



**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: 10 Durham Avenue, Mildura

VENDOR'S NAME: Ross John Curnow and Carol Anne Curnow

VENDOR'S SIGNATURE:

DATE:

05/04/2021

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: Ross John Curnow and Carol Anne Curnow

Property: 10 Durham Avenue, Mildura
Lot 105 on PS509541D being the whole of the land in
Certificate of Title Volume 10726 Folio 612

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	\$3,364.80 per annum 2020/2021	
2. Lower Murray Water- Urban	\$ 175.05 per quarter 2020/2021 (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. Refer Mildura Rural City Council Notice
Dated 22nd March, 2021 attached hereto

~~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*.

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
- (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.

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

Page 1 of 1

VOLUME 10726 FOLIO 612

Security no : 124088987092D
Produced 30/03/2021 11:34 AM

LAND DESCRIPTION

Lot 105 on Plan of Subdivision 509541D.
PARENT TITLE Volume 10619 Folio 033
Created by instrument PS509541D 27/05/2003

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
ROSS JOHN CURNOW
CAROL ANNE CURNOW both of 10 DURHAM AVENUE MILDURA VIC 3500
AK533688A 19/08/2013

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 PS509541D 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: 10 DURHAM AVENUE MILDURA VIC 3500

DOCUMENT END



Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Victorian Land Registry Services.

Document Type	Plan
Document Identification	PS509541D
Number of Pages (excluding this cover sheet)	4
Document Assembled	30/03/2021 11:36

Copyright and disclaimer notice:

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

The document is invalid if this cover sheet is removed or altered.

PLAN OF SUBDIVISION

Stage No. LTO use only

PLAN NUMBER

EDITION 1

PS 50954ID

Location of Land

Parish: MILDURA

Township: _____

Section: _____

Crown Allotment: _____

Crown Portion: A (PART)

LTO base record: VICMAP DIGITAL PROPERTY

Title References: Vol 10619 Fol 033

Last Plan Reference: PS 500077B (LOT A)

Postal Address: EIGHTH STREET,
MILDURA, 3500.

AMG Co-ordinates: E 605350

(of approx. centre of plan) N 6218450 Zone 54

Vesting of Roads or Reserves

Identifier	Council/Body/Person
ROAD RI RESERVE No.1	MILDURA RURAL CITY COUNCIL MILDURA RURAL CITY COUNCIL

Council Certification and Endorsement

Council Name: MILDURA RURAL CITY COUNCIL Ref: S0421

1. This plan is certified under section 6 of the Subdivision Act 1988.

~~2. This plan is certified under section 11(7) of the Subdivision Act 1988.~~
~~Date of original certification under section 6 / /~~

~~3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.~~

Open Space

(i) A requirement for public open space under section 10 Subdivision Act 1988 has/ has not been made.

~~(ii) The requirement has been satisfied.~~

(iii) The requirement is to be satisfied in Stage

Council Delegate

~~Council seal~~

Date 30/08/02

Re-certified under section 11(7) of the Subdivision Act 1988

Council Delegate

Council seal

Date / /

Notations

Depth Limitation: DOES NOT APPLY

Staging This is/ is not a staged subdivision
Planning Permit No. P02/060

LOTS 1 TO 14 AND 25 TO 72 HAVE BEEN OMITTED
FROM THIS PLAN

Survey: This plan is / is not based on survey.

To be completed where applicable.

This survey has been connected to permanent marks no(s). 402,844,1073,
194,1116&1119
In Proclaimed Survey Area no. _____

Easement Information

Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement
A - Appurtenant Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
E-1	CARRIAGEWAY & DRAINAGE	19	THIS PLAN	MILDURA RURAL CITY COUNCIL
E-2	POWERLINE	4	THIS PLAN & SECTION 88 OF ELECTRICITY INDUSTRY ACT 2000.	POWERCOR AUSTRALIA LIMITED
E-3	DRAINAGE	3.50	THIS PLAN	MILDURA RURAL CITY COUNCIL
E-4	SEWERAGE	2	THIS PLAN	LOWER MURRAY REGION WATER AUTHORITY
E-5	DRAINAGE	2	THIS PLAN	MILDURA RURAL CITY COUNCIL
E-6	SEWERAGE	2	THIS PLAN	LOWER MURRAY REGION WATER AUTHORITY
E-7	SEWERAGE	2.50	THIS PLAN	LOWER MURRAY REGION WATER AUTHORITY
E-8	SEWERAGE	2.50	THIS PLAN	LOWER MURRAY REGION WATER AUTHORITY
E-9	SEWERAGE	2	THIS PLAN	LOWER MURRAY REGION WATER AUTHORITY
RI	WAY, DRAINAGE & SEWERAGE AND THE SUPPLY OF WATER, GAS, ELECTRICITY & TELECOMMUNICATIONS.	SEE DIAG.	THIS PLAN	MILDURA RURAL CITY COUNCIL LOTS ON THIS PLAN

LTO use only

Statement of Compliance / Exemption Statement

Received



Date 26/5/03

LTO use only

PLAN REGISTERED
TIME 12.21 PM
DATE 27/05/03

Assistant Registrar of Titles

Sheet 1 of 4 Sheets

LICENSED SURVEYOR: ROBERT BRUCE FREEMAN

REF 7184/1

VERSION 1

DATE 08/08/2002

SIGNATURE

FREEMAN & FREEMAN
LAND SURVEYORS

PO BOX 2135 MILDURA VIC 3502
TELEPHONE: (03) 50236239

DATE 30/08/02

COUNCIL DELEGATE SIGNATURE

Original sheet size A3

PLAN OF SUBDIVISION

Stage No.

Plan Number

PS 50954ID

ENLARGEMENT DIAGRAM

NOT TO SCALE

RESERVE No.1
RESERVE FOR
DRAINAGE PURPOSES
8465m²

RESERVE No.1

REFER TO ENLARGEMENT
DIAGRAM ON THIS SHEET
FOR FURTHER DETAILS

B
4.926ha

REFER TO SHEET 3 FOR DETAILS OF
LOTS 15 TO 22 & 96 TO 107 AND
REFER TO SHEET 4 FOR DETAILS OF
LOTS 23, 24 & 73 TO 95

FREEMAN & FREEMAN

LAND SURVEYORS

PO BOX 2135 MILDURA VIC 3502

TELEPHONE: (03) 50236239

ORIGINAL

SHEET
SIZE
A3

SCALE

20 0 20 40 60 80
LENGTHS ARE IN METRES

LICENSED SURVEYOR: ROBERT BRUCE FREEMAN

SIGNATURE

DATE 08/08/2002

REF 7184/1

VERSION 1

SHEET 2 OF 4 SHEETS

DATE / /
COUNCIL DELEGATE SIGNATURE

0 10 20 30 40 50 60 70 80 90 100 110mm

PLAN OF SUBDIVISION

Stage No.

Plan Number

PS 50954ID

REFER TO SHEET 4 FOR DETAILS
OF LOTS 23, 24 & 73 TO 95

AMG ZONE 54

B
4.926ha

REFER TO SHEET 2 FOR
DETAILS OF LOT B

DURHAM AVENUE

THAMES PLACE

DURHAM AVENUE

EIGHTH STREET

ETHERINGTON DRIVE

ENLARGEMENT DIAGRAM
NOT TO SCALE

N.I.S.

FREEMAN & FREEMAN

LAND SURVEYORS

PO BOX 2135 MILDURA VIC 3502

TELEPHONE: (03) 50236239

ORIGINAL

SHEET
SIZE
A3

SCALE
1:800

SCALE

0 10 20 30 40 50 60 70 80 90 100 110mm
LENGTHS ARE IN METRES

LICENSED SURVEYOR: ROBERT BRUCE FREEMAN

SIGNATURE

DATE 08/08/2002

REF 7184/1

VERSION 1

SHEET 3 OF 4 SHEETS

DATE / /
COUNCIL DELEGATE SIGNATURE

PLAN OF SUBDIVISION

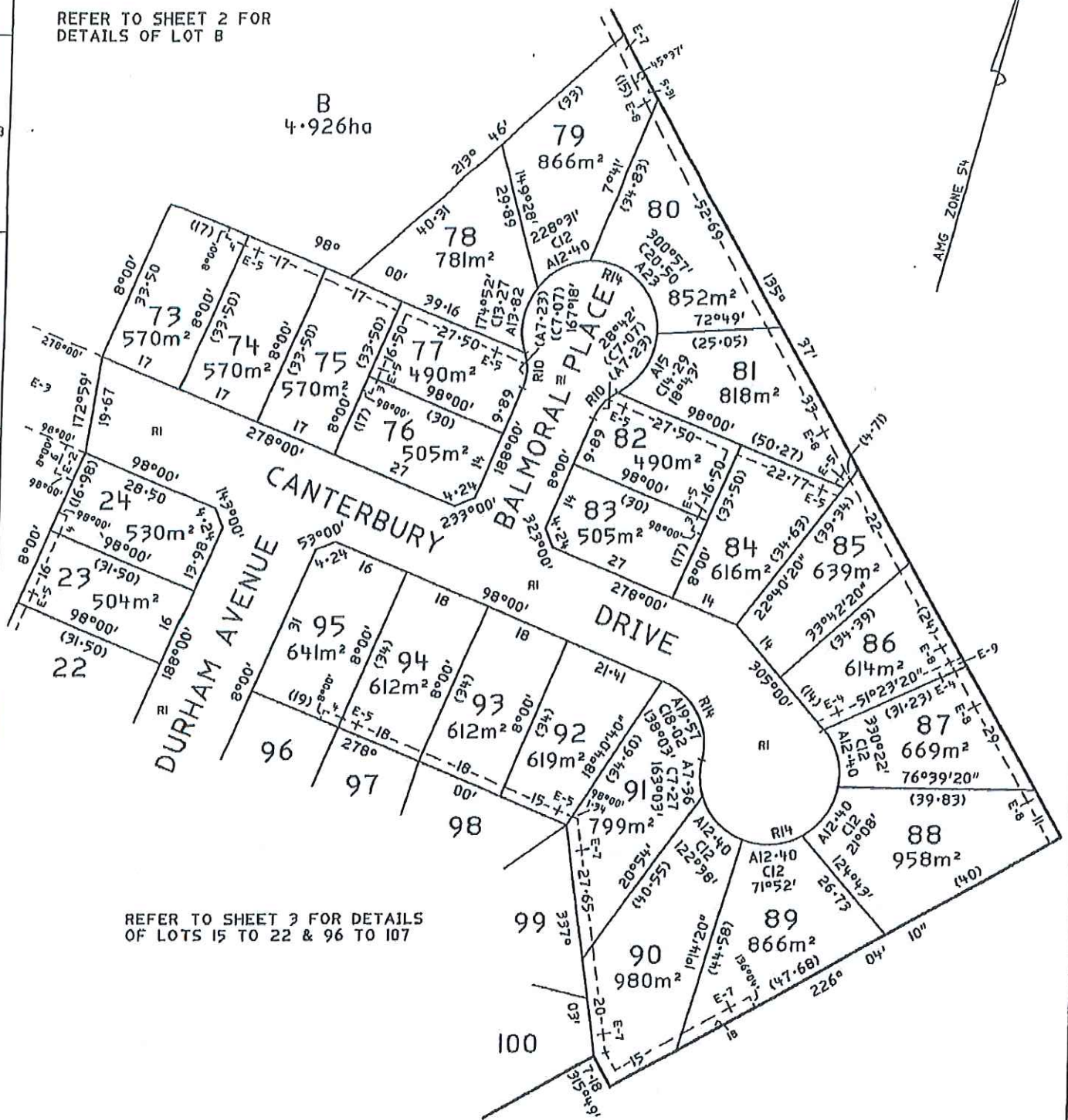
Stage No.

Plan Number

PS 50954ID

REFER TO SHEET 2 FOR
DETAILS OF LOT B

B
4.926ha



REFER TO SHEET 3 FOR DETAILS
OF LOTS 15 TO 22 & 96 TO 107

FREEMAN & FREEMAN

LAND SURVEYORS

PO BOX 2195 MILDURA VIC 3502

TELEPHONE: (03) 50236239

ORIGINAL
SHEET
SIZE
A3

SCALE

0 0 8 16 24 32
LENGTHS ARE IN METRES

LICENSED SURVEYOR: ROBERT BRUCE FREEMAN

SIGNATURE

DATE 08/08/2002

REF 7184/1

VERSION 1

SHEET 4 OF 4 SHEETS

DATE / /
COUNCIL DELEGATE SIGNATURE

0 10 20 30 40 50 60 70 80 90 100 110mm



Mildura Rural City Council

File: 036.2020.00000447.001
22/03/2021

Mr Ross Curnow
10 Durham Avenue
MILDURA VIC 3500

Dear Mr Curnow

CONFIRMATION OF REGISTRATION OF SWIMMING POOL

10 Durham Avenue MILDURA 3500
Lot 105 PS 509541D P.E.R.

Council has received your application to register your SWIMMING POOL and it is now registered.

DETAILS REQUIRED FOR BARRIER INSPECTION

Date of construction:
27/01/2006.

Applicable Barrier Standard:

- 1. The Deemed-to-Satisfy requirement of the BCA Volume One or Two, including AS1926.1-1993 Amendment 1; or**
- 2. An Alternative Solution, applied at the time of approval or date of construction, BCA Volume One or Two as issued, published or remade from time to time; or**
- 3. A combination of 1 and 2**

If you disagree with the date of construction or the date or the barrier standard that Council has nominated you can appeal this decision to the Building Appeals Board.

Building Appeals Board
Web site: www.buildingappeals.com.au
Email: registry@buildingappeals.vic.gov.au
Phone 1300 815 127

Madden Avenue Service Centre
108 Madden Avenue, Mildura
Phone: (03) 5018 8100
Fax: (03) 5021 1899
PO Box 105, Mildura Vic 3502
DX 50014, Mildura

Deakin Avenue Service Centre
76 Deakin Avenue, Mildura
Phone: (03) 5018 8100
Fax: (03) 5021 1899

Ouyen Service Centre
79 Oke Street, Ouyen
Phone: (03) 5018 8600
Fax: (03) 5092 1017

www.mildura.vic.gov.au
mrcc@mildura.vic.gov.au

ABN 42 498 937 037

To: Mr Ross Curnow
File: 036.2020.00000447.001

22/03/2021

Page 2

Council confirms (see above) the date of construction of your SWIMMING POOL and the applicable barrier standard.

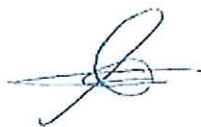
Your next steps are:

1. Have your SWIMMING POOL barrier inspected by a registered building surveyor or inspector. Once your SWIMMING POOL barrier is compliant, your building surveyor/inspector will issue you with a certificate of pool and spa barrier compliance. The fee for this inspection will be set by your private building surveyor/inspector.
2. Lodge your certificate of pool and spa barrier compliance with Council within 30 days of issue. There is a fee of \$20.40 to be paid at the time of lodgement. *This fee is subject to change.*
3. The inspection and lodgement of the certificate of pool and spa barrier compliance must be completed and lodged with Council by **1 November 2022.**

Should you require any further information on any part of this process, please visit the Victorian Building Authority website www.vba.vic.gov.au

If you have any questions on the confirmation of registration, contact Council's Building Department on 03 5018 8413.

Yours sincerely



MARK YANTSES
MUNICIPAL BUILDING SURVEYOR
MY/avn

PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au at 30 March 2021 11:37 AM

PROPERTY DETAILS

Address: **10 DURHAM AVENUE MILDURA 3500**
Lot and Plan Number: **Lot 105 PS509541**
Standard Parcel Identifier (SPI): **105\PS509541**
Local Government Area (Council): **MILDURA**
Council Property Number: **28729**
Directory Reference: **Vicroads 535 M2**

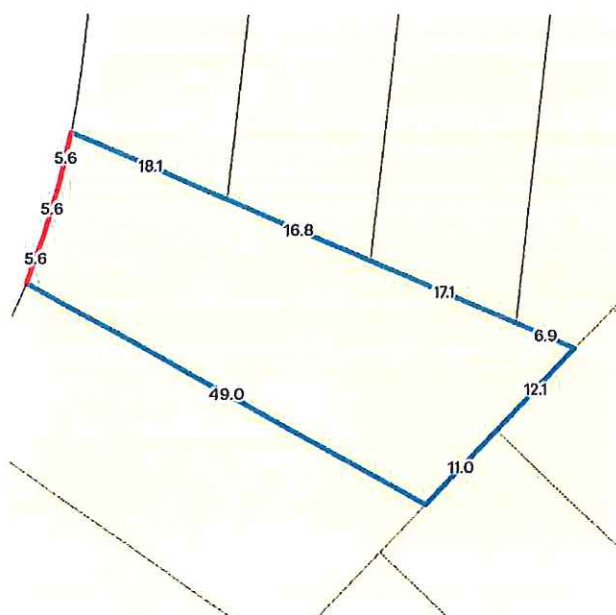
www.mildura.vic.gov.au

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 on the Victorian Building Authority website <https://www.vba.vic.gov.au>

SITE DIMENSIONS

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



Area: 1033 sq. m

Perimeter: 148 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.

Calculating the area from the dimensions shown may give a different value to the area shown above

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

UTILITIES

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

STATE ELECTORATES

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

PLANNING INFORMATION

Planning Zone: GENERAL RESIDENTIAL ZONE (GRZ)
GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)
Planning Overlay: None

PROPERTY REPORT

Planning scheme data last updated on 26 March 2021.

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>

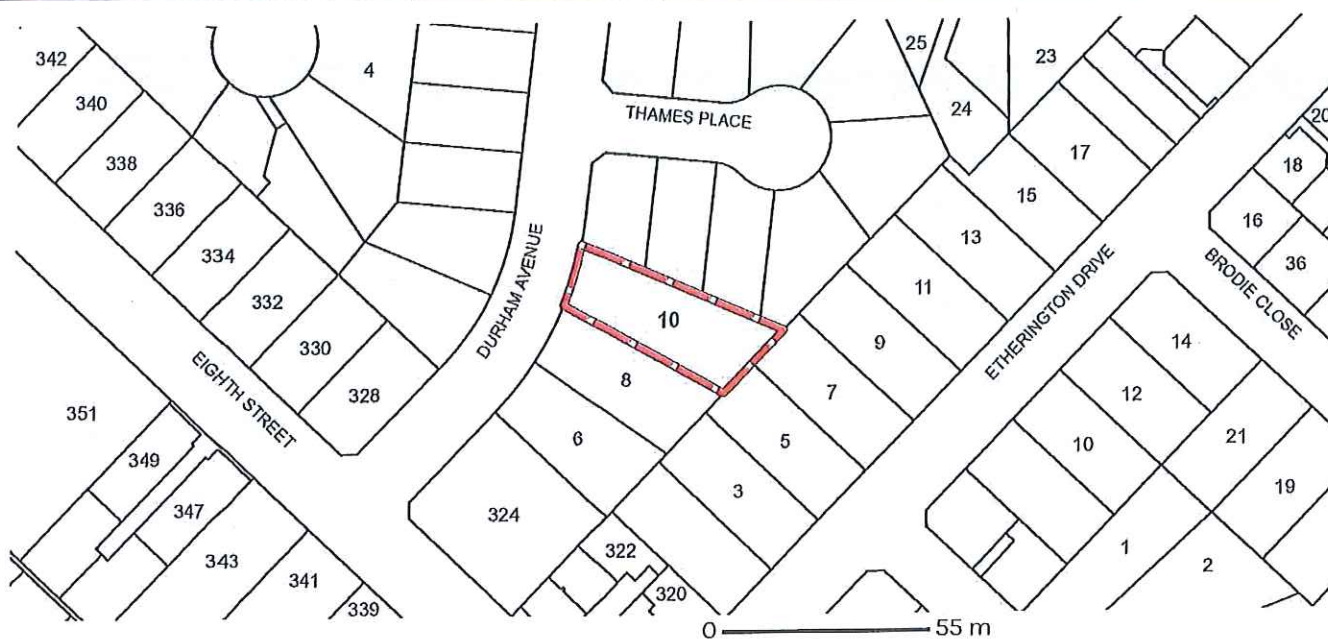
This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates 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>

Area Map



Selected Property

PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au at 30 March 2021 11:38 AM

PROPERTY DETAILS

Address: **10 DURHAM AVENUE MILDURA 3500**
Lot and Plan Number: **Lot 105 PS509541**
Standard Parcel Identifier (SPI): **105\PS509541**
Local Government Area (Council): **MILDURA**
Council Property Number: **28729**
Planning Scheme: **Mildura**
Directory Reference: **Vicroads 535 M2**

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 PROPERTY REPORT



Environment,
Land, Water
and Planning

Planning Overlay

None affecting this land - there are overlays in the vicinity

SPECIFIC CONTROLS OVERLAY (SCO)



SCO - Specific Controls

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

Further Planning Information

Planning scheme data last updated on 26 March 2021.

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>

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

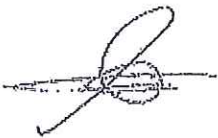
Some land within the municipality of the Mildura Rural City Council contains high levels of salt resulting in a condition commonly referred to as 'salinity'. Salinity can result in 'salt damp' or 'rising damp and salt attack' which can cause damage to certain building materials such as concrete and masonry.

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

A handwritten signature in dark ink, appearing to read 'Mark Yantses', written over a horizontal line.

Mark Yantses

MUNICIPAL BUILDING SURVEYOR

MY/jb

Due diligence checklist for home buyers

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

Vendor: Ross John Curnow and Carol Anne Curnow

Vendor's Section 32 Statement

Property: 10 Durham Avenue, Mildura

Vendor's Conveyancer:

**ALLSTATE CONVEYANCING SERVICES PTY. LTD.
Of 170 Eighth Street, Mildura, Vic, 3500.**

**Phone: 03 50 235355
Facsimile: 03 50 235653
Ref: 21248 Curnow (Sally)**