

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

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:**            6 Kiewa Avenue, Red Cliffs

**VENDOR'S NAME:**            **Doreen Spooner**

**VENDOR'S SIGNATURE:** .....

By being signed by Ian Maxwell Pickering pursuant to  
Power Attorney dated 12<sup>th</sup> November 2016

**DATE:** 29.5.2020

**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:** Doreen Spooner

**Property:** 6 Kiewa Avenue, Red Cliffs  
Lot 2 on PS423082M being the whole of the land in  
Certificate of Title Volume 10424 Folio 237

**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 contained in the attached certificate/s.~~  
are as follows :

<u>Authority</u>	<u>Amount</u>	<u>Interest</u>
1. Mildura Rural City Council	\$1,516.45 per annum 2019/2020	
2. Lower Murray Water- Urban	\$ 173.95 per quarter 2019/2020 (tariff only)	

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:

**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:
  - (ii) Particulars of any existing failure to comply with the terms of that easement, covenant and/or restriction are as follows:
- (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

### 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 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; Bottled Gas~~

~~(c) water supply;~~

~~(d) sewerage;~~

~~(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 10424 FOLIO 237

Security no : 124083384723K  
Produced 28/05/2020 10:24 AM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 423082M.  
PARENT TITLE Volume 06695 Folio 996  
Created by instrument PS423082M 19/01/1999

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
DOREEN SPOONER of UNIT 2, 4 KIEWA AV. RED CLIFFS 3496  
V901623X 18/02/1999

ENCUMBRANCES, CAVEATS AND NOTICES

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 PS423082M 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: 6 KIEWA AVENUE RED CLIFFS VIC 3496

OWNERS CORPORATIONS

The land in this folio is affected by  
OWNERS CORPORATION PLAN NO. PS423082M


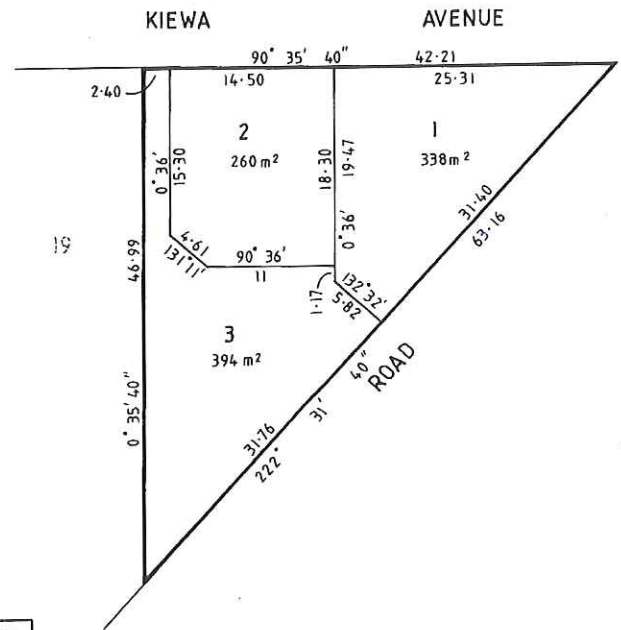
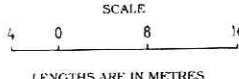
DOCUMENT END

Delivered from the LANDATA® System by InfoTrack Pty Ltd.



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<b>PLAN OF SUBDIVISION</b>		STAGE NO.	LTO use only <b>EDITION 1</b>	Plan Number <b>PS 423082 M</b>						
<b>Location of Land</b> Parish: MILDURA Township: AT RED CLIFFS Section: 17 Crown Allotment: 20 Crown Portion: _____  LTO base record: LITHO Title references: Vol Fol 6695 996 Last plan reference: _____  Postal Address: KIEWA AVENUE (at time of subdivision) RED CLIFFS, 3496. AMG co-ordinates E 609150 Zone: 54 (of approx. centre of plan) N 6202570		<b>Council Certification and Endorsement</b> Council Name: MILDURA RURAL CITY COUNCIL Ref: 1. This plan is certified under section 6 of the Subdivision Act 1988 <del>2. This plan is certified under section 11(7) of the Subdivision Act 1988</del> <del>Date of original certification under section 6: / /</del> <del>3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.</del>  <b>Open Space:</b> (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/has not been made.  <del>(ii) The requirement has been satisfied.</del> <del>(iii) The requirement is to be satisfied in stage</del>  Council delegate <del>Council seal</del>  Date 29/9/98 Re-certified under section 11(7) of the Subdivision Act 1988  Council delegate Council seal Date / /		LTO use only Statement of Compliance/ Exemption Statement Received <input checked="" type="checkbox"/> Date: 13 / 1 / 99  LTO use only PLAN REGISTERED TIME 12.30 DATE 19/1/99  Assistant Registrar of Titles						
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="2">Vesting of Roads or Reserves</th> </tr> <tr> <th>Identifier</th> <th>Council/Body/Person</th> </tr> <tr> <td style="text-align: center;">NIL</td> <td style="text-align: center;">NIL</td> </tr> </table>		Vesting of Roads or Reserves		Identifier	Council/Body/Person	NIL	NIL	<b>Notations</b>  <b>Depth Limitation:</b> 15.24 METRES APPLIES TO ALL THE LAND IN THIS PLAN.  <b>Staging:</b> This is/is not a staged subdivision Planning Permit No. _____  <b>Survey:</b> This plan is/is not based on survey  This Survey has been corrected to permanent mark NO. (s). 137, 140 & 620 In Proclaimed Survey Area No. _____		
Vesting of Roads or Reserves										
Identifier	Council/Body/Person									
NIL	NIL									
<b>Easement Information</b>										
<b>Legend:</b> E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement A - Appurtenant Easement R - Encumbering Easement (Road)										
Subject Land	Purpose	Width (Metres)	Origin	Land Benefitted/In Favour Of						
										
<b>FREEMAN &amp; FREEMAN</b> LAND SURVEYORS PO BOX 2135 MILDURA VIC 3500 TELEPHONE: (03) 50236 239		ORIGINAL SCALE 1:400 SHEET SIZE A3 LICENSED SURVEYOR (PRINT) ROBERT BRUCE FREEMAN SIGNATURE..... DATE 11/8/1998 REF 6419 VERSION 2								
SCALE  LENGTHS ARE IN METRES		Sheet 1 of 2 Sheets DATE / / COUNCIL DELEGATE SIGNATURE								



PS423082M

FOR CURRENT BODY CORPORATE DETAILS  
SEE BODY CORPORATE SEARCH REPORT



# Department of Environment, Land, Water & Planning

## Owners Corporation Search Report

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Produced: 28/05/2020 10:28:54 AM

**OWNERS CORPORATION  
PLAN NO. PS423082M**

The land in PS423082M is affected by 1 Owners Corporation(s)

**Land Affected by Owners Corporation:**  
Lots 1 - 3.

**Limitations on Owners Corporation:**  
Unlimited

**Postal Address for Services of Notices:**  
KIEWA AVENUE RED CLIFFS VIC 3496  
  
PS423082M 19/01/1999

**Owners Corporation Manager:**  
NIL

**Rules:**  
Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3) Owners Corporation Act 2006

**Owners Corporation Rules:**  
NIL

**Additional Owners Corporation Information:**  
NIL

**Notations:**  
NIL

**Entitlement and Liability:**

NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Lot 1	30	30
Lot 2	30	30
Lot 3	40	40
<b>Total</b>	<b>100.00</b>	<b>100.00</b>

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation.



# Department of Environment, Land, Water & Planning

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## Owners Corporation Search Report

Produced: 28/05/2020 10:28:54 AM

**OWNERS CORPORATION  
PLAN NO. PS423082M**

Statement End.



# Enduring Power of Attorney

Regulation 5 of the Powers of Attorney Regulations 2015

This enduring power of attorney is made under Part 3 of the Powers of Attorneys Act 2014 and has effect as a deed under section 81 of the Act.

## 1. Appointment of attorney by the Principal

I DOREEN SPOONER

of Jacaranda Village, Red Cliffs, Victoria

### The Attorney

The person you nominate to look after your legal and financial affairs.

You can appoint more than one attorney. If you appoint more than one attorney, it may be useful to appoint people who can work cooperatively and in your best interest.

insert full name and address of each attorney

### Appoint

IAN MAXWELL PICKERING

of 6 Kiewa Avenue, Red Cliffs, Victoria

and also appoint

BEVERLEY SCHMOLLING

of Maroondah Highway, Healesville, Victoria

- to be my attorney
- to be my joint attorneys
- to be my several attorneys
- to be my joint and several attorneys
- to be my majority attorneys
- I specify that all previous enduring powers of attorney made by me under the Powers of Attorney Act 2014 are revoked [specify if otherwise].

**Note:** Under section 55 of the Powers of Attorney Act 2014 any other enduring power of attorney will be revoked to the extent of any inconsistency with this enduring power of attorney, unless you specify otherwise.

Ref: JSI:DH 169013-1

Verify this copy page to be a true and complete copy of the corresponding page of the original.

DESPINA MYRIALLAKIS  
61 Deakin Ave, Mildura Vic 3500  
An Australian Legal Practitioner  
within the meaning of the  
Legal Profession Uniform Law (Victoria)

**Nomination of Alternative Attorney/s (optional)**

If your attorney/s vacates office, you have the option to nominate someone to take their place.

You can choose more than one alternative attorney.

*insert full name and address of each alternative attorney*

**I appoint**

**and also appoint**

**as alternative attorney for**

*name of attorney for whom alternative attorney is appointed*

**Note:** Under section 31 of the *Powers of Attorney Act 2014* an alternative attorney is authorised to act in the circumstances you specify in this enduring power of attorney or, if you do not specify any circumstances, in the circumstances specified in section 31(2)(b) of the Act.

**2.**

**Authorisation**

**I authorise my Attorney/s:**

- to do anything on my behalf that I can lawfully do by an Attorney for:
  - personal matters
  - financial matters
  - both personal and financial matters

*If not authorising the Attorney/s to exercise power for all personal or financial matters, specify the matter/s and the attorney/s to whom the matter/s apply. If different attorneys are appointed for different matters, specify how these attorneys are to act; e.g. jointly and for which matters.*

**OR**

- to do anything on my behalf that I can lawfully do by an Attorney (see section 22(1) of the Act).

*I certify this copy page to be a true and complete copy of the corresponding page of the original.*



**DESPINA MYRIALLAKIS**  
61 Deakin Ave, Mildura Vic 3500  
An Australian Legal Practitioner  
within the meaning of the  
Legal Profession Uniform Law (Victoria)



3.

### Commencement

The powers under this enduring power of attorney for all matters are exercisable:

Choose **one** option only. If no option is chosen the power is exercisable immediately.  
specify time, circumstance or occasion when the power is exercisable

- immediately on the making of this enduring power of attorney
- when I cease to have decision making capacity for the matter
- other time, circumstance or occasion:

[If power for a specified matter/s is exercisable at a different time, circumstance or occasion to other matter/s in the enduring power of attorney, specify the matter/s and when exercisable.]

4.

### Conditions and Instructions

You can place conditions on or give instructions to your attorney

The exercise of power under this enduring power of attorney is subject to the following conditions and/or instructions:

insert conditions or instructions (if any)

NIL

If you do not want to place any conditions or give instructions, write the word 'NIL' in the space provided

5.

### Your signature to make the appointment

You must sign and have it witnessed by two (2) witnesses, one (1) person must be either authorised to witness affidavits or a medical practitioner

Signature of principal

Date: 27-10-2016

I signed this enduring power of attorney at the direction of and in the presence of the principal

Name and address of person signing at direction of principal

I certify this copy page to be a true and complete copy of the original page of the original

DESPINA MYRIALLAKIS  
61 Deakin Ave, Mildura Vic 3500  
An Australian Legal Practitioner  
within the meaning of the  
Legal Profession Uniform Law (Victoria)



6.

### Certificate of Witnesses

Witnessed by:

Name and address of witness

**First Witness**

JOHN STEWART IRWIN

61 Deakin Avenue, Mildura, Victoria

Name and address of witness

**Second Witness**

MICHAEL AUBERT

171 ASH AVE MERBEIN STH. VICTORIA

Each witness certifies that:

If witnessing another person signing at the direction of and in the presence of the principal

- the principal appeared to freely and voluntarily sign this instrument in our presence; and
- in our presence, the principal appeared to freely and voluntarily direct the person to sign for the principal and that person signed this instrument in our presence and in the presence of the principal; and
  - at that time, the principal appeared to us to have decision making capacity in relation to the making of this enduring power of attorney; and
  - we are not attorneys under this enduring power of attorney; and
  - we are not relatives of the principal or of an attorney under this enduring power of attorney; and
  - we are not care workers or accommodation providers for the principal.

If witnessing another person signing this enduring power of attorney at the direction of and in the presence of the principal

- we are not the person who is signing at the direction of the principal.

*[Handwritten Signature]*

Signature of First Witness:

If first witness is acting as a medical practitioner or person authorised to witness affidavits insert qualification

Date:

27.10.2016

Qualification:

An Australian Legal Practitioner within the meaning of the Legal Profession Uniform Law (Victoria)

*[Handwritten Signature]*

Signature of Second Witness:

If second witness is acting as a medical practitioner or person authorised to witness affidavits insert qualification

Date:

27/10/16

Qualification:

PLW

I certify this copy page to be a true and complete copy of the corresponding page of the original.

*[Handwritten Signature]*

7.

**Statement of Acceptance of Appointment – Attorney**

insert full name and address

IAN MAXWELL PICKERING

of 6 Kiewa Avenue, Red Cliffs, Victoria

**I accept my appointment as attorney** under this enduring power of attorney and state that:

- I am eligible under Part 3 of the *Powers of Attorney Act 2014* to act as an attorney under an enduring power of attorney; and
- I understand the obligations of an attorney under an enduring power of attorney and under the *Powers of Attorney Act 2014* and the consequences of failing to comply with those obligations; and
- I undertake to act in accordance with the provisions of the *Powers of Attorney Act 2014* that relate to enduring powers of attorney.

If appointed for financial matters and you have been convicted or found guilty of an offence involving dishonesty

I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty.

.....  
Signature of attorney:

Date: 28-10-16

Witnessed by:

[insert full name and address of witness]

MICHIAL AUBERT  
171 ASH AVE MERBEIN STH.

I witnessed the signing of the statement of acceptance by the attorney.

.....  
Signature of witness:

Date: 28.10.16

**Note:** Each attorney must sign a statement of acceptance and it must be witnessed separately in the enduring power of attorney.

I certify this copy page to be a true and complete copy of the corresponding page of the original.



**DESPINA MYRIALLAKIS**  
61 Deakin Ave, Mildura Vic 3500  
An Australian Legal Practitioner  
within the meaning of the  
Legal Profession Uniform Law (Victoria)



**7. Statement of Acceptance of Appointment – Attorney**

insert full name and address

BEVERLEY SCHMOLLING

of Maroondah Highway, Healesville, Victoria

I accept my appointment as attorney under this enduring power of attorney and state that:

- I am eligible under Part 3 of the Powers of Attorney Act 2014 to act as an attorney under an enduring power of attorney; and
- I understand the obligations of an attorney under an enduring power of attorney and under the Powers of Attorney Act 2014 and the consequences of failing to comply with those obligations; and
- I undertake to act in accordance with the provisions of the Powers of Attorney Act 2014 that relate to enduring powers of attorney.

If appointed for financial matters and you have been convicted or found guilty of an offence involving dishonesty

I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty.

*Beverley Schmolling*

Signature of attorney:

Date: 12-11-16

Witnessed by:

[insert full name and address of witness]

ERIC A THOMAS

12 TALLENT ST CROYDON

I witnessed the signing of the statement of acceptance by the attorney.

*Eric A Thomas*

Signature of witness:

Date: 12-11-16

**Note:** Each attorney must sign a statement of acceptance and it must be witnessed separately in the enduring power of attorney.

I certify this copy document to be a true and complete copy of the original.

*Despina Myriallakis*

DESPINA MYRIALLAKIS  
61 Deakin Ave, Mildura Vic 3500  
An Australian Legal Practitioner  
within the meaning of the  
Legal Profession Uniform Law (Victoria)  
Page 6 of 6



## Property Report

from [www.land.vic.gov.au](http://www.land.vic.gov.au) on 28 May 2020 10:18 AM

**Lot and Plan Number:** Lot 2 PS423082

**Address:** 6 KIEWA AVENUE RED CLIFFS 3496

**Standard Parcel Identifier (SPI):** 2\PS423082

**Local Government (Council):** MILDURA **Council Property Number:** 26459

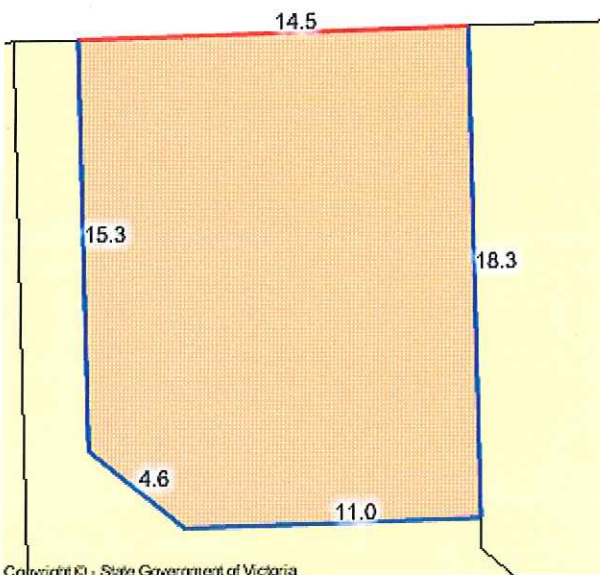
**Directory Reference:** VicRoads 538 F10

This parcel 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:** 260 sq. m

**Perimeter:** 63 m

For this parcel:

— 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:** GENERAL RESIDENTIAL ZONE (GRZ)  
GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)

**Planning Overlay:** None

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](#)

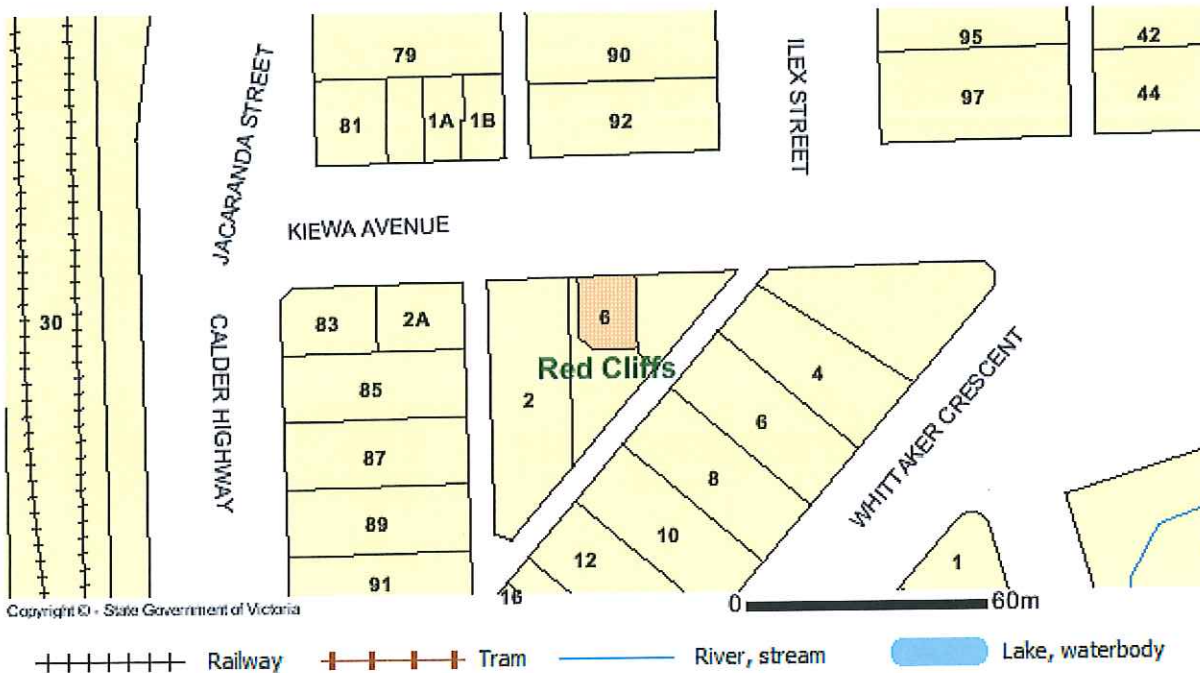
The Planning Property Report includes separate maps of zones and overlays

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



# PLANNING PROPERTY REPORT



Environment,  
Land, Water  
and Planning

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 28 May 2020 10:19 AM

## PROPERTY DETAILS

Address: **6 KIEWA AVENUE RED CLIFFS 3496**  
Lot and Plan Number: **Lot 2 PS423082**  
Standard Parcel Identifier (SPI): **2\PS423082**  
Local Government Area (Council): **MILDURA**  
Council Property Number: **26459**  
Planning Scheme: **Mildura**  
Directory Reference: **Vicroads 538 F10**

[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

[GENERAL RESIDENTIAL ZONE \(GRZ\)](#)

[GENERAL RESIDENTIAL ZONE - SCHEDULE 1 \(GRZ1\)](#)



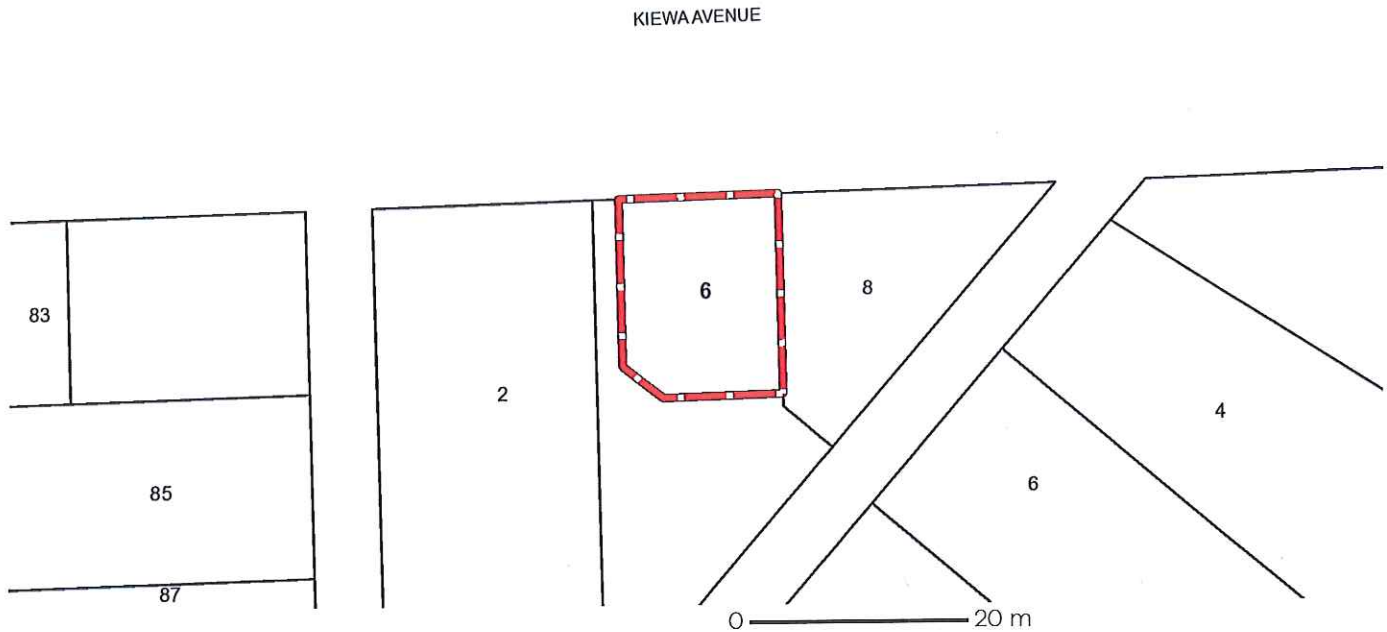
 **GRZ - General Residential**

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



## Planning Overlays

No planning overlay found



## Further Planning Information

Planning scheme data last updated on 20 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.

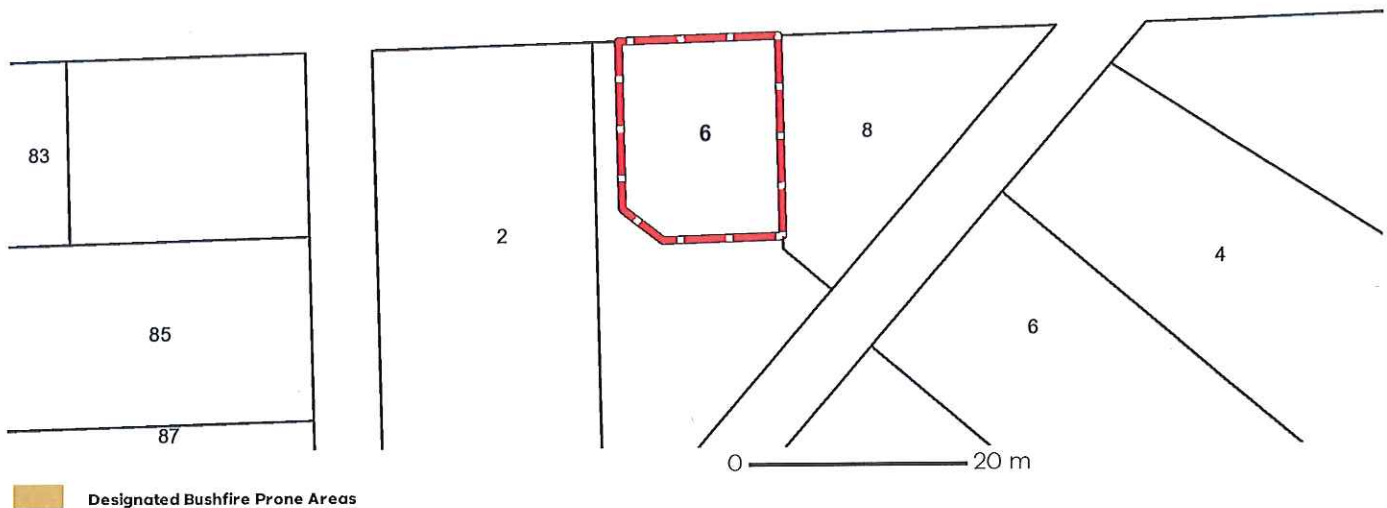
To view planning zones, overlay and heritage information in an interactive format visit <https://mapshare.maps.vic.gov.au/vicplan>

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

## Designated Bushfire Prone Areas

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

KIEWA AVENUE



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>



**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
- Rural Drainage
- Channel
- Gravity Pipeline
- Rising Main
- Retired Channel
- Retired Pipeline

0      5.59      11.2

Meters

1:294

Printed: 29/05/2020

GDA\_1994\_MGA\_Zone\_54

© Lower Murray Urban and Rural Water Corporation

**Notes/Comments**

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: For further assistance please contact LMW.

LOWER MURRAY WATER



**ATTACHMENT TO REQUEST FOR INFORMATION  
BUILDING REGULATION 326  
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

**MUNICIPAL BUILDING SURVEYOR**

MY/ih

# 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: Doreen Spooner**

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**Vendor's Section 32 Statement**

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**Property: 6 Kiewa Avenue, Red Cliffs**

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

**Phone: 03 50 235355**  
**Facsimile: 03 50 235653**  
**Ref: 20332 Spooner (Sally)**