



JP CONVEYANCING WORKS

# **SECTION 32** **STATEMENT**

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

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**Vendor:** Michaela Lesley Prince

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**Property:** 5 Elise Terrace, Traralgon VIC 3844

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**VENDORS REPRESENTATIVE**

JP Conveyancing Works  
2a Kirk Street  
MOE VIC 3825

Tel: (03) 5127 2909  
Fax: (03) 5127 4287  
Email: [jodie@jpcworks.com.au](mailto:jodie@jpcworks.com.au)

Ref: 4419

**32A FINANCIAL MATTERS**

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-

**Their total does not exceed \$3400.00**

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.

**32B 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

**32C 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.

(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.

SECTION 32 STATEMENT  
5 ELISE TERRACE, TRARALGON VIC 3844

(d) **PLANNING**

Planning Scheme: LaTrobe City Council  
Responsible Authority: LaTrobe City Council  
Zoning: General Residential Zone (GRZ)  
Planning Overlay/s: None. See attached certificate

**32D NOTICES**

The Vendor is not aware of any Notices, Declarations, Property Management Plans, Reports, Recommendations or Orders in respect of the land issued by a Government Department or Public Authority or any approved proposal directly and currently affecting the land 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.

**32E 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.

**32F OWNERS CORPORATION**

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

**32G 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

**32H SERVICES**

Service	Status
Electricity supply	Not Connected
Gas supply	Not Connected
Water supply	Connected
Sewerage	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 any account with a service provider before settlement, and the purchaser may need to have the service reconnected.

**SECTION 32 STATEMENT**  
**5 ELISE TERRACE, TRARALGON VIC 3844**

**321 TITLE**

Attached are the following document/s concerning Title:

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.

**ATTACHMENTS**

Attached to this Section 32 Statement please find:-

- All documents noted as attached within this Section 32 Statement
- Due Diligence Checklist

**DATE OF THIS STATEMENT**

23 / 08 / 20 20

**Name of the Vendor**

Michaela Lesley Prince

**Signature/s of the Vendor**

\* 

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

The Purchaser further acknowledges being directed to the DUE DILIGENCE CHECKLIST.

**DATE OF THIS ACKNOWLEDGMENT**

[ ] / [ ] / 20 [ ]

**Name of the Purchaser**

[ ]

**Signature/s of the Purchaser**

\* [ ]

# VIC Lands

## TITLE SEARCH ON 11015 / 043

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

VOLUME 11015 FOLIO 043

Security no : 124085021388C  
Produced 20/08/2020 01:34 PM

### LAND DESCRIPTION

Lot 43C on Plan of Subdivision 546354S.  
PARENT TITLES :  
Volume 09113 Folio 168 to Volume 09113 Folio 169  
Created by instrument PS546354S 18/06/2007

### REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
MICHAELA LESLEY PRINCE of 19 KENILWORTH DRIVE TRARALGON VIC 3844  
AN032606X 20/08/2016

### ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AN032607V 20/08/2016  
WESTPAC BANKING CORPORATION

COVENANT AF440764W 31/10/2007

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

### DIAGRAM LOCATION

SEE PS546354S 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: 5 ELISE TERRACE TRARALGON VIC 3844



ADMINISTRATIVE NOTICES

-----

NIL

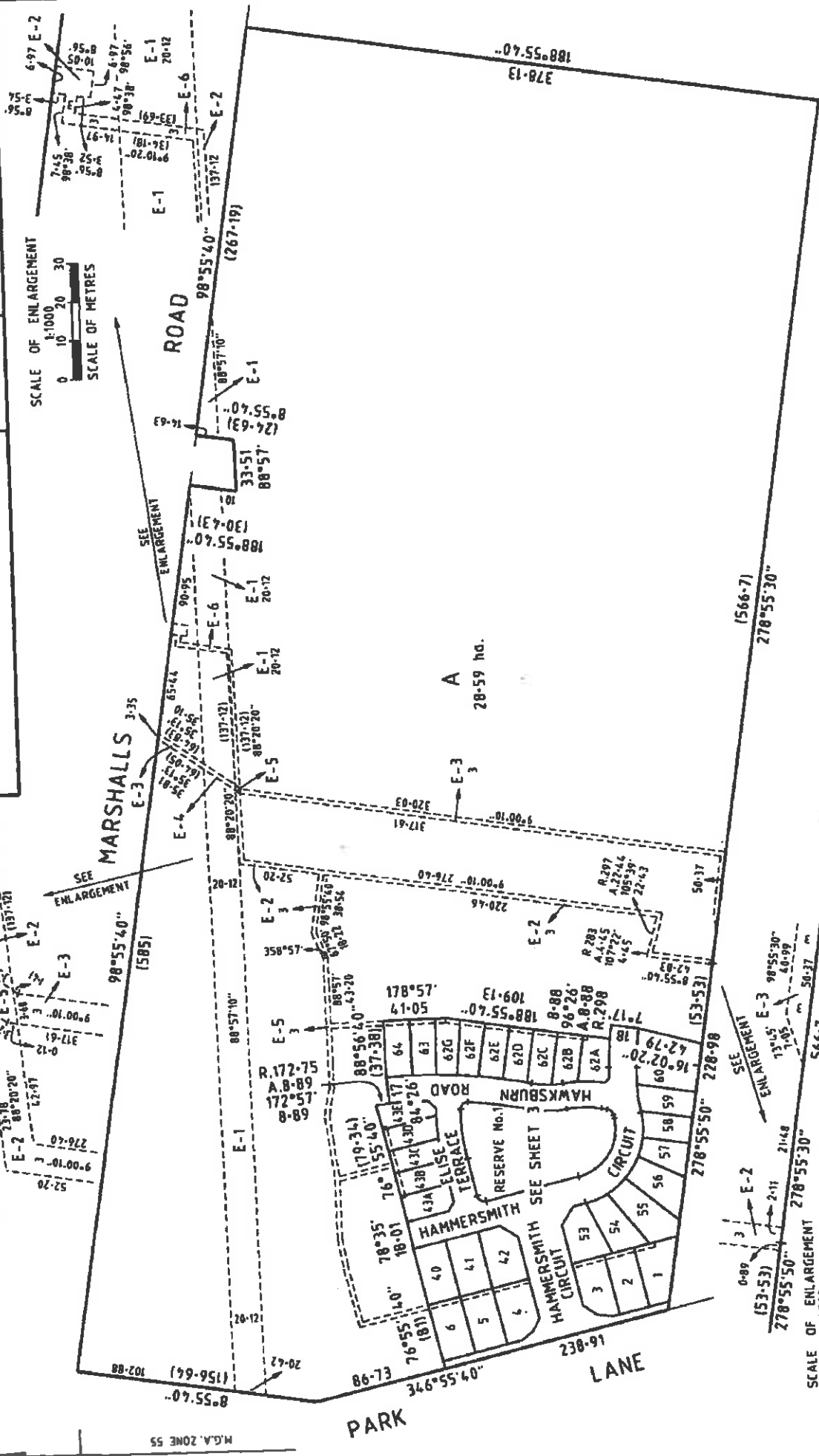
eCT Control 16320Q WESTPAC BANKING CORPORATION  
Effective from 29/04/2017

DOCUMENT END

PLAN OF SUBDIVISION				STAGE NO. /	LR use only <b>EDITION 1</b>	Plan Number <b>PS 546354S</b>				
<b>Location of Land</b> Parish: TRARALGON Township: _____ Section: _____ Crown Allotment: A8 (PART) & PART OF CROWN PRE-EMPTIVE SECTION A Crown Portion: _____ Title Reference: VOL.9113 FOL.168 VOL.9113 FOL.169 Last Plan Reference: LP116279 (LOT 1) TP843246B (LOT 1) Postal Address: PARK LANE TRARALGON 3844 (at time of subdivision) MGA Co-ordinates E 461 100      ZONE: 55 N 5 773 950 of approx. centre of land in plan				<b>Council Certification and Endorsement</b> Council Name: LATROBE CITY COUNCIL      Ref: 05222 1. This plan is certified under section 6 of the Subdivision Act 1988. <del>2. This plan is certified under section 11(7) of the Subdivision Act 1988.</del> <del>Date of original certification under section 6</del> 3. <del>This is a statement of compliance issued under section 21 of the Subdivision Act 1988.</del> <b>OPEN SPACE</b> (i) A requirement for public open space under section 18 of the Subdivision Act 1988 <del>has</del> /has not been made. (ii) <del>The requirement has been satisfied.</del> (iii) <del>The requirement is to be satisfied in Stage</del> _____						
<b>Vesting of Roads and / or Reserves</b> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Identifier</th> <th style="width: 85%;">Council/Body/Person</th> </tr> </thead> <tbody> <tr> <td>RESERVE No.1 ROAD R1</td> <td>LATROBE CITY COUNCIL LATROBE CITY COUNCIL</td> </tr> </tbody> </table>				Identifier	Council/Body/Person	RESERVE No.1 ROAD R1	LATROBE CITY COUNCIL LATROBE CITY COUNCIL	Council Delegate Council Seal Date 1 / 6 / 2007 <del>Be certified under section 11(7) of the Subdivision Act 1988.</del> Council Delegate Council Seal _____		
Identifier	Council/Body/Person									
RESERVE No.1 ROAD R1	LATROBE CITY COUNCIL LATROBE CITY COUNCIL									
<b>Notations</b> Staging      This is not a staged subdivision Planning Permit No. 05222 Depth Limitation      DOES NOT APPLY. LOT NUMBERS 7 TO 39 INCLUSIVE, 43 AND 44 TO 52 INCLUSIVE AND 62 HAVE BEEN OMITTED FROM THIS PLAN. The land being subdivided is enclosed within thick continuous lines. Survey This plan is based on survey. This survey has been connected to permanent marks (nots). 100, 164, 223, 280, 324, 359, 360 & 386 in Proclaimed Survey Area No. _____										
<b>Easement Information</b>										
Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement A - Appurtenant Easement      R - Encumbering Easement (Road)					LR use only Statement of Compliance/ Exemption Statement Received <input checked="" type="checkbox"/> Date 15 / 6 / 07					
Subject Land	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	LR use only PLAN REGISTERED Time 2:45 pm Date 19 / 6 / 2007  Assistant Registrar of Titles Sheet 1 of 3 Sheets					
E-1, E-4, E-6, E-7	SEWERAGE	20-12	A940200	LATROBE VALLEY WATER AND SEWERAGE BOARD						
E-2, E-5 E-6, E-7	PIPELINE OR ANCILLARY PURPOSES	SEE DIAG.	THIS PLAN-SEC 136 OF WATER ACT 1989	CENTRAL GIPPSLAND REGION WATER AUTHORITY						
E-3, E-4 E-5, E-7 E-2	DRAINAGE	SEE DIAG.	THIS PLAN	LATROBE CITY COUNCIL						
 <b>BEVERIDGE WILLIAMS &amp; CO. PTY.LTD.</b> ACN 006 197 235      ABN 44 622 029 694 SURVEYORS, ENGINEERS, PLANNERS ENVIRONMENTAL CONSULTANTS PO BOX 2205 CAULFIELD JUNCTION 3161 95284444 PO BOX 1465 BALLARAT MAIL CENTRE 3354 53313677 PO BOX 161 LEONGATHA 3953 56622630 PO BOX 129 WORTHAGGI 3995 56721505 PO BOX 1916 TRARALGON 3844 51760374				LICENSED SURVEYOR - PIETER BRUCE VROEGOP (PRINT) SIGNATURE _____ DATE 21/9/2006 REF 3434/1      VERSION 8						
DATE 1 / 6 / 2007 COUNCIL DELEGATE SIGNATURE Original sheet size A3										

STAGE NO. / PLAN NUMBER  
**PS 546354S**

**PLAN OF SUBDIVISION**



Sheet 2 of 3 Sheets

DATE **1 / 6 / 2007**  
 COUNCIL DELEGATE SIGNATURE

LICENSED SURVEYOR (PRINT) **PIETER BRUCE VROEGOP**  
 DATE **21/9/2006**  
 SIGNATURE  
 REF **3434/1** VERSION **8**

ORIGINAL SCALE SHEET SIZE  
 1:2500 A3

SCALE LENGTHS ARE IN METRES  
 25 0 25 50 75 100

**B**  
 BEVERIDGE WILLIAMS & CO. PTY. LTD.  
 ACN 006 137 235  
 200 BULLOCKY WAY  
 ENVIRONMENTAL CONSULTANTS  
 PO BOX 2205 CALLISTO CENTRE 3354 53313877  
 PO BOX 1465 DALLASTON 3953 56622630  
 PO BOX 125 MORTWAGGI 3995 58721505  
 PO BOX 1916 TERALGOON 3944 51160374



# PLAN OF SUBDIVISION

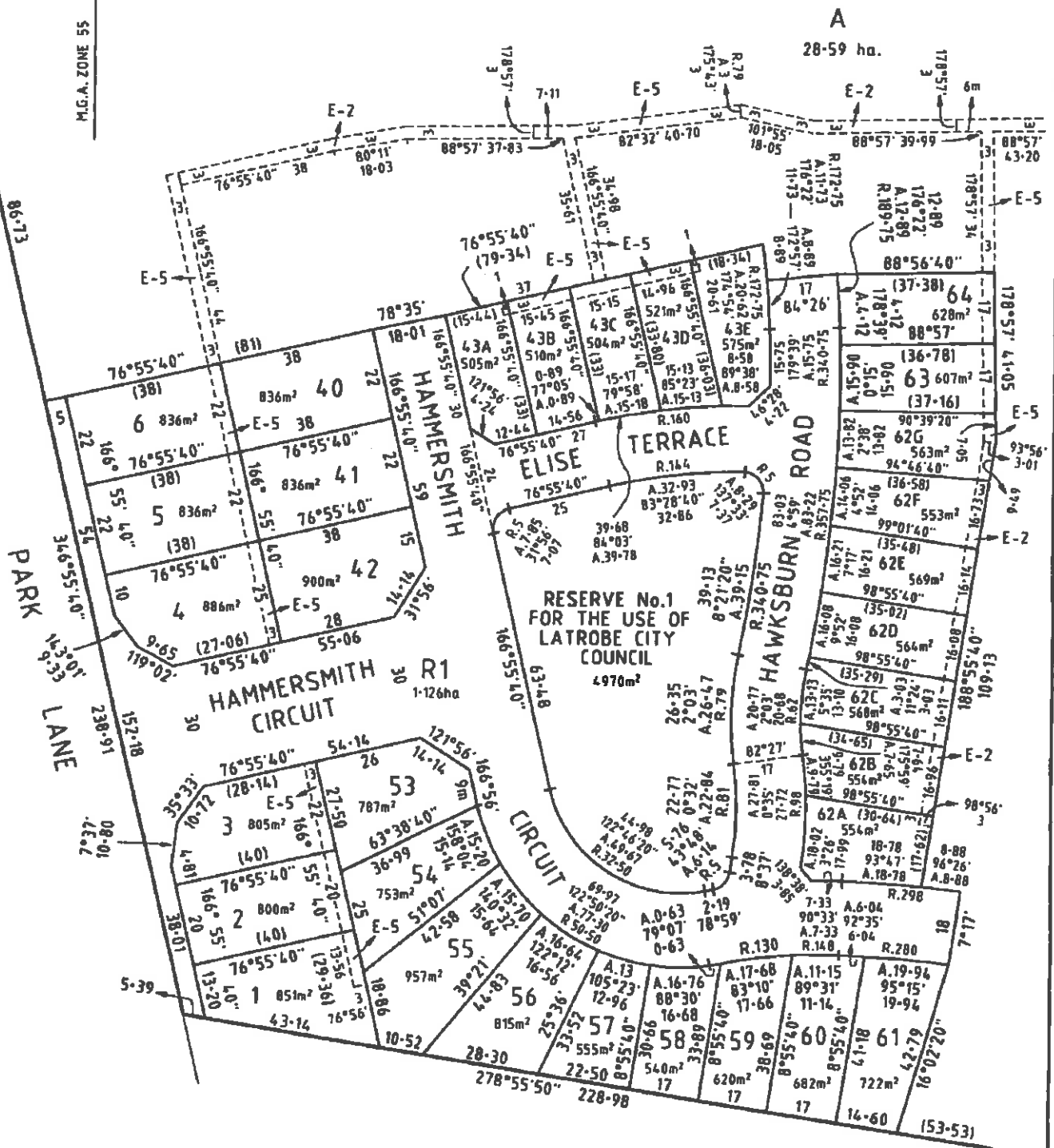
Stage No.

Plan Number

**PS 546354S**

A

28.59 ha.



**BEVERIDGE WILLIAMS & CO. PTY.LTD.**  
 ACN 006 197 235 ABN 44 622 029 694  
 SURVEYORS, ENGINEERS, PLANNERS  
 ENVIRONMENTAL CONSULTANTS  
 PO BOX 2205 CAULFIELD JUNCTION 3161 95284444  
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 PO BOX 161 LEONGATHA 3953 56622630  
 PO BOX 129 WONTHAGGI 3995 56721505  
 PO BOX 1916 TRARALGON 3844 51760374

Sheet 3 of 3 Sheets

DATE 1 / 6 / 2007

COUNCIL DELEGATE SIGNATURE

Original sheet size A3

ORIGINAL SCALE

SCALE

10 0 10 20 30 40

LENGTHS ARE IN METRES

SCALE SHEET SIZE

1:1000 A3

LICENSED SURVEYOR (PRINT) PIETER BRUCE VROEGOP

SIGNATURE DATE 21/9/2006

REF 3434/1 VERSION 8

h2c

# TRANSFER OF LAND

Section 45 Transfer of Land Act 1958



**Privacy Collection Statement**  
The information from this form is collected under statutory authority and is used for the purposes of...

Lodged by:

Name: THE LOCAL CONVEYANCING COMPANY  
Phone: 03 5176 0955  
Address: First Floor, 51 Hotham Street, TRARALGON  
Ref: JD:T070811  
Customer Code: 3909Y

National Australia Bank Limited 200Q

## AF440764W



MADI  
Office Use Only

The transferor at the direction of the directing party (if any) transfers to the transferee the estate and interest specified in the land described for the consideration expressed-

- together with any easements created by this transfer;
- subject to the encumbrances affecting the land including any created by dealings lodged for registration before the lodging of this transfer; and
- subject to any easements reserved by this transfer or restrictive covenant contained or covenant created pursuant to statute and included in this transfer.

Land: (volume and folio reference)  
Volume 11015 Folio 043

Estate and Interest: (e.g. "all my estate in fee simple")  
all my estate and interest in fee simple

Consideration:

Transferor: (full name)

TRARALGON LAND COMPANY PTY LTD

Transferee: (full name and address including postcode)

JASON PAUL WALKER of 14 Moore Street, Traralgon 3844

Directing Party: (full name)

Creation and/or Reservation and/or Covenant :

The Transferee for themselves, the survivor of them and their successors in title, the registered proprietors for the time being of the lot hereby transferred and every part thereof with the intention that the benefit of this Covenant will be attached to and run at law and in equity with every lot on Plan of Subdivision PS546354S other than the lot hereby transferred and the burden of this Covenant will be attached to and run at law and in equity with the land hereby transferred do hereby covenant with the Transferor its successors in title, the registered proprietor or proprietors for the time being of each lot on Plan of Subdivision PS 546354S and part or parts thereof (other than the lot hereby transferred) that they will not without the prior written consent of Traralgon Land Company Pty Ltd build, construct or erect or permit or cause to be built, constructed or erected on the land hereby transferred:-

Continued on T2 Page 2

Approval No: 1445063A

ORDER TO REGISTER  
Please register and issue title to

# T2



Signed

Cust. Code:

STAMP DUTY USE ONLY

National Australia Bank Limited	
This stamp is	ABN 12 004 044 937 AP 161
SRO	Victorian Duty \$ 960
Property	Consideration / Advance \$ 90,000
NOT TO BE COPIED	Victorian Assets % Section
	Original / Counterpart / Collateral / Upstamp
	Transaction No: 113401007
	Endorsing Date: 29/10/07
	Signature: [Signature] No 20

\* Law Perfect Pty Ltd

THE BACK OF THIS FORM MUST NOT BE USED  
Land Registry, 570 Bourke Street, Melbourne, 3000, Phone 8636-2010

- (a) a dwelling the walls of which are constructed of exposed concrete or exposed concrete blocks;
- (b) a dwelling the walls of which are constructed of:
  - (i) more than 65% brick veneer; or
  - (ii) more than 65% masonry/stone;
- (c) a dwelling the roof of which is constructed other than of tiles, colourbond or non reflective steel deck;
- (d) boundary (being fences located on an external boundary) and front fences in excess of 1.2 metres in height and constructed other than of vertical treated pine with capping;
- (e) a dwelling made from a 'kit home' (or cabin type structure);
- (f) a dwelling of a relocatable nature; and
- (g) a dwelling or any outbuilding made from or using any materials other than new materials.

Dated: 8/10/07


AF440764W





Execution and attestation

~~EXECUTED by TRARALGON LAND COMPANY )  
 PTY LTD ACN 112 253 666 by being signed by the )  
 persons authorised to sign for the company. )~~

.....  
 Sole Director/Secretary  
 Name: Michael Biviano  
 Address: Suite 23, 1 Ricketts Road  
 Mount Waverley 3149

Signed by JASON PAUL WALKER in the presence )  
 of: ..... )  
 Witness:  .....  
 JASON PAUL WALKER

Signed by Michael David Kenneth Beaton as  
 attorney for Traralgon Land Company Pty Ltd  
 under Power of Attorney dated 15 August 2007  
 in the presence of: 



Approval No: 1445063A

T2 Page 2



\*Law Perfect Pty Ltd

## Property Report from [www.land.vic.gov.au](http://www.land.vic.gov.au) on 20 August 2020 01:32 PM

Address: 5 ELISE TERRACE TRARALGON 3844

Lot and Plan Number: Lot 43C PS546354

Standard Parcel Identifier (SPI): 43C\PS546354

Local Government (Council): LATROBE Council Property Number: 49241

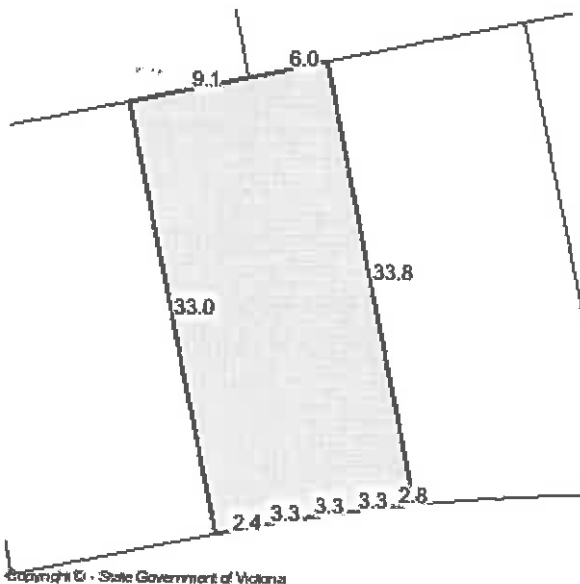
Directory Reference: VicRoads 697 L3

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

Further information about the building control system and building in bushfire prone areas can be found in the Building Commission section of the Victorian Building Authority website [www.vba.vic.gov.au](http://www.vba.vic.gov.au)

### Site Dimensions

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



Area: 504 sq. m

Perimeter: 97 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.

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

### State Electorates

Legislative Council: EASTERN VICTORIA

Legislative Assembly: MORWELL

### Utilities

Rural Water Corporation: Southern Rural Water

Urban Water Corporation: Gippsland Water

Melbourne Water: outside drainage boundary

Power Distributor: AUSNET (Information about [choosing an electricity retailer](#))

Planning information continued on next page

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## Planning Zone Summary

Planning Zone: GENERAL RESIDENTIAL ZONE (GRZ)  
GENERAL RESIDENTIAL ZONE - SCHEDULE 3 (GRZ3)

Planning Overlay: None

Planning scheme data last updated on 5 August 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 [Planning Schemes Online](#)

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](#)

The Planning Property Report includes separate maps of zones and overlays

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 [Planning Maps Online](#)

For other information about planning in Victoria visit [www.planning.vic.gov.au](http://www.planning.vic.gov.au)

## Area Map



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# PLANNING PROPERTY REPORT

From www.planning.vic.gov.au at 20 August 2020 01:32 PM

## PROPERTY DETAILS

Address: **5 ELISE TERRACE TRARALGON 3844**  
 Lot and Plan Number: **Lot 43C PS546354**  
 Standard Parcel Identifier (SPI): **43C\PS546354**  
 Local Government Area (Council): **LATROBE**  
 Council Property Number: **49241**  
 Planning Scheme: **Latrobe**  
 Directory Reference: **Vicroads 697 L3**

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

[Planning Scheme - Latrobe](#)

## UTILITIES

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

[View location in VicPlan](#)

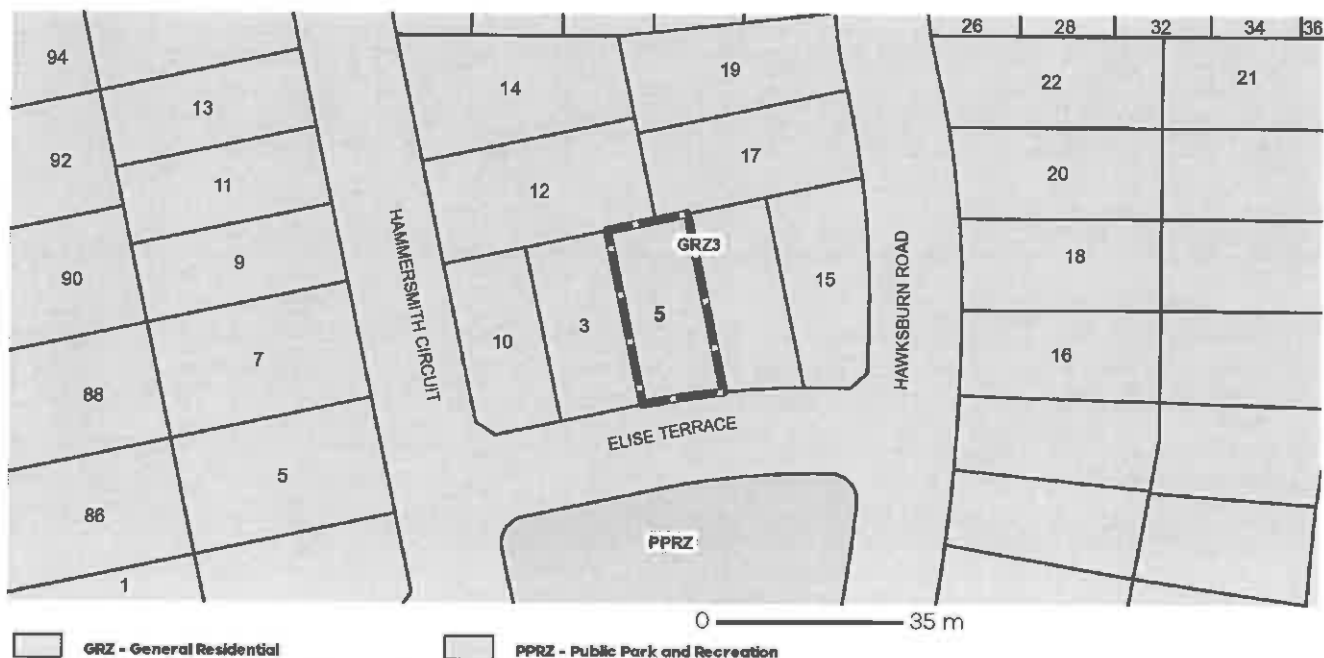
## STATE ELECTORATES

Legislative Council: **EASTERN VICTORIA**  
 Legislative Assembly: **MORWELL**

## Planning Zones

[GENERAL RESIDENTIAL ZONE \(GRZ\)](#)

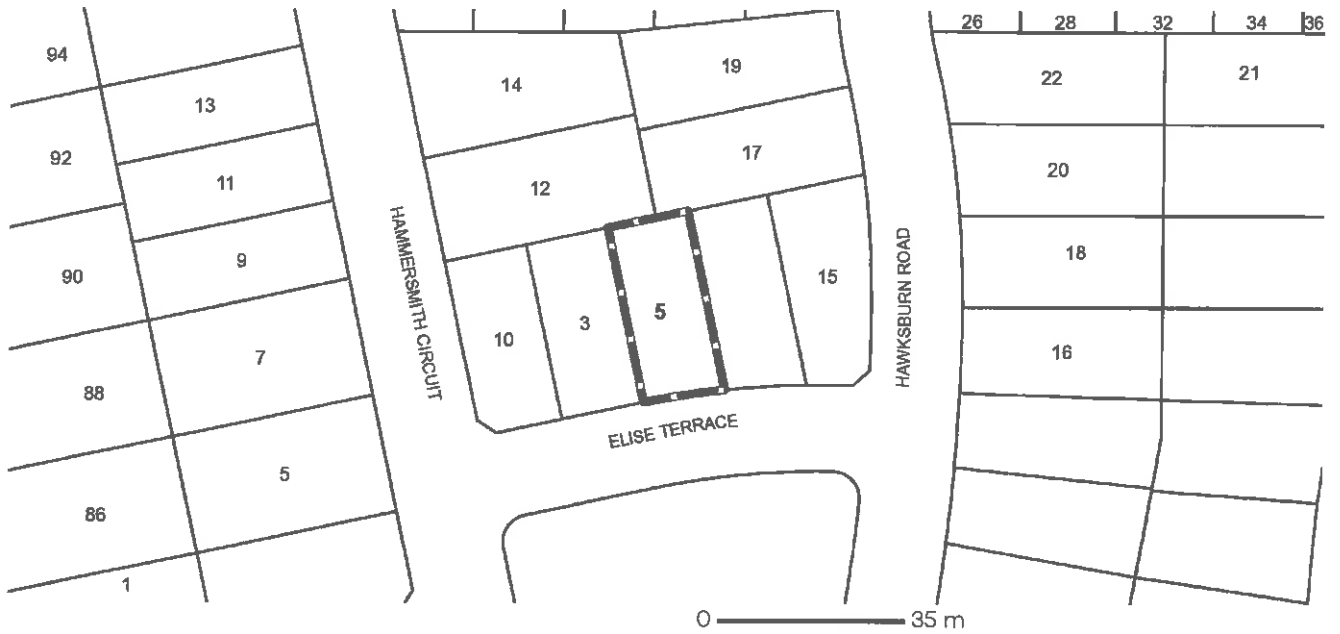
[GENERAL RESIDENTIAL ZONE - SCHEDULE 3 \(GRZ3\)](#)



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

## Planning Overlays

No planning overlay found



## Further Planning Information

Planning scheme data last updated on 19 August 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>

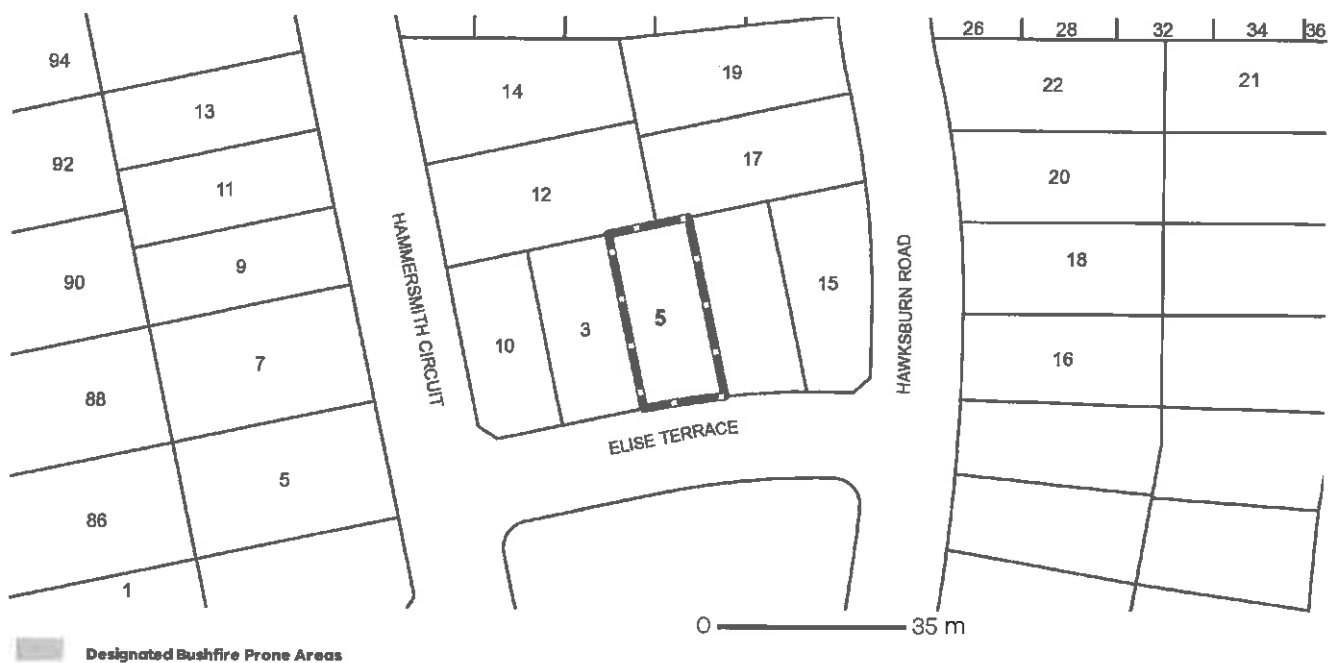
For details of surrounding properties, use this service to get the Reports for properties of interest.

To view planning zones, overlay and heritage information in an interactive format visit <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.**



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

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

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

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

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

Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>

For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>



# 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.