

**Vendors Statement to the Purchaser of Real Estate  
Pursuant to Section 32 of the Sale of Land Act ("the Act")**

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This document is prepared from a precedent intended solely for use by legal practitioners with the knowledge, skill and qualifications required to use the precedent to create a document suitable to meet the vendor's legal obligation to give certain statements and documents to a purchaser before the purchaser signs a contract to purchase the land. This document incorporates the requirements in section 32 of the *Sale of Land Act 1962* as at 1 October 2014.

# 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.

**PROPERTY:** 2702 Kulkyne Way, Nangiloc

**VENDOR'S NAME:** Ian Ross Bruton and Jennifer Joy Bruton

**VENDOR'S SIGNATURE:**

I R Bruton ..... J Bruton

**DATE:** 17.06.2020

**PURCHASER'S NAME:**

**PURCHASER'S SIGNATURE:** .....

**DATE:** .....

**VENDORS STATEMENT TO THE PURCHASER OF REAL ESTATE  
PURSUANT TO SECTION 32 OF THE SALE OF LAND ACT ("the Act")**

**Vendor:** Ian Ross Bruton and Jennifer Joy Bruton  
Of 1392 Boonoonar Road, COLIGNAN, VIC, 3494

**Property:** 2702 Kulkyne Way, Nangiloc  
BEING Lot 1 on Title Plan 336705X (formerly known as  
part of Lot 4 on Plan of Subdivision 026036)  
AND BEING the land contained in Certificate of Title  
Volume 8034 Folio 697

**Water:** The Vendors interest in WUL00878 & WLE003761

**1. Financial matters in respect of the land**

Information concerning the amount of Rates, Taxes, Charges and other similar outgoings affecting the property and interest (if any) payable thereon (including any Owners Corporation Charges and Interest):

(a) are as follows:

<u>Authority</u>	<u>Amount</u>	<u>Interest</u>
1. Mildura Rural City Council	\$2,572.08 per annum 2019/2020	
2. Lower Murray Water – Rural	See attached information statement	

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: Usual Adjustment of outgoings and water by measure

(a) ~~Their total does not exceed \$~~

(b) ~~The particulars of any Charge (whether registered or not) over the property imposed by or under any Act to secure an amount due under that Act are as follows:~~

(c) The Purchaser may be liable for ongoing Lower Murray Water charges that are applicable to water righted land. Refer to information statement attached hereto for information.

(d) The parties acknowledge that the Purchaser will be responsible for the payment of any charges and fees in relation to continuing the Lower Murray Water Authority water connection and also the installation and supply of a Lower Murray Water meter (if required).

## **2. Insurance details in respect of the land**

- (a) If the contract provides that the land does not remain at the vendor's risk before the purchaser is entitled to possession or receipt of rents and profits:

No such insurance has been effected

Particulars of vendor's insurance policy:

- (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:

No such insurance has been effected.

Particulars of vendor's required insurance:

## **3. Matters relating to land use**

- (a) Information concerning any easement, covenant or similar restriction affecting the property, registered or unregistered, are as follows:
- (i) Description: See attached copy Title
  - (ii) Particulars of any existing failure to comply with the terms of that easement, covenant and/or restriction are as follows: None known to the Vendor
- (b) This land is not within a bushfire prone area within the meaning of the regulations made under the *Building Act 1993*
- (c) There is access to the property by road.
- (d) In the case of land to which a planning scheme applies a statement specifying—
- (i) name of the planning scheme: See attached
  - (ii) name of the responsible authority: See attached
  - (iii) zoning of the land: See attached
  - (iv) name of any planning overlay affecting the land: See attached
  - (v) Salinity – See attached
- (e) Tenancy Agreement – Tenanted pursuant to verbal tenancy arrangement between the Vendor and Tenant

## **4. Notices made in respect of land**

- (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 property of which the vendor might reasonably be expected to have knowledge:

~~Is contained in the attached certificate/s and/or statement/s.~~

~~Is as follows:~~

None to the Vendor's knowledge

- (b) Whether there are 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:

~~Is contained in the attached certificate/s and/or statement/s.~~

~~Is as follows:~~

None to the Vendor's knowledge



- (c) Particulars of any notice of intention to acquire served under section 6 of the **Land Acquisition and Compensation Act 1986**.

~~Is contained in the attached certificate/s and/or statement/s.~~

~~Is as follows:~~

None to the Vendor's knowledge

## **5. Building permits**

Particulars of any building permit issued during the past seven years under the *Building Act 1993* (where the property includes a Residence):

No such Building permit has been granted to the Vendor's knowledge

~~Is contained in the attached certificate/s.~~

~~Is as follows:~~

## **6. Information relating to any Owners Corporation**

The land is not affected by an Owners Corporation within the meaning of the *Owners Corporations Act 2006*.

~~(a) Unless paragraph (b) below applies—~~

~~either—~~

~~(A) specify the information prescribed for the purposes of section 151(4)(a) of the **Owners Corporations Act 2006** relating to the Owners Corporation; or~~

~~(B) (i) attach a copy of the current Owners Corporation certificate issued in respect of the land under section 151 of the **Owners Corporations Act 2006**; and  
(ii) attach a copy of the documents specified in section 151(4)(b)(i) and (iii) of the **Owners Corporations Act 2006** that are required to accompany an Owners Corporation certificate under that Act; or~~

~~(b) If the Owners Corporation is inactive, specify the Owners Corporation is inactive as the Owners Corporation HAS NOT in the previous 15 months:—~~

~~(i) had an annual general meeting;~~

~~(ii) fixed any fees; and~~

~~(iii) held any insurance.~~

## **7. Growth areas infrastructure contribution**

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

Particulars of work-in-kind agreement:

~~Is contained in the attached certificate/s and / or notice/s:~~

## **8. Disclosure of non-connected services**

The following services are **not** connected to the land—

- (a) electricity supply;
- (b) gas supply; Natural / Bottled Gas
- (c) water supply; Rural
- (d) sewerage; Septic
- (e) telephone services.

## **9. Evidence of title**

Attached are copies of 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 and the document, or part of the document, referred to as the diagram location in the Register Search Statement 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 vendor's title to the land;
- (c) if the vendor is not the registered proprietor of the land or the owner of the estate in fee simple in the land, 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) if the plan of subdivision has not been registered, a copy of the plan of subdivision which has been certified by the relevant municipal council; or
  - (ii) if the plan of subdivision has not yet been certified, a copy of the latest version of the plan;
- (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 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 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 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.

### **IMPORTANT NOTICE – ADDITIONAL DISCLOSURE REQUIREMENTS:**

Where the property is to be sold subject to a Mortgage that is not to be discharged by the date of possession (or receipt of rents and profits) of the property and/or sold on Terms – the Vendor must provide an additional Statement containing the particulars specified in Schedules 1 and 2 of the Act.

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 the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land, then the vendor must provide an additional statement containing the information specified in Schedule 2 of the Sale of Land Act 1962.



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

VOLUME 08034 FOLIO 697

Security no : 124083414931A

Produced 29/05/2020 11:41 AM

LAND DESCRIPTION

Lot 1 on Title Plan 336705X (formerly known as part of Lot 4 on Plan of Subdivision 026036).

PARENT TITLE Volume 07980 Folio 002

Created by instrument 2537495 16/01/1953

REGISTERED PROPRIETOR

Estate Fee Simple

Joint Proprietors

IAN ROSS BRUTON

JENNIFER JOY BRUTON both of 9 BOONONAR ROAD COLIGNAN 3194

V965498Q 29/03/1999

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE V965499M 29/03/1999

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 set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP336705X 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: 2702 KULKYNE WAY NANGILOC VIC 3494

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LIMITED

Effective from 22/10/2016

DOCUMENT END

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<b>TITLE PLAN</b>	<b>EDITION 1</b>	<b>TP 336705X</b>						
<b>Location of Land</b> Parish: CARWARP Township: Section: Crown Allotment: 19(PT) Crown Portion:  Last Plan Reference: LP26036 Derived From: VOL 8034 FOL 697 Depth Limitation: 50 FEET		<b>Notations</b> IN THE MALLEE COUNTRY FOR THE PURPOSES OF THE LAND ACT.  ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN						
<b>Description of Land / Easement Information</b> <p><i>All that piece of Land delineated and coloured purple and blue on the map in the margin containing Eighteen acres One rood and Seven perches or thereabouts -- being part of Lot 4 on Plan of Subdivision No.26036 lodged in the Office of Titles -- and being part of Crown Allotment 19 Parish of Corwarw County of Kerkaroree -- -- Together with a right to use the land coloured yellow on the said map and the pipe line constructed thereon for the purpose of conveying water to the said land coloured purple and blue and Together with a right to enter upon the said land coloured yellow for the purpose of repairing and keeping clean the said pipe line -- --</i></p> <p style="text-align: center;"><b>ENCUMBRANCES REFERRED TO</b></p> <p>As to the land coloured blue ---  <u>THE EASEMENT</u> relating to a Water Pipe line and Right of Entry in connection therewith created by Instrument No.2530765 in the --- Register Book ---</p>		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 29/02/2000 VERIFIED: CP  <b>COLOUR CODE</b> BL = BLUE P = PURPLE Y = YELLOW						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="2" style="text-align: center;">TABLE OF PARCEL IDENTIFIERS</th> </tr> <tr> <td colspan="2" style="text-align: center;">                     WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962                 </td> </tr> <tr> <td colspan="2" style="text-align: center;">                     PARCEL 1 = LOT 4 (PT) ON LP26036                 </td> </tr> </table>			TABLE OF PARCEL IDENTIFIERS		WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962		PARCEL 1 = LOT 4 (PT) ON LP26036	
TABLE OF PARCEL IDENTIFIERS								
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962								
PARCEL 1 = LOT 4 (PT) ON LP26036								
LENGTHS ARE IN LINKS 1 LINK = 0.3048 x Feet 1 LINK = 0.201168 x Metres	Sheet 1 of 1 sheets							



## **COPY OF RECORD IN THE VICTORIAN WATER REGISTER WATER-USE LICENCE**

### ***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-use licence WUL008787 does not remove the need to apply for any authorisation or permission necessary under any other Act of Parliament with respect to anything authorised by the water-use licence.*

*Water used under water-use licence WUL008787 is not fit for any use that may involve human consumption, directly or indirectly, without first being properly treated.*

Water-use licence WUL008787 authorises the use of water for the purpose of irrigation, watering a kitchen garden that is not more than 0.4 hectares, watering animals kept as pets, watering cattle or other stock (not including piggeries, feed lots, poultry farms or any other intensive or commercial use), dairy use, and general non-irrigation farm use, on the land described below, subject to the conditions that are specified.

### **Land on which water may be used**

#### **Land description**

Volume 8034 Folio 697  
Lot 1 of Plan TP336705X

### **Holder(s) of Water-Use Licence**

IAN ROSS BRUTON of 1392 BOONONAR ROAD COLIGNAN VIC 3494  
JENNIFER JOY BRUTON of 1392 BOONONAR ROAD COLIGNAN VIC 3494

### **Water-Use Licence Details**

<b>Status</b>	Active
<b>Annual use limit</b>	79.0 megalitres
<b>Water share holding limit</b>	158.0 megalitres
<b>Licensing water authority</b>	Lower Murray Water
<b>Trading zone for water use</b>	7 VIC Murray - Barmah to SA
<b>Delivery system</b>	R Murray (Euston-Wentworth)
<b>Related works licences</b>	WLE003761
<b>Associated water shares</b>	WEE018148
<b>Salinity impact zone</b>	Low Impact Zone 4 (LI 7)

## Application History

<i>Reference</i>	<i>Type</i>	<i>Status</i>	<i>Lodged date</i>	<i>Approved date</i>	<i>Recorded date</i>
PTA022533	Address amendment	Recorded			30 Oct 2013
PTA022532	Address amendment	Recorded			30 Oct 2013

## Conditions

Water-use licence WUL008787 is subject to the following conditions:

### Managing groundwater infiltration

- 1 Subject to the Minister declaring a seasonal adjustment to annual use limits to accommodate exceptionally high evapotranspiration rates, the maximum number of megalitres of water that may be applied to the land specified in the licence in any 12-month period from 1 July to 30 June will be 79.0
- 2 Water used for the purposes of irrigation on the land specified in the licence must be measured through a meter approved by the water Authority unless the Authority has granted an exemption in writing.
- 3 Poned irrigation must not be carried out on the land specified in the licence without the addition of particular conditions governing the use of such an irrigation system.

### Managing drainage disposal

- 4 Where irrigation results in drainage from the land specified in the licence that drainage water must be disposed in ways that meet with the standards, terms and conditions adopted from time to time by the water authority.

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END OF COPY OF RECORD

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# COPY OF RECORD IN THE VICTORIAN WATER REGISTER

## LICENCE TO OPERATE WORKS

### *under Section 67 of the 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.*

*This licence does not remove the need to apply for any authorisation or permission necessary under any other Act of Parliament with respect to anything authorised by the works licence.*

*Water used under this licence is not fit for any use that may involve human consumption, directly or indirectly, without first being properly treated.*

*This licence is not to be interpreted as an endorsement of the design and/or construction of any works (including dams). The Authority does not accept any responsibility or liability for any suits or actions arising from injury, loss, damage or death to person or property which may arise from the maintenance, existence or use of the works.*

*Each person named as a licence holder is responsible for ensuring all the conditions of this licence are complied with.*

This licence authorises its holders to operate the described works, subject to the conditions.

### Licence Holder(s)

IAN ROSS BRUTON of 1392 BOONONAR ROAD COLIGNAN VIC 3494  
JENNIFER JOY BRUTON of 1392 BOONONAR ROAD COLIGNAN VIC 3494

### Licence Contact Details

IR & JJ BRUTON

1392 BOONONAR ROAD  
COLIGNAN VIC 3494  
AU

### Licence Details

Expiry date	30 Jun 2023
Status	Active
Authority	Lower Murray Water
Name of waterway or aquifer	R Murray (Euston-Wentworth)
Water system	Murray

### Summary of Licensed Works

The details in this section are a summary only. They are subject to the conditions specified in this licence.

Works ID	Works type	Use of water
WRK050539	Pump	Irrigation

### Description of Licensed Works

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**WORKS ID** WRK050539

Works type	Pump
Works subtype	Fixed
Manufacturer	Goulds
Model	125 X 100 - 400
Suction pipe size	150 millimetres
Delivery pipe size	150 millimetres
RPM	1460
Output power	40.00 hp

#### Extraction Details

Service point/s	SP017451 40095
Maximum extraction rate	6.480 megalitres per day (The physical capacity of the works)
Maximum daily volume	0.677 megalitres (The volume authorised to be extracted via the works)
Maximum annual volume	79.000 megalitres
Use of water	Irrigation - as well as domestic and stock use, dairy use, and general non-irrigation farm use

#### Works location

<i>Easting</i>	<i>Northing</i>	<i>Zone MGA</i>
625330.457	6183336.808	Zone 54

#### Land description

CA 16 Section A Parish of Carwarp

### Related Instruments

<b>Related entitlements</b>	Nil
<b>Related water-use entities</b>	WUL008787

### Application History

<i>Reference</i>	<i>Type</i>	<i>Status</i>	<i>Lodged date</i>	<i>Approved date</i>	<i>Recorded date</i>
PTA022533	Address amendment	Recorded			30 Oct 2013
PTA022532	Address amendment	Recorded			30 Oct 2013
WLR004022	Modify	Approved	20 May 2020	20 May 2020	
WLV006851	Modify	Approved	12 Sep 2013	13 Sep 2013	
WLV033388	Modify	Approved	14 Sep 2012	17 Sep 2012	
WLI565950	Issue	Approved	01 Jul 2007	01 Jul 2007	

## Conditions

Licence WLE003761 is subject to the following conditions:

### Preventing pollution

- 1 Water must not be taken through the works if the Authority reasonably believes fuel, or lubricant, or any other matter used in connection with works and appliances associated with this licence, is at risk of contaminating a waterway, or aquifer, or the riparian or riverine environment.
- 2 The licence holder must construct and maintain bund walls around any hydrocarbon-fuel-driven engine, motor, fuel storage, or chemical storage used in connection with this licence, in accordance with the timeframe, specifications, guidelines and standards prescribed by the Authority.

### Rosters and restrictions

- 3 Water may only be taken through the works referred to in the works licence if, in a period of rationing or other restriction, it is taken in accordance with the share of the flow represented by the specified extraction share of 0.68 ML/day.
- 4 When directed by the Authority, water must be taken in accordance with the rosters and restrictions determined by the Authority, and advised to the licence holder.
- 5 Water may only be taken through the works referred to in the works licence if the maximum instantaneous extraction rate is no more than 75.00 L/second.

### Metering of water taken and used

- 6 Water may only be taken under this licence if it is taken through a meter approved by the Authority.
- 7 Meters must be installed, in accordance with the specifications set by the Authority, at the licence holder's expense.
- 8 Meters used for the purpose of this licence are deemed to be the property of the Authority.
- 9 The licence holder must at all times provide the Authority with safe access to meters for the purpose of reading, calibration or maintenance.
- 10 The licence holder must notify the Authority within one business day if the meter ceases to function or operate properly.
- 11 The licence holder must, if required by the Authority, keep an accurate record of the quantity of water taken under this licence and allow the Authority to inspect this record at all reasonable times, and provide a copy of the record when requested.
- 12 The licence holder must not, without the consent of the Authority, interfere with, disconnect or remove any meter used for the purposes of the licence.
- 13 The Authority may, if it deems necessary, make an estimate of the total volume of water taken under this licence.

### Operation and maintenance

- 14 Water may only be taken through the works at the specified location.
- 15 The licence holder must keep all works, appliances and dams associated with this licence, including outlet pipes and valves, in a safe and operable condition, and free from obstacles and vegetation that might hinder access to works.
- 16 Water may only be taken through the works if the works are sited, constructed, operated and maintained to the satisfaction of the Authority.
- 17 Works must not be altered, removed or decommissioned without a licence that authorises alteration, removal or decommissioning.
- 18 The licence holder must at all times provide the Authority with safe access to inspect all works and appliances used to take water under this licence.

### Protecting biodiversity

- 19 Water must not be taken through the works if the Authority reasonably believes that the taking



of water, through the works and appliances associated with this licence, is at risk of causing damage to the environment.

- 20 The licence holder must, if required by the Authority, remedy any damage to the environment that in the opinion of the Authority is a result of the installation, operation or maintenance of the works.

**Fees and charges**

- 21 The licence holder must, when requested by the Authority, pay all fees, costs and other charges under the Water Act 1989 in respect of this licence.

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END OF COPY OF RECORD

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## LOWER MURRAY WATER

Statement No: IS20/82317  
Our Ref: 45201 / 786136  
Issue Date: 16/06/2020  
Your Ref: 37894549-025-6

LANDATA  
DX 250639  
EAST MELBOURNE

Statement showing Tariffs, Charges & Interest due within Financial Year Ending 30/06/2020.

Owner Name(s) MR IR BRUTON & MS JJ BRUTON  
Situate: 2702 KULKYNE WAY NANGILOC VIC 3494  
Description: Lot 1 TP 336705 CA Pt 19 Par Carwarp V 8034 F 697

Lower Murray Water hereby states that the above described property has the following Tariffs and Charges raised on the Property and the amounts are due and payable to Lower Murray Water.

NOTE: ALL ARREARS SHOWING ON THIS STATEMENT MUST BE PAID IN FULL ON SETTLEMENT.  
NOTE: THIS STATEMENT IS VALID FOR A PERIOD OF THIRTY DAYS FROM DATE OF ISSUE  
OR UNTIL THE END OF THE CURRENT PERIOD AS STATED BELOW

### TARIFFS AND CHARGES

TARIFFS & CHARGES LEVIED for period:	1/04/2020 to 30/06/2020	
NCWMD Operational Fee - AUL based (Qtr)		62.41
Operational Fee - per ML AUL (Qtr)		48.78
Service Charge (Quarterly)		25.00
Diversion Metered Usage Charge up to 25/4/2020		0.00
Receipts, Concessions & Rebates		(136.19)
Balance Due		\$0.00

**Mildura (Head Office)**  
T 03 5051 3400  
741-759 Fourteenth Street  
Mildura Victoria 3500  
PO Box 1438  
Mildura Victoria 3502  
AUSDOC DX 50023

**Swan Hill (Area Office)**  
T 03 5036 2150  
73 Beveridge Street  
Swan Hill Victoria 3585  
PO Box 1447  
Swan Hill Victoria 3585  
AUSDOC DX 30164

**Kerang (Area Office)**  
T 03 5450 3960  
56 Wellington Street  
Kerang Victoria 3579  
PO Box 547  
Kerang Victoria 3579  
AUSDOC DX 57908

E [admin@lmw.vic.gov.au](mailto:admin@lmw.vic.gov.au)

[lmw.vic.gov.au](http://lmw.vic.gov.au)



ABN 18 475 808 826

**All Emergencies**  
**1800 808 830**



PROPERTY SERVICE INFORMATION	
Property Serviced:	Yes
Purpose:	Irrigation of land
Water Supply:	Untreated Water

#### Last Billed Water Consumption Details - Diversion Metered Usage Charge

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 Period Of Usage: 9/1/2020 to 25/4/2020 (107 Days)  
 11.520 ML @ \$0.00000 Step1 Rate = \$0.00

#### Water Meter Details

-----  

Serial No.	Outlet No.	Size	Date Read	Reading
44176	40095	150	25/4/2020	40.681

#### Water Register Details

-----  
 The current volume of Water Share as shown on the Victorian Water Register is 79.0 ML  
**The applicant has advised no Water Share will be transferred to the purchaser.**

The current Water Use Licence and AUL details as shown on the Victorian Water Register are:  
 WUL008787 79.0 ML AUL

Issued Pursuant to Section 158 of the Water Act 1989.

#### WATER SHARE DETAILS

The Entitlement Storage Fee as set out in the Rates and Charges is based on the Water Share appearing in the Victorian Water Register. The Corporation suggests that the Contract of Sale specifies the volume of water share to be linked to the property upon sale.

Any information contained in this statement in relation to a water share is based on information contained in the Victorian Water Register and possibly information that Lower Murray Water has become aware of as a result of a relevant transfer application(s) to LMW.

While LMW has endeavoured to provide accurate information, LMW makes no warranties or representations as to the accuracy of the water share details specified in this statement. Among other things, the Victorian Water Register may not accurately reflect the water share, applications may have been made which affect the water share, of which LMW has no knowledge, and the relevant transfer may not ultimately be registered. The reader should make his or her own enquiries and not rely upon the information contained in this statement. We suggest you obtain legal advice in relation to any proposed dealings affecting the Water Share.



**TRANSFER OF WATER SHARE**

In order to transfer the ownership of the Water Share in the Victorian Water Register, please complete the required prescribed forms and submit along with the appropriate fee to this office. A completed Water Share Owner Identification 100 Point Check Form (for Solicitors) will also be required.

A transfer of ownership of a water share under Section 33S (3) does not have the effect of assigning any water allocated for that share before the recording of the transfer.

**WATER USE LICENCE**

This property has a Water Use Licence which may be transferred. This will occur on the settlement of the property.

Customers should obtain a copy of the Water Use Licence to seek all relevant water use conditions. Customers should specifically take note of the Annual Use Limit which applies on the land. This is the maximum amount of water which can be used annually.

**CAPITAL AND OPERATIONS & MAINTENANCE SALINITY CHARGES.**

Some properties have salinity capital and operations and maintenance charges applying to them. You should inquire about these before purchasing the property as these charges may be significant.

**USAGE AND ALLOCATION**

A Special Meter Reading is recommended to determine water usage prior to settlement or another party taking working possession. Fees apply, refer to fee schedule.

Customers must not exceed the available balance in their Allocation Bank Account (ABA). Should more water be required then a transfer of water allocation must take place.

Customers should always seek advice on the balance of the ABA at settlement to ensure there is an understanding of what water is available for use.

**SPILLABLE WATER CHARGES**

Spillable water account charges are levied to the owner of a water share and are raised after the low risk of spill declaration has been made.

It is important to consider that if you are buying a water share prior to the spillable water account fees being raised, you will be liable for any spillable water account charges which are issued later in the year.

**THE WATER SUPPLIED IS ONLY RIVER / CHANNEL QUALITY STANDARD:**

It is not potable water and is not intended for human consumption (non consumptive domestic use); it may be unsuitable at times for other purposes (example washing, bathing, animal consumption; and it is the property owner's responsibility to advise other parties who may use this water of the quality relating to this water supply.

Lower Murray Water will endeavour to supply water to Customers at a quality that is at least the same as the source water from where it is taken. Lower Murray Water will monitor water quality and endeavour to inform Customers of changes in water quality which are likely to impact on the purposes for which water is used by Customers. Lower Murray Water will, when necessary, issue public notices regarding water quality. These notices will also be placed on Lower Murray Water's web site.

**Other Information:**

This property is not situated within a constituted rating district of the Corporation, however a water supply is available via Works Licence **WLE003761** for irrigation purposes. This Works Licence may be transferred to the new owner at settlement. Fees apply, refer to fee schedule.

obligated to ensure that its customers comply.

Lower Murray Water rural drainage main / infrastructure located inside property boundary.

Corporation assets/infrastructure located inside property boundary.

It should be noted that in most instances the integrity of the corporations assets/infrastructures are protected by way of easements. An easement can be in the form of a registered easement depicted on the property title or alternatively as an implied easement as prescribed under Section 148 of the Water Act 1989. The corporation has policies in place which prohibits or restricts the placement of buildings and or structures over their easement.

Please note the location of Lower Murray Water assets/infrastructure as these may hinder any future development of this site.

As the property is being sold without Water Share, it will not be able to cover its metered usage by allocations derived from a Water Share and the purchaser will be required to trade in sufficient allocation to ensure that the Allocation Bank Account (ABA) remains in credit. Allocation may be obtained from the market place. All rural customers must ensure they have allocation water available in their account to cover their usage at all times. Overuse of allocation is a breach of the Water Act 1989 and Lower Murray Water is If you wish to make the settlement payment for this property via BPay please use the following information:

**Biller Code 78477 Payment Reference Number 700452014.**

This statement was issued by the Mildura Office.

Signed:

*S. Walker*

On behalf of:

**LOWER MURRAY URBAN & RURAL WATER CORPORATION**

**PLEASE NOTE:**

Property owners of the relevant land are responsible for the operation and maintenance of all internal private services including all drains and service pipes up to the connection point of the Corporation's main.

**DISCLAIMER:**

Information as to the location of services provided in that statement in accordance with Section 158(3) of the Water Act 1989, relate only to services owned by the Corporation which are located within or adjacent to the property. The Corporation does not accept responsibility for information it attempts to provide to assist in relation to the location of private services within the property, this information provided under Section 158(4) of the Water Act 1989, and should not be relied upon without further physical inspection.

# PLANNING PROPERTY REPORT



Environment,  
Land, Water  
and Planning

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 02 June 2020 12:12 PM

## PROPERTY DETAILS

Address: **2702 KULKYNE WAY NANGILOC 3494**  
Lot and Plan Number: **Lot 1 TP336705**  
Standard Parcel Identifier (SPI): **1\TP336705**  
Local Government Area (Council): **MILDURA**  
Council Property Number: **21094**  
Planning Scheme: **Mildura**  
Directory Reference: **Vicroads 3 G9**

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

[Planning Scheme - Mildura](#)

## UTILITIES

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

[View location in VicPlan](#)

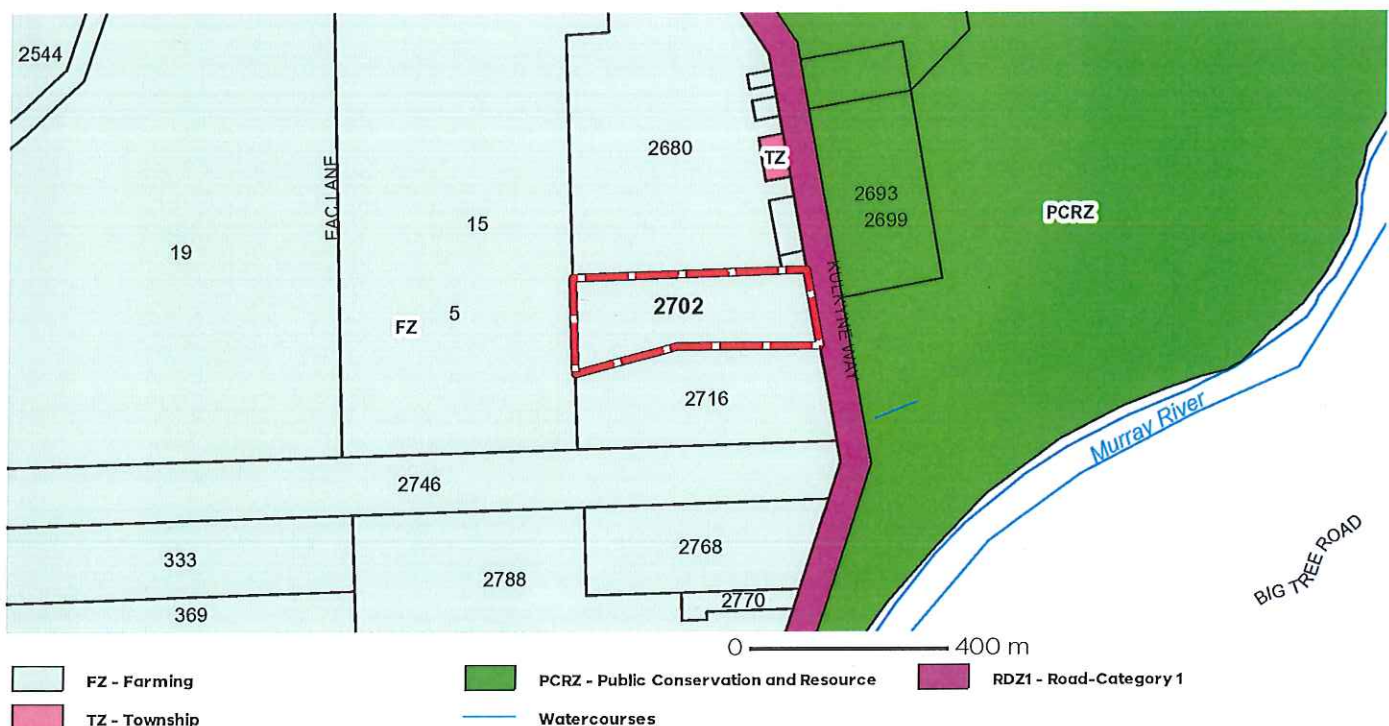
## STATE ELECTORATES

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

## Planning Zones

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

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



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



# PLANNING PROPERTY REPORT

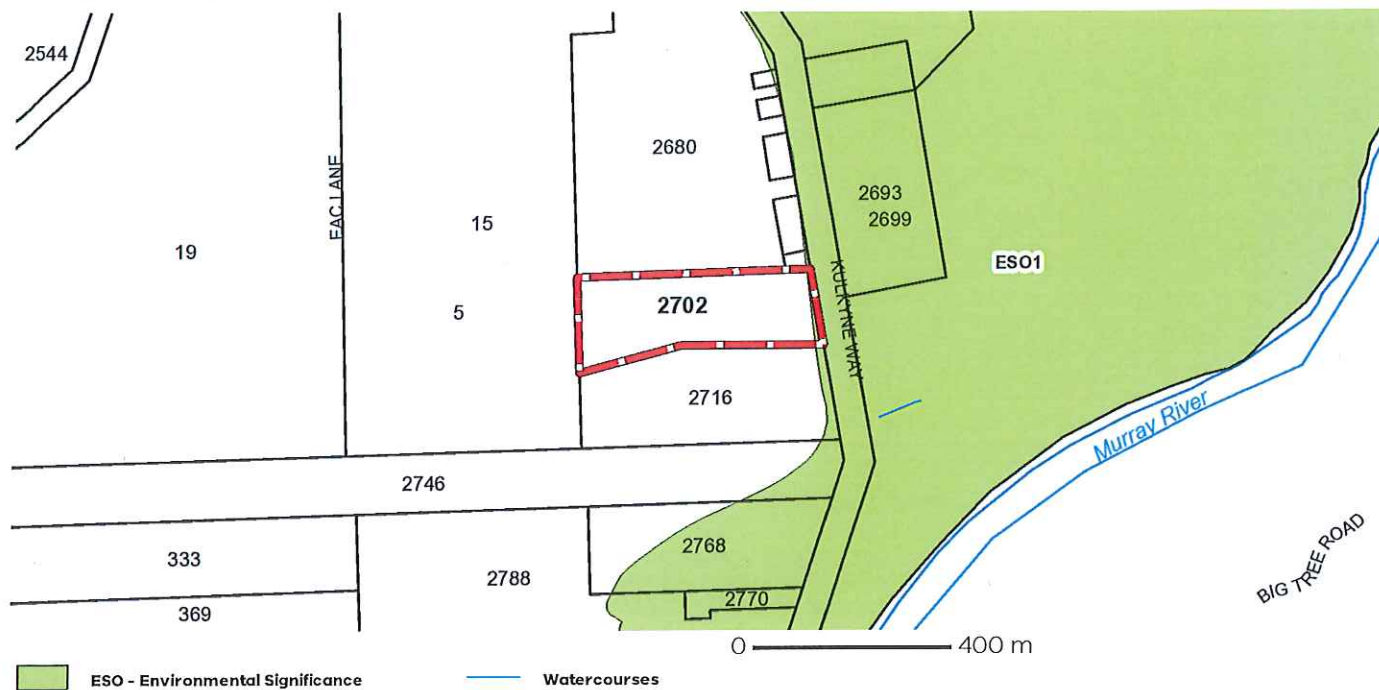


Environment,  
Land, Water  
and Planning

## Planning Overlays

### ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

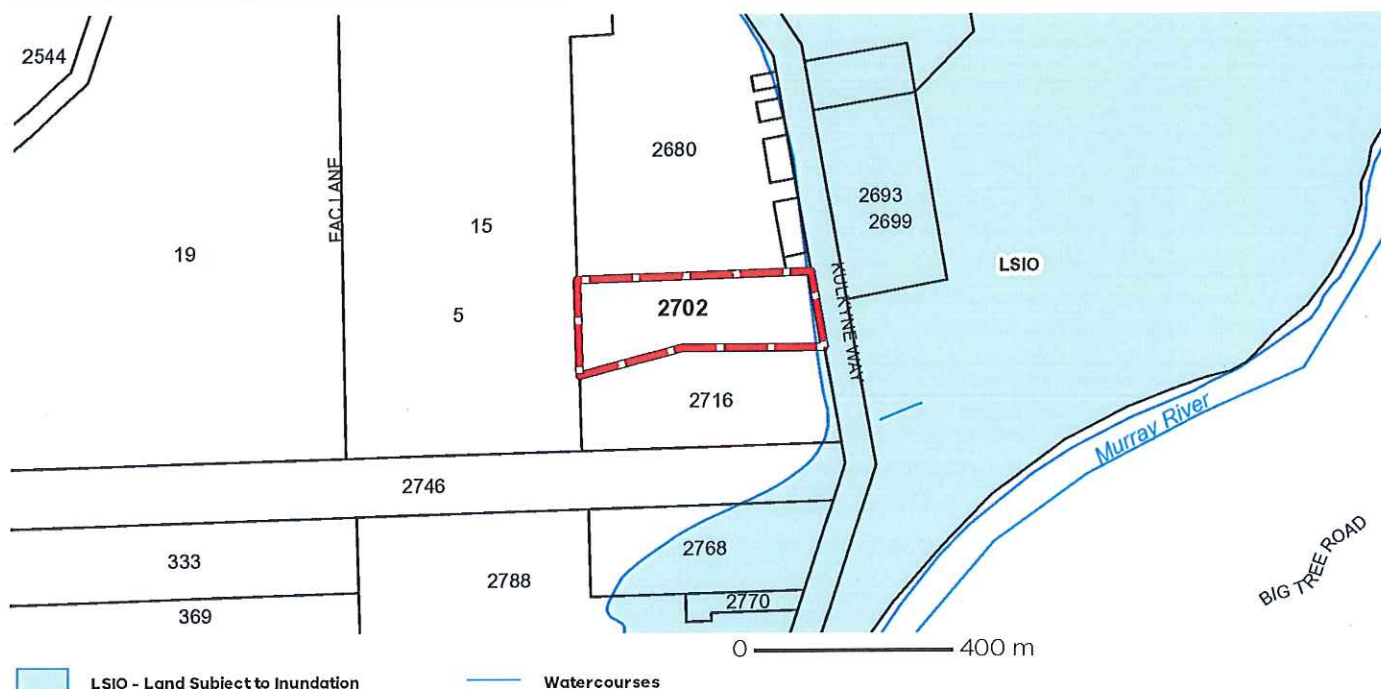
#### ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 (ESO1)



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

### LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

#### LAND SUBJECT TO INUNDATION OVERLAY SCHEDULE (LSIO)



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

# PLANNING PROPERTY REPORT



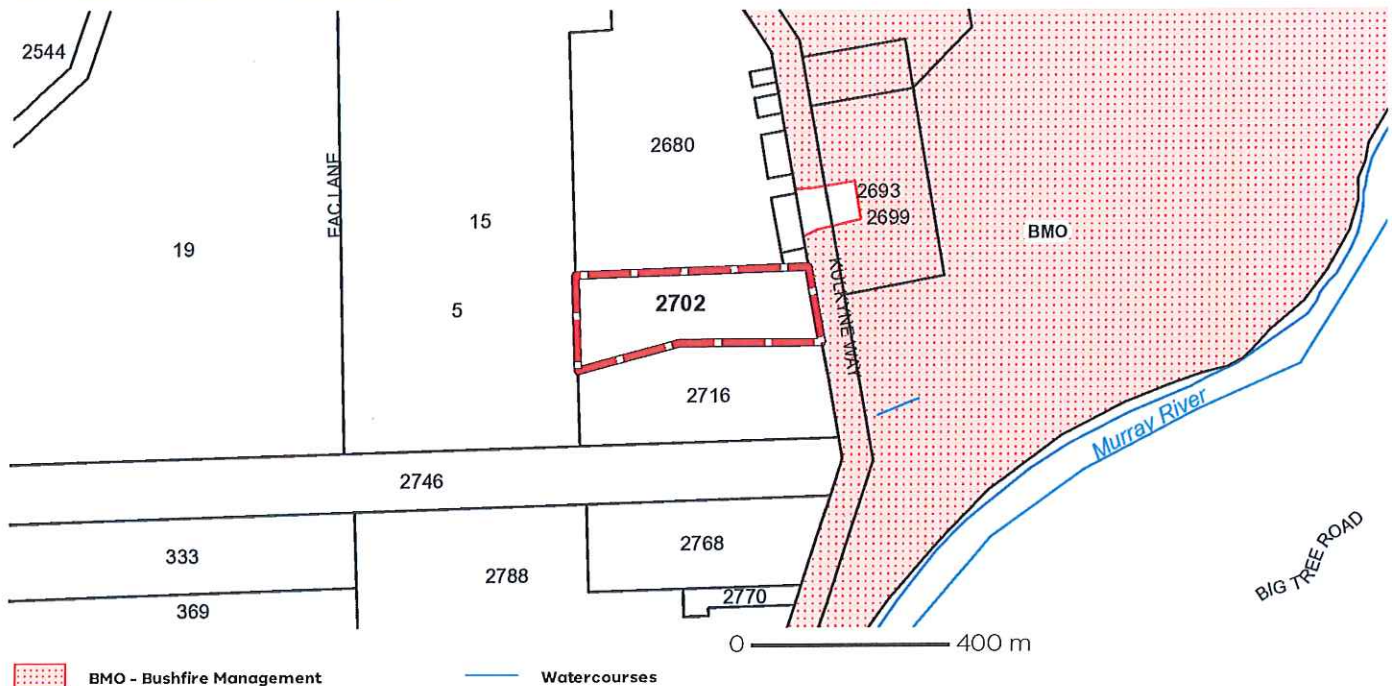
Environment,  
Land, Water  
and Planning

## Planning Overlays

### OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

#### BUSHFIRE MANAGEMENT OVERLAY (BMO)



BMO - Bushfire Management

Watercourses

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 27 May 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 <https://mapshare.maps.vic.gov.au/vicplan>

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

# PLANNING PROPERTY REPORT

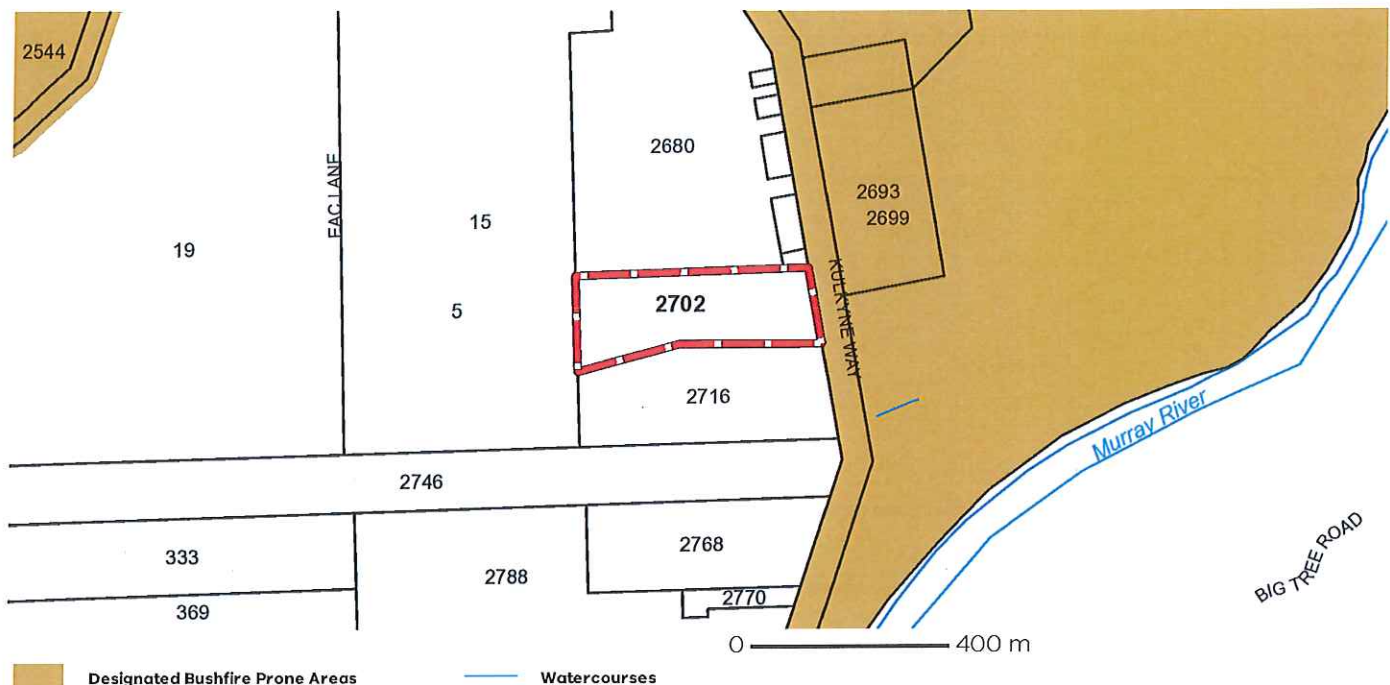


Environment,  
Land, Water  
and Planning

## Designated Bushfire Prone Areas

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 <https://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 <https://www.vba.vic.gov.au>

Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>

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



## Property Report from [www.land.vic.gov.au](http://www.land.vic.gov.au) on 02 June 2020 12:11 PM

**Address:** 2702 KULKYNE WAY NANGILOC 3494

**Lot and Plan Number:** Lot 1 TP336705

**Standard Parcel Identifier (SPI):** 1\TP336705

**Local Government (Council):** MILDURA **Council Property Number:** 21094

**Directory Reference:** VicRoads 3 G9

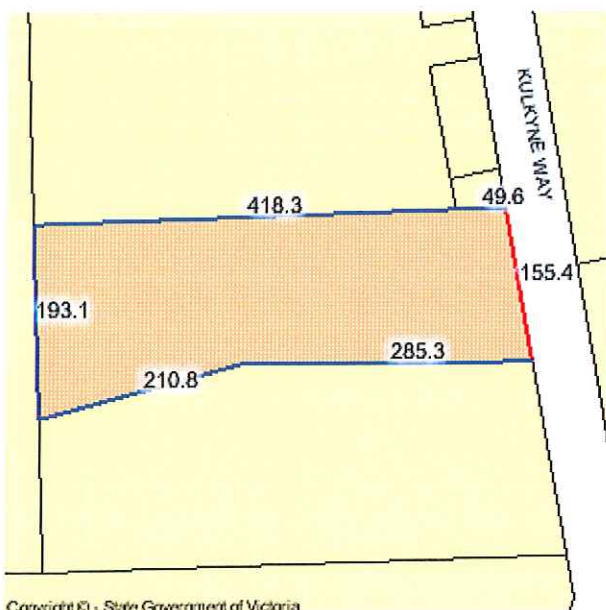
**This property is not in a designated bushfire prone area.**

**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](http://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:** 75359 sq. m  
(7.5 ha)

**Perimeter:** 1311 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](#)

### State Electorates

**Legislative Council:** NORTHERN VICTORIA

**Legislative Assembly:** MILDURA

### 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 information continued on next page



## Planning Zone Summary

**Planning Zone:** FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE (FZ)

**Planning Overlays:** ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

ENVIRONMENTAL SIGNIFICANCE OVERLAY - SCHEDULE 1 (ESO1)

LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

LAND SUBJECT TO INUNDATION OVERLAY SCHEDULE (LSIO)

Planning scheme data last updated on 27 May 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

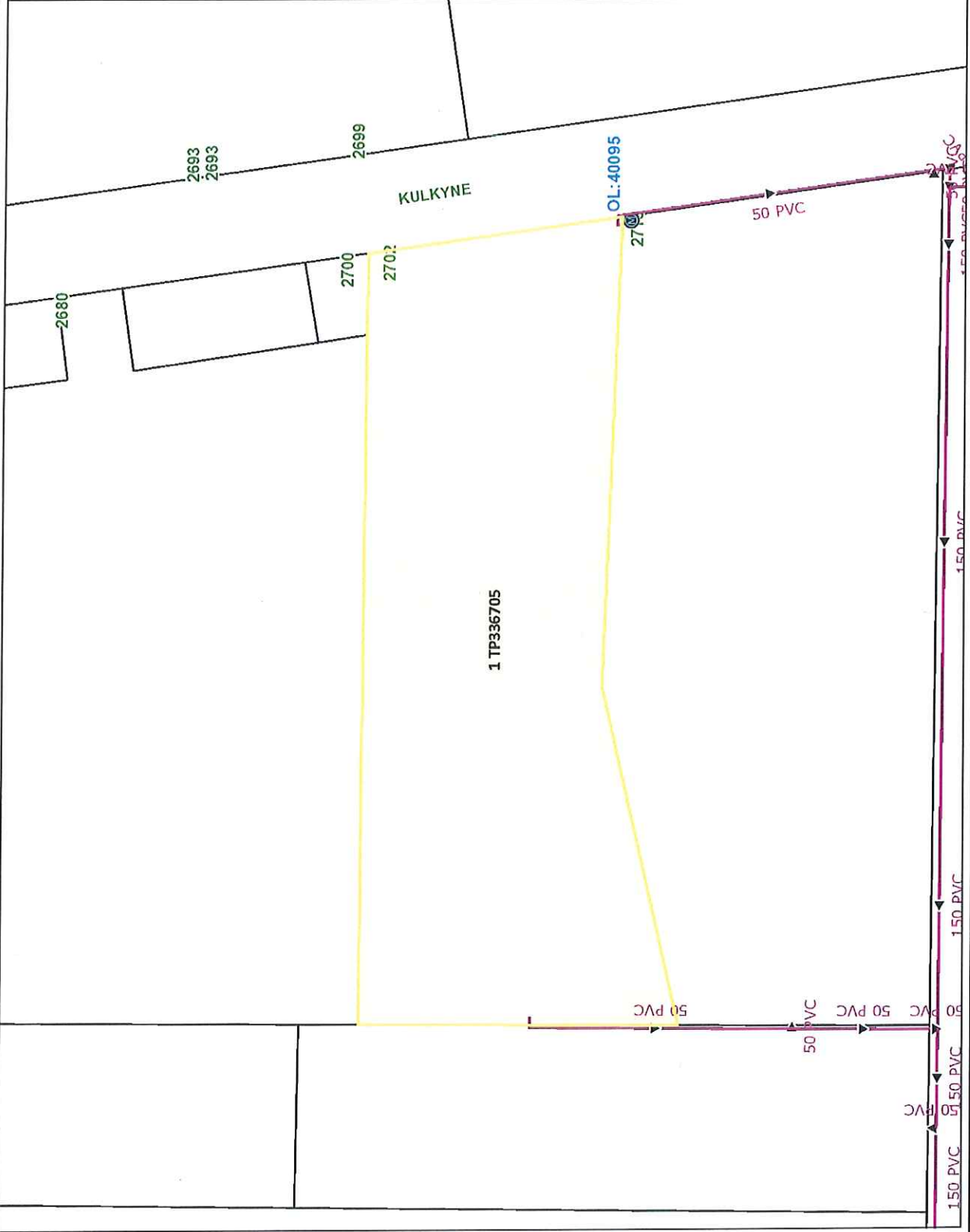
To view planning zones, overlay and heritage information in an interactive format visit [Planning Maps Online](#)

For other information about planning in Victoria visit [www.planning.vic.gov.au](http://www.planning.vic.gov.au)

## Area Map



# LMW Assets - Property Inquiry - IS20\_82317 - PAC 45201



## Legend

- Urban Water
- Pipeline
- Retired Pipeline
- Urban Sewer
- Gravity Pipeline
- Pressure Main Pipeline
- Rising Main Pipeline
- Retired Gravity Pipeline
- Retired Pressure Main Pipeline
- Retired Rising Main Pipeline
- Rural Irrigation
- Channel
- Pipeline
- Retired Channel
- Retired Pipeline
- Irrigation Outlet
- Domestic and Stock Outlet
- Rural Drainage
- Channel
- Gravity Pipeline
- Rising Main
- Retired Channel
- Retired Pipeline

## LOWER MURRAY WATER

Property Inquiry  
01/06/2020

## LMW DISCLAIMER:

The accuracy and completeness shown on this plan is not guaranteed and therefore shall be used as a guide only. The user is responsible to prove locations and depths in the field. This information is only to be used for the initial project and shall not be passed onto a third party.

Note: The exact location of outlets newly installed or replaced under SMP may have not been verified. For further assistance please contact LMW.

GDA 1994 MGA Zone 54  
© Lower Murray Urban  
and Rural Water Corporation



**ATTACHMENT TO REQUEST FOR INFORMATION  
BUILDING REGULATION 51  
SALINITY AFFECTING THE MUNICIPALITY**

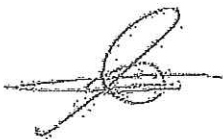
Some land within the municipality of the Mildura Rural City Council contains high levels of salt resulting in a condition commonly referred to as 'salinity'. Salinity can result in 'salt damp' or 'rising damp and salt attack' which can cause damage to certain building materials such as concrete and masonry.

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.

Yours sincerely



**Mark Yantzes**

**MUNICIPAL BUILDING SURVEYOR**

MY/mn



# Due diligence checklist for home buyers

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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. This page contains links to organisations and web pages that can help you learn more.

From 1 October 2014, all sellers or estate agents must make this checklist available to potential buyers.

Sellers or estate agents must:

- ensure copies of the due diligence checklist are available to potential buyers at any open for inspection
- include a link to this webpage ([consumer.vic.gov.au/due diligence checklist](http://consumer.vic.gov.au/due-diligence-checklist)) or include a copy on any website maintained by the estate agent or the seller (if no estate agent is acting for the seller).

You can print additional copies of the [Due diligence checklist \(Word, 140KB\)](#).

## Urban living

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.

For more information, visit the [Commercial and industrial noise page on the Environment Protection Authority website](#) and the [Odour page on the Environment Protection Authority website](#).

## Buying into 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.

For more information, view our [Owners Corporations section](#) and read the [Statement of advice and information for prospective purchasers and lot owners \(Word, 53KB\)](#).

## Growth areas

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

For more information, visit the [Growth Areas Infrastructure Contribution page on the Department of Planning, Transport and Local Infrastructure website](#).

## Flood and fire risk

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.

More information:

- [Australian Flood Risk Information Portal - Geoscience Australia website](#)
- [Melbourne Water website](#)
- [Mallee Catchment Management Authority website](#)
- » [North Central Catchment Management Authority website](#)
- [Glenelg Hopkins Catchment Management Authority website](#)
- [North East Catchment Management Authority website](#)
- [Wimmera Catchment Management Authority website](#)
- [West Gippsland Catchment Management Authority website](#)
- » [Bushfire Management Overlay in planning schemes - Department of Transport, Planning and Local infrastructure website](#)
- [Building in bushfire prone areas - Department of Transport, Planning and Local Infrastructure website](#).

## Rural properties

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. For information about what impacts you should expect and how to manage them, visit the [new landholders section on the Department of Environment and Primary Industries website](#).
- » Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property. The limitations on clearing and processes for legal clearing are set out on the [Native Vegetation page on the Department of Environment and Primary industries website](#).
- » Do you understand your obligations to manage weeds and pest animals? Visit the [New landholders section on the Department of Environment and Primary Industries website](#).
- Can you build new dwellings? Contact the local council for more information.
- » 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? For more information, visit the [Department of Environment and Primary Industries website](#).

## Earth resource activity, such as mining

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.

For more information, visit the [CeoVic page on the Department of State Development Business and Innovation website](#) and the [Information for community and landholders page on the Department of State Development Business and Innovation website](#).



## **Soil and groundwater contamination**

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.

For information on sites that have been audited for contamination, visit the [contaminated site management page on the Environment Protection Authority website](#).

For guidance on how to identify if land is potentially contaminated, see the Potentially Contaminated Land General Practice Note June 2005 on the [Miscellaneous practice and advisory notes page on the Department of Planning and Community Development website](#).

## **Land boundaries**

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.

For more information, visit the [Property and land titles page on the Department of Transport, Planning and Local Infrastructure website](#).

## **Planning controls affecting 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.

## **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.

The local council can give you advice about planning schemes, as well as details of proposed or current planning permits. For more information, visit the [Planning Schemes Online on the Department of Planning and Community Development website](#).

A cultural heritage management plan or cultural heritage permit may be required prior to works being undertaken on the property. [The Aboriginal Heritage Planning Tool on the Department of Premier and Cabinet website](#) can help determine whether a cultural heritage management plan is required for a proposed activity



## **Safety**

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.

For more information, visit the [Consumers section on the Victorian Building Authority website](#) and the [Energy Safe Victoria website](#).

## **Building permits**

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.

For more information about building regulation, visit our Building and renovating section.

## **Aboriginal cultural heritage and building plans**

For help to determine whether a cultural heritage management plan is required for a proposed activity, visit the [Aboriginal Cultural Heritage Planning Tool section on the Department of Premier and Cabinet website](#).

## **Insurance cover for recent building or renovation works**

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

You can find out more about insurance coverage on the [Owner builders page on the Victorian Building Authority website](#) and [Domestic building insurance page on the Victorian Building Authority website](#).

## **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.

For more information, visit the [Choosing a retailer page on the Your Choice website](#).

For information on possible impacts of easements, visit the [Caveats, covenants and easements page of the Department of Transport, Planning and Local Infrastructure website](#).

For information on the National Broadband Network (NBN) visit the [NBN Co website](#).

## Buyers' rights

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.

For more information, view our [Buying property section](#).

## Professional associations and bodies that may be helpful:

\* [Archicentre website](#)

[Association of Consulting Surveyors Victoria website](#)

[Australian Institute of Conveyancers \(Victorian Division\) website](#)

[Institute of Surveyors Victoria website](#)

[Law institute of Victoria website](#)

[Real Estate Institute of Victoria website](#)

[Strata Community Australia \(Victoria\) website](#).

Government of Victoria (Consumer Affairs Victoria) 2014

<http://www.consumer.vic.gov.au/duediligencechecklist> 5/5

**Vendor: Ian Ross Bruton and Jennifer Joy Bruton**

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**Vendor's Section 32 Statement**

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**Property: 2702 Kulkyne Way, Nangiloc**

**Vendor's Conveyancer:**  
**ALLSTATE CONVEYANCING SERVICES PTY. LTD.**  
**Of 170 Eighth Street, Mildura, Vic, 3500.**

**Phone: 03 50 235355**  
**Facsimile: 03 50 235653**  
**Ref: 20335 Bruton**