



## 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: 8 Pevensey Grove, Mildura

VENDOR'S NAME: Patricia Mary Halton (Formerly Lear)

VENDOR'S SIGNATURE: Pat M Halton

DATE: 5-10-20

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:** Patricia Mary Halton (Formerly Lear)

**Property:** 8 Pevensey Grove, Mildura  
Lot 91 on PS 333453D being the whole of the land in  
Certificate of Title Volume 10209 Folio 492

**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	Does not exceed \$2,800.00	
2. Lower Murray Water- Urban	\$ 175.05 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 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; 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.**

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

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

VOLUME 10209 FOLIO 492

Security no : 124085023166T  
Produced 20/08/2020 02:23 PM

LAND DESCRIPTION

Lot 91 on Plan of Subdivision 333453D.  
PARENT TITLE Volume 10153 Folio 347  
Created by instrument PS333453D 09/01/1995

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
PATRICIA MARY LEAR of 583 SAN MATEO AVENUE MILDURA VIC 3500  
AK189793T 14/02/2013

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AK189794R 14/02/2013  
COMMONWEALTH BANK OF AUSTRALIA

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.

AGREEMENT Section 52A TOWN AND COUNTRY PLANNING ACT 1961  
M755145B 20/03/1987

AGREEMENT Section 173 PLANNING AND ENVIRONMENT ACT 1987  
P184155D 11/05/1989

DIAGRAM LOCATION

SEE PS333453D 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: 8 PEVENSEY GROVE MILDURA VIC 3500

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA  
Effective from 23/10/2016

DOCUMENT END

Delivered from the LANDATA® System by InfoTrack Pty Ltd.

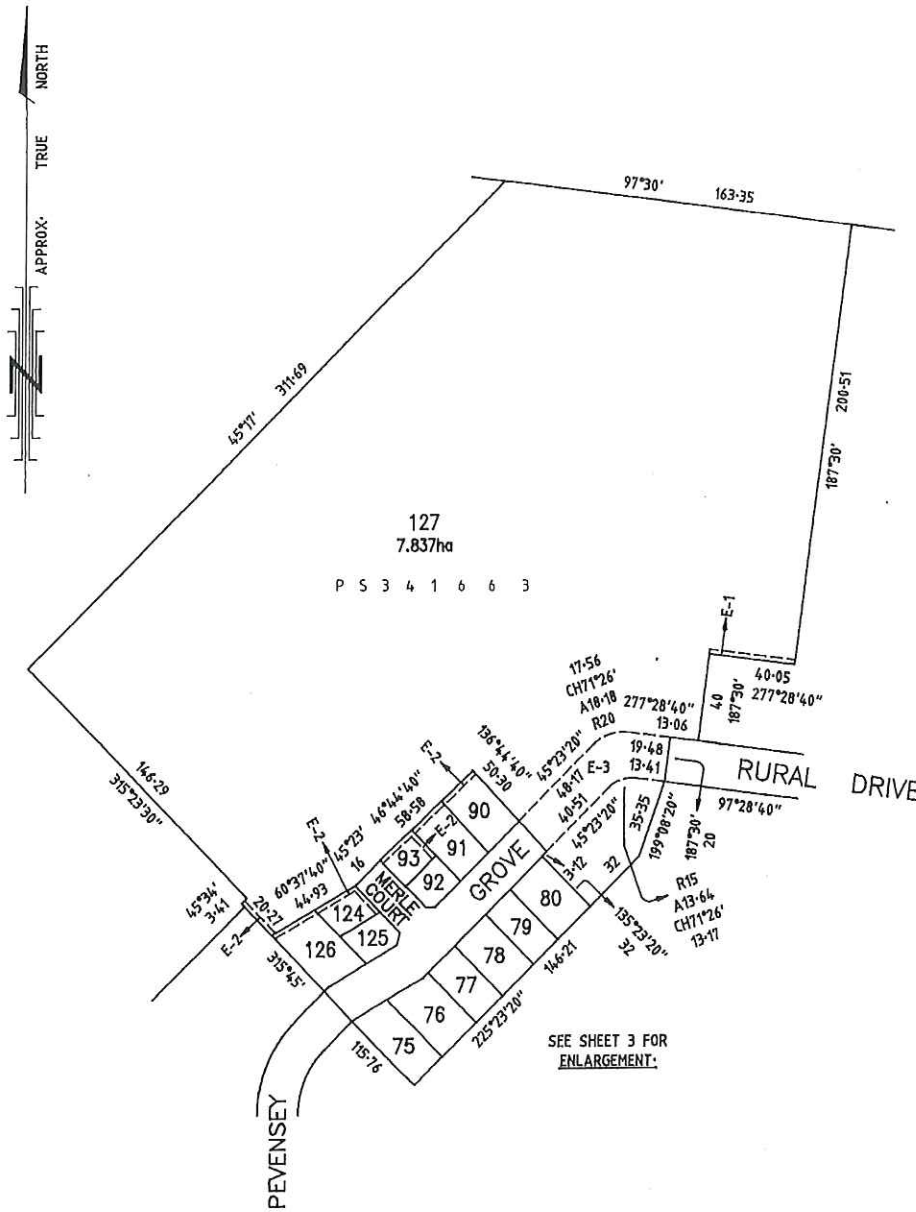
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<b>PLAN OF SUBDIVISION</b>		Stage No. <hr/>	LTO use only <b>EDITION 2</b>	Plan Number <b>PS 333453 D</b>																									
<b>Location of Land</b> Parish: MILDURA Township: ----- Section: ----- Crown Allotment: ----- Crown Portion: A (PART)  LTO Base Record: COMPILED SHEET 18 (3102) Title Reference: VOL. 10153 FOL. 347  Last Plan Reference: P.S. 326935 Y Postal Address: RURAL DRIVE (at time of subdivision) MILDURA 3500  AMG Co-ordinates E 605960 Zone: 54 (of approx. centre of land in plan) N 6218500		<b>Council Certificate and Endorsement</b> Council Name: CITY OF MILDURA Ref: L1-1227-500(x) 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>  OPEN SPACE (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 / / <del>Re-certified under section 11(7) of the Subdivision Act 1988</del> <del>Council delegate</del> <del>Council seal</del> Date - - / - - / - -																											
<b>Vesting of Roads and/or Reserves</b>		<b>Notations</b>																											
Identifier	Council/Body/Person	<b>Staging</b> This <input type="checkbox"/> is not a staged subdivision Planning Permit No. P94/010																											
ROADS R1	CITY OF MILDURA	<b>Depth Limitations</b>  DOES NOT APPLY																											
LIST OF MODIFICATIONS <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>LAND</th> <th>MODIFICATION</th> <th>DEALING No.</th> <th>ART.</th> <th>NEW EDR</th> </tr> </thead> <tbody> <tr> <td>LOT 127</td> <td>SUBDIVISION</td> <td>PS341663</td> <td>2</td> <td>2</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		LAND	MODIFICATION	DEALING No.	ART.	NEW EDR	LOT 127	SUBDIVISION	PS341663	2	2											LOTS 1-74, 81-89, 94-123 INCLUSIVE HAVE BEEN OMITTED FROM THIS PLAN.  LOT 127 IS NOT THE RESULT OF SURVEY - AREA & DIMENSIONS OBTAINED BY DEDUCTION FROM TITLE.  CITY OF MILDURA PLANNING PERMIT P94/010 DIRECTS THE REMOVAL OF WATER SUPPLY EASEMENTS NUMBERED J877209, J877212, J877215 AS IT AFFECTS THE LAND CONTAINED IN C.T. VOL 10153 FOL. 347 & SHOWN E-1 ON PS 326935Y UPON REGISTRATION OF THIS PLAN.  <b>Survey</b> This plan is/is-not based on survey This survey has been connected to permanent marks no(s) _____ In Proclaimed Survey Area No. _____							
LAND	MODIFICATION	DEALING No.	ART.	NEW EDR																									
LOT 127	SUBDIVISION	PS341663	2	2																									
<b>Easement Information</b>		<b>LTO use only</b>																											
<b>Legend:</b> A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)		<b>Statement of Compliance/Exemption Statement</b>																											
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THOMSON & SINGLETON PTY.LTD. ACN 008 143 317 61 DEAKIN AVENUE, MILDURA. 3500. TEL. (050) 23-1835 FAX. (050) 21-3957 POSTAL: P.O. BOX 766, MILDURA. 3502.		LICENSED SURVEYOR (PRINT)...ANDREW GIFFORD...  SIGNATURE..... DATE / / REF 4572 VERSION 1																											
		DATE / / COUNCIL DELEGATE SIGNATURE Original sheet size A3																											

<b>PLAN OF SUBDIVISION</b>	Stage No. <hr style="width: 50%; margin: auto;"/>	Plan Number <b>PS 333453 D</b>
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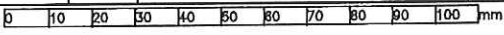


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POSTAL: P.O. BOX 766, MILDURA, 3502.

ORIGINAL	SCALE
SCALE 1:2000	<p>20 0 40 80 LENGTHS ARE IN METRES</p>
SHEET SIZE A3	

LICENSED SURVEYOR (PRINT) ANDREW CHIFFORD CRAIG...  
SIGNATURE..... DATE / /  
REF 4572                      VERSION 1

Sheet 2 of 3 sheets
.....
DATE / /
COUNCIL DELEGATE SIGNATURE
Original sheet size A3







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FEE ANNOUNCED  
23.3.1987

*[Signature]*  
Assistant Registrar of Titles

200387 0955 TCP \$42 M755145B

M755145B

*Callaghan Ryan & Maloney*

REGD

CITY OF MILDURA

APPLICATION PURSUANT TO SECTION 52B (1)  
OF THE TOWN AND COUNTRY PLANNING ACT 1958

THE MAYOR COUNCILLORS AND <sup>*Citizens*</sup> ~~RATEPAYERS~~ of the CITY OF MILDURA HEREBY APPLY to have a Memorandum of the Agreement pursuant to Section 52A of the Town and Country Planning Act 1958 dated 26 February 1987, and made between themselves as Responsible Authority and R.K. and S.R. Mansell as Owners of ALL THAT piece of land more particularly described in Certificate of Title Volume 9698 Folio 126, a copy of which Agreement is annexed hereto entered on the said Certificate of Title.

DATED the 12th

March

*see schedule*  
1987

*20/3/87*

THE COMMON SEAL OF THE MAYOR COUNCILLORS AND <sup>*Citizens*</sup> ~~RATEPAYERS~~ OF the CITY OF MILDURA was hereunto affixed in the presence of :-

*[Signature]*  
\_\_\_\_\_

MAYOR

*[Signature]*  
\_\_\_\_\_

COUNCILLOR

*[Signature]*  
\_\_\_\_\_

TOWN CLERK

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



*1st 30/1/87*

*24/3/87*

THIS AGREEMENT is made the 26th day of February 1987

B E T W E E N :

THE MAYOR COUNCILLORS AND CITIZENS  
OF THE CITY OF MILDURA (The Council.)

of the first part and

RUSSELL KENT MANSELL AND SUZANNE ROSEMARY MANSELL both of  
274 Cureton Avenue, Mildura (The Owners)

of the second part

WHEREAS:

A. The Owners are or are entitled to be registered at the Office of Titles as the proprietor of all that piece of land described in the First Schedule hereto situated at and known as Lot 45 Washington Drive Mildura (the land).

B. The Owners made application to the Council as the Responsible Authority under the City of Mildura Planning Scheme for a Modified Permit -

To subdivide land described as Lot 4, L.P. 143465 being part Crown Portion A, Parish of Mildura, and to construct a single detached house upon each lot created, land situate in Washington Drive in accordance with the attached endorsed plan being part (Stage 5) of the overall plan of subdivision development approved with the original permit issued, No. P.12/84 dated 12th April 1984 or as subsequently modified. (Permit No. P12/84 Stage 5 dated 26th February, 1987).

C. The Council by Notice of Determination dated the 26th day of February 1987 determined to grant a permit to subdivide the land in accordance with the endorsed plan and subject to various conditions including a condition which provided as follows

"This permit shall have no force or effect until:

The owner of land described in this permit shall enter



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into a Section 52A Agreement with the Council of the City of Mildura. Such Agreement shall prohibit the development of flats for a period of ten years upon Lots numbered 45 to 54 inclusive, except Lot 55 as illustrated on the attached endorsed plan."

D. The Council and the Owners have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as it can be so treated this Agreement shall be treated as being an agreement under Section 52A of the Town and Country Planning Act.

E. The Owners intend to lodge a Plan of Subdivision for approval in accordance with the Modified Planning Permit immediately after the registration of this Agreement.

NOW THIS AGREEMENT WITNESSETH as follows :-

1. In this Agreement unless inconsistent with the context or subject matter -  
"Modified Permit" shall mean the permit issued by the Council as a result of the Notice of Determination referred to in recital C hereof.
2. The Owners covenant and agrees to comply with, carry out and observe Condition 3 of the Modified Permit.
3. The Owners further covenant and agree as follows :  
To prohibit the construction of or adaptation to flats as defined in the City of Mildura Planning Scheme for a period of ten (10) years from the date of approval of the Plan of Subdivision by the Office of Titles on Lots numbered 45 to 54 inclusive and coloured blue on the plan annexed hereto.
4. The Owners agree to do all things necessary to enable the Council to enter a memorandum of this Agreement on the



-3-

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

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

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

FIRST SCHEDULE

Lot 45 on Plan of Subdivision No. 204845W being the whole of the land more particularly described in Certificate of Title Volume 9698 Folio 126.

-4-

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

)

*[Signature]* MAYOR

*[Signature]* COUNCILLOR

*[Signature]* TOWN CLERK

SIGNED SEALED AND DELIVERED  
by the said RUSSELL KENT  
MANSELL and SUZANNE ROSEMARY  
MANSELL in the presence of:

) *[Signature]*  
Suzanne Rosemary Mansell

*[Signature]*





CT 9887.119 cancelled whole.

Transferred to new C/T

to issue

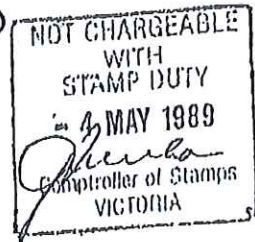
Vol. 10029 Fol. 275 to Vol. 10029 Fol. 281 bi

P/S 303160P

THIS AGREEMENT is made the 13<sup>th</sup> day of April 1989  
BETWEEN

THE MAYOR COUNCILLORS AND CITIZENS  
OF THE CITY OF MILDURA (The Council)  
of the first part and

RUSSELL KENT MANSELL and  
SUZANNE ROSEMARY MANSELL both of (The Owner)  
274 Cureton Avenue, Mildura  
of the second part



WHEREAS :

- A. The Owner is or is entitled to be registered at the Office of Titles as the proprietor of all that piece of land described in the First Schedule hereto situated at and known as Lot 55 Riverside Avenue, Mildura ("the land").
- B. The Owner made application to the Council as the Responsible Authority under the City of Mildura Planning Scheme for a Permit -

To subdivide land described as Lot 4, L.P. 143465 being part Crown Portion A, Parish of Mildura and to construct a single detached house upon each Lot created, land situate in Washington Drive in accordance with the attached endorsed plan being part (Stage 7) of the overall Plan of Subdivision development approved with the original permit issued No. P12/84 dated 12th April, 1984 or as subsequently modified. (Permit No. P12/84 Stage 7 dated the 21<sup>st</sup> day of APRIL 1989.)

- C. The Council by Notice of Determination dated the 21<sup>st</sup> day of APRIL 1989 determined to grant a permit ("the modified Permit") to subdivide the land in accordance with the attached endorsed plan and subject to various conditions including a condition which provided as follows :

"The owner of land herein described in the modified permit shall enter into an Agreement pursuant to Section 173 of the Planning and Environment Act 1987

with the Council of the City of Mildura. Such Agreement shall provide that for a period of ten years upon Lots numbered 55 to 67 inclusive, but not on Lots numbered 68 & 69 (balance Lots) as illustrated on the attached endorsed plan they will not erect or cause or suffer to be erected upon the said lots more than one residential building and that such building shall not be other than a building that is a Class 1 (a) Building as defined in Part Six of the Victoria Building Regulations 1983 and that such building and lot or any part thereof shall not be registered under the provisions of the Strata Titles Act 1967 or the Cluster Titles Act 1974 or any amendment, modification or re-enactment of or substitution for either of such Acts.

- D. The Council and the Owner have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as it can be so treated this Agreement shall be treated as being an Agreement under Section 173 of the Planning and Environment Act 1987.
- E. The owner intends to lodge a Plan of Subdivision for approval in accordance with the Modified Permit immediately after the registration of this Agreement.

NOW THIS AGREEMENT WITNESSETH as follows :

1. In this Agreement unless inconsistent with the context or subject matter -  
"Modified Permit" shall mean the permit issued by the Council as a result of the Notice of Determination referred to in recital C hereof.
2. The Owner covenants and agrees to comply with, carry out and observe Condition 3 of the Modified Permit.



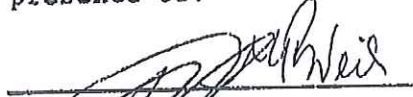
3. The owner further covenants and agrees as follows :  
"THAT they will not erect or cause or suffer to be erected upon the said lots more than one residential building and that such building shall not be other than a building that is a Class 1 (a) Building as defined in Part Six of the Victoria Building Regulations 1983 and that such building and lot or any part thereof shall not be registered under the provisions of the Strata Titles Act 1967 or the Cluster Titles Act 1974 or any amendment, modification or re-enactment of or substitution for either of such Acts."
4. The Owner agrees to do all things necessary to enable the Council to enter a memorandum of this Agreement on the Certificate of Title to the land in accordance with Section 181 of the Planning and Environment Act 1987 including signing any further agreement acknowledgement or document to enable the said memorandum to be registered under that Section.
5. The covenants and agreements of the Owner under this Agreement shall cease and the Owner will be released from its obligations under this Agreement upon the Council delivering to the Owner a certificate stating that the subdivision has been carried out and completed and the Owner has complied with the terms of this Agreement to its satisfaction.

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

FIRST SCHEDULE

Lot 55 on Plan of Subdivision No. 207162 being the whole of the land more particularly described in Certificate of Title Volume 9739 Folio 135.

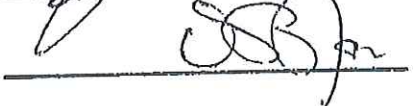
THE COMMON SEAL of THE MAYOR )  
COUNCILLORS AND CITIZENS )  
OF THE CITY OF MILDURA was )  
hereunto affixed in the )  
presence of: )



MAYOR



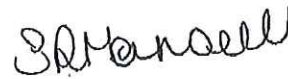
COUNCILLOR

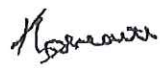


TOWN CLERK

SIGNED SEALED AND DELIVERED )  
by the said RUSSELL KENT )  
MANSELL and SUZANNE ROSEMARY )  
MANSELL in the presence of: )







Build with confidence!



FORM 2  
Building Act 1993  
Building Regulations 2006  
Regulation 313

## BUILDING PERMIT WITH CONDITIONS

PERMIT NO: BS-U 29378-20150140/0

### ISSUED TO:-

Agent: O'Halloran Property Services 63 Eighth Street MILDURA VIC 3500  
Phone: Mobile: 0437073483 Fax:

### OWNERSHIP DETAILS:-

Owners: Patricia Lear 8 Pevensey Grove MILDURA VIC 3500  
Phone: Mobile: 0400712307 Fax:

### PROPERTY DETAILS:-

Lot: 91 No: 8 Pevensey Grove MILDURA VIC 3500  
Municipality: Mildura Rural City Council  
Title Details: PS:333453D Volume: 10209 Folio: 492

### BUILDER:-

Builder: Mathew O'Halloran PO Box 1330 ECHUCA VIC 3564  
Phone: Mobile: 0437073483 Fax:

DETAILS OF DOMESTIC BUILDING WORK INSURANCE:- Not Applicable

DETAILS OF RELEVANT PLANNING PERMIT:- Not Applicable

### NATURE OF BUILDING WORK:-

Construction of a Carport  
Project Classification: 10a  
Project Use: Storage  
Total New Floor Area: 40.63m<sup>2</sup>  
Project Estimated Value: \$14,409  
No of Storeys: N/A  
Allowable Live Load: N/A

### PRESCRIBED REPORTING AUTHORITIES:-

The following bodies are prescribed reporting authorities for the purposes of the application for this permit in relation to the matters set out below: Not Applicable

### INSPECTION REQUIREMENTS:-

Prior to placing pad footings  
Completion of steel framework  
Final upon completion of all building work

### OCCUPATION OR USE OF BUILDING:-

A Certificate of Final Inspection is required at completion of works

### COMMENCEMENT AND COMPLETION:-

Building work is to be commenced by: 09/07/2016 and is to be completed by 09/07/2017

### PRACTITIONERS:-

Type	Name	Registration Number
Builder:	Mathew O'Halloran	DB-L 38755
Engineer:	Alexander Filonov	EC 27759

### PRIVATE BUILDING SURVEYOR:-

TIM ANDERSON REGISTRATION NO: BS-U 29378

SIGNATURE:

ISSUE DATE:

09/07/2015



**NOTES**

- Note 1:** Under Regulation 317, the person in charge of the carrying out of building work on an allotment must take all reasonable steps to ensure that a copy of this permit and one set of any approved plans, specifications and documents are available for inspection at the allotment while the building work is in progress. They must also take all reasonable steps to ensure the registration numbers and contact details of the builder and building surveyor and the number and date of this permit are displayed in a conspicuous position accessible to the public before and during the building work to which the permit applies.
- Note 2:** Under Regulation 318, an owner of as building or land, for which a building permit has been issued, must notify the relevant building surveyor within 14 days after any change in the name of address of the owner or of the builder carrying out the building work. The penalty for non-compliance is 10 penalty units.
- Note 3:** Include building practitioners with continuing involvement in the building work.
- Note 4:** Include only building practitioners with no further involvement in the building work.
- Note 5 :** Domestic builders carrying out domestic building work forming part of this permit(where the contract price for that work is more than \$16 000) must be covered by an insurance policy as required under section 135 of the **Building Act 1993**.

**BUILDING PERMIT CONDITIONS**

**PERMIT NO: BS-U 29378-20150140/0**

**1. GENERAL**

All works authorised by this Building Permit shall comply with the provisions of the Building Act 1993, Building Regulations 2006, Building Code of Australia (BCA) current edition, other relevant codes and any local laws of the municipality. No variation from the approved documents shall be permitted without the consent of the Relevant Building Surveyor. The owner and/or builder is responsible to obtain any other relevant permits or consents prior to commencing work.

**2. CONSTRUCTION REQUIREMENTS**

All construction shall meet the performance requirements of Section 2, B.1 as applicable of the Building Code of Australia (BCA).

**3. STORMWATER DISCHARGE**

Stormwater to discharge into existing system or into pop ups, a minimum of 5m from any building or boundary.

**4. INTERNAL INFRASTRUCTURE**

It is the builders/owners responsibility to make sure all internal infrastructure is clear of the area before construction, i.e. "DIAL BEFORE YOU DIG".

***~END OF CONDITIONS~***

SIGNATURE:



REGISTRATION NO: BS-U 29378

ISSUE DATE: 09/07/2015

Build with confidence!



**FORM 7**  
Building Act 1993  
Building Regulations 2006  
Regulation 1006

## CERTIFICATE OF FINAL INSPECTION

**TO:-**

**Agent:**

**Address:**

O'Halloran Property Services  
63 Eighth Street  
MILDURA VIC 3500

**Owner:**

**Address:**

Patricia Lear  
8 Pevensey Grove  
MILDURA VIC 3500

**PROJECT ADDRESS:-**

Lot 91 (No. 8) Pevensey Grove, MILDURA

**MUNICIPAL DISTRICT:-**

Mildura Rural City Council

**DESCRIPTION OF BUILDING WORK:-**

Part of Building:  
Permitted Use:  
BCA Class:  
Allowable Live Load:

Construction of a Carport  
As per plans  
Storage  
10a  
N/a

**DIRECTIONS:-**

Any directions under Division 5 of Part 4 of the  
**Building Act 1993** have been complied with.

**RELEVANT BUILDING SURVEYOR:-**

**Name:**

**Registration No:**

**Address:**

TIM ANDERSON  
BS-U 29378  
133b Lime Avenue  
Mildura VIC 3500

**SIGNATURE:-**

**Signed:**

**Certificate No:**

**Final Inspection Date:**

**Date of Issue:**

20150140/0  
18 May 2016  
18 May 2016



Build with confidence!



18 May 2016  
Ref: 201500169

Mildura Rural City Council  
PO Box 105  
MILDURA VIC 3502

Attention: The Municipal Building Surveyor

Dear Sir/Madam

In accordance with Regulation 1012 of the Building Regulations 2006, please find the mandatory inspection approval dates for the following project:-

**BUILDING PERMIT NUMBER:-**  
20150140/0

**NATURE OF BUILDING WORK:-**

BCA Classification: 10a  
Nature of Building Work: Carport  
Part of Building Work: All parts

**PROJECT ADDRESS:-**

No: 8  
Lot: 91  
Street: Pevensey Grove  
Town/City/Suburb: MILDURA  
PS: 333453D  
Volume: 10209  
Folio: 492

**INSPECTION TYPE AND APPROVAL DATE:-**

Approved date	Inspection
03/09/2015	Prior to placing pad footings
18/05/2016	Completion of steel framework
18/05/2016	Final upon completion of all building work

**RELEVANT BUILDING SURVEYOR:-**

Tim Anderson  
Building Surveyor Unlimited BS-U 29378

Should you require any further information, please do not hesitate to contact me on the number below.

Yours faithfully

TIM ANDERSON  
REGISTERED BUILDING PRACTITIONER  
BUILDING SURVEYOR UNLIMITED BS-U 29378  
MAIBS

Encl.

ta:sb

## Property Report from [www.land.vic.gov.au](http://www.land.vic.gov.au) on 20 August 2020 02:15 PM

**Lot and Plan Number:** Lot 91 PS333453

**Address:** 8 PEVENSEY GROVE MILDURA 3500

**Standard Parcel Identifier (SPI):** 91\PS333453

**Local Government (Council):** MILDURA **Council Property Number:** 10450

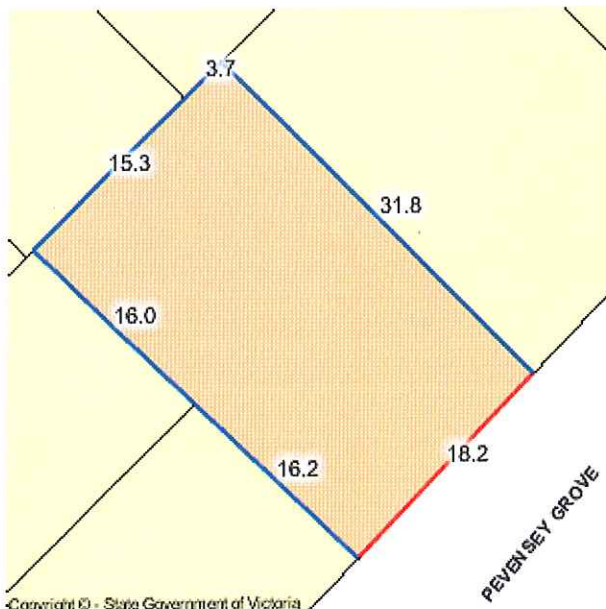
**Directory Reference:** VicRoads 535 O1

**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:** 594 sq. m

**Perimeter:** 101 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 5 August 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](#)

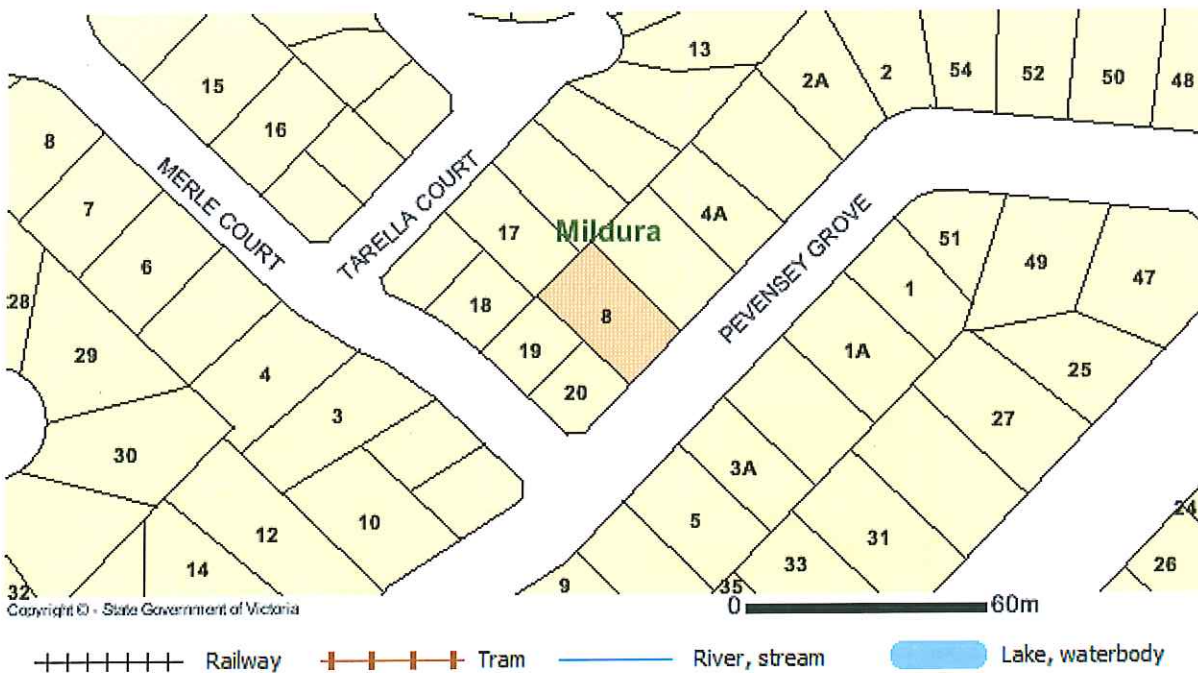
The Planning Property Report includes separate maps of zones and overlays

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

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 20 August 2020 02:16 PM

## PROPERTY DETAILS

Address: **8 PEVENSEY GROVE MILDURA 3500**  
Lot and Plan Number: **Lot 91 PS333453**  
Standard Parcel Identifier (SPI): **91\PS333453**  
Local Government Area (Council): **MILDURA**  
Council Property Number: **10450**  
Planning Scheme: **Mildura**  
Directory Reference: **Vicroads 535 O1**

[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 \(GRZ1\)](#)

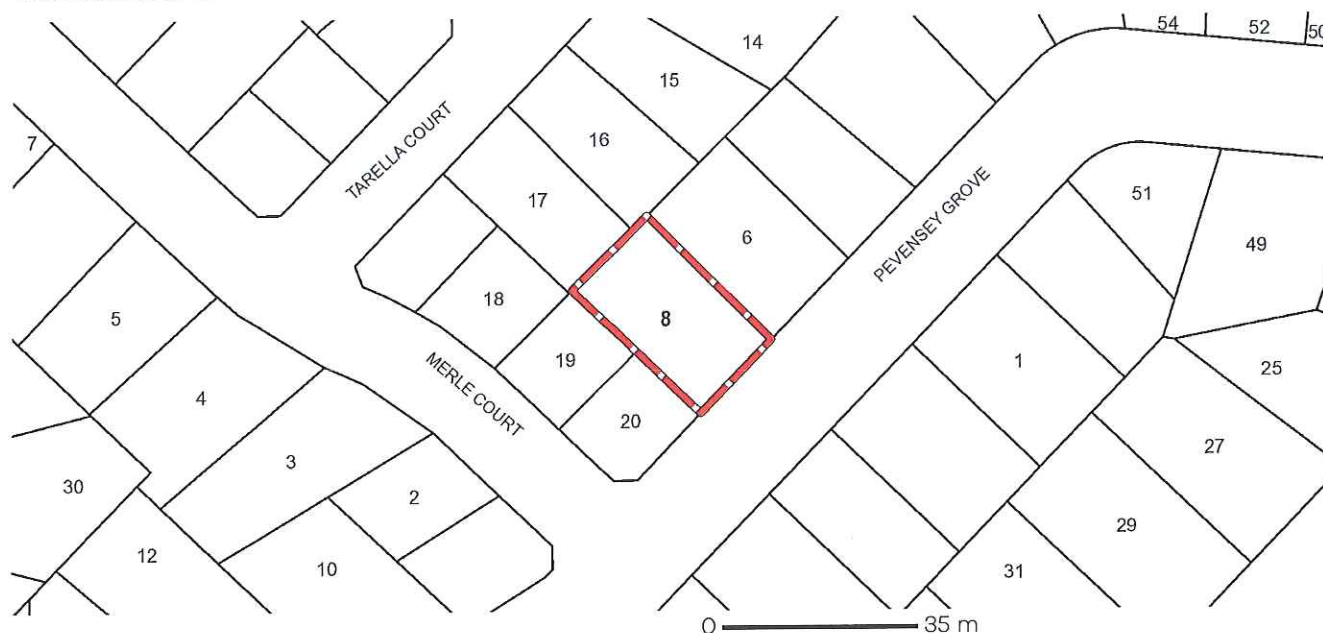


 **GRZ - General Residential**

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 19 August 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>

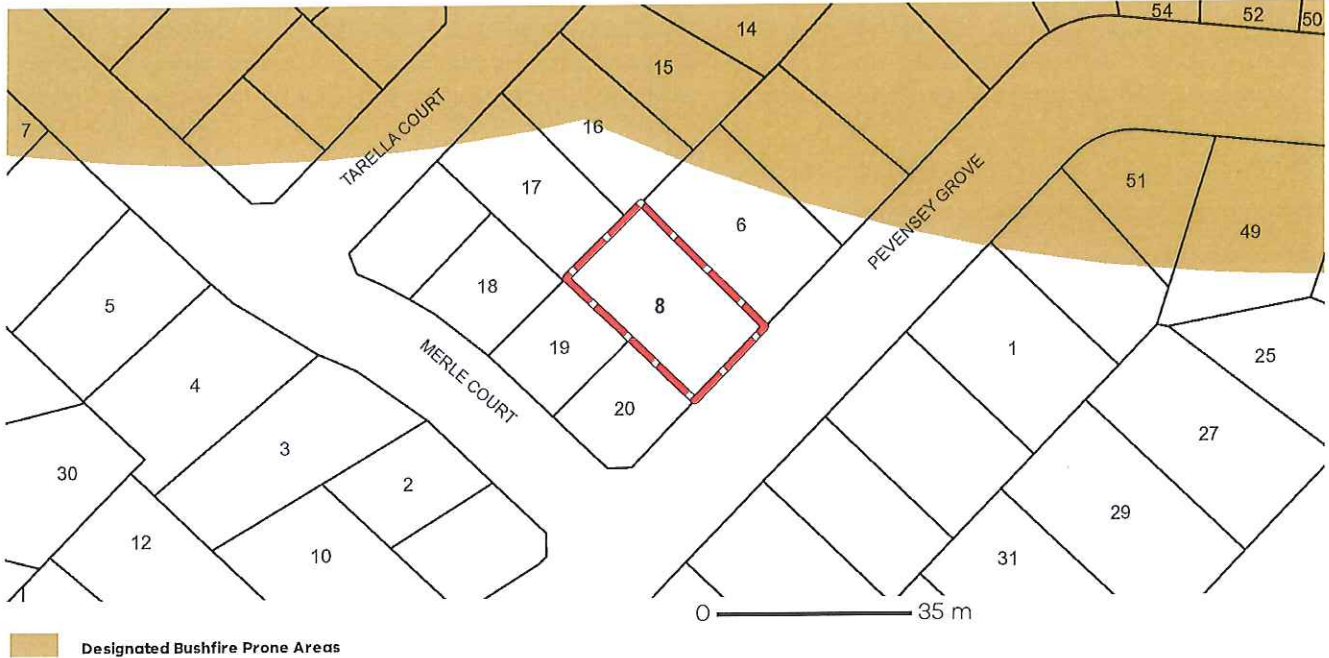
For details of surrounding properties, use this service to get the Reports for properties of interest.

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.**



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.

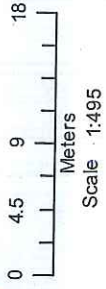
Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

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**

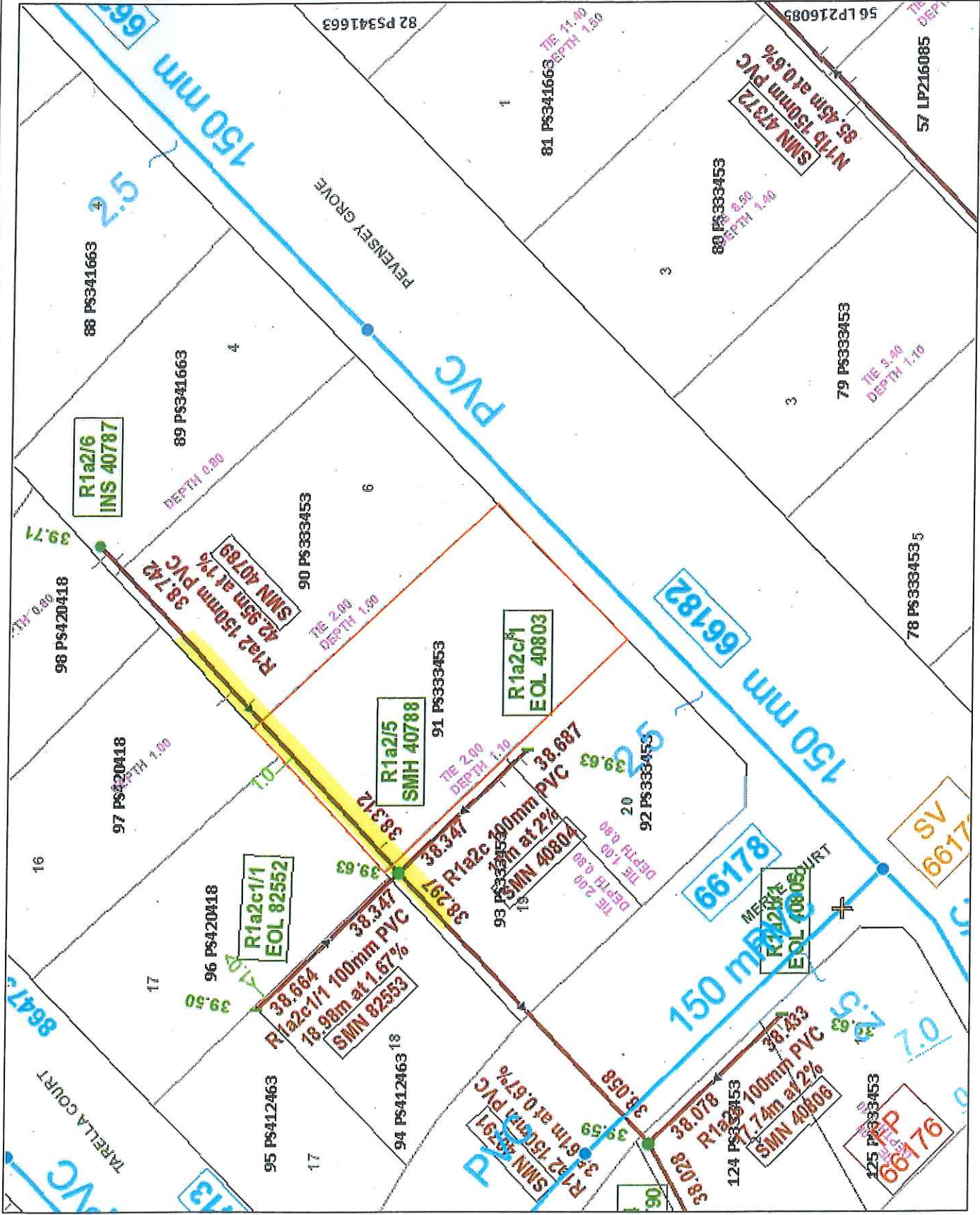
- LMW Urban Sewer
- Gravity Pipeline
- Rising Main Pipeline
- Pressure Main Pipeline
- LMW Urban Water Pipeline
- LMW Rural Irrigation
- Pipeline
- Channel
- LMW Rural Drainage
- Pipeline
- Channel

**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 shall not be passed onto a third party.

**Note:**  
 For further assistance please contact LMW.



Printed : 24/01/2013



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

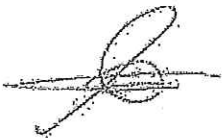
Some land within the municipality of the Mildura Rural City Council contains high levels of salt resulting in a condition commonly referred to as 'salinity'. Salinity can result in 'salt damp' or 'rising damp and salt attack' which can cause damage to certain building materials such as concrete and masonry.

Council recommends that you make your own inquiries regarding the presence of high salinity on land which you own or are considering to purchase.

If you are proposing to construct buildings on land in the municipality, you should ascertain whether or not special measures should be taken during the construction of these buildings to minimise any effects that salinity may have.

Council provides this information to assist you to make informed decisions about existing buildings or the construction of new buildings in high salinity areas.

Yours sincerely



**Mark Yantzes**

**MUNICIPAL BUILDING SURVEYOR**

MY/mn



# Due diligence checklist for home buyers

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Before you buy a home, you should be aware of a range of issues that may affect that property and impose restrictions or obligations on you, if you buy it. This checklist aims to help you identify whether any of these issues will affect you. The questions are a starting point only and you may need to seek professional advice to answer some of them. This page contains links to organisations and web pages that can help you learn more.

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

Sellers or estate agents must:

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

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

## Urban living

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

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

## Buying into an Owners Corporation

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

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

## Growth areas

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

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



## Flood and fire risk

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

More information:

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

## Rural properties

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

- » Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle. For information about what impacts you should expect and how to manage them, visit the [new landholders section on the Department of Environment and Primary Industries website](#).
- » Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property. The limitations on clearing and processes for legal clearing are set out on the [Native Vegetation page on the Department of Environment and Primary industries website](#).
- » Do you understand your obligations to manage weeds and pest animals? Visit the [New landholders section on the Department of Environment and Primary Industries website](#).
- Can you build new dwellings? Contact the local council for more information.
- » Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land? For more information, visit the [Department of Environment and Primary Industries website](#).

## Earth resource activity, such as mining

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

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

## **Soil and groundwater contamination**

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

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

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

## **Land boundaries**

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

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

## **Planning controls affecting how the property is used, or the buildings on it**

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

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

## **Proposed or granted planning permits**

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

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

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



## **Safety**

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

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

## **Building permits**

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

For more information about building regulation, visit our [Building and renovating section](#).

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

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

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

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

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

## **Connections for water, sewerage, electricity, gas, telephone and internet**

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

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

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

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



## **Buyers' rights**

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

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

## **Professional associations and bodies that may be helpful:**

\* Archicentre website

[Association of Consulting Surveyors Victoria website](#)

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

[Institute of Surveyors Victoria website](#)

[Law institute of Victoria website](#)

[Real Estate Institute of Victoria website](#)

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

Government of Victoria (Consumer Affairs Victoria) 2014

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

**Vendor: Patricia Mary Halton (Formerly Lear)**

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-

**Vendor's Section 32 Statement**

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-

**Property: 8 Pevensey Grove, 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: 20598 Halton (Sally)**