

**CONTRACT OF SALE OF LAND TO BE MADE SUBJECT TO A
GRANT OF PROBATE FOR THE ESTATE OF KENNETH WILLIAM
HOLDEN (DECEASED)**

1. SETTLEMENT SUBJECT TO GRANT OF PROBATE

- 1.1 The Vendor sells as Executor of the Estate of the registered proprietor Kenneth William Holden who died on 9 May 2024.
- 1.2 The Vendor will apply, or has applied, for a Grant of Probate for the Estate which, when granted, will enable the Vendor to be registered on Title as Executor and complete the settlement.
- 1.3 If the Grant of Probate is not made to enable completion of this sale by the date for settlement referred to in the above Particulars of Sale, the settlement date will be extended for a further 28 days.

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: 702 Metung Road, Metung, Victoria 3904

SIGNED BY THE VENDOR

Name: Dianne Joan Honey

On 12/07 / 2024



Dianne Joan Honey as Legal Personal Representative for the Estate of Kenneth William Holden (Deceased)
State nature of authority if applicable, for example, 'director', 'attorney under power of attorney'

SIGNED BY THE PURCHASER

Name:

On / / 2024

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:

Copy Transmission Application

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.

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:

Nil

(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

Name of planning scheme:	East Gippsland
Name of responsible authority:	East Gippsland Shire Council
Zoning of the land:	Low Density Residential Zone (LDRZ)
Name of planning overlay:	Bushfire Management Overlay (BMO) Design and Development Overlay (DDO) Erosion Management Overlay (EMO) Vegetation Protection Overlay (VPO)

(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 \$3,200.00

(b) Particulars of any charge under any Act

Amount owing: To chargee:

Other particulars, including dates and times of payments:

From www.planning.vic.gov.au at 02 July 2024 04:32 PM

PROPERTY DETAILS

Lot and Plan Number: **Lot 4 LP51520**
 Address: **702 METUNG ROAD METUNG 3904**
 Standard Parcel Identifier (SPI): **4\LP51520**
 Local Government Area (Council): **EAST GIPPSLAND** www.eastgippsland.vic.gov.au
 Council Property Number: **44439 (Part)**
 Planning Scheme: **East Gippsland** [Planning Scheme - East Gippsland](#)
 Directory Reference: **Vicroads 690 C3**

This parcel is one of 2 parcels comprising the property. For full parcel details get the free Property report at [Property Reports](#)

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**

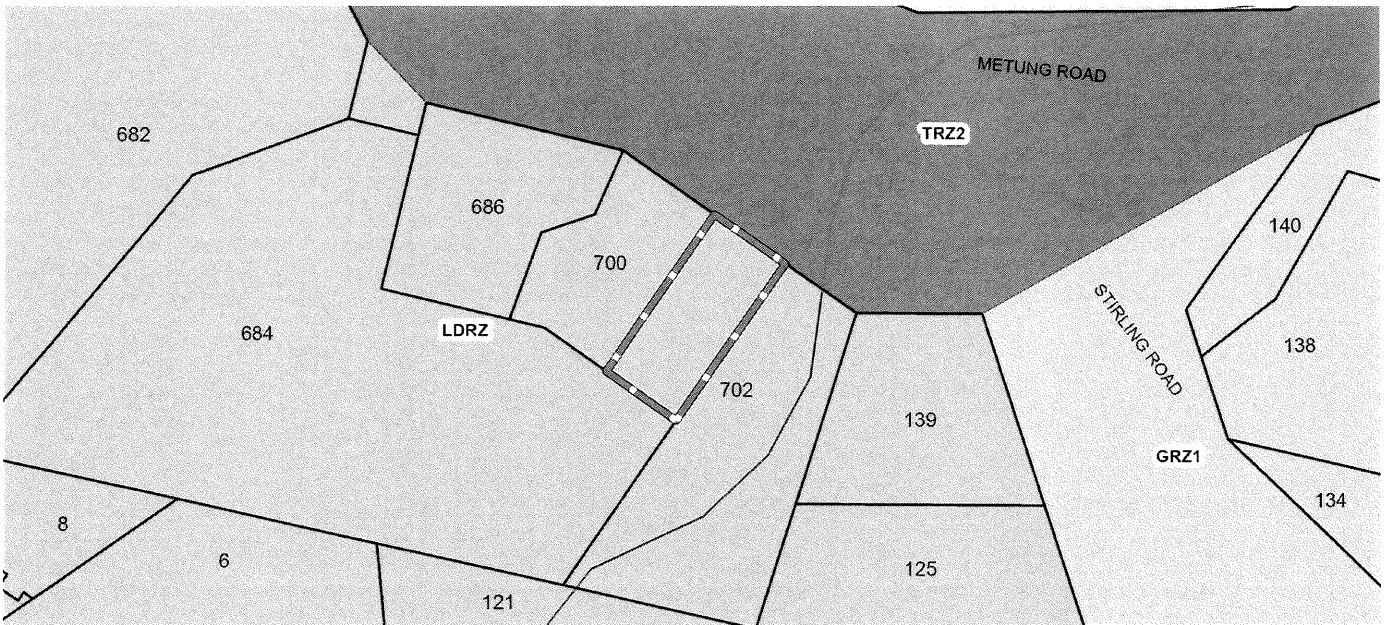
OTHER

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

[View location in VicPlan](#)

Planning Zones

[LOW DENSITY RESIDENTIAL ZONE \(LDRZ\)](#)
[SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE \(LDRZ\)](#)



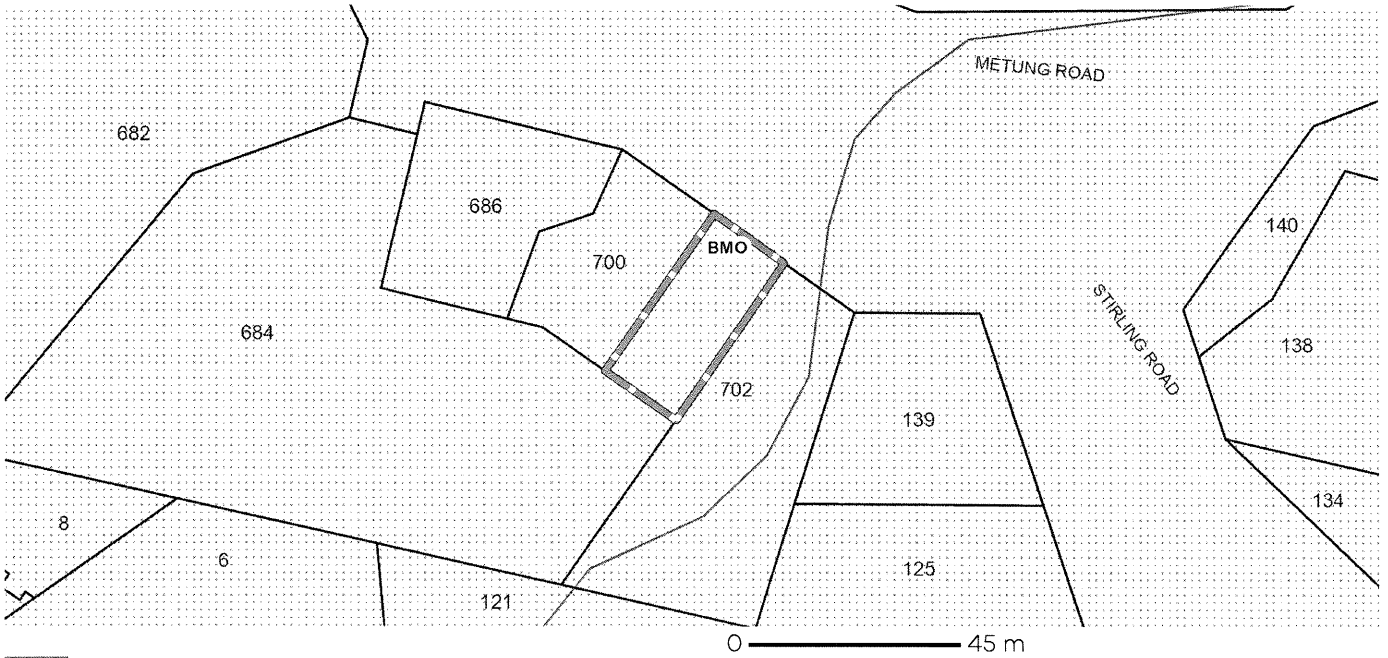
Note: labels for zones may appear outside the actual zone - please compare the labels with the legend.

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 Read the full disclaimer at <https://www.delwp.vic.gov.au/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 Overlays

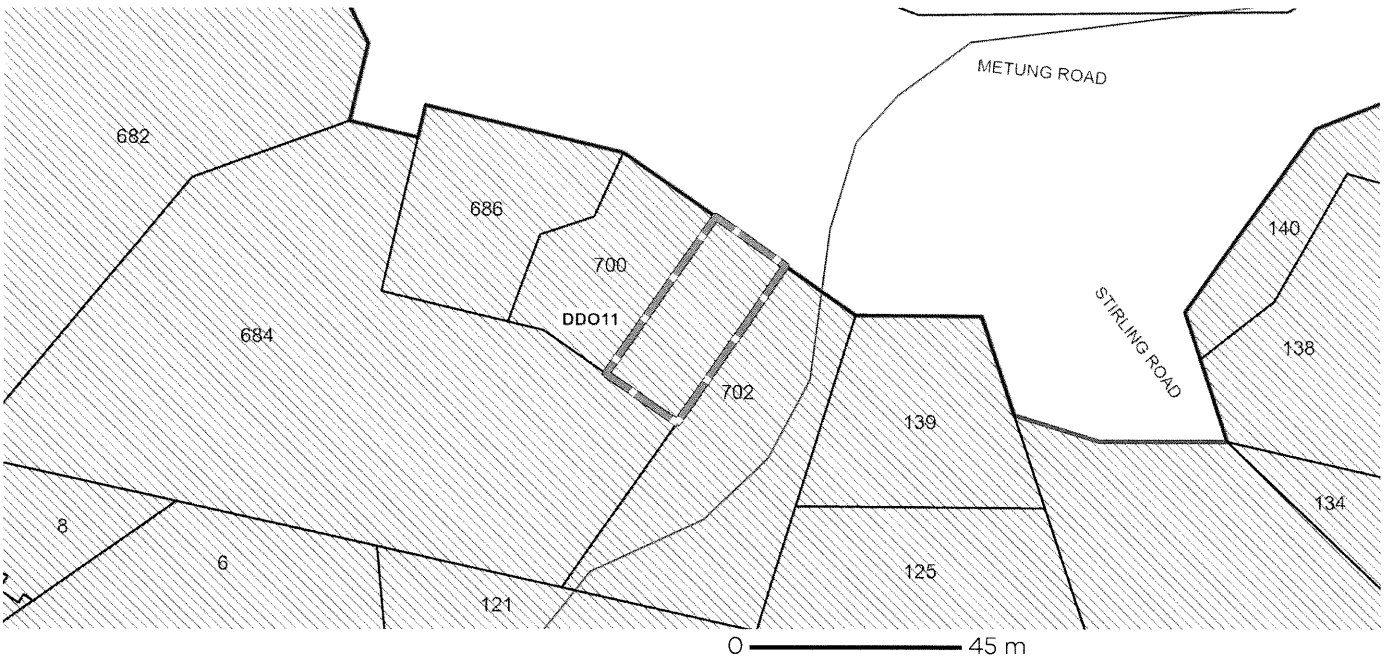
BUSHFIRE MANAGEMENT OVERLAY (BMO)



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

DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 11 (DDO11)

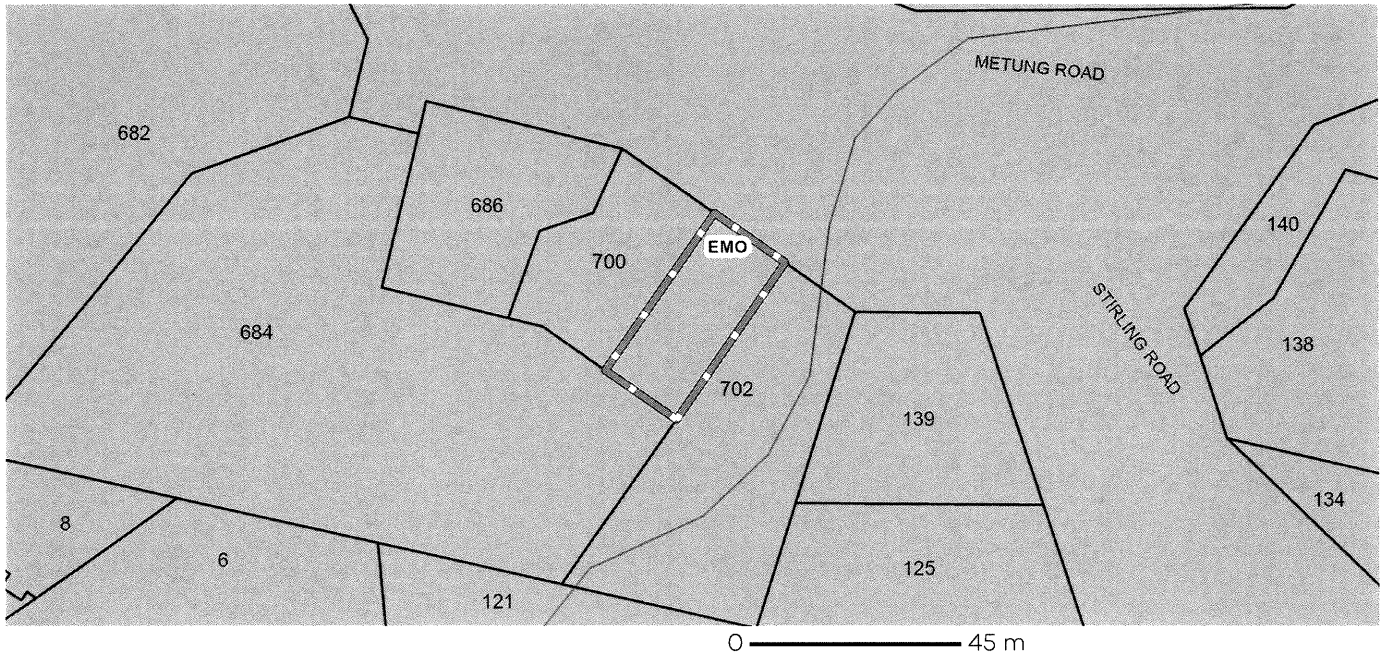


Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Planning Overlays

EROSION MANAGEMENT OVERLAY (EMO)

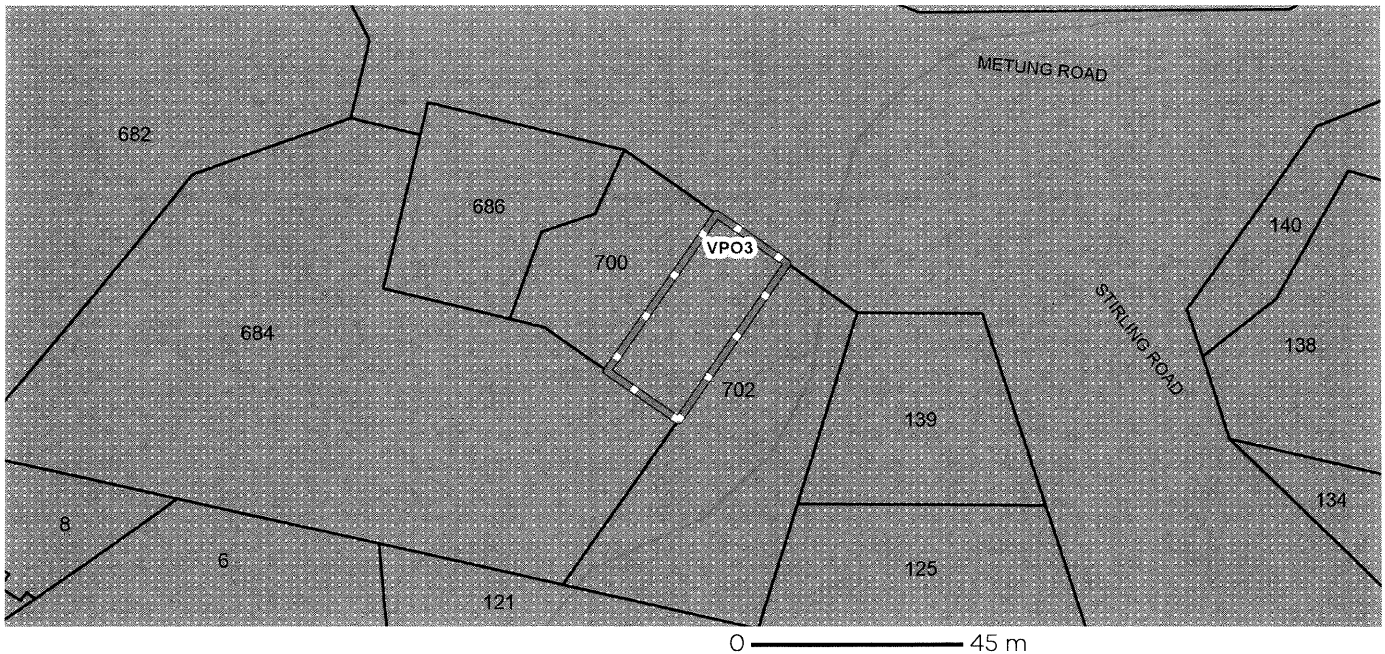
EROSION MANAGEMENT OVERLAY SCHEDULE (EMO)



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

VEGETATION PROTECTION OVERLAY (VPO)

VEGETATION PROTECTION OVERLAY - SCHEDULE 3 (VPO3)



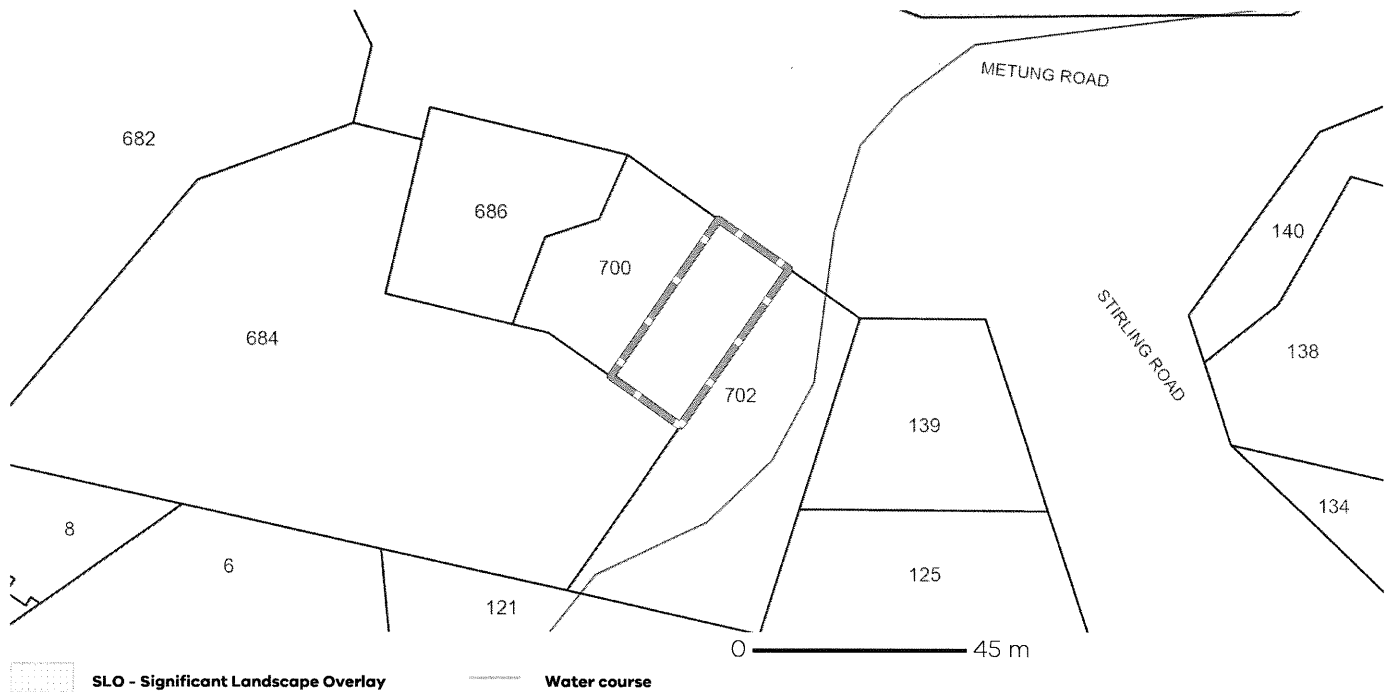
Note: due to overlaps, some overlays may not be visible, and some colours may not match those in the legend

Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

SIGNIFICANT LANDSCAPE OVERLAY (SLO)



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 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/vicolan>

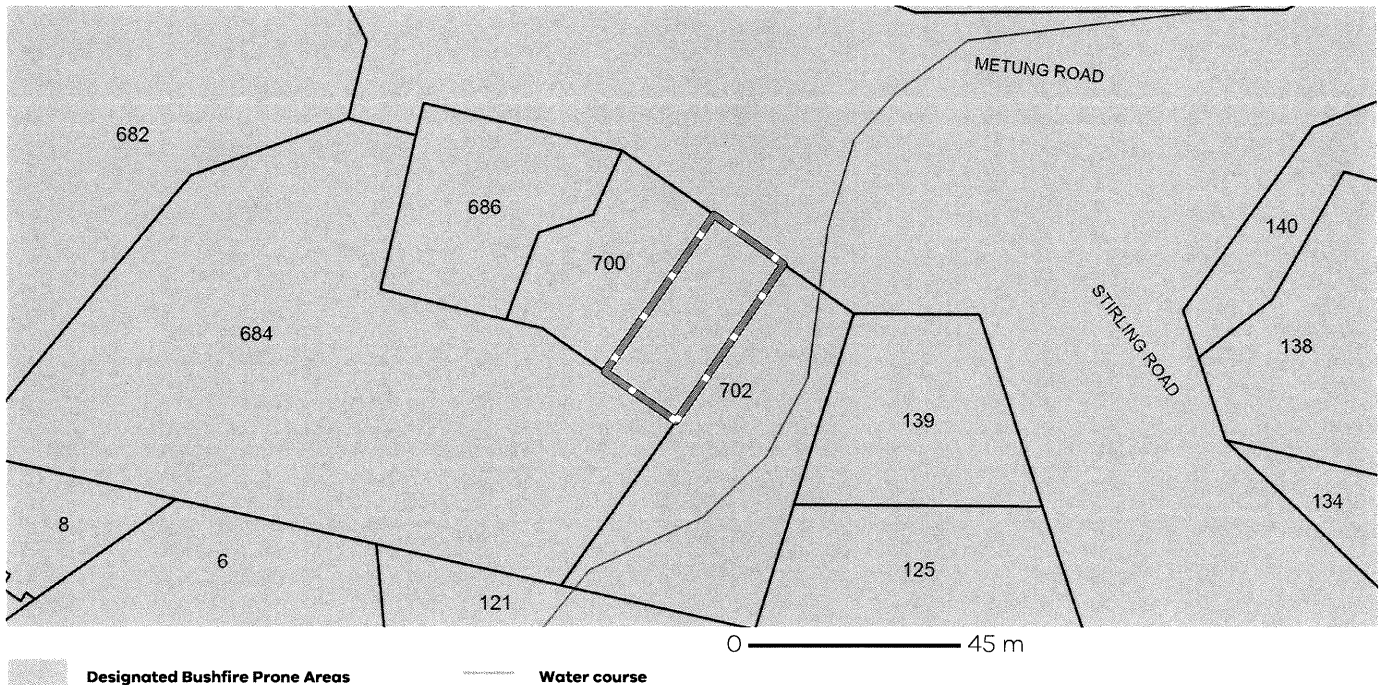
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This parcel 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 \(environment.vic.gov.au\)](https://www.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 \(environment.vic.gov.au\)](https://www.environment.vic.gov.au)


Lodger Details

Lodger Code
 Name
 Address
 Lodger Box
 Phone
 Email
 Reference 24407 Holden APR

TRANSMISSION APPLICATION

Jurisdiction VICTORIA

Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

Estate and/or interest held by deceased

FEE SIMPLE

Land Title Reference

8986/058
 9703/686

Deceased Registered Proprietor

Given Name(s) KENNETH WILLIAM
 Family Name HOLDEN

Applicant

Given Name(s) DIANNE JOAN
 Family Name HONEY
 Address
 Street Number 20
 Street Name BACK MAFFRA
 Street Type ROAD
 Locality SALE
 State VIC
 Postcode 3850
 Capacity EXECUTOR

The applicant as personal representative applies to be registered as proprietor of the estate and/or interest in the land specified of the deceased.

Execution

Executed on behalf of
 Signer Name
 Signer Organisation
 Signer Role
 Execution Date

Reference: 24407 Holden APR

Back

Feedback



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

Page 1 of 1

VOLUME 08986 FOLIO 058

Security no : 124115740948A
Produced 12/06/2024 01:00 PM

LAND DESCRIPTION

Lot 4 on Plan of Subdivision 051520.
PARENT TITLE Volume 05018 Folio 559
Created by instrument E826357 24/05/1973

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor
KENNETH WILLIAM HOLDEN of 702 METUNG ROAD METUNG VIC 3904
AW463335U 18/01/2023

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 LP051520 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: 702 METUNG ROAD METUNG VIC 3904

ADMINISTRATIVE NOTICES

NIL

eCT Control 14943M WARDS BARRISTERS AND SOLICITORS PTY LTD
Effective from 18/01/2023

DOCUMENT END



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Document Identification	LP051520
Number of Pages (excluding this cover sheet)	2
Document Assembled	03/07/2024 15:37

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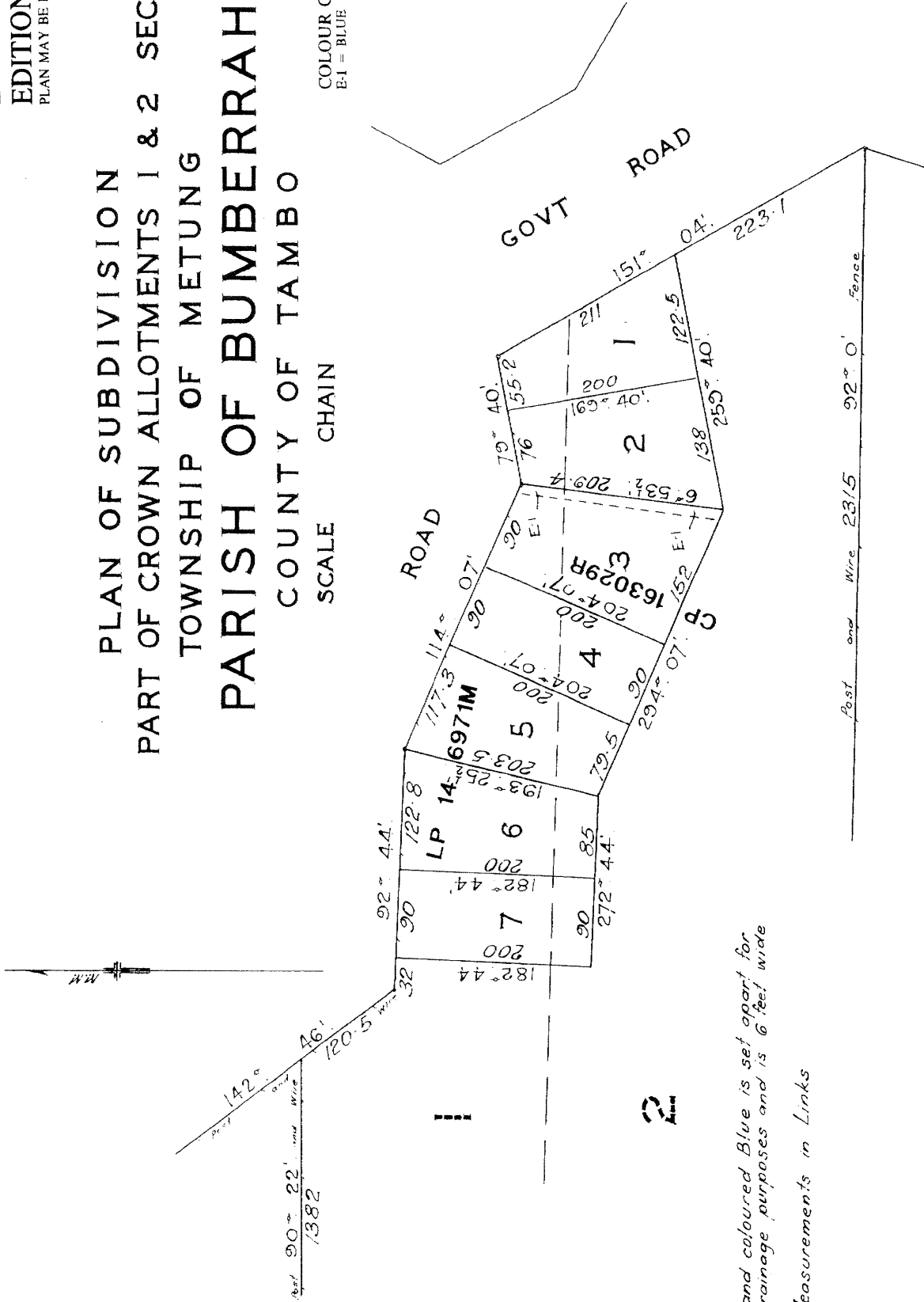
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LP 51520
EDITION 1
PLAN MAY BE LODGED /C/ 1.3 /60

PLAN OF SUBDIVISION
PART OF CROWN ALLOTMENTS 1 & 2 SEC. M
TOWNSHIP OF METUNG
PARISH OF BUMBERRAH
COUNTY OF TAMBO
SCALE CHAIN

COLOUR CONVERSION
E:1 = BLUE



Land coloured Blue is set apart for drainage purposes and is 6 feet wide
Measurements in Links

FOR APPROPRIATIONS, ETC.
SEE BACK HEREOF

CERTIFICATE OF TITLE V. 5018 F. ~~599~~¹⁷
 559
 LODGED BY A. P. AGG & S. ENOELL
 DEALING No. A 907777 DATE 15 2 60
 DECLARED BY A F HOLMES 11 12 59
 CONSENT OF COUNCIL SHIRE OF TAMBO
15 12 59
 PLAN MAY BE LODGED F.H.B. **10 MAR 1960**

LP 51520
BACK OF SHEET!

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

From www.planning.vic.gov.au at 02 July 2024 04:34 PM

PROPERTY DETAILS

Lot and Plan Number: **Plan CP163029**
 Address: **702 METUNG ROAD METUNG 3904**
 Standard Parcel Identifier (SPI): **CP163029**
 Local Government Area (Council): **EAST GIPPSLAND** www.eastgippsland.vic.gov.au
 Council Property Number: **44439 (Part)**
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 Directory Reference: **Vicroads 690 C3**

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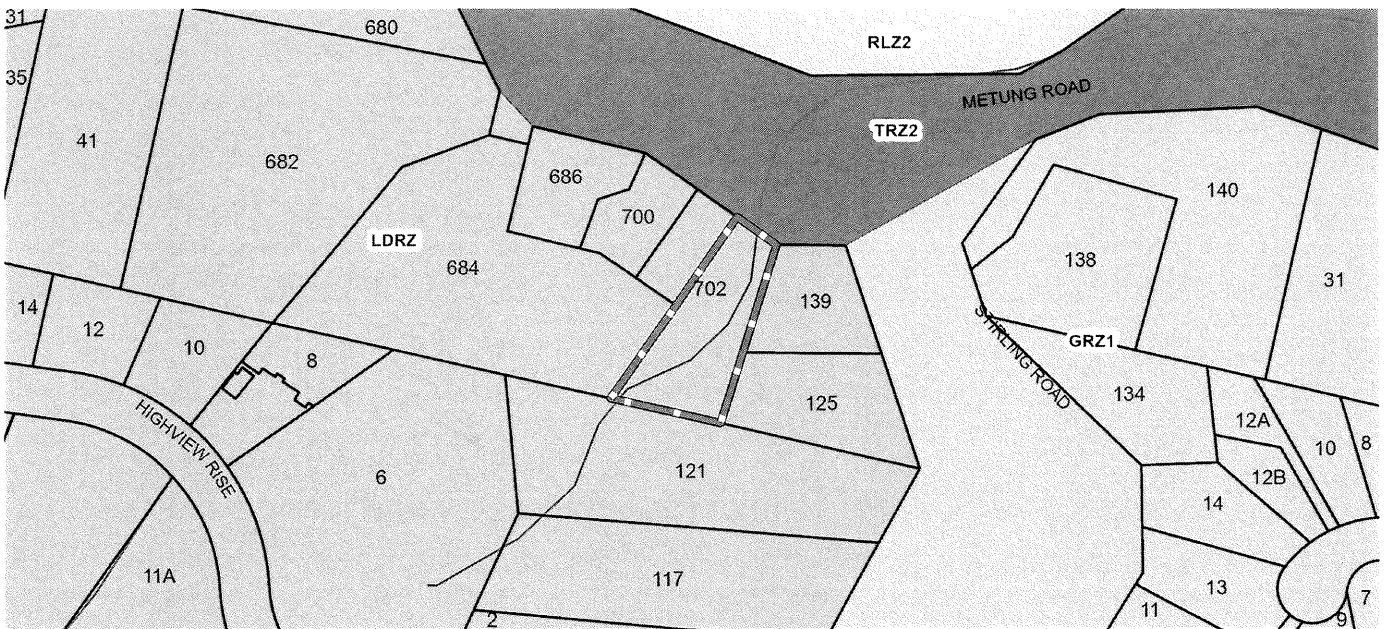
OTHER

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Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

[LOW DENSITY RESIDENTIAL ZONE \(LDRZ\)](#)
[SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE \(LDRZ\)](#)



GRZ - General Residential **LDRZ - Low Density Residential** **RLZ - Rural Living**
TRZ2 - Principal Road Network **Water course**

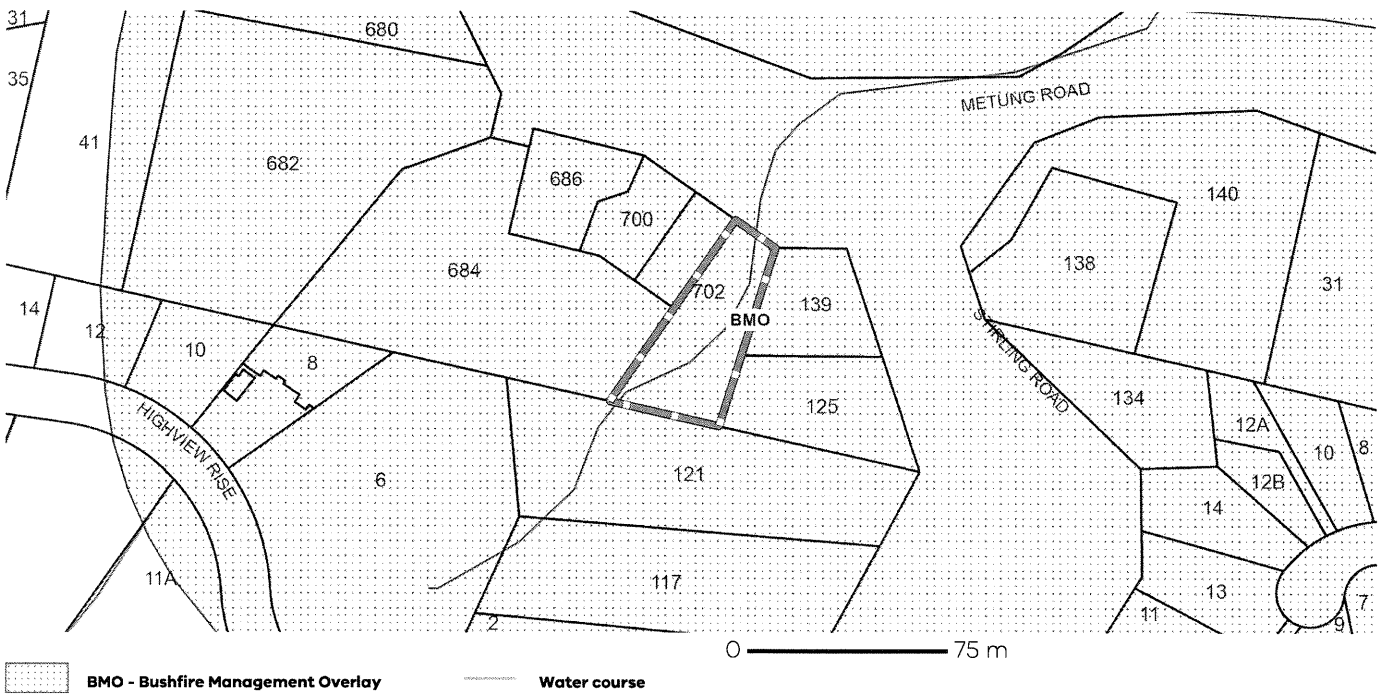
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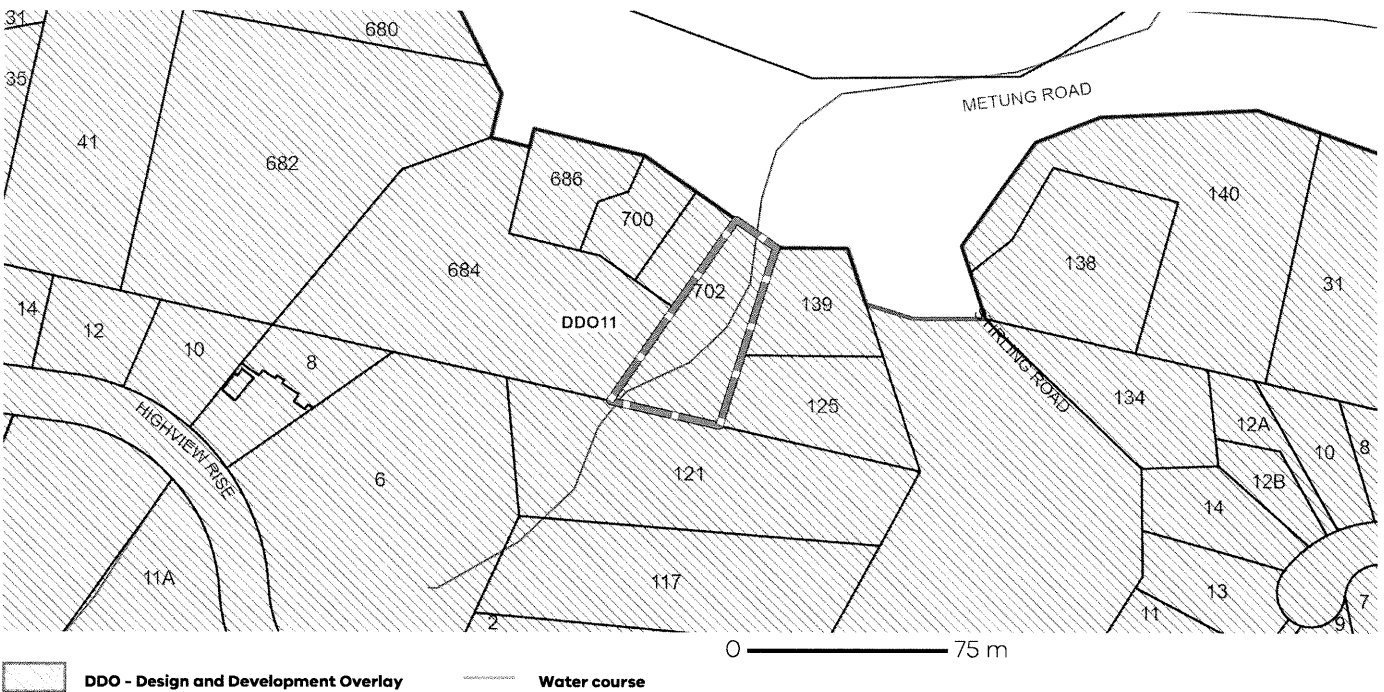
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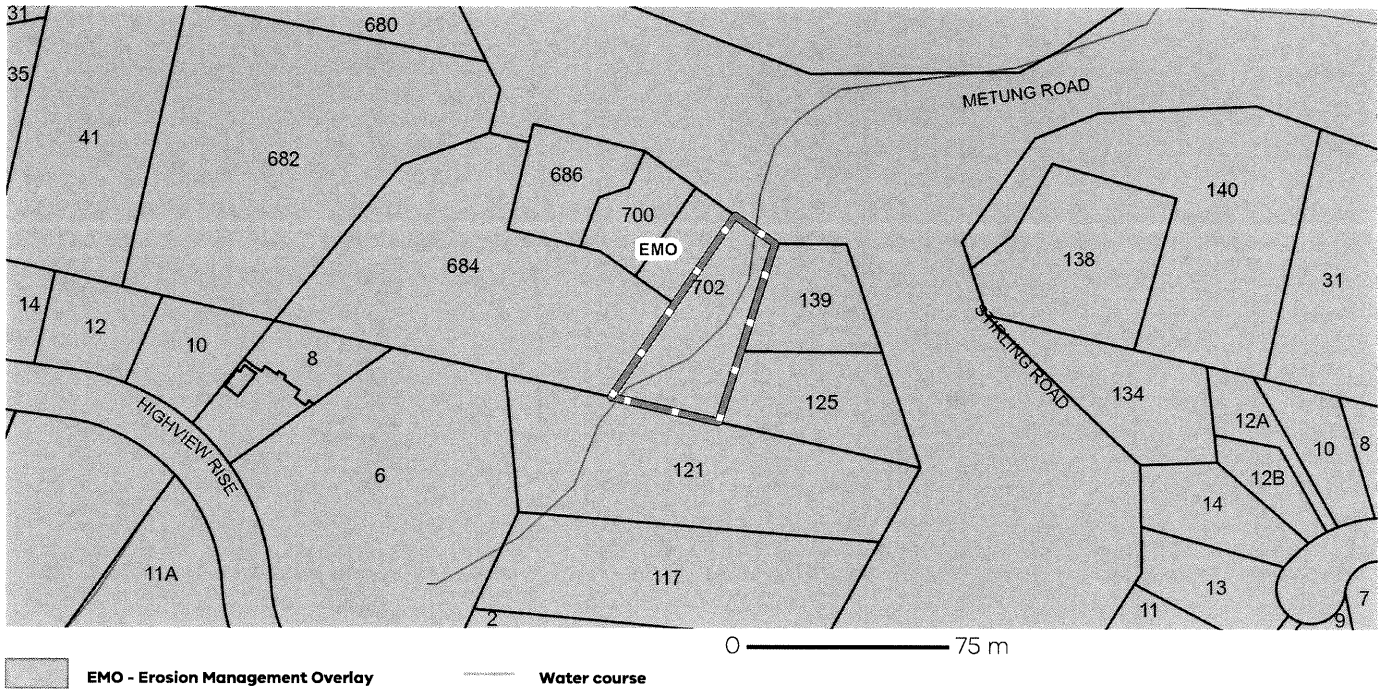
DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 11 (DDO11)



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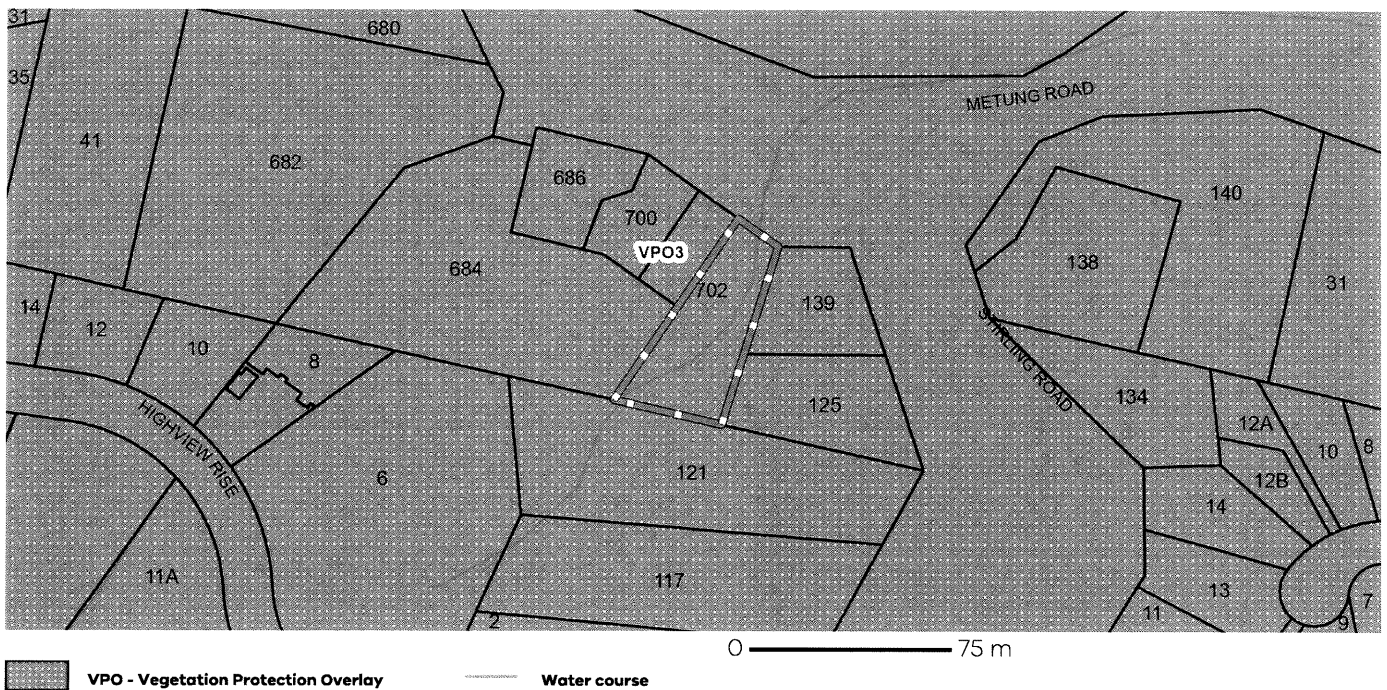
Planning Overlays

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EROSION MANAGEMENT OVERLAY SCHEDULE (EMO)



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VEGETATION PROTECTION OVERLAY - SCHEDULE 3 (VPO3)



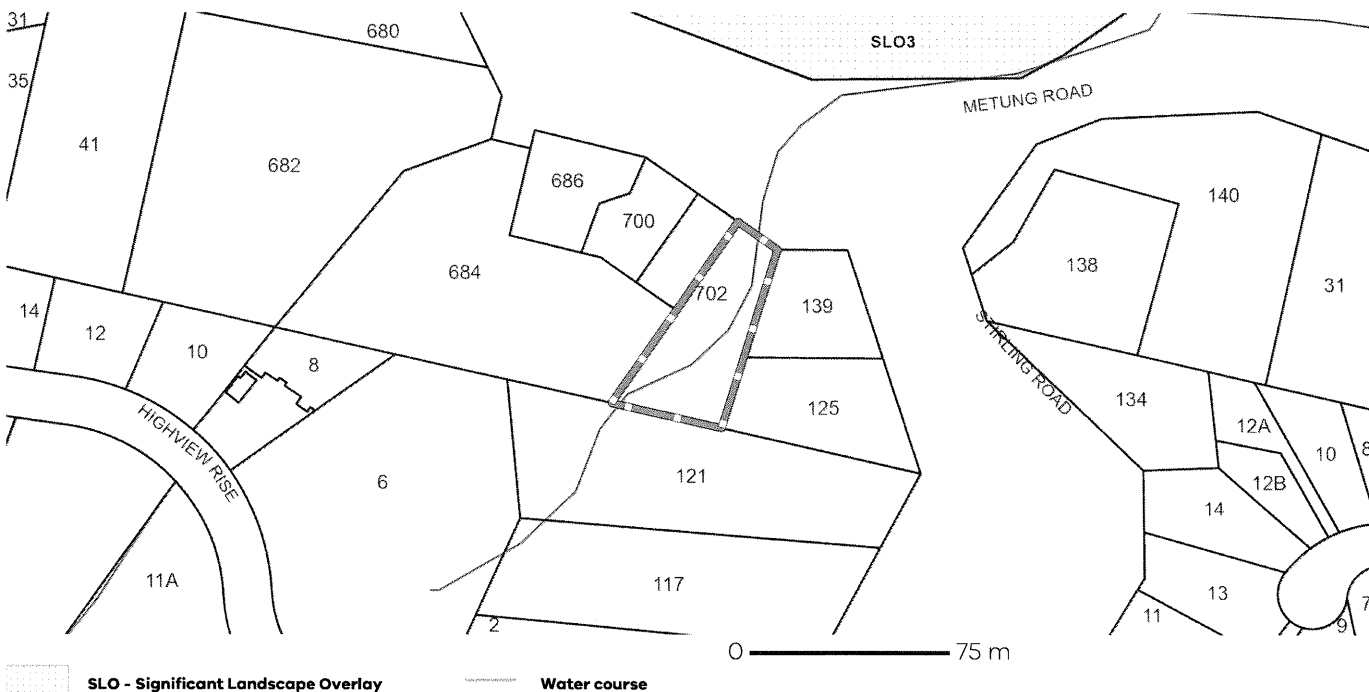
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Planning Overlays

OTHER OVERLAYS

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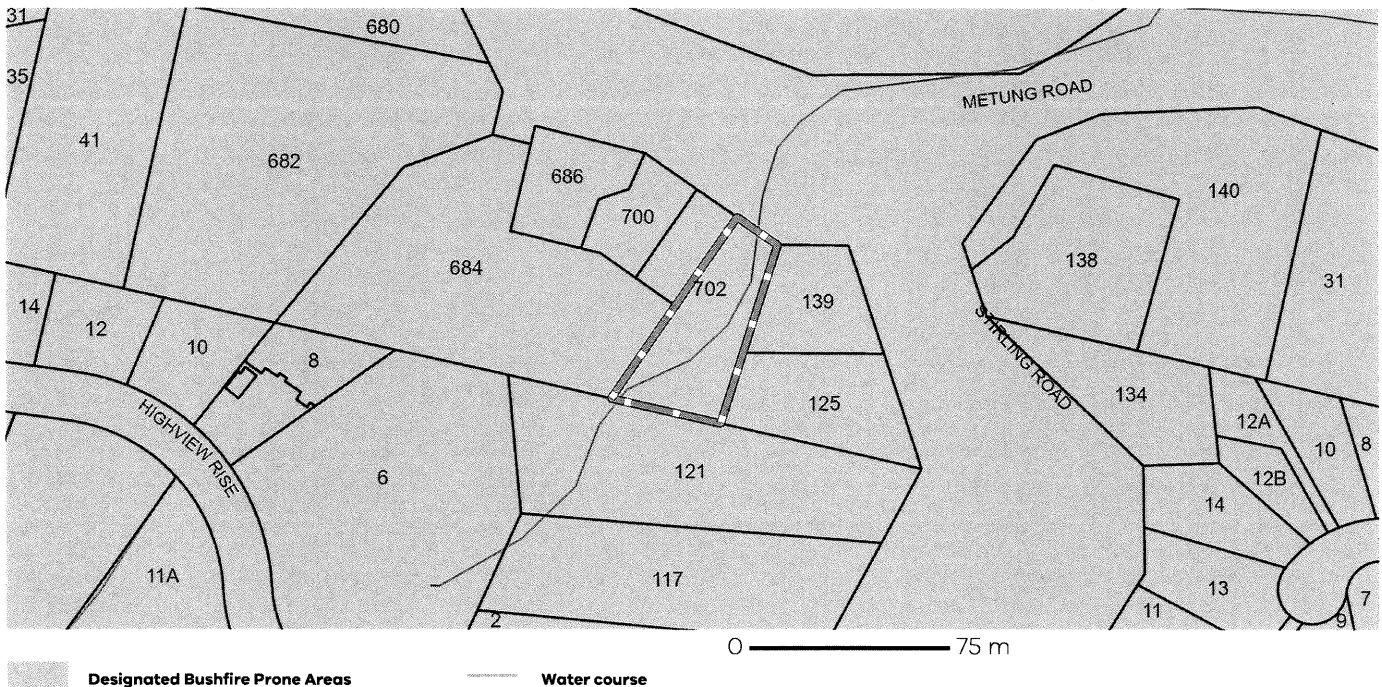
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**REGISTER SEARCH STATEMENT (Title Search) Transfer of
Land Act 1958**

Page 1 of 1

VOLUME 09703 FOLIO 686

Security no : 124115740873G
Produced 12/06/2024 12:59 PM

LAND DESCRIPTION

Land in Plan of Consolidation 163029R.

PARENT TITLES :

Volume 09508 Folio 222 Volume 09696 Folio 559

Created by instrument CP163029R 06/10/1986

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

KENNETH WILLIAM HOLDEN of 702 METUNG ROAD METUNG VIC 3904
AW463335U 18/01/2023

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 TP305325J 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: 702 METUNG ROAD METUNG VIC 3904

ADMINISTRATIVE NOTICES

NIL

eCT Control 14943M WARDS BARRISTERS AND SOLICITORS PTY LTD
Effective from 18/01/2023

DOCUMENT END



Imaged Document Cover Sheet

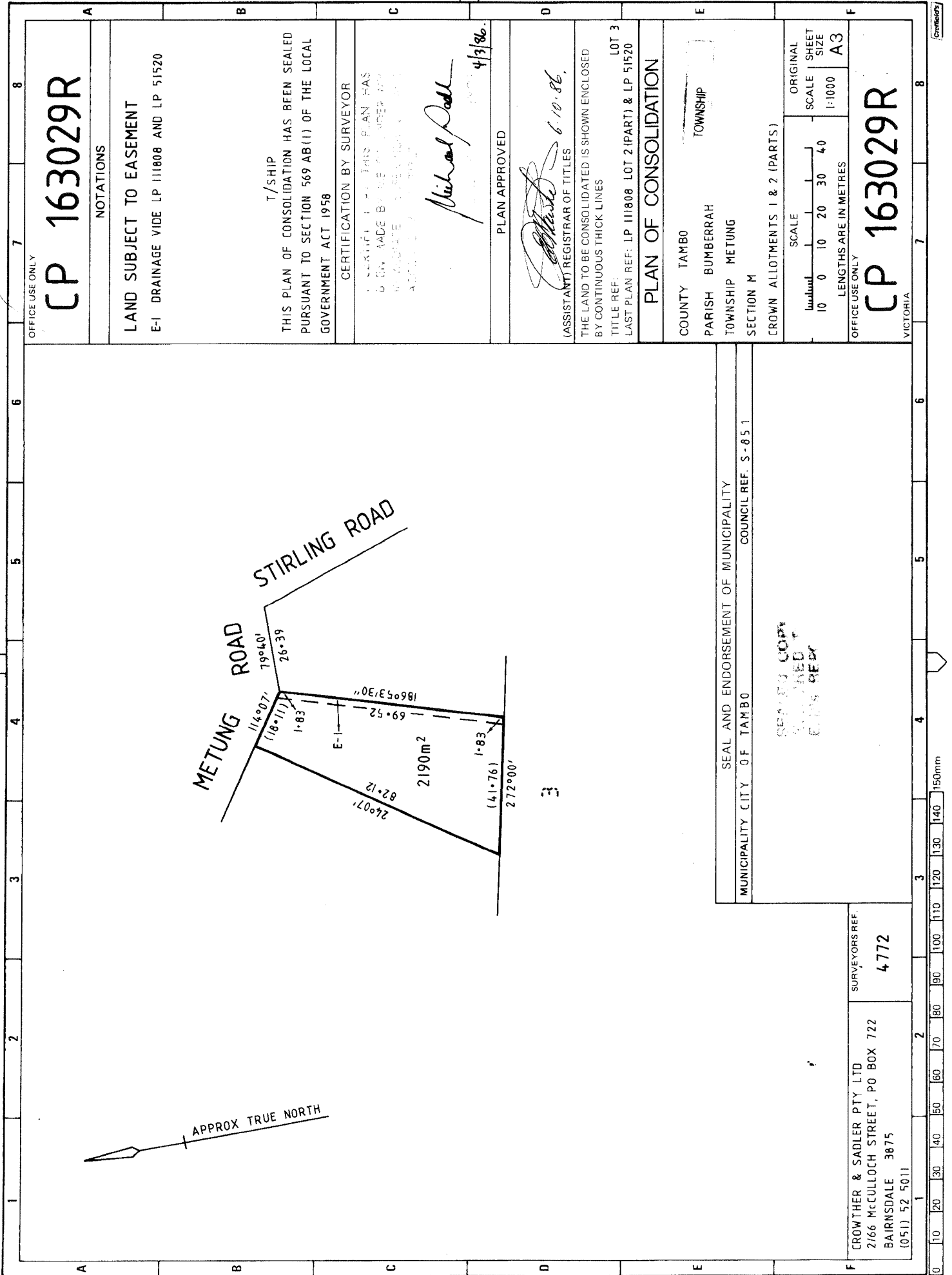
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Document Type	Plan
Document Identification	CP163029R
Number of Pages (excluding this cover sheet)	1
Document Assembled	03/07/2024 15:37

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CP 163029R

NOTATIONS

LAND SUBJECT TO EASEMENT

E-1 DRAINAGE VIDE LP 111808 AND LP 51520

T/SHIP
 THIS PLAN OF CONSOLIDATION HAS BEEN SEALED PURSUANT TO SECTION 569 AB(1) OF THE LOCAL GOVERNMENT ACT 1958

CERTIFICATION BY SURVEYOR

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN MADE BY ME OR UNDER MY SUPERVISION AND THAT I AM A REGISTERED SURVEYOR IN VICTORIA

Michael Padell
 4/3/86

PLAN APPROVED

(ASSISTANT) REGISTRAR OF TITLES
 THE LAND TO BE CONSOLIDATED IS SHOWN ENCLOSED BY CONTINUOUS THICK LINES
 TITLE REF: LOT 3
 LAST PLAN REF: LP 111808 LOT 2 (PART) & LP 51520

PLAN OF CONSOLIDATION

COUNTY TAMBO

PARISH BUMBERRAH

TOWNSHIP METUNG

SECTION M

CROWN ALLOTMENTS 1 & 2 (PARTS)

SCALE 1:1000
 ORIGINAL SCALE SHEET SIZE A3
 LENGTHS ARE IN METRES

CP 163029R

OFFICE USE ONLY

VICTORIA

SEAL AND ENDORSEMENT OF MUNICIPALITY

MUNICIPALITY CITY OF TAMBO COUNCIL REF. S-851

SEE TO COPY
 DRAWING
 CLASS REF

CROWTHER & SADLER PTY LTD
 2/66 McCULLOCH STREET, PO BOX 722
 BAIRNSDALE 3875
 (051) 52 5011

SURVEYORS REF. **4772**

Continued

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 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.

Vendor statement

Property address: 702 Metung Road, Metung, Victoria 3904

Vendor: Dianne Joan Honey

Purchaser:

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