

**VENDOR STATEMENT
TO THE PURCHASER OF REAL ESTATE
PURSUANT TO SECTION 32 OF THE
SALE OF LAND ACT 1962 (VIC) (“the Act”)
as at 1 October 2014**

LAND

**6 BAYLEE AVENUE MILDURA VIC 3500 BEING LOT 30 ON PLAN
OF SUBDIVISION 020000 AND BEING ALL OF THE LAND
CONTAINED IN CERTIFICATE OF TITLE VOLUME 07729 FOLIO
159**

The vendor makes this statement in respect of the land in accordance with section 32 of the *Sale of Land Act 1962*.

The vendor must sign this statement and give it to the purchaser prior to the purchaser signing the contract. The vendor may sign this statement to be given to the purchaser by electronic signature.

VENDOR

**KENT ANTHONY HIBBERD AS EXECUTOR OF THE ESTATE OF
RAYMOND JOHN HIBBERD**

Signature of the Vendor

DATE OF THIS STATEMENT / /2021

The Purchaser acknowledges being given this statement signed by the Vendor together with the attached documents before the Purchaser signed any contract.

PURCHASER

Signature of the Purchaser

DATE OF ACKNOWLEDGEMENT / /2021

1. FINANCIAL MATTERS

1.1 Land subject to a mortgage

Applies if the land is to be sold subject to a mortgage (registered or unregistered), which is not to be discharged before the purchaser becomes entitled to possession or to the receipt of rents and profits.

Not Applicable

1.2 Any Charge

Particulars of any charge (whether registered or not) over the land imposed by or under any Act to secure an amount due under that Act, including the amount owing under the charge.

Not Applicable

1.3 Rates, taxes, charges or other similar outgoings

Particulars of any rates, taxes, charges or other similar outgoings affecting the land (and any interest payable on any part of them):

(a) Their total does not exceed \$3,000.00.

(b) Their amounts are as follows:

	Authority	Amount	Interest (if any)
(1)	Mildura Rural City Council 2021 rates have not yet issued	See attached	\$
(2)	Lower Murray Water 2021 rates have not yet issued	See attached	\$

TOTAL

(c) There are no charges or outgoings for which the Purchaser may become liable as a consequence of the sale and which the Vendor might reasonably be expected to have knowledge, which are not included in items 1.3 (a) or (b) above; other than any amounts specified as follows:

(i) If the rates, taxes and charges are also in respect of other land, any additional amount resulting from the assessment of a separate rate, tax or charge for the property after the sale.

(ii) Water consumption

1.4 Terms Contract

Applies if the land is to be sold pursuant to a terms contract where the Purchaser is obliged to make 2 or more payments¹ to the Vendor after the execution of the contract and before the Purchaser is entitled to a conveyance or transfer of the land.

Not Applicable

2. INSURANCE DETAILS

2.1 Damage and destruction

Not Applicable

¹ Other than a deposit or final payment

2.2 Owner-Builder

Applies where there is a residence on the land which was constructed by an owner-builder within the preceding 6 years and section 137B of the *Building Act* 1993 applies to the residence.

Not Applicable

3. LAND USE

3.1 Easement, covenant or other similar restriction affecting the land

- (a) A description of any easement, covenant or other similar restriction affecting the land (whether registered or unregistered):

is set out in the attached copies of title document(s).

- (b) Particulars of any existing failure to comply with the terms of that easement, covenant or other similar restrictions are:

To the best of the Vendor's knowledge there is no existing failure to comply with the terms of any easement, covenant, caveat or other similar restrictions.

3.2 Designated bushfire prone area

The land is NOT in a designated bushfire prone area within the meaning of the regulations made under the *Building Act* 1993.

3.3 Road access

There is access to the property by road.

3.4 Planning scheme

- (a) Is contained in the attached certificate with the required specified information.

- (b) The required specified information is as follows:

Name of planning scheme	Mildura Planning Scheme
Name of responsible authority	Mildura Rural City Council
Zoning of the land	See attached planning property report
Name of planning overlay	See attached planning property report

4. NOTICES

4.1 Notice, order, declaration, report or recommendation

Particulars of any notice, order, declaration, report or recommendation of a public authority or government department or approved proposal directly and currently affecting the land, being a notice, order, declaration, report, recommendation or approved proposal of which the Vendor might reasonably be expected to have knowledge:

Other than the usual rate notices NONE TO THE KNOWLEDGE OF THE VENDOR however the Vendor has no means of knowing all decisions of public authorities and government departments unless communicated to the Vendor.

4.2 Agricultural purposes

There are no notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes.

contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes.

4.3 Land acquisition

Particulars of any notice of intention to acquire served under section 6 of the *Land Acquisition and Compensation Act 1986* are as follows:

NONE TO THE KNOWLEDGE OF THE VENDOR however the Vendor has no means of knowing all decisions of public authorities and government departments unless communicated to the Vendor.

5. BUILDING PERMITS

Particulars of any building permit issued under the *Building Act 1993* in the preceding 7 years in relation to a building on the land²:

Not Applicable

6. OWNERS CORPORATION

Applies if the land is affected by an owners corporation within the meaning of the *Owners Corporations Act 2006*.

Not Applicable

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC") DETAILS

Not Applicable

8. SERVICES

The following services are not connected to the land:

☐ electricity supply

☒ gas supply

☐ water supply

☐ sewerage

☒ telephone services

9. TITLE

Copies of the following documents are attached:

9.1 Registered Title (*Transfer of Land Act 1958*)

A 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.

9.2 Vendor not registered proprietor

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.

² Only required where there is a residence on the land

10. SUBDIVISION

Not Applicable

11. DISCLOSURE OF ENERGY INFORMATION

Not Applicable

12. DUE DILIGENCE CHECKLIST

The Vendor or the Vendor's licensed estate agent must ensure that a prescribed due diligence checklist is made available before the land is offered for sale to any prospective purchaser from the time the land for sale that is vacant residential land or land on which there is a residence.

The provision or attachment of the due diligence checklist to Vendor Statement is not required but may be attached as a matter of convenience.



Mildura Rural City Council

Internal Use Only



TAX INVOICE
ABN 42 498 937 037



Estate of Late Raymond Hibberd
6 Baylee Avenue
MILDURA VIC 3500



033
I005863
R1_14749

Total Rates & Charges For this Year

\$1,712.16

Refer below for payment options

Rate and Valuation Notice

1 July 2020 to 30 June 2021

Property Location & Description

6 Baylee Avenue MILDURA VIC 3500
Lot 30 PS 20000 Sec 84 Blk D

AVPCC: 110 - Detached Home

RATING DETAILS

Residential Rate
Waste Management

0.00620605	186000	\$1,154.33
434.79	1	\$434.79

VICTORIAN STATE GOVERNMENT FIRE SERVICES PROPERTY LEVY

Residential Fire Levy (Fixed)	113.00	1	\$113.00
Residential Fire Levy (Variable)	0.000054	186000	\$10.04

PAYMENT DEADLINES EXTENDED

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

COVID-19 SUPPORT

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

TOTAL AMOUNT

\$1,712.16

Payment In full	1st Instalment	2nd Instalment	3rd Instalment	4th Instalment
Due 15 Feb 2021 \$1,712.16	Due 14 Oct 2020 \$428.04	Due 14 Dec 2020 \$428.04	Due 28 Feb 2021 \$428.04	Due 31 May 2021 \$428.04

Note: If full payment of the 1st Instalment isn't received by the due date, this account will automatically default to the Payment in Full option and you will not receive reminder instalment notices.
Please refer to the reverse side of this notice for information relating to penalties for late payment.

Payment Slip

Estate of Late Raymond Hibberd
6 Baylee Avenue MILDURA VIC 3500
Assessment No: 345

Payment In Full: \$1,712.16
Or 1st Instalment: \$428.04



Biller code: 93922
Ref: 3459

BPAY this payment via Internet or phone banking.
BPAY View View and pay this bill using Internet banking.
BPAY View Registration No.: 3459



Full Payment *41 3459



Post Billpay
Biller code: 0041
Ref: 3459

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

Centrepay Ref:
555 054 730B

Internal Use Only



MILDURA
741 - 750 Foultonth Street Mildura 3500
PO Box 1458 Mildura 3502
AUSDOC DX 50023
Tel: (03) 6061 3400 Fax: (03) 5051 3480

SWAN HILL
73 Beveridge Street Swan Hill 3585
PO Box 1447 Swan Hill 3585
AUSDOC DX 30164
Tel: (03) 5036 2150 Fax: (03) 5036 2180



24 Hour Supply Emergency
1800 808 830



KERANG
50 Wollington Street Kerang 3570
PO Box 547 Kerang 3570
AUSDOC DX 57908
Tel: (03) 5450 3960 Fax: (03) 5450 3967

Reference No. 000374

Amount Due \$217.59

URBAN ACCOUNT

Due Date 14-MAY-2021



385363-001 008963(20045) D033

MR RL HIBBERD
6 BAYLEE AVENUE
MILDURA VIC 3500

Date Of Issue 8/04/2021

Tariffs and Charges Notice
4th Quarter 2020/21
01/04/2021 - 30/06/2021

POST *850 700003742

Property Address : 6 BAYLEE AVENUE MILDURA VIC 3500 (Prop:374) - Urban Account
Lot 30 LP 20000 Blk D Sec 84 Vol 7729 Fol 159

	Charge	Balance
Water Service Tariff	52.09	52.09
Water by Measure Chg-Info on reverse	42.54	42.54
Sewerage Service Tariff	122.96	122.96

TOTAL OWING

\$217.59



LMW054G

Payments/Credits since last Notice \$200.39

Payment Slip - Methods of Payment

Online at lmw.vic.gov.au - Pay your Account

000374

6 BAYLEE AVENUE MILDURA VIC 3500 (Prop:374) - Urban Account



Direct Debit
Please contact your local office.



*850 700003742

\$217.59



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



Billpay Code: 0850
Ref: 7000 0374 2

Pay in person at any Post Office.



Bill Code: 78477
Ref: 7000 0374 2

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



Bill Code: 78477
Ref: 7000 0374 2

BPAY® - Make this payment via Internet or phone banking.

BPAY View® - Receive, view and pay this bill using Internet banking.

BPAY View Registration No: 7000 0374 2

Payment Ref: 7000 0374 2



By Phone
Pay by phone (03) 8872 0582.
Standard call charges apply.

Amount Due

\$217.59

See reverse for In Person and By Mail options



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

Page 1 of 1

VOLUME 07729 FOLIO 159

Security no : 124091017782G
Produced 07/07/2021 12:06 PM

LAND DESCRIPTION

Lot 30 on Plan of Subdivision 0200000.
PARENT TITLE Volume 07075 Folio 855
Created by instrument 2313617 27/06/1950

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

KENT ANTHONY HIBBERD of 30 SHINNERS AVENUE BERWICK VIC 3806 Executor(s) of
RAYMOND LEONARD HIBBERD deceased
AT825767Y 02/12/2020

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 or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP020000 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 BAYLEE AVENUE MILDURA VIC 3500

ADMINISTRATIVE NOTICES

NIL

eCT Control 19747K MALONEY ANDERSON LEGAL
Effective from 02/12/2020

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	LP020000
Number of Pages (excluding this cover sheet)	2
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The document is invalid if this cover sheet is removed or altered.

PLAN OF SUBDIVISION
OF PART OF CROWN PORTION ONE
PARISH OF MILDURA
COUNTY OF KARKAROOC

Measurements are in Feet & Inches
Conversion Factor
FEET X 0.3048 = METRES
V. 7075 F. 855

LP 20000

EDITION 1
PLAN MAY BE LODGED
23-11-49

COLOUR CODE
E-1=BLUE
R1, R2 & R3=BROWN
E-3=YELLOW

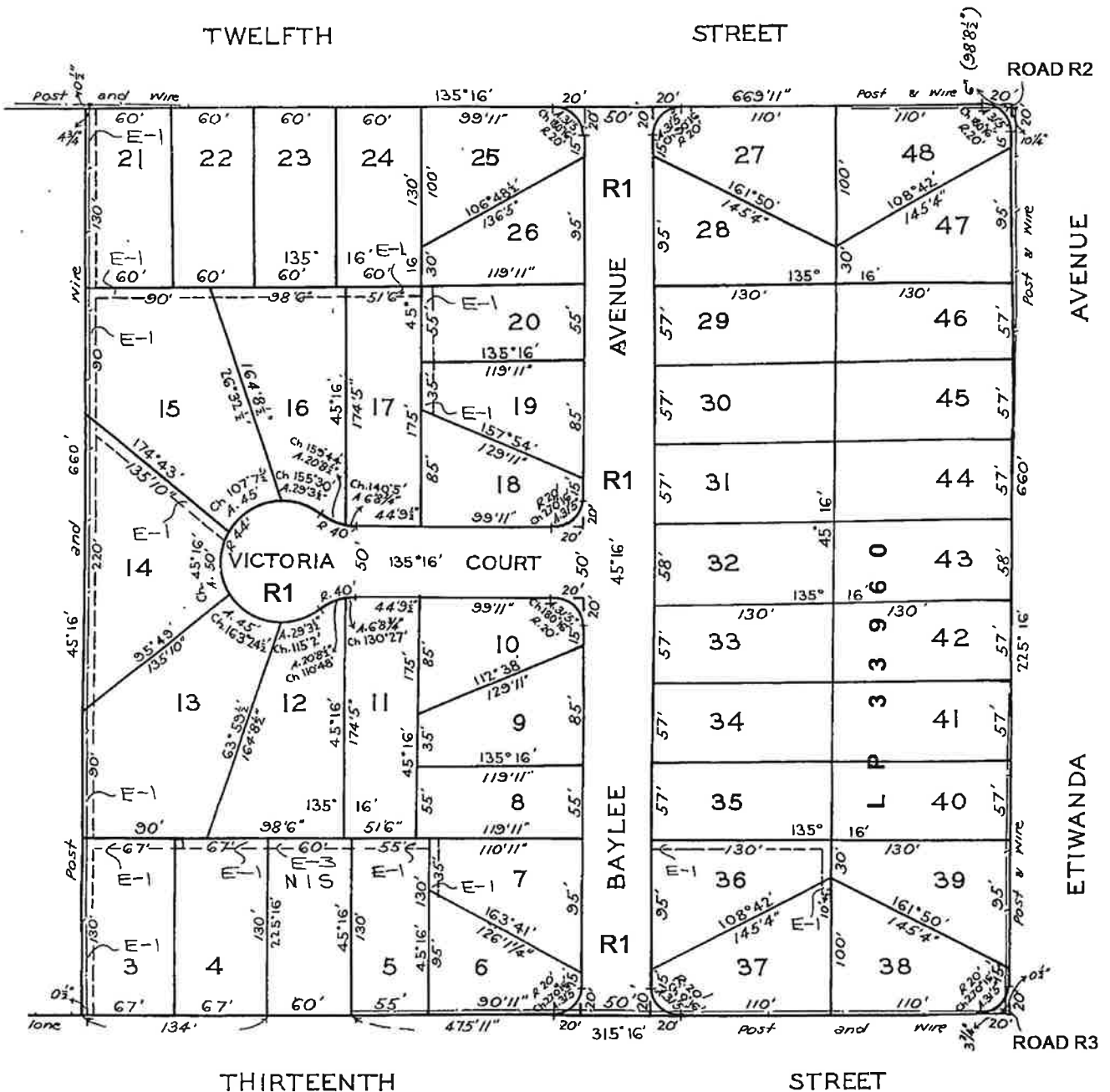
APPROPRIATIONS

THE LAND COLOURED BROWN
IS APPROPRIATED OR SET
APART FOR EASEMENTS OF
WAY AND DRAINAGE

THE LAND COLOURED YELLOW
AND BLUE IS APPROPRIATED OR
SET APART FOR EASEMENTS OF
DRAINAGE AND SEWERAGE
AND IS 6 FEET WIDE

ENCUMBRANCES

AS TO LOTS 15 TO 31 (INCLUSIVE) AND
44 TO 48 (INCLUSIVE) AND PARTS OF LOTS
14, 32 AND 43, ROAD R2 AND PART OF ROADS R1
THE RESERVATIONS AND CONDITIONS
CONTAINED IN TRANSFER 268499



PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au on 07 July 2021 12:45 PM

PROPERTY DETAILS

Address: **6 BAYLEE AVENUE MILDURA 3500**
Lot and Plan Number: **Lot 30 LP20000**
Standard Parcel Identifier (SPI): **30\LP20000**
Local Government Area (Council): **MILDURA**
Council Property Number: **345**
Planning Scheme: **Mildura**
Directory Reference: **VicRoads 535 Q8**

www.mildura.vic.gov.au

planning-schemes.delwp.vic.gov.au/schemes/mildura

UTILITIES

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

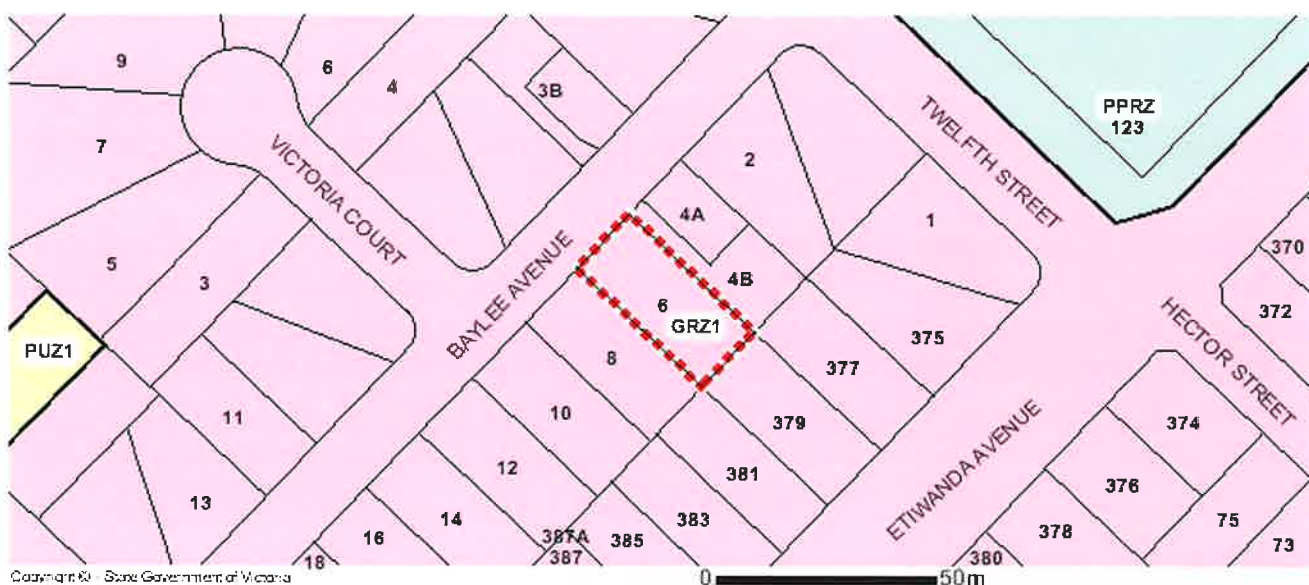
STATE ELECTORATES

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

Planning Zones

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

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



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GRZ - General Residential

PPRZ - Public Park & Recreation

PUZ1 - Public Use - Service & Utility

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

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

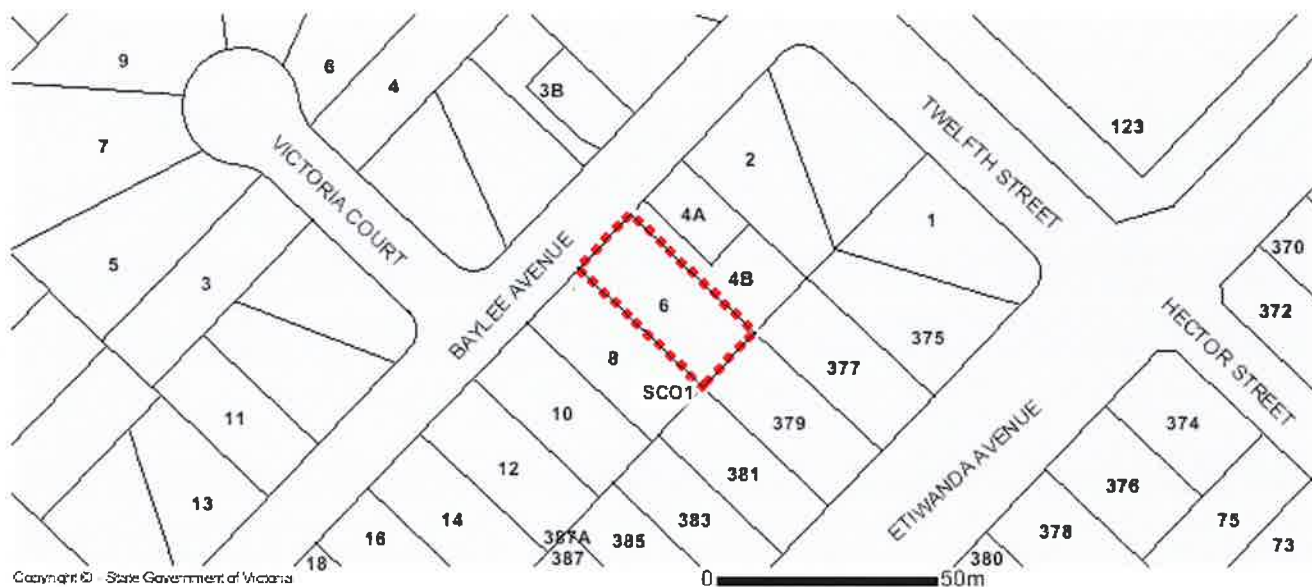
PLANNING PROPERTY REPORT: 6 BAYLEE AVENUE MILDURA 3500

Page 1 of 3

Planning Overlay

[SPECIFIC CONTROLS OVERLAY \(SCO\)](#)

[SPECIFIC CONTROLS OVERLAY - SCHEDULE 1 \(SCO1\)](#)



SCO - Specific Controls

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

Further Planning Information

Planning scheme data last updated on 30 June 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 <http://mapshare.maps.vic.gov.au/vicplan>

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

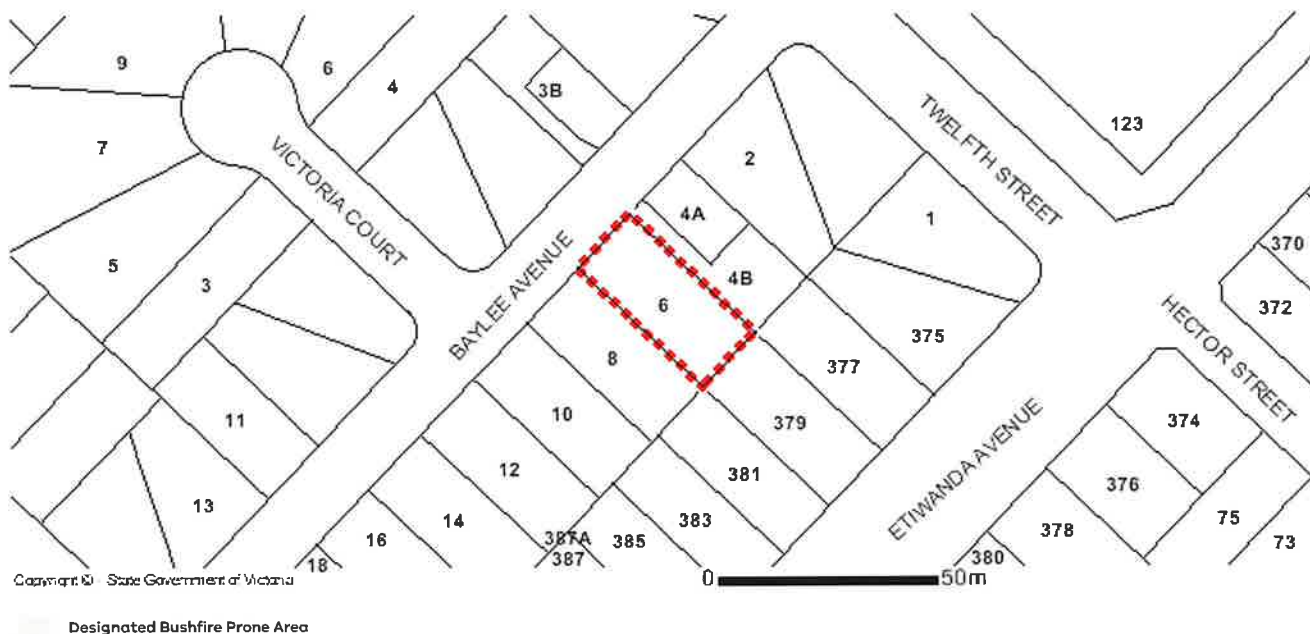
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Designated Bushfire Prone Area

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



Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at <http://mapshare.maps.vic.gov.au/vicplan> or at the relevant local council.

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website www.vba.vic.gov.au

Copies of the Building Act and Building Regulations are available from www.legislation.vic.gov.au

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

Due diligence checklist

What you need to know before buying a residential property

Before you buy a home, you should be aware of a range of issues that may affect that property and impose restrictions or obligations on you, if you buy it. This checklist aims to help you identify whether any of these issues will affect you. The questions are a starting point only and you may need to seek professional advice to answer some of them. You can find links to organisations and web pages that can help you learn more, by visiting the [Due diligence checklist page on the Consumer Affairs Victoria website](http://consumer.vic.gov.au/duediligencechecklist) (consumer.vic.gov.au/duediligencechecklist).

Urban living

Moving to the inner city?

High density areas are attractive for their entertainment and service areas, but these activities create increased traffic as well as noise and odours from businesses and people. Familiarising yourself with the character of the area will give you a balanced understanding of what to expect.

Is the property subject to an owners corporation?

If the property is part of a subdivision with common property such as driveways or grounds, it may be subject to an owners corporation. You may be required to pay fees and follow rules that restrict what you can do on your property, such as a ban on pet ownership.

Growth areas

Are you moving to a growth area?

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

Flood and fire risk

Does this property experience flooding or bushfire?

Properties are sometimes subject to the risk of fire and flooding due to their location. You should properly investigate these risks and consider their implications for land management, buildings and insurance premiums.

Rural properties

Moving to the country?

If you are looking at property in a rural zone, consider:

- Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.
- Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.
- Do you understand your obligations to manage weeds and pest animals?

Can you build new dwellings?

Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land?

Is there any earth resource activity such as mining in the area?

You may wish to find out more about exploration, mining and quarrying activity on or near the property and consider the issue of petroleum, geothermal and greenhouse gas sequestration permits, leases and licences, extractive industry authorisations and mineral licences.

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

You should consider whether past activities, including the use of adjacent land, may have caused contamination at the site and whether this may prevent you from doing certain things to or on the land in the future.

Land boundaries

Do you know the exact boundary of the property?

You should compare the measurements shown on the title document with actual fences and buildings on the property, to make sure the boundaries match. If you have concerns about this, you can speak to your lawyer or conveyancer, or commission a site survey to establish property boundaries.

Planning controls

Can you change how the property is used, or the buildings on it?

All land is subject to a planning scheme, run by the local council. How the property is zoned and any overlays that may apply, will determine how the land can be used. This may restrict such things as whether you can build on vacant land or how you can alter or develop the land and its buildings over time.

The local council can give you advice about the planning scheme, as well as details of any other restrictions that may apply, such as design guidelines or bushfire safety design. There may also be restrictions – known as encumbrances – on the property's title, which prevent you from developing the property. You can find out about encumbrances by looking at the section 32 statement.

Are there any proposed or granted planning permits?

The local council can advise you if there are any proposed or issued planning permits for any properties close by. Significant developments in your area may change the local 'character' (predominant style of the area) and may increase noise or traffic near the property.

Safety

Is the building safe to live in?

Building laws are in place to ensure building safety. Professional building inspections can help you assess the property for electrical safety, possible illegal building work, adequate pool or spa fencing and the presence of asbestos, termites, or other potential hazards.

Building permits

Have any buildings or retaining walls on the property been altered, or do you plan to alter them?

There are laws and regulations about how buildings and retaining walls are constructed, which you may wish to investigate to ensure any completed or proposed building work is approved. The local council may be able to give you information about any building permits issued for recent building works done to the property, and what you must do to plan new work. You can also commission a private building surveyor's assessment.

Are any recent building or renovation works covered by insurance?

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

Utilities and essential services

Does the property have working connections for water, sewerage, electricity, gas, telephone and internet?

Unconnected services may not be available, or may incur a fee to connect. You may also need to choose from a range of suppliers for these services. This may be particularly important in rural areas where some services are not available.

Buyers' rights

Do you know your rights when buying a property?

The contract of sale and section 32 statement contain important information about the property, so you should request to see these and read them thoroughly. Many people engage a lawyer or conveyancer to help them understand the contracts and ensure the sale goes through correctly. If you intend to hire a professional, you should consider speaking to them before you commit to the sale. There are also important rules about the way private sales and auctions are conducted. These may include a cooling-off period and specific rights associated with 'off the plan' sales. The important thing to remember is that, as the buyer, you have rights.