



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

Instructions for completing this document

Words in *italics* are generally for instruction or information only.

Where marked "+" below, the authority of a person signing under a power of attorney, as a director of a corporation or as an agent authorized in writing must be added in the vendor or purchaser's name or signature box. A corporation's ACN or ABN should also be included

Delete as appropriate wherever an asterisk (*) appears. "Nil" may be written in any of the rectangular boxes if appropriate.

Additional information may be added to section 13 where there is insufficient space.

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.

Land

23 TATRA AVE MILBURN VIC. 3500 Being LOT 2 ON PLAN OF SUBDIVISION 065705 OF Being the whole of the land described in Certificate of TITLE VOLUME 8531 FOLIO 628

+ Vendor's name

DONICA LILA FOSTER

Date

24/4/18

+ Vendor's signature

[Handwritten signature]

+ Vendor's name

Date

/ /

+ Vendor's signature

+ Purchaser's name

Date

/ /

+ Purchaser's signature

+ Purchaser's name

Date

/ /

+ Purchaser's signature

Important information

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1. FINANCIAL MATTERS

1.1 Particulars of any Rates, Taxes, Charges or Other Similar Outgoings (and any interest on them)

(a) *Their total does not exceed:

OR

(b) *Are contained in the attached certificate/s.

OR

(c) *Their amounts are:

Authority	Amount	Interest (if any)
(1) Mildura Rural City Council (2017/2018)	(1) \$ 1,855.25	(1) \$
(2) Lower Murray Water - Per Quarter	(2) \$ 170.72 plus water by measure	(2) \$
(3)	(3) \$	(3) \$
(4)	(4) \$	(4) \$

(d) *There are NO amounts for which the purchaser may become liable as a consequence of the sale of which the vendor might reasonably be expected to have knowledge¹, which are not included in items 1.1 (a), (b) or (c) above; other than any amounts described in this rectangular box.

1.2 Particulars of any Charge (whether registered or not) imposed by or under any Act to secure an amount due under that Act, including the amount owing under the charge

\$ To

Other particulars (including dates and times of payment(s):

1.3 Terms Contract

This section 1.3 only applies if this vendor statement is in respect of a terms contract where the purchaser is obliged to make 2 or more payments (other than a deposit or final payment) to the vendor after the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land.

*Attached is a Law Institute of Victoria published "Additional Vendor Statement".

1.4 Sale Subject to Mortgage

This section 1.4 only applies if this vendor statement is in respect of a contract which provides that any mortgage (whether registered or unregistered), is NOT to be discharged before the purchaser becomes entitled to possession or receipts of rents and profits.

*Attached is a Law Institute of Victoria published "Additional Vendor Statement".

¹ Other than any GST payable in accordance with the contract.

2. INSURANCE

2.1 Damage and Destruction

This section 2.1 only applies if this vendor statement is in respect of a contract which does NOT provide for the land to remain at the risk of the vendor until the purchaser becomes entitled to possession or receipt of rents and profits.

(a) *Attached is a copy or extract of any policy of insurance in respect of any damage to or destruction of the land.

OR

(b) *Particulars of any such policy of insurance in respect of any damage to or destruction of the land are as follows:

Name of insurance company:	
Type of policy:	Policy no.:
Expiry date:	Amount insured:

2.2 Owner-Builder

This section 2.2 only applies where there is a residence on the land that was constructed by an owner-builder within the preceding 6 years and section 137B of the *Building Act 1993* applies to the residence.

(a) *Attached is a copy or extract of any policy of insurance required under the *Building Act 1993*.

OR

(b) *Particulars of any required insurance under the *Building Act 1993* are as follows:

Name of insurance company:	
Policy no.:	Expiry date:

Note: There may be additional legislative obligations in respect of the sale of land on which there is a building or on which building work has been carried out.

3. LAND USE

3.1 Easements, Covenants or Other Similar Restrictions

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

*Is in the attached copies of title document/s.

OR

*Is as follows:

--

(b) *Particulars of any existing failure to comply with that easement, covenant or other similar restriction are:

--

3.2 Road Access

*There is NO access to the property by road if the square box is marked with an "X"

3.3 Designated Bushfire Prone Area

*The land is in a designated bushfire prone area within the meaning of regulations made under the *Building Act 1993* if the square box is marked with an "X"

3.4 Planning Scheme

*Attached is a certificate with the required specified information.

OR

*The required specified information is as follows:

(a) Name of planning scheme

MILDURA.

(b) Name of responsible authority

MILDURA RURAL CITY COUNCIL

(c) Zoning of the land

GR Z

(d) Name of planning overlay

NONE

4. NOTICES

4.1 Notice, Order, Declaration, Report or Recommendation

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

*Are contained in the attached certificates and/or statements.

OR

*Are as follows:

4.2 Agricultural Chemicals

There are NO 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. However, if this is not the case, the details of any such notices, property management plans, reports or orders, are as follows:

4.3 Compulsory Acquisition

The particulars of any notices of intention to acquire that have been served under section 6 of the *Land Acquisition and Compensation Act 1986* are as follows:

5. BUILDING PERMITS

Particulars of any building permit issued under the *Building Act 1993* in the preceding 7 years (required only where there is a residence on the land):

*Are contained in the attached certificate.

OR

*Are as follows:

6. OWNERS CORPORATION

This section 6 only applies if the land is affected by an owners corporation within the meaning of the *Owners Corporations Act 2006*.

6.1 *Attached is a current owners corporation certificate with its required accompanying documents and statements, issued in accordance with section 151 of the *Owners Corporations Act 2006*.

OR

6.2 *Attached is the information prescribed for the purposes of section 151(4)(a) of the *Owners Corporations Act 2006* and the copy documents specified in section 151(4)(b)(i) and (iii) of that Act.

OR

6.3 *The owners corporation is an inactive owners corporation.²

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

Words and expressions in this section 7 have the same meaning as in Part 9B of the *Planning and Environment Act 1987*.

7.1 Work-in-Kind Agreement

This section 7.1 only applies if the land is subject to a work-in-kind agreement.

- (a) *The land is NOT to be transferred under the agreement unless the square box is marked with an "X"
- (b) *The land is NOT land on which works are to be carried out under the agreement (other than Crown land) unless the square box is marked with an "X"
- (c) *The land is NOT land in respect of which a GAIC is imposed unless the square box is marked with an "X"

7.2 GAIC Recording

This section 7.2 only applies if there is a GAIC recording.

Any of the following certificates or notices must be attached if there is a GAIC recording.

The accompanying boxes marked with an "X" indicate that such a certificate or notice that is attached:

- (a) *Any certificate of release from liability to pay a GAIC
- (b) *Any certificate of deferral of the liability to pay the whole or part of a GAIC
- (c) *Any certificate of exemption from liability to pay a GAIC
- (d) *Any certificate of staged payment approval
- (e) *Any certificate of no GAIC liability
- (f) *Any notice providing evidence of the grant of a reduction of the whole or part of the liability for a GAIC or an exemption from that liability
- (g) *A GAIC certificate issued under Part 9B of the *Planning and Environment Act 1987* must be attached if there is no certificate or notice issued under any of sub-sections 7.2 (a) to (f) above

8. SERVICES

The services which are marked with an "X" in the accompanying square box are NOT connected to the land:

Electricity supply Gas supply Water supply Sewerage Telephone services

²An inactive owners corporation includes one that in the previous 15 months has not held an annual general meeting, not fixed any fees and not held any insurance.

9. TITLE

Attached are copies of the following documents:

9.1 *(a) Registered Title

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

OR

*(b) General Law Title

The last conveyance in the chain of title or other document which gives evidence of the vendor's title to the land.

*9.2 Evidence of the vendor's right or power to sell (where the vendor is not the registered proprietor or the owner in fee simple).

10. SUBDIVISION

10.1 Unregistered subdivision

This section 10.1 only applies if the land is subject to a subdivision which is not registered.

(a) *Attached is a copy of the plan of subdivision certified by the relevant municipal council if the plan is not yet registered.

OR

(b) *Attached is a copy of the latest version of the plan if the plan of subdivision has not yet been certified.

10.2 Staged Subdivision

This section 10.2 only applies if the land is part of a staged subdivision within the meaning of section 37 of the *Subdivision Act 1988*.

(a) *Attached is a copy of the plan for the first stage if the land is in the second or a subsequent stage.

(b) The requirements in a statement of compliance relating to the stage in which the land is included that have not been complied with are as follows:

(c) The proposals relating to subsequent stages that are known to the vendor are as follows:

(d) The contents of any permit under the *Planning and Environment Act 1987* authorising the staged subdivision are:

10.3 Further Plan of Subdivision

This section 10.3 only applies if the land is subject to a subdivision in respect of which a further plan within the meaning of the *Subdivision Act 1988* is proposed.

(a) *Attached is a copy of the plan which has been certified by the relevant municipal council (if the later plan has not been registered).

OR

(b) *Attached is a copy of the latest version of the plan (if the later plan has not yet been certified).

11. *DISCLOSURE OF ENERGY EFFICIENCY INFORMATION

(Disclosure of this information is not required under section 32 of the Sale of Land Act 1962 but may be included in this vendor statement for convenience.)

Details of any energy efficiency information required to be disclosed regarding a disclosure affected building or disclosure area affected area of a building as defined by the *Building Energy Efficiency Disclosure Act 2010* (Cth)

- (a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and
- (b) which has a net lettable area of at least 2000m²; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the relevant date):

*Are contained in the attached building energy efficiency certificate.

OR

*Are as follows:

12. 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 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 with, or attached to, this vendor statement but the checklist may be attached as a matter of convenience.)

13. ATTACHMENTS

(Any certificates, documents and other attachments may be annexed to this section 13)

(Additional information may be added to this section 13 where there is insufficient space in any of the earlier sections)

(Attached is a Law Institute of Victoria published "Additional Vendor Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)



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

Page 1 of 1

VOLUME 08531 FOLIO 628

Security no : 124071322851Q
Produced 17/04/2018 07:32 am

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 065705.

PARENT TITLES :

Volume 06716 Folio 165 Volume 08488 Folio 176

Created by instrument LP065705 05/02/1965

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

DONICA LILA FOSTER of 17 DURHAM AVENUE MILDURA VIC 3500
AG289722V 13/01/2009

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AG289723T 13/01/2009
AUSTRALIA AND NEW ZEALAND BANKING GROUP LTD

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

DIAGRAM LOCATION

SEE LP065705 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: 23 TATRA AVENUE MILDURA VIC 3500

ADMINISTRATIVE NOTICES

NIL

eCT Control 16165A ANZ RETAIL AND SMALL BUSINESS
Effective from 23/10/2016

DOCUMENT END



Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Land Use Victoria.

Document Type	Plan
Document Identification	LP065705
Number of Pages (excluding this cover sheet)	3
Document Assembled	17/04/2018 07:49

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CERTIFICATE OF TITLE V. 6716 F. 165
8488 176
LODGED BY HILLARD, RICE AND GARDEY
DEALING No. _____ DATE 14 AUG 1964
DECLARED BY T.W. THOMSON 29.5.64.
CONSENT OF COUNCIL CITY OF

MILDURA
23.7.64

APPROVED
~~PLAN MAY BE LODGED~~ DATE 25.11.64 TIME 12.40

LP 65705
BACK OF SHEET 1

THE LAND COLOURED BLUE
IS APPROPRIATED
OR SET APART FOR
EASEMENTS OF DRAINAGE
AND SEWERAGE.

THE LAND COLOURED BROWN
IS APPROPRIATED
OR SET APART FOR
EASEMENTS OF WAY AND
DRAINAGE.
LOTS 1+07 are further
ENCUMBERED SEE

VOL. 6716 FOL. 165
8488 176

PARCELS INDEX

MILDURA 1



Mildura Rural City Council

"The Most Liveable, People Friendly Community in Australia"

A.B.N. 42 498 937 037

File: 35.2013.82.1
PA 6462
1 February 2013

Ms D L Foster
PO Box 3338
MILDURA VIC 3502

Dear Sir/Madam

**CANCELLATION OF BUILDING ORDER – MINOR WORKS:
23 TATRA AVENUE MILDURA 3500
LOT: 2 SEC: 32 BLK: D LP: 65705**

An inspection was undertaken at the above mentioned property on the 01/02/2013 regarding the Building Order Minor Works dated 21/01/2013.

Council would like to advise that the order has now been cancelled in accordance with Section 117 of the Building Act 1993 as the matter has been complied with.

Should you require any further information please contact me on ☎ 5018 8413.

Yours sincerely

**GARRY MCCOY
DELEGATE OF THE MUNICIPAL BUILDING SURVEYOR
MILDURA RURAL CITY COUNCIL**

Property Report from www.land.vic.gov.au on 12 March 2018 12:20 PM

Address: 23 TATRA AVENUE MILDURA 3500

Lot / Plan: Lot 2 LP65705

SPI (Standard Parcel Identifier): 2\LP65705

Local Government (Council): MILDURA **Council Property Number:** 6462

Directory Reference: VicRoads 535 O3

This property is not in a designated bushfire prone area.

No special bushfire construction requirements apply. Planning provisions may apply.

Further information about the building control system and building in bushfire prone areas can be found in the Building Commission section of the Victorian Building Authority website www.vba.vic.gov.au

Parcel Details

Lot/Plan or Crown Description	SPI
Lot 2 LP65705	2\LP65705

State Electorates

Legislative Council: NORTHERN VICTORIA

Legislative Assembly: MILDURA

Utilities

Regional Urban Water Business: First Mildura Irrigation Trust

Rural Water Business: Lower Murray Urban and Rural Water

Melbourne Water: outside drainage boundary

Power Distributor: POWERCOR (Information about [choosing an electricity retailer](#))

Planning Zone Summary

Planning Zone: [GENERAL RESIDENTIAL ZONE \(GRZ\)](#)

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

Planning Overlay: None

Further Planning Information

Planning scheme data last updated on 6 March 2018.

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, local, particular and general provisions of the local planning scheme that may affect

the use of the land can be obtained by contacting the local council or by visiting [Planning Schemes Online](#)

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

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

To obtain a **Planning Certificate** go to [Titles and Property Certificates](#)

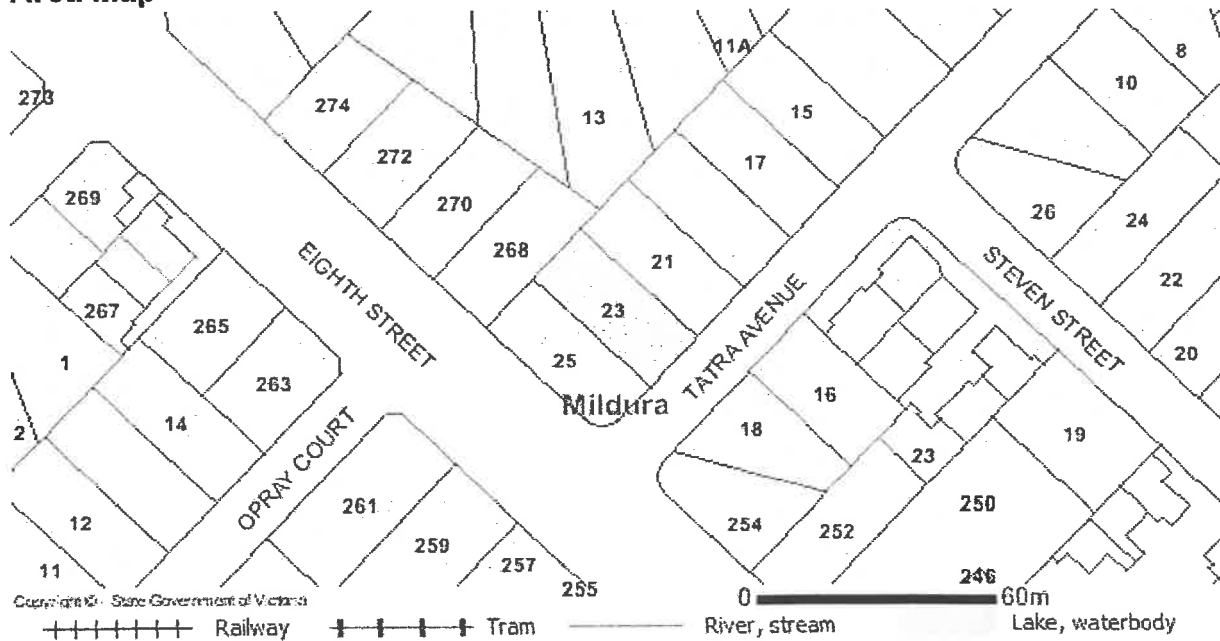
The Planning Property Report includes separate maps of zones and overlays

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

To view planning zones, overlay and heritage information in an interactive format visit [Planning Maps Online](#)

For other information about planning in Victoria visit www.planning.vic.gov.au

Area Map
























































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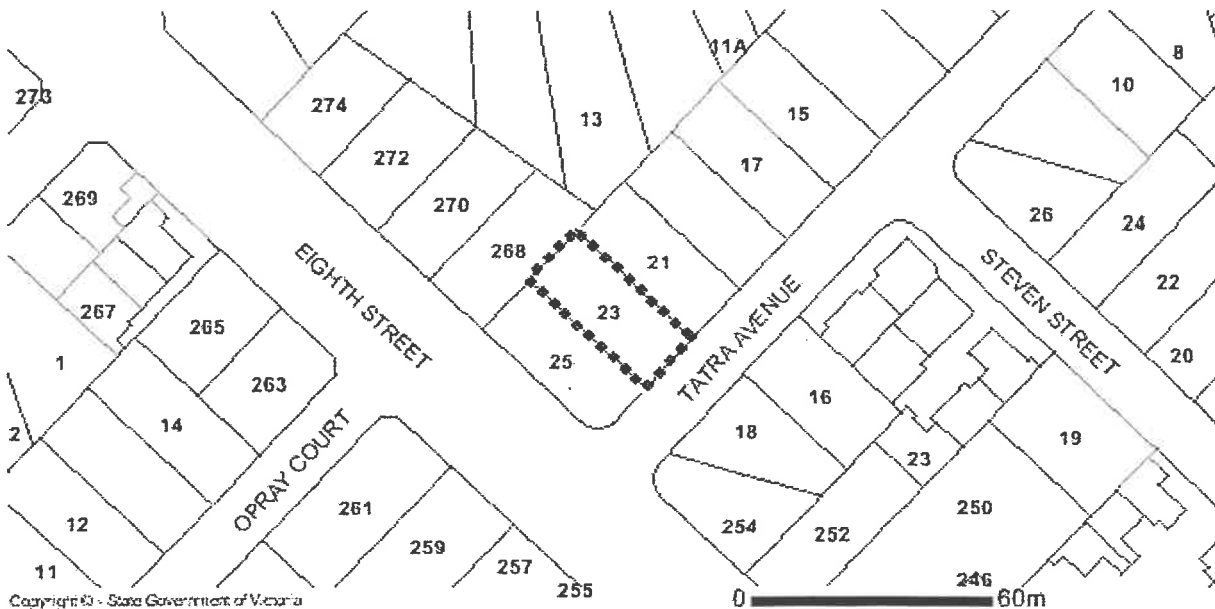
Environment,
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Zones Legend

	ACZ - Activity Centre		IN1Z - Industrial 1		R1Z - General Residential
	B1Z - Commercial 1		IN2Z - Industrial 2		R2Z - General Residential
	B2Z - Commercial 1		IN3Z - Industrial 3		R3Z - General Residential
	B3Z - Commercial 2		LDRZ - Low Density Residential		RAZ - Rural Activity
	B4Z - Commercial 2		MUZ - Mixed Use		RCZ - Rural Conservation
	B5Z - Commercial 1		NRZ - Neighbourhood Residential		RDZ1 - Road - Category 1
	C1Z - Commercial 1		PCRZ - Public Conservation & Resource		RDZ2 - Road - Category 2
	C2Z - Commercial 2		PDZ - Priority Development		RGZ - Residential Growth
	CA - Commonwealth Land		PPRZ - Public Park & Recreation		RLZ - Rural Living
	CCZ - Capital City		PUZ1 - Public Use - Service & Utility		RUZ - Rural
	CDZ - Comprehensive Development		PUZ2 - Public Use - Education		SUZ - Special Use
	DZ - Dockland		PUZ3 - Public Use - Health Community		TZ - Township
	ERZ - Environmental Rural		PUZ4 - Public Use - Transport		UFZ - Urban Floodway
	FZ - Farming		PUZ5 - Public Use - Cemetery/Crematorium		UGZ - Urban Growth
	GRZ - General Residential		PUZ6 - Public Use - Local Government		
	GWAZ - Green Wedge A		PUZ7 - Public Use - Other Public Use		
	GWZ - Green Wedge		PZ - Port		
					Urban Growth Boundary
	Railway		Tram		River, stream
					Lake, waterbody

Planning Overlay

None affecting this land



Overlays Legend

	AEO - Airport Environs		IPO - Incorporated Plan
	BMO - Bushfire Management		LSIO - Land Subject to Inundation
	CLPO - City Link Project		MAEO1 - Melbourne Airport Environs 1
	DCPD - Development Contributions Plan		MAEO2 - Melbourne Airport Environs 2
	DDO - Design & Development		NCO - Neighbourhood Character
	DDOPT - Design & Development Part		PO - Parking
	DPO - Development Plan		PAO - Public Acquisition
	EAO - Environmental Audit		RO - Restructure
	EMO - Erosion Management		RCO - Road Closure
	ESO - Environmental Significance		SBO - Special Building
	FO - Floodway		SLQ - Significant Landscape
	HO - Heritage		SMO - Salinity Management
	ICPO - Infrastructure Contributions Plan		SRO - State Resource
			VPO - Vegetation Protection
	Railway		Tram
	River, stream		Lake, waterbody

Note: due to overlaps some colours may not match those in the legend.

Further Planning Information

Planning scheme data last updated on 6 March 2018.

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, local, particular and general provisions of the local planning scheme that may affect the use of the land can be obtained by contacting the local council or by visiting [Planning Schemes Online](#)

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

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To obtain a **Planning Certificate** go to [Titles and Property Certificates](#)

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

To view planning zones, overlay and heritage information in an interactive format visit [Planning Maps Online](#)

For other information about planning in Victoria visit www.planning.vic.gov.au

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Bushfire Prone Area Report

From www.planning.vic.gov.au on 12 March 2018 12:22 PM

Address: 23 TATRA AVENUE MILDURA 3500

Lot / Plan: Lot 2 LP65705

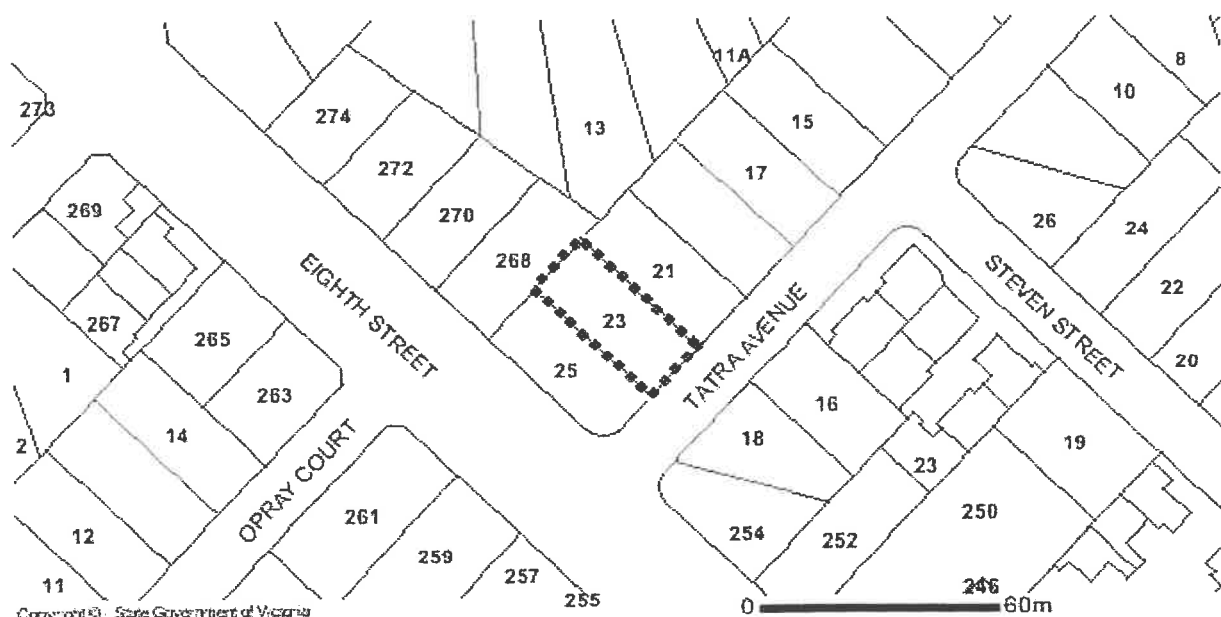
Local Government (Council): MILDURA **Council Property Number:** 6462

Directory Reference: VicRoads 535 O3

This property is not in a designated bushfire prone area.

No special bushfire construction requirements apply. Planning provisions may apply.

Designated Bushfire Prone Area Map



Bushfire Prone Area Legend

+++++	Railway	—+—+—+—+—	Tram	—————	River, stream	□	Selected Land	□	Lake, waterbody
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Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011,

as amended by gazette notices on 25 October 2012, 8 August 2013, 30 December 2013, 3 June 2014, 22 October 2014,

29 August 2015, 21 April 2016, 18 October 2016, 2 June 2017 and 6 November 2017.

The Building Interim Regulations 2017 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 via the Bushfire Prone Areas Map Service at <http://services.land.vic.gov.au/maps/bushfire.jsp> 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 in the Building Commission section of the Victorian Building Authority website www.vba.vic.gov.au

Copies of the Building Act and Building Regulations are available from www.legislation.vic.gov.au

For Planning Scheme Provisions in bushfire areas in Victoria visit [Planning Schemes Online](#)

For Planning Scheme provisions for this property return to the GetReports list and select the Planning Property Report

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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 32(2)(dc) of the Sale of Land 1962 (Vic).

Due diligence checklist

What you need to know before buying a residential property

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

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.

