  
Upwey, Vic 3158  
P. O. Box 1207, Upwey Vic 3158

P: 03 9754 8777  
F: 03 9754 8711

E: [info@houseandlandconveyancing.com.au](mailto:info@houseandlandconveyancing.com.au)

Vendor's Statement to the Purchaser of Real Estate pursuant to  
Section 32 of The Sale of Land Act 1962 (VIC) ("the act")

**VENDOR:** Paul Bruce Chaproniere

**PROPERTY:** 33 Highcliff Road UPWEY VIC 3158

## **32A FINANCIAL MATTERS**

Information concerning any rates, taxes, charges or other similar outgoings AND any interest payable on any part of them is as follows-

**Yarra Ranges Shire & South East Water rates does not exceed \$4,500.00pa.**

**\*Yarra Ranges Council rates are currently rated over two lots, if at settlement the property is still not separately rated the rates are to be adjusted based on the proportion of which the lot liability of the land bears to the total liability of both lots.**

Any further amounts for which the Purchaser may become liable as a consequence of the purchase of the property are as follows:- **None to the vendors knowledge**

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

## **32B INSURANCE**

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

**A copy of a condition report required by section 137B of the *Building Act 1993* is attached.**

## **32C LAND USE**

- (a) RESTRICTIONS

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

Description:- **As set out in copy title documents annexed hereto.**

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

SECTION 32 STATEMENT  
33 HIGHCLIFF ROAD UPWEY VIC 3158

(b) BUSHFIRE

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

(c) ROAD ACCESS

There is access to the Property by Road.

(d) PLANNING

Planning Scheme: Yarra Ranges Planning Scheme

Responsible Authority: Yarra Ranges Shire Council

Zoning: LDRZ - Low Density Residential Zone

Planning Overlay/s: BMO or WMO - Bushfire Management Overlay, RO - Restructure Overlay, SLO - Significant Landscape Overlay, EMO - Erosion Management Overlay

**32D NOTICES**

- (a) Particulars of any Notice, Order, Declaration, Report or recommendation of a Public Authority or Government Department or approved proposal directly and currently affecting the land of which the Vendor might reasonably be expected to have knowledge are:- **In 2019 the Federal Government announced a nine year, \$300 million funding plan for Yarra Ranges & Cardinia Councils to seal roads within their areas. Property owners affected by the scheme will be required to contribute towards road sealing costs. Further information can be found on the council websites.** However the Vendor has no means of knowing all decisions of the Government and other authorities unless such decisions have been communicated to the Vendor
- (b) **The Vendor is not aware** of any Notices, Property Management Plans, Reports or Orders in respect of the land issued by a Government Department or Public Authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes.
- (c) Particulars of any Notice of intention to acquire served under Section 6 of the *Land Acquisition and Compensation Act, 1986* are: **Not Applicable**

**32E BUILDING PERMITS**

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

**No such Building Permit has been granted to the Vendors knowledge.**

**32F OWNERS CORPORATION**

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

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

- (1) The land, in accordance with a work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987* is NOT –
- land that is to be transferred under the agreement.
  - land on which works are to be carried out under the agreement (other than Crown land).
  - land in respect of which a GAIC is imposed



SECTION 32 STATEMENT  
33 HIGHCLIFF ROAD UPWEY VIC 3158

**32H SERVICES**

<b>Service</b>	<b>Status</b>
Electricity supply	<b>Connected</b>
Gas supply	Connected
Water supply	Connected
Sewerage	Connected
Telephone services	Connected

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

**32I TITLE**

Attached are the following document/s concerning Title:

- (a) In the case of land under the *Transfer of Land Act 1958* a copy of the Register Search Statement/s and the document/s, or part of the document/s, referred to as the diagram location in the Register Search Statement/s that identifies the land and its location.

**DUE DILIGENCE CHECKLIST**

A copy of the Due Diligence Checklist is attached.

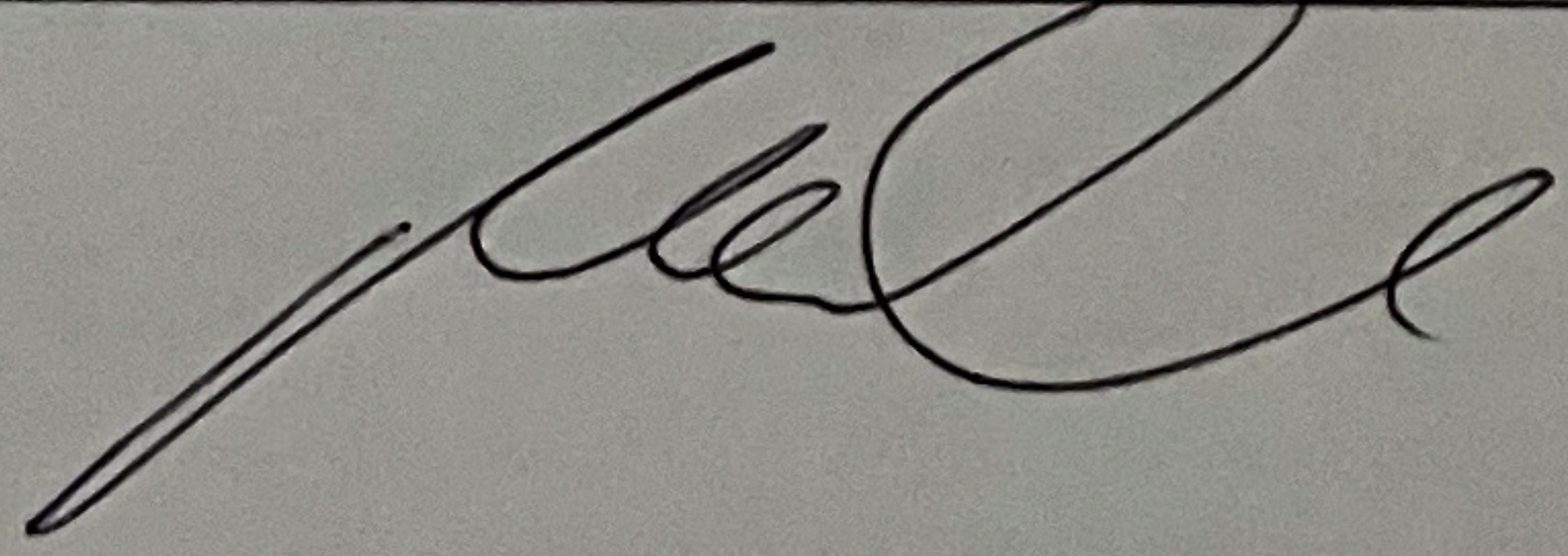
**DATE OF THIS STATEMENT**

14 / 10 / 20 22

**Name of the Vendor**

Paul Bruce Chaproniere

**Signature/s of the Vendor**

x 

**SIGN HERE**



SECTION 32 STATEMENT  
33 HIGHCLIFF ROAD UPWEY VIC 3158

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

**DATE OF THIS ACKNOWLEDGMENT**

/  /20

**Name of the Purchaser**

**Signature/s of the Purchaser**

x

**IMPORTANT NOTICE - ADDITIONAL DISCLOSURE REQUIREMENTS**

**Undischarged mortgages – S32A(a)**

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

**Terms contracts – S32A(d)**

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



# 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 [consumer.vic.gov.au/duediligencechecklist](http://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 right







Register Search Statement - Volume 6498 Folio 420

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

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

VOLUME 06498 FOLIO 420

Security no : 124092297204F  
Produced 06/09/2021 05:05 PM

LAND DESCRIPTION

Lot 71 on Plan of Subdivision 010524.  
PARENT TITLE Volume 05392 Folio 205  
Created by instrument J445164 04/05/1981

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor

PAUL BRUCE CHAPRONIERE of 1/217 BRIDPORT ST ALBERT PARK  
N391789J 11/04/1988

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE S654502N 25/08/1993  
BANK OF MELBOURNE LTD

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

DIAGRAM LOCATION

SEE LP010524 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: 31-33 HIGHCLIFF ROAD UPWEY VIC 3158

ADMINISTRATIVE NOTICES

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION  
Effective from 23/10/2016



DOCUMENT END

**The information supplied has been obtained by Dye & Durham Property Pty Ltd who is licensed by the State of Victoria to provide this information via LANDATA® System. Delivered at 06/09/2021, for Order Number 70183448. Your reference: ChaproniereS32.**



**LP 10524**

**EDITION 4**

PLAN APPROVED 16/1/25.

**5 SHEETS  
SHEET 1**

**COLOUR CODE**

E-1, E-6 & E-7 = BROWN  
 E-2 = BROWN HATCHED BLACK  
 E-3 = BLUE

ROADS COLOURED BROWN

**APPROPRIATIONS**

THE LAND COLOURED BROWN IS APPROPRIATED OR SET APART FOR ROADS  
 THE LAND COLOURED BLUE IS APPROPRIATED OR SET APART FOR EASEMENTS OF DRAINAGE AND IS 6 FEET WIDE UNLESS OTHERWISE SHOWN

**ENCUMBRANCES**

AS TO E-4 THE EASEMENT TO THE MMBW, CREATED IN N 86414A  
 AS TO THE LAND SHOWN E-1, E-5 & E-6 ANY EASEMENTS EFFECTING THE SAME

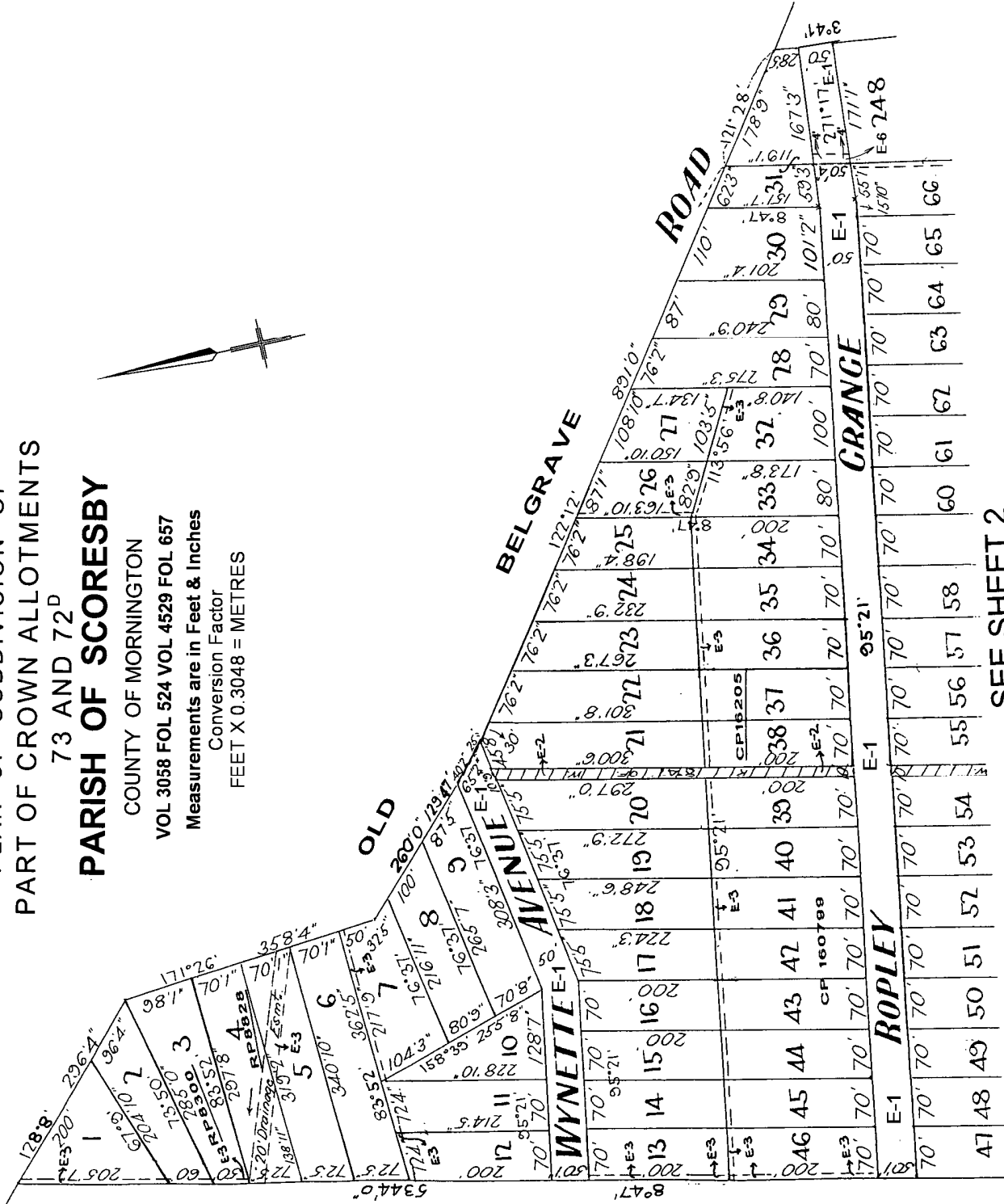
**NOTATIONS**

ROAD COLOURED BROWN HATCHED BLACK HAS BEEN DISCONTINUED VIDE: L.G.D. 2648

STREET NAME AMENDED FROM FERNDALE - AVENUE TO HUME STREET VIDE: GAZ. 1961. P. 4064

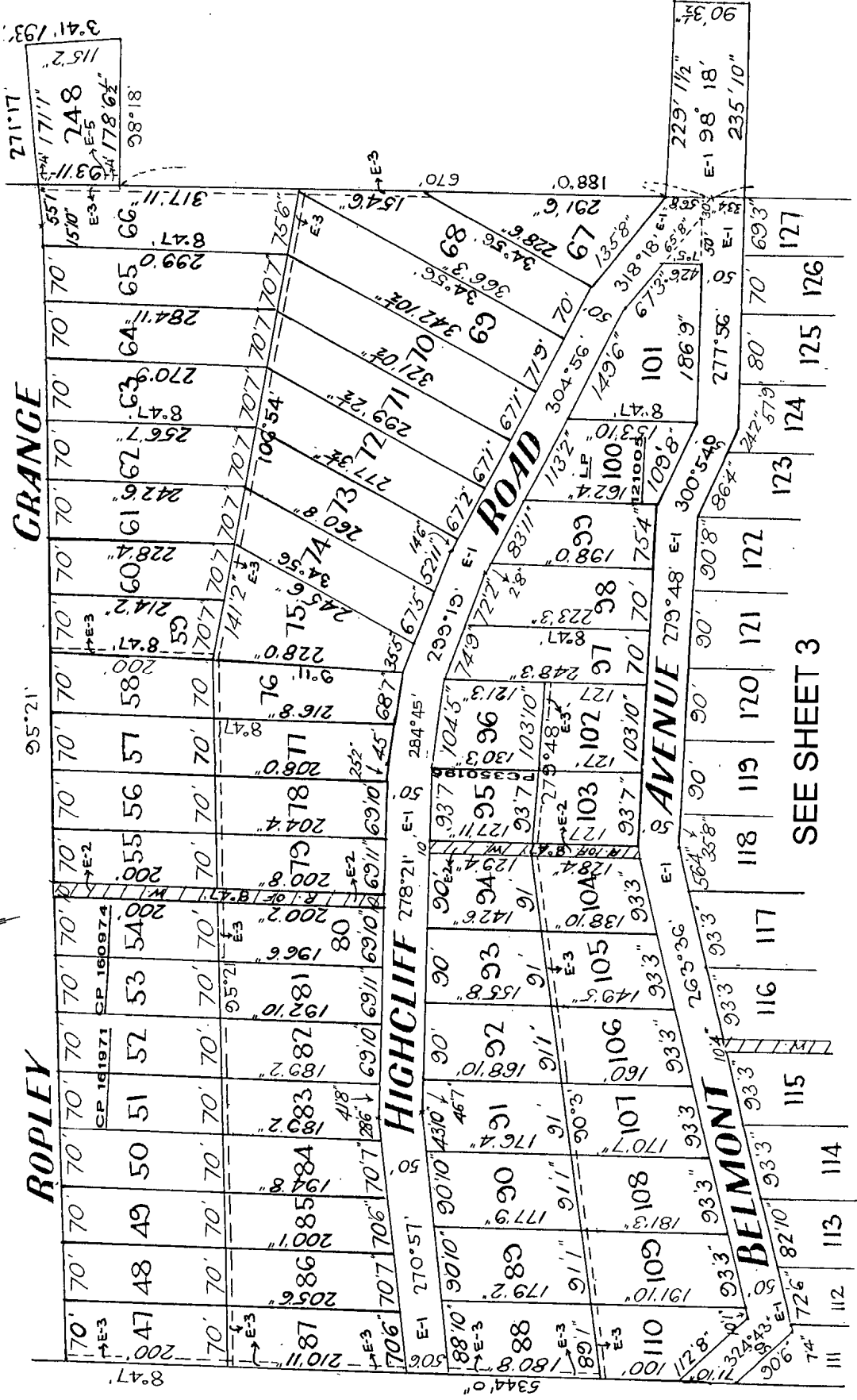
PLAN OF SUBDIVISION OF  
 PART OF CROWN ALLOTMENTS  
 73 AND 72<sup>D</sup>  
**PARISH OF SCORESBY**

COUNTY OF MORNINGTON  
 VOL 3058 FOL 524 VOL 4529 FOL 657  
 Measurements are in Feet & Inches  
 Conversion Factor  
 FEET X 0.3048 = METRES



SEE SHEET 2





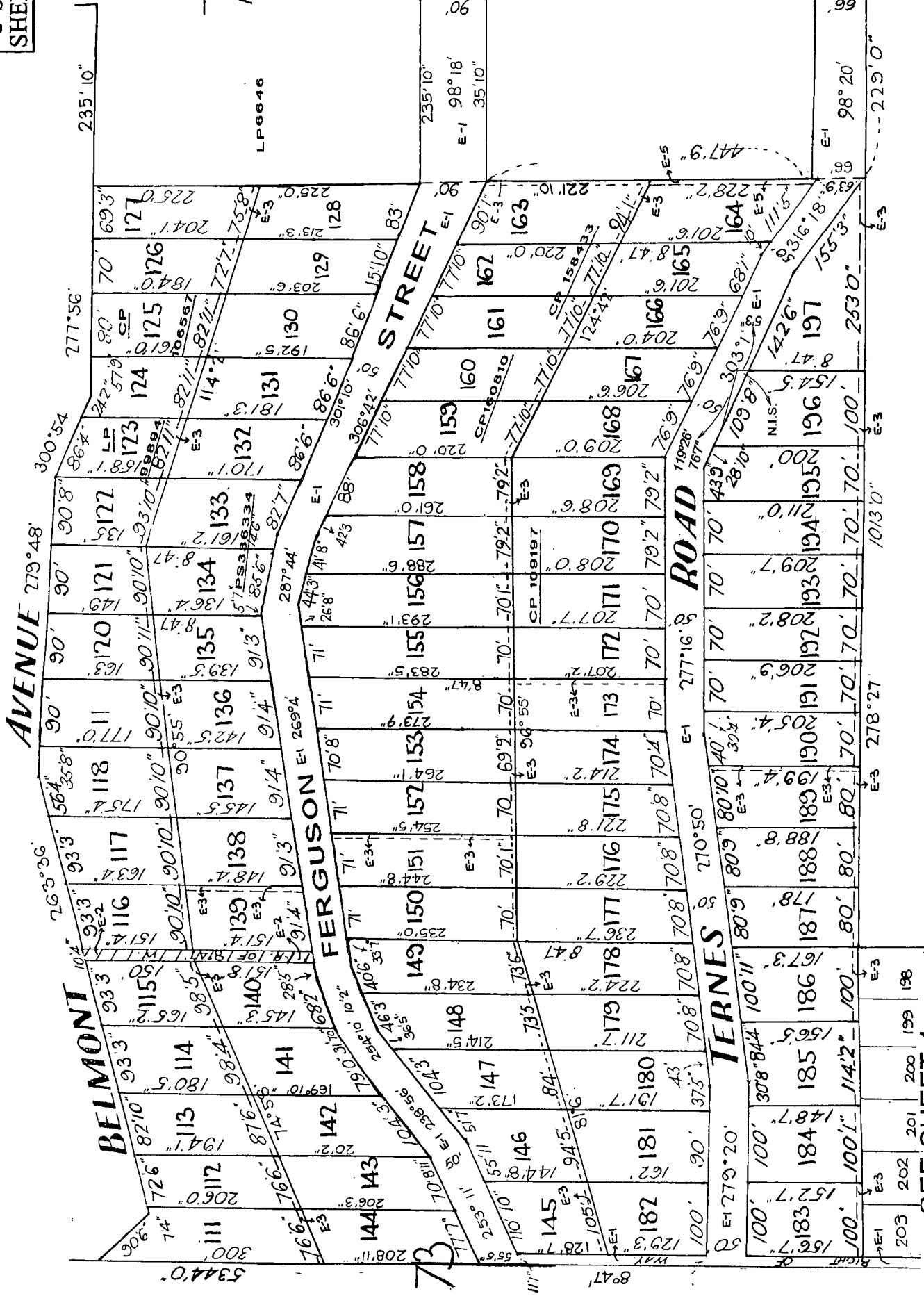


LP 10524

5 SHEETS  
SHEET 3

SEE SHEET 2

72D



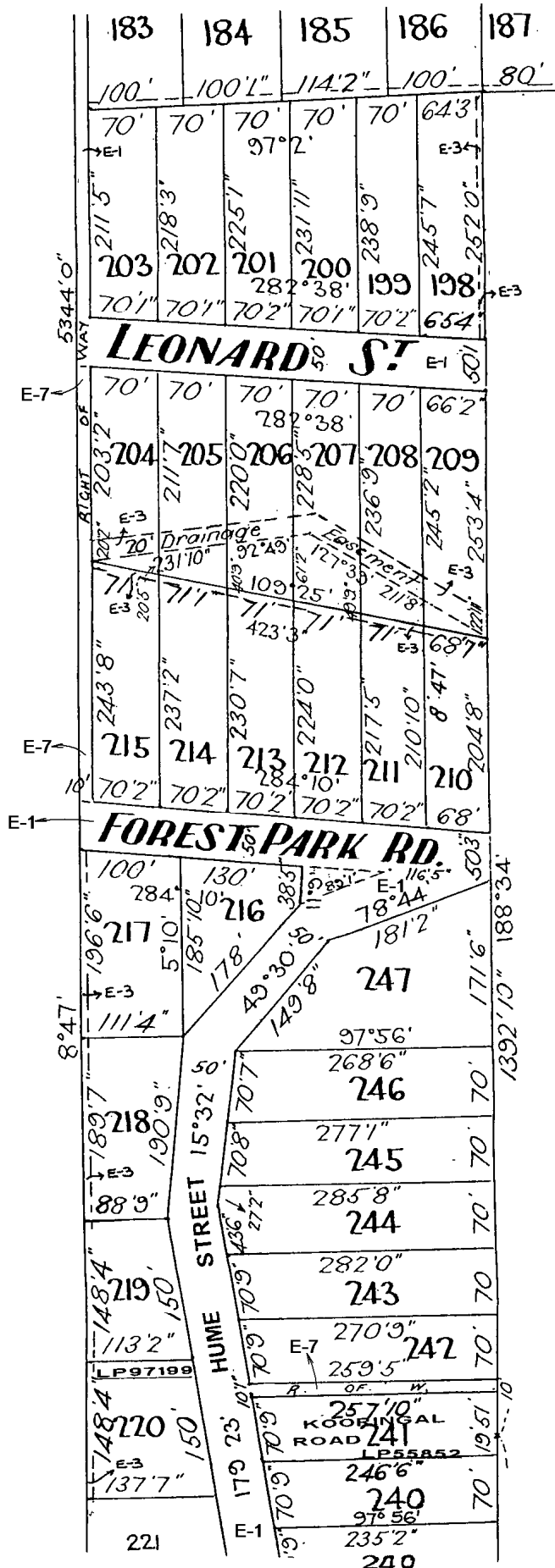
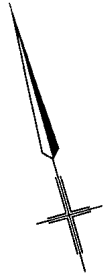
SEE SHEET 4



LP 10524

5 SHEETS  
SHEET 4

SEE SHEET 3



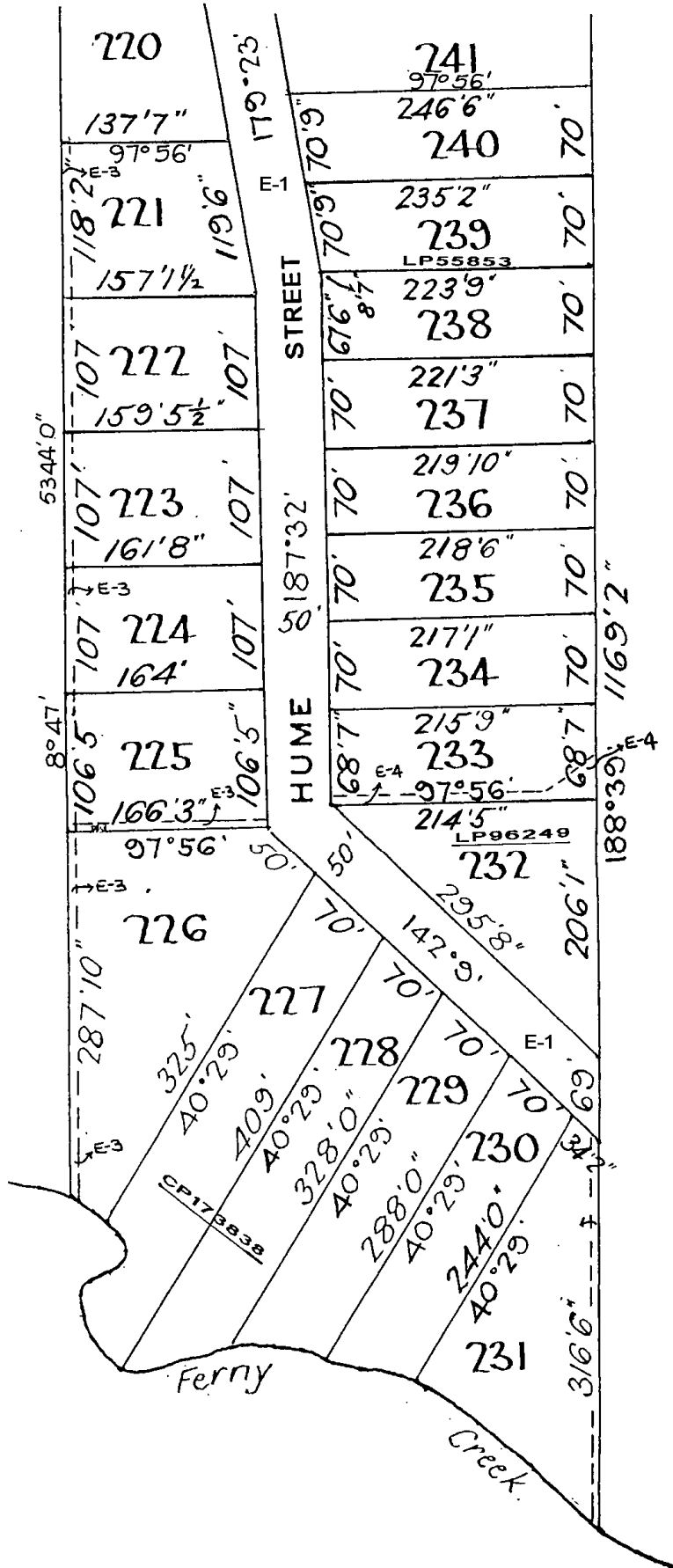
SEE SHEET 5



LP 10524

5 SHEETS  
SHEET 5

SEE SHEET 4









# PROPERTY REPORT



Environment,  
Land, Water  
and Planning

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 19 September 2022 05:18 PM

## PROPERTY DETAILS

Address: **31-33 HIGHCLIFF ROAD UPWEY 3158**  
Lot and Plan Number: **This property has 2 parcels. See table below**  
Standard Parcel Identifier (SPI): **See table below**  
Local Government Area (Council): **YARRA RANGES**  
Council Property Number: **230363**  
Directory Reference: **Melway 74 J8**

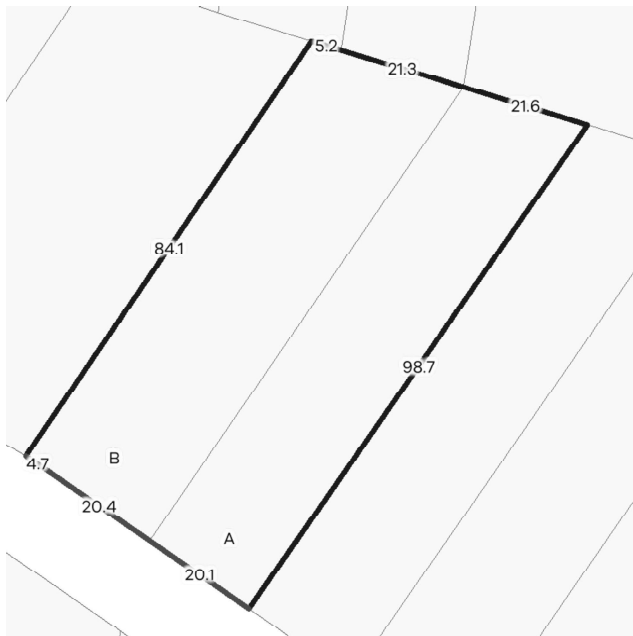
[www.yarraranges.vic.gov.au](http://www.yarraranges.vic.gov.au)

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

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>

## SITE DIMENSIONS

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



**Area:** 4157 sq. m

**Perimeter:** 276 m

For this property:

— Site boundaries

— Road frontages

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

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

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

## PARCEL DETAILS

The letter in the first column identifies the parcel in the diagram above

	Lot/Plan or Crown Description	SPI
A	Lot 71 LP10524	71\LP10524
B	Lot 2 PS334724	2\PS334724

## UTILITIES

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

## STATE ELECTORATES

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



## PLANNING INFORMATION

- Planning Zone** LOW DENSITY RESIDENTIAL ZONE (LDRZ)  
SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE (LDRZ)
- Planning Overlay** BUSHFIRE MANAGEMENT OVERLAY (BMO)  
BUSHFIRE MANAGEMENT OVERLAY - SCHEDULE 2 (BMO2)  
EROSION MANAGEMENT OVERLAY (EMO)  
EROSION MANAGEMENT OVERLAY SCHEDULE (EMO)  
RESTRUCTURE OVERLAY (RO)  
RESTRUCTURE OVERLAY - SCHEDULE 34 (RO34)  
SIGNIFICANT LANDSCAPE OVERLAY (SLO)  
SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 22 (SLO22)

Planning scheme data last updated on 14 September 2022.

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

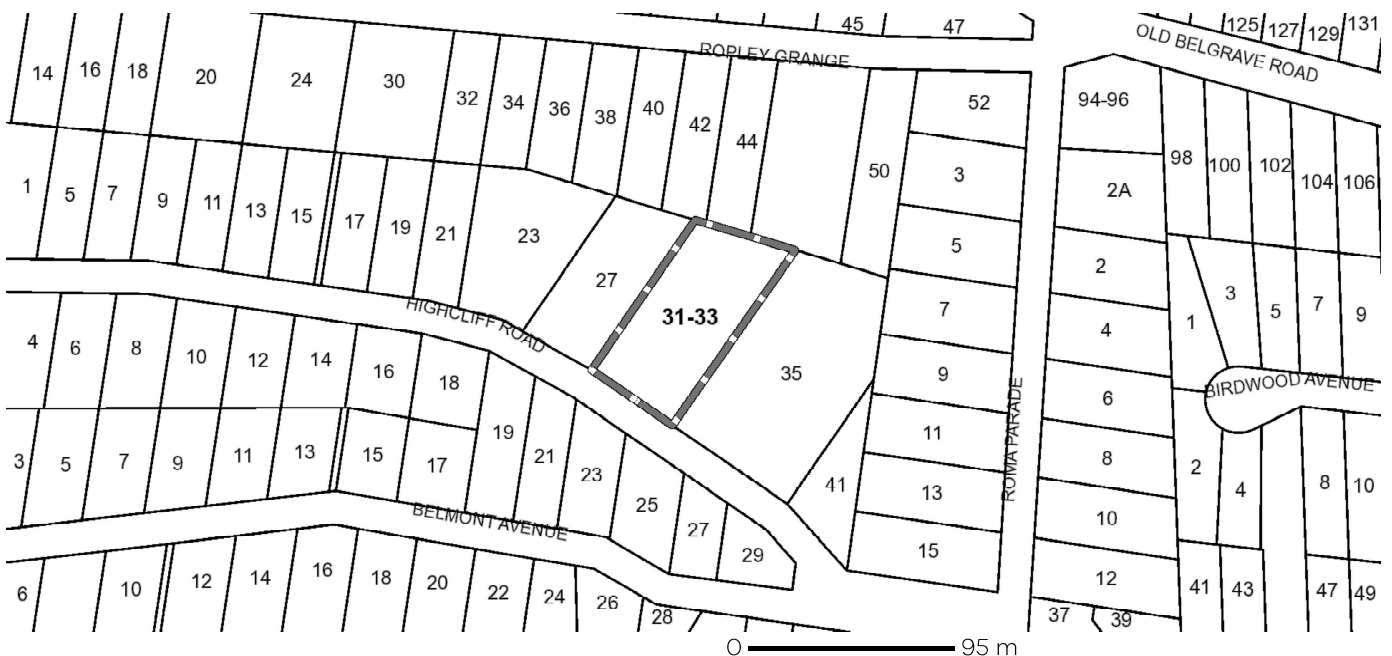
This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates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

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

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

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

### Area Map



Selected Property





## Planning Certificate



### PROPERTY DETAILS

Property Address: 31-33 Highcliff Road UPWEY VIC 3158

Title Particulars: Vol 6498 Fol 420

Vendor: N/A

Purchaser: N/A

Certificate No: 70183448

Date: 07/09/2021

Matter Ref: ChaproniereS32

Client: House & Land Conveyancing



### MUNICIPALITY

YARRA RANGES



### PLANNING SCHEME

YARRA RANGES PLANNING SCHEME



### RESPONSIBLE AUTHORITY FOR ADMINISTERING AND ENFORCING THE SCHEME

YARRA RANGES SHIRE COUNCIL



### ZONE

LOW DENSITY RESIDENTIAL ZONE



### ABUTTAL TO A ROAD ZONE / PUBLIC ACQUISITION OVERLAY FOR A PROPOSED ROAD OR ROAD WIDENING

NOT APPLICABLE



### OVERLAY

DESIGN AND DEVELOPMENT OVERLAY: NOT APPLICABLE

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY: NOT APPLICABLE

DEVELOPMENT PLAN OVERLAY: NOT APPLICABLE

ENVIRONMENTAL AUDIT OVERLAY: NOT APPLICABLE

ENVIRONMENTAL SIGNIFICANCE OVERLAY: NOT APPLICABLE

HERITAGE OVERLAY: NOT APPLICABLE

PUBLIC ACQUISITION OVERLAY: NOT APPLICABLE

SIGNIFICANT LANDSCAPE OVERLAY: SIGNIFICANT LANDSCAPE OVERLAY - SCHEDULE 22

SPECIAL BUILDING OVERLAY: NOT APPLICABLE

VEGETATION PROTECTION OVERLAY: NOT APPLICABLE

OTHER OVERLAYS: RESTRUCTURE OVERLAY - SCHEDULE 34;  
BUSHFIRE MANAGEMENT OVERLAY - SCHEDULE 2;  
EROSION MANAGEMENT OVERLAY;



### PROPOSED PLANNING SCHEME AMENDMENTS

YARRA RANGES C148 PROPOSES TO INTRODUCE A COMPREHENSIVE REVISION OF THE YARRA RANGES PLANNING SCHEME



### ADDITIONAL INFORMATION

STATE-WIDE PROVISIONS IF AN APARTMENT DEVELOPMENT - SEE PLANNING SCHEME CLAUSE 55.07 AND CLAUSE 58



**PLANNING ZONE MAP**MAP IMAGE NOT AVAILABLE FOR THIS PROPERTY

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Disclaimer: The information source for each entry on this certificate has been checked and if not shown on this report, is not applicable. In addition to Planning Scheme Zone and Overlay Provisions, Victorian Planning Schemes comprise the State Planning Policy Framework, the Local Planning Policy Framework, Particular Provisions and General Provisions. Strategies, policies and provisions detailed in these sections of the Planning Scheme may affect the development and use of the land.



SAI GLOBAL - PSP  
 E-mail:  
 authority@property.saiglobal.com

Statement for property:  
 LOT 71 33 HIGHCLIFF ROAD UPWEY  
 3158  
 71 LP 10524

REFERENCE NO.	YOUR REFERENCE	DATE OF ISSUE	CASE NUMBER
59B//18766/15	70209371:106444247	08 SEPTEMBER 2021	39757166

## 1. Statement of Fees Imposed

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

(a) By Other Authorities			
<b>Parks Victoria - Parks Service Charge</b>	01/07/2021 to 30/06/2022		\$80.20
<b>Melbourne Water Corporation Total Service Charges</b>	01/07/2021 to 30/09/2021		\$26.39
(b) By South East Water			
<b>Water Service Charge</b>	01/07/2021 to 30/09/2021		\$23.28
<b>Sewerage Service Charge</b>	01/07/2021 to 30/09/2021		\$91.12
<b>Subtotal Service Charges</b>			<u>\$220.99</u>
<b>Payments</b>			\$220.99
<b>TOTAL UNPAID BALANCE</b>			\$0.00

- The meter at the property was last read on 17/08/2021. Fees accrued since that date may be estimated by reference to the following historical information about the property:

**Water Usage Charge**                      **\$0.85 per day**  
**Sewage Disposal Charge**                **\$0.21 per day**

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

\* Please Note: if usage charges appear above, the amount shown includes one or more of the following: Water Usage, Recycled Water Usage, Sewage Disposal, Fire Service Usage and Trade Waste Volumetric Fees. Interest may accrue on the South East Water charges listed in this statement if they are not paid by the due date as set out in the bill.

AUTHORISED OFFICER:



MIKALA HEHIR  
 GENERAL MANAGER  
 CUSTOMER & COMMUNITY ENGAGEMENT

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



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

## 2. Encumbrance Summary

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

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

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

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

AUTHORISED OFFICER:



MIKALA HEHIR  
GENERAL MANAGER  
CUSTOMER & COMMUNITY ENGAGEMENT

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



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

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

**Important Warnings**

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

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

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

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

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

**3. Disclaimer**

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

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

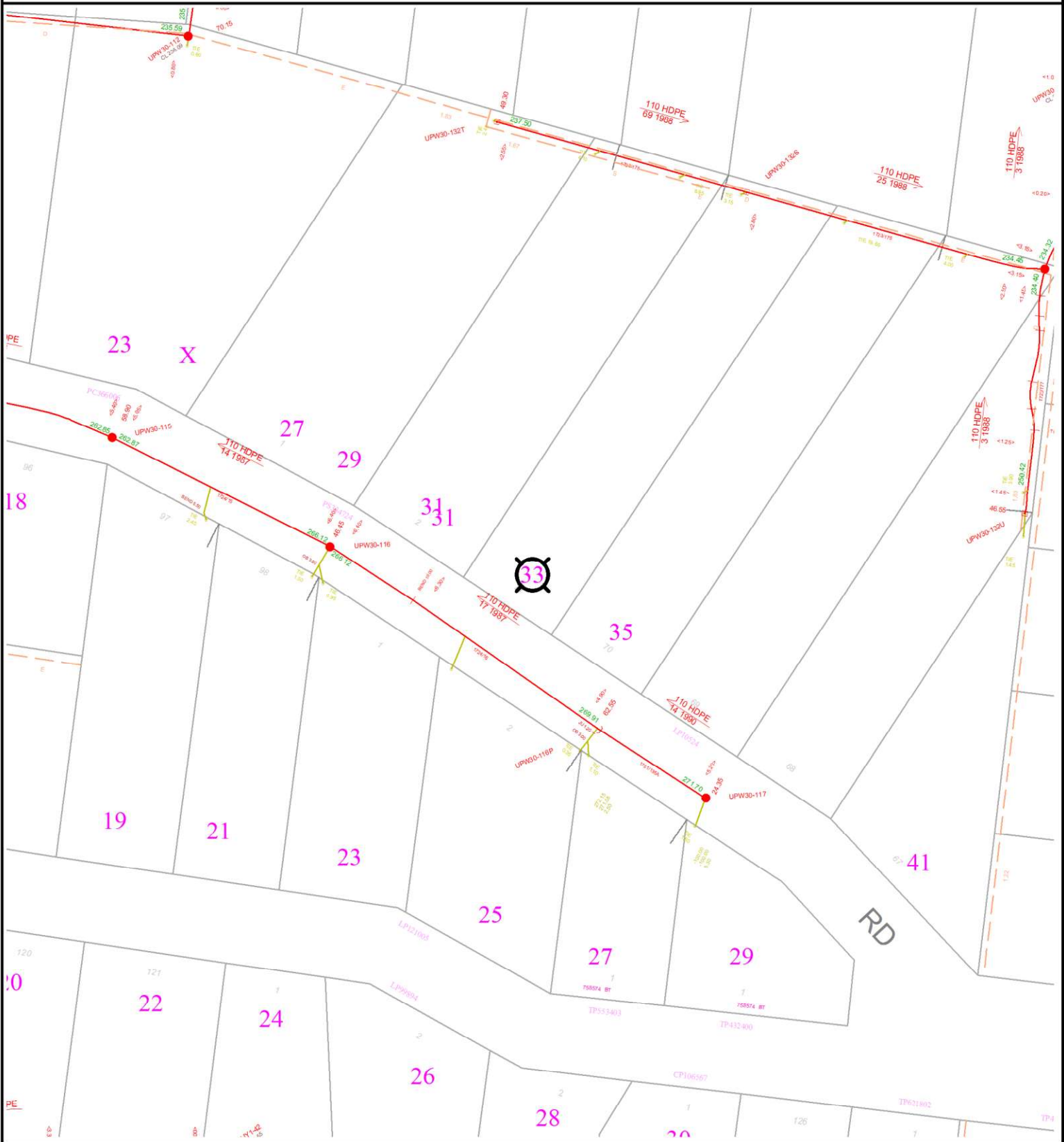
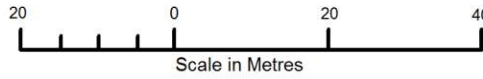
AUTHORISED OFFICER:



MIKALA HEHIR  
GENERAL MANAGER  
CUSTOMER & COMMUNITY ENGAGEMENT

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





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

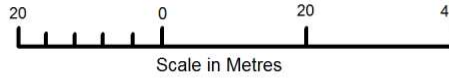
	Title/Road Boundary		Subject Property		Maintenance Hole
	Proposed Title/Road		Sewer Main & Property Connections		Inspection Shaft
	Easement		Direction of Flow		Offset from Boundary
<b>Melbourne Water Assets</b>					
	Sewer Main		Underground Drain		Natural Waterway
	Maintenance Hole		Channel Drain		Underground Drain M.H.



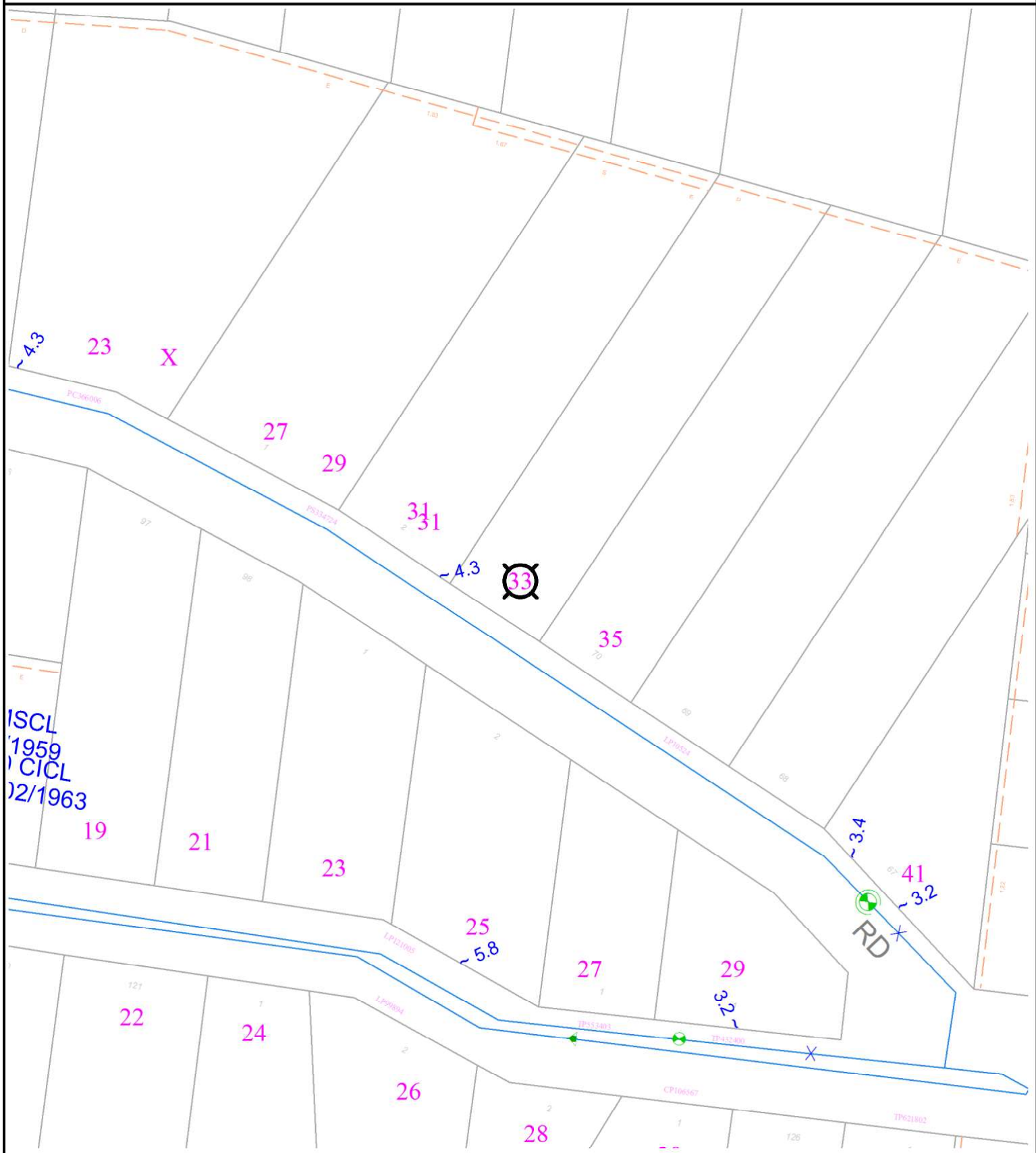


Property: Lot 71 33 HIGHCLIFF ROAD UPWEY 3158

Case Number: 39757166



Date: 08SEPTEMBER2021

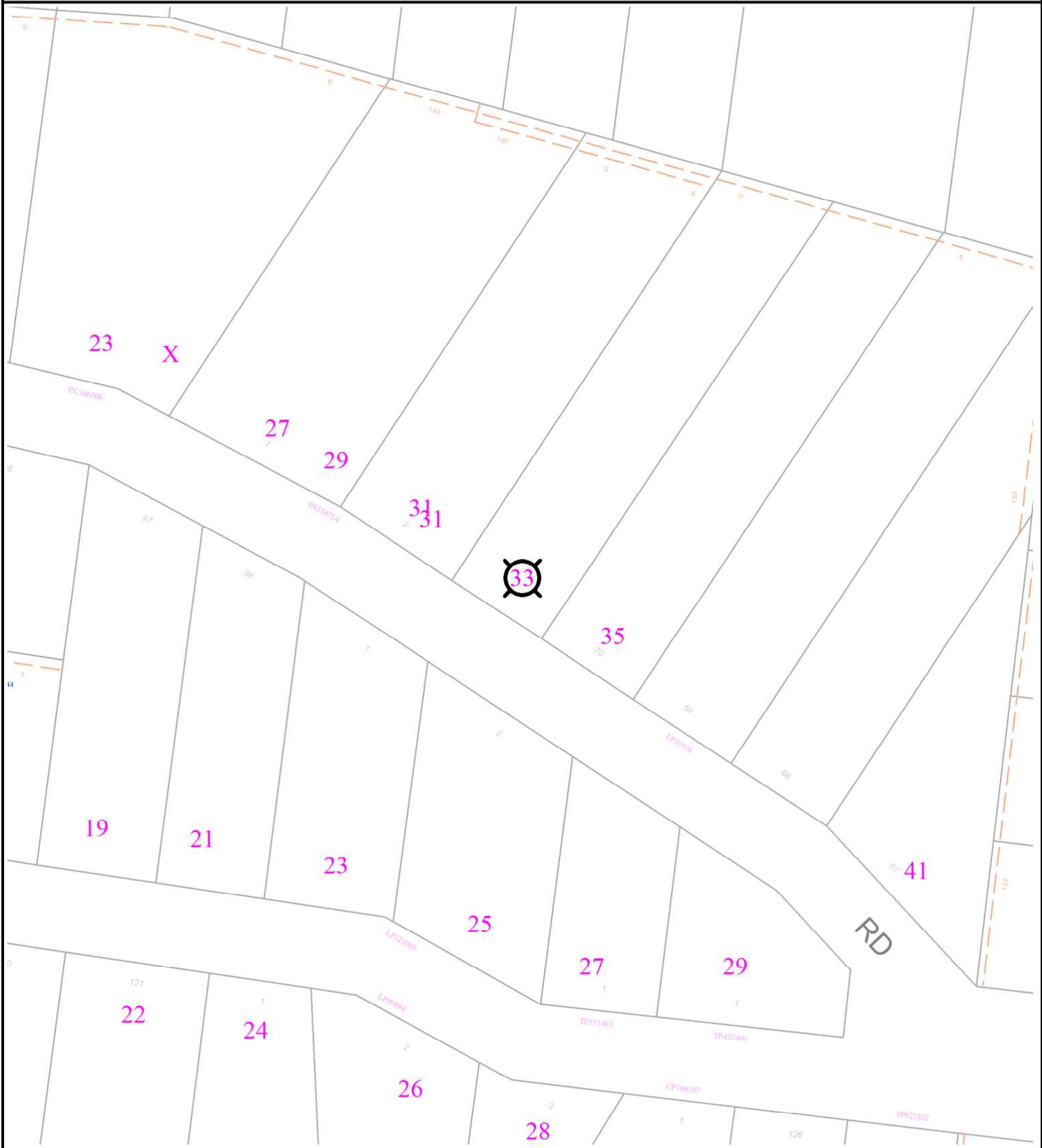
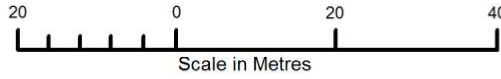


**WARNING:** This plan is issued solely for the purpose of assisting you in identifying South East Water's and Melbourne Water's specified assets through further investigation only. It is not to be used for any other purpose, including to identify any other assets, property boundaries or dimensions.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

**LEGEND**

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





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

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



Yarra Ranges Council

PO Box 105  
Lilydale Vic 3140

Call 1300 368 333  
Fax 03 9735 4249

mail@yarraranges.vic.gov.au  
www.yarraranges.vic.gov.au



Project: Belmont Avenue, Guy Street, Highcliff Road  
and Mary Street, Upwey  
Enquiries: Roads for the Community Initiative  
Telephone No: 1300 368 333

1 March 2022

Mr P Chaproniere  
31-33 Highcliff Road  
UPWEY VIC 3158

Dear Landowner

**Proposed construction (sealing) of Belmont Avenue, Guy Street, Highcliff Road and Mary Street, Upwey**

As part of its 2019 budgetary process, the Federal Government announced a nine-year, \$150 Million funding initiative for Yarra Ranges Council to seal roads within the Dandenong Ranges and surrounding areas. This funding program has been named the **Roads for the Community Initiative**.

With an unsealed road network of approximately 730km, it is not possible to include all unsealed roads in the Roads for the Community Initiative program. As a result, Council has prioritised roads that will be constructed through this program to ensure funding is used in a way that will provide maximum benefit to the greatest number of residents and visitors to our area. For information explaining how priority was assigned, please see the enclosed fact sheet.

Belmont Avenue, Guy Street, Highcliff Road and Mary Street, Upwey are proposed for inclusion in the Roads for the Community Initiative program with the anticipated construction scheduled for the 2024/2025 financial year. Construction of the roads would be facilitated by means of a Special Charge Scheme, whereby landowners and Council form a partnership to fund construction costs. Please note that should this project proceed; payments are not likely to commence until financial year 2025/2026.

**We are writing to you and other landowners along your road to gauge your support for this proposal.**

This is a unique opportunity for landowners to have their road sealed at a significantly reduced cost compared to previous road construction schemes.

We invite you to complete the questionnaire, where you can indicate your support for having your road constructed.

**Estimated project cost**

<b>Estimated Project Cost</b>	<b>\$1,199,000</b>
<b>Total Council Contribution (66%)</b>	<b>\$794,750</b>
<b>Abutting Landowner Contribution (34%)</b>	<b>\$404,250</b>

Council's contribution will be funded by the Federal Government Roads for the Community Initiative.

ABN 21 973 226 012  
Yarra Ranges Shire Council



## Standard of works

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The objective of the proposed road construction is to provide a sealed road that will improve vehicle access to properties, reduce dust and ongoing current maintenance requirements while also improving the management of stormwater runoff.

### To achieve this objective, it is proposed to construct:

- Asphalt road approximately 3.5 metres wide
- Sealed passing bays provided at intervals along the road (where practicable)
- Concrete rollover kerb and channel or edge strip and associated underground drainage as required

The road width will be determined by the width of the existing gravel road formation and the presence of significant vegetation.

Total length of road to be constructed is approximately 1,090 metres, please refer to the aerial map on page 4.

The standard of works is similar to nearby Riley Road, Upwey, constructed as part of the Roads for the Community initiative in 2021.

### Property Crossovers

As part of the works, any existing property crossovers will be reinstated to the new road level using a similar material and as close to their current standard as possible.

If a landowner wishes to have their crossover upgraded from crushed rock to concrete or asphalt as part of the project, they may approach the contractor undertaking these works for a quotation, noting that this is a private agreement between the landowner and the contractor.

## Allocated charge for your property

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The allocated charge for your property **31-33 Highcliff Road, Upwey** based on **2.00** benefit unit/s would be **\$14,000**

Council have resolved to fix landowner charges for roads constructed under the Federal funding program at \$7,000 per Benefit Unit (previously landowners have contributed up to \$15,500 per benefit unit to have their road constructed). A Benefit Unit is defined as a parcel of (residential) land abutting or gaining primary access via the road to be constructed.

In allocating the charge to your property, consideration has been taken of its current use as well as its development potential, as assessed by Council's Planning Services Department. The number of separate dwellings on your property has also been considered.

### Generally:

- Properties that gain primary access from the road to be constructed are required to contribute one benefit unit towards the project (i.e. \$7,000).
- Properties that have a side or rear abuttal to the works will generally contribute one half benefit unit (i.e. \$3,500).
- Properties that share a boundary with 2 or more roads that are constructed under the program will only be required to contribute one benefit unit in total (i.e. \$7,000).
- Residential properties that have the potential to be intensely developed may be allocated a multiple development unit charge (i.e. 2 Benefit Units = \$14,000).



## How do I pay my contributions?

---

Landowners can pay their special charge contribution over a number of years (likely to be 10 years and specified at the time of the declaration of your Special Charge Scheme). The special charge is repaid in the same way that you pay your annual rates.

**Please be advised that we understand there are some in the community that are under financial pressure as a result of the current coronavirus crisis. For those that may be experiencing financial hardship, there will be special provision to allow them to pay their contribution towards the project over an extended period of time that meets their circumstances.**

Please note that should the project proceed, repayment of the special charge is not anticipated to commence until the 2025/2026 financial year. For more information about how you can pay your contribution please refer to the enclosed fact sheet.

## Landowner Consultation

---

Council is conducting a survey to determine support for the proposed project. Please review the above information and indicate your preference on the enclosed questionnaire.

In accordance with Council policy, Special Charge Scheme road construction projects will only proceed where both Council and a majority of landowners are supportive of the proposal.

Should landowners support the proposal, construction of these roads will be scheduled to commence in 2024/2025 financial year, subject to successful completion of the Special Charge Scheme statutory process.

Please complete questionnaire online using your **Unique Reference 68887** by **Friday 25 March 2022**.

Scan QR code



or visit the Project webpage


[shaping.yarraranges.vic.gov.au/belmontguyhighcliffmary](https://shaping.yarraranges.vic.gov.au/belmontguyhighcliffmary)

Alternatively, complete the hardcopy form on page 5 and return via email to [mail@yarraranges.vic.gov.au](mailto:mail@yarraranges.vic.gov.au) or post using the enclosed reply-paid envelope.

For more information about the Federal Roads Funding and Special Charge Schemes please visit: [yarraranges.vic.gov.au/roadfunding2019](https://yarraranges.vic.gov.au/roadfunding2019)

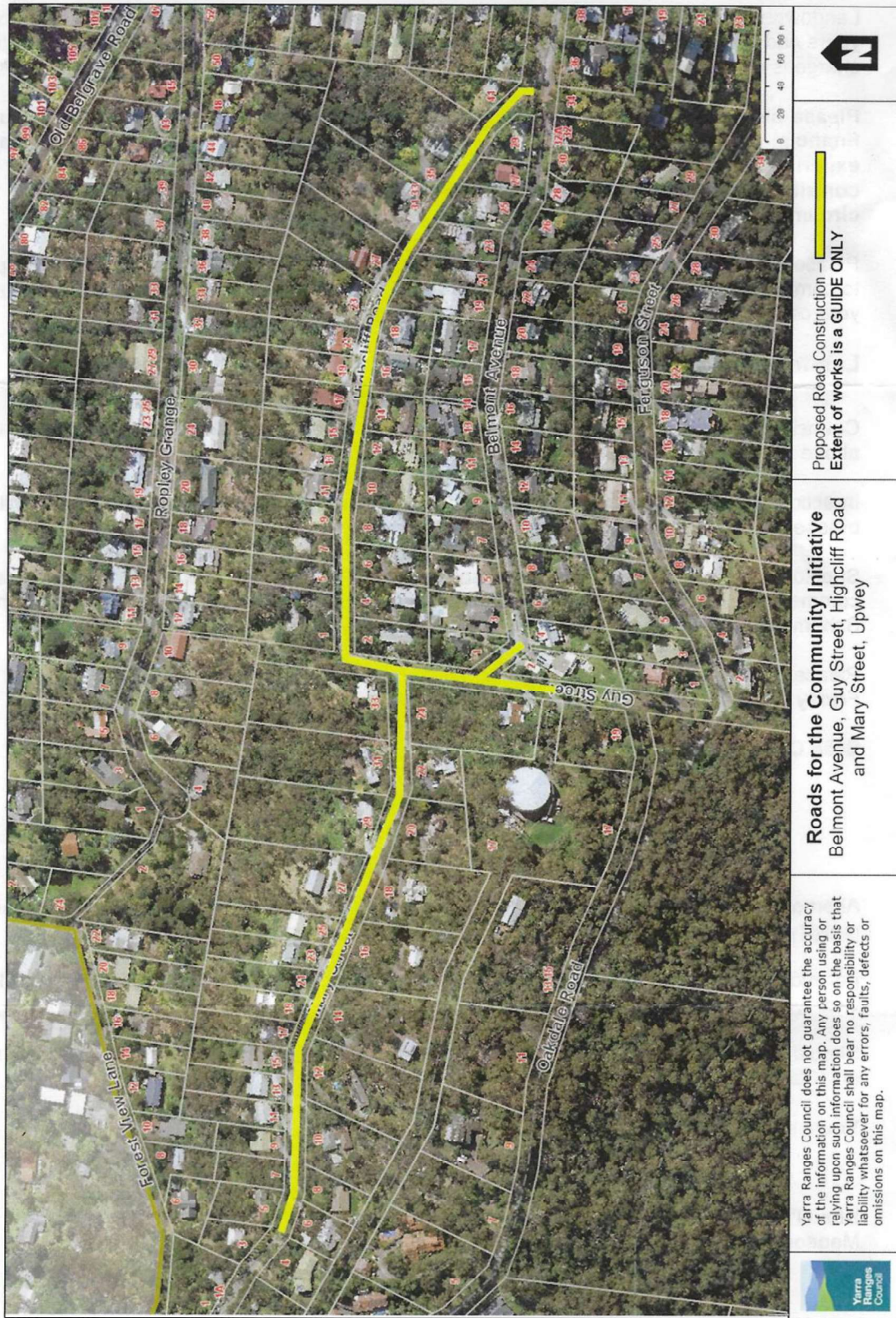
Should you require further information please contact Roads for the Community Initiative team on 1300 368 333 or via email.

Yours sincerely

  
**Kim O'Connor**  
Manager Infrastructure Services



Map of proposed works





Page 5 & 6

Questionnaire Completed



# Fact sheet for Landowners

## Roads for the Community Initiative

### Special Charge Schemes



#### How has the funding come about?

In 2019 the Federal Government announced a nine year \$150 million funding plan for Yarra Ranges Council to seal roads within the Dandenong Ranges and surrounding areas.

In September 2019, Yarra Ranges Council resolved to prioritise this funding firstly for the construction of unsealed roads bordering schools, preschools and key community facilities.

Priority was then assigned to the construction of unsealed roads that would provide connectivity and/or complete the sealed road network in a local area.

Unsealed roads within the Urban Growth Boundary or in townships were also prioritised as they are typically roads with high property density and offer Best Value for number of properties to benefit per km of road constructed.

#### Landowner and Community benefits

The benefits of road sealing to landowners will include improved vehicle access to properties, reduced dust and maintenance requirements and improving the management of stormwater runoff.

This initiative will aim to seal approximately 180 km's of roads which would benefit over 7,000 families and residents in Yarra Ranges.

We're expecting that it will take about 10 years to seal all of the roads on our priority list.

Without this Federal Government funding, working through this list would take more than 50 years.

#### Example of works



Before construction



After construction

#### When will my road be sealed if I'm on the priority list?

Roads have been grouped as clusters and prioritised based on their abuttal to schools, preschools and key community facilities. Roads have then prioritised based upon the abutting property density for the overall length of unsealed road in the cluster.

It is proposed that the construction of roads will occur as clusters to ensure that efficiencies are achieved through delivery of the design, tender and construction process.

Approximately three years before construction is scheduled, affected landowners will be surveyed



to determine support for the project and it will only proceed if a majority of landowners indicate both their support and willingness to contribute towards constructing the road.

The survey, in the form of a landowner questionnaire, will include an estimated cost per property and the estimated Federal funding contribution to the Special Charge Scheme.

We'll let landowners know about the outcome of the questionnaire when the survey closes.

**What happens if we and our neighbors don't want the road sealed?**

Gauging landowner support is the first step we take in starting a Special Charge Scheme.

We will issue formal notices to all landowners at the start of the process with information about the proposal and how they can make a submission or lodge an objection. There will also be a chance to speak in support of your submission or objection to Council at a meeting.

After we've considered all feedback from landowners, Council will make a decision on whether to proceed with a special charge.

**What happens after Council has declared a Special Charge Scheme?**

Provided there has not been an application to VCAT, tenders for the works will be called, evaluated and a contractor appointed to undertake the works.

Landowners will then be informed of the successful contractor and a works commencement date.

**How do I pay my contributions?**

Landowners can pay their special charge contribution over a number of years (likely to be 10 years and specified at the time of the declaration of your special charge scheme). The special charge is repaid in the same way that you pay your annual rates.

Financing costs, similar to home loan interest rates, are added to your charge. This is because the contractor is paid when the works are done.

Council borrows the landowner's share of the cost of works to pay the contractor at that time. This financing cost is then passed on to landowners to repay over the period of the Special Charge Scheme. The financing cost is determined from Council's latest borrowing rate and is fixed for the period of the special charge.

Landowner Contribution (per Benefit Unit)	Financing Cost * (3% over 10 years)	Total Repayment * (incl Financing Cost)	Yearly Repayment * (incl Financing Cost)	Monthly Repayment * (incl Financing Cost)
\$7,000	\$1,050	\$8,050	\$805	\$67.10

\*All figures in this example are subject to change depending on financing cost changes. Table provided as a guide only and financing repayments are subject to resident discretion.

Alternatively, you can pay the special charge as a lump sum payment – in this case the total charge (which does not include financing costs) must be paid by a date set by Council when the special charge is declared.

**What if I sell my property before the contribution is paid back?**

As part of the property settlement with the purchaser, the remainder of the charge can be paid out in full or the purchaser can take over the yearly repayments.

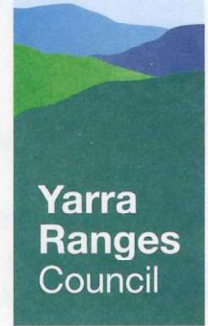
**What happens if I can't afford my contribution?**

If you are unable to make your payments on time or at all, you may be eligible for consideration under Council's Rate Recovery and Financial Hardship Policy.

**For more information, please see Council's website:**

[yarranges.vic.gov.au/roadfunding2019](http://yarranges.vic.gov.au/roadfunding2019)





Project:  
Enquiries:  
Telephone No:

Belmont Avenue, Guy Street, Highcliff Road and Mary Street, Upwey  
Roads for the Community Initiative Team  
1300 368 333

19 May 2022

Mr P Chaproniere  
31-33 Highcliff Road  
UPWEY VIC 3158

Dear Landowner

**Proposed construction (sealing) of Belmont Avenue, Guy Street, Highcliff Road and Mary Street, Upwey.**

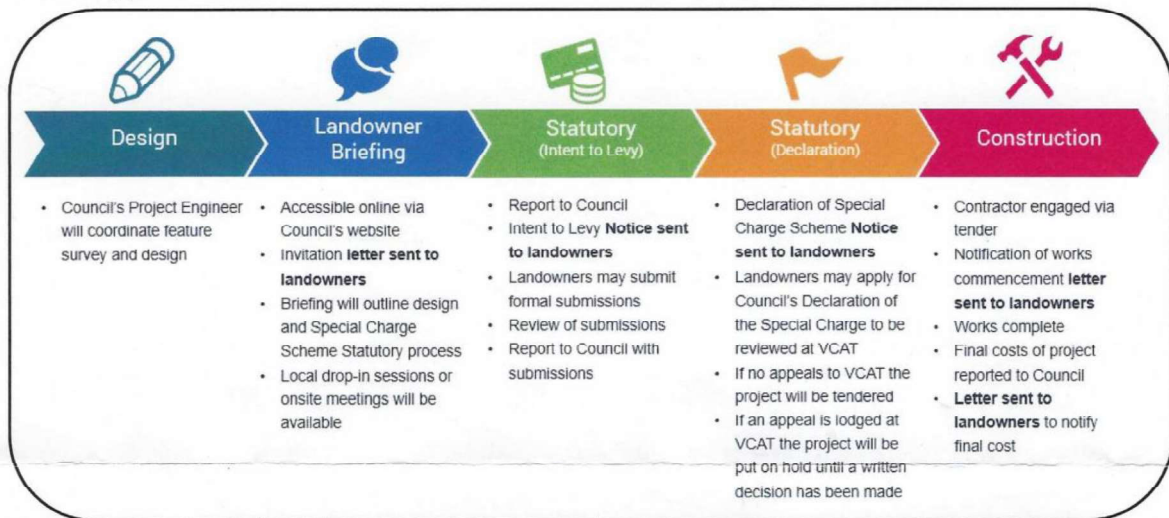
We are writing further to our letter dated 3 March 2022 regarding the questionnaire sent to landowners involved in the proposed implementation of a Special Charge Scheme for the above road construction project scheduled for 2024/2025 financial year.

We appreciate the level of response received and thank you for your participation thus far.

Of the 59 properties sharing a boundary with the roads, 33 landowners supported the proposed construction project, 8 landowners opposed, 1 landowner was undecided and 17 landowners did not respond.

**Majority landowner support has been identified to proceed with the project.**

**What happens next?**



Once the functional design is ready, all landowners will be sent an invitation letter for the landowner briefing.

To sign up to receive email updates, simply visit the Project webpage and select **+ Follow**.

Scan QR code



or visit [shaping.yarraranges.vic.gov.au/belmontguyhighcliffmary](https://shaping.yarraranges.vic.gov.au/belmontguyhighcliffmary)



If you have any questions, contact the Roads for the Community Initiative Team on 1300 368 333.

Yours sincerely



**Kim O'Connor**  
Manager, Infrastructure Services





*Joseph Borg*  
*Building inspector*  
*RBP-U-24736*

*Building Inspector*  
*Building Consultant*  
*Accredited Mediator*  
*Pest Management Technician*

18 Whistler Dv.  
Berwick 3806

Mb: **0410 545454**

Email: [joe@houseinspection.services](mailto:joe@houseinspection.services)  
A.B.N. 84 540 010 360



REPORT ON DOMESTIC BUILDING WORK UNDER SECTION 137B OF THE BUILDING ACT 1993  
(OWNER-BUILDER CONSTRUCTION)

Site address: 33 Highcliff Road Upwey  
Commissioned By: Paul Chaproniere

Building inspection

Identification	Class 1 building	Outbuildings	Class 10 / 10b
----------------	------------------	--------------	----------------

This report is a visual inspection of reasonable accessible parts of the property and this report does not cover Defects that are not reasonably visible or defects that have not yet arisen or enquiries to council or other authorities. This report is not a guarantee but an opinion of condition of the inspected property.



Please note that this is NOT a Pre-Purchase inspection and should not be considered as one. It is simply a statement of existing conditions required to enable appropriate insurance to be obtained and attached to the contract of sale as specified in Part 137B Building Act 1993.

Defects identified in the Insurance Report are those caused by bad workmanship or movement of foundations. The report does not necessarily refer to routine maintenance items (e.g. hair-line plaster cracks or jamming doors and windows) that are caused by normal shrinkage providing the workmanship was not defective.

Serious defects are defects that seriously affect the structural integrity of the property or require the substantial replacement of plumbing or electrical services. In the case of cracking, serious defects denote severe cracking as defined by Category 4 Appendix A - Australian Standard AS 2870.1 - 1988.

A person who constructs a building must not enter into a contract to sell the building under which the purchaser will become entitled to possess the building (or to receive the rent and profits from the building) within the prescribed period unless-

(a) In the case of a person other than a registered building practitioner-

(i) The person has obtained a report on the building from a prescribed building practitioner that contains the matters that are required by the Minister by notice published in the Government Gazette; and  
(ii) The person obtained the report not more than 6 months before the person enters into the contract to sell the building; and

(iii) The person has given a copy of the report to the intending purchaser;  
and

(b) The person is covered by the required insurance (if any); and

(c) The person has given the purchaser a certificate evidencing the existence of that insurance; and

(d) In the case of a contract for the sale of a home, the contract sets out the warranties implied into the contract by section 137C.

Unless otherwise stated;

No soil report or other material has been excavated or removed;

No plants or trees have been removed;

No samples have been taken or tested;

No fixtures, fittings, claddings or lining materials have been removed;

Building services have not been tested and registered/authorized persons should be contacted for approval of these services;

No enquiries of drainage, sewerage or water authorities have been made;

No plans or specifications or other contract documents have been sighted for the purpose of inspecting the works and providing a written report;

No special investigation of insect attack (eg: borer, termite, etc) has been made and any reference to this has been made on a casual inspection.



REPORT ON DOMESTIC BUILDING WORK UNDER SECTION 137B OF THE BUILDING ACT 1993 (OWNER-BUILDER CONSTRUCTION)			
Site Address:		33 Highcliff Road Upwey	
Date of report:	19/9/22	Date of inspection:	19/9/22
Weather conditions at time of inspection		Other <input type="checkbox"/> (please specify) .....Fine .....	

Name of prescribed building practitioner:		Joseph Borg IN-U-24736	
Address:	18 Whistler Drive Berwick	Post Code:	3806
Signature:	<i>Joseph P Borg</i>		

<b>Description of the building:</b>			
This report relates to a bathroom renovation at an existing residence. The bathroom is new for old replacement.			
<b>Services connected to the property and their condition:</b>			
Mains Water	<input checked="" type="checkbox"/>	Gas	<input checked="" type="checkbox"/>
Electricity	<input checked="" type="checkbox"/>	Sewer connection	<input checked="" type="checkbox"/>
SW discharge point	<input type="checkbox"/>		
<b>Materials used in the construction:</b>			
Bathroom renovation. Tiled shower base. Shower screen panel Vanity and top. New bath Wall and floor tiles. Tapware			
<b>Second Hand Materials used in the construction:</b>			
➤ Nil			
<b>Site details</b>			
➤ Bathroom new for old replacement.			

This report is a visual inspection of reasonable accessible parts of the property and this report does not cover Defects that are not reasonably visible or defects that have not yet arisen or enquiries to council or other authorities. This report is not a guarantee but an opinion of condition of the inspected property.



<b>List of defects in the building/s: *</b>
➤ Nil
<b>Areas of the building/s inaccessible at the time of inspection:</b>
<ul style="list-style-type: none"> <li>➤ Foundations could not be verified.</li> <li>➤ Footings could not be verified.</li> <li>➤ Gauge of steel or stress grade of timbers could not be verified.</li> <li>➤ Stormwater drainage system and discharge point cannot be confirmed.</li> <li>➤ Waterproofing to wet areas could not be confirmed.</li> </ul>
<b>Condition and status of incomplete works:</b>
➤ Nil

\* A report listing defects in the building/s to include but are not restricted to, conditions of the following building elements:

Site drainage	Footings	Subfloor
Frame	External walls	Internal walls and ceilings
Floor and wall tiling	External roof	Internal roof conditions
Built-in fittings/joinery	Doors/windows	Fireplaces/solid fuel heaters
Plumbing and drainage	Fixed appliances	Flyscreens
Driveways, paving, retaining walls, fencing, garages, carports, workshops, swimming pools or spas where constructed as part of the major domestic building contract.		

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

<b>Documents attached to this report must remain with this report:</b>
A permit is not required for new for old replacement.

*Joseph P Borg*

Dip. BS.  
 RBP IN-U- 24736  
 Accredited Mediator.  
 Pest Management Technician