

SPECIAL CONDITIONS included in Contract of Sale

BETWEEN

Matthew Murray Gray as Vendor

And

As Purchaser

SPECIAL CONDITIONS:

1. GST Withholding

- 1A 1.** Words and expression defined or used in Subdivision 14-E of Schedule 1 to the *Taxation Administration Act 1953 (Cth)* or in *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* have the same meaning in the Special Condition unless the context requires otherwise. Words and expression first used in the Special Condition and shown in italics and marked with an asterisk are defined or described in at least one of those Acts.
- 1A 2.** This Special Condition 1A applies if the purchaser is requires to pay the Commissioner an *amount in accordance with section 14-250 of Schedule 1 to the *Taxation Administration Act 1953 (Cth)* because the property is **new residential premises* or **potential residential land* in either case falling within the parameters of that section, and also if the sale attracts the operation of section 14-255 of the legislation. Nothing in this Special Condition 1A is to be taken as relieving the Vendor from compliance with Section 14-255.
- 1A 3.** The amount is to be deducted from the Vendor's entitlement to the contract**consideration* and is then taken to be paid to the Vendor, whether or not the Vendor provides the Purchaser with a GST Withholding notice in accordance with section 14-255 of Schedule 1 to the *Taxation Administration Act 1953 (Cth)*. The Vendor must pay to the purchaser at settlement such part of the amount as is represented by nonmonetary consideration.
- 1A 4.** The Purchaser must:
- (a) Engage a legal practitioner or conveyancer ("representative") to conduct all the legal aspects of settlement, including the performance of the Purchaser's obligations under the legislation and this Special Condition; an
 - (b) Ensure that the representative does so.
- 1A 5.** The terms of the representative's engagement are taken to include instructions to have regard to the Vendor's interests relating to the payment of the amount to the Commissioner and instructions that the representative must:
- (a) Pay, or ensure payment of, the amount to the Commissioner in the manner required by the Commissioner and as soon as reasonably and practicably possible, from monies under the control or direction of the representative in accordance with this Special Condition on settlement of the sale of the property;
 - (b) Promptly provide the Vendor with evidence of payment, including any notification or other document provided by the Purchaser top the Commissioner relating to payment; and
 - (c) Otherwise comply, or ensure compliance, with this Special Condition.
- Despite:

- (d) any contrary instructions, other than from both the purchaser and the vendor;
And
 - (e) any other provision in this contract to the contrary.
- 1A 6.** The representative is taken to have complied with the requirements of special condition 1A.5 if:
- (a) Settlement is conducted through the electronic conveyancing system operated by Property Exchange Australia Ltd or any other electronic conveyancing system agreed by the parties; and
 - (b) The amount is included in the settlement statement requiring payment to the Commissioner in respect of this transaction.
- 1A 7.** The Purchaser may at settlement give the vendor a bank cheque for the amount in accordance with section 16-30 (3) of Schedule 1 to the Taxation Administration Act 1953 (Cth), but only if:
- (a) So agreed by the vendor in writing; and
 - (b) The settlement is not conducted through an electronic settlement system described in special condition 1A.6.
However, if the purchaser gives the bank cheque in accordance with this special condition 1A.7, the vendor must:
 - (c) Immediately after settlement provide the bank cheque to the Commissioner to pay the amount in relation to the supply; and
 - (d) Give the purchaser a receipt for the bank cheque which identifies the transaction and includes particulars of the bank cheque, at the same time the purchaser gives the vendor the bank cheque.
- 1A 8.** The Vendor must provide the purchaser with a GST withholding notice in accordance with section 14-255 of Schedule 1 to the Taxation Administration Act 1953 (Cth) at least 14 days before the due date for settlement.
- 1A 9.** A party must provide the other party with such information as the other party requires to:
- (a) Decide if an amount is required to be paid or the quantum of it, or
 - (b) Comply with the purchaser's obligation to pay the amount,
- In accordance with section 14-250 of Schedule 1 to the Taxation Administration Act 1953 (Cth). The party providing the information warrants that it is true and correct.
- 1A 10.** The Vendor warrants that:
- (a) At settlement, the property is not new residential premises or potential residential land in either case falling within the parameters of section 14-250 of Schedule 1 to the Taxation Administration Act 1953 (Cth) if the vendor gives the purchaser a written notice under section 14-255 to the effect that the purchaser will not be required to make a payment under section 14-250 in respect of the supply, or fails to give a written notice as required by and within the time specified in section 14-255; and
 - (b) The amount described in a written notice given by the vendor to the purchaser under section 14-255 of Schedule 1 to the Taxation Administration Act 1953 (Cth) is the correct amount required to be paid under section 14-250 of the legislation.

1A 11. The purchaser is responsible for any penalties or interest payable to the Commissioner on account of non-payment or late payment of the amount, except to the extent that:

- (a) The penalties or interest arise from the vendor's failure, including breach of a warranty in special condition 1A 10: or
- (b) The purchaser's reasonable belief that the property is neither new residential premises nor potential residential land requiring the purchaser to pay an amount to the Commissioner in accordance with section 14-250 (1) of Schedule 1 to the Taxation Administration Act 1953 (Cth).

The Vendor is responsible for any penalties or interest payable to the Commissioner on account of non-payment or late payment of the amount if either exception applies.

1A 12. This special condition will not merge on settlement.

2. Director's Guarantee and Warranty:

In the event that the Purchaser is a corporate entity then the Director/s signing on behalf of the Corporate Purchaser shall execute the Contract and shall warrant that same is done lawfully in accordance with the Articles of Association of the Purchaser Company and further shall cause either the Sole Director or at least two Directors of the Purchaser Company to execute the form of Guarantee and Indemnity annexed hereto.

The following Guarantee shall be executed by each person who executed this Contract for and on behalf of the Purchaser (if not the same person) and by each Director of the Purchaser (if the Purchaser is a Corporation):

GUARANTEE and INDEMNITY

I/We, of

and of

being the **Sole Director / Directors** of ACN.....

(hereinafter called the "Guarantors") IN CONSIDERATION of the within-named Vendor selling to the within-named Purchaser at our request the Land described in the within Contract of Sale for the price and upon the terms and conditions contained therein DO HEREBY for ourselves and our respective executors and administrators JOINTLY AND SEVERALLY COVENANT with the said Vendor and their assigns that if at any time default shall be made in payment of the Deposit Money or residue of Purchase Money or interest or any other moneys payable by the Purchaser to the Vendor under the within Contract or in the performance or observance of any term or condition of the within Contract to be preformed or observed by the Purchaser I/we will forthwith on demand by the Vendor pay to the Vendor the whole of the Deposit Money, residue of Purchase Money, interest or other moneys which shall then be due and payable to the Vendor and hereby indemnify and agree to keep the Vendor indemnified against all loss of Deposit Money, residue of Purchase Money, interest and other moneys payable under the within Contract and all losses, costs, charges and expenses whatsoever which the Vendor may incur by reason of any default on the part of the Purchaser. This Guarantee shall be a continuing Guarantee and Indemnity and shall not be released by: -

- (a) any neglect or forbearance on the part of the Vendor in enforcing payment of any of the moneys payable under the within Contract;
- (b) the performance or observance of any of the agreements, obligations or conditions under the within Contract;
- (c) by time given to the Purchaser for any such payment performance or observance;
- (d) by reason of the Vendor assigning his, her or their rights under the said Contract; and
- (e) by any other thing which under the law relating to sureties would but for this provision have the effect of releasing me/us, my/our executors or administrators.

IN WITNESS whereof the parties hereto have set their hands and seals

this day of 20.....

SIGNED SEALED AND DELIVERED by the said

Print Name.....

in the presence of:

Witness.....

Director (Sign)

SIGNED SEALED AND DELIVERED by the said

Print Name.....

in the presence of:

Witness.....

Director (Sign)



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*.

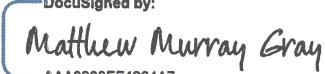
This statement must be signed by the vendor and given to the purchaser before the purchaser signs the contract.

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: 4 Belinda Court, Mildura

VENDOR'S NAME: Matthew Murray Gray

VENDOR'S SIGNATURE: DocuSigned by:

.....AAA0203FF4284A7........

DATE: 21/7/2021

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: **Matthew Murray Gray**

Property: **4 Belinda Court, Mildura
Lot 10 on Plan of Subdivision 735987W being the whole
of the land in Certificate of Title Volume 11631 Folio 392**

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	\$3,414.89 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 / is not* 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; 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.



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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

Page 1 of 1

VOLUME 11631 FOLIO 392

Security no : 124091132803J
Produced 13/07/2021 11:43 AM

LAND DESCRIPTION

Lot 10 on Plan of Subdivision 735987W.
PARENT TITLE Volume 08723 Folio 090
Created by instrument PS735987W 04/02/2016

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
MATTHEW MURRAY GRAY of 348 16TH STREET MILDURA VIC 3500
AM615098A 08/03/2016

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AM615099X 08/03/2016
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

COVENANT AM615098A 08/03/2016

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 PS735987W 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: 4 BELINDA COURT MILDURA VIC 3500

ADMINISTRATIVE NOTICES

NIL

eCT Control 16165A ANZ RETAIL AND SMALL BUSINESS
Effective from 22/10/2016

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	PS735987W
Number of Pages (excluding this cover sheet)	5
Document Assembled	13/07/2021 12:16

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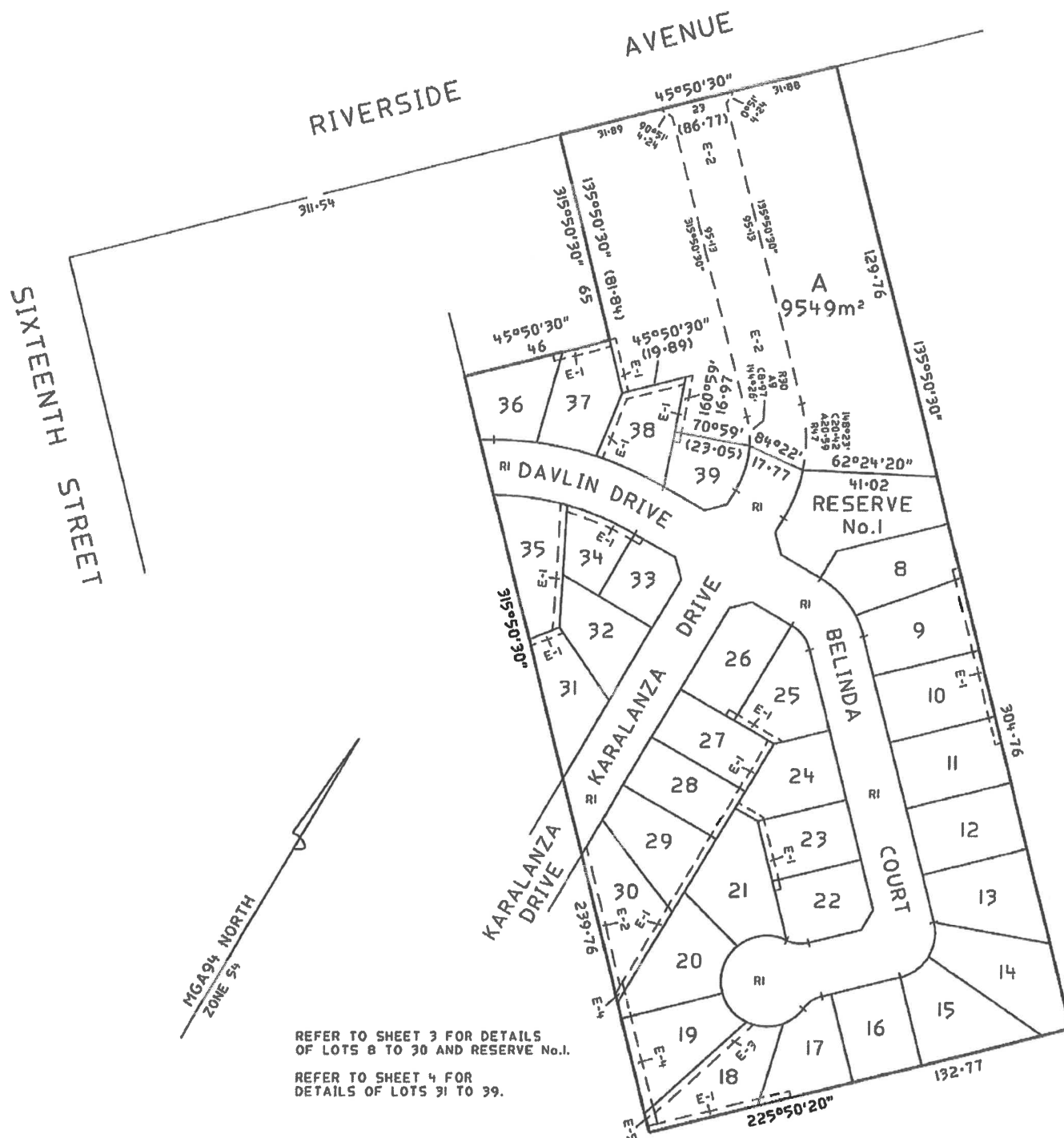
The document is invalid if this cover sheet is removed or altered.

Signed by Council: Mildura Rural City Council, PP Ref: 2007.519, Cert Ref: 007.2007.00000519.001, Original Certification: 26/11/2015, S.O.C.: 18/12/2015

PLAN OF SUBDIVISION		LR use only EDITION 1	PS 735987W
<p style="text-align: center;">Location of Land</p> <p>Parish: MILDURA Township: _____ Section: _____ Crown Allotment: _____ Crown Portion: 2 (PART)</p> <p>Title References: Vol 8723 Fol 090</p> <p>Last Plan Reference: LP 124343 (LOT 2)</p> <p>Postal Address: 616-628 RIVERSIDE AVENUE, MILDURA, 3500.</p> <p>MGA94 Co-ordinates: E 602740 (Of approx. centre of plan) N 6214900 Zone 54</p>		<p style="text-align: center;">COUNCIL NAME : MILDURA RURAL CITY COUNCIL</p>	
Vesting of Roads or Reserves		Notations	
Identifier	Council/Body/Person		
ROAD RI RESERVE No.1	MILDURA RURAL CITY COUNCIL MILDURA RURAL CITY COUNCIL		
Notations		<p>THE RESERVATIONS AND CONDITIONS CONTAINED IN INSTRUMENT OF TRANSFER No.319609 AFFECT ALL LAND ON THIS PLAN.</p> <p>A WATER SUPPLY & DRAINAGE EASEMENT APPURTENANT TO THE LAND IN THIS PLAN HAS BEEN RESERVED BY INSTRUMENT H365948.</p> <p><u>OTHER PURPOSE OF THIS PLAN:</u></p> <p>TO REMOVE THE WATER SUPPLY EASEMENT CREATED BY INSTRUMENT P767636A AND SHOWN AS E-1 ON LP 124343 IN FAVOUR OF LAND IN C/T VOL 9693 FOL 859.</p> <p><u>GROUND'S FOR REMOVAL OF EASEMENT:</u></p> <p>BY DIRECTION OF MILDURA RURAL CITY COUNCIL PERMIT No.005.2007.00000519.005</p>	
<p>Depth Limitation:</p> <p>Survey:- This plan is / is not based on survey.</p> <p>LOTS 1 TO 7 HAVE BEEN OMITTED FROM THIS PLAN.</p> <p><i>To be completed where applicable.</i></p> <p>This survey has been connected to permanent marks no(s).332,1004, 1133,1144&1164</p> <p>In Proclaimed Survey Area no. _____</p> <p>Staging This is is not a staged subdivision Planning Permit No. 005.2007.00000519.005</p>			
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
E-1	PIPELINE OR ANCILLARY PURPOSES	2	THIS PLAN & SECTION 136 WATER ACT 1989.
E-2	DRAINAGE (THROUGH UNDERGROUND PIPE)	SEE DIAG.	THIS PLAN
E-3	DRAINAGE (THROUGH UNDERGROUND PIPE & OVERLAND FLOW)	2	THIS PLAN
E-4	PIPELINE OR ANCILLARY PURPOSES DRAINAGE (THROUGH UNDERGROUND PIPE)	3	THIS PLAN & SECTION 136 WATER ACT 1989. THIS PLAN
E-5	PIPELINE OR ANCILLARY PURPOSES DRAINAGE (THROUGH UNDERGROUND PIPE & OVERLAND FLOW)	3	THIS PLAN & SECTION 136 WATER ACT 1989. THIS PLAN
Land Benefited/In Favour Of			
LOWER MURRAY URBAN & RURAL WATER CORPORATION			
MILDURA RURAL CITY COUNCIL			
MILDURA RURAL CITY COUNCIL			
LOWER MURRAY URBAN & RURAL WATER CORPORATION			
MILDURA RURAL CITY COUNCIL			
LOWER MURRAY URBAN & RURAL WATER CORPORATION			
MILDURA RURAL CITY COUNCIL			
FREEMAN & FREEMAN LAND SURVEYORS PO BOX 2135 MILDURA VIC 3502 TELEPHONE: (03) 50236239 EMAIL: ffsurvey@ncable.com.au		SURVEYORS REF : 9123/A	
ROBERT BRUCE FREEMAN VERSION 6		ORIGINAL SHEET SIZE : A3 Sheet 1 of 4 Sheets	
PLAN REGISTERED TIME: 9:16AM DATE: 4/2/2018 M.CURTIS Assistant Registrar of Titles			

PLAN OF SUBDIVISION

PS 735987W



REFER TO SHEET 3 FOR DETAILS
OF LOTS 8 TO 30 AND RESERVE No.1.

REFER TO SHEET 4 FOR
DETAILS OF LOTS 31 TO 39.

SURVEYORS REF : 9123/A

FREEMAN & FREEMAN

LAND SURVEYORS

PO BOX 2135 MILDURA VIC 3502

TELEPHONE: (03) 50236239

EMAIL: ffsurvey@ncable.com.au

SCALE
1:1250

12.5 0 12.5 25 37.5 50
LENGTHS ARE IN METRES

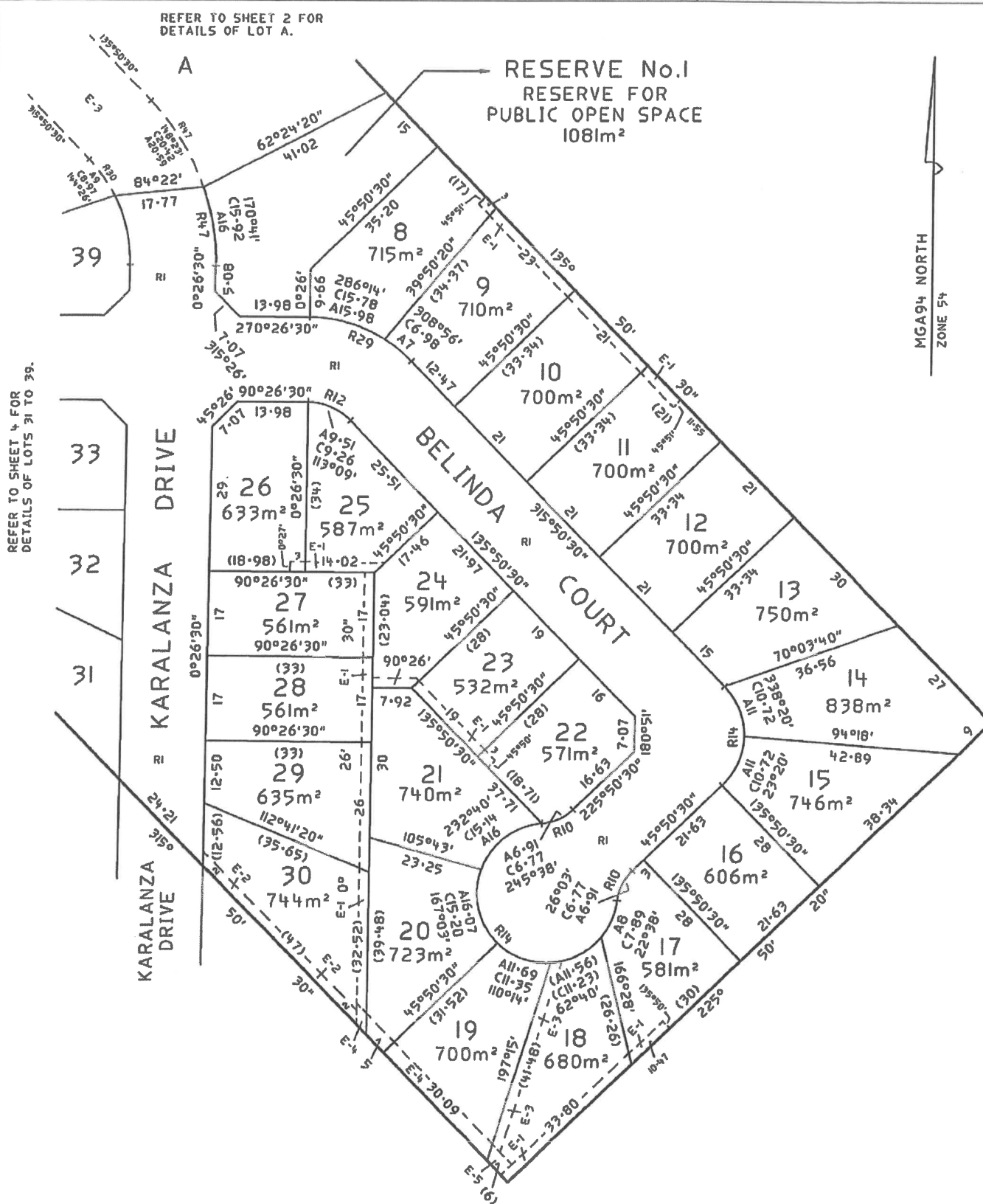
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Sheet 2 of 4 Sheets

ROBERT BRUCE FREEMAN VERSION 6

PLAN OF SUBDIVISION

PS 735987W



SURVEYORS REF : 9123/A

FREEMAN & FREEMAN

LAND SURVEYORS

PO BOX 2135 MILDURA VIC 3502

TELEPHONE: (03) 50236239

EMAIL: ffsurvey@ncable.com.au

SCALE

1:750

7.5 0 7.5 15 22.5 30

LENGTHS ARE IN METRES

ORIGINAL SHEET

SIZE : A3

Sheet 3 of 4 Sheets

ROBERT BRUCE FREEMAN VERSION 6

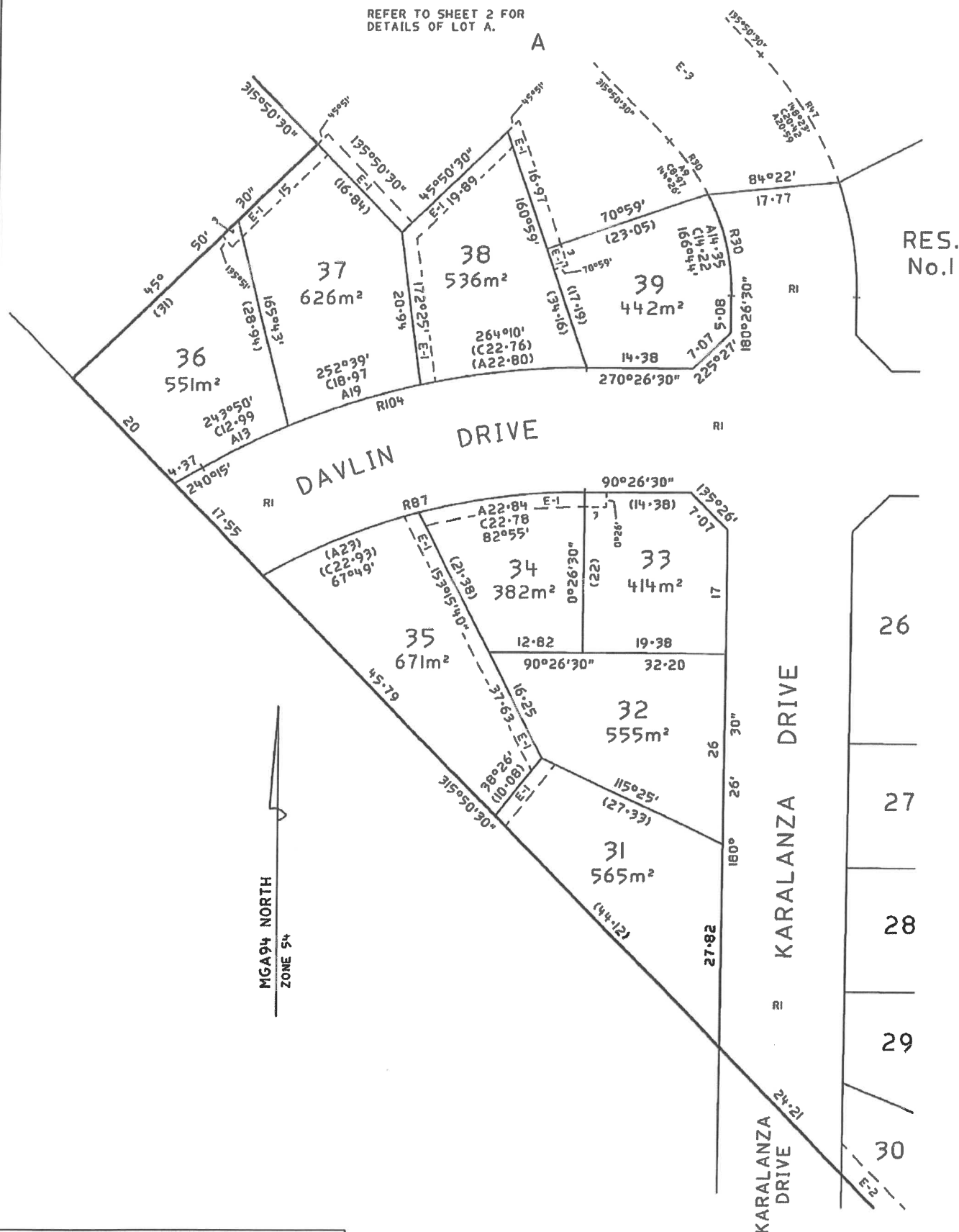
Signed by Council: Mildura Rural City Council, PP Ref: 2007.519, Cert Ref: 007.2007.00000519.001, Original Certification: 26/11/2015, S.O.C.: 18/12/2015

PLAN OF SUBDIVISION

PS 735987W

REFER TO SHEET 2 FOR
DETAILS OF LOT A.

A



SURVEYORS REF : 9123/A

FREEMAN & FREEMAN
 LAND SURVEYORS

 PO BOX 2135 MILDURA VIC 3502
 TELEPHONE: (03) 50236239
 EMAIL: ffsurvey@ncable.com.au

 SCALE
 1:500

 5 0 5 10 15 20
 LENGTHS ARE IN METRES

 ORIGINAL SHEET
 SIZE : A3

Sheet 4 of 4 Sheets

ROBERT BRUCE FREEMAN VERSION 6



Plan of Subdivision PS735987W
Certification of plan by Council (Form 2)

SUBDIVISION (PROCEDURES) REGULATIONS 2011

SPEAR Reference Number: S061102M
Plan Number: PS735987W
Responsible Authority Name: Mildura Rural City Council
Responsible Authority Permit Ref. No.: 2007.519
Responsible Authority Certification Ref. No.: 007.2007.00000519.001
Surveyor's Plan Version: 6

Certification

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

Public Open Space

A requirement for public open space under section 18 of the Subdivision Act 1988

☐ Has not been made at Certification

Digitally signed by Council Delegate: Natalie Dean
Organisation: Mildura Rural City Council
Date: 26/11/2015

Delivered by LANDATA®, timestamp 13/07/2021 13:16 Page 1 of 2

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Transfer of Land

Creating an Easement and/or Restrictive Covenant

Section 45 Transfer of Land Act 1958

Lodged by

Name:

Phone:

Address:

Reference: **ANZ Retail**Customer Code: **15314 Q**

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed-

- together with any easements created by this transfer;
- subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer; and
- subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land: (volume and folio)

Volume 11631 Folio 392

Estate and Interest: (e.g. "all my estate in fee simple")

All its estate in fee simple

Consideration:

Transferor: (full name)

LUCANIA PROPERTIES PTY. LTD. ACN 168007985

Transferee: (full name and address including postcode)

Matthew Murray Gray of 348 16th Street, Mildura, Vic 3500

Directing Party: (full name)

Creation and/or Reservation of Easement and/or Restrictive Covenant:

AND the said MATTHEW MURRAY GRAY for himself and his transferees the registered proprietors for the time being of the land transferred and every part thereof DO HEREBY as a separate covenant COVENANT with the said LUCANIA PROPERTIES PTY LTD ACN 168 007 985 and the other registered proprietor or proprietors for the time being of the land comprised in Plan of Subdivision No. 735987W and every part thereof (other than the land hereby transferred) as follows:

1. They will not, with the exception of Lots 25, 33, 34 and 39, erect or cause to be erected upon the said lot more than one main building which shall not be less than one hundred and forty five square metres (145m²) in floor area and that such building and lot or any part thereof shall not be further subdivided under the provisions of the Subdivision Act 1988 or any amendment, modification or re-enactment of or substitution of that Act.

10601409A

Order to Register

Duty Use Only

T2

Please register and issue Certificate of Title to

Page 1 of 2

Signed

Customer Code:

THE BACK OF THIS FORM MUST NOT BE USED

Land Victoria, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010

AM615098A

2. They will not erect or cause or suffer to be erected upon the said lot any dwelling house (except for the usual outbuildings) with more than fifty per centum of the external walls of any material other than brick (which definition shall not be extended to mean mud brick) brick veneer, stone, rendered hebel panel or texture coated compressed sheet and shall not roof such dwelling with material other than tiles, colourbond steel or zinc aluminium and that any roof including any garage or carport shall not be pitched at an angle less than 22.5 degrees for traditional pitched roofs and at an angle not less than 15 degrees for skillion roofs.
3. They will not erect or cause or suffer to be erected on the said lot a transportable, prefabricated or moveable dwelling house or any existing dwelling house moved in whole or in part from another site or place of construction.
4. They will not erect or cause or suffer to be erected on the rear boundary or any side boundary within the building alignment of the said lot any fence other than a fence of measurement height of 1.80 metres of zincalume steel panel type of construction with an oven baked exterior finish such as colourbond.

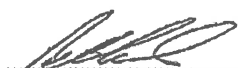
AND IT IS HEREBY AGREED AS FOLLOWS:

That the benefit of the foregoing covenant shall be attached to and run at law and in equity with the land comprised in the said Plan of Subdivision other than the land hereby transferred and that the burden thereof shall be annexed to and run at law and equity to the said land hereby transferred and that the same shall be noted and appear on every future Certificate of Title to the said lot and every part thereof as an encumbrance affecting the said land and every part thereof.

Dated: 1.3.16
Execution and attestation:

Executed by LUCANIA PROPERTIES PTY. LTD.)
ABN 168007985 in accordance with Section 127 of)
the Corporations Act 2001 by being signed by the)
persons who are authorised to sign for the company:)


.....
JANET PATRICE LUKE
LOT 1 RIVERSIDE AVENUE, MILDURA VIC
3500 (Director/Secretary)


.....
PETER GREGORY LUKE
LOT 1 RIVERSIDE AVENUE, MILDURA VIC
3500 (Director)

Signed by MATTHEW MURRAY GRAY in the)
presence of:)

Witness: 


.....
MATTHEW MURRAY GRAY

10601409A

Order to Register

Duty Use Only

T2

Please register and issue Certificate of Title to

Page 2 of 2

Signed

Customer Code:

THE BACK OF THIS FORM MUST NOT BE USED

Land Victoria, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010

Form 2
Building Act 1993 Building Regulations 2006 Regulation 313
BUILDING PERMIT No. BS-U1070 / 160067/0



Issued to
Agent of Owner: Adam Milne - Milne Constructions Pty. Ltd.
Postal Address: PO Box 4211, MILDURA 3502
Telephone: 5023 5002 / 0438 245 277

Owner: Matthew Gray
Postal Address: P.O Box 837CP MILDURA 3501
Telephone: 0439 613 000

95 Pine Avenue
Mildura Victoria 3500

P 03 5023 4826
F 03 5023 4849
E reception@regionalbuilding.com.au

Property details (include Title details as and if applicable)

Number 4	Street/road Belinda Court	City/Suburb/Town MILDURA
Postcode 3500	Lot/s 10	LP/PS 735987W
Volume 11631	Folio 392	Crown Allotment
Section	Parish Mildura	Municipal District Mildura Rural City Council

Builder 1

Name	Milne Constructions Pty. Ltd.	Ph. 5023 5002 / 0438 245 277
Address	PO Box 4211, MILDURA	Postcode 3502

Details of building practitioners and architect

(a) to be engaged in the building work 3 and (b) who were engaged to prepare documents forming part of the application for this permit 4

Type	Registration number	Name	Company
Builder	DB-U 26786	Adam Milne	Milne Constructions Pty. Ltd.
Drafting	DP-AD 1889	Larry Cavallaro	Jacan Design
Civil Engineer	EC 1367	Larry Dimasi	Inland Consultants

The issuer or provider of the required insurance policy is: QBE Insurance

Nature of building work

Construction of a detached dwelling & garage

Stage of building work permitted All Stages

Cost of building work \$260,000

Total floor area of new building work 296m²

Building classification

1a1	New Building	Dwelling
10a	New Building	Garage

Alternative Solution

An Alternative Solution was used to determine compliance with the following Performance Requirements of the BCA that relate to this project:

P2.1 - Structural stability and resistance to actions

P2.2.2 - Weatherproofing

P2.6.1 - Building

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:

Prescribed Reporting Authority	Matter Reported On	Regulation
Mildura Rural City Council	Point of discharge of stormwater	610(2)

Occupation or Use of building:

An Occupancy Permit is required prior to the occupation or use of this building

Commencement and completion:

This building work must commence by: 15/03/2017

This building work must be completed by: 15/03/2018

.../2

Regional Building
Consultants Pty Ltd

ABN 56 056 973 996

Display of Sign:

Pursuant to regulation 317 of the Building Regulations 2006, the person in charge of the building works is to display a sign on the building site at all times. The sign must include the Name, Registered Numbers and Contact Details of the builder and building surveyor and the building permit number & date.

Inspection requirements: The mandatory notification stages are:

- Inspection of pre slab
- Inspection for steel reinforcement
- Inspection of framework
- Inspection for Occupancy Certificate

Relevant building surveyor
Name: WAYNE D. WILKIE

Registration No. BS-U1070

Signature:



Issued: 15/03/2016

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 that the registration numbers and contact details of the builder and building surveyor and the number and date of issue of this permit are displayed in a conspicuous position accessible to the public before and during the building work to which this permit applies.
- Note 2 :** Under regulation 318 an owner of a 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 or 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 Act 1993
Building Regulations 2006
Regulation 1005
Form 6



95 Pine Avenue
Mildura Victoria 3500

P 03 5023 4826
F 03 5023 4849
E reception@regionalbuilding.com.au

Occupancy Permit

For Building Permit number: BS-U1070 /160067/0
Certificate number: 160067

Issued to (owner)
Matthew Gray
P.O Box 837 CP
MILDURA VIC 3501

Site
Lot 10 Number: 4 Street: Belinda Court
Suburb MILDURA Postcode 3500
P/S 735987W Vol: 11631 Fol: 392
Municipality Mildura Rural City Council

Description of Building Work:
Construction of a detached dwelling & garage

Nature of Building Work:
1ai New Building Dwelling
10a New Building Garage

Alternative Solution:

An Alternative Solution was used to determine compliance with the following Performance Requirements of the BCA that relate to this project:

P2.1 - Structural stability and resistance to actions
P2.2.2 - Weatherproofing
P2.6.1 - Building

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:

Prescribed Reporting Authority	Matter reported on	Regulation
Mildura Rural City Council	Point of discharge of stormwater	610(2)

Suitability for occupation:

The building or place of public entertainment or part of a building or place or public entertainment to which this permit applies is suitable for occupation

Issued By: WAYNE D. WILKIE Registration No.: BS-U1070

Signature:

A handwritten signature in black ink, appearing to read 'Wayne D. Wilkie', is written over a horizontal line.

Certificate date: 23 September 2016



Phone: 1300 363 424

Domestic Building Insurance Certificate of Insurance

Policy Number 420017509BW1-76

QBE Insurance (Australia) Ltd
628 BOURKE STREET
MELBOURNE VIC 3000
Phone: (03) 8246 2686
Fax: (03) 8246 2611
ABN: 78 003 191 035
AFS License No: 239545



MATTHEW GRAY
PO BOX 837 CP
MILDURA 3500

Name of Intermediary
AON-HIA (VIC)
4 / 70 JOLIMONT STREET
MELBOURNE VIC 3002

Account Number
42HIAVIC
Date Issued
24/02/2016

Policy Schedule Details

Certificate In Respect of Insurance

Domestic Building Contract

A contract of Insurance complying with the Ministerial Order for Domestic Building Insurance issued under Section 135 of the Building Act 1993 (Vic) (Domestic Building Insurance) has been issued by QBE Insurance (Australia) Limited ABN 78 003 191 035 for and on behalf of the Insurer Victorian Managed Insurance Authority a Statutory Corporation established under the Victorian Managed Insurance Authority Act 1996 (Vic), in respect of the domestic building work described below.

Domestic Building Work

NEW SINGLE DWELLING CONSTRUCTION CONTRACT

At the property

LOT 10, BELINDA COURT
MILDURA VIC 3500

Carried out by the builder

MILNE CONSTRUCTIONS PTY LTD
ACN: 111 358 386

Important note: If the builder's name and/or its ABN/ACN listed above does not exactly match with the information on the domestic building contract, please contact QBE IMMEDIATELY. If these details are incorrect, the domestic building work will not be covered.

For the building owner

MATTHEW GRAY

Pursuant to a domestic building contract dated

10/02/2016

For the contract price of

\$260,000.00

Type of cover

Cover is only provided if MILNE CONSTRUCTIONS PTY LTD has died, becomes insolvent or has disappeared or fails to comply with a Tribunal or Court Order*

Period of cover

Cover commences on the earlier of the date of the domestic building contract or date of building permit for the domestic building work and concludes:

- Two years from completion of the domestic building work or termination of the domestic building contract for non structural defects*
- Six years from completion of the domestic building work or termination of the domestic building contract for structural defects*

The maximum policy limit for all claims made under this policy is

\$300,000 all inclusive of costs and expenses*

The maximum policy limit for all claims for non-completion of the domestic building works is

20% of the contract price*

*The cover and policy limits described in this Certificate are only a summary of the cover and limits and must be read in conjunction with, and are subject to, the terms, limitations and exclusions contained in the policy terms and conditions.

Form 2
Building Act 1993 Building Regulations 2006 Regulation 313
BUILDING PERMIT No. BS-U1070 / 170015/0



Issued to
Agent of Owner: **Stevie Gray**
Postal Address: **119 Dyar Avenue, MILDURA 3500**
Telephone: **0459 521 404**

Owner **Matthew Gray**
Postal Address **P.O. Box 837CP MILDURA 3501**
Telephone **0439 613 000**

95 Pine Avenue
Mildura Victoria 3500

P 03 5023 4826
F 03 5023 4849
E reception@regionalbuilding.com.au

Property details (include Title details as and if applicable)
Number 4 Street/road **Belinda Court**
Postcode 3500 Lot/s 10
Volume 11631 Folio 392
Section Parish **Mildura**

City/Suburb/Town **MILDURA**
LP/PS **735987W**
Crown Allotment
Municipal District **Mildura Rural City Council**

Builder 1

Name **Adam Milne - Milne Constructions Pty. Ltd.**
Address **PO Box 4211, MILDURA**

Ph. **5023 5002 / 0438 245 277**
Postcode **3502**

Details of building practitioners and architects:

(a) to be engaged in the building work and (b) who were engaged to prepare documents forming part of the application for this permit

Type	Registration number	Name	Company
Builder	DB-U 26786	Adam Milne	Milne Constructions Pty. Ltd.
Drafting	DP-AD 1889	Larry Cavallaro	Jacan Design
Structural Engineer	EC 22090	John Hart	Acame Pty. Ltd.

The issuer or provider of the required insurance policy is: **N/A**

Nature of building work:

Construction of a domestic shed
Stage of building work permitted **All Stages**
Cost of building work **\$8,500**

Total floor area of new building work **36m2**

Building classification

10a New Building Shed

Occupation or Use of building:

A Certificate of Final Inspection is required prior to the occupation or use of this building

Commencement and completion:

This building work must commence by: **27/01/2018**
This building work must be completed by: **27/01/2019**

Display of Sign:

Pursuant to regulation 317 of the Building Regulations 2006, the person in charge of the building works is to display a sign on the building site at all times. The sign must include the Name, Registered Numbers and Contact Details of the builder and building surveyor and the building permit number & date.

Inspection requirements

The mandatory notification stages are:

Inspection of pad footings & steel reinforcement
Inspection of framework
Final Inspection upon completion of all work

Relevant building surveyor

Name: **WAYNE D. WILKIE**

Registration No. **BS-U1070**

Signature:

Issued: **27/01/2017**

Regional Building
Consultants Pty Ltd

ABN 56 056 973 996

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 that the registration numbers and contact details of the builder and building surveyor and the number and date of issue of this permit are displayed in a conspicuous position accessible to the public before and during the building work to which this permit applies.
- Note 2 :** Under regulation 318 an owner of a 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 or 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.



95 Pine Avenue
Mildura Victoria 3500

P 03 5023 4826
E reception@regionalbuilding.com.au

Building Act 1993
Building Regulations 2018
Regulation 200
Form 17

Certificate of Final Inspection

Issued to Owner:

Matthew Gray
P.O. Box 837CP,
MILDURA VIC 3501

Property details:

Number 4	Street/road Belinda Court	City/Suburb/Town MILDURA
Postcode 3500	Lot/s 10	LP/PS 735987W
Volume 11631	Folio 392	Crown Allotment
Section	Parish Mildura	Municipal District Mildura Rural City Council

Building Permit Details:

Building Permit Number: BS-U 1070/170015/0
Version of BCA applicable to building permit: 2016

Nature of Building Works:

Construction of a domestic shed

Description of Building Work:

Nature of Works	Part of Building	Permitted Use	BCA Class of building
New Building	Shed	Domestic storage	10a

Maintenance Determination

A maintenance determination is not required to be prepared in accordance with regulation 215 of the Building Regulations 2018.

Relevant building surveyor:

Name: Wayne D. Wilkie
Address: 95 Pine Avenue, Mildura
Email: wayne@regionalbuilding.com.au
Building practitioner registration No. BS-U 1070

Certificate No. BS-U 1070 /170015/0

Date of Issue: 10 May 2021

Date of Final Inspection: 06 May 2021

Signature:

A handwritten signature in black ink, appearing to be 'Wayne D. Wilkie', written over a horizontal line.

PROPERTY REPORT

Environment,
Land, Water
and PlanningFrom www.planning.vic.gov.au at 13 July 2021 02:05 PM

PROPERTY DETAILS

Address: **4 BELINDA COURT MILDURA 3500**
Lot and Plan Number: **Lot 10 PS735987**
Standard Parcel Identifier (SPI): **10\PS735987**
Local Government Area (Council): **MILDURA**
Council Property Number: **412314**
Directory Reference: **Vicroads 534 G9**

www.mildura.vic.gov.au

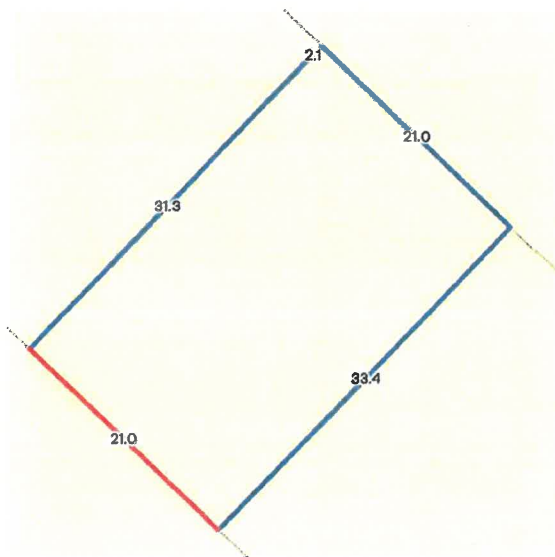
This property is not in a designated bushfire prone area.

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: 701 sq. m

Perimeter: 109 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**

PROPERTY REPORT



Environment,
Land, Water
and Planning

PLANNING INFORMATION

Planning Zone: GENERAL RESIDENTIAL ZONE (GRZ)

GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)

Planning Overlay: DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 8 (DDO8)

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY (DCPO)

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 1 (DCPO1)

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 2 (DCPO2)

DEVELOPMENT PLAN OVERLAY (DPO)

DEVELOPMENT PLAN OVERLAY - SCHEDULE 1 (DPO1)

SALINITY MANAGEMENT OVERLAY (SMO)

SALINITY MANAGEMENT OVERLAY SCHEDULE (SMO)

SPECIFIC CONTROLS OVERLAY (SCO)

SPECIFIC CONTROLS OVERLAY - SCHEDULE 1 (SCO1)

Planning scheme data last updated on 8 July 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>

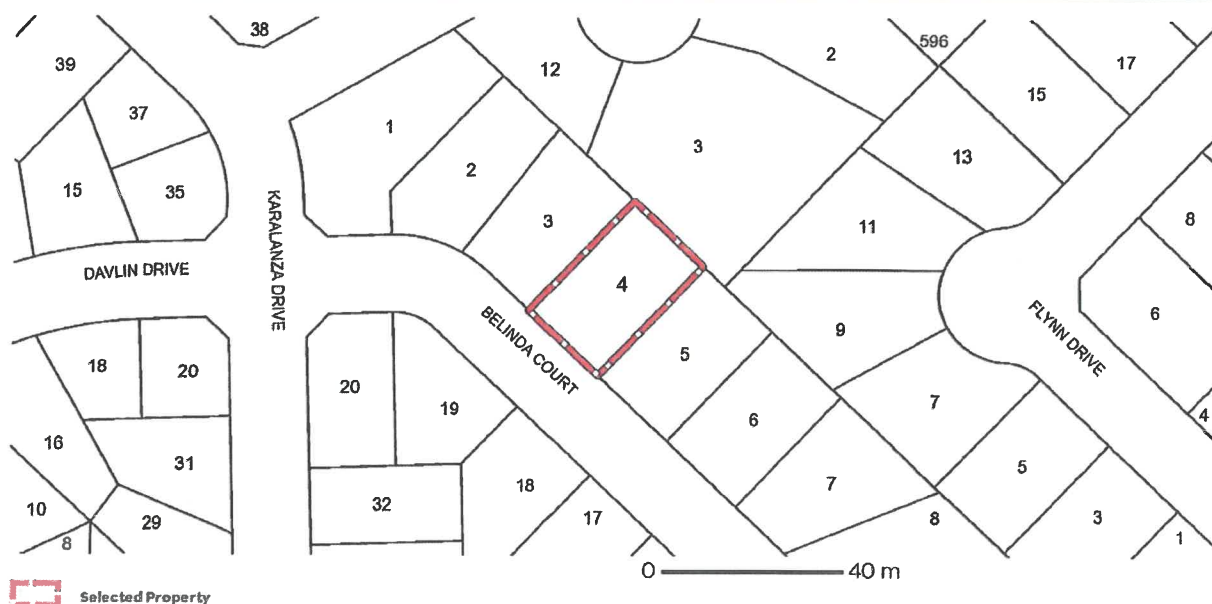
For details of surrounding properties, use this service to get the Reports for properties of interest.

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



PROPERTY REPORT



PLANNING PROPERTY REPORT



From www.planning.vic.gov.au at 13 July 2021 02:07 PM

PROPERTY DETAILS

Address: **4 BELINDA COURT MILDURA 3500**
 Lot and Plan Number: **Lot 10 PS735987**
 Standard Parcel Identifier (SPI): **10\PS735987**
 Local Government Area (Council): **MILDURA**
 Council Property Number: **412314**
 Planning Scheme: **Mildura**
 Directory Reference: **Vicroads 534 G9**

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**

STATE ELECTORATES

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

OTHER

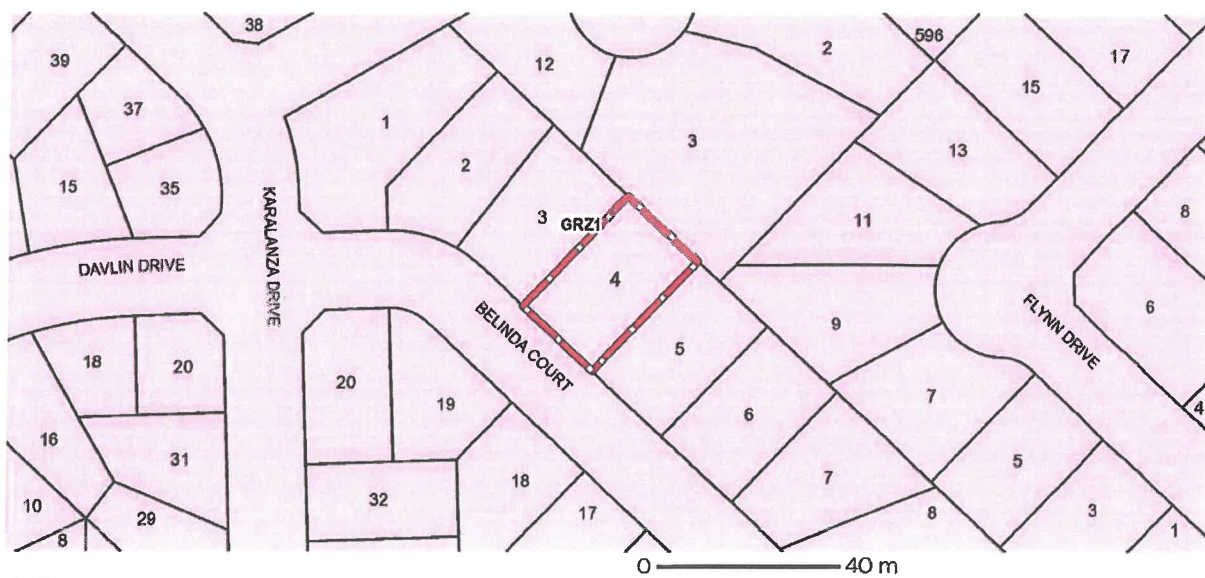
Registered Aboriginal Party: **First People of the Millewa-Mallee**

[View location in VicPlan](#)

Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ)

GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)



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: 4 BELINDA COURT MILDURA 3500

Page 1 of 5

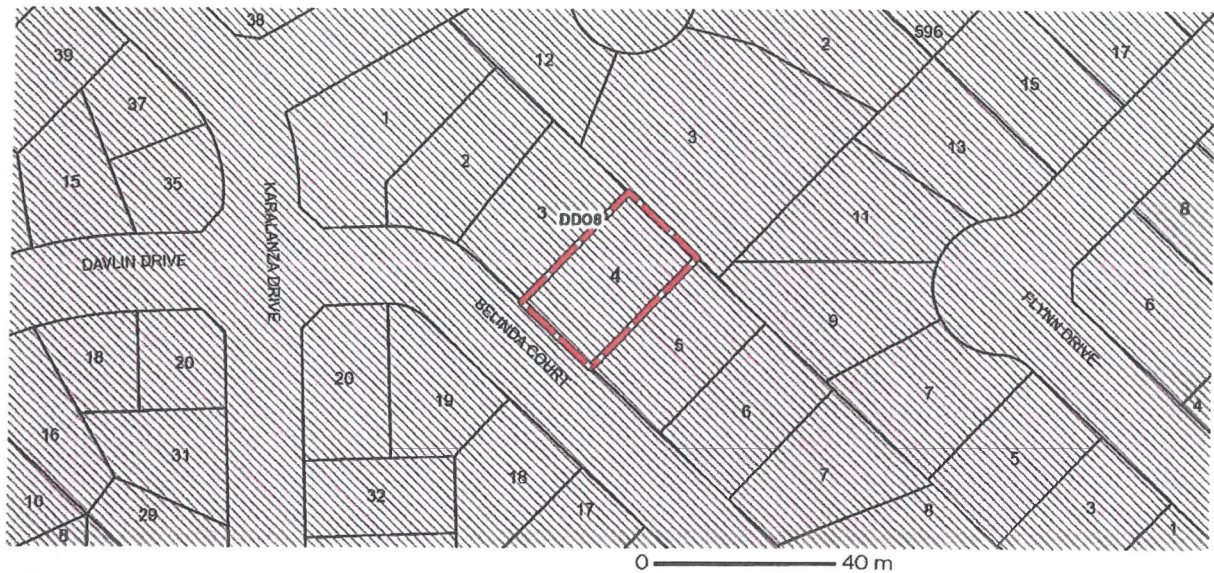
PLANNING PROPERTY REPORT



Planning Overlays

DESIGN AND DEVELOPMENT OVERLAY (DDO)

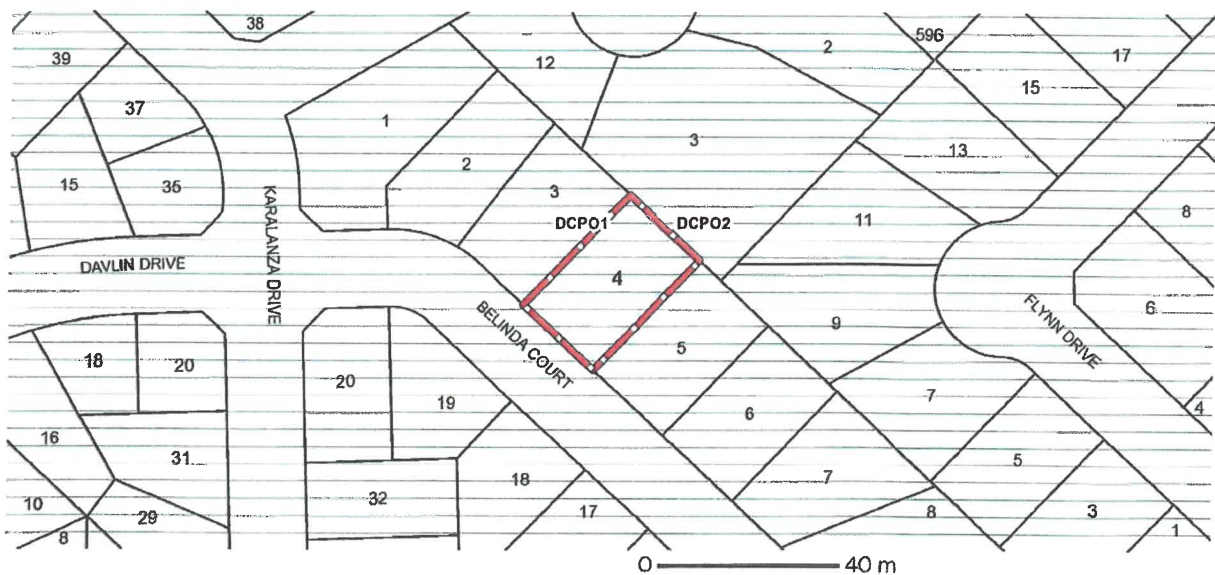
DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 8 (DDO8)



DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY (DCPO)

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 1 (DCPO1)

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY - SCHEDULE 2 (DCPO2)



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PLANNING PROPERTY REPORT: 4 BELINDA COURT MILDURA 3500

Page 2 of 5

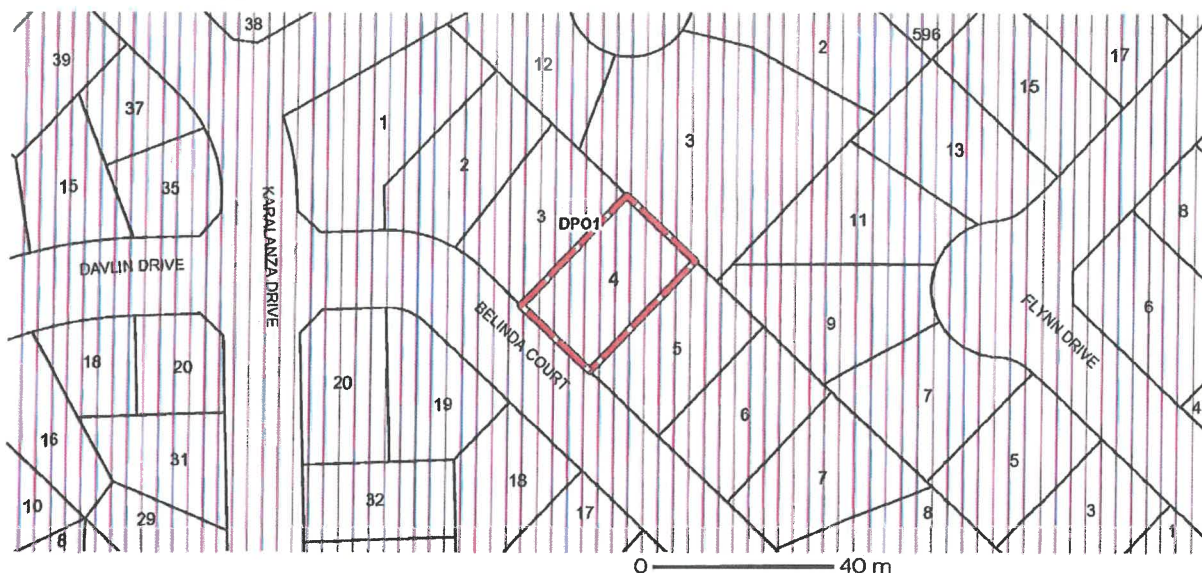
PLANNING PROPERTY REPORT



Planning Overlays

DEVELOPMENT PLAN OVERLAY (DPO)

DEVELOPMENT PLAN OVERLAY - SCHEDULE 1 (DPO1)

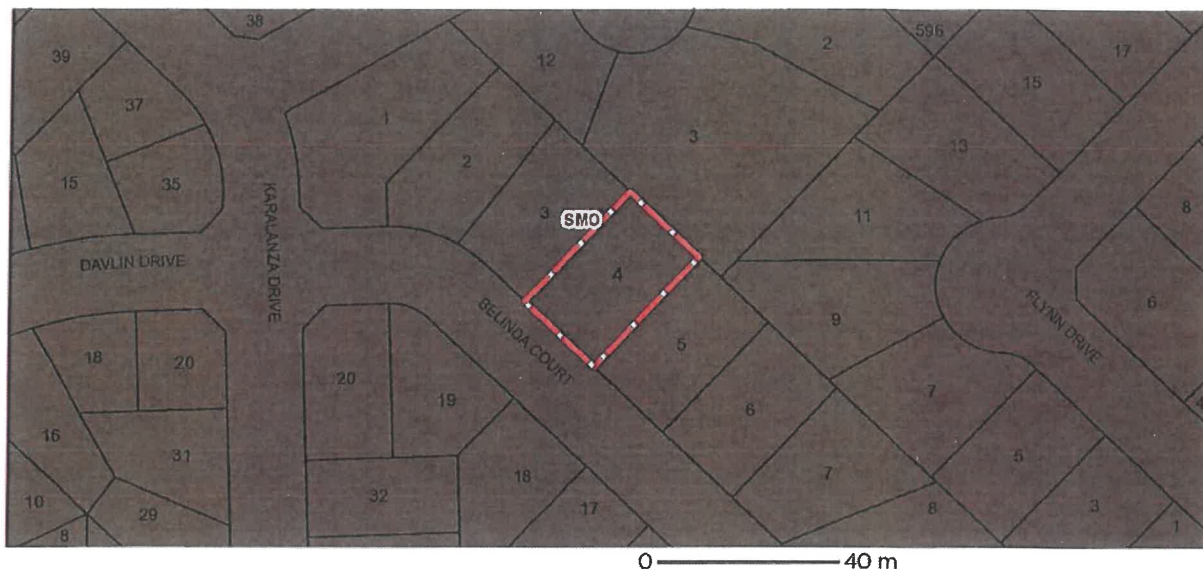


DPO - Development Plan

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

SALINITY MANAGEMENT OVERLAY (SMO)

SALINITY MANAGEMENT OVERLAY SCHEDULE (SMO)



SMO - Salinity Management

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

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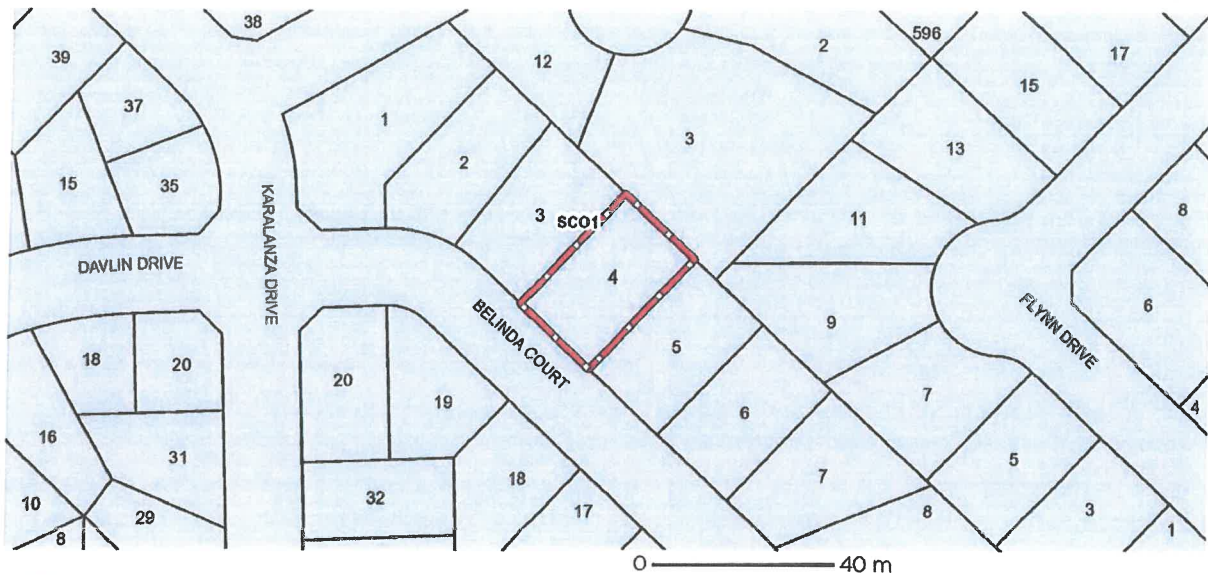
PLANNING PROPERTY REPORT



Planning Overlays

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 8 July 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>

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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: 4 BELINDA COURT MILDURA 3500

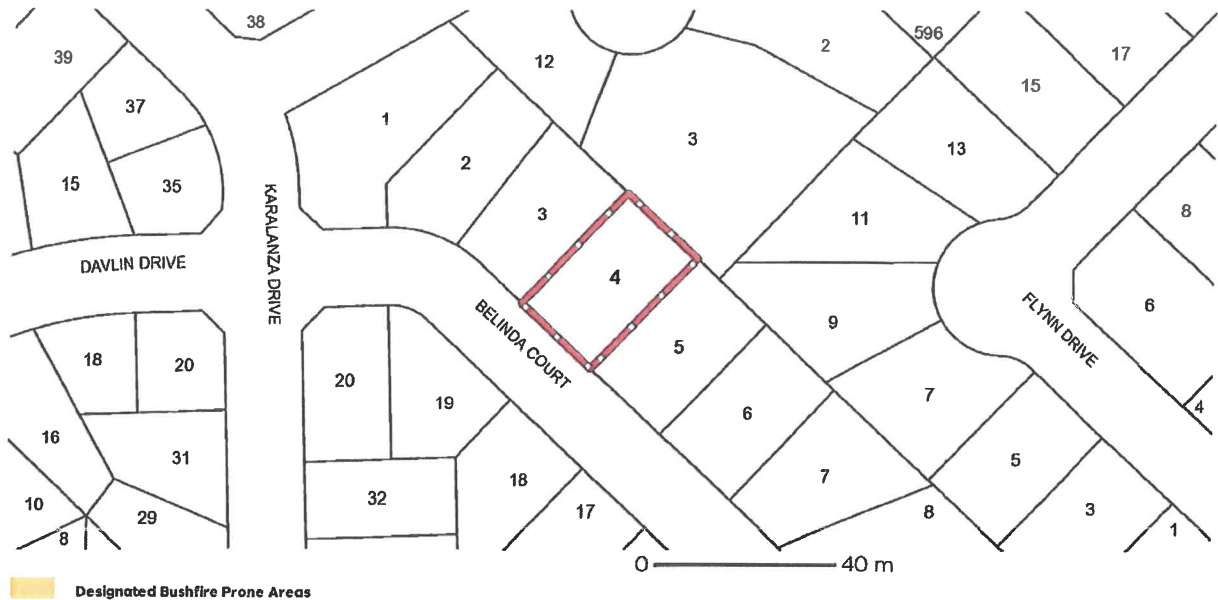
Page 4 of 5

PLANNING PROPERTY REPORT



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>

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

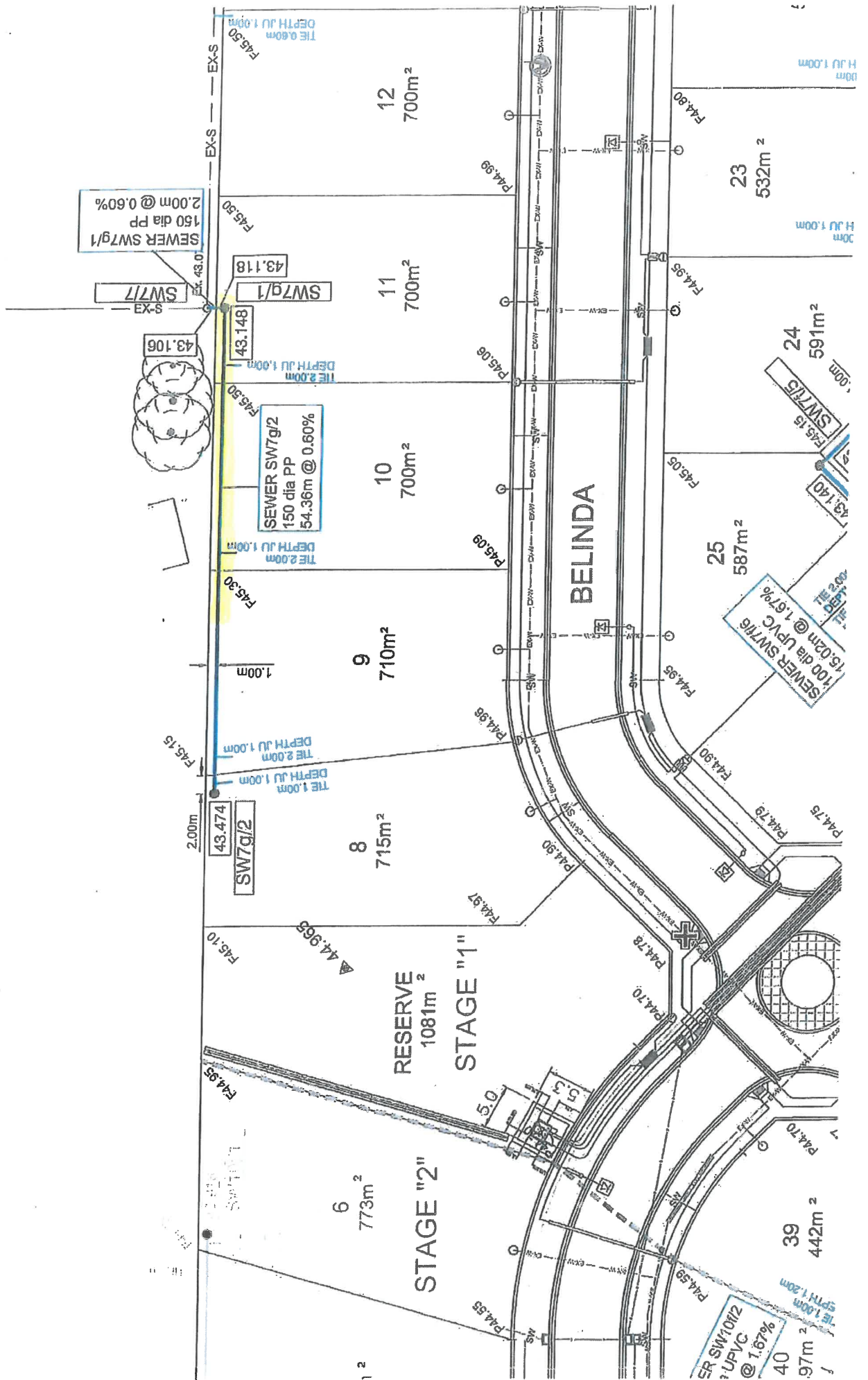
To help identify native vegetation on his property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](https://www.environment.vic.gov.au) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](https://www.environment.vic.gov.au)

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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 1992 (Vic).

LMW.



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

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

Vendor: Matthew Murray Gray

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Vendor's Section 32 Statement

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Property: 4 Belinda Court, 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: 21554 Gray (Sally)