

SECTION 32 STATEMENT

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

Vendor: Samara Jade Gardiner

Property: 7 Marion Court MILDURA VIC 3500

VENDORS REPRESENTATIVE

Mildura Property Transfers Pty Ltd
124A Eighth Street, Mildura 3500

PO Box 1012
MILDURA VIC 3502

Tel: 03 5022 9300
Email: jenni@mildurapropertytransfers.com.au

Ref: Jenni Foster

SECTION 32 STATEMENT
7 MARION COURT MILDURA VIC 3500

1. FINANCIAL MATTERS

- (a) Information concerning any rates, taxes, charges or other similar outgoings AND any interest payable on any part of them is contained in the attached certificate/s and as follows-

Provider	Amount (& interest if any)	Period
Lower Murray Water	\$ 175.05	Per quarter
Mildura Rural City Council	\$2,544.75	Per annum

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:- None to the vendors knowledge

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.

- (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

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) 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

No such Insurance has been effected to the Vendors knowledge.

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 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
7 MARION COURT MILDURA VIC 3500

(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

Planning Scheme:

Responsible Authority: Mildura Rural City Council See attached Property Report

Zoning:

Planning Overlay/s:

4. 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:- None to the Vendors knowledge 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.

Particulars of any Notice of intention to acquire served under Section 6 of the *Land Acquisition and Compensation Act, 1986* are: Not Applicable

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)

- (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

- (2) ~~Attached is a copy of a notice or certificate in the case of land where there is a GAIC recording (within the meaning of Part 9B of the *Planning and Environment Act 1987*):~~
~~—any certificate of release from liability to pay;~~

SECTION 32 STATEMENT
7 MARION COURT MILDURA VIC 3500

- ~~— any certificate of deferral of the liability to pay;~~
- ~~— any certificate of exemption from the liability to pay;~~
- ~~— any certificate of staged payment approval;~~
- ~~— any certificate of no GAIC liability;~~
- ~~— any notice given under that Part providing evidence of the grant of a reduction of the whole or part of the liability to pay;~~
- ~~— any notice given under that Part providing evidence of an exemption of the liability to pay;~~

OR

- ~~— a GAIC certificate relating to the land issued by the Commissioner under the *Planning and Environment Act 1987*.~~

8. SERVICES

Service	Status
Electricity supply	Connected
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.

9. 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.
- (b) In any other case, a copy of -
 - (i) the last conveyance in the Chain of Title to the land; or
 - (ii) any other document which gives evidence of the Vendors title to the land.
- (c) Where the Vendor is not the registered proprietor or the owner of the estate in fee simple, copies of the documents bearing evidence of the Vendor's right or power to sell the land.
- (d) In the case of land that is subject to a subdivision -
 - (i) a copy of the Plan of Subdivision which has been certified by the relevant municipal council (if the Plan of Subdivision has not been registered), or
 - (ii) a copy of the latest version of the plan (if the Plan of Subdivision has not been certified).
- (e) In the case of land that is part of a staged subdivision within the meaning of Section 37 of the *Subdivision Act 1988* -
 - (i) if the land is in the second or a subsequent stage, a copy of the plan for the first stage; and
 - (ii) details of any requirements in a Statement of Compliance relating to the stage in which the land is included that have not been complied with; and
 - (iii) details of any proposals relating to subsequent stages that are known to the Vendor; and
 - (iv) a statement of the contents of any permit under the *Planning and Environment Act 1987* authorising the staged subdivision.
- (f) In the case of land that is subject to a subdivision and in respect of which a further plan within the

SECTION 32 STATEMENT
7 MARION COURT MILDURA VIC 3500

meaning of the *Subdivision Act 1988* is proposed -

(i) if the later plan has not been registered, a copy of the plan which has been certified by the relevant municipal council; or

(ii) if the later plan has not yet been certified, a copy of the latest version of the plan.

10. DUE DILLIGENCE 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 the 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 but the checklist has been attached as a matter of convenience.

DATE OF THIS STATEMENT

/ /20

Name of the Vendor

Samara Jade Gardiner

Signature/s of the Vendor

x

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*.

Register Search Statement - Volume 9776 Folio 632

Copyright State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 (Vic) or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA REGD TM System. None of the State of Victoria, LANDATA REGD TM System, Victorian Land Registry Services Pty. Ltd. ABN 86 627 986 396 as trustee for the Victorian Land Registry Services Trust ABN 83 206 746 897 accept responsibility for any subsequent release, publication or reproduction of the information.

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

VOLUME 09776 FOLIO 632

Security no : 124087063340N
Produced 10/12/2020 10:11 AM

LAND DESCRIPTION

Lot 159 on Plan of Subdivision 208656D.
PARENT TITLE Volume 09752 Folio 614
Created by instrument LP208656D 29/10/1987

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
SAMARA JADE GARDINER of 7 MARION COURT MILDURA VIC 3500
AS224035D 03/06/2019

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AS224036B 03/06/2019
PEPPER FINANCE CORPORATION LTD

COVENANT N511887D 14/06/1988

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.

AGREEMENT Section 52A TOWN AND COUNTRY PLANNING ACT 1961
N016656R 01/09/1987

DIAGRAM LOCATION

SEE LP208656D 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)

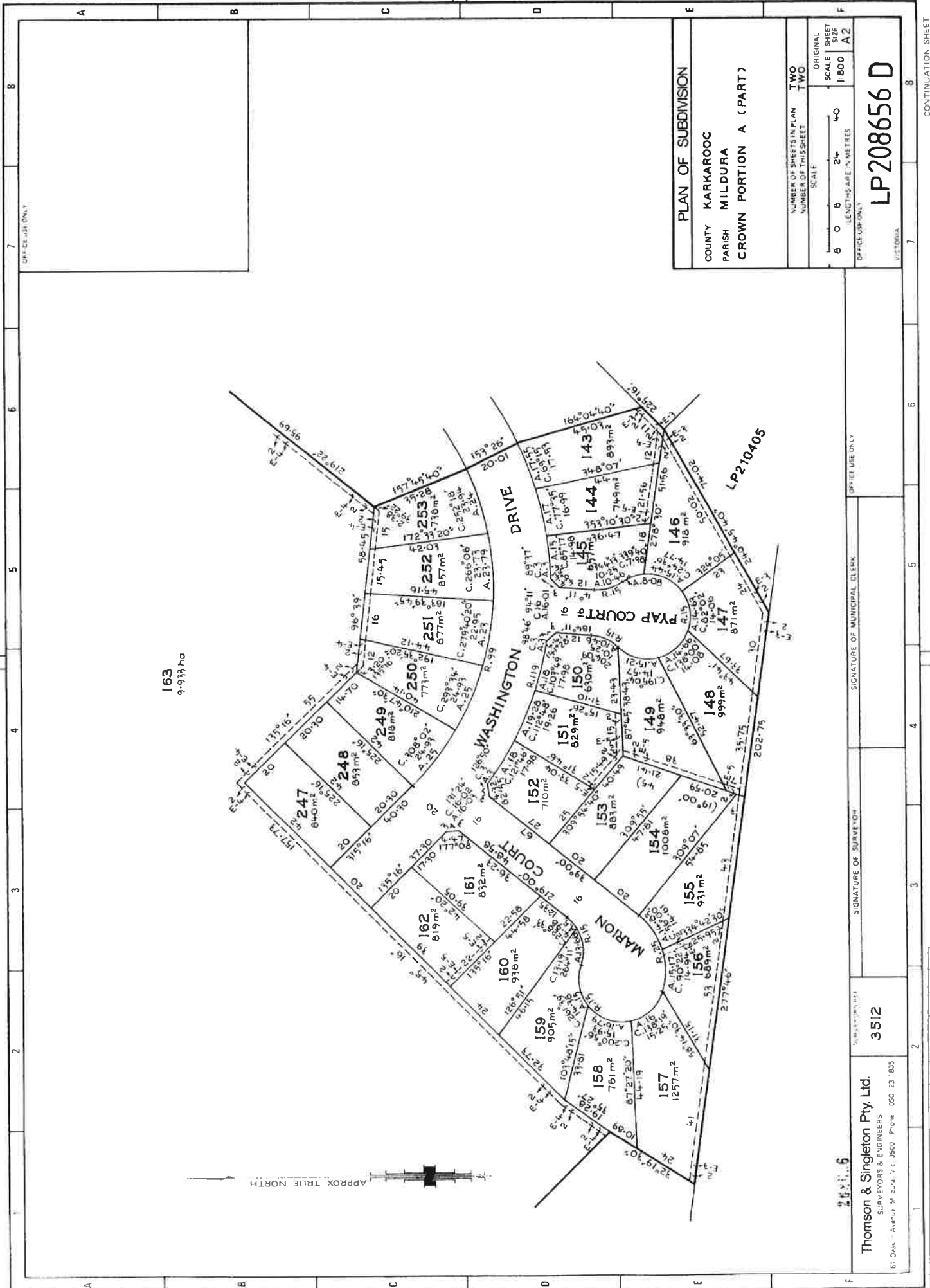
Street Address: 7 MARION COURT MILDURA VIC 3500

DOCUMENT END

**The information supplied has been obtained by SAI Global Property Division Pty Ltd who is licensed by the State of Victoria to provide this information
via LANDATA® System. Delivered at 10/12/2020, for Order Number 65602779. Your reference: Gardiner 452-20.**

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. None of the State of Victoria, LANDATA®, Victorian Land Registry Services Pty. Ltd. ABN 86 627 986 396 as trustee for the Victorian Land Registry Services Trust ABN 83 206 746 897 accept responsibility for any subsequent release, publication or reproduction of the information.

A	B	C	D	E	F		
LP208656 D EDITION 1 PARISH / TOWNSHIP / CHART 18		NOTATIONS LAND SUBJECT TO EASEMENT E-1 WATER SUPPLY VIDE INSTRUMENTS D605992, D605993 AND D605994. E-2 WATER SUPPLY VIDE INSTRUMENTS J877210, J877213 AND J877216. E-3 DRAINAGE AND SEWERAGE VIDE L.R.205932EN. E-4 DRAINAGE AND SEWERAGE VIDE L.R.211138 Q. LAND APPROPRIATED OR SET APART E-1, E-4 AND E-5 DRAINAGE AND SEWERAGE. E-6 DRAINAGE ROADS WITHIN THE THICK LINES FOR WAY, DRAINAGE AND SUPPLY OF WATER, ELECTRICITY, TELEPHONE AND GAS. OTHER NOTATIONS LOTS 1 TO 163 INCLUSIVE AND LOTS 164 TO 246 INCLUSIVE HAVE BEEN OMITTED. LOT 163 IS NOT THE RESULT OF THIS SURVEY. AREA OF LOT 163 HAS BEEN OBTAINED BY DEDUCTION FROM TITLE.		PLAN OF SUBDIVISION COUNTY KARKAROO PARISH MILDURA (CHART NO 18) CROWN PORTION A (PART)		ORIGINAL SCALE 20 0 20 60 100 LENGTHS ARE IN METRES UNITS USE ONLY LP208656 D	
PLAN APPROVED AT 29.10.87 ON		PLAN APPROVED AT 29.10.87 ON		PLAN APPROVED AT 29.10.87 ON			
CERTIFICATE BY SURVEYOR JOHN AUBREY BRUNNHOULT of 61 Deakin Avenue Sturt, 3500 certifies that this plan has been prepared by a duly qualified and licensed surveyor in accordance with the Surveyors Act 1978 and completed on this day 10th day of October 1987. This plan, when read in conjunction with the original survey plan, and the plan of subdivision, shall constitute a true and correct copy of the original.		CERTIFICATE OF MUNICIPAL CLERK MUNICIPALITY CITY OF MILDURA THIS PLAN ACCORDS WITH A PLAN SEALD BY THE COUNCIL UNDER SECTION 568B OF THE LOCAL GOVERNMENT ACT 1958 ON CONFIRMED BY THE PLANNING APPEALS BOARD ON AND A REQUIREMENT NO REQUIREMENT PURSUANT TO SECTION 568E OF THE LOCAL GOVERNMENT ACT 1958 HAS BEEN MADE		CERTIFICATE B THIS PLAN ACCORDS WITH A PLAN EXEMPTED FROM SUBDIVISION (3) OF DIVISION (9) OF PART XIX OF THE LOCAL GOVERNMENT ACT 1958 BY THE COUNCIL ON THE PLANNING APPEALS BOARD ON			
DATE 20.8.88		DATE 20.8.88		DATE 20.8.88			
THOMSON & SINGLETON PTY. LTD. SURVEYORS & ENGINEERS 100 Sturt Street, Sturt, 3500 Phone 3500 1511		3512		3512			
RECREATION RESERVE 163 9.933 ha.		WASHINGTON DRIVE 151 150 149 148 147 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246		WASHINGTON DRIVE 151 150 149 148 147 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246		WASHINGTON DRIVE 151 150 149 148 147 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246	
APPROX TRUE NORTH		APPROX TRUE NORTH		APPROX TRUE NORTH			



PLAN OF SUBDIVISION	
COUNTY	KARKAROO
PARISH	MILDURA
CROWN PORTION A (PART)	
NUMBER OF SHEETS IN PLAN	TWO
NUMBER OF THIS SHEET	TWO
SCALE	ORIGINAL
6 0 6 24 40	SHEET SIZE A2
LENGTHS ARE IN METRES	
OFFICE USE ONLY	
LP208656 D	
VICTORIA	

SIGNATURE OF SURVEYOR

SIGNATURE OF MUNICIPAL CLERK

OFFICE USE ONLY

Thomson & Singleton Pty. Ltd.
SURVEYORS & ENGINEERS
61 DUNE - APT 101 M. C. 24, V.C. 3500 PHONE 050 23 1835

3512

CONTINUATION SHEET

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. None of the State of Victoria, LANDATA®, Victorian Land Registry Services Pty. Ltd. ABN 86 627 986 396 as trustee for the Victorian Land Registry Services Trust ABN 83 206 746 897 accept responsibility for any subsequent release, publication or reproduction of the information.

04
\$443-

Lodged at the Titles Office by

Titles Office Use Only

REGD

140688 0903 45 25 N511887D

STATE BANK OF VICTORIA

0022N

Code ~~001~~ SUNRAISIA A/c No. 676-36118-8611

District Aboriginal Corporation

VICTORIA

P/A S/Dec

TRANSFER OF LAND

Subject to the encumbrances affecting the land including any created by dealings lodged for registration prior to the lodging of this instrument the transferor for the consideration expressed at the request and by the direction of the directing party (if any) transfers to the transferee the estate and the interest specified in the land described together with any easement hereby created and subject to any easement hereby reserved or restrictive covenant herein contained or covenant created pursuant to statute and included herein. (Notes 1-4)

Land Lot 159 on Plan of Subdivision No. 208656D Parish of Mildura and being the whole of the land contained in Certificate of Title Volume 9776 Folio 632

(Note 5)

STAMP DUTY VICTORIA
U#02C#1 S#1 T#005004 00051297 10/06/89
R#026818 0#44 \$443.00

Consideration

(Note 6)

Transferor

(Note 7)

MANSELL DEVELOPMENTS PTY. LTD.

Transferee

(Note 8)

SUNRAISIA & DISTRICT ABORIGINAL CORPORATION
of 120 Madden Avenue, Mildura, 3500.

Estate and Interest

(Note 9)

All its estate and interest in the fee simple

CODE: 443	Comptroller of Stamps Use Only
DUTY: \$443	
STAMP: V	
TYPE: 1	
VALUE: \$443.00	
ASS: 0	
DATE: 10/12/88	
SIGNATURE: [Signature]	

Directing Party

(Note 10)



Creation (or Reservation) of Easement and/or Covenant

(Notes 11-12)

AND THE SAID SUNRAISIA & DISTRICT ABORIGINAL CORPORATION for themselves and their transferees the registered proprietors for the time being of the land hereby transferred and of every part

T2

Office Use Only



A memorandum of the within instrument has been entered in the Register Book.



Approval No. T2/1

thereof do hereby as a separate covenant COVENANT with the said MANSELL DEVELOPMENTS PTY. LTD. and other the registered proprietor or proprietors for the time being of the land comprised in the said Plan of Subdivision and of every part thereof (other than the land hereby transferred) as follows:-

"THAT they will not erect or cause or suffer to be erected upon the said lot more than one main building and that such building shall not be other than a building that is a Class 1(a) Building as defined in Part Six of the Victoria Building Regulations 1983 and that such building and lot or any part thereof shall not be registered under the provisions of the Strata Titles Act 1967 or the Cluster Titles Act 1974 or any amendment, modification or re-enactment of or substitution for either of such Acts."

AND IT IS HEREBY AGREED AS FOLLOWS:

THAT the benefit of the foregoing covenant shall be attached to and run at law and in equity with the land comprised in the said Plan of Subdivision other than the land hereby transferred and that the burden thereof shall be annexed to and run at law and equity to the said land hereby transferred and that the same shall be noted and appear on every future Certificate of Title to the said lot and every part thereof as an encumbrance affecting the land and every part thereof.

Date 10th May 1988

(Note 13)

Execution and Attestation

(Note 14)

EXECUTED for MANSELL DEVELOPMENTS)
PTY. LTD. by it's Attorney KELVIN)
THOMAS MEREDITH under Power of)
Attorney dated the 5th day of)
October 1987 in the presence of:)

K. Bergman

SUFFICIENT
22 AUG 1988
AS TO PIA
P

K. Bergman

THE COMMON SEAL of SUNRAYSIA &)
DISTRICT ABORIGINAL CORPORATION)
was hereunto affixed in the)
presence of:)



ADMINISTRATOR: *B. S. Sun*.....
DIRECTOR: *Ken King*.....
DIRECTOR: *Leonard Slabbe*.....



NOTES

1. This form must be used for any transfer by the registered proprietor—
 - (a) of other than the whole of an estate and interest in fee simple
 - (b) by direction
 - (c) in which an easement is created or reserved
 - (d) which contains a restrictive covenant or a covenant created pursuant to statute.
2. Transfers may be lodged as an original only and must be typed or completed in ink.
3. All signatures must be in ink.
4. If there is insufficient space in any panel to accommodate the required information use an annexure sheet (Form A1) or (if there is space available) enter the information under the appropriate heading after any creation or reservation of easement or covenant. Insert only the words "See Annexure A" (or as the case may be) or "See overleaf" in the panel as appropriate.
Multiple annexures may appear on the same annexure sheet but each must be correctly headed.
All annexure sheets should be properly identified and signed by the parties and securely attached to the instrument.
5. Volume and folio references must be given. If the whole of the land in a title is to be transferred no other description should be used. If the transfer affects part only of the land in a title the lot and plan number or Crown description should also be given. Any necessary diagram should be endorsed hereon or on an annexure sheet (Form A1).
6. Set out the amount (in figures) or the nature of the consideration. If the transfer is by direction show the various considerations
e.g. \$ paid by B to A
\$ paid by C to B
In a transfer on sale of land subject to a mortgage it should be clearly shown whether or not the amount owing under the mortgage is included in the consideration e.g. \$ which includes the amount owing under mortgage No.
7. Insert full name. Address is not required.
8. Insert full name and address. If two or more transferees state whether as joint tenants or tenants in common. If tenants in common specify shares.
9. Set out "All my estate and interest in the fee simple" (or other as the case may be).
10. If the transfer is by direction give the full name of any directing party and show the various considerations under the consideration heading.
11. Set out any easement being created or reserved and define the dominant and servient tenements.
12. Set out full details of any covenant and define the covenantee and the land to bear the burden and to take the benefit of the covenant.
13. The transfer must be dated.
14. If an executing party is a natural person execution should read "Signed by the transferor (transferee, directing party) in the presence of". The witness must be an independent person. If an executing party is a body corporate execution should conform to any prescribed formalities relating to the affixing of the common seal.

© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth) and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. None of the State of Victoria, LANDATA®, Victorian Land Registry Services Pty. Ltd. ABN 86 627 986 396 as trustee for the Victorian Land Registry Services Trust ABN 83 206 746 897 accept responsibility for any subsequent release, publication or reproduction of the information.

N16656

CALLAGHER
50

V I

010987 0937 47CP \$42 N016656R

REGD

APPLICATION PURSUANT TO SECTION 52B (1) OF THE
TOWN AND COUNTRY PLANNING ACT 1961

THE MAYOR COUNCILLORS AND RATEPAYERS OF THE CITY OF MILDURA

HEREBY APPLY to have a Memorandum of the Agreement pursuant to Section 52A of the Town and Country Planning Act 1961 dated the 23rd day of July, 1987 and made between themselves as Responsible Authority and MANSELL DEVELOPMENTS PTY. LTD. as Owners of ALL THAT piece of land more particularly described in Certificate of Title Volume 9752 Folio 614 a copy of which agreement is annexed hereto entered on the said Certificate of Title.

DATED the 23rd day of JULY 1987.

THE COMMON SEAL of the MAYOR,)

COUNCILLORS AND RATEPAYERS of)

the CITY OF MILDURA was here-)

unto affixed in the presence)

of:)

MAYOR

COUNCILLOR

TOWN CLERK

A memorandum of the within Instrument
has been entered in the Register Book



THIS AGREEMENT is made the 23rd day of July, 1987 BETWEEN :

THE MAYOR COUNCILLORS AND CITIZENS
OF THE CITY OF MILDURA

(The Council)

N016656R

of the first part and

MANSELL DEVELOPMENTS PTY. LTD.
of 133 Langtree Avenue,
Mildura.

(The Owner)

of the second part

WHEREAS :

- A. The Owner is or is entitled to be registered at the Office of Titles as the proprietor of all that piece of land described in the First Schedule hereto situated at and known as Lot 143 Riverside Avenue, Mildura ("the land").
- B. The Owner made application to the Council as the Responsible Authority under the City of Mildura Planning Scheme for a Modified Permit -

To subdivide land described as Lot 4, L.P. 143465 being part Crown Portion A, Parish of Mildura, and to construct a single detached house upon each lot created, land situate in Washington Drive in accordance with the attached endorsed plan being part (Stage 9) of the overall plan of subdivision development approved with the original permit issued No. P.12/84 dated 12th April, 1984 or as subsequently modified. (Permit No. P12/84 Stage 9 dated 14th May, 1987).

- C. The Council by Notice of Determination dated the 14th day of May, 1987 determined to grant a permit to subdivide the land in accordance with the endorsed plan and subject to various conditions including a condition which provided as follows :

"This permit shall have no force or effect until :

The Owner of land described in the modified permit shall enter into an Agreement pursuant to Section 52A

- 2 -

of the Town & Country Planning Act 1961 with the Council of the City of Mildura. Such Agreement shall prohibit the development of flats for a period of ten years upon Lots numbered 143 to 162 inclusive and lots numbered 247 to 253 inclusive, except Lot 163 as illustrated on the attached endorsed plan."

- D. The Council and the Owner have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as it can be so treated this Agreement shall be treated as being an Agreement under Section 52A of the Town and Country Planning Act.
- E. The Owner intends to lodge a Plan of Subdivision for approval in accordance with the Modified Planning Permit immediately after the registration of this Agreement.

NOW THIS AGREEMENT WITNESSETH as follows :

1. In this Agreement unless inconsistent with the context or subject matter -
"Modified Permit" shall mean the permit issued by the Council as a result of the Notice of Determination referred to in recital C hereof.
2. The Owner covenants and agrees to comply with, carry out and observe Condition 3 of the Modified Permit.
3. The Owner further covenants and agrees as follows :
To prohibit the construction of or adaption to flats as defined in the City of Mildura Planning scheme for a period of ten (10) years from the date of approval of the Plan of Subdivision by the Office of Titles on Lots numbered 143 to 162 inclusive and Lots numbered 247 to 253 inclusive and coloured blue on the plan (sheets 1 and 2) annexed hereto.
4. The Owner agrees to do all things necessary to enable the Council to enter a memorandum of this Agreement on the

- 3 -

Certificate of Title to the land in accordance with Section 52B of the Town and Country Planning Act including signing any further agreement acknowledgement or document to enable the said memorandum to be registered under that section.

5. The covenants and agreements of the Owner under this Agreement shall cease and the Owner will be released from its obligations under this Agreement upon the Council delivering to the Owner a certificate stating that the subdivision has been carried out and completed and the Owner has complied with the terms of this Agreement to its satisfaction.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals the day and year first hereinbefore written.

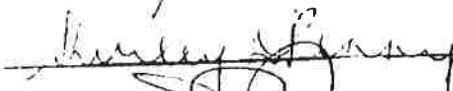
FIRST SCHEDULE

Lot 143 on Plan of Subdivision No. 2075380 being the whole of the land more particularly described in Certificate of Title Volume 9752 Folio 614.

THE COMMON SEAL of THE MAYOR)
COUNCILLORS AND CITIZENS OF)
THE CITY OF MILDURA was)
hereunto affixed in the)
presence of:)



MAYOR




COUNCILLOR

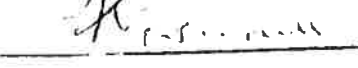


TOWN CLERK

THE COMMON SEAL of MANSELL)
DEVELOPMENTS PTY. LTD. was)
hereunto affixed in the)
presence of:)



DIRECTOR



SECRETARY



Mansell Developments Pty. Ltd

Town and Country Planning Act 1961

CITY OF MILDURA PLANNING SCHEME
MODIFIED
PLANNING PERMIT No. P.12/84 STAGE 9

OFFICE USE ONLY

A.12/84

18.1.84

Subject to the conditions (if any) set out hereunder the following is hereby permitted:

To subdivide land described as Lot 4, L.P. 143465, being part Crown Portion A, Parish of Mildura, and to construct a single detached house upon each lot created, on land situate in Washington Drive, in accordance with the attached endorsed plan, being Stage 9, part of the overall plan of subdivision development approved with the original permit issued, No. P.12/84 dated 12th April, 1984, or as subsequently modified, subject to the following conditions:-

Conditions:

1. The permit shall expire if the use or development hereby permitted is not commenced within 2 years from the date hereof, or within any extension of that time which, upon application made before or within 3 months after the expiry of the permit, is granted in writing by the City of Mildura.
2. The permit shall have no force or effect until:-
 - a. A sewerage and water reticulation system has been provided to the satisfaction of the Sunraysia Water Board;
 - b. Drainage, naturestrip work, kerb and channel, road widening and roadworks have been provided to the satisfaction of the City Engineer, City of Mildura;
 - c. That an Agreement be prepared to the satisfaction of the Council, City of Mildura, to provide for the transfer of the public open space area to the City of Mildura.
3. The owner of land described in the modified permit shall enter an Agreement pursuant to the provisions of Section 52A of the Town and Country Planning Act, 1961, with the Council of the City of Mildura. Such Agreement shall prohibit the development of flats for a period of ten years upon Lots 143 to 162 and 247 to 253 inclusive (27 lots) as illustrated on the attached endorsed plan.

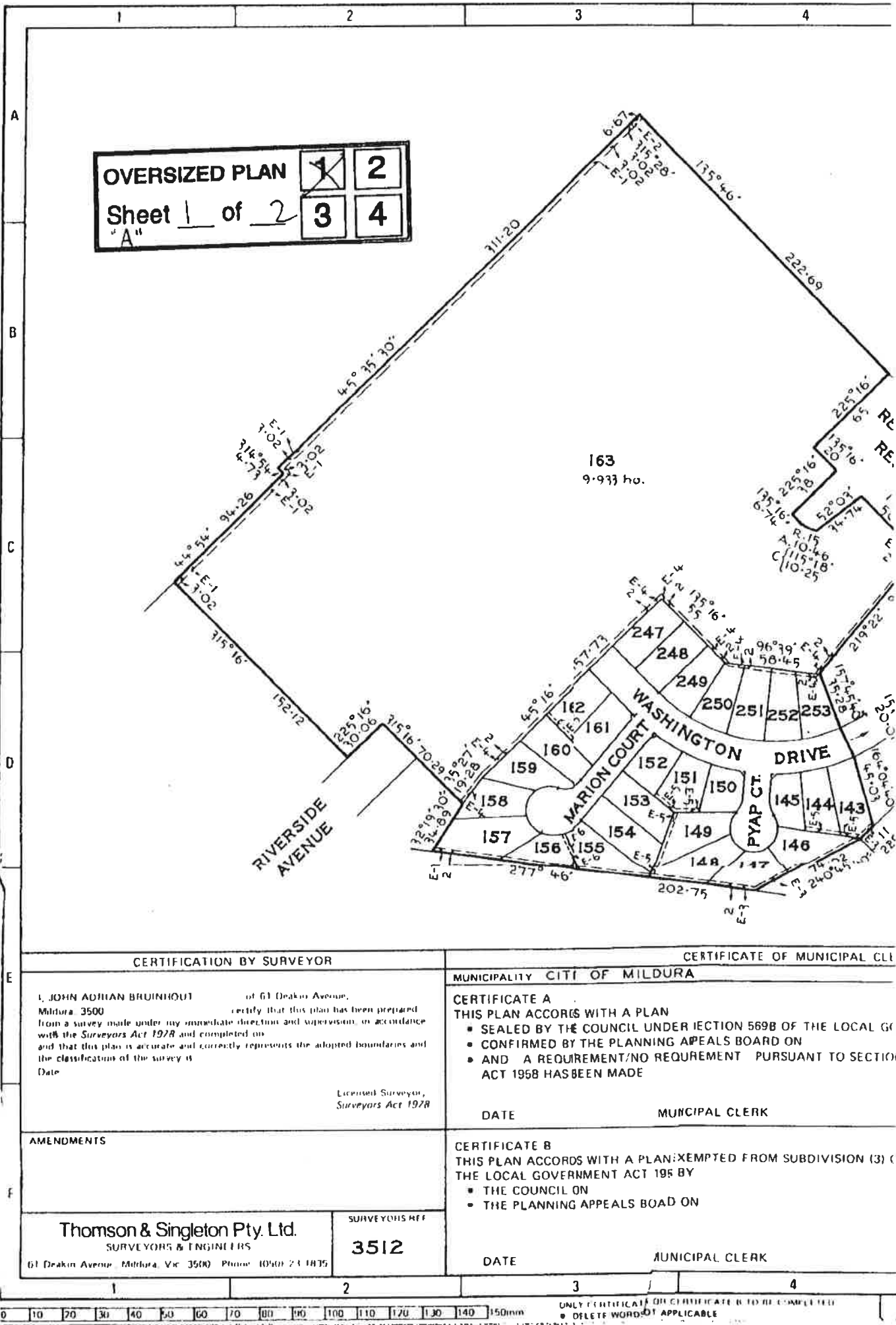
14th May, 1987

(Date of Determination)

R. E. Locking
(Signed)

SEE IMPORTANT NOTES ON REVERSE SIDE

FORM 5.8



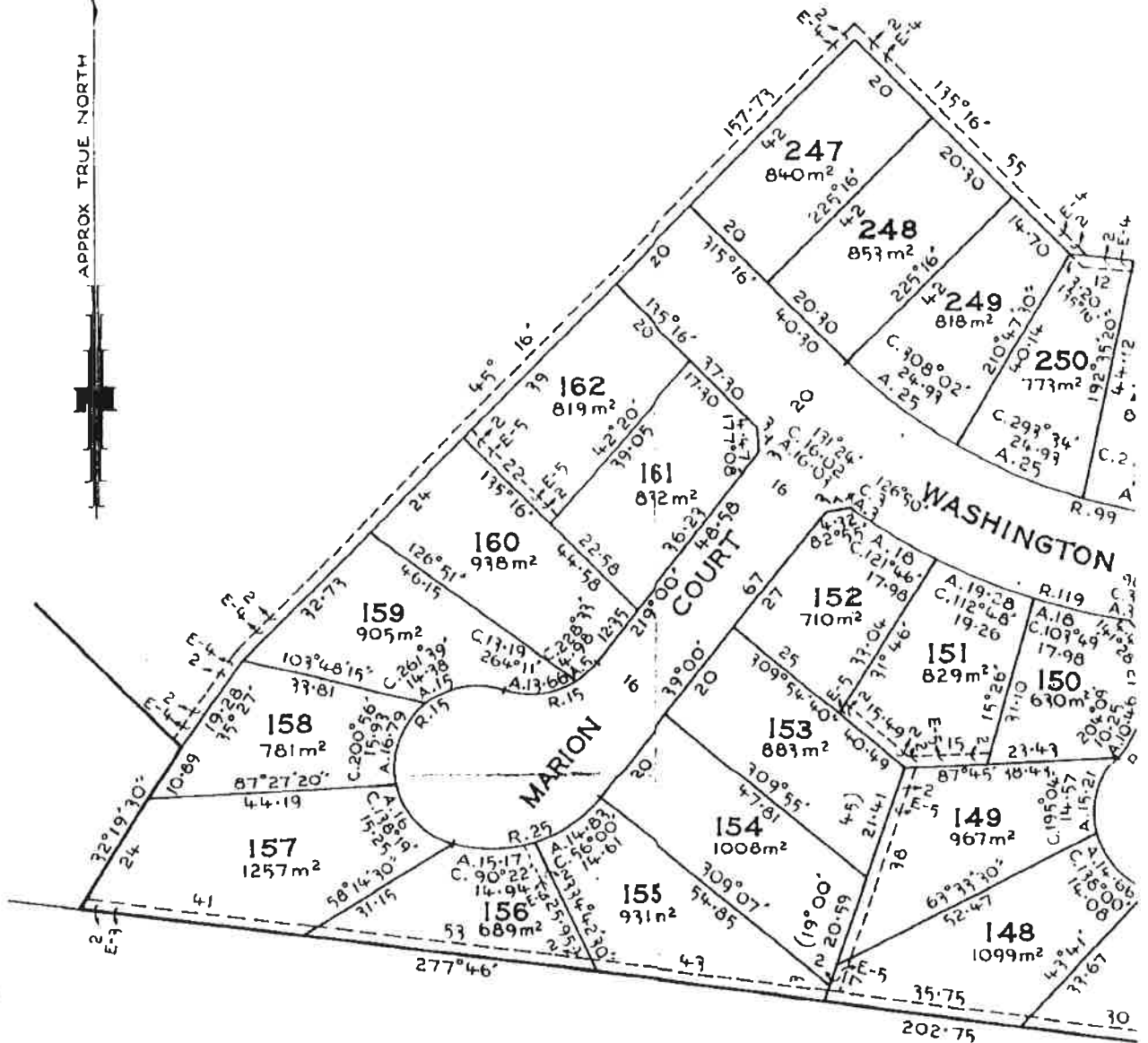
<div style="text-align: center;"> <p>5</p> <p>6</p> <p>APPROX TRUE NORTH</p> </div> <div style="position: absolute; left: 20px; top: 300px; transform: rotate(-45deg);"> <p>RECREATION RESERVE</p> <p>135° 16' 40" 16"</p> <p>E-4</p> <p>22° 95' 16" 22"</p> </div> <div style="position: absolute; left: 20px; top: 500px; transform: rotate(-45deg);"> <p>135° 16' 40" 16"</p> <p>E-4</p> <p>22° 95' 16" 22"</p> </div>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>OFFICE USE ONLY</p> <div style="display: flex; justify-content: space-between;"> <div> <p>OVERSIZED PLAN</p> <p>Sheet <u>2</u> of <u>2</u></p> <p>"B"</p> </div> <div style="display: flex; flex-wrap: wrap;"> <div style="border: 1px solid black; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center; margin: 2px;">1</div> <div style="border: 1px solid black; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center; margin: 2px;">2</div> <div style="border: 1px solid black; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center; margin: 2px;">3</div> <div style="border: 1px solid black; width: 40px; height: 40px; display: flex; align-items: center; justify-content: center; margin: 2px;">4</div> </div> </div> </div> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center; margin-bottom: 5px;">NOTATIONS</p> <p>LAND SUBJECT TO EASEMENT</p> <p>E-1 WATER SUPPLY VIDE INSTRUMENTS D605992, D605993 AND D605994.</p> <p>E-2 WATER SUPPLY VIDE INSTRUMENTS J877210, J877213 AND J877216.</p> <p>E-3 DRAINAGE AND SEWERAGE VIDE L.R205328N.</p> <p>E-4 DRAINAGE AND SEWERAGE VIDE L.P.</p> <p>LAND APPROPRIATED OR SET APART</p> <p>E-3, E-4 AND E-5 DRAINAGE AND SEWERAGE.</p> <p>E-6 DRAINAGE</p> <p>ROADS WITHIN THE THICK LINES FOR WAY, DRAINAGE AND SUPPLY OF WATER, ELECTRICITY, TELEPHONE AND GAS.</p> <p>OTHER NOTATIONS</p> <p>LOTS 1 TO 142 INCLUSIVE AND LOTS 164 TO 246 INCLUSIVE HAVE BEEN OMITTED.</p> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p style="font-size: small;">THIS ENDORSED PLAN ONLY RELATES TO THE CONSTRUCTION OF BUILDINGS AND THE CARRYING OUT OF WORKS WITHIN THE TITLE BOUNDARY OF LAND DESCRIBED ON THE PERMIT ISSUED. ANY WORKS PROPOSED TO BE CARRIED OUT OUTSIDE THE TITLE BOUNDARY IS SUBJECT TO THE FURTHER CONSENT OF THE CITY ENGINEER.</p> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p style="font-size: small;">TO BE COMPLETED WHERE APPLICABLE THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS NOS. IN PROCLAIMED SURVEY AREA NO.</p> <p style="font-size: small;">THE LAND TO BE SUBDIVIDED IS SHOWN ENCLOSED BY THICK LINES</p> <p style="font-size: small;">TITLE REF. LAST PLAN REF.</p> </div>
<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>CLERK</p> <p>COUNCIL REF</p> <p>LOCAL GOVERNMENT ACT 1958 ON SECTION 569E OF THE LOCAL GOVERNMENT</p> <p>(31) OF DIVISION (9) OF PART XIX OF</p> </div>	<div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p style="text-align: center; font-weight: bold;">CITY OF MILDURA</p> <p style="text-align: center;">Planning Scheme</p> <p style="text-align: center; font-size: small;">This Plan is identified with</p> <p style="text-align: center;">MODIFIED PERMIT No. P. 12/64</p> <p style="text-align: center;">STAGE 9</p> <p style="text-align: center;">Date <u>14-5-87</u> <u>[Signature]</u> Town Planner</p> </div> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;">PLAN APPROVED</p> <p style="text-align: center;">AT</p> <p style="text-align: center;">CIN</p> <p style="text-align: center; font-size: small;">(ASSISTANT) REGISTRAR OF TITLES</p> </div>
<div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center; font-weight: bold;">PLAN OF SUBDIVISION</p> <p>COUNTY KARKAROOC</p> <p>PARISH MILDURA</p> <p style="text-align: center;">CROWN PORTION A (PART)</p> <div style="display: flex; justify-content: space-between; font-size: small;"> <div> <p>NUMBER OF SHEETS IN PLAN</p> <p>NUMBER OF THIS SHEET</p> </div> <div> <p>TWO</p> <p>ONE</p> </div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <div> <p>SCALE</p> <p>20 0 20 60 100</p> <p>LENGTHS ARE IN METRES</p> </div> <div> <p>ORIGINAL SCALE</p> <p>1:2000</p> </div> <div> <p>SHEET SIZE</p> <p>A2</p> </div> </div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p style="text-align: center; font-size: small;">OFFICE USE ONLY</p> <p style="text-align: center; font-size: 2em; font-weight: bold;">LP</p> <p style="text-align: center; font-size: small;">VICTORIA</p> </div> </div>	

OVERSIZED PLAN
 Sheet 1 of 2
 "B"

1	2
3	4

163
 9.933 ha

APPROX TRUE NORTH



Thomson & Singleton Pty. Ltd.

SURVEYORS & ENGINEERS

61 Deakin Avenue, Mildura, Vic 3500 Phone: (0501) 23 1835

SURVEYORS REF

3512

SIGNATURE OF SURVEYOR

SIGNATURE (U)

0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150m

5	6	7	8										
		OFFICE USE ONLY											
		<div style="border: 2px solid black; padding: 5px; margin-bottom: 10px;"> OVERSIZED PLAN Sheet <u>2</u> of <u>2</u> " B " </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>This endorsed plan only relates to the construction of buildings and the carrying out of works within the title boundary of land described on the permit issued. Any works proposed to be carried out outside the title boundary is subject to the further consent of the City Engineer.</p> </div> <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>CITY OF MILDURA Planning Scheme This Plan is identified with MODIFIED PERMIT No. P.12/84 SINCE 9 Date 14.5.67 Town Planner</p> </div> <div style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;">PLAN OF SUBDIVISION</p> <p>COUNTY KARKAROOC PARISH MILDURA CROWN PORTION A (PART)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">NUMBER OF SHEETS IN PLAN</td> <td style="width: 50%; text-align: center;">TWO</td> </tr> <tr> <td>NUMBER OF THIS SHEET</td> <td style="text-align: center;">TWO</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">SCALE</td> <td style="width: 50%; text-align: center;">ORIGINAL</td> </tr> <tr> <td style="text-align: center;"> </td> <td style="text-align: center;">SCALE 1:800</td> </tr> <tr> <td style="text-align: center;">LENGTHS ARE IN METRES</td> <td style="text-align: center;">SHEET SIZE A2</td> </tr> </table> </div>		NUMBER OF SHEETS IN PLAN	TWO	NUMBER OF THIS SHEET	TWO	SCALE	ORIGINAL		SCALE 1:800	LENGTHS ARE IN METRES	SHEET SIZE A2
		NUMBER OF SHEETS IN PLAN	TWO										
NUMBER OF THIS SHEET	TWO												
SCALE	ORIGINAL												
	SCALE 1:800												
LENGTHS ARE IN METRES	SHEET SIZE A2												
OF MUNICIPAL CLERK		OFFICE USE ONLY											
5	6	7	8										



Mildura Rural City Council

Internal Use Only



TAX INVOICE

ABN 42 496 937 037



Mr N A Dewyse
7 Marion Court
MILDURA VIC 3500



033
1009055
R2_1907

OVERDUE - PAYABLE IMMEDIATELY

\$2.92 as at 03/09/2020

Overdue rates must be paid immediately unless an agreed arrangement is already in place. Penalty interest accrues daily. Please contact Council for an updated amount when making payment. You cannot pay your current rates until you have paid all arrears in full, including penalty interest.

Total Rates & Charges For this Year

\$2,544.75

Refer below for payment options

Rate and Valuation Notice

1 July 2020 to 30 June 2021

Property Location & Description

7 Marion Court MILDURA VIC 3500
Lot 159 PS 208656D P.E.R.

AVPCC: 110 - Detached Home

RATING DETAILS

Balance B/Fwd as at 01/07/2020
Interest/Costs Less Payments as at 03/09/2020
Residential Rate
Waste Management

Assessment No: 9272

Issue Date 10 September 2020

Rate declaration date: 1 July 2020

Capital Improved Value: 0

Site Value: 0

Net Annual Value: 1

Valuation Date: 1 January 2020

			\$599.63
			-\$596.71Cr
0.00620605	319000		\$1,979.73
434.79	1		\$434.79

VICTORIAN STATE GOVERNMENT FIRE SERVICES PROPERTY LEVY

Residential Fire Levy (Fixed)	113.00	1	\$113.00
Residential Fire Levy (Variable)	0.000054	319000	\$17.23

PAYMENT DEADLINES EXTENDED

First instalment due by 14 October 2020.
Second instalment due by 14 December 2020.

COVID-19 SUPPORT

Relief options are available to assist ratepayers experiencing financial hardship.
Visit mildura.vic.gov.au/coronavirus or call us for details.

TOTAL AMOUNT

\$2,547.67

Payment In full	Or	1st Instalment	2nd Instalment	3rd Instalment	4th Instalment
Due 15 Feb 2021 \$2,544.75		Due 14 Oct 2020 \$636.18	Due 14 Dec 2020 \$636.19	Due 28 Feb 2021 \$636.19	Due 31 May 2021 \$636.19

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 N A Dewyse
7 Marion Court MILDURA VIC 3500
Assessment No: 9272

Payment In Full: \$2,544.75
Or 1st Instalment: \$636.18



Bill code: 93922
Ref: 92726

BPAY this payment via Internet or phone banking.
BPAY View®. View and pay this bill using Internet banking.
BPAY View Registration No.: 92726

POST billpay



Full Payment *41 92726



Post Billpay
Bill code: 0041
Ref: 92726

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



PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au on 10 December 2020 09:37 AM

PROPERTY DETAILS

Address: **7 MARION COURT MILDURA 3500**
Lot and Plan Number: **Lot 159 LP208656**
Standard Parcel Identifier (SPI): **159\LP208656**
Local Government Area (Council): **MILDURA**
Council Property Number: **9272**
Planning Scheme: **Mildura**
Directory Reference: **VicRoads 535 N2**

www.mildura.vic.gov.au

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**

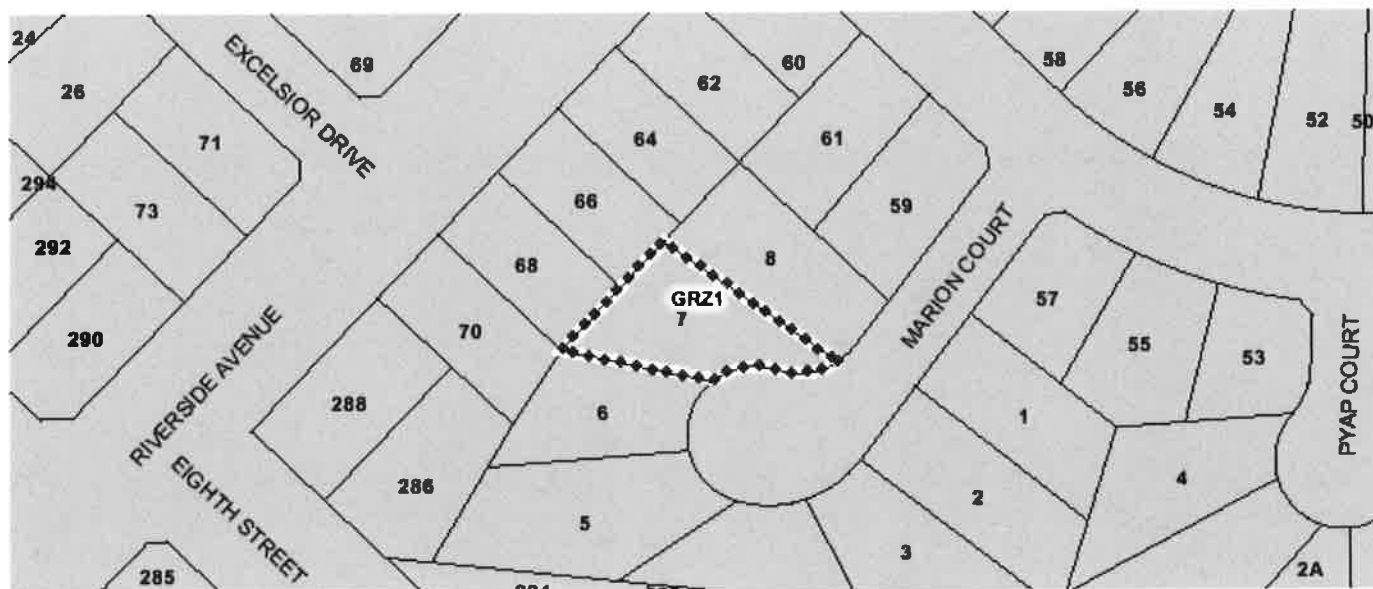
STATE ELECTORATES

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

Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ)

GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)



Copyright © - State Government of Victoria

GRZ - General Residential

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

Copyright © - State Government of Victoria

Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided. Read the full disclaimer at www.land.vic.gov.au/home/copyright-and-disclaimer

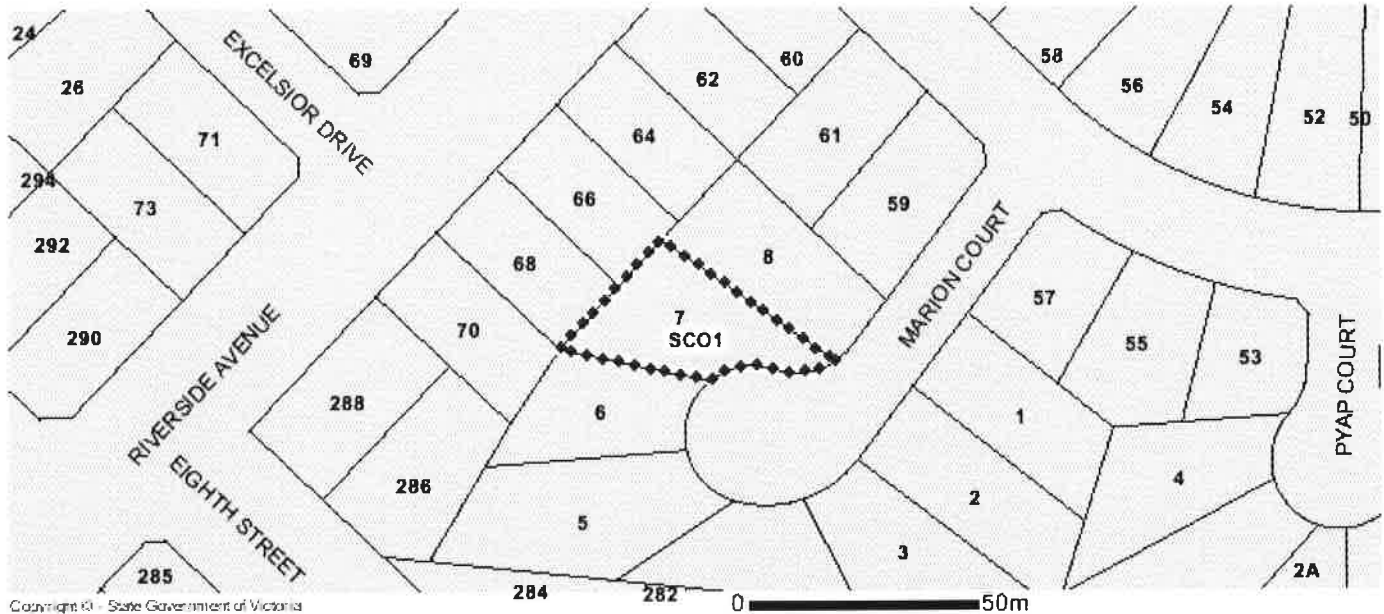
Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

PLANNING PROPERTY REPORT: 7 MARION COURT MILDURA 3500

Planning Overlay

SPECIFIC CONTROLS OVERLAY (SCO)

SPECIFIC CONTROLS OVERLAY - SCHEDULE 1 (SCO1)



SCO - Specific Controls

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 9 December 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>

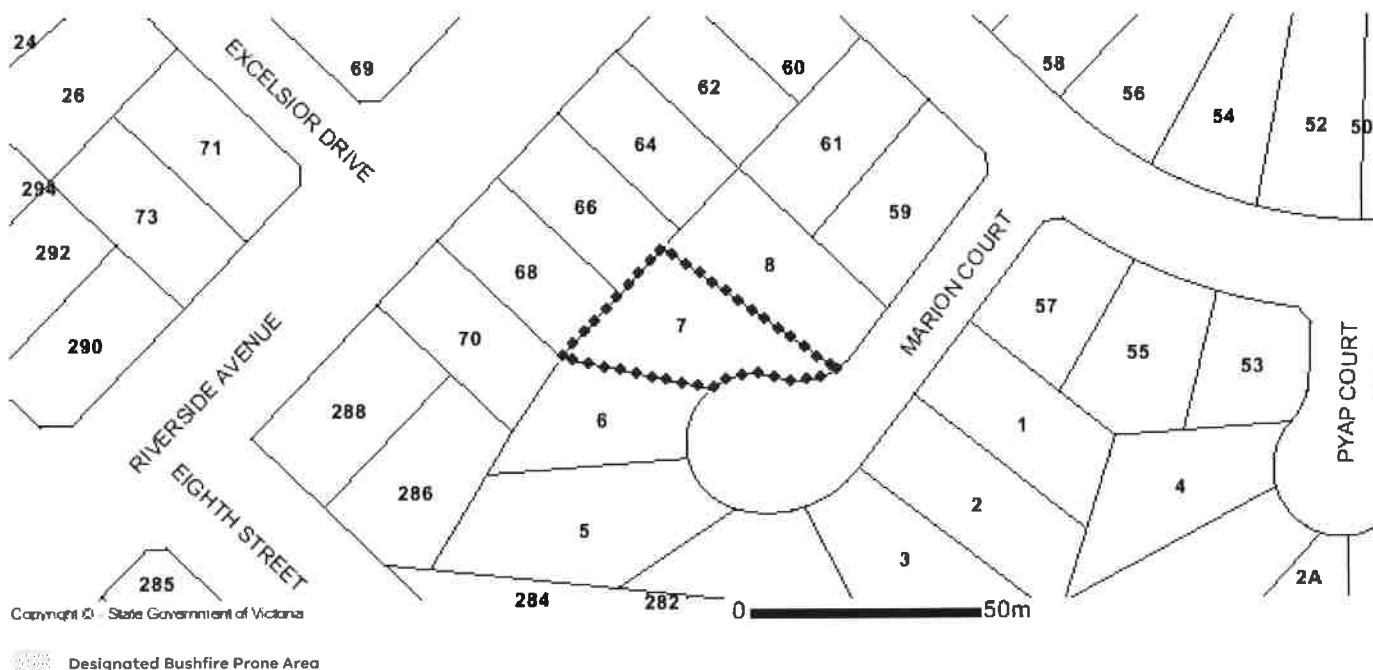
For details of surrounding properties, use this service to get the Reports for properties of interest.

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

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.

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.