VENDOR STATEMENT

TO THE PURCHASER OF REAL ESTATE PURSUANT TO SECTION 32 OF THE SALE OF LAND ACT 1962 (VIC) ("the Act")

as at 1 October 2014

LAND	**Lots 1 & 2 on Title Plan 740693X being the land contained in Certificate of Title volume 8144 Folio 622 and known as 111-113 Lemon Avenue, Mildura 3500**

The vendor makes this statement in respect of the land in accordance with section 32 of the *Sale of Land Act* 1962.

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

VENDOR	**DEBORAH LEE MARTIN as Executor of the Estate of Valda Joan Hartley**

Signature of the Vendor

Deborah Martin

DATE OF THIS STATEMENT 11 / 2 /2021

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

PURCHASER

Signature of the Purchaser

DATE OF ACKNOWLEDGEMENT / /20__

1. FINANCIAL MATTERS

1.1 Land subject to a mortgage

Not Applicable

1.2 Any Charge

Not Applicable

1.3 Rates, taxes, charges or other similar outgoings

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

(a) Their total does not exceed $3,500.00

(b) Their amounts are as follows:

	Authority	Amount	Interest (if any)
(1)	Mildura Rural City Council	See attached	
(2)	Lower Murray Water	See attached	

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

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

(ii) Water consumption

1.4 Terms Contract

Not Applicable

2. INSURANCE DETAILS

2.1 Damage and destruction

Not applicable

2.2 Owner-Builder

Not applicable

3. LAND USE

3.1 Easement, covenant or other similar restriction affecting the land

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

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

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

---

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

3.2 Designated bushfire prone area

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

3.3 Road access

There is access to the property by road.

3.4 Planning scheme

(a) The required specified information is as follows:

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

4. NOTICES

4.1 Notice, order, declaration, report or recommendation

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

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

4.2 Agricultural purposes

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.

4.3 Land acquisition

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

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

5. BUILDING PERMITS

Not applicable

6. OWNERS CORPORATION

Not applicable

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

8. SERVICES

The following services are not connected to the land:

☐ electricity supply

☒ gas supply

☐ water supply

☐ sewerage

☒ telephone services

9. TITLE

Copies of the following documents are attached:

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

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

10. SUBDIVISION

Not applicable

11. DISCLOSURE OF ENERGY INFORMATION

Not applicable

12. DUE DILIGENCE CHECKLIST

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

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

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

VOLUME 08144 FOLIO 622

Security no : 124087630270K
Produced 19/01/2021 03:56 PM

LAND DESCRIPTION

Lots 1 and 2 on Title Plan 740693X.
PARENT TITLE Volume 03818 Folio 492
Created by instrument A224301 19/09/1956

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
DEBORAH LEE MARTIN of 37 WOOD STREET GOL GOL NSW 2738 Executor(s) of VALDA JOAN HARTLEY deceased
AT959753M 19/01/2021

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 set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP740693X FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NUMBER		STATUS	DATE
AT959749C (E)	CONV PCT & NOM ECT TO LC	Completed	19/01/2021
AT959753M (E)	TRANSMISSION APPLICATION	Registered	19/01/2021

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

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

ADMINISTRATIVE NOTICES

NIL

eCT Control 19747K MALONEY ANDERSON LEGAL
Effective from 19/01/2021

DOCUMENT END

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TITLE PLAN

EDITION 1

TP740693X

LOCATION OF LAND

Parish: MILDURA
Township: -
Section: -
Crown Allotment: -
Crown Portion: 1 (PT)

Last Plan Reference: LP 2144
Derived From: VOL. 8144 FOL. 622
Depth Limitation: NIL

Notations

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land/Easement Information

ENCUMBRANCES

THE RESERVATIONS AND CONDITIONS

contained in Instrument of ----

Transfer No.350481 in the -----

Register Book - - - - - - - - -

THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES

COMPILED: Date: 23-10-06
VERIFIED: A. DALLAS
Assistant Registar of Titles

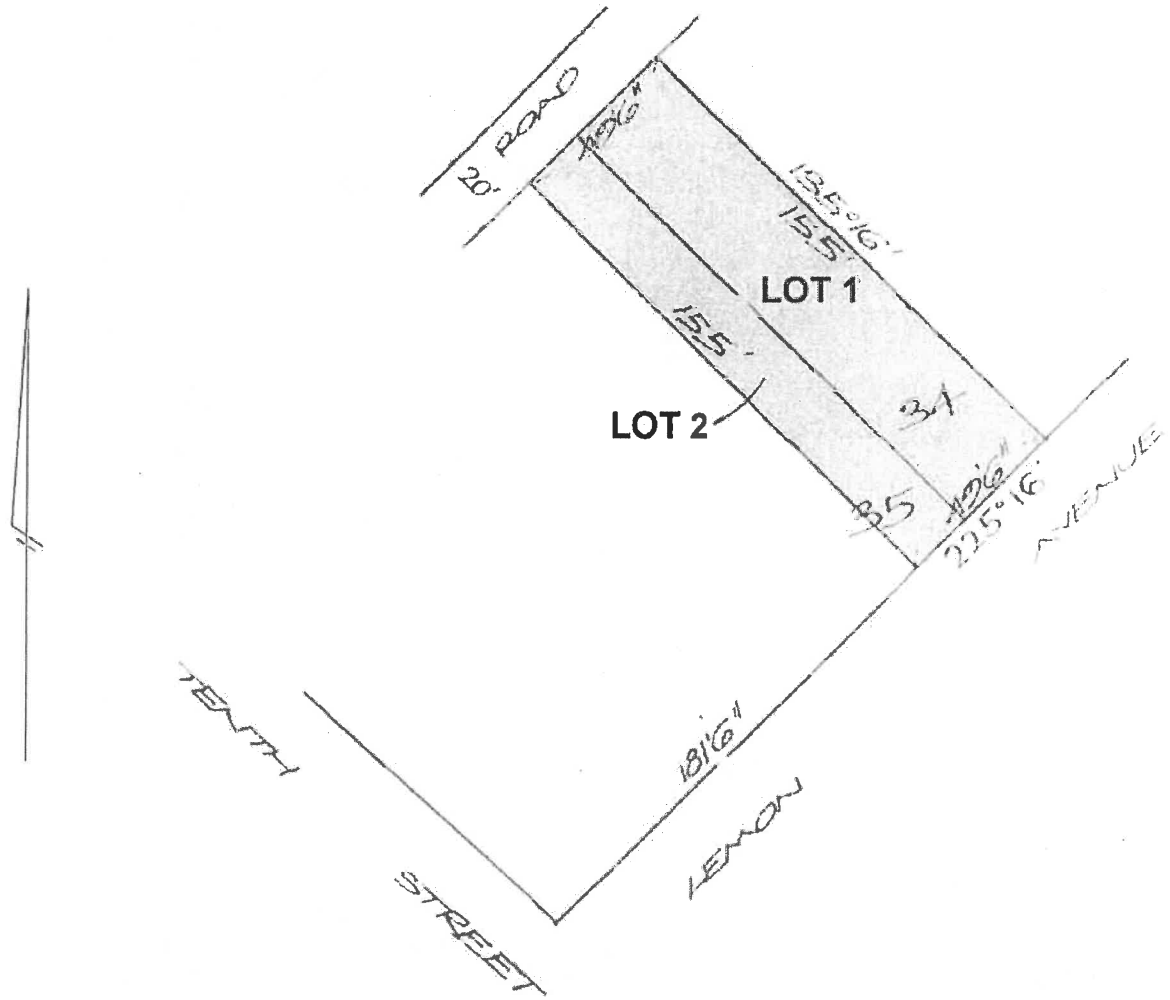

TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
LOT 1 = LOT 34 BLOCK D SECTION 52 ON LP 2144 LOT 2 = LOT 35 (PT) BLOCK D SECTION 52 ON LP 2144

LENGTHS ARE IN FEET AND INCHES	Metres = 0.3048 Feet Metres = 0.201168 x Links		Sheet 1 of 1 Sheets

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765326

TO THE REGISTRAR OF TITLES
PLEASE REGISTER THIS TRANSFER.

B.

CHAFFEY BROS. LIMITED.

D350481-1-5

350481

MICROFILMED

Freehold

VICTORIA.

OFFICE OF TITLES VICTORIA 21 AUG 1894

Transfer of Land.

OFFICE OF TITLES VICTORIA 30 AUG 1894

We, GEORGE CHAFFEY and WILLIAM BENJAMIN CHAFFEY, of Melbourne and Mildura in the Colony of Victoria Irrigationists being registered as the proprietors of an Estate in fee simple in the land hereinafter described subject to the encumbrances notified hereunder in consideration of the sum of Four hundred and sixty pounds

paid to us by Thomas Hale Woodroffe of Yarra Street South Yarra in the said Colony Engineer

do hereby transfer to the said Thomas Hale Woodroffe

All our estate and interest in All that piece of Town land being Lots more particularly set forth in the schedule on the third page hereof

of section of Block D of Crown portion one

parish of Mildura County of Karkaroo delineated on the plan of subdivision lodged at the Office of Titles Numbered 2444 TOGETHER with a sufficient water right to be held with and run with the said land as a perpetual easement within the intent of and as required by the condition in that behalf contained in the Crown Grant to us Volume 2640 Folio 409 & 410

please see sheet

Reserving unto us our executors administrators transferees and assigns the full and free right and liberty to and for us and them and our and their servants agents and workmen at all times hereafter without any cost or expense to enter into and upon the said land and to dig cut and excavate the same and make lay or construct therein or therein reservoirs embankments dams watercourses channels races aqueducts drains culverts flumes levels mains water pipes stop cocks stand pipes meters fire plugs connection or service pipes or other water works or apparatus connected therewith and also to repair maintain alter cut off or remove any such water works or apparatus so made laid or constructed or replace them with others but so that any such Act shall not prejudice the water right hereinbefore assured and also to go pass and repass for all the purposes aforesaid either with or without horses or other animals carts or other carriages through over and along the said land.

Provided Always and this transfer is made on the special condition that the said Thomas Hale Woodroffe his executors administrators transferees or assigns will at his or their own expense forthwith destroy and keep the said land free from all vermin, noxious insects, scale bugs, Bathurst burr, wild briar and gorse.

35048

And Whereas a Company has been formed and incorporated under "The Companies Statute 1864" under the style of "THE MILDURA IRRIGATION COMPANY LIMITED" having as one of its objects the securing to the members thereof who shall be holders of any parcel or parcels of the Two hundred and fifty thousand acres known as the Mildura lands (which include the land comprised in this transfer) a sufficient water right to be held with and run with such parcel or parcels as a perpetual easement within the intent of the said condition in that behalf contained in the said Crown Grant and shares fully paid up in the said Company are now held in respect of the said land together with other land contiguous thereto standing in the Register book of the said Company in the names of Trustees duly appointed for that purpose under the provision in the Articles of Association of the said Company relating to any of the said Mildura Lands proclaimed and set apart as town allotments. The said Company doth in evidence thereof hereto affix its seal.

Dated this Twenty-seventh day of August One thousand eight hundred and ninety

Signed by the said GEORGE CHAFFEY and by the said WILLIAM BENJAMIN CHAFFEY by his Attorney GEORGE CHAFFEY in the presence of

Geo Chaffey
W B Chaffey
by his Atty Geo Chaffey

Signed by the said Thomas Hale Woodroffe in the presence of

T H Woodroffe

C Bradbury

THE MILDURA IRRIGATION COMPANY LIMITED" has hereunto affixed its Common Seal

Geo Chaffey
Stephen Cureton
} DIRECTORS. (L.S.)

J. A. Kilburn SECRETARY.

D350481-1-5

350481

The Schedule before referred to.

Lots.	Block.	Section	Grazing portion	Vol	Folio	No. of Leases & Clauses	
26.	D.	45	one	2636	507158	21111	
34. 35. 36. 37. 38.	D.	52	one	2536	607158	21111	
26. 27. 28. 29	D	57	one	2536	507158	21111	
~~Lot 16~~	~~D.~~	~~62~~	~~one~~	~~2640~~	~~507156~~	~~21111~~	
28. 29. 30. 31. 32. 33.	D.	66.	one	2636	507156	21111	
22. 23. 24. 25. 26. 27.	D.	71	one	2536	507158	21111	
23. 24. 25. 26.	D	71	one	2536	507158	21111	

0350481-2-1

Appeared before me at Melbourne the fifteenth day of September One thousand eight hundred and ninety Charles Fred Lanbury the attesting witness to this instrument, and declared that he personally knew Thomas Hale Woodroffe the person signing the same, and whose signature the said Charles Fred Lanbury attested; and that the name purporting to be the signature of the said Thomas Hale Woodroffe is his own handwriting, and that he was of sound mind, and freely and voluntarily signed such instrument.

DATED 24th August 1900

MESSRS. G. and W. B. CHAFFEY

to

J. H. Woodroffe Esq.

Transfer

of

Lots as per schedule

MEMORIAL OF INSTRUMENT.

Nature of Instrument.	Time of its Production for Registration.	Names of the Parties thereto.	No. or Symbol thereon.
TRANSFER as to part	The 30th day of August 1901 at 2.31 o'clock in the afternoon	George Chaffey and William Benjamin Chaffey TO Thomas Hale Woodroffe	350481

H. Byrne

Asst Registrar of Titles.

I certify that a memorial of the within Instrument was entered in the Register Book Vol. 2536 Fol. 307 156 " " 50 156 at the time last above mentioned.

H. Byrne

Asst Registrar of Titles.

D350481-2-1

Internal Use Only

TAX INVOICE

Mildura Rural City Council

OVERDUE - PAYABLE IMMEDIATELY

$737.56 as at 03/09/2020

PAID 25/9

Overdue rates must be paid immediately unless an agreed arrangement is already in place. Penalty interest accrues daily. Please contact Council for an updated amount when making payment. You cannot pay your current rates until you have paid all arrears in full, including penalty interest.

Estate of Late Valda Hartley
& Estate of Late Bryan Hartley
111 Lemon Avenue
MILDURA VIC 3500

033
!012811
R2_10297

Total Rates & Charges For this Year
$2,269.30
Refer below for payment options

Rate and Valuation Notice

1 July 2020 to 30 June 2021

Assessment No: 4080
Issue Date 10 September 2020
Rate declaration date: 1 July 2020
Capital Improved Value:
Site Value
Net Annual Value:
Valuation Date: 1 January 2020

Property Location & Description
111-113 Lemon Avenue MILDURA VIC 3500
Lots 1,2 TP 740693X Sec 52 Blk D

AVPCC: 110 - Detached Home

RATING DETAILS

Balance B/Fwd as at 01/07/2020	$724.85
Interest/Costs Less Payments as at 03/09/2020	$12.71
Residential Rate	$1,706.66
Waste Management	$434.79

VICTORIAN STATE GOVERNMENT FIRE SERVICES PROPERTY LEVY

Residential Fire Levy (Fixed)	$113.00
Residential Fire Levy (Variable)	$14.85

PAYMENT DEADLINES EXTENDED
First instalment due by 14 October 2020.
Second instalment due by 14 December 2020.

COVID-19 SUPPORT
Relief options are available to assist ratepayers experiencing financial hardship.
Visit mildura.vic.gov.au/coronavirus or call us for details.

TOTAL AMOUNT **$3,006.86**

Payment In full	Or	1st Instalment	2nd Instalment	3rd Instalment	4th Instalment
Due 15 Feb 2021 $2,269.30		Due 14 Oct 2020 $567.31	Due 14 Dec 2020 $567.33	Due 28 Feb 2021 $567.33	Due 31 May 2021 $567.33

Note: If full payment of the 1st Instalment isn't received by the due date, this account will automatically default to the Payment In Full option and you will not receive reminder instalment notices.
Please refer to the reverse side of this notice for information relating to penalties for late payment.

Payment Slip

Estate of Late Valda Hartley
111-113 Lemon Avenue MILDURA VIC 3500
Assessment No: 4080

Payment In Full: $2,269.30
Or 1st Instalment: $567.31

Biller code: 93922
Ref: 40808

BPAY this payment via internet or phone banking.
BPAY View® - View and pay this bill using internet banking.
BPAY View Registration No.: 40808

POST billpay
Full Payment *41 40808

Post Billpay **Biller code:** 0041
Ref: 40808

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

Centrepay Ref:
555 054 730B

Internal Use Only

MILDURA
741 - 759 Fourteenth Street Mildura 3500
PO Box 1438 Mildura 3502
AUSDOC DX 50023
Tel: (03) 5051 3400 Fax: (03) 5051 3480
Office Hours 8.00am - 5.00pm Monday - Friday
SWAN HILL
73 Beveridge Street Swan Hill 3585
PO Box 1447 Swan Hill 3585
AUSDOC DX 30164
Tel: (03) 5036 2180 Fax: (03) 5036 2180
Office Hours 8.00am - 5.00pm Monday - Friday

LOWER MURRAY WATER

KERANG
56 Wellington Street Kerang 3579
PO Box 547 Kerang 3579
AUSDOC DX 57908
Tel: (03) 5450 3960 Fax: (03) 5450 3967
Office Hours 8.00am - 1.00pm Monday - Friday

24 Hour Supply Emergency
1800 808 830

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

Reference No. 004715
URBAN ACCOUNT
Amount Due $445.03

Due Date 13-NOV-2020

Date Of Issue 8/10/2020

351637 001 011203(24847) 0033
MRS VJ HARTLEY
111 LEMON AVENUE
MILDURA VIC 3500

Tariffs and Charges Notice
2nd Quarter 2020/21
01/10/2020 - 31/12/2020

POST *850 700047152

Property Address : 111-113 LEMON AVENUE MILDURA VIC 3500 (Prop:4715) - Urban Account
Lot 1 TP 740693X Blk.D Sec.52 Vol 8144 Fol 622 and 1 more

	Charge	Balance
Water Service Tariff	52.09	52.09
Water by Measure Chg-Info on reverse	57.13	57.13
Sewerage Service Tariff	122.96	122.96
ARREARS & Other Adjustments		$212.85
TOTAL OWING		$445.03

Paid 26/11/20

VICTORIA State Government

Payment Slip - Methods of Payment

004715
111-113 LEMON AVENUE MILDURA VIC 3500 (Prop:4715) - Urban Account

Online at lmw.vic.gov.au - Pay your Account

Direct Debit
Please contact your local office.

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

POST billpay
Billpay Code: 0850
Ref: 7000 4715 2
Pay in person at any Post Office.

BPAY
Biller Code: 78477
Ref: 7000 4715 2
Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au

*850 700047152 $445.03

BPAY
Biller Code: 78477
Ref: 7000 4715 2
BPAY® – Make this payment via internet or phone banking.
BPAY View® – Receive, view and pay this bill using internet banking.
BPAY View Registration No: 7000 4715 2

Payment Ref: 7000 4715 2

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

Amount Due **$445.03**

See reverse for
In Person and By Mail options

PLANNING PROPERTY REPORT

Environment, Land, Water and Planning

From www.planning.vic.gov.au at 29 January 2021 12:13 PM

PROPERTY DETAILS

Address:	**111-113 LEMON AVENUE MILDURA 3500**	
Lot and Plan Number:	**More than one parcel - see link below**	
Standard Parcel Identifier (SPI):	**More than one parcel - see link below**	
Local Government Area (Council):	**MILDURA**	www.mildura.vic.gov.au
Council Property Number:	**4080**	
Planning Scheme:	**Mildura**	Planning Scheme - Mildura
Directory Reference:	**Vicroads 535 Q6**	

This property has 2 parcels. For full parcel details get the free Property report at Property Reports

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

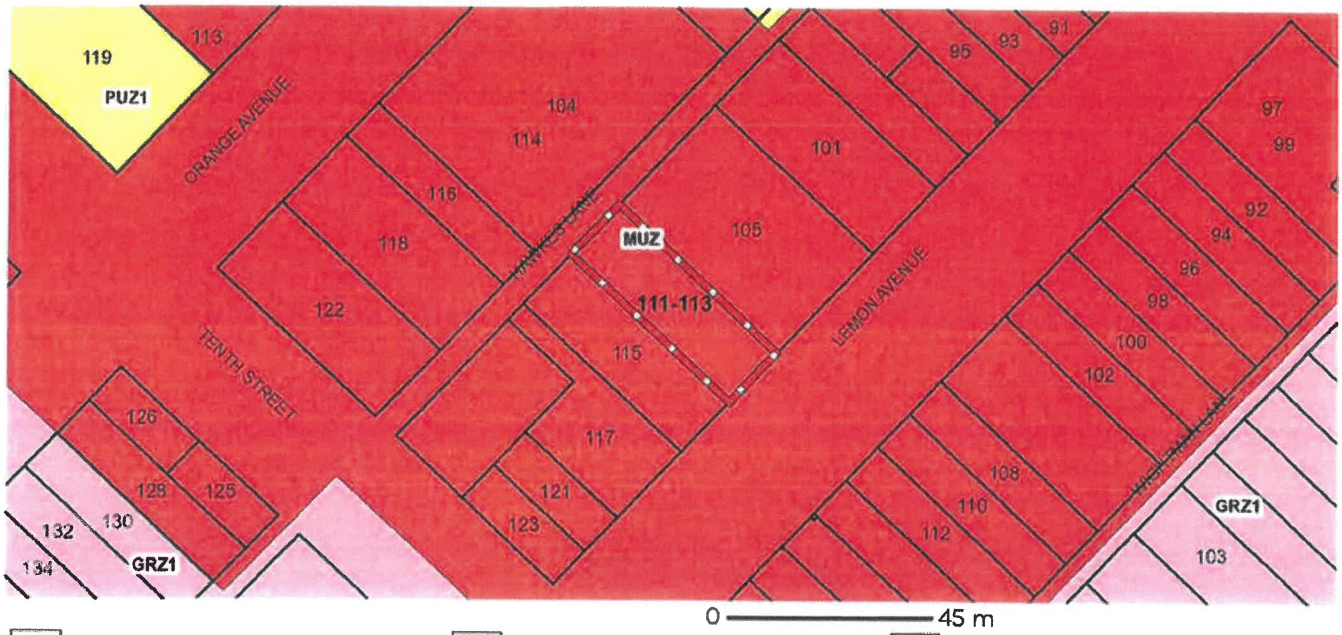
STATE ELECTORATES

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

Planning Zones

MIXED USE ZONE (MUZ)

SCHEDULE TO THE MIXED USE ZONE (MUZ)



C1Z - Commercial 1

GRZ - General Residential

MUZ - Mixed Use

PUZ1 - Public Use-Service and Utility

PUZ6 - Public Use-Local Government

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

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PLANNING PROPERTY REPORT

Environment, Land, Water and Planning

Planning Overlays

DESIGN AND DEVELOPMENT OVERLAY (DDO)

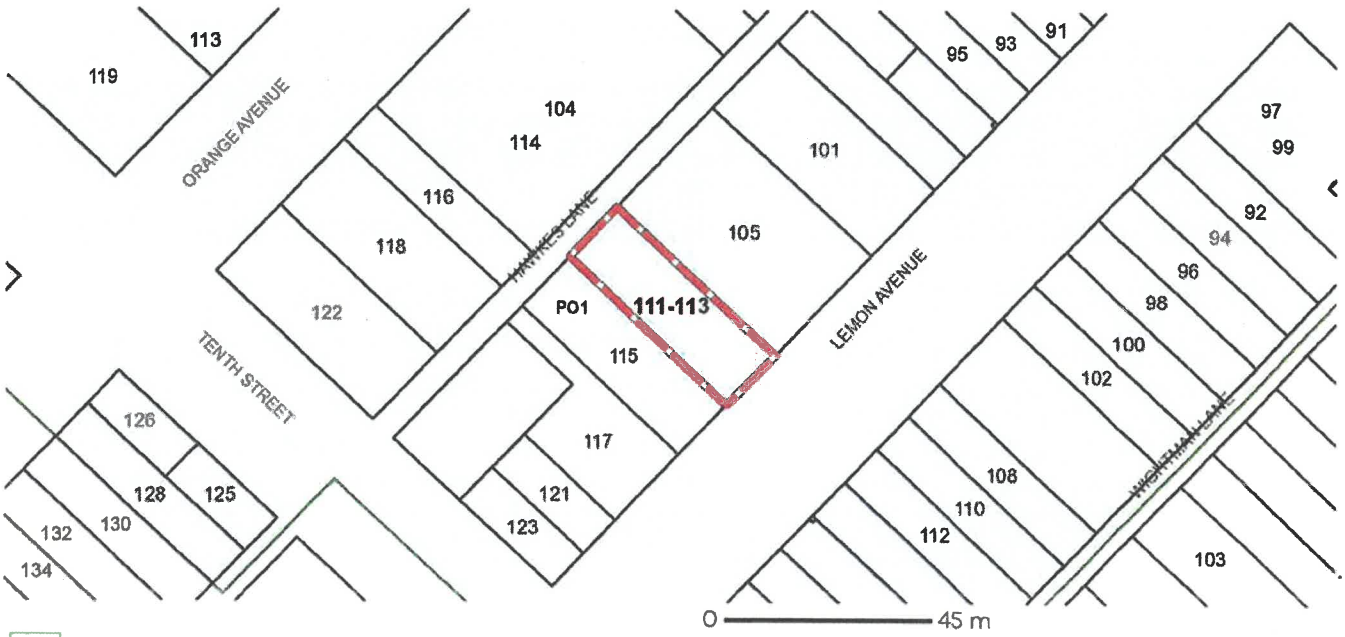
DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 3 (DDO3)

DDO - Design and Development

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

PARKING OVERLAY (PO)

PARKING OVERLAY - PRECINCT 1 SCHEDULE (PO1)



PO - Parking

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

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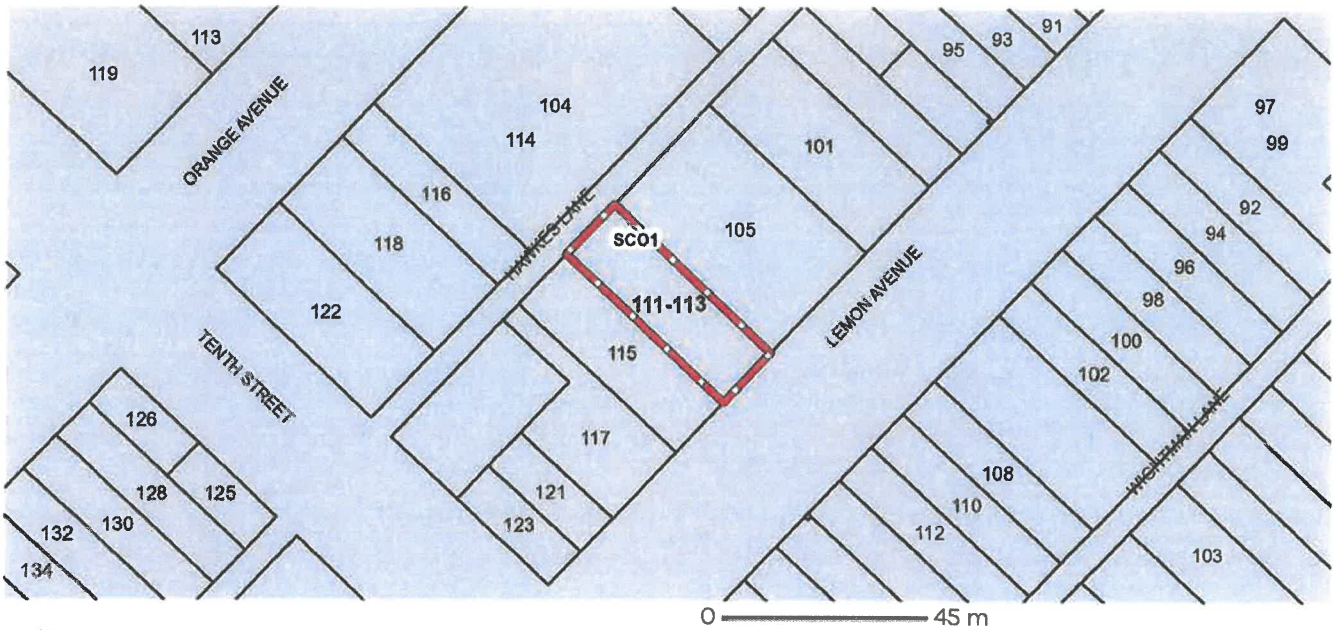
PLANNING PROPERTY REPORT

Environment, Land, Water and Planning

Planning Overlays

SPECIFIC CONTROLS OVERLAY (SCO)

SPECIFIC CONTROLS OVERLAY - SCHEDULE 1 (SCO1)



SCO - Specific Controls

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

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

HERITAGE OVERLAY (HO)

HO - Heritage

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

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Environment, Land, Water and Planning

Further Planning Information

Planning scheme data last updated on 28 January 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 https://mapshare.maps.vic.gov.au/vicplan

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

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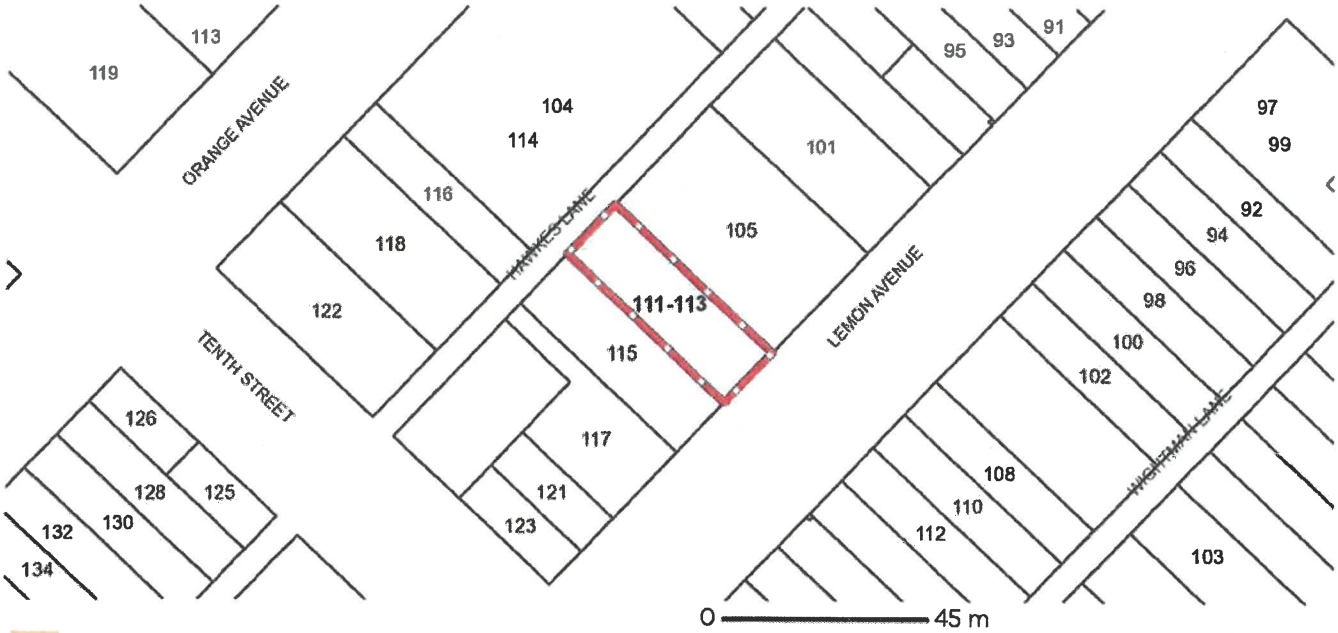
PLANNING PROPERTY REPORT

Environment, Land, Water and Planning

Designated Bushfire Prone 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

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

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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

Consumer Affairs Victoria

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.

Consumer Affairs Victoria

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