

Vendor Statement



Property: 336 Twentieth Street, Cardross, Victoria 3496

PO Box 10130
Mildura Victoria 3502

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John Irwin Legal Pty Ltd
ATF The John Irwin Family Trust
ABN 16 630 750 024

SPECIAL CONDITIONS

VENDOR: Tony James Graeme Trinick and Zerlinda Ann Trinick

PURCHASER:

PROPERTY: 336 Twentieth Street, Cardross, Victoria

1. WATER SHARE

- a. Included in this sale is the Vendor's right ("the water entitlement") to take up to 1.5 megalitres of water annually from Lower Murray Water ("the Water Authority") in years of full allocation together with water use registration WUR002434 and annual use limit of 1.5 megalitres.
- b. The expression 'the water entitlement' includes part of the Vendor's Water Share No. WEE0018645.
- c.
 - i) The Vendor is under no obligation to disclose further information relating to his water entitlement other than is contained in this contract including any disclosure of allocation made after the date hereof. The Purchaser acknowledges that he shall rely on his own enquiries directed to the Water Authority concerning the Vendor's water entitlement.
 - ii) The Vendor consents to the Water Authority disclosing to the Purchaser the information it has relating to the Vendor's water entitlement.
- d. The Purchaser acknowledges that the delivery of water to the property of any volume and at any time is not assured and depends on a decision in that regard by the Water Authority.
- e. The Vendor shall within seven (7) days:
 - i. Of the date of this Contract:
 - Provide the Purchaser with a copy of his water share record (unless it is included in the Vendors Statement) and an application ("the Application") to transfer his water share.
 - ii. Of receipt from the Purchaser of the Application:

Lodge the Application with the Water Authority provide proof of the Vendor's identity and pay the fee on the Application.
 - iii. Of receipt from the Water Authority of the Transfer of Water Share:

Deliver it to the Purchaser or his solicitor the same to be held or controlled on the Vendor's behalf and returnable on demand to the Vendor.

- f. The Purchaser shall within seven (7) days:
 - i. Of receiving the application from the Vendor, complete sign and return it to the Vendor or his solicitor.
 - ii. Of receiving the Transfer of Water share from the Vendor, sign and return it to the Vendor or his solicitor.
- g. Both parties shall use their best endeavours to have the application expeditiously considered by the Water Authority.
- h. The settlement date shall be the later of the settlement date provided in the Contract of Sale or the 7th day after the Vendor notifies the Purchaser that the Transfer of Water Share has been issued by the Water Authority.

The Vendor will on settlement provide the Purchaser with a copy of the application and a copy of the Water Authority's approval of the Application.

If the Vendor gives to the Purchaser a document (other than the Transfer) that needs to be lodged for registration before the Transfer the Vendor must pay the registration fee on the document.

If registration is not effected within two months of the date of approval by the Water Authority of the application any further application for transfer of the water share shall be at the cost in all respects of the Purchaser.

- i. The Vendor further agrees that:
 - i. He will not after the date hereof deal in any way with the water entitlement which is inconsistent with his obligations hereunder.
 - ii. Until the transfer of the water share to the Purchaser is recorded in the Water Register he will from the settlement date hold the water entitlement on behalf of the Purchaser.
 - iii. To further secure the performance of his obligations hereunder the Purchaser may and is hereby authorised by the Vendor to act as the agent and attorney of the Vendor and in the name of the Vendor take such action and to sign such documents as may be necessary to transfer the water entitlement to the Purchaser.
- j. Both parties confirm that the provisions relating to the Vendor's water entitlement will not merge on settlement but will continue to bind them until fully performed.
- k. If the Water Authority requires the installation of any or extra water meter or flow control valves the Purchaser shall be responsible for such installation at its own cost.
- l. The Purchaser acknowledges that the Vendors may have used some or all of its current water allocation entitlement.

- m. The parties agree that the Vendors are to retain 0.00 megalitres of the existing water share, with 1.5 megalitres to be transferred to the Purchaser at settlement.
- n. The parties agree that NO carry over water is included in this sale.

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	336 Twentieth St, Cardross, Victoria being lot 1 on plan of subdivision 221092A being the whole of the land contained in Certificate of Title volume 09984 Folio 865.
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Vendor's name	Tony James Graeme Trinick	Date / /
Vendor's signature		

Vendor's name	Zerlinda Ann Trinick	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) Their total does not exceed:

\$2,380.00 per annum

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.

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 vendors 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	Mildura
Name of responsible authority	Mildura Rural City Council
Zoning of the land	Farming Zone
Name of planning overlay	None

4. NOTICES

4.1 Notice, Order, Declaration, Report or Recommendation

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

Are as follows:

None to the Vendors' knowledge.

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:

Nil.

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:

Nil.

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):

Not Applicable.

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 <input type="checkbox"/>	Gas supply <input checked="" type="checkbox"/>	Water supply <input type="checkbox"/>	Sewerage <input checked="" type="checkbox"/>	Telephone services <input checked="" type="checkbox"/>
---	--	---------------------------------------	--	--

9. TITLE

Attached are copies of the following documents:

9.1 (a) Registered Title

9.2 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)

Special conditions
Registered search statement (title search)
Copy of Plan
Water Share Record
Property Report
Planning Property Report
Due diligence checklist

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

VOLUME 09984 FOLIO 865

Security no : 124081983000W
Produced 04/03/2020 04:25 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 221092A.
PARENT TITLE Volume 08217 Folio 329
Created by instrument LP221092A 29/10/1990

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
TONY JAMES GRAEME TRINICK
ZERLINDA ANN TRINICK both of 275 EUSTON AVENUE CARDROSS VIC 3496
AJ934935H 27/09/2012

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AJ934936F 27/09/2012
SUNCORP-METWAY 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 LP221092A 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: 336 TWENTIETH STREET CARDROSS VIC 3496

ADMINISTRATIVE NOTICES

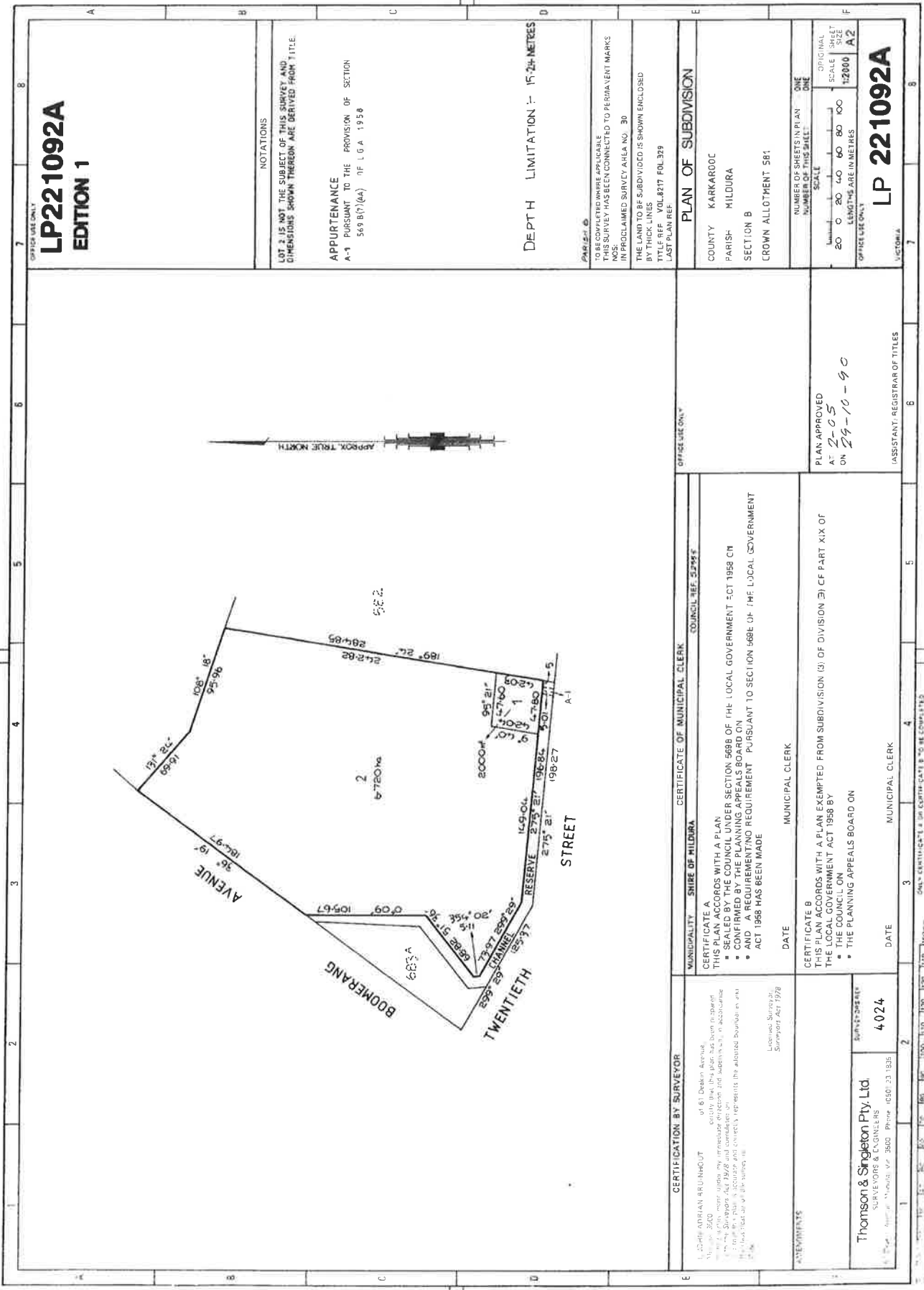
NIL

eCT Control 16548H SUNCORP
Effective from 23/02/2018

DOCUMENT END

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LP221092A
EDITION 1

NOTATIONS
 LOT 3 IS NOT THE SUBJECT OF THIS SURVEY AND DIMENSIONS SHOWN THEREON ARE DERIVED FROM TITLE
APPURTENANCE
 A-1 PURSUANT TO THE PROVISIONS OF SECTION 569 B(1)(A) OF LGA 1958

DEPTH LIMITATION :- 15.24 METRES

PARISH
 TO BE COMPLETED WHERE APPLICABLE THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS NOS. IN PROCLAIMED SURVEY AREA NO. 30
 THE LAND TO BE SUBDIVIDED IS SHOWN ENCLOSED BY THICK LINES
 TITLE REF VOL.8217 FOL.339
 LAST PLAN REF

PLAN OF SUBDIVISION

COUNTY KARKAROO
 PARISH MILDURA
 SECTION B
 CROWN ALLOTMENT 581

NUMBER OF SHEETS IN PLAN	ONE
NUMBER OF THIS SHEET	ONE
SCALE	1:1000
ORIGINAL SCALE	1:2000
SHEET	A2
LENGTH ARE IN METRES	80 40 60 80 100

LP 221092A

OFFICIAL USE ONLY

MUNICIPALITY - SHIRE OF MILDURA
CERTIFICATE OF MUNICIPAL CLERK
COUNCIL REF 52245
CERTIFICATE A
 THIS PLAN ACCORDS WITH A PLAN SEALED BY THE COUNCIL UNDER SECTION 568B OF THE LOCAL GOVERNMENT ACT 1958 OR CONFIRMED BY THE PLANNING APPEALS BOARD ON [] AND THE REQUIREMENT NO. [] PURSUANT TO SECTION 568E OF THE LOCAL GOVERNMENT ACT 1958 HAS BEEN MADE
 DATE [] MUNICIPAL CLERK

CERTIFICATE B
 THIS PLAN ACCORDS WITH A PLAN EXEMPTED FROM SUBDIVISION (3) OF DIVISION (3) OF PART XIX OF THE LOCAL GOVERNMENT ACT 1958 BY [] THE COUNCIL ON [] THE PLANNING APPEALS BOARD ON []
 DATE [] MUNICIPAL CLERK

PLAN APPROVED
 A-1 2-05
 ON 29-10-90

(ASSISTANT) REGISTRAR OF TITLES

CERTIFICATION BY SURVEYOR
 I, COLIN ARRIAN BRUNHOUT of 61 Deakin Avenue, Melbourne 3200, do hereby certify that this plan has been prepared in accordance with the provisions of the Survey Act 1958 and complies with the requirements of the Survey Act 1958. I have not been directly or indirectly interested in the land shown on this plan.
 Signature: []
 Licensee: Surveyor
 Surveyors Act 1958

ATTENDANTS
 THOMSON & SINGLETON PTY. LTD.
 SURVEYORS & ENGINEERS
 4024
 100 Collins Street, Melbourne, Victoria 3000. Phone (050) 231 935

SCALE: 1:1000
 0 20 40 60 80 100 120 140 160 180 200m

COPY OF RECORD IN THE VICTORIAN WATER REGISTER

WATER SHARE

Water Act 1989

The information in this copy of record is as recorded at the time of printing. Current information should be obtained by a search of the register. The State of Victoria does not warrant the accuracy or completeness of this information and accepts no responsibility for any subsequent release, publication or reproduction of this information.

Water Share Description

Status	Active
Volume	1.5 megalitres
Water authority	Lower Murray Water
Water system source	Murray
Water system type	Regulated
Reliability class	High
Trading zone source	7 VIC Murray - Barmah to SA
Trading zone use	7 VIC Murray - Barmah to SA
Delivery system	Red Cliffs Irrigation District
Tenure	Ongoing
Tradability	Tradable
Carryover allowed	Yes

Water Share Owner(s)

Joint owner 1 of 1

TONY JAMES GRAEME TRINICK of PO BOX 75 CARDROSS VIC 3496
WET162141 Lodged on : 03 Jan 2012 Recorded on : 13 Jan 2012

ZERLINDA ANN TRINICK of PO BOX 75 CARDROSS VIC 3496
WET162141 Lodged on : 03 Jan 2012 Recorded on : 13 Jan 2012

Current Year Allocation

Carryover at 1 July:	1.425 ML
Seasonal allocation since 1 July:	0.885 ML
Total allocation to date:	2.310 ML
Possible future allocation to 30 June:	0.615 ML

Spillable Account Details

Low risk of spill declaration:	Jul 1 2019
Volume spilled:	0.000 ML
Current volume subject to above entitlement storage fee:	0.810 ML
Maximum volume subject to above entitlement storage fee:	1.425 ML

Water Share Association

Water use reference(s)

<i>Water use ID</i>	<i>Status</i>	<i>Type</i>	<i>Annual use limit (ML)</i>
WUR002434	Active	Use registration	1.5

Land description

Volume 11147 Folio 440
CA 2159 Parish of Mildura

Volume 9984 Folio 865
Lot 1 of Plan LP221092A

Recorded Interests

Mortgage

<i>Priority</i>	<i>Reference</i>	<i>Recorded date</i>	<i>Mortgagee</i>
Nil			

Limited term transfer

<i>Reference</i>	<i>Start date</i>	<i>End date</i>	<i>Trading zone use</i>	<i>Delivery system</i>	<i>Water-use licence</i>	<i>Water authority</i>
Nil						

Notifications

<i>Reference</i>	<i>Recorded date</i>	<i>Notification details</i>
Nil		

Application History

<i>Reference</i>	<i>Type</i>	<i>Status</i>	<i>Lodged date</i>	<i>Approved date</i>	<i>Recorded date</i>
PTA015357	Address amendment	Recorded			27 Jun 2012
PTA015356	Address amendment	Recorded			27 Jun 2012
WET162141	Transfer within authority	Recorded	03 Jan 2012	03 Jan 2012	13 Jan 2012
WEI034252	Issue	Recorded	01 Jul 2007	01 Jul 2007	01 Jul 2007

END OF COPY OF RECORD

Property Report

from www.land.vic.gov.au on 10 March 2020 09:34 AM

Address: 336 TWENTIETH STREET CARDROSS 3496

Lot and Plan Number: This property has 2 parcels. See table below.

Standard Parcel Identifier (SPI): See table below.

Local Government (Council): MILDURA **Council Property Number:** 20372

Directory Reference: VicRoads 3 D6

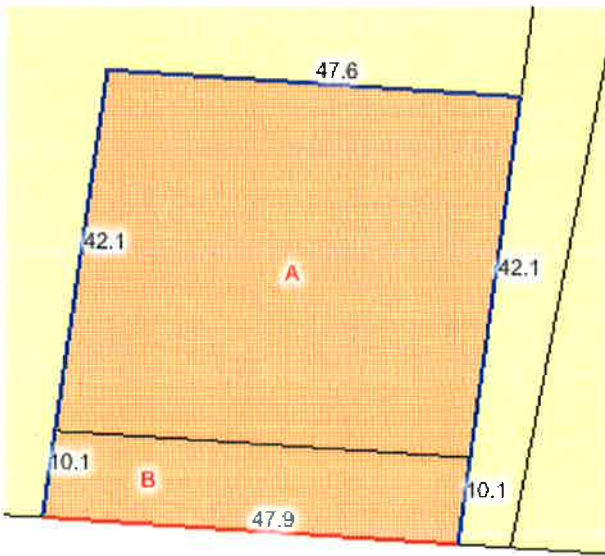
This property is not in a designated bushfire prone area.

No 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 in the Building Commission section of the Victorian Building Authority website www.vba.vic.gov.au

Site Dimensions

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



Area: 2480 sq. m

Perimeter: 200 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.

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

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Parcel Details

Letter in first column identifies parcel in diagram above

	Lot/Plan or Crown Description	SPI
A	Lot 1 LP221092	1\LP221092
B	PARISH OF MILDURA Allot. 2159	2159\PP3102

State Electorates

Legislative Council: NORTHERN VICTORIA

Legislative Assembly: MILDURA

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Utilities

Rural Water Corporation: Lower Murray Water

Urban Water Corporation: Lower Murray Water

Melbourne Water: outside drainage boundary

Power Distributor: POWERCOR (Information about [choosing an electricity retailer](#))

Planning Zone Summary

Planning Zone: FARMING ZONE (FZ)
SCHEDULE TO THE FARMING ZONE (FZ)

Planning Overlay: None

Planning scheme data last updated on 4 March 2020.

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 [Planning Schemes Online](#)

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](#)

The Planning Property Report includes separate maps of zones and overlays

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 [Planning Maps Online](#)

For other information about planning in Victoria visit www.planning.vic.gov.au

Area Map



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From www.planning.vic.gov.au on 10 March 2020 09:33 AM

PROPERTY DETAILS

Address: **336 TWENTIETH STREET CARDROSS 3496**
Lot and Plan Number: **Lot 1 LP221092**
Standard Parcel Identifier (SPI): **1\LP221092**
Local Government Area (Council): **MILDURA**
Council Property Number: **20372**
Planning Scheme: **Mildura**
Directory Reference: **VicRoads 3 D6**

www.mildura.vic.gov.au

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

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

UTILITIES

Rural Water Corporation: **Lower Murray Water**
Urban Water Corporation: **Lower Murray Water**
Melbourne Water: **outside drainage boundary**
Power Distributor: **POWERCOR**

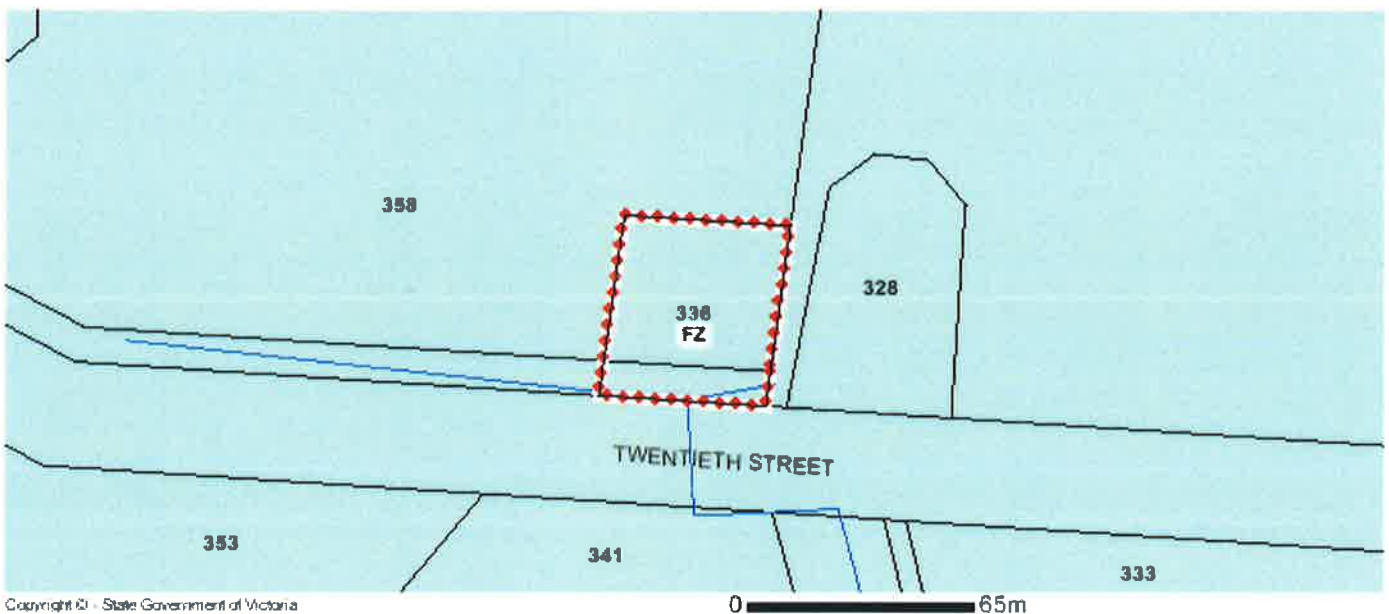
STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**
Legislative Assembly: **MILDURA**

Planning Zones

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

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



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FZ - Farming

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

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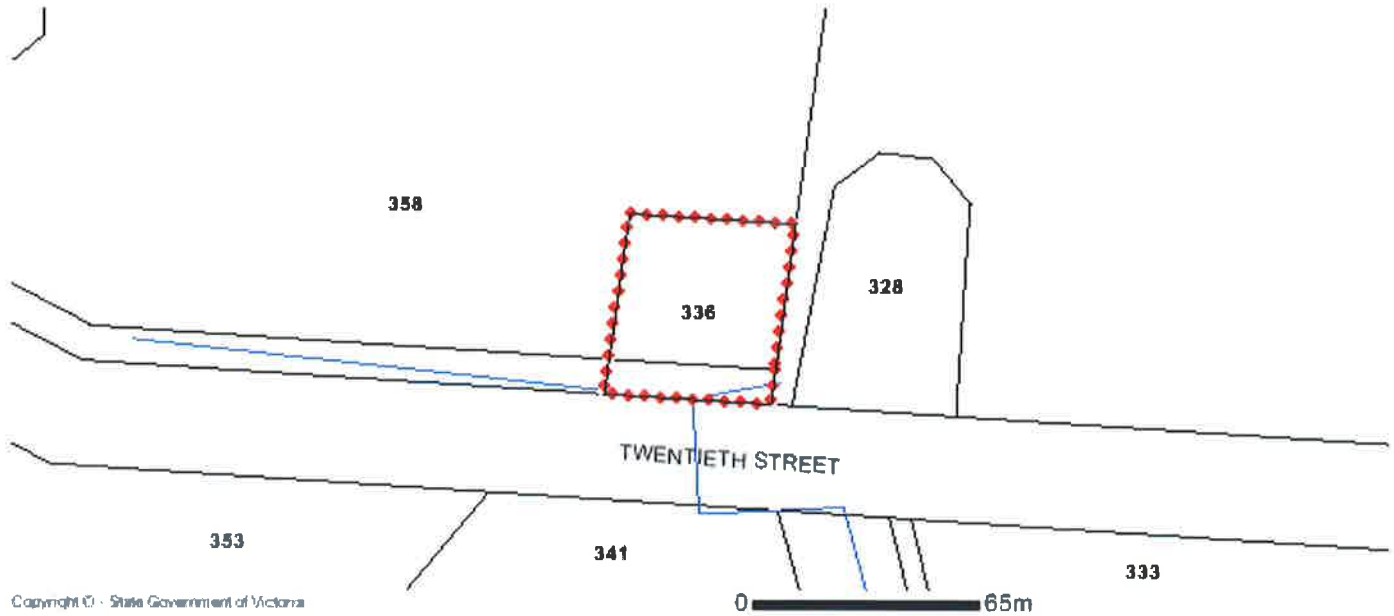
Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

PLANNING PROPERTY REPORT: 336 TWENTIETH STREET CARDROSS 3496

Page 1 of 3

Planning Overlay

None affecting this land



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

Further Planning Information

Planning scheme data last updated on 4 March 2020.

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>

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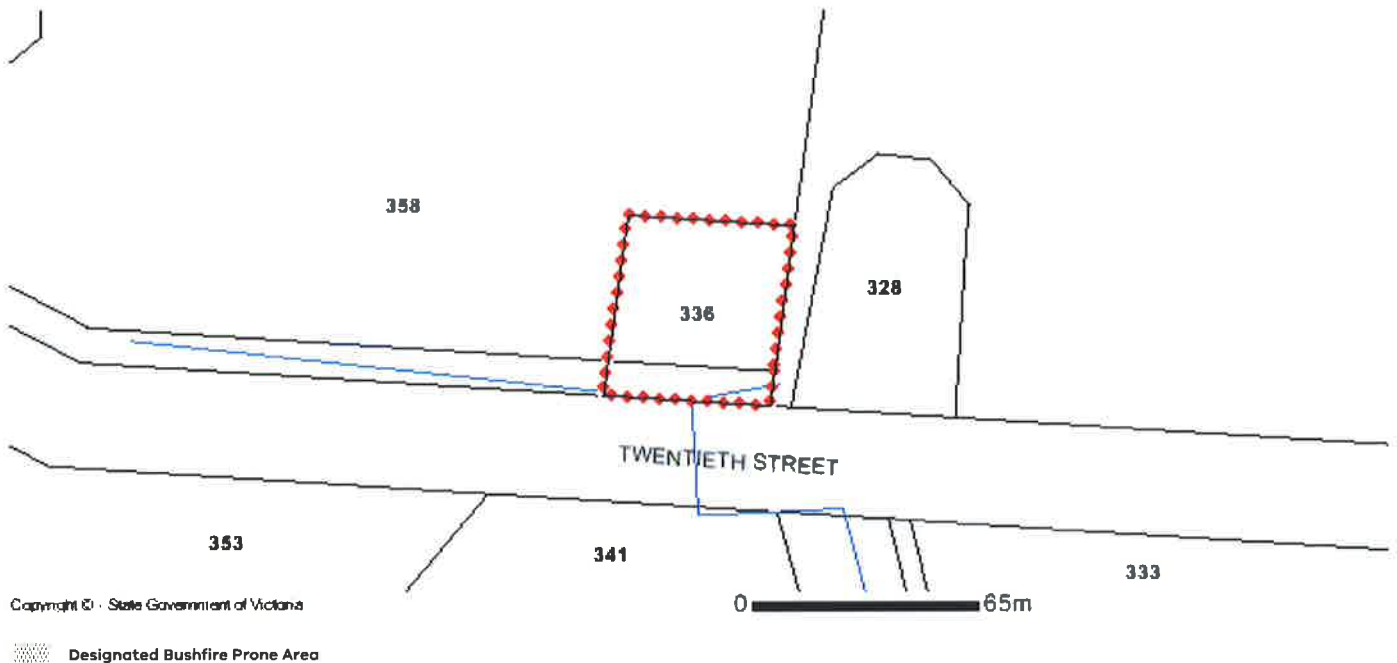
For details of surrounding properties, use this service to get the Reports for properties of interest.

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

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

Designated Bushfire Prone Area

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



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

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

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

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

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

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

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

Due diligence checklist

What you need to know before buying a residential property

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

Urban living

Moving to the inner city?

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

Is the property subject to an owners corporation?

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

Growth areas

Are you moving to a growth area?

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

Flood and fire risk

Does this property experience flooding or bushfire?

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

Rural properties

Moving to the country?

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

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

Can you build new dwellings?

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

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

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

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

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

(04/10/2016)

Land boundaries

Do you know the exact boundary of the property?

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

Planning controls

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

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

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

Are there any proposed or granted planning permits?

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

Safety

Is the building safe to live in?

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

Building permits

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

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

Are any recent building or renovation works covered by insurance?

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

Utilities and essential services

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

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

Buyers' rights

Do you know your rights when buying a property?

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

(04/10/2016)