

**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 Evans Way, Mildura

VENDOR'S NAME: Cheryl Anne Keir and Stephen Rossi

VENDOR'S SIGNATURE: 

DATE: 30.5.2021

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: **Cheryl Anne Keir and Stephen Rossi**

Property: **4 Evans Way, Mildura**
 Lot 37 on PS204845W being the whole of the land in
 Certificate of Title Volume 09698 Folio 118

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	\$ 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 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.



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

Page 1 of 1

VOLUME 09698 FOLIO 118

Security no : 124089689204N
Produced 04/05/2021 04:52 PM

LAND DESCRIPTION

Lot 37 on Plan of Subdivision 204845W.
PARENT TITLE Volume 09661 Folio 928
Created by instrument LP204845W 04/09/1986

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
CHERYL ANNE KEIR
STEPHEN ROSSI both of 4 EVANS WAY MILDURA VIC 3500
AR832772J 14/01/2019

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AR832773G 14/01/2019
COMMONWEALTH BANK OF AUSTRALIA

COVENANT M745874L 16/03/1987

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.

AGREEMENT Section 52A TOWN AND COUNTRY PLANNING ACT 1961
M483817L 22/09/1986

DIAGRAM LOCATION

SEE LP204845W 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 EVANS WAY MILDURA VIC 3500

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA
Effective from 14/01/2019

DOCUMENT END

Imaged Document Cover Sheet

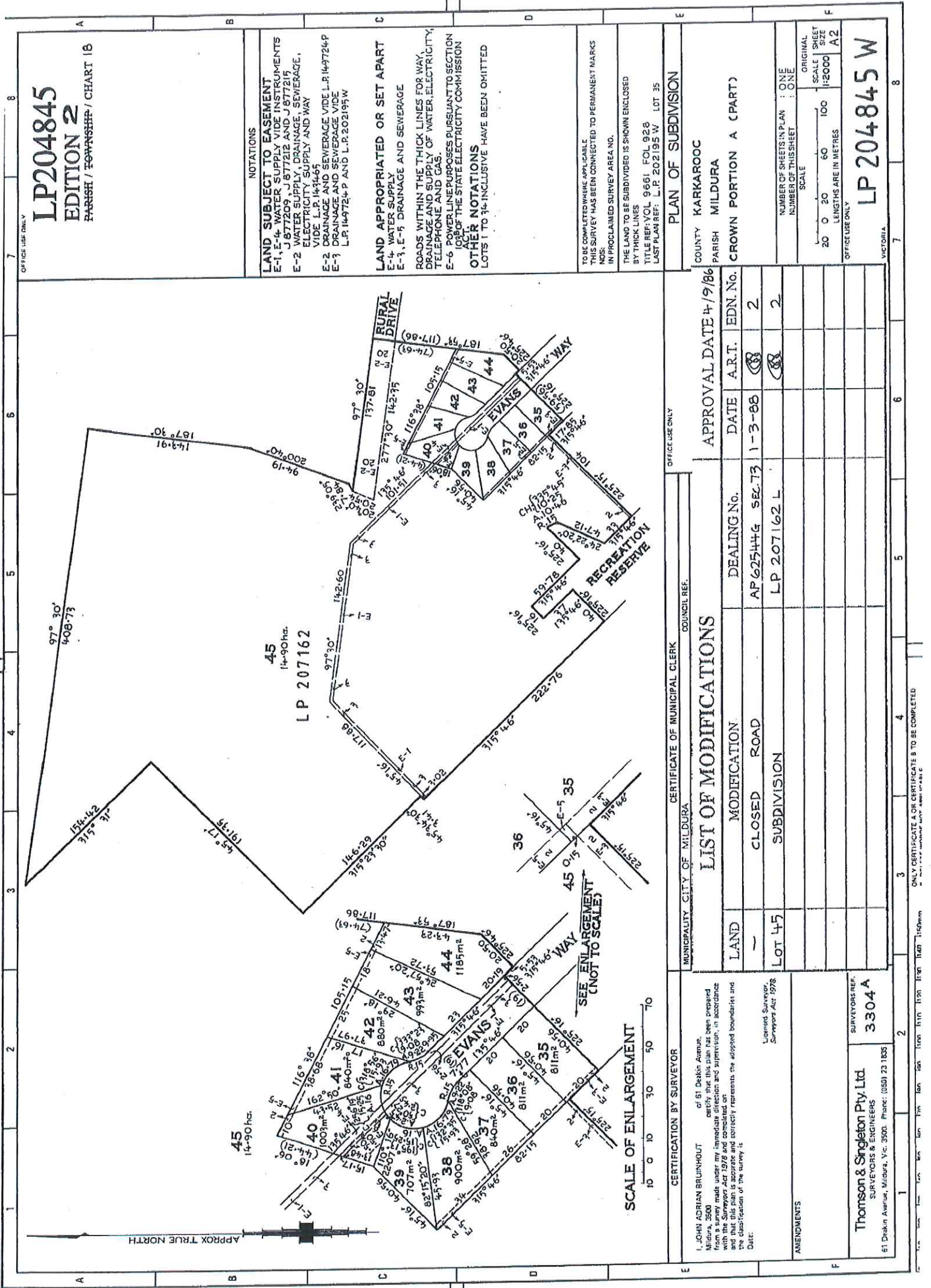
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Document Type	Plan
Document Identification	LP204845W
Number of Pages (excluding this cover sheet)	1
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LP204845
EDITION 2
PARISH / TOWNSHIP / CHART 18

NOTATIONS

LAND SUBJECT TO EASEMENT
E-1, E-4 WATER SUPPLY VIDE INSTRUMENTS J 877209, J 877212 AND J 877215
E-2 WATER SUPPLY, DRAINAGE, SEWERAGE, ELECTRICITY SUPPLY AND WAY VIDE L.P. 14-3465
E-2 DRAINAGE AND SEWERAGE VIDE L.P. 14-9724-P
E-3 DRAINAGE AND SEWERAGE VIDE L.P. 14-9724-P AND L.P. 202195-W

LAND APPROPRIATED OR SET APART
E-4 WATER SUPPLY
E-3, E-5 DRAINAGE AND SEWERAGE
ROADS WITHIN THE THICK LINES FOR WAY, DRAINAGE AND SUPPLY OF WATER, ELECTRICITY, TELEPHONE AND GAS.
E-6 POWERLINE PURPOSES PURSUANT TO SECTION 103 OF THE STATE ELECTRICITY COMMISSION ACT 1998
OTHER NOTATIONS
LOTS 1 TO 34 INCLUSIVE HAVE BEEN OMITTED

TO BE COMPLETED WHERE APPLICABLE
THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS
NOTES:
IN PROCLAIMED SURVEY AREA NO.
THE LAND TO BE SUBDIVIDED IS SHOWN ENCLOSED BY THICK LINES
TITLE REF: VOL 9661 FOL 928
LAST PLAN REF: L.P. 202195-W LOT 35

PLAN OF SUBDIVISION

COUNTY KARKAROOO
PARISH MILDURA
CROWN PORTION A (PART)

NUMBER OF SHEETS IN PLAN : ONE
NUMBER OF THIS SHEET : ONE
SCALE

ORIGINAL SHEET SIZE A2
SCALE 1:2000
LENGTHS ARE IN METRES

LP 204845 W

OFFICE USE ONLY

APPROVAL DATE 4/9/86

LAND	MODIFICATION	DEALING No.	DATE	A.R.T.	EDN. No.
Lot 45	CLOSED ROAD	AP 625444 G SEC 73	1-3-88		2
	SUBDIVISION	LP 207162 L			2

LIST OF MODIFICATIONS

MUNICIPALITY CITY OF MILDURA
CERTIFICATE OF MUNICIPAL CLERK
COUNCIL REF.

CERTIFICATION BY SURVEYOR

I, JOHN ADRIAN BRUNHOUT of 51 Oakton Avenue, Mildura, 3500 certify that this plan has been prepared from a survey made under my immediate direction and supervision, in accordance with the provisions of the Surveyors Act 1978 and that this plan is accurate and correctly represents the adopted boundaries and the classification of the survey is:
Date:

Licensed Surveyor,
Surveyors Act 1978

Thomson & Singleton Pty Ltd.
SURVEYORS & ENGINEERS
61 Drake Avenue, Mildura, Vic. 3500. Phone: (050) 23 1035

SURVEYORS REF. 3304 A

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Document Type	Instrument
Document Identification	M483817L
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REGD

COURTESY OF THE LAND REGISTRY

M483817L

CITY OF MILDURA

Application Pursuant to Section 52B(1) of
The Town and Country Planning Act 1958

The Mayor, Councillors and ^{Citizens} Ratepayers of the City of Mildura HEREBY
APPLY to have a Memorandum of Agreement pursuant to Section 52A of
the Town and Country Planning Act 1958 dated 14th August 1986, and made
between themselves as Responsible Authority and R.K. and S.R. Mansell
as Owner of ALL THAT piece of land more particularly described in Certifi-
cates of Title Volume 9698 Folios 116 to 125 inclusive a copy of which
agreement is annexed hereto entered on the said Certificates of Title.

Dated the 14th day of August 1986

The Common Seal of the Mayor,
Councillors and Citizens of
the City of Mildura was
hereunto affixed this

14th day of August 1986.

MAYOR

COUNCILLOR

TOWN CLERK

2 1418-3817L

HIS AGREEMENT is made the 14th day of August 1986
BETWEEN:

THE MAYOR, COUNCILLORS AND CITIZENS
OF THE CITY OF MILDURA (the Council)

of the first part

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

of the second part

- and -

AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD.,
of Deakin Avenue, Mildura
(the Mortgagee)

of the third part

WHEREAS:

- A. The Owner is or is entitled to be registered at the Office of Titles as the proprietor of all those pieces of land described in the First Schedule hereto situated at and known as Lots 35 to 44 Evans Way, Mildura (the land). (Stage 4)
- B. The Mortgagee is the registered proprietor of Mortgage No. K70634 over the land.
- C. The Owner made application to the Council as the Responsible Authority under the City of Mildura Planning Scheme for a permit to subdivide the said land and other land for the purpose of a residential subdivision.
(Application No. A.12/84 dated the 18th day of January 1984)
- D. The Council by Notice of Determination dated the 12th day of April 1984 determined to grant a permit to subdivide the land, a certified copy of which is attached hereto as Annexure "A".

- E. The Council at its meeting held the 12th day of June 1986 resolved inter alia:
- To enter into a Section 52A Agreement for the prohibition of flats in the subdivision for a period of ten (10) years. A certified copy of the relevant Minute is attached as Annexure "B".
- F. The Council at its meeting held the 14th day of August 1986, approved the Plan of Subdivision of the land in accordance with the plan . a certified copy of which is attached as Annexure "C".
- G. The Council and the Owner have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as it can be so treated this Agreement shall be treated as being an agreement under Section 52A of the Town and Country Planning Act.

NOW THIS AGREEMENT WITNESSETH as follows:

1. In this Agreement unless inconsistent with the context or subject matter:
"Permit" shall mean the permit issued by the Council as a result of the Notice of Determination referred to in recital D hereof.
2. The Owner covenants and agrees to comply with, carry out and observe the Resolution of the Council on the 12th day of June 1986.

3. The Owner further covenants and agrees as follows:
To prohibit the construction of or adaptation to flats as defined in the City of Mildura Planning Scheme for a period of ten (10) years from the date of approval of the Plan of Subdivision by the Office of Titles on Lots 35 to 44 inclusive.
4. The Owner agrees to do all things necessary to enable the Council to enter a memorandum of this Agreement on the Certificates of Title to the land in accordance with Section 52B of the Town and Country Planning Act including signing any further agreement acknowledgement or document to enable the said memorandum to be registered under that section.
5. The covenants and agreements of the Owner under this Agreement shall cease and the Owner will be released from its obligations under this Agreement upon the Council delivering to the Owner a certificate stating that the subdivision has been carried out and completed and the Owner has complied with the terms of this Agreement to its satisfaction.
6. The Mortgagee consents to the Owner entering into this Agreement with the Council.

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

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

Mayor

Councillor

Town Clerk

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

K. Mansell

AUSTRALIA AND NEW ZEALAND BANKING GROUP
LIMITED BEING THE PROPRIETOR OF MORTGAGE
NUMBER K70634 HEREBY CONSENTS TO REGISTRATION
OF THE WITHIN AGREEMENT

EXECUTED by AUSTRALIA AND NEW ZEALAND
BANKING GROUP LIMITED
by being Signed, Sealed and Delivered in Victoria by
its Attorney

JOHN THOMAS CROUGH

under Power of Attorney No. 261939
in the presence of:

Australia and New Zealand Banking
Group Limited by its Attorney
WHO HEREBY CERTIFIES THAT HE IS AN
AREA MANAGER FOR THE TIME BEING,

FIRST SCHEDULE

All those pieces of land being Lots 35 to 44 on Plan of Subdivision
No 204845 being the whole of the land in Certificates of Title Volume
9698 Folios 116 to 125 inclusive.

ANNEXURE "A"

R.K. & S.R. Mansell,
C/- Thomson & Singleton,
P.O. Box 766,
MILDURA. 3500.

Country Planning Act 1961

OF MILDURA PLANNING SCHEME

ING PERMIT No. P.12/84

OFFICE USE ONLY

A.12/84

18.1.84

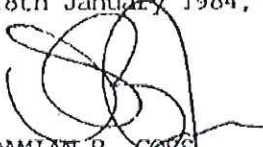
The conditions (if any) set out hereunder the following is hereby permitted:

The use of the land situate Lot 4, L.P. 143465, Washington Drive for the purpose of a residential subdivision in accordance with the plans submitted with the application.

Conditions:


1. This permit shall expire if the use or development hereby permitted is not commenced within 2 years from the date hereof, or within any extension of that time, which upon application made before or within 3 months after the expiry of the permit, is granted in writing by the City of Mildura.
2. This permit shall have no force or effect until:-
 - (a) A water reticulation system has been provided to the satisfaction of the Mildura Urban Water Trust.
 - (b) A sewerage reticulation system has been provided to the satisfaction of the Mildura Sewerage Authority.
 - (c) Drainage, naturestrip work, kerb and channel, road widening and roadworks have been provided to the satisfaction of the City Engineer, City of Mildura.
 - (d) That an agreement be prepared to the satisfaction of the Council, City of Mildura, to provide for the transfer of the public open space area to the City of Mildura.

I certify this to be a true copy of the original
City of Mildura Planning Permit No. 12/84 dated
18th January 1984, which it purports to be.


DAMIAN B. GOSS
TOWN CLERK & CHIEF EXECUTIVE
CITY OF MILDURA

12th April, 1984.

(Date of Determination)


(Signed)

12 JUNE 1986

MATTERS IN CAMERA CONTINUED

Cr. Burr:

Cr. Weir: That the following Recommendations be adopted:

1. Sister City Relationship FILE: SISTER CITY
 City of Kumatori - Japan ASSOCIATION

That no further Sister City relationships be entered into for the time being and that the matter be reviewed at some time in the future.

2. Victorian Housing Commission FILE: HCV FUTURE
 Land - Elderly Persons Units

That negotiations take place for the purchase of Lots 106-112 Walnut Avenue, taking into account the need to discount the purchase price because of the non-rateable status of the vacant land enjoyed by the Victorian Housing Commission over the years and the Council's contribution to road making, kerb and channel and footpath costs. In fact negotiate for the purchase of the lots at cost price.

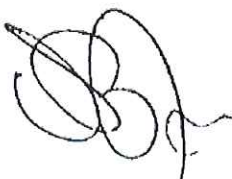
3. Subdivision R.K. & S Mansell FILE: L11/1200/100
 Washington Drive Stage 4

That the Council note the legal advice of Messrs. Maddock, Lonie and Chisholm dated 27 May 1986, and that an Agreement be entered into pursuant to Section 52A of the Town and Country Planning Act, prohibiting the erection of flats on the subdivision. Further, that such prohibition shall apply for a period of 10 years.

4. Recreation Reserve FILE: RECREATION RESERVE
 Multi Purpose Building BUILDINGS

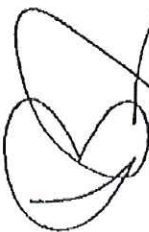
That a report, including design and costs, for the provision of change rooms and showers in the complex be presented to the next Finance Committee meeting to be held on 19 June 1986.

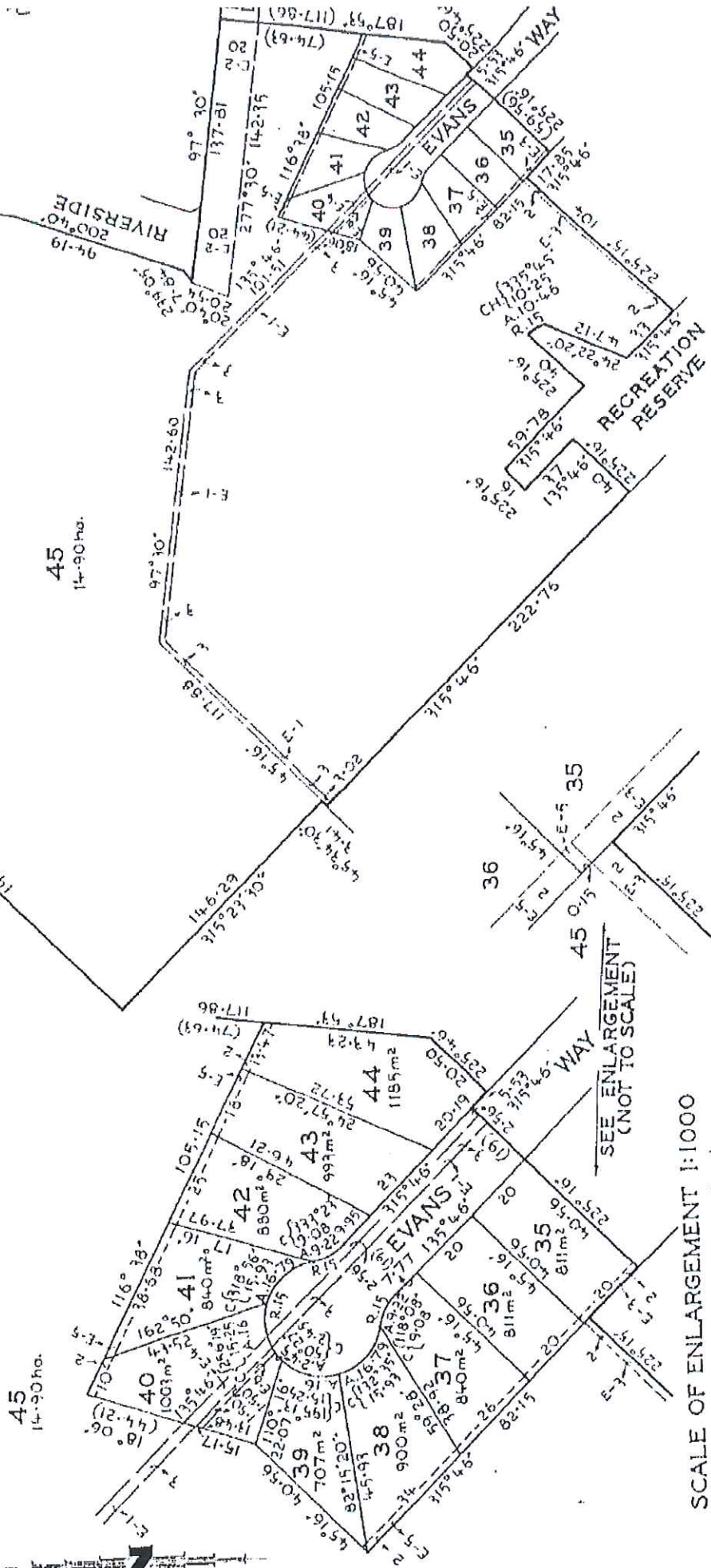
I certify this to be a true copy
of the Original City of Mildura
Minute Book, Page 125 from the
Council Meeting of 12th June 1986
which it purports to be



DAMIAN B. COOSS
TOWN CLERK & CHIEF EXECUTIVE

I certify this to be a true copy of the original Plan of Subdivision No. which it purports to be.


 DAMIAN B. GOSS
 TOWN CLERK & CHIEF EXECUTIVE



SCALE OF ENLARGEMENT 1:1000

10 0 10 20 30 40 50 60 70

SEE ENLARGEMENT
(NOT TO SCALE)

APPROX TRUE NORTH

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Titles Office Use Only

READ

21

Lodged at the Titles Office by

Irwin & Richards

Code 1005B

160387 1035 45 22 1745874L

PA

VICTORIA

TRANSFER OF LAND

Subject to the encumbrances affecting the land including any created by dealings lodged for registration prior to the lodging of this instrument the transferor for the consideration expressed at the request and by the direction of the directing party (if any) transfers to the transferee the estate and the interest specified in the land described together with any easement hereby created and subject to any easement hereby reserved or restrictive covenant herein contained or covenant created pursuant to statute and included herein. (Notes 1-4)

Land

(Note 5)

Lot 37 on Plan of Subdivision No. 204845W being the whole of the land described in Certificate of Title Volume 9698 Folio 118

Consideration

(Note 6)

Transferor

(Note 7)

RUSSELL KENT MANSELL and SUZANNE ROSEMARY MANSELL

STAMP DUTY VICTORIA
4TRANS\$18346 S.D.V. 4 12MAR87
RECEIPT# 15437 11A \$VVVVVV446.55

Transferee

(Note 8)

MARIO MAMMONE and MARIA CONCETTA MAMMONE both of 71 Ontario Avenue, Mildura as joint tenants

Estate and Interest

(Note 9)

All our estate and interest in the fee simple

Directing Party

(Note 10)

Controller of Stamps Use Only

CODE: 04
DUTY: \$ 446.55
ASSESSOR: M2
VALUE: \$ 22900

Creation (or Reservation) of Easement and/or Covenant

(Notes 11-12)

"See Overleaf"



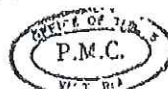
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T2

Office Use Only



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



AND THE SAID MARIO MAMMONE and MARIA CONCETTA MAMMONE for themselves and their transferees the registered proprietors for the time being of the land hereby transferred and of every part thereof do hereby as a separate covenant COVENANT with the said RUSSELL KENT MANSELL and SUZANNE ROSEMARY MANSELL and other the registered proprietor or proprietors for the time being of the land comprised in the said Plan of Subdivision and of every part thereof (other than the land hereby transferred) as follows:-

"THAT they will not erect or cause or suffer to be erected upon the said lot more than one main building and that such building shall not be other than a building that is a Class 1 (a) Building as defined in Part Six of the Victoria Building Regulations Act 1983 and that such building and lot or any part thereof shall not be registered under the provisions of the Strata Titles Act 1967 or the Cluster Titles Act 1974 or any amendment, modification or re-enactment of or substitution for either of such Acts."

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.

Date 6th March 1987

(Note 13)

Execution and Attestation

(Note 14)

EXECUTED for RUSSELL KENT MANSELL
and SUZANNE ROSEMARY MANSELL by
their Attorney KELVIN THOMAS
MEREDITH under Power of Attorney
dated the 3rd day of September,
1986 in the presence of:

)
)
)
) *K. Thomas*
)
)

SIGNED by the TRANSFEREES in the
presence of:

[Signature]

)
)
) *[Signature]*
)

M. Mammore



NOTES

1. This form must be used for any transfer by the registered proprietor—
 - (a) of other than the whole of an estate and interest in fee simple
 - (b) by direction
 - (c) in which an easement is created or reserved
 - (d) which contains a restrictive covenant or a covenant created pursuant to statute.
2. Transfers may be lodged as an original only and must be typed or completed in ink.
3. All signatures must be in ink.
4. If there is insufficient space in any panel to accommodate the required information use an annexure sheet (Form A1) or (if there is space available) enter the information under the appropriate heading after any creation or reservation of easement or covenant. Insert only the words "See Annexure A" (or as the case may be) or "See overleaf" in the panel as appropriate.
Multiple annexures may appear on the same annexure sheet but each must be correctly headed.
All annexure sheets should be properly identified and signed by the parties and securely attached to the instrument.
5. Volume and folio references must be given. If the whole of the land in a title is to be transferred no other description should be used. If the transfer affects part only of the land in a title the lot and plan number or Crown description should also be given. Any necessary diagram should be endorsed hereon or on an annexure sheet (Form A1).
6. Set out the amount (in figures) or the nature of the consideration. If the transfer is by direction show the various considerations
e.g. \$ paid by B to A
\$ paid by C to B
In a transfer on sale of land subject to a mortgage it should be clearly shown whether or not the amount owing under the mortgage is included in the consideration e.g. \$ which includes the amount owing under mortgage No.
7. Insert full name. Address is not required.
8. Insert full name and address. If two or more transferees state whether as joint tenants or tenants in common. If tenants in common specify shares.
9. Set out "All my estate and interest in the fee simple" (or other as the case may be).
10. If the transfer is by direction give the full name of any directing party and show the various considerations under the consideration heading.
11. Set out any easement being created or reserved and define the dominant and servient tenements.
12. Set out full details of any covenant and define the covenantee and the land to bear the burden and to take the benefit of the covenant.
13. The transfer must be dated.
14. If an executing party is a natural person execution should read "Signed by the transferor (transferee, directing party) in the presence of". The witness must be an independent person. If an executing party is a body corporate execution should conform to any prescribed formalities relating to the affixing of the common seal.

PROPERTY REPORT

From www.planning.vic.gov.au at 04 May 2021 04:58 PM

PROPERTY DETAILS

Address: **4 EVANS WAY MILDURA 3500**

Lot and Plan Number: **Lot 37 LP204845**

Standard Parcel Identifier (SPI): **37\LP204845**

Local Government Area (Council): **MILDURA**

Council Property Number: **8814**

Directory Reference: **Vicroads 535 O2**

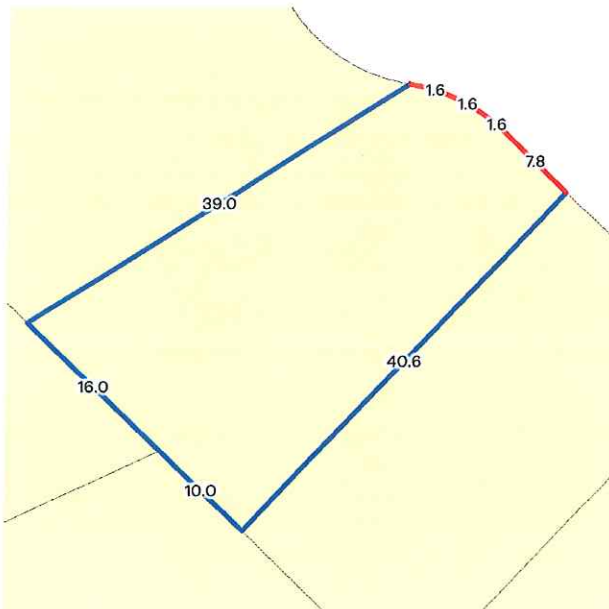
www.mildura.vic.gov.au

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: 841 sq. m

Perimeter: 123 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.

3 overlapping dimension labels are not being displayed

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**

PLANNING INFORMATION

Planning Zone: [GENERAL RESIDENTIAL ZONE \(GRZ\)](#)
[GENERAL RESIDENTIAL ZONE - SCHEDULE 1 \(GRZ1\)](#)

Planning Overlay: None

PROPERTY REPORT

Planning scheme data last updated on 29 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>

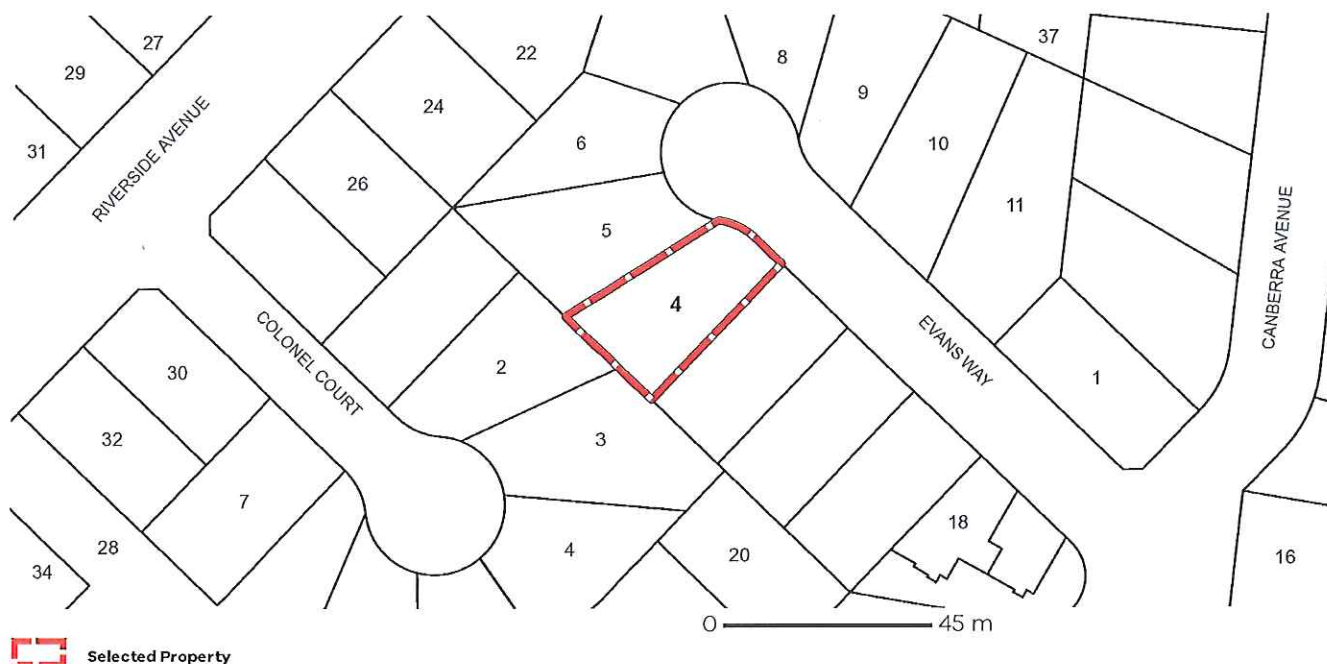
This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the **Planning and Environment Act 1987**. It does not include information about exhibited planning scheme amendments, or zonings that may affect the land. To obtain a Planning Certificate go to Titles and Property Certificates 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 <https://mapshare.maps.vic.gov.au/vicplan>

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

Area Map



PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au at 04 May 2021 04:59 PM

PROPERTY DETAILS

Address: **4 EVANS WAY MILDURA 3500**
Lot and Plan Number: **Lot 37 LP204845**
Standard Parcel Identifier (SPI): **37\LP204845**
Local Government Area (Council): **MILDURA**
Council Property Number: **8814**
Planning Scheme: **Mildura**
Directory Reference: **Vicroads 535 O2**

www.mildura.vic.gov.au

[Planning Scheme - Mildura](#)

UTILITIES

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

[View location in VicPlan](#)

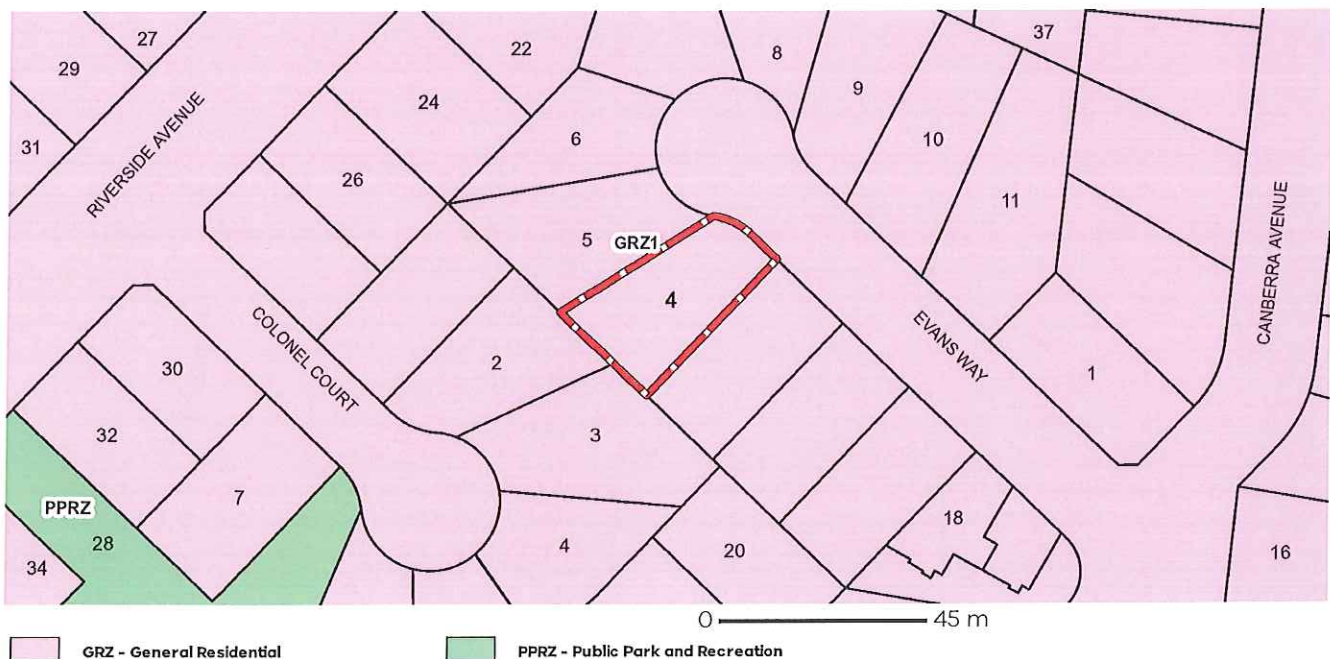
STATE ELECTORATES

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

Planning Zones

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

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



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

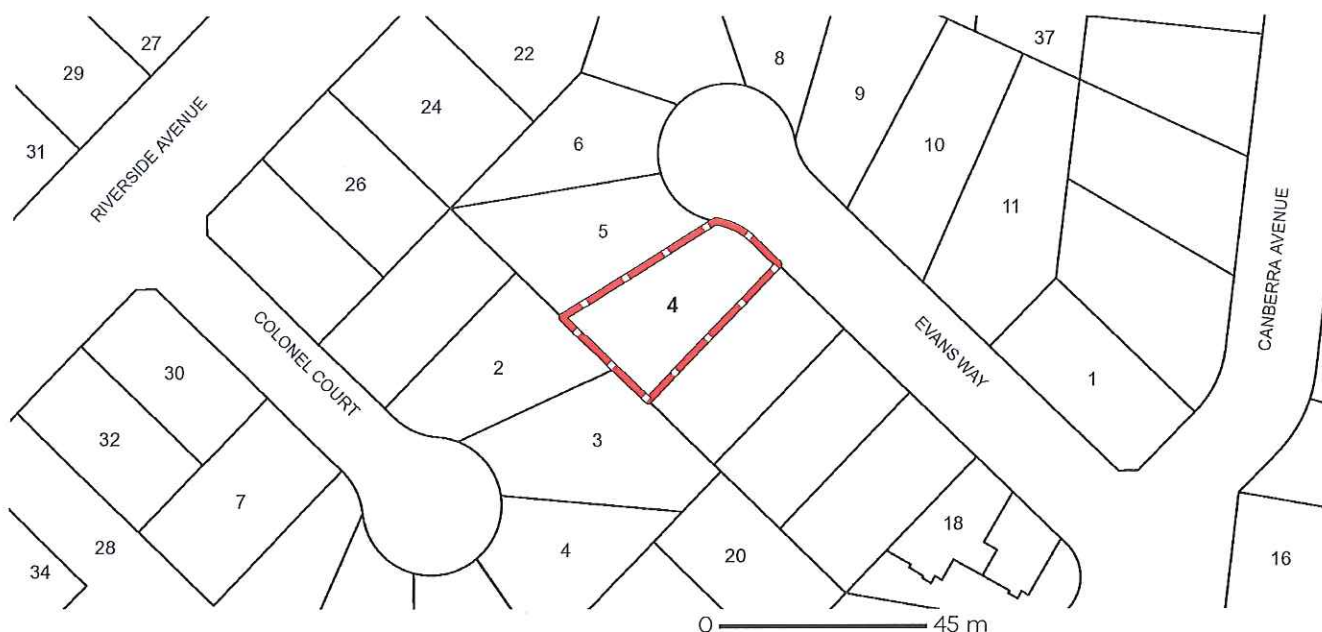
PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

Planning Overlays

No planning overlay found



Further Planning Information

Planning scheme data last updated on 29 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>

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

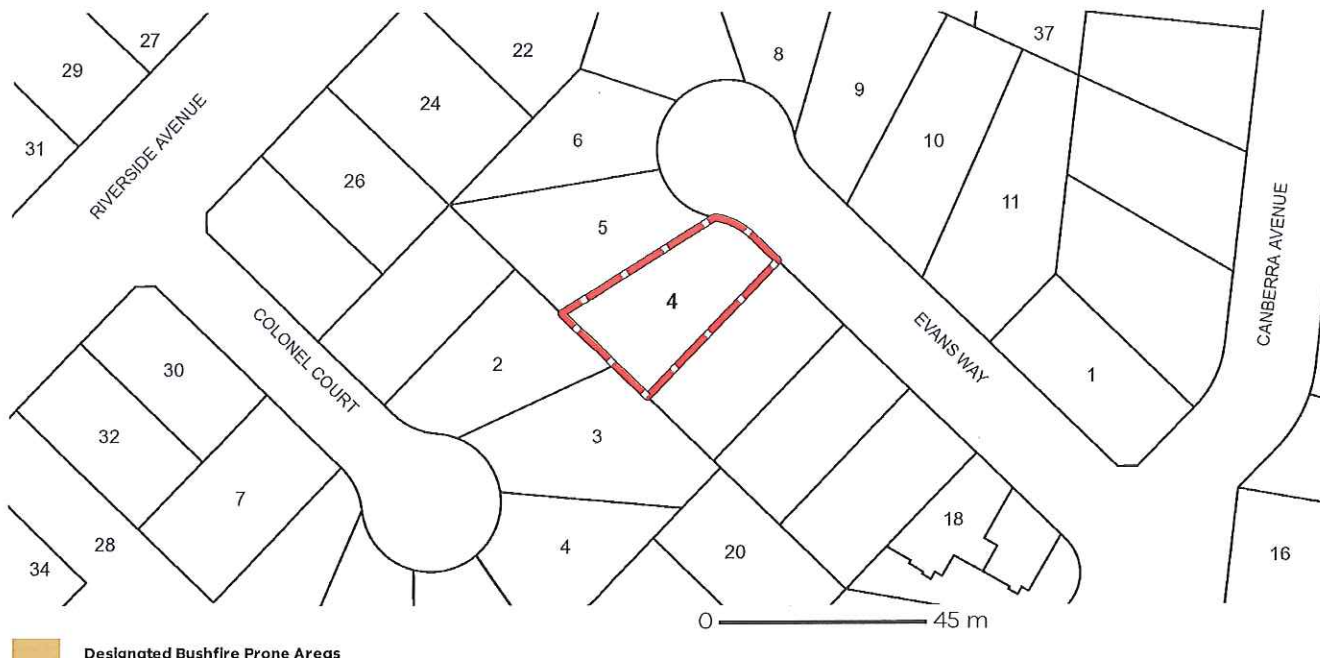
PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

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.

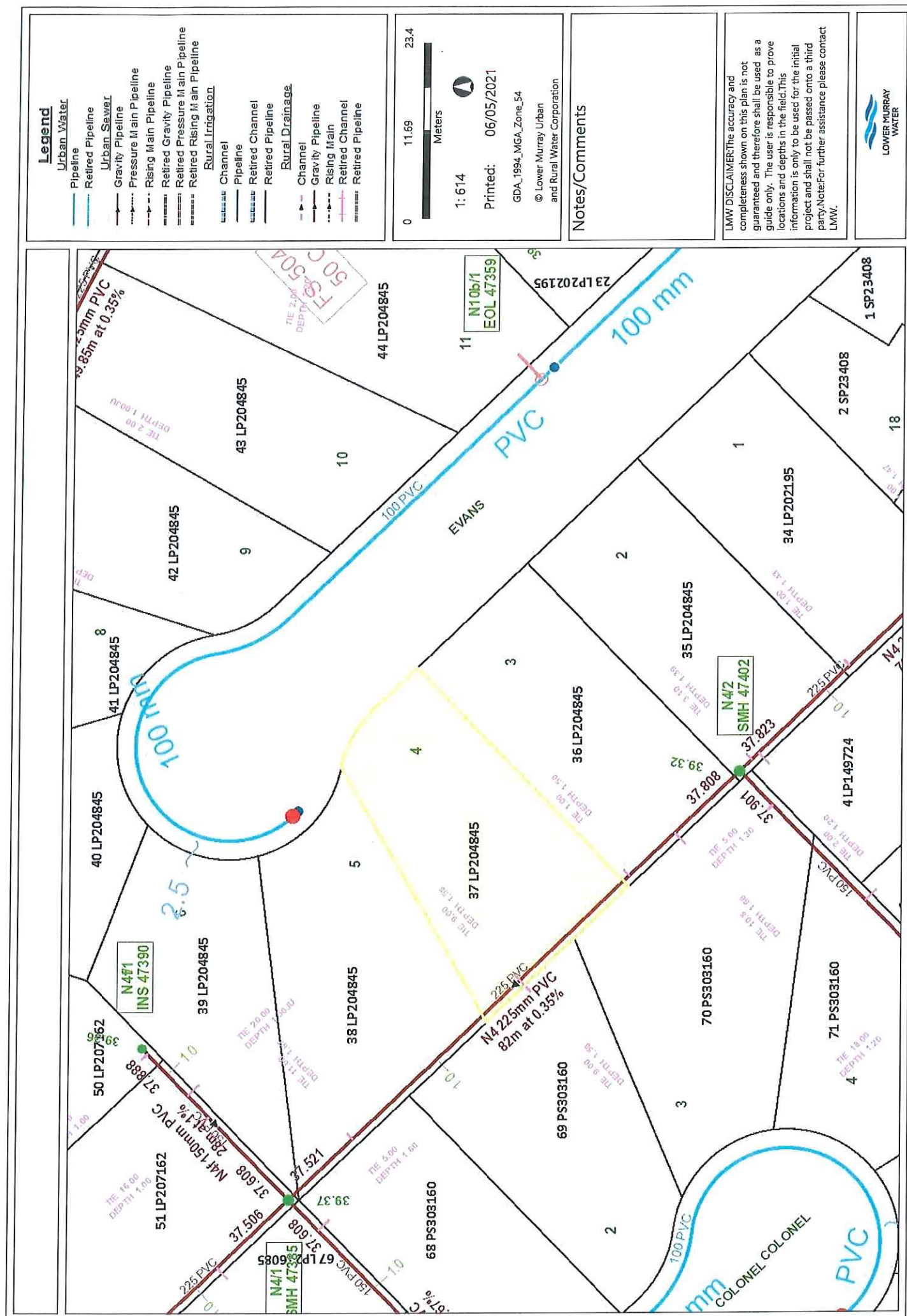
Designated bushfire prone areas maps can be viewed on VicPlan at <https://mapshare.maps.vic.gov.au/vicplan> or at the relevant local council.

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>



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

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

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

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

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

Sincerely



Yantse

MAYOR

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 [GeoVic 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: Cheryl Anne Keir and Stephen Rossi

Vendor's Section 32 Statement

Property: 4 Evans Way, 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: 21354 Keir & Rossi (Sally)