



**MALONEY ANDERSON LEGAL**

**VENDOR'S STATEMENT**

**Statement by Vendor of matters affecting Real Estate being sold to  
a Purchaser pursuant to Section 32 of The Sale of Land Act, 1962**

**VENDOR: MARIA D'ORAZIO**

**PROPERTY: 10 EULINGA DRIVE  
MILDURA VIC 3500**

**MALONEY ANDERSON LEGAL  
Barristers & Solicitors  
70 Deakin Avenue  
MILDURA**

**Ph: 03 50216200  
Fax: 03 50216299  
DX: 50021 Mildura**

**Ref: LCA:KL 210674**

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

**LAND**

**10 Eulinga Drive, Mildura VIC 3500 being all of the land contained in Lot 25 on Plan of Subdivision 119349 as more particularly described in Certificate of Title Volume 9177 Follo 025**

The vendor«3» make«4» this statement in respect of the land in accordance with section 32 of the *Sale of Land Act 1962*.

The vendor«3» must sign this statement and give it to the purchaser«5» prior to the purchaser«5» signing the contract. The vendor«3» may sign this statement to be given to the purchaser«5» by electronic signature.

**VENDOR**

**MARIA D'ORAZIO**

Signature of the Vendor

Signed for and on behalf of the Vendor by her Attorney Pino D'Orazio appointed pursuant to Enduring Power of Attorney dated 15 January 2018

*P. D'orazio*

DocuSigned by:

*Claudio D'Orazio*

514E30F63BBC42C...

**DATE OF THIS STATEMENT**

4/5/2021 /20\_\_

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

**PURCHASER**

Signature of the Purchaser

**DATE OF ACKNOWLEDGEMENT**

/ /20\_\_

## **1. FINANCIAL MATTERS**

### **1.1 Land subject to a mortgage**

Not applicable.

### **1.2 Any Charge**

Not applicable.

### **1.3 Rates, taxes, charges or other similar outgoings**

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

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

(b) Their amounts are as follows:

	Authority	Amount	Interest (if any)
(1)	Mildura Rural City Council	See attached certificate	\$
(2)	Lower Murray Water - Urban	See attached certificate	\$

TOTAL

(c) There are no charges or outgoings for which the Purchaser may become liable as a consequence of the sale and which the Vendor might reasonably be expected to have knowledge<sup>1</sup>, which are not included in items 1.3 (a) or (b) above; other than specified as follows:

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

(ii) Water consumption

### **1.4 Terms Contract**

Not applicable.

## **2. INSURANCE DETAILS**

### **2.1 Damage and destruction**

Not applicable.

### **2.2 Owner-Builder**

Not applicable.

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<sup>1</sup> Other than any GST payable in accordance with the contract.

### 3. LAND USE

#### 3.1 Easement, covenant or other similar restriction affecting the land

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

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

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

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

#### 3.2 Designated bushfire prone area

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

#### 3.3 Road access

There is access to the property by road.

#### 3.4 Planning scheme

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

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

### 4. NOTICES

#### 4.1 Notice, order, declaration, report or recommendation

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

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

#### 4.2 Agricultural purposes

Not applicable.

#### 4.3 Land acquisition

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

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

**5. BUILDING PERMITS**

Not applicable.

**6. OWNERS CORPORATION**

Not applicable.

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

Not applicable.

**8. SERVICES**

The following services are not connected to the land:

- ☐ electricity supply
- ☒ gas supply
- ☐ water supply
- ☐ sewerage
- ☐ telephone services

**9. TITLE**

Copies of the following documents are attached:

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

A Register Search Statement and the document, or part of the document referred to as the diagram location in the Register Search Statement that identifies the land and its location.

**10. SUBDIVISION**

Not applicable.

**11. DISCLOSURE OF ENERGY INFORMATION**

Not applicable.

**12. DUE DILIGENCE CHECKLIST**

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

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

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

VOLUME 09177 FOLIO 025

Security no : 124089205993S  
Produced 12/04/2021 10:08 AM

LAND DESCRIPTION

Lot 25 on Plan of Subdivision 119349.  
PARENT TITLE Volume 08793 Folio 088  
Created by instrument LP119349 25/11/1976

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
MARIA D'ORAZIO of 6 EULINGA DR MILDURA 3500  
X250796M 09/01/2001

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE LP119349 FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 10 EULINGA DRIVE MILDURA VIC 3500

DOCUMENT END

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**LP119349**

**EDITION 1**

**APPROVED 30/8/76**

PLAN OF SUBDIVISION OF PART OF CROWN PORTION 2 PARISH OF MILDURA COUNTY OF KARKAROO MEASUREMENTS ARE IN METRES	CONSENT OF COUNCIL	SURVEYORS CERTIFICATION	APPROPRIATIONS The land coloured brown is appropriated or set apart as an easement for carriage and drainage. The land coloured blue is appropriated or set apart as an easement for drainage and sewerage.
---	--------------------	-------------------------	---

V. 8793 F. 088

**ENCUMBRANCES AND OTHER NOTATIONS**

The land coloured purple is an existing easement for drainage and sewerage, vide L.P. 82638.  
Implied easements exist, vide L.P.'s 76382, 82638 and 84947.

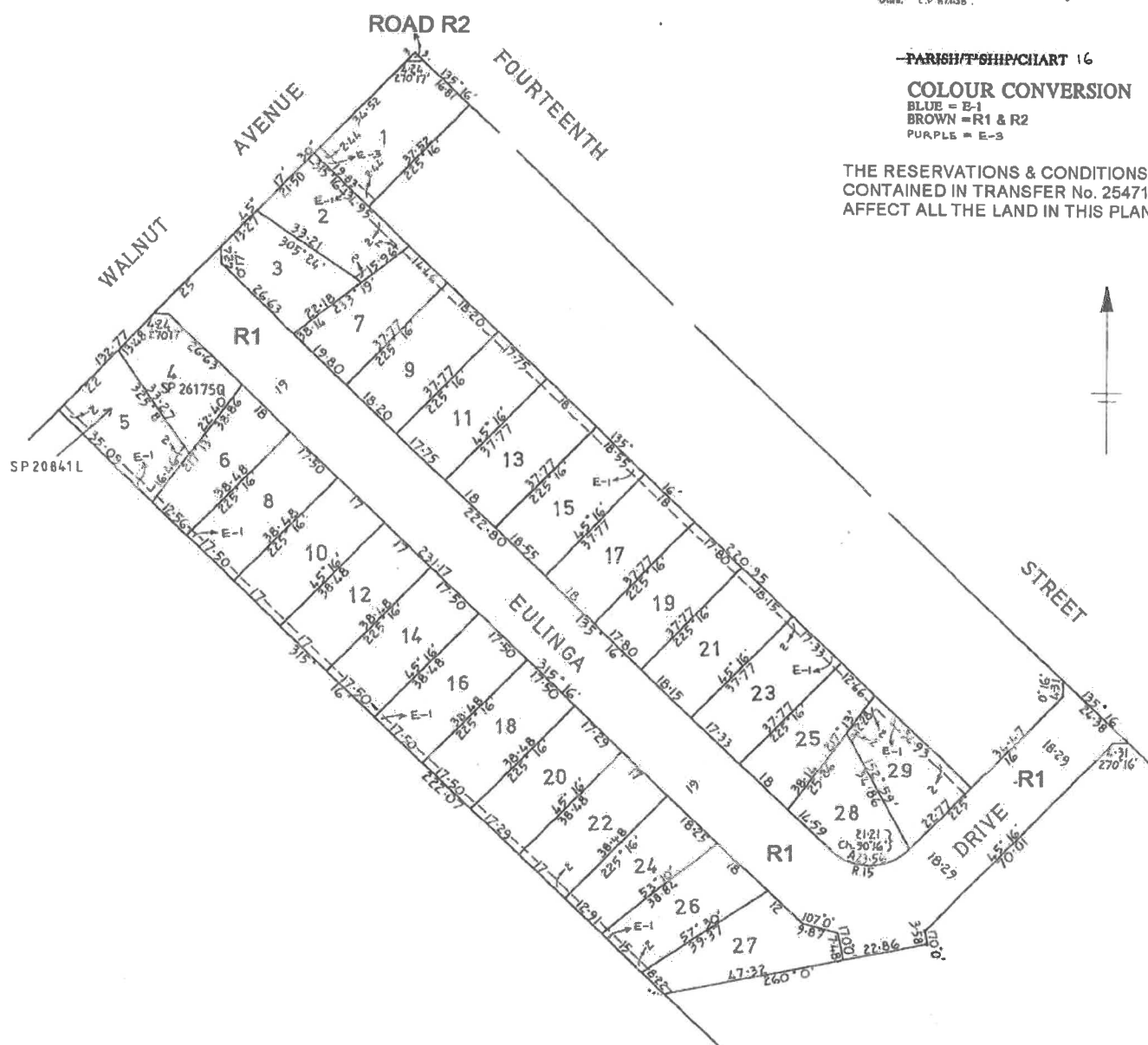
Part of the land coloured brown is further encumbered by sewerage easements vide L.P. 82638.

**PARISH/TOWNSHIP/CHART 16**

**COLOUR CONVERSION**

BLUE = E-1  
BROWN = R1 & R2  
PURPLE = E-3

THE RESERVATIONS & CONDITIONS  
CONTAINED IN TRANSFER No. 254719  
AFFECT ALL THE LAND IN THIS PLAN



DATED 15th January, 2018

## ENDURING POWER OF ATTORNEY

OF

**MARIA D'ORAZIO**

Certified to be a true copy of the  
original seen by me 25/02/2021

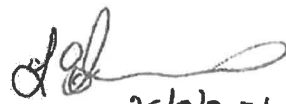


**SALVATORE EMILIO IAMARINO**  
158 Seventh St, Mildura Vic 3500  
An Australian Legal Practitioner  
within the meaning of the Legal  
Profession Uniform Law (Victoria)

**SALVATORE E. IAMARINO**  
Solicitor & Notary Public  
158 Seventh Street  
MILDURA VIC 3500

Tel: 03 5021 4276  
Fax: 03 5021 4476

Ref: SEI:RP:6070



25/2/2021  
1 of 5



## Enduring Power of Attorney

Regulation 5

Name of principal: **MARIA D'ORAZIO**

Address of principal: **10 Eulinga Drive, Mildura, Victoria**

### APPOINTMENT

I appoint PINO D'ORAZIO of 10 Eulinga Drive, Mildura, Victoria and CLAUDIO D'ORAZIO of 74 Blossom Park Drive, Mill Park, Victoria to be my:

- ☐ joint attorneys
- ☐ several attorneys
- ☒ joint and several attorneys
- ☐ majority attorneys

### AUTHORISATION

☒ I authorise my attorneys to do anything on my behalf that I can lawfully do by an attorney (including both personal and financial matters)

### REVOCATION

Under section 55 of the **Powers of Attorney Act 2014** any existing enduring power of attorney previously made by you will be revoked on making this enduring power of attorney, unless specified otherwise.

An existing enduring power of attorney is taken to include an enduring power of attorney made under the **Powers of Attorney Act 2014** or the **Instruments Act 1958** and an appointment of an enduring guardian made under the **Guardianship and Administration Act 1986**.

### COMMENCEMENT

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

- ☒ immediately on the making of this enduring power of attorney.
- ☐ when I cease to have the decision making capacity for the matter(s).
- ☐ from the time, in the circumstance or on the occasion as follows:

SIGNED *Maria D'Orazio*

MARIA D'ORAZIO

Principal

15-01-2018

Date

*[Signature]*

25/02/2021

2 of 5

## CERTIFICATE OF WITNESSES

Witnessed by:

Salvatore Emillo Iamarino

Name of first witness

158 Seventh Street,

Mildura, Victoria

Address of first witness

Katherine Elisa Crisp

Name of second witness

12 Settlement Road,

Merbein West, Victoria

Address of second witness

Each witness certifies that the principal appeared to freely and voluntarily sign this instrument in our presence; and

- at that time, the principal appeared to me to have decision making capacity in relation to the making of this enduring power of attorney; and
- I am not an attorney under this enduring power of attorney; and
- I am not a relative of the principal or of an attorney under this enduring power of attorney; and
- I am not a care worker or accommodation provider for the principal.

Signed:



First Witness [signature of first witness]



Second Witness [signature of second witness]

Solicitor

Qualification

[if first witness is acting as a medical practitioner or person authorised to witness affidavits]

Article Clerk

Qualification

[if second witness is acting as a medical practitioner or person authorised to witness affidavits]

Date:

15-01-2018

SALVATORE EMILIO IAMARINO  
158 Seventh St, Mildura Vic 3500  
An Australian Legal Practitioner  
within the meaning of the Legal  
Profession Uniform Law (Victoria)



25/02/2021  
3 of 5

## STATEMENT OF ACCEPTANCE OF APPOINTMENT – ATTORNEY

Name of attorney: **PINO D'ORAZIO**

Address of attorney: **10 Eulinga Drive, Mildura, Victoria**

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

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

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

*Tick this box if the attorney is appointed for financial matters and has been convicted or found guilty of an offence involving dishonesty*

**Signed:**

P. D'Orazio

Pino D'orazio

**Date:**

15-01-2018

**Witnessed by:**

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

Salvatore Emillo Iamarino

Name of witness

[Signature]

Signature

158 Seventh Street,

Mildura, Victoria

Address of witness

15-01-2018

Date

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

[Signature]

21/02/2021

4 of 5

## STATEMENT OF ACCEPTANCE OF APPOINTMENT – SECOND ATTORNEY

Name of attorney: **CLAUDIO D'ORAZIO**

Address of attorney: **74 Blossom Park Drive, Mill Park, Victoria**

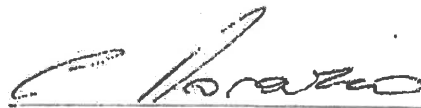
**I ACCEPT** my appointment as attorney under this enduring power of attorney and state that:

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

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

*Tick this box if the attorney is appointed for financial matters and has been convicted or found guilty of an offence involving dishonesty*

Signed:

  
\_\_\_\_\_  
Claudio D'orazio


Date:

\_\_\_\_\_  
27/1/18

Witnessed by:

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

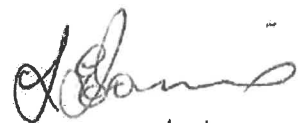
Ross Nicastro  
\_\_\_\_\_  
Name of witness

  
\_\_\_\_\_  
Signature

23 Blossom Drive  
\_\_\_\_\_  
Address of witness

Mill Park Vic 3082  
\_\_\_\_\_  
Address of witness

27/1/18  
\_\_\_\_\_  
Date

  
25/02/2021  
5 of 5

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



Mildura Rural City Council

Internal Use Only



TAX INVOICE



Ms M D'Orazio  
10 Eulinga Drive  
MILDURA VIC 3500



033  
1005989  
R1\_13453

## Rate Instalment Notice

1 July 2020 to 30 June 2021

Assessment No: 2671  
Issue Date 19 January 2021

Property Location & Description  
10 Eulinga Drive MILDURA VIC 3500  
Lot 25 PS 119349 Sec 24 Blk E

### RATING DETAILS

INSTALMENT 3

\$452.32

Rebates / Concession applied to assessment -\$291.00

For full rating details refer to your annual Rate and Valuation Notice.

TOTAL DUE

\$452.32

	<b>Instalment 3:</b> Due 28 Feb 2021 \$452.32	<b>Instalment 4:</b> Due 31 May 2021 \$452.32
--	---	---

Note: payments received after 5pm on the due date will be considered late.  
Late payments will be charged interest at 10% p.a. from the date the instalment became due.

## Payment Slip

Ms M D'Orazio  
10 Eulinga Drive MILDURA VIC 3500  
Assessment No: 2671

INSTALMENT 3  
AMOUNT DUE: \$452.32



Bill code: 93922  
Ref: 26716

BPAY this payment via internet or phone banking.  
BPAY View: View and pay this bill using internet banking.  
BPAY View Registration No.: 26716

POST billpay



Instalment \*41 26716



Post Billpay Bill code: 0041  
Ref: 26716

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

Centrepay Ref:  
555 054 730B

Internal Use Only



**MILDURA**  
741 - 750 Fountains Road Mildura 3500  
P.O. Box 1428 Mildura 3502  
AUSSDC DX 50073  
Tel: (03) 3051 3439 Fax: (03) 3051 3480

**SWAN HILL**  
73 Benridge Street Swan Hill 3585  
PO Box 147 Swan Hill 3595  
AUSSDC DX 50144  
Tel: (03) 5536 2189 Fax: (03) 5536 2180



**24 Hour Supply Emergency**  
1800 808 830



**ABN 18 475 808 826**  
[www.lmw.vic.gov.au](http://www.lmw.vic.gov.au)

**KERANG**  
54 Warrigella Street Kerang 3570  
PO Box 647 Kerang 3579  
AUSSDC DX 50038  
Tel: (03) 5490 3960 Fax: (03) 5490 3967

**Reference No. 003118**

**Amount Due \$131.50**

**URBAN ACCOUNT**

**Due Date 24-FEB-2021**



**368051-001 010724(23827) 0033**

**MRS M D'ORAZIO**  
**10 EULINGA DRIVE**  
**MILDURA VIC 3500**

**Date Of Issue 8/01/2021**

**Tariffs and Charges Notice**  
**3rd Quarter 2020/21**  
**01/01/2021 - 31/03/2021**

**POST \*850 700031180**

**Property Address : 10 EULINGA DRIVE MILDURA VIC 3500 (Prop:3118) - Urban Account**  
**Lot 25 LP 119349 Blk E Sec 24 Vol 9177 Fol 025**

**Water Service Tariff**  
**Water by Measure Chg-Info on reverse**  
**Sewerage Service Tariff**

Charge	Concession	Balance
52.09	-25.08	27.01
40.73		40.73
122.96	-59.20	63.76

**TOTAL OWING \$131.50**



**Pension Concessions granted for the current Financial year total \$252.84**  
**Payments/Credits since last Notice \$118.42**

**Payment Slip - Methods of Payment**

**Online at [lmw.vic.gov.au](http://lmw.vic.gov.au) - Pay your Account**

**003118**

**10 EULINGA DRIVE MILDURA VIC 3500 (Prop:3118) - Urban Account**



**Direct Debit**  
Please contact your local office.



**Centrepay**  
Use Centrepay to arrange regular deductions from your bank/credit payment, simply call any Lower Murray Water Office.



**Billpay Code: 0850**  
**Ref: 7000 3118 0**

Pay in person at any Post Office.



**Bill Code: 78477**  
**Ref: 7000 3118 0**

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



**\*850 700031180**

**\$131.50**



**Bill Code: 78477**  
**Ref: 7000 3118 0**

**BPAY® - Make this payment via internet or phone banking.**

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

**BPAY View Registration No: 7000 3118 0**

**Amount Due**

**\$131.50**

**Payment Ref: 7000 3118 0**

**By Phone**

Pay by phone (03) 8672 0582.  
Standard call charges apply.

See reverse for  
In Person and By Mail options

## Property Report from [www.land.vic.gov.au](http://www.land.vic.gov.au) on 12 April 2021 10:26 AM

**Address:** 10 EULINGA DRIVE MILDURA 3500

**Lot and Plan Number:** Lot 25 LP119349

**Standard Parcel Identifier (SPI):** 25\LP119349

**Local Government (Council):** MILDURA **Council Property Number:** 2671

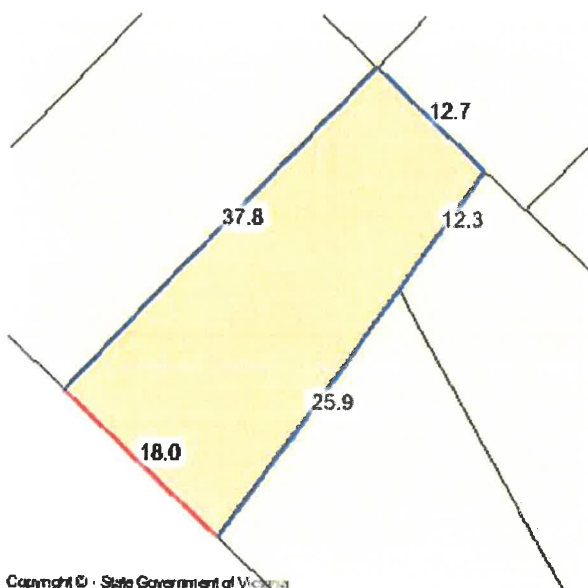
**Directory Reference:** VicRoads 535 M7

**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 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:** 578 sq. m

**Perimeter:** 107 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.

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

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### 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

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## Planning Zone Summary

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

**Planning Overlay:** SPECIFIC CONTROLS OVERLAY (SCO)  
SPECIFIC CONTROLS OVERLAY - SCHEDULE 1 (SCO1)

Planning scheme data last updated on 7 April 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 [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](#)

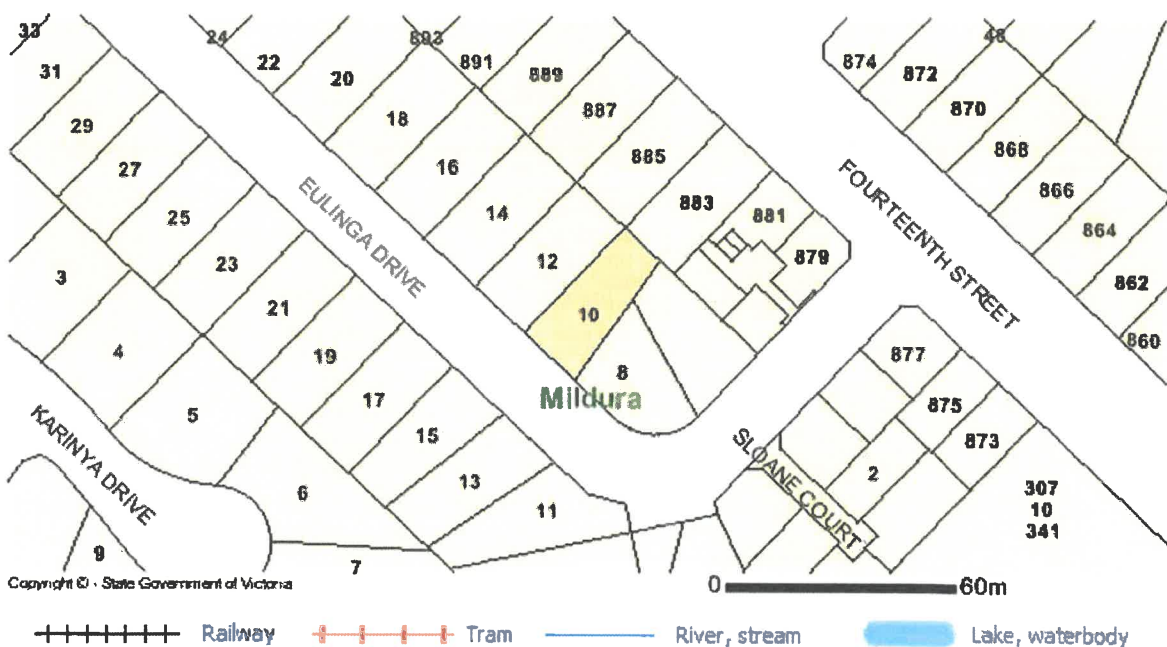
The Planning Property Report includes separate maps of zones and overlays

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



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# PLANNING PROPERTY REPORT



Environment,  
Land, Water  
and Planning

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) on 12 April 2021 10:27 AM

## PROPERTY DETAILS

Address: **10 EULINGA DRIVE MILDURA 3500**  
Lot and Plan Number: **Lot 25 LP119349**  
Standard Parcel Identifier (SPI): **25\LP119349**  
Local Government Area (Council): **MILDURA**  
Council Property Number: **2671**  
Planning Scheme: **Mildura**  
Directory Reference: **VicRoads 535 M7**

[www.mildura.vic.gov.au](http://www.mildura.vic.gov.au)

[planning-schemes.delwp.vic.gov.au/schemes/mildura](http://planning-schemes.delwp.vic.gov.au/schemes/mildura)

## UTILITIES

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

## STATE ELECTORATES

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

## Planning Zones

### GENERAL RESIDENTIAL ZONE (GRZ)

### GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)



 GRZ - General Residential

 PUZ2 - Public Use - Education

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: 10 EULINGA DRIVE MILDURA 3500

# PLANNING PROPERTY REPORT



Environment,  
Land, Water  
and Planning

## Planning Overlay

### SPECIFIC CONTROLS OVERLAY (SCO)

#### SPECIFIC CONTROLS OVERLAY - SCHEDULE 1 (SCO1)



#### **SCO - Specific Controls**

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

#### OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

#### DESIGN AND DEVELOPMENT OVERLAY (DDO)



#### **DDO - Design and Development**

Note: due to overlaps, some overlays may not be visible, and some colours may not match those in 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: 10 EULINGA DRIVE MILDURA 3500

## Further Planning Information

Planning scheme data last updated on 7 April 2021.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.

This report provides information about the zone and overlay provisions that apply to the selected land.

Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council

or by visiting <https://www.planning.vic.gov.au>

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the *Planning and Environment Act 1987*.

It does not include information about exhibited planning scheme amendments, or zonings that may affect the land.

To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

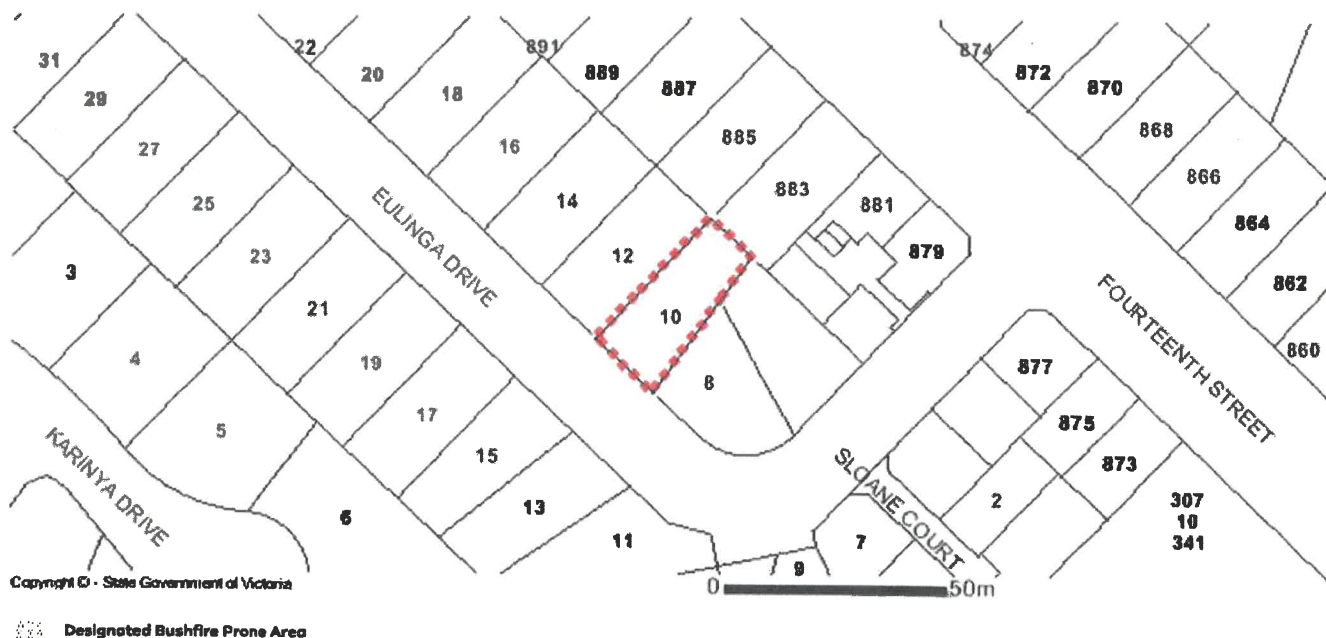
For details of surrounding properties, use this service to get the Reports for properties of interest.

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

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

## Designated Bushfire Prone Area

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



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

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

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

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

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website [www.vba.vic.gov.au](http://www.vba.vic.gov.au)

Copies of the Building Act and Building Regulations are available from [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au)

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



# Due Diligence Checklist

What you need to know before buying a residential property

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

## Urban living

### ***Moving to the inner city?***

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

### ***Is the property subject to an owners corporation?***

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

## Growth areas

### ***Are you moving to a growth area?***

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

## Flood and fire risk

### ***Does this property experience flooding or bushfire?***

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

## Rural properties

### ***Moving to the country?***

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

- Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.
- Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.
- Do you understand your obligations to manage weeds and pest animals?
- Can you build new dwellings?
- Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land?

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

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

## Soil and groundwater contamination

### ***Has previous land use affected the soil or groundwater?***

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

### **Land boundaries**

#### ***Do you know the exact boundary of the property?***

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

### **Planning controls**

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

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

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

#### ***Are there any proposed or granted planning permits?***

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

### **Safety**

#### ***Is the building safe to live in?***

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

### **Building permits**

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

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

#### ***Are any recent building or renovation works covered by insurance?***

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

### **Utilities and essential services**

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

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

### **Buyers' rights**

#### ***Do you know your rights when buying a property?***

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