

# **VENDORS** **STATEMENT**

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

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**Vendor:** David Paul Taylor and Michelle Lee Turner

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**Property:** 2993 Eleventh Street IRYMPLE VIC 3498

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## **VENDORS REPRESENTATIVE**



'Simp'lifying Property Transfers

PO Box 344 Mildura 3502  
Tel: 0417 545 297  
Email: [wendy@simpsonconveyancing.com.au](mailto:wendy@simpsonconveyancing.com.au)

**1. FINANCIAL MATTERS**

- (a) The particulars of any mortgage over the land which is not to be discharged at or prior to settlement:- Any mortgage affecting the land will be discharged at settlement
- (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
- (c) Information concerning any rates, taxes, charges or other similar outgoings AND any interest payable on any part of them is attached.

**Their total does not exceed \$**

Any further amounts (including any proposed Owners Corporation Levy) for which the Purchaser may become liable as a consequence of the purchase of the property are as follows:- Any annual rates increases and water by measure

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

**2. 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) If there is a residence on the land which was constructed within the preceding 6 Years and section 137B of the Building Act 1993 applies to the residence, particulars of any required insurance under that Act applying to that residence – Not applicable

**3. LAND USE**

**(a) RESTRICTIONS**

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

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

To the best of the Vendor's knowledge there is no existing failure to comply with the terms of any easement, covenant, caveat or similar restriction affecting the land save and except for any IMPLIED easement as prescribed under Section 148 of the Water Act 1989. The Water Corporation may have policies in place which prohibits the placement of buildings or structures over sewer easements. 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.

- (b) BUSHFIRE  
This land is not 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  
See Planning Property Report annexed.

**4. NOTICES**

- (a) 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 direction and currently affecting the land, being a notice, order, declaration, report recommendation or approved proposal or which the vendor might reasonably be expected to have knowledge- None to the Vendors knowledge
- (b) Agriculture 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, report or orders are as follows:-  
NIL

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.

- (c) 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* during the past seven years (where there is a residence on the land):-

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

**6. OWNERS CORPORATION**

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

**7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (GAIC)**

The land is not a work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987*).

SECTION 32 STATEMENT  
2993 Eleventh Street IRYMPLE VIC 3498

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**8. SERVICES**

The services 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 <input checked="" type="checkbox"/>
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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 any account with a service provider before settlement, and the purchaser may need to have the service reconnected at the purchasers cost.

**9. TITLE**

Attached are the following document/s concerning Title:

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.

**10. DUE DILIGENCE CHECKLIST**

*(The Sale of Land Act 1962 provides that the vendor or the vendors 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).*  
Is attached.

**11. ATTACHMENTS**

*(Any certificates, documents and other attachments may be annexed to this section 11)  
(Additional information may be added to this section 11 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).*

Nil
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SECTION 32 STATEMENT  
2993 Eleventh Street IRYMPLE VIC 3498

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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.

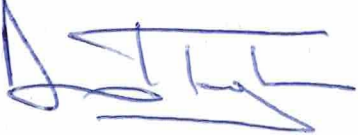
**DATE OF THIS STATEMENT**

/  /20

**Name of the Vendor**

David Paul Taylor and Michelle Lee Turner

**Signature/s of the Vendor**

x  Michelle Turner

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

**Register Search Statement - Volume 9809 Folio 978**

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

VOLUME 09809 FOLIO 978

Security no : 124082632171C  
Produced 17/04/2020 01:22 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 211509Y.

PARENT TITLES :

Volume 04429 Folio 704      Volume 08188 Folio 665

Created by instrument LP211509Y 13/05/1988

REGISTERED PROPRIETOR

Estate Fee Simple

Joint Proprietors

DAVID PAUL TAYLOR

MICHELLE LEE TURNER both of 70 GOLDEN DRIVE GABOOLTURE QLD 4051

AL168498F 19/06/2014

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AL168499D 19/06/2014

NATIONAL AUSTRALIA BANK 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 LP211509Y 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: 2993 ELEVENTH STREET IRYMPLE VIC 3498

ADMINISTRATIVE NOTICES

NIL

eCT Control      16089P NATIONAL AUSTRALIA BANK LIMITED  
Effective from 23/10/2016

DOCUMENT END

**Delivered from the LANDATA® System by SAI Global Property Division Pty Ltd  
Delivered at 17/04/2020, for Order Number 61883027. Your reference: 0152-20 Taylor & Turner.**







Mildura Rural City Council

Internal Use Only



TAX INVOICE

ABN 42 498 937 037

Mr D P Taylor & Ms M L Turner  
PO Box 980CP  
Mildura Centre Plaza  
MILDURA VIC 3501



R0\_240130

**Total Rates & Charges For this Year**

**\$1,932.21**

Refer below for payment options

# Rate and Valuation Notice

1 July 2019 to 30 June 2020

**Property Location & Description**

2993 Eleventh Street IRYMPLE VIC 3498  
Lot 1 PS 211509 Sec 24 Blk F

**AVPCC:** 117 - Residential Rural/Rural Lifestyle

**RATING DETAILS**

Residential Rate			\$1,440.39
Waste Management	366.04	1	\$366.04

**VICTORIAN STATE GOVERNMENT FIRE SERVICES PROPERTY LEVY**

Residential Fire Levy (Fixed)	111.00	1	\$111.00
Residential Fire Levy (Variable)			\$14.78

**Assessment No:** 15399

**Issue Date** 15 July 2019

**Rate declaration date:** 1 July 2019

**Capital Improved Value:** :

**Site Value:**

**Net Annual Value:**

**Valuation Date:** 1 January 2019

**TOTAL AMOUNT**

**\$1,932.21**

Payment In full	Or	1st Instalment	2nd Instalment	3rd Instalment	4th Instalment
Due 15 Feb 2020 \$1,932.21		Due 30 Sep 2019 \$483.03	Due 30 Nov 2019 \$483.06	Due 29 Feb 2020 \$483.06	Due 31 May 2020 \$483.06

Note: If full payment of the 1st Instalment isn't received by the due date, this account will automatically default to the Payment in Full option and you will not receive reminder instalment notices.

Please refer to the reverse side of this notice for information relating to penalties for late payment.

## Payment Slip

Mr D P Taylor & Ms M L Turner  
2993 Eleventh Street IRYMPLE VIC 3498  
Assessment No: 15399

**Payment In Full:** \$1,932.21

**Or 1st Instalment:** \$483.03



**Biller code:** 93922  
**Ref:** 153999

**POST billpay**



Full Payment \*41 153999



**Post Billpay** **Biller code:** 0041  
**Ref:** 153999

Pay in person at any post office, phone  
13 18 16 or go to postbillpay.com.au

**Centrepay Ref:**  
555 054 730B

Internal Use Only



BPAY this payment via Internet or phone banking.  
BPAY View View and pay this bill using internet banking.  
BPAY View Registration No.: 153999

**MILDURA**  
741 - 759 Fourteenth Street Mildura 3500  
PO Box 1438 Mildura 3502  
AUSDOC DX 50023  
Tel: (03) 5051 3400 Fax: (03) 5051 3480  
Office Hours 8.00am - 5.00pm Monday - Friday  
**SWAN HILL**  
73 Beveridge Street Swan Hill 3585  
PO Box 1447 Swan Hill 3585  
AUSDOC DX 30164  
Tel: (03) 5036 2150 Fax: (03) 5036 2180  
Office Hours 8.00am - 5.00pm Monday - Friday



## LOWER MURRAY WATER

**KERANG**  
56 Wellington Street Kerang 3579  
PO Box 547 Kerang 3579  
AUSDOC DX 57908  
Tel: (03) 5450 3960 Fax: (03) 5450 3967  
Office Hours 8.00am - 1.00pm Monday - Friday



**24 Hour Supply Emergency**  
**1800 808 830**

ABN 18 475 808 826  
[www.lmw.vic.gov.au](http://www.lmw.vic.gov.au)

**Reference No.** 011968

**URBAN ACCOUNT**

**Amount Due** \$81.44

**Due Date** 14-FEB-2020

Date Of Issue 8/01/20

Tariffs and Charges Notice  
3rd Quarter 2019/20  
01/01/2020 - 31/03/2020

**POST** \*850 700119688

Property Address : 2993 ELEVENTH STREET IRYMPLE VIC 3498 (Prop:11968) - Urban Account  
Lot 1 LP 211509 Blk F Sec 24 Vol 9809 Fol 978

Water Service Tariff  
Water by Measure Chg-Info on reverse

Charge	Balance
51.76	51.76
29.68	29.68

**TOTAL OWING** \$81.44

*Handwritten signature*

Payments/Credits since last Notice \$76.33  
Urban customers are advised that Stage 1 water restrictions are currently in effect



### Payment Slip - Methods of Payment

Online at [lmw.vic.gov.au](http://lmw.vic.gov.au) - Pay your Account



**Direct Debit**  
Please contact your local office.



**Centrepay**  
Use Centrepay to arrange regular deductions from your Centrelink payment, simply call any Lower Murray Water Office.



**Billpay Code: 0850**  
**Ref: 7001 1968 8**

Pay in person at any Post Office.



**Bill Code: 78477**  
**Ref: 7001 1968 8**

Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info [www.bpay.com.au](http://www.bpay.com.au)

011968

2993 ELEVENTH STREET IRYMPLE VIC 3498 (Prop:11968) - Urban Account



\*850 700119688

\$81.44



**Bill Code: 78477**  
**Ref: 7001 1968 8**

**BPAY** - Make this payment via internet or phone banking.

**BPAY View** - Receive, view and pay this bill using internet banking.

**BPAY View** Registration No: 7001 1968 8

**Amount Due**

**\$81.44**

Payment Ref: 7001 1968 8



**By Phone**

Pay by phone (03) 8672 0582  
Standard call charges apply.

**See reverse for  
In Person and By Mail options**

# PLANNING PROPERTY REPORT

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) on 17 April 2020 01:17 PM

## PROPERTY DETAILS

Address: **2993 ELEVENTH STREET IRYMPLE 3498**  
Lot and Plan Number: **Lot 1 LP211509**  
Standard Parcel Identifier (SPI): **1\LP211509**  
Local Government Area (Council): **MILDURA**  
Council Property Number: **15399**  
Planning Scheme: **Mildura**  
Directory Reference: **VicRoads 3 E5**

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

[planning-schemes.delwp.vic.gov.au/schemes/mildura](http://planning-schemes.delwp.vic.gov.au/schemes/mildura)

## 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 \(FZ\)](#)



 **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).

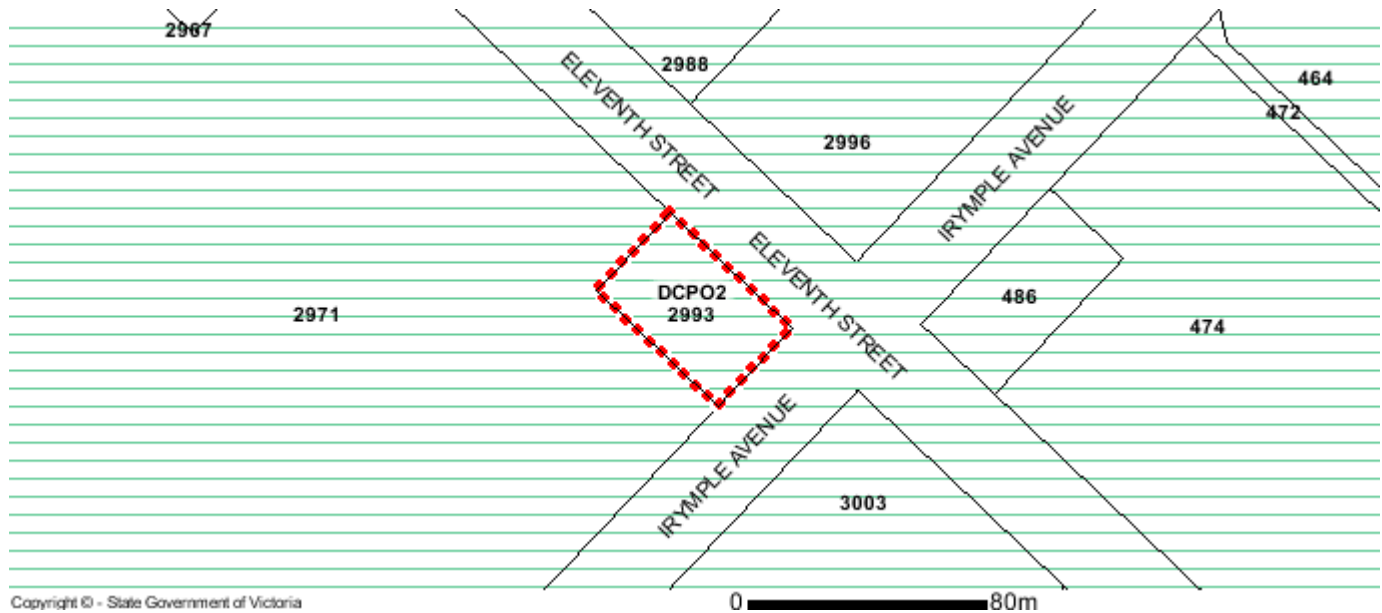
PLANNING PROPERTY REPORT: 2993 ELEVENTH STREET IRYMPLE 3498

Page 1 of 3

## Planning Overlay

[DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY \(DCPO\)](#)

[DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 2 \(DCPO2\)](#)



DCPO - Development Contributions Plan

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 8 April 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>

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>

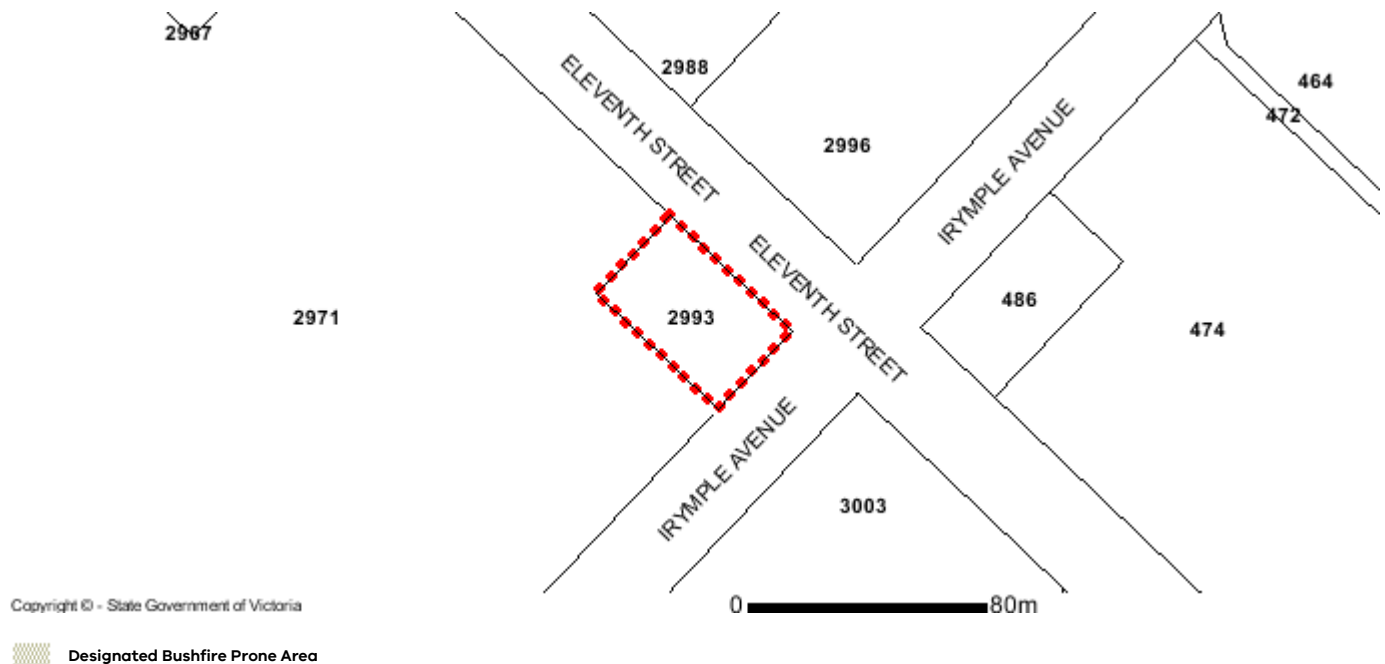
For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <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](http://www.vba.vic.gov.au)

Copies of the Building Act and Building Regulations are available from [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)

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

## **SALINITY AFFECTING THE MUNICIPALITY**

Some land within the municipality of the Mildura Rural City Council contains high levels of salt resulting in a condition commonly referred to as 'salinity'. Salinity can result in 'salt damp' or 'rising damp and salt attack' which can cause damage to certain building materials such as concrete and masonry.

Council recommends that you make your own inquiries regarding the presence of high salinity on land which you own or are considering to purchase.

If you are proposing to construct buildings on land in the municipality, you should ascertain whether or not special measures should be taken during the construction of these buildings to minimise any effects that salinity may have.

Council provides this information to assist you to make informed decisions about existing buildings or the construction of new buildings in high salinity areas.

# 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.