

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	20 John Francis Court, Kalimna 3909
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Vendor's name	Jason Wigg	Date / /
Vendor's signature		

Vendor's name	Cassandra Jane Wigg	Date / /
Vendor's signature		

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) Their total does not exceed:

\$4,500.00

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	
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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.

1.5 Commercial and Industrial Property Tax Reform Act 2024 (Vic) (CIPT Act)

(a) The Australian Valuation Property Classification Code (within the meaning of the CIPT Act) most recently allocated to the land is set out in the attached Municipal rates notice or property clearance certificate or is as follows	AVPCC No.
(b) Is the land tax reform scheme land within the meaning of the CIPT Act?	<input type="checkbox"/> Yes <input type="checkbox"/> No
(c) If the land is tax reform scheme land within the meaning of the CIPT Act, the entry date within the meaning of the CIPT Act is set out in the attached Municipal rates notice of property clearance certificate or is as follows	Date: OR <input type="checkbox"/> 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 vendor's 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 under section 192A of 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:

Not Applicable.

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:

Not Applicable.

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 <input type="checkbox"/>	Gas supply <input checked="" type="checkbox"/>	Water supply <input type="checkbox"/>	Sewerage <input type="checkbox"/>	Telephone services <input type="checkbox"/>
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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 1000m²; (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.)

- Vacant Residential Land or Land with a Residence
- Attach Due Diligence Checklist (this will be attached if ticked)

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)

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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 10031 FOLIO 905

Security no : 124116878019D
Produced 24/07/2024 01:27 PM

LAND DESCRIPTION

Lot 10 on Plan of Subdivision 303744L.
PARENT TITLE Volume 09883 Folio 360
Created by instrument PS303744L 16/08/1991

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
JASON WIGG
CASSANDRA JANE WIGG both of 20 JOHN FRANCIS COURT KALIMNA VIC 3909
AT490930C 06/08/2020

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AT490931A 06/08/2020
NATIONAL AUSTRALIA BANK 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 set out under DIAGRAM LOCATION below.

AGREEMENT Section 173 PLANNING AND ENVIRONMENT ACT 1987
R442690X 18/07/1991

DIAGRAM LOCATION

SEE PS303744L 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: 20 JOHN FRANCIS COURT KALIMNA VIC 3909

ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LTD
Effective from 06/08/2020

DOCUMENT END

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LOGGED BY Warren, Graham & Murphy
 CODE...1716W....

REC'D

R442690X

VICTORIA

APPLICATION BY A RESPONSIBLE AUTHORITY
 under Section 181 Planning and Environment Act 1987 for **ENTRY OF A MEMORANDUM OF AGREEMENT** under Section 173 of the Act.

The Responsible Authority under the Planning Scheme having entered into an Agreement with the parties named for the land described requires that a Memorandum of Agreement be entered on the Certificate of Title to the land referred to.

LAND Certificate of Title Volume 9883 Folio 360
 now - with $\frac{2}{7}$ 10031-896 to 910 (E.C.)

ADDRESS OF LAND Allcross Road, Lakes Entrance

RESPONSIBLE AUTHORITY Shire of Tanba

PLANNING SCHEME Tanba Shire Planning Scheme

AGREEMENT DATE	1	AGREEMENT WITH
18th June, 1991	1	<u>M. HERLBERG PTY. LTD.</u>
	1	AS OWNER
	1	

A copy of the Agreement is attached to this Application

Signature for the Responsible Authority *N. J. Hobson*

Name of Officer *N. J. Hobson*

Date *21/7/91*

Prepared by Warren, Graham & Murphy of 119 Main Street, Bairnsdale (TRC:vcv)

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



2
 $\frac{16}{9}$
 91

16/9/91

THIS AGREEMENT is made the 18th day of June 1991

BETWEEN

THE PRESIDENT, COUNCILLORS AND RATEPAYERS
OF THE SHIRE OF TAMBO ("the Council")

of the first part

- and -

McHERLBROW PTY. LTD.,
of 10 Chambers Street, South Yarra
(the Subdivider")

of the second part

WHEREAS:

- A. The Subdivider is the registered proprietor of the land described in the First Schedule hereto ("the land").
- B. The land affected by this Agreement is described in the Second Schedule hereto ("the subject land").
- C. The Council is the Responsible Authority under the Planning and Environment Act 1987 ("the Act") for the Tambo Planning Scheme ("the Planning Scheme").
- D. The Subdivider is required to enter into this Agreement as part of the terms of the Agreement under Section 173 of the Act dated 18th June 1991 between the Council and the Subdivider in order to enable the subdivision of the subject land in accordance with the plan of subdivision attached hereto and marked "A" ("the plan").
- e. The parties hereto have agreed that without restricting or limiting their respective rights and powers to enter into this Agreement, and insofar as it can be so treated, this Agreement shall be treated as being an Agreement made pursuant to Section 173 of the Act.

NOW THIS AGREEMENT WITNESSES AS FOLLOWS:-

1. The Subdivider with the intent that its covenants hereunder shall run with the subject land under Section 182 of the Act, binding its successors in title to the subject land and every part thereof, hereby covenants and agrees:
 - 1.1 That the four pieces of land shown as Lot 15 on the attached plan shall not be developed either separately or jointly until the said pieces have been serviced with reticulated sewerage, water, electricity and Telecom services and road and drainage construction to the satisfaction of the Responsible Authority.
 - 1.2 That any such development shall be subject to the issue of further planning permits stating the necessary conditions under which any such future development may proceed.
 - 1.3 That Planning Permit No. 5376 issued by the Shire of Tambo on the 9th October, 1990 shall form part of any Contract of Sale for the said Lot 15.
2. The Subdivider agrees to do all things necessary to enable the Council to enter a Memorandum of this Agreement on the Certificate of Title to the subject land in accordance with Section 181 of the Act.

- 3. The Subdivider covenants and agrees to do all things necessary including the signing of such further agreements or other documents that may be required to ensure that its covenants and agreements hereunder are carried out and affected.
- 4. The Subdivider agrees to pay the costs of the Council of and in connection with the preparation and execution of this Agreement and the lodging of this Agreement at the Land Titles Office.

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

THE COMMON SEAL OF THE PRESIDENT, COUNCILLORS AND RATEPAYERS OF THE SHIRE OF TAMBO was hereunto affixed in the presence of:-

[Signature].....COUNCILLOR
[Signature].....COUNCILLOR
[Signature].....SECRETARY

THE COMMON SEAL OF McHERIBROW PTY. LTD., was hereunto affixed in accordance with its Articles of Association in the presence of:-

....*[Signature]*.....DIRECTOR
*[Signature]*.....SECRETARY



FIRST SCHEDULE

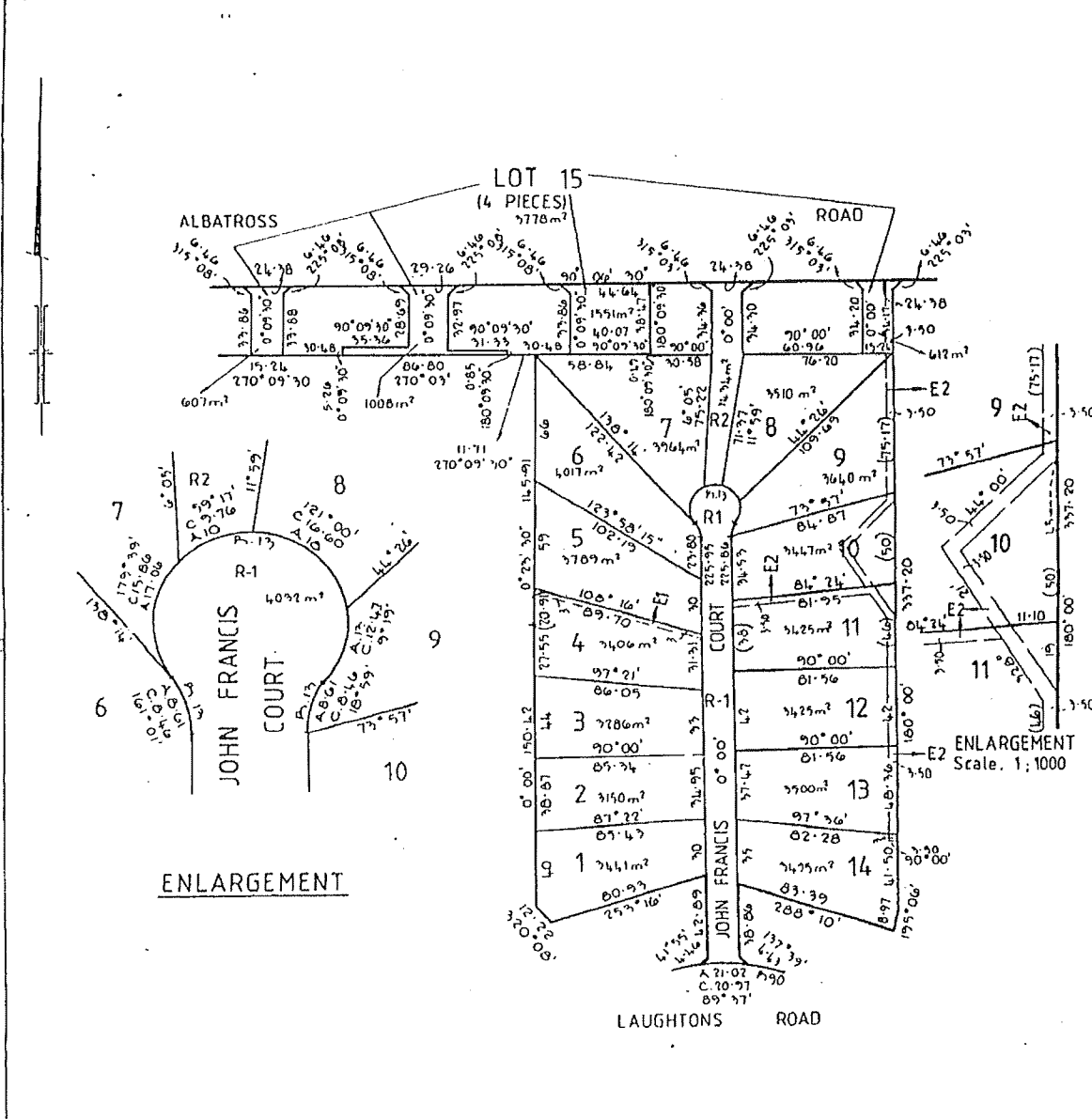
Being part of the land described in Certificate of Title Volume 9883 Folio 360.

SECOND SCHEDULE

Being part of the land described 'in the First Schedule and more particularly described as Lot 15 on Plan of Subdivision PS 3037441. and attached to this Agreement as plan "A".

	PLAN OF SUBDIVISION	STAGE NO. ---	LTO use only EDITION	Plan Number PS 303744 L
Location of Land Parish: COLQUHOUN Township: _____ Section: _____ Crown Allotment: 30B (PART) Crown Portion: _____ LTO Base Record: CHART 3 Title Reference: VOL. 9883 FOL. 360 Last Plan Reference: L.P. 204379 Postal Address: LAUGHTONS ROAD (at time of subdivision) LAKES ENTRANCE 3909 AMG Co-ordinates E 584800 Zone: 55 (of approx. centre of land N 5807550 in plan)		Council Certificate and Endorsement Council Name: SHIRE OF TAMBO Ref: 5/0046/303744 L 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(2) of the Subdivision Act 1988. Date of original certification under section 6: _____ 3. This is a statement of compliance issued under section 31 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/have not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage... Council delegate: <i>[Signature]</i> Council Seal: _____ Date: 20/2/19 Re-certified under section 11(2) of the Subdivision Act 1988. Council Delegate: _____ Council Seal: _____ Date: _____		
Vesting of Roads and/or Reserves				
Identifier	Council/Body/Person			
P 1.	SHIRE OF TAMBO			
P 2.	SHIRE OF TAMBO			
			Notations	
			Staging This is/ is not a staged subdivision Planning Permit No. PJA 5376	
			Depth Limitation NIL.	
Survey This plan is/ is not based on survey This survey has been connected to permanent marks (nots) In Proclaimed Survey Area No.				
Easement Information				LTO use only
Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				Statement of Compliance/ Exemption Statement
				Received [] Date / /
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
R-1	WAY, DRAINAGE, SEWERAGE, SUPPLY OF ELECTRICITY AND SUPPLY OF TELEPHONE SERVICE.	SEE DIAGRAM	THIS PLAN	LOTS ON THIS PLAN
E-1	WATER SUPPLY	3	THIS PLAN	TAMBO WATER BOARD
E-2	DRAINAGE AND SEWERAGE	3.50	THIS PLAN	LOTS ON THIS PLAN
J A THOMPSON L.S., F.I.S.AUST, 21 ELATA STREET, OAKLEIGH SOUTH. 3167 PHONE (03) 570 6536			LICENSED SURVEYOR (MONTA) JAMES ALEX THOMPSON SIGNATURE: <i>[Signature]</i> DATE 5/11/19 REF 9000373 VERSION 3	
				Assistant Registrar of Titles Sheet 1 of 2 Sheets DATE 20/2/19 COUNCIL DELEGATE SIGNATURE: <i>[Signature]</i> Original sheet size A3

PLAN OF SUBDIVISION	Stage No. _____	Plan Number PS 303744L
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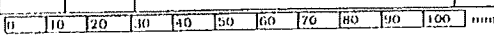
J A THOMPSON L.S., F.I.S. AUST.,
21 ELATA STREET,
OAKLEIGH SOUTH. 3167
PHONE (03) 570 6536

ORIGINAL	SHEET SIZE A3	SCALE
		<p>LENGTHS ARE IN METRES</p>

LICENSED SURVEYOR (PRINT) **JAMES ALEX THOMPSON**
 SIGNATURE: *[Signature]* DATE **5/1/91**
 REF **9000313** VERSION **3**

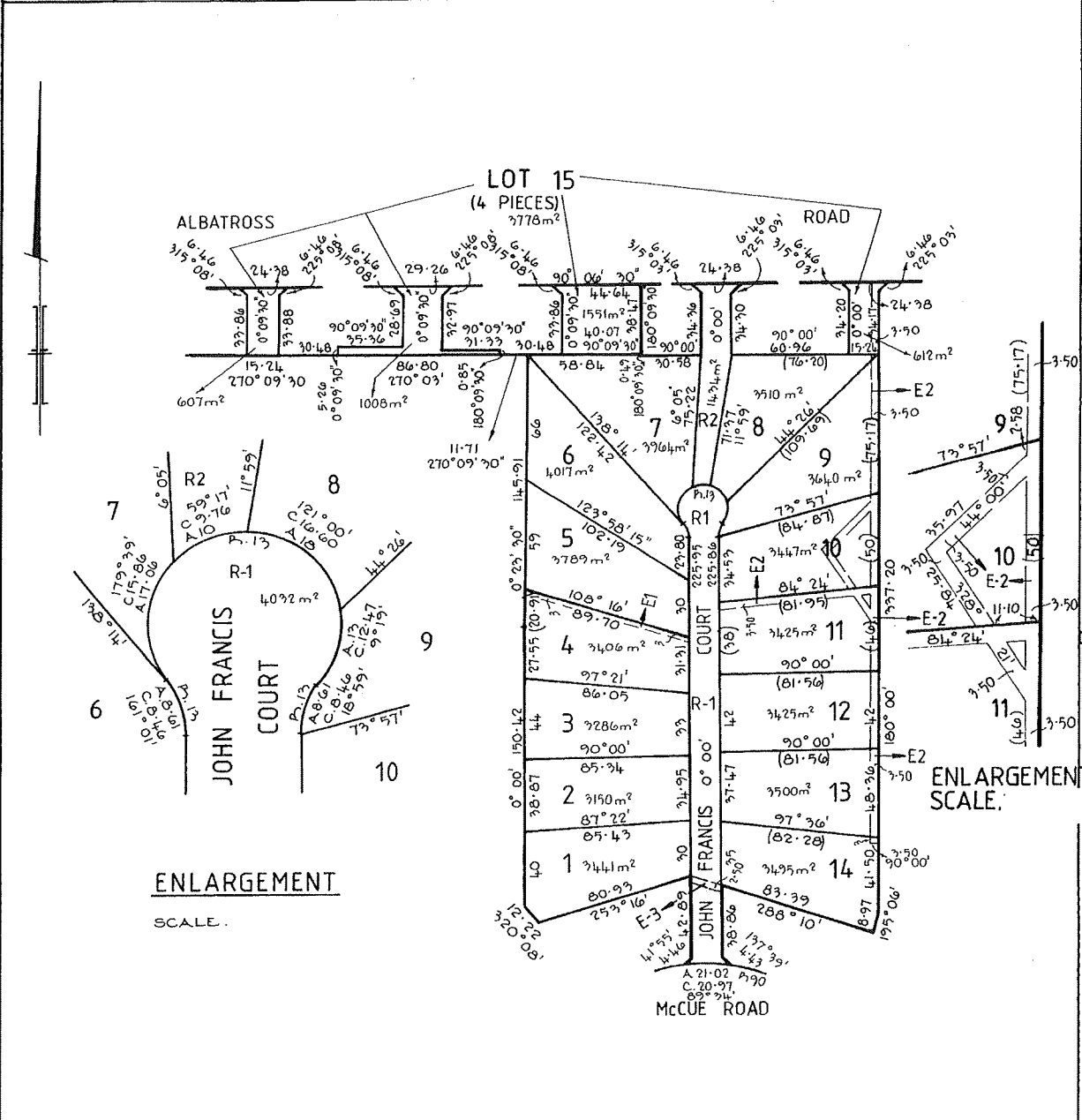
Sheet 2 of 2 sheets

[Signature]
 DATE **20/2/19**
 COUNCIL DELEGATE SIGNATURE
 Original sheet size A3



PLAN OF SUBDIVISION				STAGE NO. —	LTO use only EDITION 1	Plan Number PS 303744 L
Location of Land Parish: COLQUHOUN Township: — Section: — Crown Allotment: 30B (PART) Crown Portion: — LTO Base Record: CHART 3 Title Reference: VOL.9883 FOL.360 Last Plan Reference: L.P. 204379 (LOT 1004) Postal Address: LAUGHTONS ROAD (at time of subdivision) LAKES ENTRANCE 3909 AMG Co-ordinates E 584800 Zone: 55 (of approx. centre of land in plan) N 5807550				Council Certificate and Endorsement Council Name: SHIRE OF TAMBO Ref: S/0046/303744L 1. This plan is certified under section 6 of the Subdivision Act 1988. 2. This plan is certified under section 11(7) of the Subdivision Act 1988. Date of original certification under section 6 / / 3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988. OPEN SPACE (i) A requirement for public open space under section 18 of the Subdivision Act 1988 has/has not been made. (ii) The requirement has been satisfied. (iii) The requirement is to be satisfied in Stage.....k..... Council delegate Council seal Date 20 / 2 / 1991 Re-certified under section 11(7) of the Subdivision Act 1988. Council Delegate Council Seal Date / /		
Vesting of Roads and/or Reserves						
Identifier	Council/Body/Person					
P. 1. & E3	SHIRE OF TAMBO					
P. 2.	SHIRE OF TAMBO					
				Notations		
				Staging This is/is not a staged subdivision Planning Permit No. P/A 5376		
				Depth Limitation NIL.		
Survey				This plan is/is not based on survey This survey has been connected to permanent marks no(s) in Proclaimed Survey Area No.		
Easement Information				LTO use only		
Legend: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)				Statement of Compliance/ Exemption Statement		
				Received <input checked="" type="checkbox"/>		
				Date 12 / 8 / 91		
				LTO use only		
				PLAN REGISTERED		
				TIME		
				DATE 16 / 8 / 91		
				<i>[Signature]</i> Assistant Registrar of Titles		
				Sheet 1 of 2 Sheets		
J. A. THOMPSON L.S., F.I.S.AUST., 21 ELATA STREET, OAKLEIGH SOUTH. 3167 PHONE (03) 570 6536				LICENSED SURVEYOR (PRINT) JAMES ALEX THOMPSON SIGNATURE..... DATE / / REF 90003/3 VERSION 4		
				DATE / /		
				COUNCIL DELEGATE SIGNATURE		
				Original sheet size A3		

PLAN OF SUBDIVISION	Stage No. _____	Plan Number PS 303744 L
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ENLARGEMENT
SCALE.

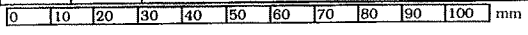
ENLARGEMENT
SCALE.

J.A. THOMPSON L.S., F.I.S. AUST.,
21 ELATA STREET,
OAKLEIGH SOUTH. 3167
PHONE (03) 570 6536

ORIGINAL SCALE	SHEET SIZE A3	SCALE	LENGTHS ARE IN METRES
1:2000	A3		

LICENSED SURVEYOR (PRINT) JAMES ALEX THOMPSON.
SIGNATURE..... DATE / /
REF **90003/3** VERSION **4**

Sheet 2 of 2 sheets
DATE / /
COUNCIL DELEGATE SIGNATURE
Original sheet size A3



From www.planning.vic.gov.au at 24 July 2024 01:44 PM

PROPERTY DETAILS

Address: **20 JOHN FRANCIS COURT KALIMNA 3909**
 Lot and Plan Number: **Lot 10 PS303744**
 Standard Parcel Identifier (SPI): **10\PS303744**
 Local Government Area (Council): **EAST GIPPSLAND**
 Council Property Number: **80947**
 Planning Scheme: **East Gippsland**
 Directory Reference: **Vicroads 686 C4**

www.eastgippsland.vic.gov.au

[Planning Scheme - East Gippsland](#)

UTILITIES

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

STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**
 Legislative Assembly: **GIPPSLAND EAST**

OTHER

Registered Aboriginal Party: **Gunaikurnai Land and Waters
Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ)

GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)

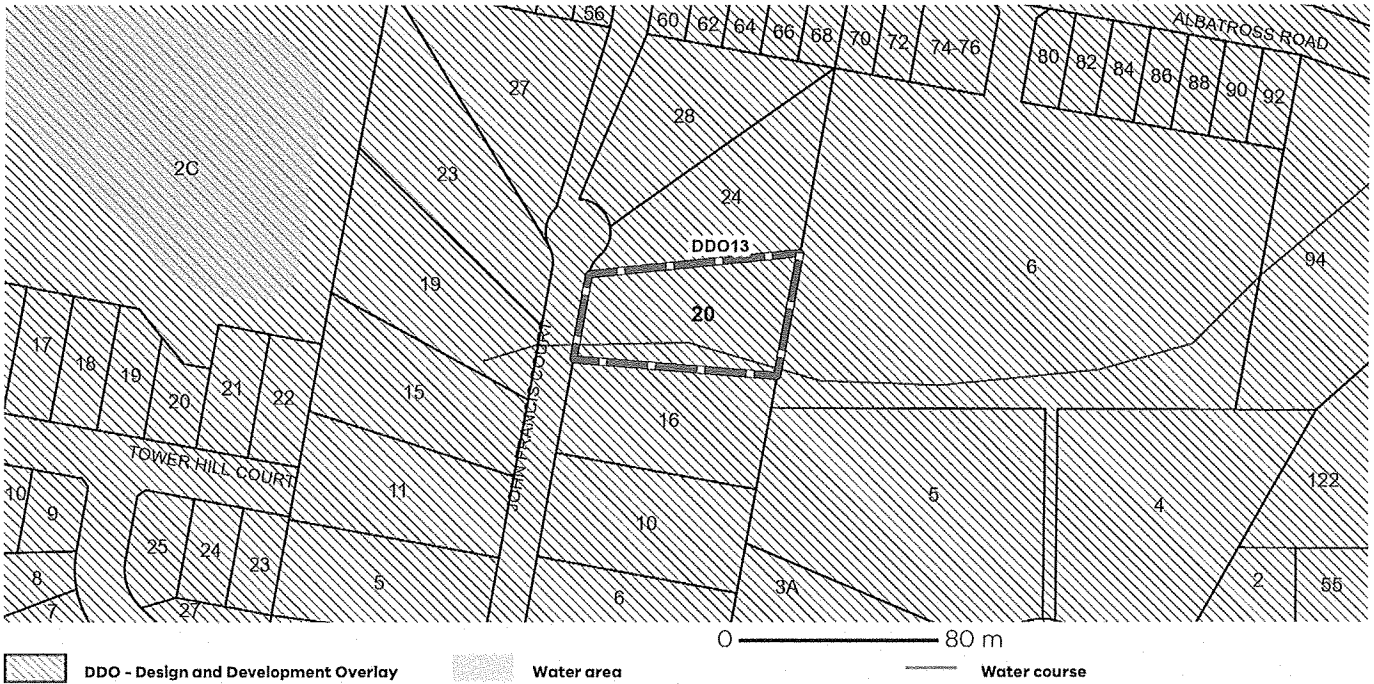


Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

Planning Overlays

DESIGN AND DEVELOPMENT OVERLAY (DDO)

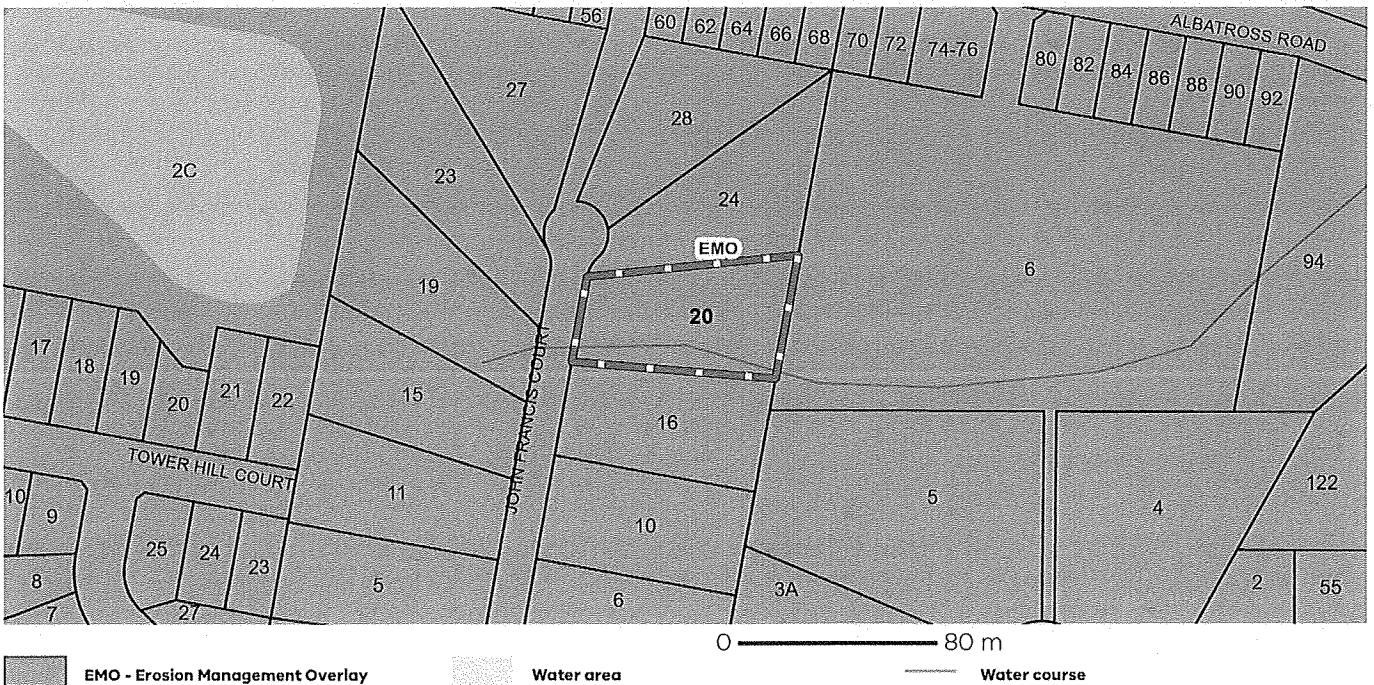
DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 13 (DDO13)



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

EROSION MANAGEMENT OVERLAY (EMO)

EROSION MANAGEMENT OVERLAY SCHEDULE (EMO)



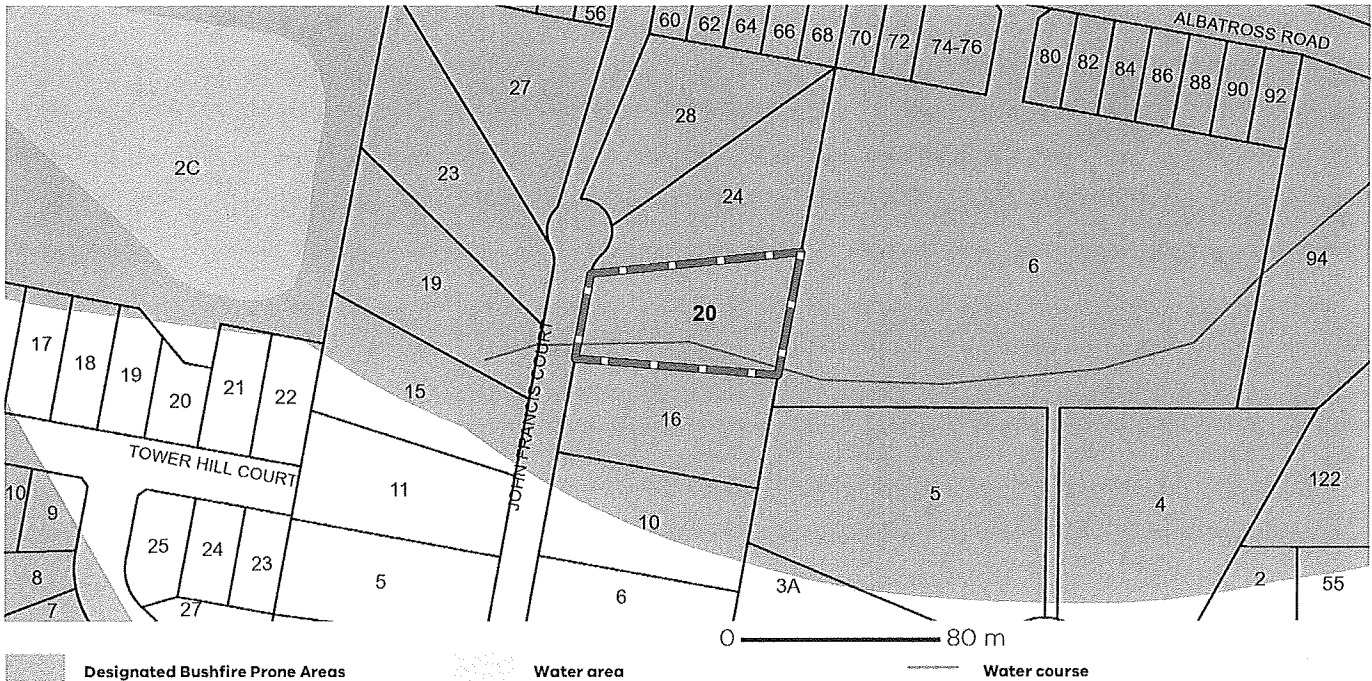
Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Designated Bushfire Prone Areas

This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

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

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

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>.

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](#) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](#)

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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](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.

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)

DATED

2024

JASON WIGG AND CASSANDRA JANE WIGG

VENDORS STATEMENT

Property: 20 John Francis Court, Kalimna 3909

Hibbert & Hodges Lawyers
Lawyers
2 Gray Street
Lakes Entrance VIC 3909
Tel: 03 5155 2377

Ref: GH:24/19681