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.

Land	26 Elizabeth Street, Traralgon 3844	
Vendor's name	Jamie Francis O'Neill	**Date** 21/5/21
Vendor's signature	J O'Neill	
Purchaser's name		**Date** / /
Purchaser's signature		
Purchaser's name		**Date** / /
Purchaser's signature		

1. FINANCIAL MATTERS

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

(a) Are contained in the attached certificate/s.

All outgoings will be adjusted between the parties at the time of settlement. Services may be disconnected at or prior to settlement. Purchaser will be responsible for any reconnection fees which may be incurred.

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 payments):

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.

Not Applicable.

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.

Not Applicable.

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.

Not Applicable.

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.

Not Applicable.

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 documents.

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

To the best of the vendors knowledge there is no existing failure to comply with the terms of any easement, covenant or other similar restriction.

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.

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:

Not Applicable.

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:

Nil.

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:

Nil.

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):

Not Applicable.

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.

Not Applicable.

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

Not applicable.

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 ☒

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.

10. SUBDIVISION

10.1 **Unregistered Subdivision**

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

Not Applicable.

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.

Not Applicable.

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.

Not Applicable.

11. DISCLOSURE OF ENERGY 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):

Not Applicable.

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.)

Is attached.

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 an "Additional Vendor Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)

1. GST Withholding – Supplier Notification
2. Copy Title – Volume 7772 Folio 086
3. Copy Plan – LP022117
4. Planning Property Report
5. Due Diligence
6. Copy Rate Notice - Latrobe City Council
7. Copy Water Rates Notice - Gippsland Water

GST WITHHOLDING – SUPPLIER NOTIFICATION

This notice contains information to assist a purchaser comply with its GST Withholding obligations.

To :	The Purchaser
Property :	Lot 17 Plan 022117 being Volume 7772 Folio 086
	26 Elizabeth Street, Traralgon
From :	Jamie Francis O'Neill
Of :	26 Elizabeth Street, Traralgon, VIC 3844

Select

☒ **PART ONE**

1. The purchaser is given notice it is not required to make a GST Withholding Payment at Settlement of the property as:

   (a) the Vendor is not registered or required to be registered for GST ; and/or
   (b) the property comprises existing residential premises.

☐ **PART TWO**

(complete only if the property comprises *new residential or potential new residential land. If this applies please seek confirmatory advice from your accountant*)

2. The purchaser is given notice that it is required to make a GST Withholding Payment at Settlement of the property as the Vendor is registered for GST and the property comprises new residential or potential new residential land.

GST WITHHOLDING PAYMENT DETAILS (where applicable)

Supplier's Name :	Jamie Francis O'Neill
ABN :	
Amount to be withheld :	$
	(and being 7% of the consideration where the supply is made under the margin scheme or 1/11 otherwise)
Due	At Settlement (unless terms contract)

Signed by or on behalf of the Vendor

.....

Jamie Francis O'Neill

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

VOLUME 07772 FOLIO 086 Security no : 124089916990U
Produced 14/05/2021 04:17 PM

LAND DESCRIPTION

Lot 17 on Plan of Subdivision 022117.
PARENT TITLE Volume 07661 Folio 012
Created by instrument 5149132R 07/11/1951

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
JAMIE FRANCIS O'NEILL of 26 ELIZABETH STREET TRARALGON VIC 3844
AD823841P 19/08/2005

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE LP022117 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: 26 ELIZABETH STREET TRARALGON VIC 3844

DOCUMENT END

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PLAN OF SUBDIVISION

OF PART OF CROWN ALLOTMENT 44
PARISH OF TRARALGON

COUNTY OF BULN BULN

V3109 F708
V3122 F320

Measurements are in Feet & Inches
Conversion Factor
FEET X 0.3048 = METRES

LP 22117

EDITION 2
PLAN MAY BE LODGED
20-9-51

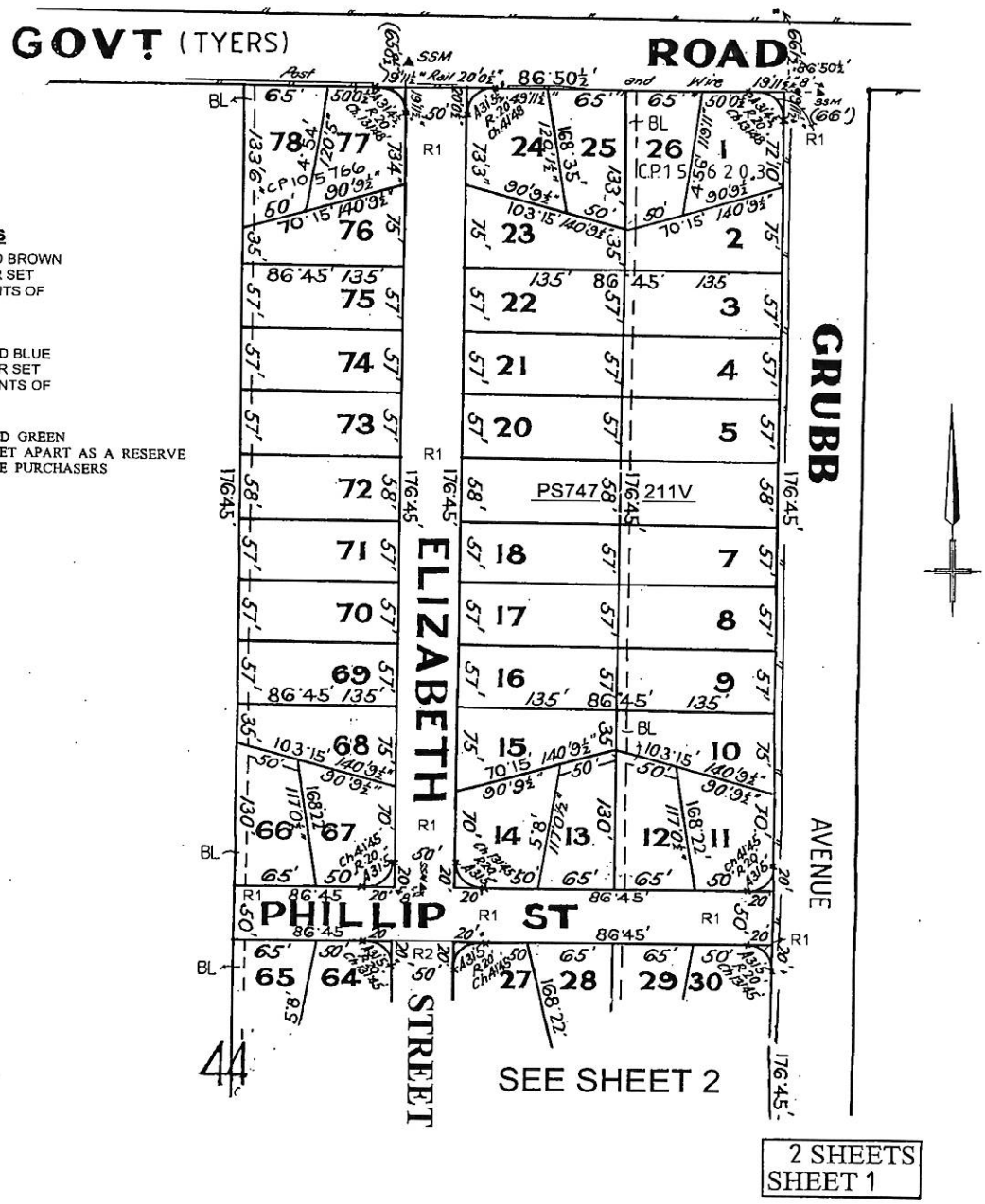
COLOUR CODE
BL=BLUE G=GREEN
R1 & R2 = BROWN P=PURPLE
Y=YELLOW R=RED
H=HATCH CH=CROSS HATCH

APPROPRIATIONS

THE LAND COLOURED BROWN IS APPROPRIATED OR SET APART FOR EASEMENTS OF WAY AND DRAINAGE

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

THE LAND COLOURED GREEN APPROPRIATED OR SET APART AS A RESERVE FOR THE USE OF THE PURCHASERS



2 SHEETS
SHEET 1

WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.
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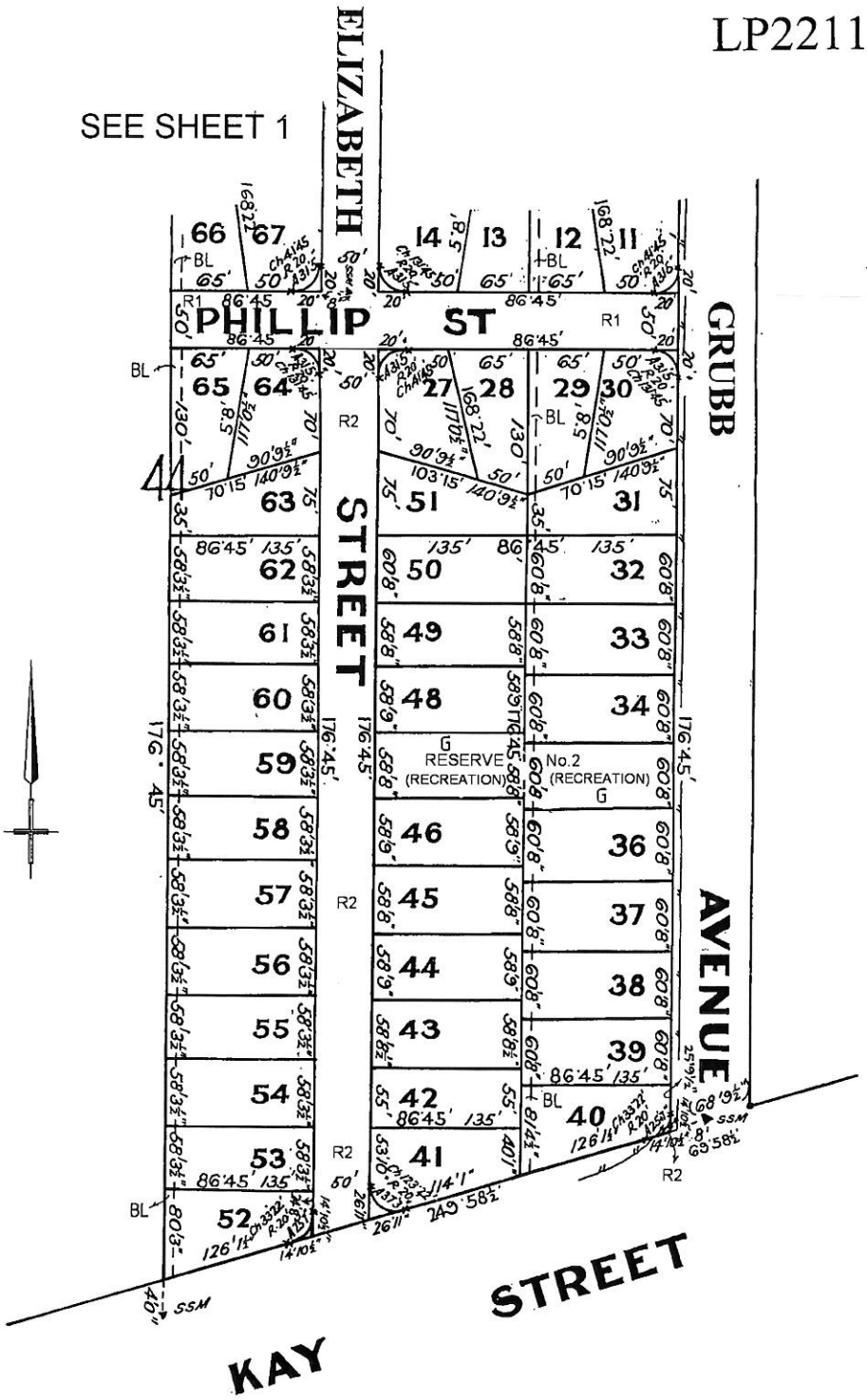
Delivered by LANDATA®, timestamp 14/05/2021 16:17 Page 2 of 3

LP22117

SEE SHEET 1



2 SHEETS
SHEET 2

MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

PLAN NUMBER

LP22117

WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.
NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.

AFFECTED LAND/PARCEL	LAND/PARCEL IDENTIFIER CREATED	MODIFICATION	DEALING NUMBER	DATE	EDITION NUMBER	ASSISTANT REGISTRAR OF TITLES
RES. NO. 1	LOTS 1 & 2	REMOVAL OF RESERVE STATUS	PS747211V	05/07/17	2	D.P.

Valuation and Rates Notice

For the period 1 July 2020 to 30 June 2021

ABN: 92 472 314 133

B Rat
30/9/20 8:14pm

034 23945

Mr J F O'Neill
26 Elizabeth St
TRARALGON VIC 3844

Assessment number: 251587
Issue date: 31/08/2020

Property: 26 Elizabeth Street, TRARALGON VIC 3844

Description: L 17 LP 22117
AVPCC: 110 - Detached Home
(see reverse)

Capital Improved Value (CIV): $390,000
Valuation date: 01/01/2020
Effective as at: 01/07/2020

Arrears, immediate charges and payments

Arrears	$579.75
Payments since 1 July 2020	-$575.05

Council rates and charges

General Rates Residential (0.00450056 x CIV)	$1,755.20
Municipal Charge	$140.00
Garbage Charge (Rubbish x1, Recycling x1, Green Waste x1)	$352.00

State government charges

Fire Service Property Levy - Residential (0.000054 x CIV)	$21.05
Fire Services Property Levy Fixed Charge	$113.00
EPA Victoria Landfill Levy (0.000118 x CIV)	$23.00

Total outstanding $2,408.95

Your payment options:

Pay by instalment

Instalment 1 Due: 30 Sept 2020	$605.80
Instalment 2 Due: 30 Nov 2020	$601.05
Instalment 3 Due: 28 Feb 2021	$601.05
Instalment 4 Due: 31 May 2021	$601.05

OR

Full payment for 2020-21 rate period

Due date: 15 February 2021 $2,408.95

L023945 048719 #77053

Payments made on or after 13 August 2020 may not be included

☐ **Full payment:** $2,408.95
☐ **Instalment:** $605.80

Assessment number: 251587
Property: 26 Elizabeth Street, TRARALGON VIC 3844

BPAY Biller Code: 6072 Ref: 251587

Pay 24 hours a day by phone or internet, direct from your bank account or via BPAY View.

Post Billpay Biller Code: 0359 Ref: 251587

Pay 24 hours a day by credit card:
Online: www.auspost.com.au/postbillpay
Phone: 13 18 16

*359 251587

Council Use Only

Direct debit

To arrange regular deductions, including weekly, fortnightly or monthly, from your bank account. Visit www.latrobe.vic.gov.au/directdebit or call 1300 367 700 to obtain a direct debit form.

In person

At any Latrobe City Service Centre or Library, (locations on reverse) or Australia Post outlet.

Mail

Detach this slip and send with payment to: Latrobe City Council PO BOX 264, Morwell VIC 3840.

Centrepay

To arrange regular deductions from your Centrelink payment, please use your Centrelink online account, Express Plus Centrelink mobile app or you can contact Centrelink in person or by phone and quote reference number (CRN): 555 070 553H.

You now have a choice
...receive your rates notice by email.
Visit: **https://erates.latrobe.vic.gov.au**
See the rates brochure for more details.

More information overpage

GIPPSLAND WATER

55 Hazelwood Road, PO Box 348, Traralgon Vic 3844 ABN 75 830 750 413

Customer Enquiries 1800 050 500
Customers outside Victoria (03) 5177 4600
Service Faults 24hrs 1800 057 057
Email: contactus@gippswater.com.au
Website: www.gippswater.com.au

J O'Neill
26 Elizabeth St
TRARALGON VIC 3844

034
I000672
R1_1379

Account Number: 0012812402

Amount Due:
Current Charges Pay By: **Credit balance Payment not required**

Invoices are issued 3 times per year.
Approximate next meter reading:
10/05/2021

Account Summary

26 Elizabeth St Traralgon Vic 3844

Tax invoice number	5797453
Service charge period	01/11/2020 to 28/02/2021
Meter read period	08/09/2020 to 12/01/2021

Water Usage Treated *(Refer to back of account)*	**$139.91**
Water Service Charge *(Water treatment and supply)*	**$58.62**
Wastewater Service Charge *(Sewerage treatment and disposal charge)*	**$269.32**
TOTAL CURRENT CHARGES	**$467.85**
Total account	**$467.85**
Total price includes GST of	**$0.00**

**Indicates taxable supply*

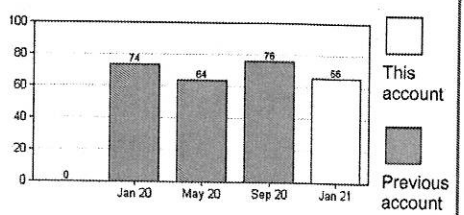
Payment Summary

Last account	$9.85CR
Balance Due	$585.85CR
Current Charges	$467.85
CREDIT BALANCE	**$118.00CR**
Total includes GST	$0.00

Payments made on or after 13/01/2021 will not be shown on this account.

Compare Your Usage

KILOLITRES PER BILLING PERIOD



THIS ACCOUNT

Average daily water usage	**0.5238 kL/day**
Average cost for water usage	**$1.11/day**

Your Charges Explained

WATER USAGE: The charge for the amount of water used at the property as recorded by the water meter.

WATER SERVICE AND WASTEWATER SERVICE: The charges for Gippsland Water to maintain water quality, to undertake maintenance and construction of water and wastewater mains, and responsibly dispose of the wastewater from your property with the exception of properties serviced by septic tank systems.

Payment Assistance

We understand there are times customers have difficulty in meeting bill payment. Our Customer Care Program is designed to assist you at such times. Please call **1800 050 500** and speak to our Customer Contact team.We look forward to assisting you.

Payment Slip

* 368 00128124027

J O'Neill

Please note: account is currently in credit, no payment required.

Account Number:	0012812402
Tax Invoice Number:	5797453
Date of Issue:	13/01/2021
Current Charges Pay By:	10/02/2021

Property Report from www.land.vic.gov.au on 14 May 2021 04:31 PM

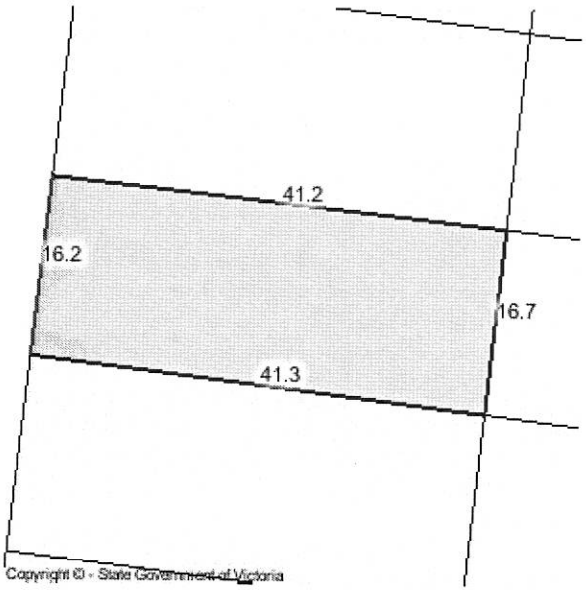
Address: 26 ELIZABETH STREET TRARALGON 3844
Lot and Plan Number: Lot 17 LP22117
Standard Parcel Identifier (SPI): 17\LP22117
Local Government (Council): LATROBE **Council Property Number:** 25158
Directory Reference: VicRoads 696 D5

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

Site Dimensions

All dimensions and areas are approximate. They may not agree with the values shown on a title or plan.



Area: 678 sq. m
Perimeter: 115 m

For this property:
Site boundaries
Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available.

For more accurate dimensions get copy of plan at **Title and Property Certificates**

State Electorates

Legislative Council: EASTERN VICTORIA
Legislative Assembly: MORWELL

Utilities

Rural Water Corporation: Southern Rural Water
Urban Water Corporation: Gippsland Water
Melbourne Water: outside drainage boundary
Power Distributor: AUSNET (Information about choosing an electricity retailer)

Planning information continued on next page

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Planning Zone Summary

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

Planning Overlay: DESIGN AND DEVELOPMENT OVERLAY (DDO)
DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 10 (DDO10)

Planning scheme data last updated on 12 May 2021.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.
This report provides information about the zone and overlay provisions that apply to the selected land.
Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting Planning Schemes Online

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the *Planning and Environment Act 1987.*
It does not include information about exhibited planning scheme amendments, or zonings that may abut the land.
To obtain a Planning Certificate go to Titles and Property Certificates

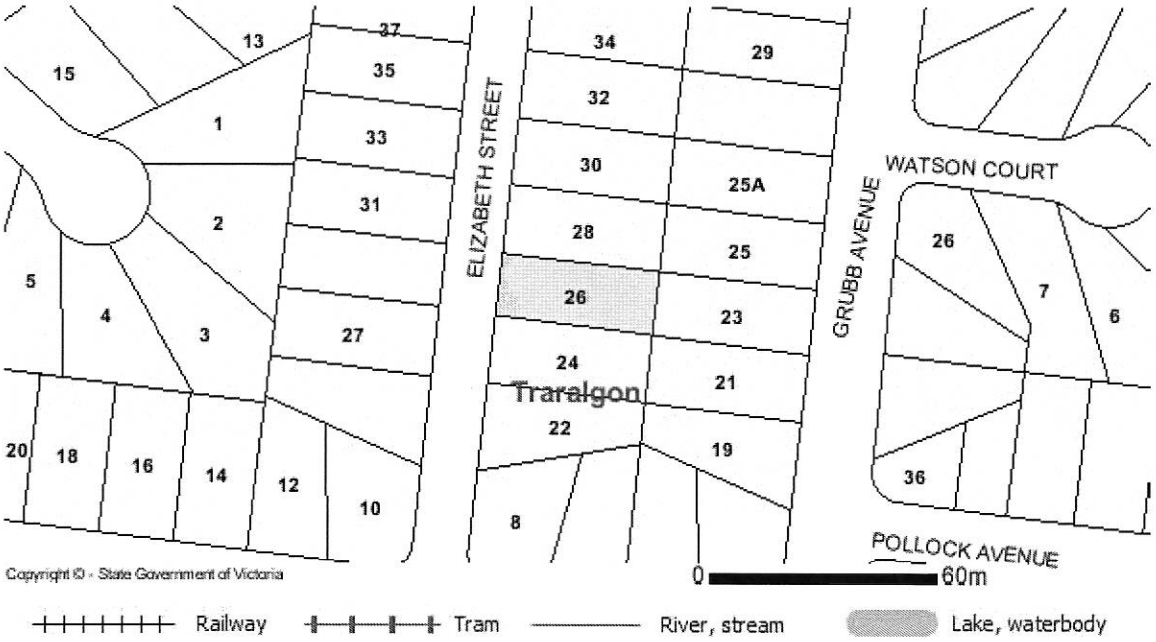
The Planning Property Report includes separate maps of zones and overlays

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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PLANNING PROPERTY REPORT

VICTORIA State Government | Environment, Land, Water and Planning

From www.planning.vic.gov.au on 14 May 2021 04:32 PM

PROPERTY DETAILS

Address:	**26 ELIZABETH STREET TRARALGON 3844**	
Lot and Plan Number:	**Lot 17 LP22117**	
Standard Parcel Identifier (SPI):	**17\LP22117**	
Local Government Area (Council):	**LATROBE**	www.latrobe.vic.gov.au
Council Property Number:	**25158**	
Planning Scheme:	**Latrobe**	planning-schemes.delwp.vic.gov.au/schemes/latrobe
Directory Reference:	**VicRoads 696 D5**	

UTILITIES

Rural Water Corporation:	**Southern Rural Water**
Urban Water Corporation:	**Gippsland Water**
Melbourne Water:	**outside drainage boundary**
Power Distributor:	**AUSNET**

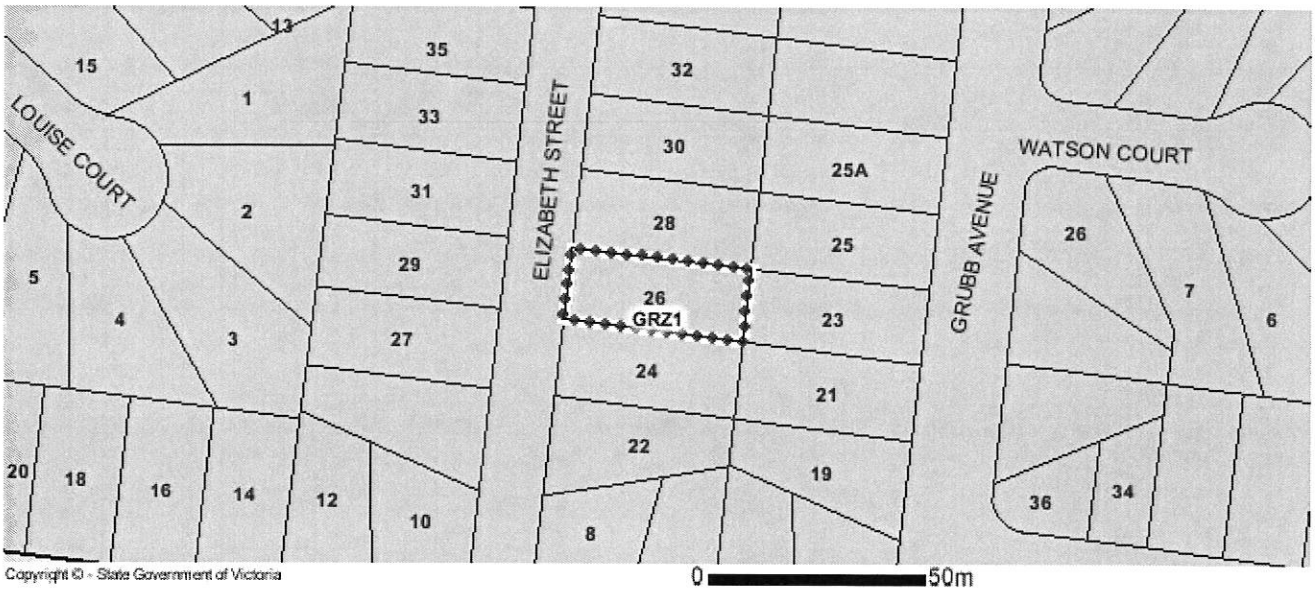
STATE ELECTORATES

Legislative Council:	**EASTERN VICTORIA**
Legislative Assembly:	**MORWELL**

Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ)

GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)



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GRZ - General Residential

NRZ - Neighbourhood Residential

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

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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

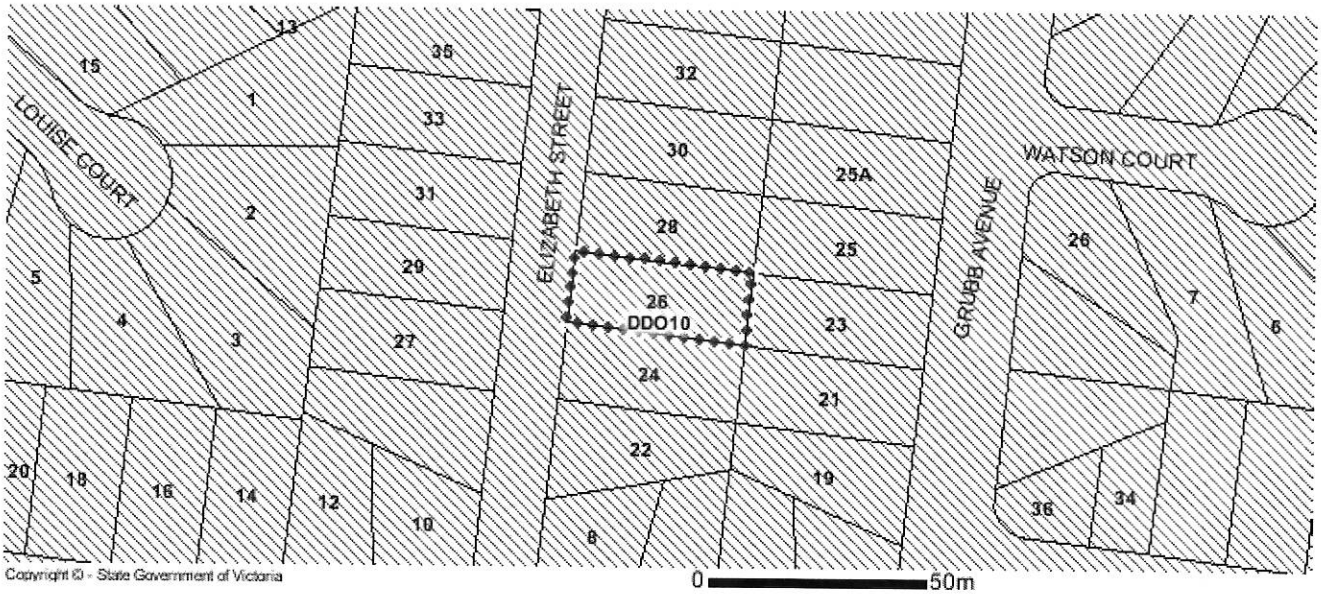
PLANNING PROPERTY REPORT

Environment, Land, Water and Planning

Planning Overlay

DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 10 (DDO10)



DDO - Design and Development

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 12 May 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 abut 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

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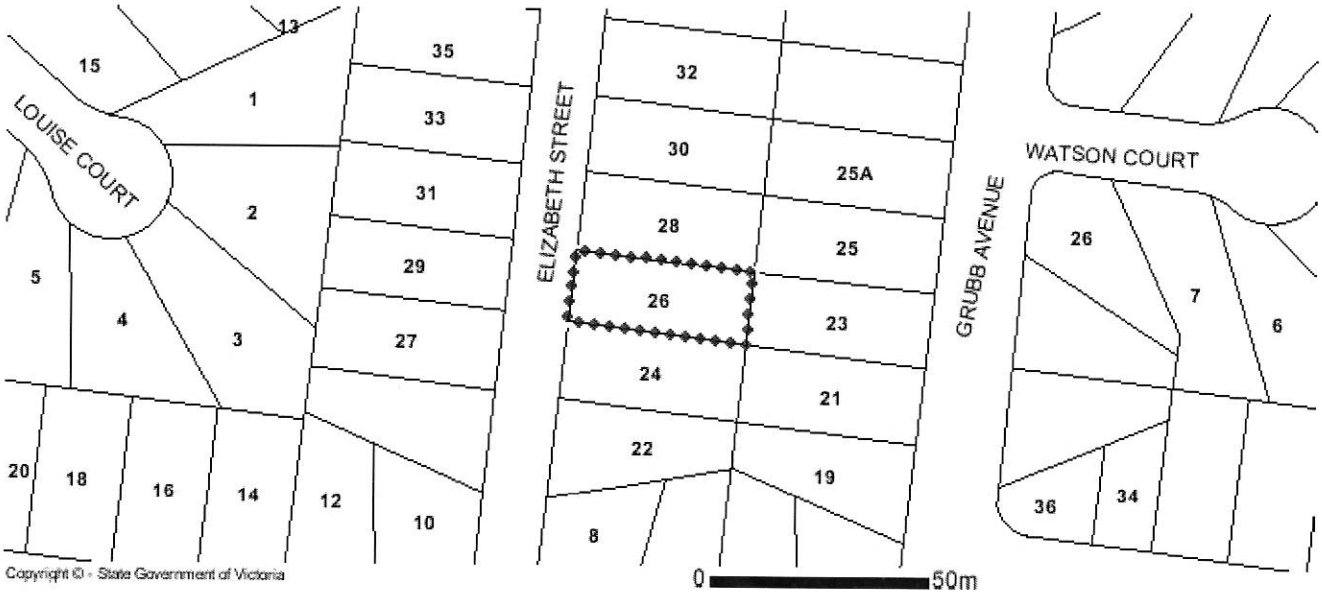
PLANNING PROPERTY REPORT

Environment, Land, Water and Planning

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 Area

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

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

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

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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

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 (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.

(04/10/2016)

CONSUMER AFFAIRS VICTORIA

DATED 2021

JAMIE FRANCIS O'NEILL

VENDORS STATEMENT

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