

# SECTION 32 STATEMENT

PURSUANT TO DIVISION 2 OF PART II  
SECTION 32 OF THE SALE OF LAND ACT 1962 (VIC)

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**Vendor:** Craig Andrew Dally

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**Property:** 427 Walnut Avenue MILDURA VIC 3500

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**VENDORS REPRESENTATIVE**

Mildura Property Transfers Pty Ltd  
124A Eighth Street, Mildura 3500

PO Box 1012  
MILDURA VIC 3502

Tel: 03 5022 9300  
Email: [jenni@mildurapropertytransfers.com.au](mailto:jenni@mildurapropertytransfers.com.au)

Ref: Jenni Foster

SECTION 32 STATEMENT  
427 WALNUT AVENUE MILDURA VIC 3500

1. **FINANCIAL MATTERS**

- (a) Information concerning any rates, taxes, charges or other similar outgoings AND any interest payable on any part of them is contained in the attached certificate/s and as follows-

Provider	Amount (& interest if any)	Period
Lower Murray Water	\$ 175.05	Per quarter
Mildura Rural City Council	\$2,532.24	Per annum

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:- None to the vendors knowledge

At settlement the rates will be adjusted between the parties, so that they each bear the proportion of rates applicable to their respective periods of occupancy in the property.

- (b) The particulars of any Charge (whether registered or not) over the land imposed by or under an Act to secure an amount due under that Act, including the amount owing under the charge are as follows:- Not Applicable

2. **INSURANCE**

- (a) Where the Contract does not provide for the land to remain at the risk of the Vendor, particulars of any policy of insurance maintained by the Vendor in respect of damage to or destruction of the land are as follows: - Not Applicable
- (b) Where there is a residence on the land which was constructed within the preceding six years, and section 137B of the *Building Act 1993* applies, particulars of the required insurance are as follows:- Not Applicable

No such Insurance has been effected to the Vendors knowledge.

3. **LAND USE**

(a) **RESTRICTIONS**

Information concerning any easement, covenant or similar restriction affecting the land (whether registered or unregistered) is as follows:-

- Easements affecting the land are as set out in the attached copies of title.
- Covenants affecting the land are as set out in the attached copies of title.
- Other restrictions affecting the land are as attached.
- Particulars of any existing failure to comply with the terms of such easement, covenant and/or restriction are as follows:-

To the best of the Vendor's knowledge there is no existing failure to comply with the terms of any easement, covenant or similar restriction affecting the land. The Purchaser should note that there may be sewers, drains, water pipes, underground and/or overhead electricity cables, underground and/or overhead telephone cables and underground gas pipes laid outside any registered easements and which are not registered or required to be registered against the Certificate of Title.

SECTION 32 STATEMENT  
427 WALNUT AVENUE MILDURA VIC 3500

(b) BUSHFIRE

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

(c) ROAD ACCESS

There is access to the Property by Road.

(d) PLANNING

Planning Scheme:

Responsible Authority: Mildura Rural City Council      See attached Property Report

Zoning:

Planning Overlay/s:

4. NOTICES

- (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 land of which the Vendor might reasonably be expected to have knowledge are:- None to the Vendors knowledge however the Vendor has no means of knowing all decisions of the Government and other authorities unless such decisions have been communicated to the Vendor
- (b) The Vendor is not aware of 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.

Particulars of any Notice of intention to acquire served under Section 6 of the *Land Acquisition and Compensation Act, 1986* are: Not Applicable

5. BUILDING PERMITS

Particulars of any Building Permit issued under the *Building Act 1993* during the past seven years (where there is a residence on the land):-

Is contained in the attached Certificate/s.

6. OWNERS CORPORATION

The Land is NOT affected by an Owners Corporation within the meaning of the *Owners Corporation Act 2006*.

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (GAIC)

- (1) The land, in accordance with a work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987* is NOT –
- land that is to be transferred under the agreement.
  - land on which works are to be carried out under the agreement (other than Crown land).
  - land in respect of which a GAIC is imposed
- (2) ~~Attached is a copy of a notice or certificate in the case of land where there is a GAIC recording (within the meaning of Part 9B of the *Planning and Environment Act 1987*);~~  
~~any certificate of release from liability to pay;~~

SECTION 32 STATEMENT  
427 WALNUT AVENUE MILDURA VIC 3500

- ~~any certificate of deferral of the liability to pay;~~
- ~~any certificate of exemption from the liability to pay;~~
- ~~any certificate of staged payment approval;~~
- ~~any certificate of no GAIC liability;~~
- ~~any notice given under that Part providing evidence of the grant of a reduction of the whole or part of the liability to pay;~~
- ~~any notice given under that Part providing evidence of an exemption of the liability to pay;~~

OR

- ~~a GAIC certificate relating to the land issued by the Commissioner under the *Planning and Environment Act 1987*.~~

**8. SERVICES**

Service	Status
Electricity supply	Connected
Gas supply	Connected
Water supply	Connected
Sewerage	Connected
Telephone services	Connected

Connected indicates that the service is provided by an authority and operating on the day of sale. The Purchaser should be aware that the Vendor may terminate their account with the service provider before settlement, and the purchaser will have to have the service reconnected.

**9. TITLE**

Attached are 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/s and the document/s, or part of the document/s, referred to as the diagram location in the Register Search Statement/s 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 Vendors title to the land.
- (c) Where the Vendor is not the registered proprietor or the owner of the estate in fee simple, copies of the documents bearing 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) a copy of the Plan of Subdivision which has been certified by the relevant municipal council (if the Plan of Subdivision has not been registered), or
  - (ii) a copy of the latest version of the plan (if the Plan of Subdivision has not been certified).
- (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 -

SECTION 32 STATEMENT  
427 WALNUT AVENUE MILDURA VIC 3500

- (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 DILLIGENCE 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.


**DATE OF THIS STATEMENT**

24 / 2 /20 21

**Name of the Vendor**

Craig Andrew Dally

**Signature/s of the Vendor**

x 

The Purchaser acknowledges being given a duplicate of this statement signed by the Vendor before the Purchaser signed any contract.

**DATE OF THIS ACKNOWLEDGMENT**

/ /20 21

**Name of the Purchaser**

**Signature/s of the Purchaser**

x

**IMPORTANT NOTICE - ADDITIONAL DISCLOSURE REQUIREMENTS**

**Undischarged mortgages – S32A(a)**

Where the land is to be sold subject to a mortgage (registered or unregistered) which is not to be discharged before the purchaser becomes entitled to possession or receipt of rents and profits, then the vendor must provide an additional statement including the particulars specified in Schedule 1 of the *Sale of Land Act 1962*.

**Terms contracts – S32A(d)**

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 execution of the contract and before the vendor is entitled to a conveyance or transfer, then the vendor must provide an additional statement containing the information specified in Schedule 2 of the *Sale of Land Act 1962*.

**Register Search Statement - Volume 11554 Folio 945**

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

VOLUME 11554 FOLIO 945

Security no : 124088211749S  
Produced 18/02/2021 04:10 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 725043P.  
PARENT TITLE Volume 09403 Folio 738  
Created by instrument PS725043P 02/03/2015

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
CRAIG ANDREW DALLY of 163 BIAMUTH STREET BROKEN HILL NSW 2880  
AM816310K 30/05/2016

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AM816311H 30/05/2016  
BROKEN HILL COMMUNITY CREDIT UNION LTD

COVENANT J614313 01/09/1981

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 PS725043P 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: 427 WALNUT AVENUE MILDURA VIC 3500

DOCUMENT END

The information supplied has been obtained by SAI Global Property Division Pty Ltd who is licensed by the State of Victoria to provide this information  
via LANDATA® System. Delivered at 18/02/2021, for Order Number 66612995. Your reference: WW:53-21.

Signed by Council: Mildura Rural City Council, PP Ref: 005.2014.00000116.001, Cert Ref: 007.2014.00000116.001, Original Certification: 07/11/2014, Recertification: 13/11/2014, S.O.C.: 05/12/2014

PLAN OF SUBDIVISION		Stage No. /	LTO use only  EDITION 1	Plan Number  PS 725043 P
<b>Location of Land</b> Parish: MILDURA Township: _____ Section: _____ Crown Allotment: _____ Crown Portion: 2 (PART)  LTO base record: VICMAP DIGITAL PROPERTY Title References: VOL. 9403 FOL. 798  Last Plan Reference: LP 134939 (LOT 1) 431 WALNUT AVENUE Postal Address: MILDURA 3500  MGA Co-ordinates: E 604 330 (Of approx. center of plan) N 6 214 950 Zone 54		<b>Council Certification and Endorsement</b> Council Name: MILDURA RURAL CITY COUNCIL Ref: 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6 / / 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.  Open Space (i) A requirement for public open space under section 18 Subdivision Act 1988 has / has not been made (ii) The requirement has been satisfied (iii) The requirement is to be satisfied in Stage  Council Delegate Council seal Date / /  Re-certified under Section 11(7) of the Subdivision Act 1988 Council Delegate Council seal Date / /		
Notations				
<b>Depth Limitation</b> DOES NOT APPLY		<b>Staging</b> This <input checked="" type="checkbox"/> / is not a staged subdivision Planning Permit No. 005.2014.00000116.001		
<b>Other Notations</b> THE RESERVATIONS AND CONDITIONS CONTAINED IN TRANSFER 288361 AFFECTS ALL THE LAND IN THE PLAN.  <b>Other Purpose of Plan:</b> REMOVAL OF THE EASEMENT SHOWN E-4 ON C/T VOL. 9403 FOL. 798.		<b>Grounds for Removal of Easement:</b> MILDURA RURAL CITY COUNCIL TOWN PLANNING PERMIT 005.2014.00000116.001  <b>Survey</b> This plan is / <del>is not</del> based on survey. To be completed where applicable. This survey has been connected to permanent marks no(s). 103, 107, 421 & 1107 In Proclaimed Survey Area no. -----		
Easement Information				LTO use only
<b>Legend:</b> A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				Statement of Compliance / Exemption Statement  Received <input checked="" type="checkbox"/> Date 16/02/2015  PLAN REGISTERED: TIME: 9:13 am DATE: 2/03/2015  R. W. Grimwood Assistant Registrar of Titles
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour of
E-1	PIPELINES OR ANCILLARY PURPOSES	2	THIS PLAN AND SEC. 136 WATER ACT 1989	LOWER MURRAY URBAN AND RURAL WATER CORPORATION
DANSON & BLABY PTY LTD CONSULTING LAND SURVEYORS ABN. 16 159 022 661 177 WALNUT AVENUE MILDURA, 3500 PH (03) 5023 6268				LICENSED SURVEYOR (PRINT) ..... PETER R. DANSON ..... SIGNATURE ..... DIGITALLY SIGNED ..... REF 8392 VERSION 2  DATE / / COUNCIL DELEGATE SIGNATURE Original sheet size A3



Signed by: PETER ROBERT DANSON (Danson and Blaby Pty Ltd) Surveyor's Plan Version (2) SPEAR Ref: S055574M 11/11/2014

<h2 style="margin: 0;">PLAN OF SUBDIVISION</h2>	Stage No. <span style="font-size: 2em;">/</span>	Plan Number <h1 style="margin: 0;">PS 725043 P</h1>
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SHEET 2

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LICENSED SURVEYOR (PRINT) **PETER R. DANSON**  
 SIGNATURE **.....DIGITALLY SIGNED.....**  
 REF 8392  
 VERSION 2

**DANSON & BLABY PTY LTD**  
**CONSULTING LAND SURVEYORS**  
 ABN. 16 159 022 661  
 177 WALNUT AVENUE MILDURA, 3500  
 PH (03) 5023 6268

ORIGINAL  
SHEET SIZE  
A3

SCALE  
0 3 6 9 12  
LENGTHS ARE IN METRES

Signed by Council: Mildura Rural City Council, PP Ref: 005,2014,00000116,001, Cert Ref: 007,2014,00000116,001, Original Certification: 07/11/2014, Recertification: 13/11/2014, S.O.C.:

US/12/2014

69- 04 40  
J614313

J614313

J. B. GARDE & CO.

41-43 710540 SEP-1-81

SARGANTS

VICTORIA

TRANSFER OF LAND

FRANGINA PROPRIETARY LIMITED of 146 Langtree Avenue Mildura being registered as the proprietor of an estate in fee simple in the land hereinafter described subject to the encumbrances notified hereunder IN CONSIDERATION of the sum of

RS paid to it by the transferee HEREBY TRANSFERS to MILDURA ORCHARDS PTY. LTD. of 146-148 Langtree Avenue Mildura all it's estate and interest in ALL THAT piece of land being Lot 1 on Plan of Subdivision No.134939 and being the whole of the land described in Certificate of Title Volume 9403 Folio 738 and the Transferee hereby and as separate covenants COVENANT with the said FRANGINA PTY. LTD. and other registered Proprietor and Proprietors for the time being of the lots in the building scheme comprised in the said subdivision plan and every part hereof as follows :-

- (a) That they and their successors will not erect or cause or permit to remain erected any fence or wall on the said land closer than 4.5 metres from the Walnut Court boundary.  
(b) That they will not erect or cause to be erected upon the said land a dwelling house (except for the usual outbuildings) with exterior walls of any material other than brick, brick veneer, stone, solid or hollow concrete blocks, or any other similar building medium.

The roof of any dwelling shall be of tiles or colorbond sheeting if pitched at an angle greater than 5 degrees. Corrugated galvanised iron roofing shall be permitted if pitched at less than 5 degrees.

- (c) That they or their successors will not erect or cause to be erected or permit to remain erected on the said land any transportable or moveable dwelling.  
(d) That they or their successors will not erect or cause to be erected any flats.

DATED the 14<sup>th</sup> day of July

THE COMMON SEAL of FRANGINA PROPRIETARY LIMITED was hereunto affixed in accordance with it's Articles of Association in Victoria in the presence of :

Director J. B. GARDE Secretary

THE COMMON SEAL of MILDURA ORCHARDS PTY. LTD. was hereunto affixed in accordance with it's Articles of Association in Victoria in the presence of :

Director Secretary

ENCUMBRANCES REFERRED TO

The Easements if any affecting the said land and the encumbrances if any set out at the foot of the abovementioned Certificate of Title THE RESERVATIONS AND CONDITIONS CONTAINED IN TRANSFER 288361 AS TO ANY PART OF THE LAND MARKED E-1 ON THE MAP THAT LIES WITHIN THE ABOVEMENTIONED LOT.

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



J614313-1-9

STAMP DUTY VICTORIA  
TRANSFERS 87/89 S.D.V.  
RECEIPT 882 11A 31AUG81  
4 31AUG81  
4 31AUG81  
4 31AUG81

T.W.  
30.9.81.

DATED

1981

4

FRANGINA PTY.  
LTD.

- to -

MILDURA ORCHARDS  
PTY. LTD.

TRANSFER OF LAND

SARGENT &  
SOLICITORS,  
241 Flinders Lane,  
MELBOURNE, 3000  
63-2193 DGS: DAL

Form 2  
Building Act 1993 Building Regulations 2006 Regulation 313  
**BUILDING PERMIT No. BS-U1070 / 140136/0**



**Issued to**

**Owner** Tony Millard  
**Postal Address** 25 Blackly Row, COCKBURN CENTRAL 6164

95 Pine Avenue  
Mildura Victoria 3500

**Property details (include Title details as and if applicable)**

<b>Number</b> 431	<b>Street/road</b> Walnut Avenue	<b>City/Suburb/Town</b> MILDURA
<b>Postcode</b> 3502	<b>Lot/s</b> 1	<b>LP/PS</b> 134939
<b>Volume</b> 09403	<b>Folio</b> 738	<b>Crown Allotment</b>
<b>Section</b>	<b>Parish</b> Mildura	<b>Municipal District</b> Mildura Rural City Council

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

**Builder :**

<b>Name</b> Estilo Pty. Ltd. T/A G.J. Gardner Homes	<b>Ph.</b> 5023 1199
<b>Address</b> 87 Lime Avenue, MILDURA	<b>Postcode</b> 3500

**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
<b>Builder</b>	<b>DB-U 14529</b>	<b>Brad Stanbrook</b>	<b>Estilo Pty. Ltd. T/A G.J. Gardner Homes</b>
<b>Structural Engineer</b>	<b>EC 1015</b>	<b>Malcolm Gallasch</b>	<b>Gallasch &amp; Associates Pty Ltd</b>

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

**Planning permit no.** 005.2013.037.001 **Date of grant of planning permit.** 25/02/2014

**Nature of building work**

**Construction of four dwellings & carports**

**Stage of building work permitted** All Stages

**Cost of building work** \$689,228

**Total floor area of new building work** 716m2

**Building classification**

<b>1a1</b>	<b>New Building</b>	<b>Four Dwellings</b>
<b>10a</b>	<b>New Building</b>	<b>Four Carports</b>

**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:** 16/05/2016

**This building work must be completed by:** 15/05/2016

**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 of steel reinforcement
- Inspection of framework
- Inspection for Occupancy certificate

**Relevant building surveyor**

**Name:** WAYNE D. WILKIE

**Registration No.** BS-U1070

**Signature:**

**Issued:** 15/05/2014

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 \$12,000) must be covered by an insurance policy as required under section 135 of the Building Act 1993.



95 PINE AVENUE MILDURA Ph. (03) 5023 4826 Fax: (03) 5023 4849

## **BUILDING PERMIT CONDITIONS**

1. All works authorised by this permit shall comply with the provisions of the Building Act 1993, Building Regulations 2006, Building Code of Australia, other relevant codes and any Local Laws of the Municipality. No Variation from the approved documents shall be permitted without the consent of the relevant Building Surveyor. The owner and/or builder is responsible to obtain any other relevant permits or consents prior to commencing work.
2. The owner and/or builder shall be responsible to define the boundaries of the allotment.
3. All timber framing to comply with AS 1684 – National Timber Framing Code, or Victorian Timber Framing Manual.
4. The building is in an area designated by the Municipality as likely to be subject to infestation by termites and shall be protected in accordance with Building Code of Australia B1.3 (J) and AS3660.1. It is the owners responsibility to carry out regular inspections (12 months maximum) of the building for evidence of termite activity.
5. It is not the responsibility of the relevant building surveyor to confirm compliance with any section 173 agreement, covenant or other restriction which may be shown on title and by issuing this permit the relevant building surveyor does not warrant that the works authorised by this permit will comply with any section 173, covenant or other restriction which may be shown on title.
6. Applicant to obtain all necessary Road Opening, Crane and Hoarding Permits as required by the Relevant Council. Contact must be made with Council's Engineering Department to determine which relevant permit/s are required prior to commencement of works.
7. All construction shall meet the performance requirements of Section 2 /B.1 as applicable, of the Building Code of Australia.
8. The builder must ensure that all energy efficiency requirements listed in the energy efficiency report have been complied with and a signed copy of the compliance certificate is to be submitted to this office.
9. The owner and builder must consult with the relevant sewerage authority and local council to ensure that the proposed works do not affect any drains or sewers and that the works comply with the requirements of those authorities.
10. A certificate of completion under Section 221ZH of the Building Act 1993 for plumbing work on this project is to be submitted to this office prior to the issue of an Occupancy or Final Certificate.

## **SPECIAL CONDITIONS**

Truss details to be submitted for approval prior to frame inspection

Building Act 1993  
Building Regulations 2006  
Regulation 1005  
Form 6



95 Pine Avenue  
Mildura Victoria 3500  
P 03 5073 4826  
F 03 5025 4849  
E reception@regionalbuilding.com.au

**Occupancy Permit**

For Building Permit number: BS-U1070 /140136/0

Certificate number: 140136

Unit 1

Issued to (owner)  
Tony Millard  
25 Blackly Row  
COCKBURN CENTRAL WA 6164

Site  
Lot 1 Number: 431 Street: Walnut Avenue  
Suburb MILDURA Postcode 3502  
P/S 134939 Vol: 09403 Fol: 738  
Municipality Mildura Rural City Council

Description of Building Work:  
Construction of a dwelling & carport

Nature of Building Work:  
1a1 New Building Dwelling  
10a New Building Carport

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:

Certificate date: 01 October 2014

**Domestic Building Insurance  
Certificate of Insurance**

Policy Number 570050459BWI-47

QBE Insurance (Australia) Ltd  
628 BOURKE STREET  
MELBOURNE VIC 3000  
Phone: (03) 9246 2666  
Fax: (03) 9246 2611  
ABN: 78 003 191 035  
AFS License No: 239545



TONY MILLARD  
UNIT 4 16 OVERTON GDNS  
COTTESLOE 6011

**Name of Intermediary**  
MCKENZIE ROSS & CO PTY LTD  
DX 38223  
FLAGSTAFF 3000

**Account Number**  
57BWMRC00  
**Date Issued**  
05/05/2014

**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**

**At the property**

**Carried out by the builder**

**NEW SINGLE DWELLING CONSTRUCTION CONTRACT**

LOT 1, 1/431 WALNUT AVENUE  
MILDURA VIC 3500

ESTILO PTY LTD  
ACN: 109 318 685

**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**

**Pursuant to a domestic building contract dated**

**For the contract price of**

**Type of cover**

**Period of cover**

TONY MILLARD

28/01/2013

\$203,027.00

Cover is only provided if ESTILO PTY LTD has died, becomes insolvent or has disappeared\*

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**

\$200,000 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





**Domestic Building Insurance  
Certificate of Insurance**

Policy Number 570050459BWI-47

QBE Insurance (Australia) Ltd  
628 BOURKE STREET  
MELBOURNE VIC 3000  
Phone: (03) 9246 2666  
Fax: (03) 9246 2611  
ABN: 78 003 191 035  
AFS License No: 239545



Subject to the Building Act 1993, and the Ministerial Order and the conditions of the insurance contract, cover will be provided to the Building Owner named in the domestic building contract and to the successors in title to the Building Owner in relation to the domestic building work undertaken by the builder.

Issued by QBE Insurance (Australia) Limited for and on behalf of

**Victorian Managed Insurance Authority (VMIA)**

**IMPORTANT:**

This certificate must be read in conjunction with the policy terms and conditions and kept in a safe place.

These documents are very important and must be retained by you and any successive owners of the property for the duration of the period of cover.

QM1824-1207

**Domestic Building Insurance  
Certificate of Insurance**

Policy Number 570050459BWI-47

QBE Insurance (Australia) Ltd  
628 BOURKE STREET  
MELBOURNE VIC 3000  
Phone: (03) 9246 2666  
Fax: (03) 9246 2611  
ABN: 78 003 191 035  
AFS License No: 239545



If the information on this Certificate does not match what's on your domestic building contract,  
please contact QBE IMMEDIATELY on 1300 790 723

Below are some examples of what to look for:

CERTIFICATE OF INSURANCE		YOUR DOMESTIC BUILDING CONTRACT
<b>MATCH</b>		
Owner: <small>QBE Insurance (Australia) Limited 1000</small>		

# PLANNING PROPERTY REPORT



Environment,  
Land, Water  
and Planning

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) on 18 February 2021 04:13 PM

## PROPERTY DETAILS

Address: **427 WALNUT AVENUE MILDURA 3500**  
Lot and Plan Number: **Lot 1 PS725043**  
Standard Parcel Identifier (SPI): **1\PS725043**  
Local Government Area (Council): **MILDURA**  
Council Property Number: **7933**  
Planning Scheme: **Mildura**  
Directory Reference: **VicRoads 534 K8**

[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**

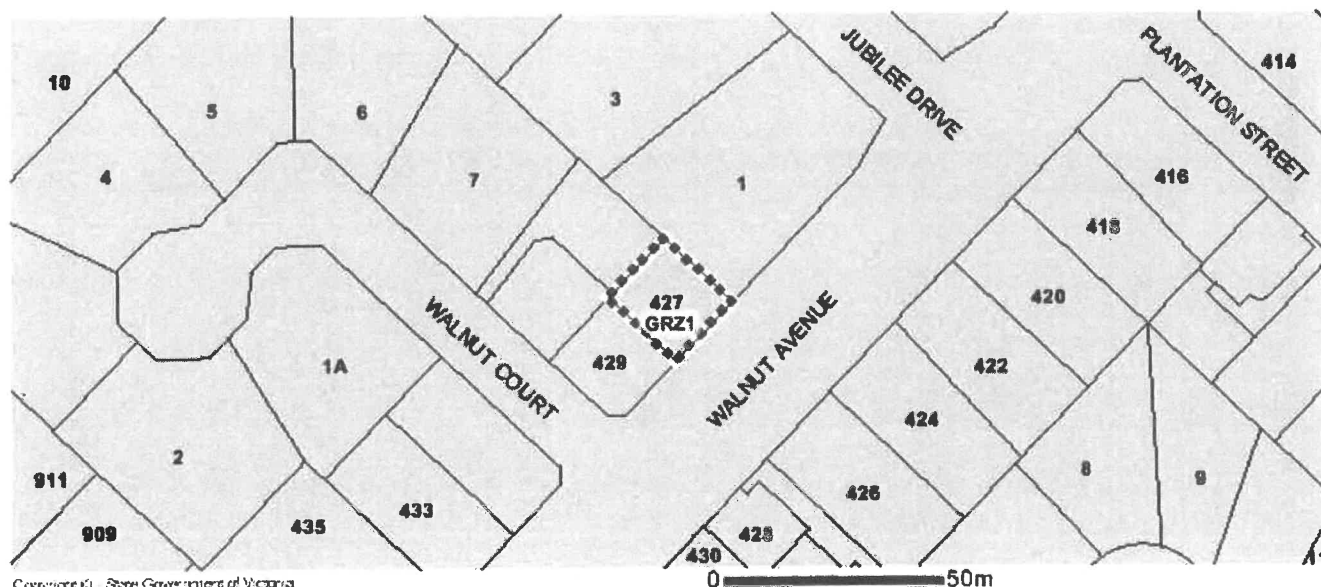
## STATE ELECTORATES

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

## Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ).

GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)



Copyright © - State Government of Victoria

 GRZ - General Residential

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

Copyright © - State Government of Victoria

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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 1982 (Vic).

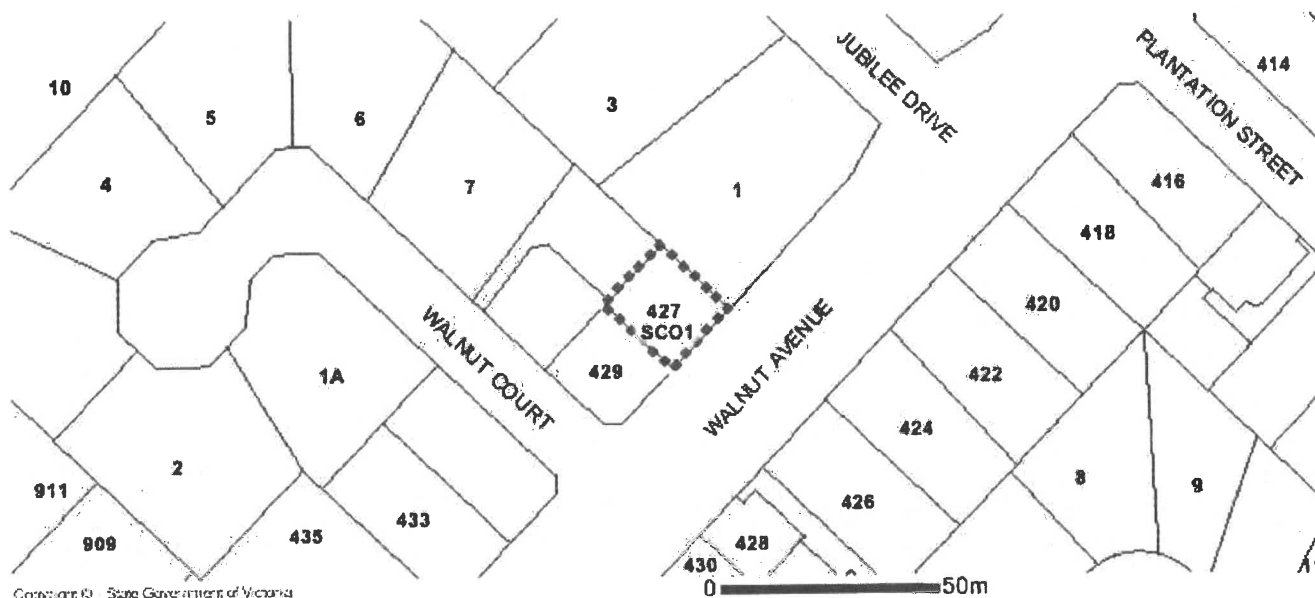
PLANNING PROPERTY REPORT: 427 WALNUT AVENUE MILDURA 3500

Page 1 of 3

## Planning Overlay

### SPECIFIC CONTROLS OVERLAY (SCO)

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



SCO - Specific Controls

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

## Further Planning Information

Planning scheme data last updated on 17 February 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>

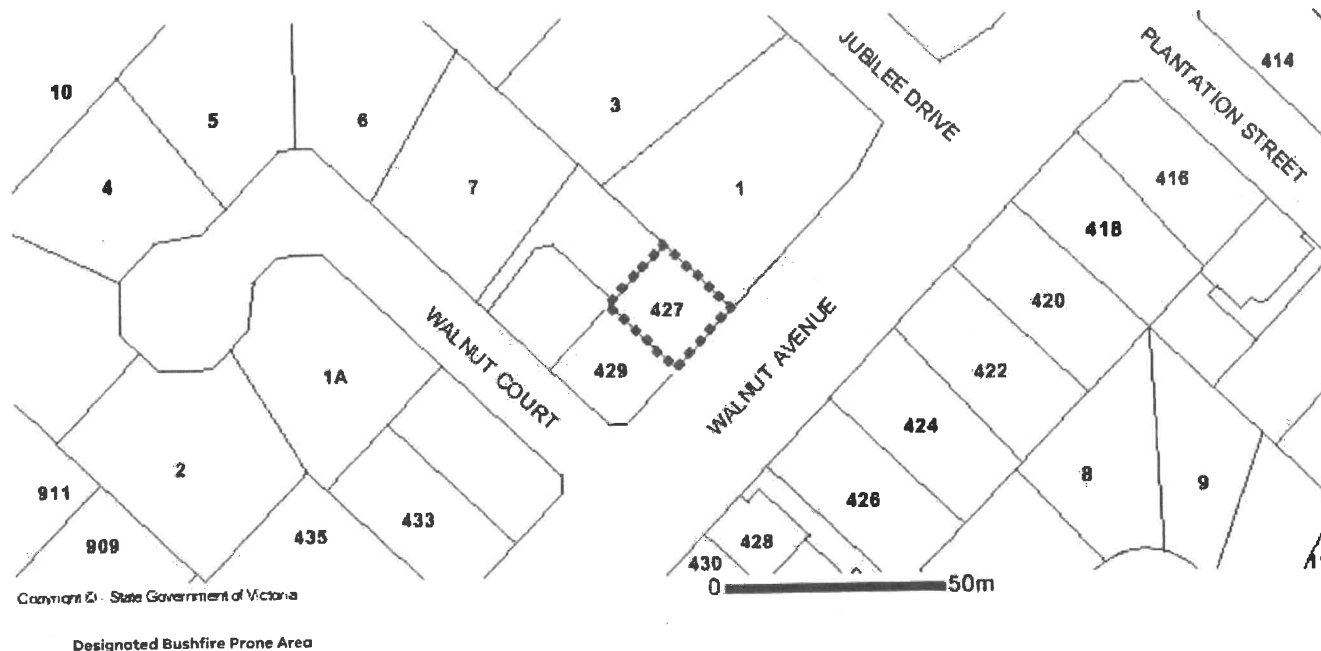
For details of surrounding properties, use this service to get the Reports for properties of interest.

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>

MILDURA  
741 75th Footscray Street Mildura 3490  
PO Box 1438 Mildura 3490  
AUSTRALIA 3490  
Tel: (03) 5051 3400 Fax: (03) 5051 3450

SWAN HILL  
75 Devenish Street Swan Hill 3585  
PO Box 1447 Swan Hill 3585  
AUSTRALIA 3585  
Tel: (03) 5036 2150 Fax: (03) 5036 2150



24 Hour Supply Emergency  
1800 808 830

LOWER MURRAY

WATER

ABN 18 475 808 826  
www.lmw.vic.gov.au

KERANG  
56 Wellington Street Kerang 3576  
PO Box 447 Kerang 3576  
AUSTRALIA 3576  
Tel: (03) 5450 3860 Fax: (03) 5450 3867

Reference No. 008983

Amount Due \$175.05

URBAN ACCOUNT

Due Date 24-FEB-2021



368051-001 016279 (36383) 0033

MR CA DALLY  
C/- COLLIE & TIERNEY  
PO BOX 378  
MILDURA VIC 3502

Date Of Issue 8/01/2021

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

POST \*850 700089832

Property Address : 427 WALNUT AVENUE MILDURA VIC 3500 (Prop:8983) - Urban Account  
Lot 1 PS 725043P Vol 11554 Fol 945

Water Service Tariff  
Sewerage Service Tariff

Charge	Balance
52.09	52.09
122.96	122.96

**TOTAL OWING \$175.05**



UAW9546

Payments/Credits since last Notice \$175.05

**Payment Slip - Methods of Payment**

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



Direct Debit  
Please contact your local office.



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



Billpay Code: 0850  
Ref: 7000 8983 2

Pay in person at any Post Office



Bill Code: 78477  
Ref: 7000 8983 2

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

008983

427 WALNUT AVENUE MILDURA VIC 3500 (Prop:8983) - Urban Account



\*850 700089832

\$175.05

	<b>Bill Code: 78477</b> <b>Ref: 7000 8983 2</b>
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 8983 2	

Amount  
Due

**\$175.05**

Payment Ref: 7000 8983 2



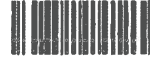
By Phone  
Pay by phone (03) 6672 0582.  
Standard call charges apply

See reverse for  
In Person and By Mail options



Mildura Rural City Council

Internal Use Only



TAX INVOICE



Mr C A Dally  
C/-Collie & Tierney  
67 Lime Avenue  
MILDURA VIC 3500



033  
1003119  
R1\_7267

## Rate Instalment Notice

1 July 2020 to 30 June 2021

Assessment No: 7933  
Issue Date 19 January 2021

Property Location & Description  
427 Walnut Avenue MILDURA VIC 3500  
Lot 1 PS 725043P

### RATING DETAILS

INSTALMENT 3

\$633.06

x4

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

TOTAL DUE

\$633.06

	<b>Instalment 3:</b> Due 28 Feb 2021 \$633.06	<b>Instalment 4:</b> Due 31 May 2021 \$633.06
--	---	---

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

Mr C A Dally  
427 Walnut Avenue MILDURA VIC 3500  
Assessment No: 7933

INSTALMENT 3  
AMOUNT DUE: \$633.06



Bill code: 93922  
Ref: 79335

BPAY this payment via Internet or phone banking.  
BPAY View: View and pay this bill using internet banking  
BPAY View Registration No.: 79335

POST billpay



Instalment \*41 79335



Post Billpay Bill code: 0041  
Ref: 79335

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

Centrepay Ref:  
555 054 730B

Internal Use Only





**first  
national**  
REAL ESTATE

Collie & Tierney

**SCANNED**

This is a lease renewal of the premises with the new lease period agreement made on the 14 day of April 2020 At 67 Lime Avenue, Mildura Vic 3500

**LANDLORD:** Name: C. Dally  
(A.B.N. if landlord is a company):  
Address: C/- 67 Lime Avenue, Mildura Vic 3500

**AGENT:** Registered Business Name: **Collie & Tierney (Mildura) Pty Ltd**  
(A.B.N. if agent is a Company): **38 005 110 118**  
Address: **67 Lime Avenue**  
**Mildura Vic 3500**  
Telephone Number: **03) 5021 2200**  
Fax Number: **03) 5021 1213**

**TENANT (1):** Name: Rebecca Davy  
(A.B.N. if tenant is a company):  
Address: 427 Walnut Avenue, Mildura Vic 3500

**TENANT (2):** Name: -

Address: -

**TENANT (3):** Name: -

Address: -

**TENANT (4):** Name: -

Address: -

**PREMISES:** **427 Walnut Avenue, Mildura Vic 3500**  
(\*Together with those items indicated in the condition report)

**RENT:** The rental amount is **\$325.00** Per week.  
The date the first payment is due is **Friday, 14 April 2017**

**BOND:** A bond has been paid of **\$1387.00** to the landlord/agent on **14 April 2017**  
In accordance with the **Residential Tenancies Act 1997**, the landlord must lodge the bond with the Residential Tenancies Bond Authority within 10 business days after receiving the bond.

If there is more than one tenant and they do not contribute equally to the total bond, the amounts they each contribute are listed here:

NAME:	AMOUNT:
NAME:	AMOUNT:
NAME:	AMOUNT:

If the tenant does not receive a bond receipt from the Residential Tenancies Bond Authority within 15 business days of paying a bond, the tenant should contact the Residential Tenancies Bond Authority

**PERIOD:** **Renewal Term: 12 Months**  
**Original Lease Start Date: Friday, 14 April 2017**  
**Renewal Start Date: Tuesday, 14 April 2020**  
**Termination Date: Tuesday, 13 April 2021**

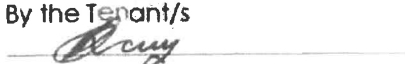
Unless the agreement terminates in accordance with the **Residential Tenancies Act 1997**, the agreement will continue as a periodic tenancy.

**OR**

The agreement will commence from the and will continue until terminated in accordance with the **Residential Tenancies Act 1997**

**SIGNED:** By the Landlord/Agent:  


In presence of  
 (Witness)

**SIGNED:** By the Tenant/s  


In the presence of  
 (Witness)

**NOTE: USE OF THIS GUARANTEE IS SUBJECT TO THE PROVISIONS OF SECTIONS 37 AND 38 OF THE RESIDENTIAL TENANCIES ACT, 1997.**

**GUARANTEE:** To the within named landlord

I/We

of

**HERBY GUARENTEE** the punctual performance by the within named tenant/s of all the terms, conditions and covenants contained in the above **AGREEMENT**. You may without affecting my/our liability under this **AGREEMENT** grant time or other concessions to or compromise with the **TENANT/S** and this Guarantee shall be a continuing Guarantee in all respects **SIGNED, SEALED AND DELIVERED**

By this Guarantor in the presence of: (Witness)



# Due diligence checklist

## What you need to know before buying a residential property

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

## Urban living

### Moving to the inner city?

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

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

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

## Growth areas

### Are you moving to a growth area?

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

## Flood and fire risk

### Does this property experience flooding or bushfire?

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

## Rural properties

### Moving to the country?

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

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

### Can you build new dwellings?

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

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

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

## Soil and groundwater contamination

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

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

## **Land boundaries**

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

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

## **Planning controls**

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

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

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

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

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

## **Safety**

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

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

## **Building permits**

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

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

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

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

## **Utilities and essential services**

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

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

## **Buyers' rights**

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

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