

SECTION 32 STATEMENT

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

Vendor: Anthony Christopher Storey and Jenny Ruth Storey

Property: 24 Henderson Street OUYEN VIC 3490



VENDORS REPRESENTATIVE
Mildura Property Transfers Pty Ltd

PO Box 1012
MILDURA VIC 3502

Tel: 03 5022 9300
Email: warrick@mildurapropertytransfers.com.au

Ref: Warrick Watts

SECTION 32 STATEMENT
24 HENDERSON STREET OUYEN VIC 3490

1. **FINANCIAL MATTERS**

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

Provider	Amount (& interest if any)	Period
Mildura Rural City Council	\$798.61	Per annum
GWM Water	\$238.08	Per quarter

Any further amounts (including any proposed Owners Corporation Levy) for which the Purchaser may become liable as a consequence of the purchase of the property are as follows:- None to the vendors knowledge

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

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

2. **INSURANCE**

(a) Where the Contract does not provide for the land to remain at the risk of the Vendor, particulars of any policy of insurance maintained by the Vendor in respect of damage to or destruction of the land are as follows: - Not Applicable

(b) Where there is a residence on the land which was constructed within the preceding six years, and section 137B of the *Building Act 1993* applies, particulars of the required insurance are as follows:- Not Applicable

No such Insurance has been effected to the Vendors knowledge.

3. **LAND USE**

(a) **RESTRICTIONS**

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

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

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

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(b) BUSHFIRE

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

(c) ROAD ACCESS

There is access to the Property by Road.

(d) PLANNING

Planning Scheme:

Responsible Authority: Mildura Rural City Council See attached Property Report

Zoning:

Planning Overlay/s:

4. NOTICES

(a) Particulars of any Notice, Order, Declaration, Report or recommendation of a Public Authority or Government Department or approved proposal directly and currently affecting the land of which the Vendor might reasonably be expected to have knowledge are:- None to the Vendors knowledge however the Vendor has no means of knowing all decisions of the Government and other authorities unless such decisions have been communicated to the Vendor

(b) The Vendor is not aware of any Notices, Property Management Plans, Reports or Orders in respect of the land issued by a Government Department or Public Authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes.

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

5. BUILDING PERMITS

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

No such Building Permit has been granted to the Vendors knowledge.

6. OWNERS CORPORATION

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

7. GROWTH AREAS INFRASTRUCTURE CONTRIBUTION (GAIC)

(1) The land, in accordance with a work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987* is NOT –

- land that is to be transferred under the agreement.
- land on which works are to be carried out under the agreement (other than Crown land).
- land in respect of which a GAIC is imposed

(2) Attached is a copy of a notice or certificate in the case of land where there is a GAIC recording (within the meaning of Part 9B of the *Planning and Environment Act 1987*):

— any certificate of release from liability to pay;

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

OR

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

8. SERVICES

Service	Status
Electricity supply	Connected
Gas supply	Not Connected
Water supply	Connected
Scweraqe	Not Connected
Telephone services	Not Connected

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

9. TITLE

Attached are the following document/s concerning Title:

- (a) In the case of land under the *Transfer of Land Act 1958* a copy of the Register Search Statement/s and the document/s, or part of the document/s, referred to as the diagram location in the Register Search Statement/s that identifies the land and its location.
- (b) In any other case, a copy of -
 - (i) the last conveyance in the Chain of Title to the land; or
 - (ii) any other document which gives evidence of the Vendors title to the land.
- (c) Where the Vendor is not the registered proprietor or the owner of the estate in fee simple, copies of the documents bearing evidence of the Vendor's right or power to sell the land.
- (d) In the case of land that is subject to a subdivision -
 - (i) a copy of the Plan of Subdivision which has been certified by the relevant municipal council (if the Plan of Subdivision has not been registered), or
 - (ii) a copy of the latest version of the plan (if the Plan of Subdivision has not been certified).
- (e) In the case of land that is part of a staged subdivision within the meaning of Section 37 of the *Subdivision Act 1988* -
 - (i) if the land is in the second or a subsequent stage, a copy of the plan for the first stage; and
 - (ii) details of any requirements in a Statement of Compliance relating to the stage in which the land is included that have not been complied with; and
 - (iii) details of any proposals relating to subsequent stages that are known to the Vendor; and
 - (iv) a statement of the contents of any permit under the *Planning and Environment Act 1987* authorising the staged subdivision.
- (f) In the case of land that is subject to a subdivision and in respect of which a further plan within the meaning of the *Subdivision Act 1988* is proposed -

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- (i) if the later plan has not been registered, a copy of the plan which has been certified by the relevant municipal council; or
- (ii) if the later plan has not yet been certified, a copy of the latest version of the plan.

10. DUE DILLIGENCE CHECKLIST

The Sale of Land Act 1962 provides that the Vendor or the Vendor's Licensed Estate Agent must make a prescribed due diligence checklist available to the Purchasers before offering land for sale that is vacant residential land or land on which there is a residence. The due diligence checklist is NOT required to be provided but the checklist has been attached as a matter of convenience.


DATE OF THIS STATEMENT

/ /20

Name of the Vendor

Anthony Christopher Storey and Jenny Ruth Storey

Signature/s of the Vendor

x 

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

DATE OF THIS ACKNOWLEDGMENT

/ /20

Name of the Purchaser

Signature/s of the Purchaser

x

IMPORTANT NOTICE - ADDITIONAL DISCLOSURE REQUIREMENTS

Undischarged mortgages – S32A(a)

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

Terms contracts – S32A(d)

Where the land is to be sold pursuant to a terms contract which obliges the purchaser to make two or more payments to the vendor after execution of the contract and before the vendor is entitled to a conveyance or transfer, then the vendor must provide an additional statement containing the information specified in Schedule 2 of the *Sale of Land Act 1962*.

Register Search Statement - Volume 10866 Folio 279

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

VOLUME 10866 FOLIO 279

Security no : 124082429395K

Produced 02/04/2020 12:10 PM

LAND DESCRIPTION

Lot 7 Block 2 on Plan of Subdivision 011312.
PARENT TITLE Volume 08084 Folio 216
Created by instrument AD529993E 01/04/2005

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors

ANTHONY CHRISTOPHER STOREY
JENNY RUTH STOREY both of 25 NEVANA STREET SCORESBY VIC 3179
AE886596L 08/02/2007

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AE886597J 08/02/2007
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 LP011312 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: 24 HENDERSON STREET OUYEN VIC 3490

ADMINISTRATIVE NOTICES

NIL

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

DOCUMENT END

**Delivered from the LANDATA® System by SAI Global Property Division Pty Ltd
Delivered at 02/04/2020, for Order Number 61695437. Your reference: WW: 103-20.**

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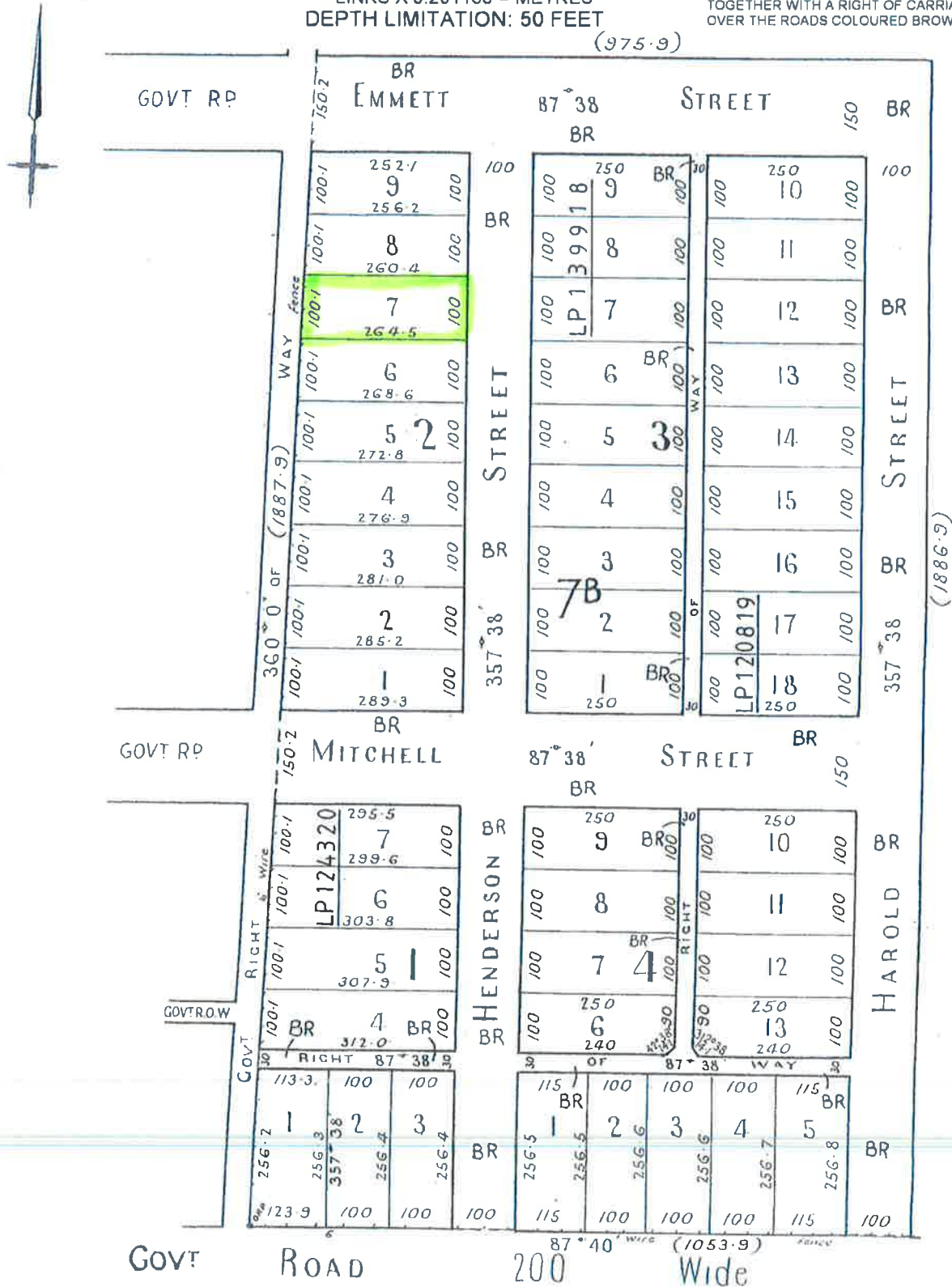
Plan of Subdivision of
CROWN ALLOT. 7B
Parish of OUYEN County of KARKAROOO
LAND IN THE MALLEE COUNTRY FOR
THE PURPOSES OF THE LAND ACT
VOL 5075 FOL 925

LP 11312
EDITION 2
PLAN MAY BE LODGED 23-2-1926

COLOUR CODE
BR = BROWN
ROADS COLOURED BROWN

Measurements are in Links
Conversion Factor
LINKS X 0.201168 = METRES
DEPTH LIMITATION: 50 FEET

APPURTENANCIES
AS TO LOT 2 BLOCK 4
TOGETHER WITH A RIGHT OF CARRIAGEWAY
OVER THE ROADS COLOURED BROWN





Mildura Rural City Council

Internal Use Only



TAX INVOICE



Mr A C & Ms J R Storey
25 Nevana Street
SCORESBY VIC 3179



028
R1_2273

Total Rates & Charges For this Year
\$798.61
Refer below for payment options

Rate and Valuation Notice

1 July 2019 to 30 June 2020

Property Location & Description

24 Henderson Street OUYEN VIC 3490
Lot 7 LP 11312 Sec 2 Township of Ouyen

AVPCC: 110 - Detached Home

RATING DETAILS

Residential Rate	0.0064303	49500	\$318.30
Waste Management - Mallee Towns	366.04	1	\$366.04

VICTORIAN STATE GOVERNMENT FIRE SERVICES PROPERTY LEVY

Residential Fire Levy (Fixed)	111.00	1	\$111.00
Residential Fire Levy (Variable)	0.000066	49500	\$3.27

Assessment No: 13826
Issue Date 15 July 2019
Rate declaration date: 1 July 2019
Capital Improved Value: 4
Site Value: 1
Net Annual Value: 2
Valuation Date: 1 January 2019



TOTAL AMOUNT

\$798.61

Payment In full Due 15 Feb 2020 \$798.61	1st Instalment Due 30 Sep 2019 \$199.63	2nd Instalment Due 30 Nov 2019 \$199.66	3rd Instalment Due 29 Feb 2020 \$199.66	4th Instalment Due 31 May 2020 \$199.66
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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

Mr A C & Ms J R Storey
24 Henderson Street OUYEN VIC 3490
Assessment No: 13826

Payment In Full: \$798.61
Or 1st Instalment: \$199.63



Billers code: 93922
Ref: 138263

BPAY this payment via internet or phone banking.
BPAY View - View and pay this bill using internet banking.
BPAY View Registration No.: 138263



Full Payment *41 138263



Post Billers code: 0041
Ref: 138263

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



Urban Water Account
24 Henderson Street OUYEN VIC 3490



GWMWater

11 McLachlan Street (PO Box 481)
Horham Victoria 3402

Info@gwmwater.org.au
www.gwmwater.org.au

ABN: 35 584 588 283

tax invoice

account number

2373912

issue date

20/02/2020

billing and general enquiries

office hours: **1300 659 961**

difficulties and faults

24 hours: **1800 188 586**



Next Reading: 21/04/2020

A C Storey & J R Storey
25 Nevana St
SCORESBY VIC 3179

028



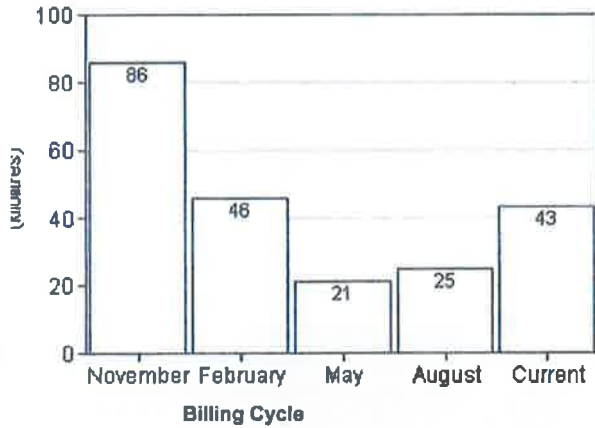
due date

20/03/2020

amount due

\$238.08

Your Usage in KiloLitres



Balance Brought Forward

Opening Balance \$238.08

Transactions since last Account -\$238.08

Current Charges

Sewer Service \$124.22

Water Service \$113.86

Water Usage \$0.00

Total \$238.08

Total Amount Due

\$238.08

Total includes GST of \$0.00

Penalty interest of 4.0% per annum will apply to overdue balances



Use water wisely: www.targetyourwateruse.vic.gov.au

payment slip



A C Storey & J R Storey



*347 0000000000002373911

account number

2373912

amount due

\$238.08

If eligible and your concession has not been deducted please call 1300 659 961. Please see reverse for details.

amount being paid

Please see over for payment options

SEWER SERVICE

Service No	Date From	Date To	Days	Rate	Amount
145154	1/01/2020	31/03/2020	90	\$1.3802 per day	\$124.22

WATER SERVICE

Service No	Size	Date From	Date To	Days	Rate	Amount
145154	20.00mm	1/01/2020	31/03/2020	90	\$1.2651 per day	\$113.86

WATER USAGE

Service No	Meter Number	Previous Date	Previous Reading	Current Date	Current Reading	Consumption (Kilolitres)	Amount
145154	08B127205	23/10/2019	1065	25/11/2019	1077	12.00 @ \$1.7810/kL	\$0.00
145154	19V42826T	25/11/2019	0	16/02/2020	31	31.00 @ \$1.7810/kL	\$0.00
							\$0.00CR

Transactions since last Account

Date	Description	Transaction Amount
7/12/2019	Receipt via Australia Post	<u>-\$238.08</u>
		<u>-\$238.08</u>

PLEASE NOTE

Payments made in the last 7 days may not have been credited to your account prior to issuing this invoice.

PAYMENT PLANS

Payment plans are available should you wish to pay by instalments. Please contact us on 1300 659 961.

FINANCIAL HARDSHIP

If you are experiencing genuine financial hardship in paying your account, GWMWater may be able to assist you. Please contact us on 1300 659 961. You can be assured of sympathetic and confidential consideration of your circumstances.

LATE PAYMENT PENALTIES

Payments not received by 5 pm on the due date shown on the front of this account will incur an interest penalty calculated from the date of issue of this account.

ADDITIONAL SERVICES

To access our Translating and Interpreting Service contact 131 450 and ask to be connected to 1300 659 961.

Deaf, hearing impaired or speech/communication impaired customers may call the National Relay Service (TTY service) by dialling 133 677 and quoting 1300 659 961.

For 24 hour difficulties and faults, please contact 1800 188 586

PENSION AND CONCESSION CARD REBATE

Concession entitlements include all eligible pensioners and health care card holders. Cardholders already registered with GWMWater will automatically receive concessions on each account.

By claiming a concession, you will be authorising GWMWater to confirm your eligibility with Centrelink or the Department of Veterans Affairs. This consent will be ongoing and can be revoked by Department of Human Services, Department of Veterans Affairs or by contacting GWMWater on 1300 659 961.

WATER AND SEWERAGE REBATE SCHEME

The State Government offers a rebate on billed water and wastewater service charges for eligible not-for-profit organisations. Further details regarding eligibility may be obtained by contacting GWMWater on 1300 659 961.

RESIDENTIAL TENANTS

Tenants living in separately metered properties and who have signed a Residential Tenancy Agreement may be liable for water consumption. Tenants should notify GWMWater 48 hours prior to occupying or vacating a property so that a meter reading can be organised for you. Tenants vacating premises must provide a forwarding address.

ACCESS TO WATER METERS

If our meter readers are not able to access your meter, a card will be left at your property to advise that should you not contact us, an estimated account will be issued. This will be indicated on your account by an 'E' = Estimated Account. Estimated accounts are also issued where water meters have ceased to record consumption.

If you believe the estimate is not appropriate due to a change in circumstances, you may apply in writing to GWMWater for consideration of an amendment to your estimated account.

The next scheduled reading date is shown on your account. Please ensure that locked gates, dogs or other obstructions do not prevent access to your meter.

ENVIRONMENTAL CONTRIBUTION

Charges for water and wastewater services include a contribution toward GWMWater's environmental contribution levy.

The environmental contribution levy will be used to improve and protect our rivers and water sources, save water in towns and farms, and support water recycling initiatives.

CHANGE OF ADDRESS

Please phone GWMWater on 1300 659 961 if your postal address has changed.



In person
Present this invoice intact to any post office or GWMWater, 11 McLachlan Street, Horsham



POSTbillpay Code: 0347
Ref 0000002373911

Phone 13 18 16 or go to postbillpay.com.au



Mail
Tear off deposit slip and mail with cheque to GWMWater, PO Box 481, Horsham 3402



Centrelink - Reference Number 555 062 382L
To arrange regular deductions from your Centrelink payment please contact GWMWater on 1300 659 961 for an application.



Direct debit
To deduct payments directly from your bank account, contact GWMWater on 1300 659 961.



Billers Code: 79855
Ref: 2373912

Contact your participating bank, credit union or building society to pay this account from your cheque, savings or credit card account. Please quote biller code.



BPAY View®
View and pay this bill using internet banking.

PLANNING PROPERTY REPORT

From www.planning.vic.gov.au on 02 April 2020 12:12 PM

PROPERTY DETAILS

Address: **24 HENDERSON STREET OUYEN 3490**
Lot and Plan Number: **Lot 7 Block 2 LP11312**
Standard Parcel Identifier (SPI): **7-2\LP11312**
Local Government Area (Council): **MILDURA**
Council Property Number: **13826**
Planning Scheme: **Mildura**
Directory Reference: **VicRoads 540 J9**

www.mildura.vic.gov.au

planning-schemes.delwp.vic.gov.au/schemes/mildura

UTILITIES

Rural Water Corporation: **Grampians Wimmera Mallee Water**
Urban Water Corporation: **Grampian Wimmera Malle Water**
Melbourne Water: **outside drainage boundary**
Power Distributor: **POWERCOR**

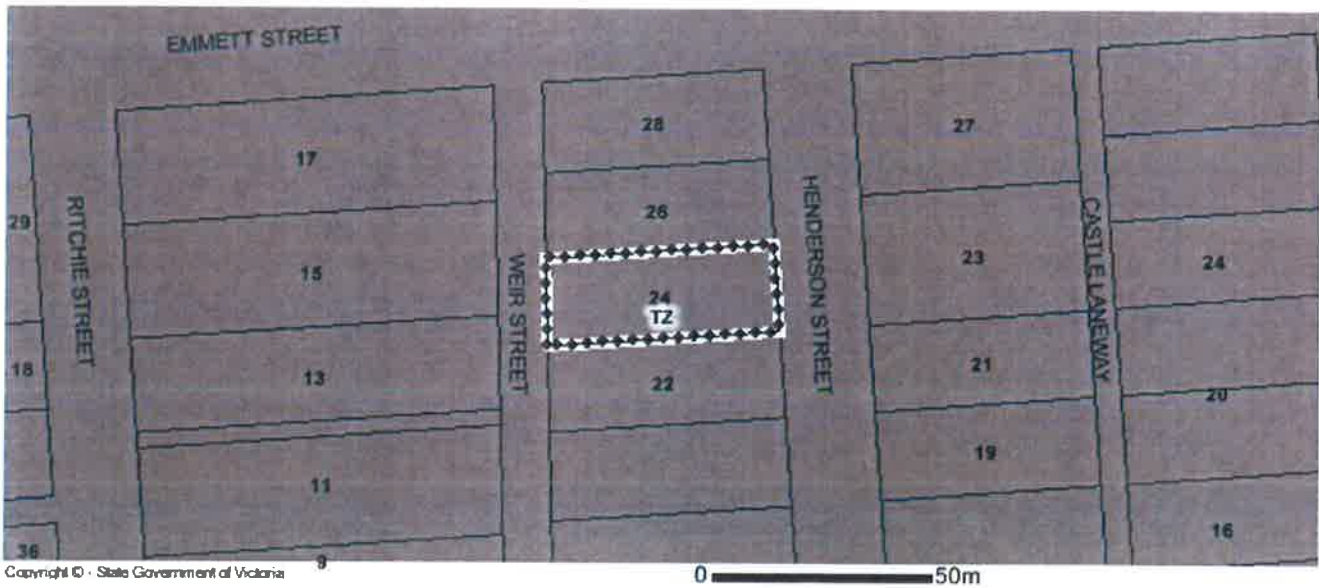
STATE ELECTORATES


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

Planning Zones

TOWNSHIP ZONE (TZ)

SCHEDULE TO THE TOWNSHIP ZONE (TZ)



 TZ - Township

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

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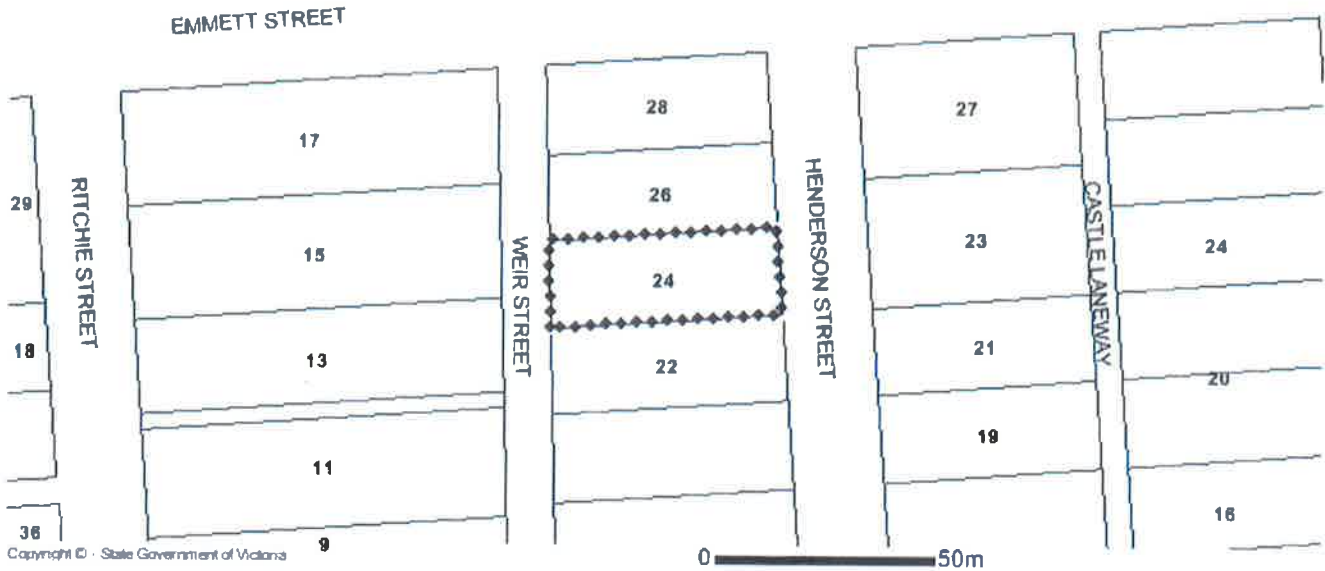
Read the full disclaimer at www.land.vic.gov.au/home/copyright-and-disclaimer

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: 24 HENDERSON STREET OUYEN 3490

Planning Overlay

None affecting this land



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 1 April 2020.

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

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

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

To view planning zones, overlay and heritage information in an interactive format visit <http://mapshare.maps.vic.gov.au/vicplan>

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

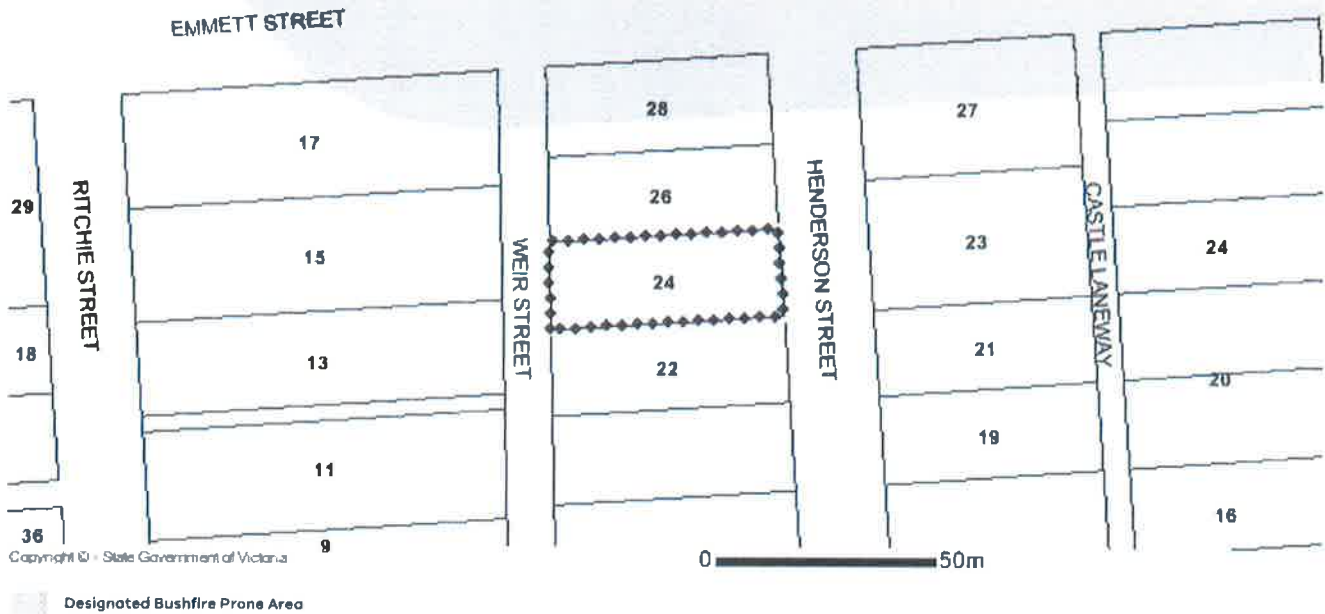
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Designated Bushfire Prone Area

**This property is not in a designated bushfire prone area.
No special bushfire construction requirements apply. Planning provisions may apply.**



Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

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

Note: prior to 8 September 2011, the whole of Victoria was designated as bushfire prone area for the purposes of the building control system.

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

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>

Due diligence checklist

What you need to know before buying a residential property

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

Urban living

Moving to the inner city?

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

Is the property subject to an owners corporation?

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

Growth areas

Are you moving to a growth area?

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

Flood and fire risk

Does this property experience flooding or bushfire?

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

Rural properties

Moving to the country?

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

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

Can you build new dwellings?

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

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

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

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

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

(04/10/2016)

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.