



# Vendor Statement



**ENGEL & PARTNERS**

PROPRIETARY

LEGAL PRACTITIONERS

109 Main Street  
BAIRNSDALE VIC 3875  
PO BOX 464

Tel: (03) 5152 6177  
Email: [info@engelpartners.com.au](mailto:info@engelpartners.com.au)  
Web: [engelpartners.com.au](http://engelpartners.com.au)

# 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, or on behalf of, the vendor and given to the purchaser before the purchaser signs the contract.

The parties 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: 32 Day Street, Bairnsdale, Victoria 3875

## SIGNED BY THE VENDOR

Name: Heather Margaret Stuart

On 24 / 07 / 2024

H. M. Stuart.

## SIGNED BY THE PURCHASER/S

Name:

On / /

*State nature of authority if applicable, for example, 'director', 'attorney under power of attorney'*

**SUMMARY PAGE OF THE VENDOR STATEMENT (Please tick)**

✓	Topic	✓	Topic	✓	Topic
✓	Attachments		Subdivision		Building insurance
✓	Title		Owners corporation		Terms contract
✓	Land use & services		Notices		Sale subject to mortgage
✓	Planning		Building permits		(GAIC) Growth areas infrastructure contribution
✓	Financial matters		Owner builder insurance		Disclosure of energy information

**ATTACHMENTS**

Any certificates, documents and other attachments may be annexed or further information added here.

Attached.

Further information:

Register Search Statement Volume 07592 Folio 186  
Plan of Subdivision LP18249  
East Gippsland Water Tax Invoice dated 15 May 2024  
EECA Property & Planning Property Report  
Due Diligence Checklist

**TITLE**

(a) Attached are copies of the following documents:

Register Search Statement and the document referred to as the diagram location in the Register Search Statement.

General Law Title.

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

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

Not Applicable

**LAND USE AND SERVICES**

(a) **Easements, covenants, or other similar restrictions**

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

Attached copies of title document/s.

**OR**

Full description:

Nil

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

**(b) Services**

The following services are **NOT** connected to the land:

Electricity supply     Gas supply     Telephone     Water supply     Sewerage

**(c) Road access**    Yes    No

**PLANNING**

**(a) Planning scheme**

Attached is a certificate with the required specified information.

**(b) Designated bushfire prone area**

Yes    No   Under [section 192A](#) of the Building Act 1993

**FINANCIAL MATTERS**

**(a) Particulars of the amount of any rates, taxes, charges or other similar outgoings including interest**

Their total does not exceed \$3,000.00 Annually

**(b) Particulars of any charge under any Act**

Amount owing: Nil   To   chargee: N/A

Other particulars, including dates and times of payments: N/A



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

VOLUME 07592 FOLIO 186

Security no : 124116481135Y  
Produced 09/07/2024 12:27 PM

**LAND DESCRIPTION**

Lot 13 on Plan of Subdivision 018249.  
PARENT TITLE Volume 07525 Folio 129  
Created by instrument 2414658 03/07/1951

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
HEATHER MARGARET STUART of 32 DAY STREET BAIRNSDALE VIC 3875  
AQ276244S 21/09/2017

**ENCUMBRANCES, CAVEATS AND NOTICES**

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

**DIAGRAM LOCATION**

SEE LP018249 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: 32 DAY STREET BAIRNSDALE VIC 3875

DOCUMENT END



# Imaged Document Cover Sheet

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Document Type	<b>Plan</b>
Document Identification	<b>LP018249</b>
Number of Pages (excluding this cover sheet)	<b>1</b>
Document Assembled	<b>09/07/2024 12:27</b>

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**PLAN OF SUBDIVISION OF  
CROWN ALLOTMENTS A, C, AND D  
AND PART OF CROWN ALLOTMENT B  
SECTION 75**

**LP 18249**  
EDITION 2  
PLAN MAY BE LODGED 12/5/48

**TOWNSHIP AND PARISH OF BAIRNSDALE  
COUNTY OF TANJIL**

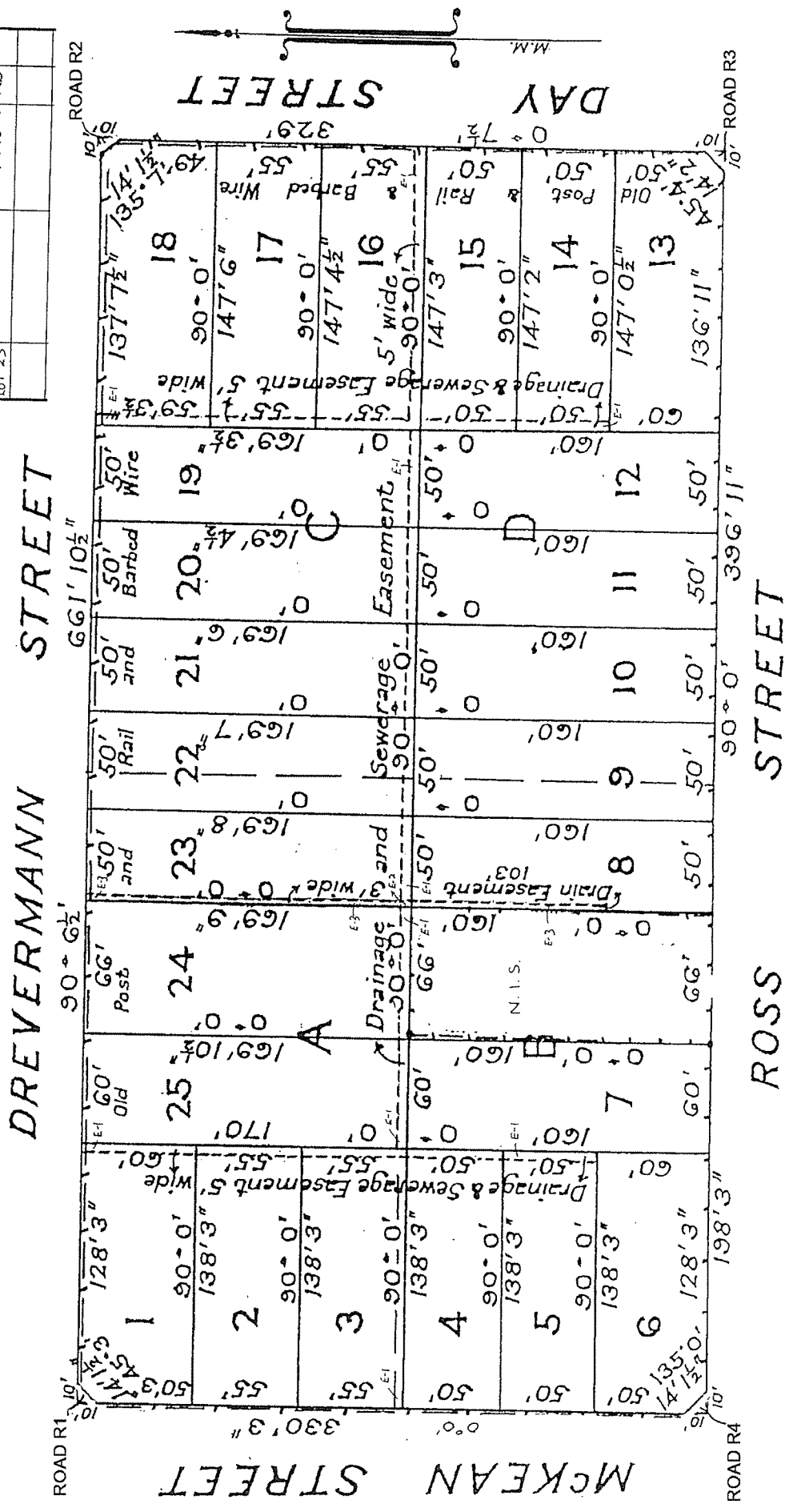
LIST OF MODIFICATIONS			
LAND	MODIFICATION	DEALING No:	NEW EDN.
LOT 8 & 2, LOT 23	EASEMENT ENHANCED	Tr. 1954861	AD 2

VOL 7014 FOL 664  
MEASUREMENTS ARE IN  
FEET AND INCHES

ENCUMBRANCES  
AS TO THE LAND MARKED E-2 AND E-3  
THE DRAINAGE EASEMENT CREATED BY  
TRANSFER 1954861

THE LAND MARKED R1, R2, R3 & R4 IS APPROPRIATED OR SET APART FOR EASEMENTS OF WAY AND DRAINAGE

THE LAND MARKED E-1&E-2 IS APPROPRIATED OR SET APART FOR EASEMENTS OF DRAINAGE & SEWERAGE  
THE LAND MARKED E-3 IS APPROPRIATED OR SET APART FOR EASEMENTS OF DRAINAGE





Bairnsdale Office  
 133 Macleod St (PO Box 52),  
 BAIRNSDALE VIC 3875  
 ABN: 40 096 764 586  
 Web: [www.egwater.vic.gov.au](http://www.egwater.vic.gov.au)  
 Email: [egw@egwater.vic.gov.au](mailto:egw@egwater.vic.gov.au)



Emergencies, Service Difficulties and Faults  
 1300 134 202 (24 Hours, 7 Days)  
 Account Enquiries 1800 671 841

## Tax Invoice

Service Address: 32 Day St, Bairnsdale VIC 3875

Issued: 17 Apr 2024

Next Scheduled Reading: 15 Jul 2024

Account Number  
**11-0279-1500-01-9**

Invoice Number  
 2340327

Amount Due  
**\$258.54**

Pay By  
**15 May 2024**



H M Stuart  
 32 Day St  
 BAIRNSDALE VIC 3875

### Opening Balance

Total Payments received to the 17 Apr 2024

### Balance

### Current Charges

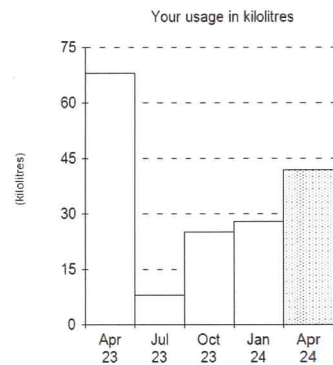
Water Usage  
 Water Service Charge  
 Sewer Service Charge  
 Concession Entitlement  
 Email Invoice Credit

### Total

### Total Amount Due

Total includes GST of

**\$222.93**  
 \$222.93 CR  
**\$0.00**  
 \$106.83  
 \$60.29  
 \$181.36  
 \$88.04 CR  
 \$1.90 CR  
**\$258.54**  
**\$258.54**  
 \$0.00



Av. Daily Use		Av. Daily Cost
Last year	Current period	Current period
0.747 kL/day	0.462 kL/day	\$2.84/day

Penalty Interest of 6.90% p/a will apply to overdue balances.

## Payment Options



**Direct Debit:** Call 1800 671 841 for an application or visit our website.



Quote the Biller Code and Reference No.

Biller Code: 16063  
 Ref: 1102 7915 0001 9



Pay at any Post Office, or via [postbillpay.com.au](http://postbillpay.com.au) for on-line payments or phone 13 18 16 for credit card payments.

Billpay Code: 0436  
 Ref: 0110 2791 5000 19



**Mail:** Send a cheque with this portion of the account to **PO Box 52, BAIRNSDALE VIC 3875**



**Payment in Person:** Please present this account to our Bairnsdale office at 133 Macleod Street.



**Centrepay:** Centrepay recipients can arrange automatic payments through Centrepay.



**Internet:** Visit our website at [www.egwater.vic.gov.au](http://www.egwater.vic.gov.au) and click on Pay a Bill Online. Use Post Billpay Code and Ref Number.

H M Stuart 32 Day St, Bairnsdale VIC 3875

Account Number  
**11-0279-1500-01-9**

Invoice Number  
 2340327

Amount Due  
**\$258.54**



\*436 01102791500019

Concession has been applied.



## East Gippsland Water Account Details

### WATER USAGE

Service Number	Meter Number	Previous Date	Previous Reading	Current Date	Current Reading	Consumption (Kilolitres)	Amount
MS4292	06W937308	15/01/24	2395	15/04/24	2437	42.000 @ \$2.5435/kL	\$106.83

### WATER SERVICE CHARGE

Service No.	Size	Date From	Date To	Days	Rate	Amount
MS4292	20mm	15/01/24	15/04/24	91	@ \$0.6625 per day	\$60.29

### SEWERAGE SERVICE CHARGE

Service No.	EQT	Date From	Date To	Days	Rate	Amount
MS4292	1.0	15/01/24	15/04/24	91	@ \$1.9930 per day	\$181.36

### Concession Rebates

By claiming a Commonwealth Government pension, health care or Veterans' Affairs gold card concession, you will be authorising East Gippsland Water to confirm your eligibility with Services Australia. Consent will be ongoing and can be revoked at any time.

### Customer Support

If you are experiencing difficulties in paying your account, contact us on 1800 671 841 to set up a payment plan or discuss assistance options available, subject to eligibility.

### Privacy Information

We will keep personal information about customers confidential. East Gippsland Water complies with the **Privacy and Data Protection Act 2014** (Vic) and the **Privacy Act 1988** (Com). Information in relation to your privacy can be located on our website at [www.egwater.vic.gov.au](http://www.egwater.vic.gov.au) or for a copy of East Gippsland Water's Privacy Policy please contact us on 1800 671 841.

### Service Difficulties and Faults

For emergencies, service difficulties or faults relating to water or sewer please contact us on 1300 134 202 (24 hours, 7 days).

### Interpreter Services

We provide free Interpreter Services. To access, please phone Translating and Interpreting Service (TIS) on 131 450 or Telephone Typewriter Service (TTY) on 1800 555 677.

### Enquiries and Complaints

East Gippsland Water is pleased to help you in any matter regarding our services. If we are unable to resolve the matter you can call the Energy and Water Ombudsman (Victoria) on 1800 500 509 or [www.ewov.com.au](http://www.ewov.com.au).

### Fees Incurred for Late Payment

These tariffs are levied by East Gippsland Water under the **Water Act 1989** (Vic), cover the period indicated on the notice and amounts not paid by the due date will incur penalty interest and/or additional charges.

### Residential Tenanted Properties

Tenants living in separately metered properties pay for water usage and the landlord pays all other charges. 48 hours notice is required prior to moving.

### Moving House

If you have vacated, sold or left your property and your details have not been updated, please notify us immediately.

### Access to Water Meters

Our meter readers must have physical safe and easy access to your water meter four times a year. If access to the water meter is not available an estimated account will be issued.

### Equivalent Tenement (EQT)

EQT is the sewer service charge and is a unit of measure that is based on standard residential use being 1.0 EQT which is the equivalent of one typical house.

## Save Water and Save Money!

Did you know that if you are an East Gippsland Water customer or tenant of a customer, you can get money back from buying and installing a range of water efficient products?

**Rebates from \$30 to \$1,500 are available for a number of water saving products such as:**

**MOST POPULAR**



Basket of Goods



Showerhead



Washing Machine



Dishwasher



Dual Flush Toilet



Water Audit



Tank to Toilet/Laundry



Pool Cover with Roller/Wheel

## East Gippsland Water Water Efficiency Rebate Program

1 July 2023 to 30 June 2028

For the full list or more information visit [egwater.vic.gov.au/customer-info/rebates](http://egwater.vic.gov.au/customer-info/rebates) or contact us on 1800 671 841

# PROPERTY REPORT



Energy,  
Environment  
and Climate Action

From [www.land.vic.gov.au](http://www.land.vic.gov.au) at 08 July 2024 12:42 PM

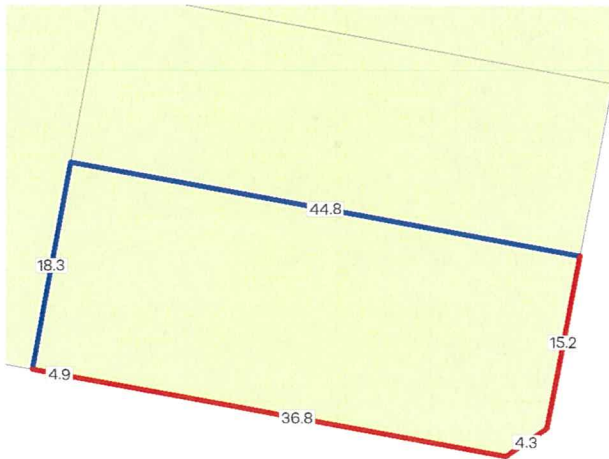
## PROPERTY DETAILS

Address: **32 DAY STREET BAIRNSDALE 3875**  
Lot and Plan Number: **Lot 13 LP18249**  
Standard Parcel Identifier (SPI): **13\LP18249**  
Local Government Area (Council): **EAST GIPPSLAND**  
Council Property Number: **6643**  
Directory Reference: **Vicroads 688 F6**

[www.eastgippsland.vic.gov.au](http://www.eastgippsland.vic.gov.au)

## SITE DIMENSIONS

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



**Area:** 815 sq. m

**Perimeter:** 124 m

For this property:

— Site boundaries

— Road frontages

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

Calculating the area from the dimensions shown may give a different value to the area shown above

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

## 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**

## PLANNING INFORMATION

Property Planning details have been removed from the Property Reports to avoid duplication with the Planning Property Reports from the Department of Transport and Planning which are the authoritative source for all Property Planning information.

The Planning Property Report for this property can found here - [Planning Property Report](#).

Planning Property Reports can be found via these two links

**Vicplan** <https://mapshare.vic.gov.au/vicplan/>

**Property and parcel search** <https://www.land.vic.gov.au/property-and-parcel-search>

# PROPERTY REPORT



Energy,  
Environment  
and Climate Action

## Area Map



 Selected Property

# PLANNING PROPERTY REPORT



Environment,  
Land, Water  
and Planning

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 08 July 2024 12:43 PM

## PROPERTY DETAILS

Address: **32 DAY STREET BAIRNSDALE 3875**  
Lot and Plan Number: **Lot 13 LP18249**  
Standard Parcel Identifier (SPI): **13\LP18249**  
Local Government Area (Council): **EAST GIPPSLAND**  
Council Property Number: **6643**  
Planning Scheme: **East Gippsland**  
Directory Reference: **Vicroads 688 F6**

[www.eastgippsland.vic.gov.au](http://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

No planning overlay found

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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).

## Further Planning Information

Planning scheme data last updated on 26 June 2024.

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 <https://mapshare.maps.vic.gov.au/vicplan>

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

## Designated Bushfire Prone Areas

**This property is not in a designated bushfire prone area.**

**No special bushfire construction requirements apply. 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 \(environment.vic.gov.au\)](#)

## 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](https://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.



DATED

2024

**HEATHER MARGARET STUART**

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**VENDORS STATEMENT**

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**Property: 32 Day Street, Bairnsdale 3875**

Engel & Partners Pty  
Lawyers  
109 Main Street  
Bairnsdale Vic 3875  
Tel: (03) 5152 6177  
Fax:  
Ref: JW:2435179