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This document is prepared from a precedent intended solely for use by legal practitioners with the knowledge, skill and qualifications required to use the precedent to create a document suitable to meet the vendor's legal obligation to give certain statements and documents to a purchaser before the purchaser signs a contract to purchase the land. This document is current as at 1 July 2024.

Section 32 Statement

The vendor makes this statement in respect of the land in ac cordance 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 docum ents before the purchase signed any contract.

Land VOLUME 09924 FOLIO 338

Property Address 45 WYKES ROAD, TOONGABBIE, VICTORIA 3856

Vendor's name DAVID HARRISON PAYNE

Signature D H Payne Date 14/08/2024

+ Vendor's name DOROTHY PAYNE

+ Signature D Payne Date 14/08/2024

Purchaser's name

Signature Date

Important information

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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: $4,300.00

OR

☐ (b) Are contained in the attached certificate/s.

OR

☐ (c) Their amounts are:

Authority	**Amount**	**Interest** (if any)
(1) _____	(1) $_____	(1) $_____
(2) _____	(2) $_____	(2) $_____
(3) _____	(3) $_____	(3) $_____
(4) _____	(4) $_____	(4) $_____

☐ (d) There are NO amounts for which the purchaser may become liable as a consequence of the sale of which the vendor might reasonably be expected to have knowledge[1], which are not included in items 1.1(a), (b) or (c) above; other than any amounts described in this rectangular box. $

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 _____

Other particulars (including dates and times of payments):

_____

_____

_____

1.3 **Terms Contract**

This section 1.3 only applies if this section 32 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.

☐ Attached is a Law Institute of Victoria published "Additional Section 32 Statement".

1.4 **Sale Subject to Mortgage**

This section 1.4 only applies if this section 32 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.

☐ Attached is a Law Institute of Victoria published "Additional Section 32 Statement".

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. 117
(b) Is the land tax reform scheme land within the meaning of the CIPT Act?	☐ YES ☒ 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 or property clearance certificate or is as follows	Date: OR ☒ Not applicable

~~2. INSURANCE~~

2.1 **Damage and Destruction**

This section 2.1 only applies if this section 32 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.

☐ (a) Attached is a copy or extract of any policy of insurance in respect of any damage to or destruction of the land.

OR

☐ (b) Particulars of any such policy of insurance in respect of any damage to or destruction of the land are as follows:

N/A

Name of insurance company: _____

Type of policy: _____ Policy no: _____

Expiry date: ____ / ____ / _____ Amount insured: _____

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.

☐ (a) Attached is a copy or extract of any policy of insurance required under the *Building Act* 1993.

OR

☐ (b) Particulars of any required insurance under the Building Act 1993 are as follows:

Name of insurance company: _____

Policy no: _____ Expiry date: ____ / ____ / _____

Note: There may be additional legislative obligations in respect of the sale of land on which there is a building or on which building work has been carried out.

3. LAND USE

3.1 **Easements, Covenants or Other Similar Restrictions**

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

(a) ☒ Is in the attached copies of title document/s.

OR

☐ Is as follows:

_____

_____

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

_____

_____

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.

OR

☒ The required specified information is as follows:

(a) Name of planning scheme LATROBE CITY PLANNING SCHEME

(b) Name of responsible authority LATROBE CITY COUNCIL

(c) Zoning of the land FARMING ZONE (FZ) FARMING ZONE - SCHEDULE 1 (FZ1)

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:

☐ Are contained in the attached certificates and/or statements.

OR

☐ Are as follows: N/A

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:

N/A

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:

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):

☐ Are contained in the attached certificate.

OR

☐ Are as follows: N/A

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.

☐ 6.1 Attached is a current owners corporation certificate with its required accompanying documents and statements, issued in accordance with section 151 of the *Owners Corporations Act* 2006.

OR

☐ 6.2 Attached is the information prescribed for the purposes of section 151(4)(a) of the *Owner Corporations Act* 2006 and the copy documents specified in section 151(4)(b)(i) and (iii) of that Act. N/A

OR

☐ 6.3 The owners corporation is an inactive owners corporation. [2]

[2] An inactive owners corporation includes one that in the previous 15 months has not held an annual general meeting, not fixed any fees

7. ~~*GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")~~

Words and expressions in this section 7 have the same meaning as in Part 9B of the *Planning and Environment Act* 1987.

7.1 **Work-in-Kind Agreement**

This section 7.1 only applies if the land is subject to a work-in-kind agreement.

(a) The land is NOT to be transferred under the agreement unless the square box is marked with an "X" ☐

(b) The land is NOT land on which works are to be carried out under the agreement (other than Crown land) unless the square box is marked with an "X" ☐

(c) The land is NOT land in respect of which a GAIC is imposed unless the square box is marked with an "X" ☐

N/A

7.2 **GAIC Recording**

This section 7.2 only applies if there is a GAIC recording.

Any of the following certificates or notices must be attached if there is a GAIC recording.

The accompanying boxes marked with an "X" indicate that such a certificate or notice that is attached:

(a) Any certificate of release from liability to pay a GAIC ☐

(b) Any certificate of deferral of the liability to pay the whole or part of a GAIC ☐

(c) Any certificate of exemption from liability to pay a GAIC ☐

(d) Any certificate of staged payment approval ☐

(e) Any certificate of no GAIC liability ☐

(f) Any notice providing evidence of the grant of a reduc tion of the whole or part of the liability for a GAIC or an exemption from that liability ☐

(g) A GAIC certificate issued under Part 9B of the *Planning and Environment Act* 1987 must be attached if there is no certificate or notice issued under any of sub -sections 7.2 (a) to (f) above ☐

N/A

8. SERVICES

The services which are marked with an "X" in the accompanying square box are NOT connected to the land:

☐ Electricity supply ☒ Gas supply ☒ Water supply ☒ Sewerage ☐ Telephone services

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.

OR

☐ (b) **General Law Title**

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

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

~~10. SUBDIVISION~~

10.1 **Unregistered Subdivision**

This section 10.1 only applies if the land is subject to a subdivision which is not registered.

☐ (a) Attached is a copy of the plan of subdivision certified by the relevant municipal council if th e plan is not yet registered.

OR

☐ (b) Attached is a copy of the latest version of the plan if the plan of subdivision has not yet been certified.

N/A

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.

☐ (a) Attached is a copy of the plan for the first stage if the land is in the second or a subsequent stage.

(b) The requirements in a statement of compliance relating to the stage in which the land is included that have not been complied with are as follows:

(c) The proposals relating to subsequent stages that are known to the vendor are as follows:

N/A

(d) The contents of any permit under the *Planning and Environment Act* 1987 authorising the staged subdivision are:

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.

☐ (a) Attached is a copy of the plan which has been certified by the relevant municipal council (if the later plan has not been registered).
OR

☐ (b) Attached is a copy of the latest version of the plan (if the later plan has not yet been certified).

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 section 32 statement for convenience.)

Details of any energy efficiency information required to be disclosed regarding a disclosure af fected 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 1 000m²; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the re levant date):

N/A

☐ Are contained in the attached building energy efficiency certificate.
OR

☐ Are as follows:

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 section 32 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 automatically attached if ticked)

13. ATTACHMENTS

(Any certificates, documents and other attachments may be annexed, and additional information may be added to this section 13 where there is insufficient space in any of the earlier sections)
(Attached is a Law Institute of Victoria published "Additional Section 32 Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)

Certificate of Title and Plan

Covenant P789772M

Property Report

Property Clearance Certificate

Due Diligence Checklist

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

VOLUME 09924 FOLIO 338

Security no : 124117392035Q
Produced 13/08/2024 12:03 PM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 217601E.
PARENT TITLES :
Volume 09558 Folio 962 Volume 09558 Folio 965
Created by instrument LP217601E 29/12/1989

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
DAVID HARRISON PAYNE
DOROTHY PAYNE both of 13 FROGMORE ROAD MURRUMBEENA 3163
P789772M 09/05/1990

ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT (as to whole or part of the land) in instrument P789772M 09/05/1990

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 LP217601E 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: 45 WYKES ROAD TOONGABBIE VIC 3856

DOCUMENT END

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$130

Lodged at the Titles Office by

Thompson
0129G

Code

Titles Office Use Only

REGD

090590 2111 454 $130 P789772M

P789772M

VICTORIA **TRANSFER OF LAND**

Subject to the encumbrances affecting the land including any created by dealings lodged for registration prior to the lodging of this instrument the transferor for the consideration expressed at the request and by the direction of the directing party (if any) transfers to the transferee the estate and the interest specified in the land described together with any easement hereby created and subject to any easement hereby reserved or restrictive covenant herein contained or covenant created pursuant to statute and included herein. (Notes 1-4)

Land (Note 5)

Lot 2 on Plan of Subdivision marked with the reference 413 and prepared by Geoffrey Robert Johns Licensed Surveyor Parish of Toongabbie North being part of the land contained in Certificate of Title.
VOLUME 9558 FOLIO 962
VOLUME 9558 FOLIO 965 New Title allocation Vol. 9924 Folio 338

Consideration (Note 6)

$31,000.00

Transferor (Note 7)

STAMP DUTY VICTORIA
U$01C$1 S$1 T$028272 00004522 05/03/90
R$104621 D$44 $544.00

JOHN THOMAS DUNNE and ROSALIND SHARRON DUNNE

Transferee (Note 8)

DAVID HARRISON PAYNE and DOROTHY PAYNE both of 13 Frogmore Road, MURRUMBEENA as Joint Proprietors

Estate and Interest (Note 9)

An Estate and interest in the Fee simple

Directing Party (Note 10)

(See overleaf....)

Creation (or Reservation) of Easement and/or Covenant (Notes 11-12)

CODE: 44
DUTY: $544.00
STATUS: d
31,000
Comptroller of Stamps Use Only

T2 Office Use Only

OFFICE OF TITLES VICTORIA

22 MAY 1990

Approval No. T2/1

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

OFFICE OF TITLES K. McG VICTORIA

The said Transferees for themselves and their successors and transferees the registered proprietor or proprietors for the time being of the land hereby transferred and of every part thereof DO HEREBY and as separate covenants COVENANT with the said JOHN THOMAS DUNNE and ROSALIND SHARRON DUNNE and other the registered proprietor or proprietors for the time being of the land comprised in the said Plan of Subdivision (other than the hereby transferred) as follows:-

That the Purchasers and their successors in title shall not permit or cause or suffer to be permitted any secondhand building structure or fence or any portion or parts or parts thereof whether complete or in dismantled form removed from another site or sites to be placed, affixed, erected or re-assembled on the said lot or any part or parts thereof.

AND IT IS HEREBY AGREED that the benefit of the foregoing covenants and each of them shall be attached to and run at law and in equity with the land so comprised in the said Plan of Subdivision and that the burden thereof shall be annexed to and run at law and in equity with the said lot hereby transferred and that the same shall be noted and appear on every future Certificate of Title for the said lot as an encumberance affecting the same and every part thereof.

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Date (Note 13)

Execution and Attestation (Note 14)

The 20th day of February 1990.

Signed by the Transferors in the presence of:

R. Fabian

Signed by the Transferees in the presence of:

Witness

Mr. Payne

Mrs Payne

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LP217601E
EDITION 4

PARISH

NOTATIONS

LAND SUBJECT TO EASEMENT
E-1 EASEMENT TO S.E.C.V. VIDE P746790L
E-2 EASEMENT TO S.E.C.V. VIDE P746790L
LAND APPROPRIATED OR SET APART
ROADS WITHIN THE CONTINUOUS THICK LINES FOR WAY, DRAINAGE AND SUPPLY OF WATER ELECTRICITY AND TELEPHONE.
LOTS 1 TO 7 (BOTH INCLUSIVE) AND THE CONNECTIONS 89°23'30", 763·26 AND 210° 06', 535 ARE THE RESULT OF THIS SURVEY.
THE AREA OF LOTS A AND B HAVE BEEN OBTAINED BY DEDUCTION.
E-1 FOR USE OF THE STATE ELECTRICITY COMMISSION OF VICTORIA FOR POWERLINE PURPOSES PURSUANT TO SECTION 103 B OF THE STATE ELECTRICITY COMMISSION ACT 1958

OTHER NOTATIONS
THE SUBJECT LAND IS LIMITED IN SO MUCH AS LIES ABOVE A DEPTH OF 30·48 METRES BELOW THE SURFACE.

TO BE COMPLETED WHERE APPLICABLE
THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS NOS:
IN PROCLAIMED SURVEY AREA NO.

THE LAND TO BE SUBDIVIDED IS SHOWN ENCLOSED BY THICK LINES
TITLE REF: VOL 9959 FOL 965, VOL 9958 FOL 962
LAST PLAN REF: LP 141264, LP 122243 1st 4ths

PLAN OF SUBDIVISION

COUNTY TANJIL
PARISH TOONGABBIE NORTH
CROWN ALLOTMENT 126 A (PART)

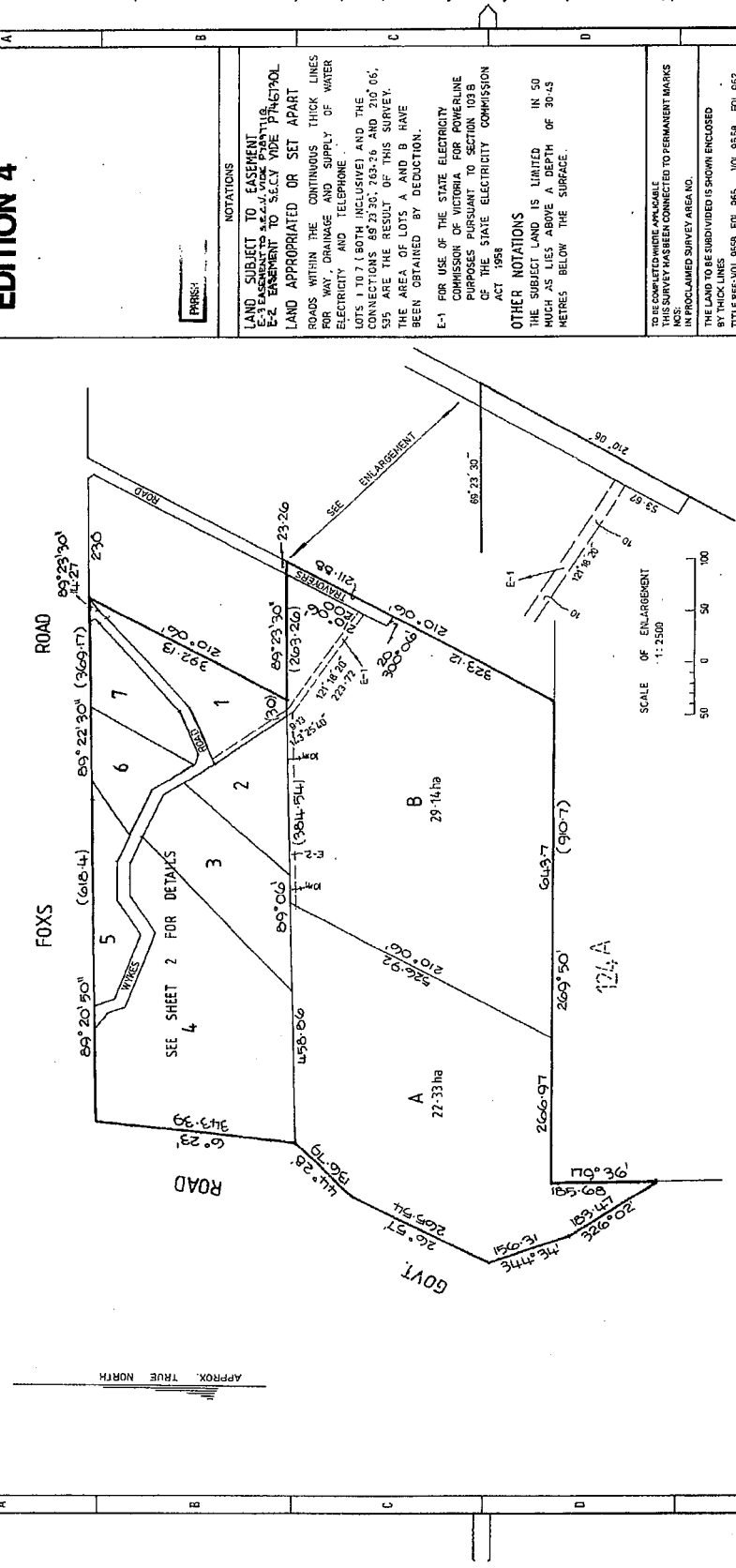
NUMBER OF SHEETS IN PLAN : 2
NUMBER OF THIS SHEET : 1

SCALE 1:2500 (50 0 50 100 150 200)
LENGTHS ARE IN METRES

ORIGINAL SCALE | SHEET SIZE 1:5000 | A2

OFFICE USE ONLY
LP 217601E

VICTORIA



CERTIFICATE OF MUNICIPAL CLERK

MUNICIPALITY SHIRE OF ROSEDALE
COUNCIL REF. 1014

LIST OF MODIFICATIONS

LAND	MODIFICATION	DEALING No.	A.R.T.	new EDN.
107 B	CREATION OF EASEMENT	P746790L		2
E-3	CREATION OF EASEMENT	P789711Q		3
LOT 3	PLAN OF CONSOLIDATION	CP174631		4
LOT 4	TRANSFER PLAN	TP 91		4

PLAN APPROVED
AT
ON 29-12-'89

(ASSISTANT) REGISTRAR OF TITLES

CERTIFICATION BY SURVEYOR

I, GEOFFREY ROBERT JOHNS of 71 SCHOOL ROAD TRAFALGAR 3824, certify that this plan has been prepared from a survey made under my immediate direction and supervision between the 20/8/1987 and the 3/9/1987 and that this plan is accurate and correctly represents the adopted boundaries and the classification of the survey is E 3
Date: 3/9/1987
Licensed Surveyor
Surveyors Act 1978

AMENDMENTS

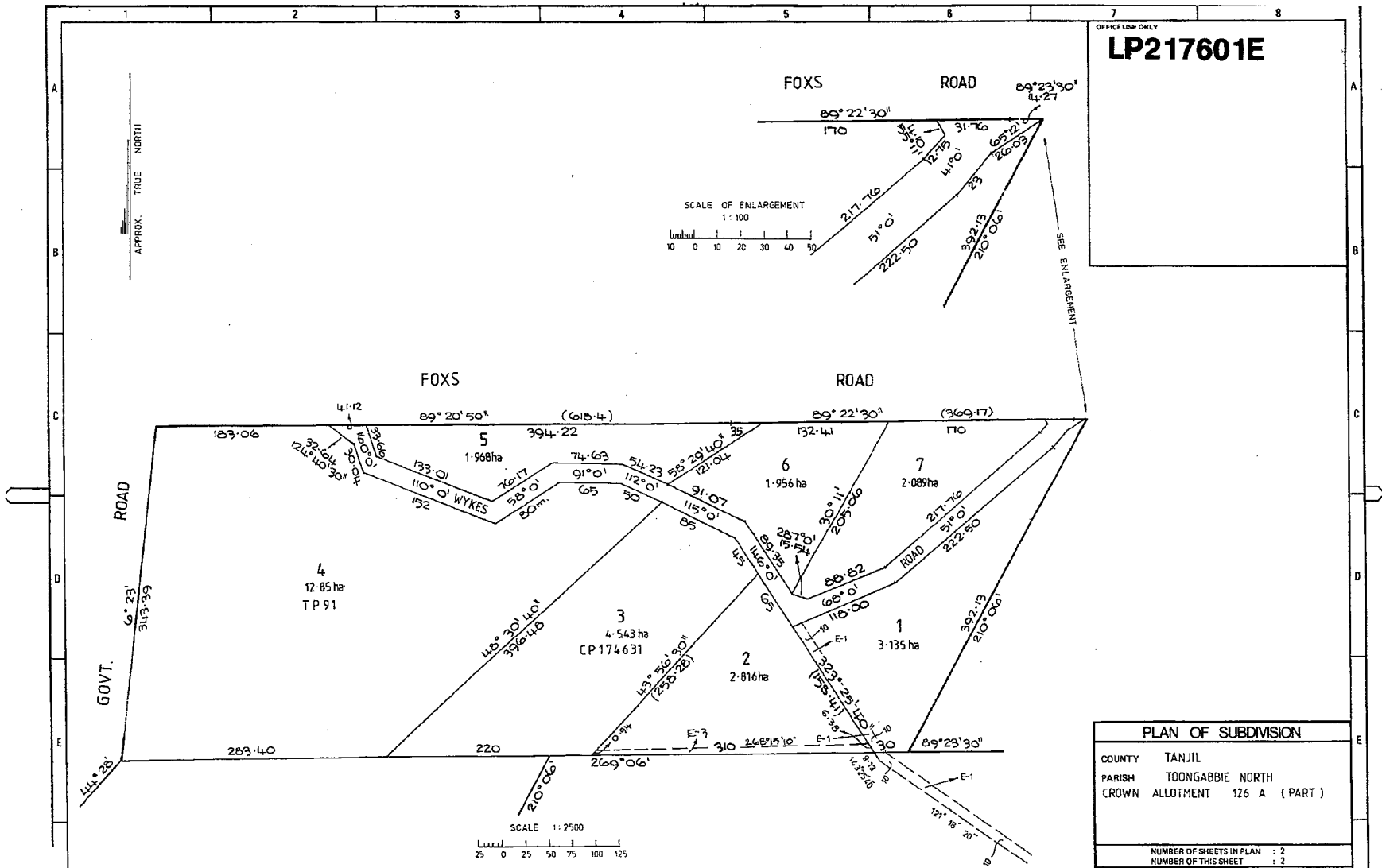
SURVEYORS REF. 413

ONLY CERTIFICATE A OR CERTIFICATE B TO BE COMPLETED
* DELETE WORDS NOT APPLICABLE

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LP217601E



LP217601E

SURVEYORS REF.	SIGNATURE OF SURVEYOR	SIGNATURE OF MUNICIPAL CLERK	OFFICE USE ONLY
413	Geoff Johns (L.S.) 3-9-87		

PLAN OF SUBDIVISION

COUNTY TANJIL
PARISH TOONGABBIE NORTH
CROWN ALLOTMENT 126 A (PART)

NUMBER OF SHEETS IN PLAN : 2
NUMBER OF THIS SHEET : 2

SCALE: AS SHOWN
LENGTHS ARE IN METRES

ORIGINAL SCALE AS SHOWN | SHEET SIZE A2

OFFICE USE ONLY
LP 217601E
VICTORIA

0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150mm

CONTINUATION SHEET

PROPERTY REPORT

Energy, Environment and Climate Action

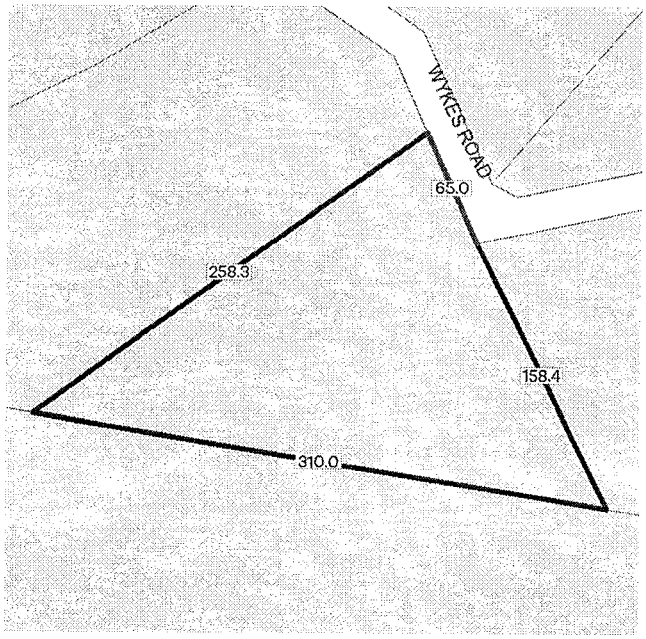
From www.land.vic.gov.au at 13 August 2024 12:17 PM

PROPERTY DETAILS

Address:	**45 WYKES ROAD TOONGABBIE 3856**
Lot and Plan Number:	**Lot 2 LP217601**
Standard Parcel Identifier (SPI):	**2\LP217601**
Local Government Area (Council):	**LATROBE** www.latrobe.vic.gov.au
Council Property Number:	**32863**
Directory Reference:	**Vicroads 98 C2**

SITE DIMENSIONS

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



Area: 28154 sq. m (2.82 ha)
Perimeter: 792 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:	**Gippsland Water**
Melbourne Water:	**Outside drainage boundary**
Power Distributor:	**AUSNET**

STATE ELECTORATES

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

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

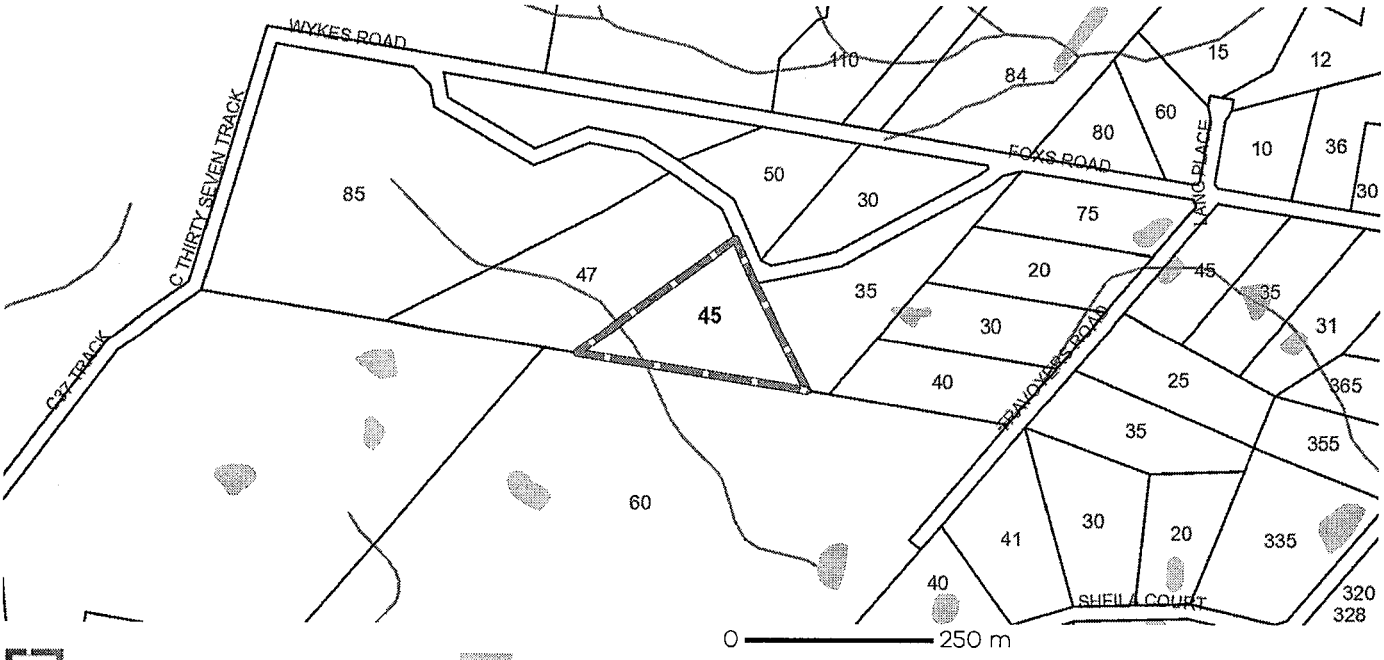
Planning Property Reports can be found via these two links
Vicplan https://mapshare.vic.gov.au/vicplan/
Property and parcel search https://www.land.vic.gov.au/property-and-parcel-search

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PROPERTY REPORT

VICTORIA State Government | Energy, Environment and Climate Action

Area Map



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PLANNING PROPERTY REPORT

VICTORIA State Government | Environment, Land, Water and Planning

From www.planning.vic.gov.au at 13 August 2024 12:17 PM

PROPERTY DETAILS

Address:	**45 WYKES ROAD TOONGABBIE 3856**
Lot and Plan Number:	**Lot 2 LP217601**
Standard Parcel Identifier (SPI):	**2\LP217601**
Local Government Area (Council):	**LATROBE**
Council Property Number:	**32863**
Planning Scheme:	**Latrobe**
Directory Reference:	**Vicroads 98 C2**

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**

STATE ELECTORATES

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

OTHER

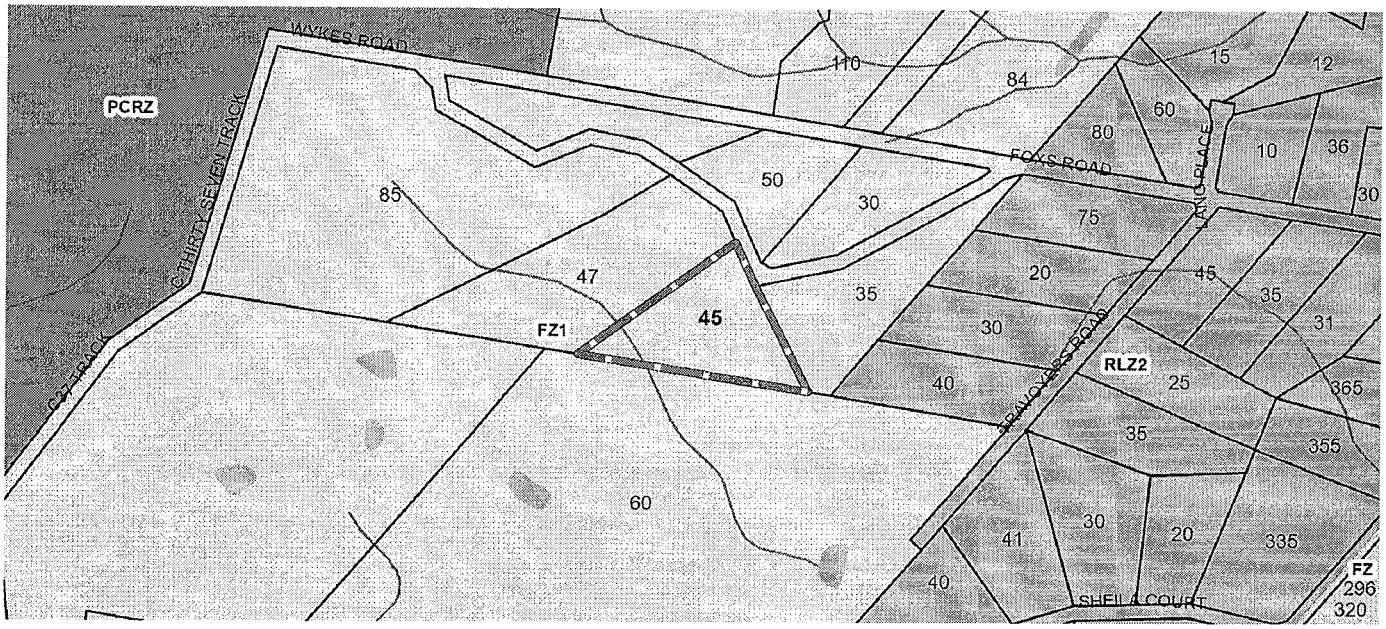
Registered Aboriginal Party: **Gunaikurnai Land and Waters Aboriginal Corporation**

View location in VicPlan

Planning Zones

FARMING ZONE (FZ)

FARMING ZONE - SCHEDULE 1 (FZ1)



FZ - Farming | PCRZ - Public Conservation and Resource | RLZ - Rural Living | Water area | Water course

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

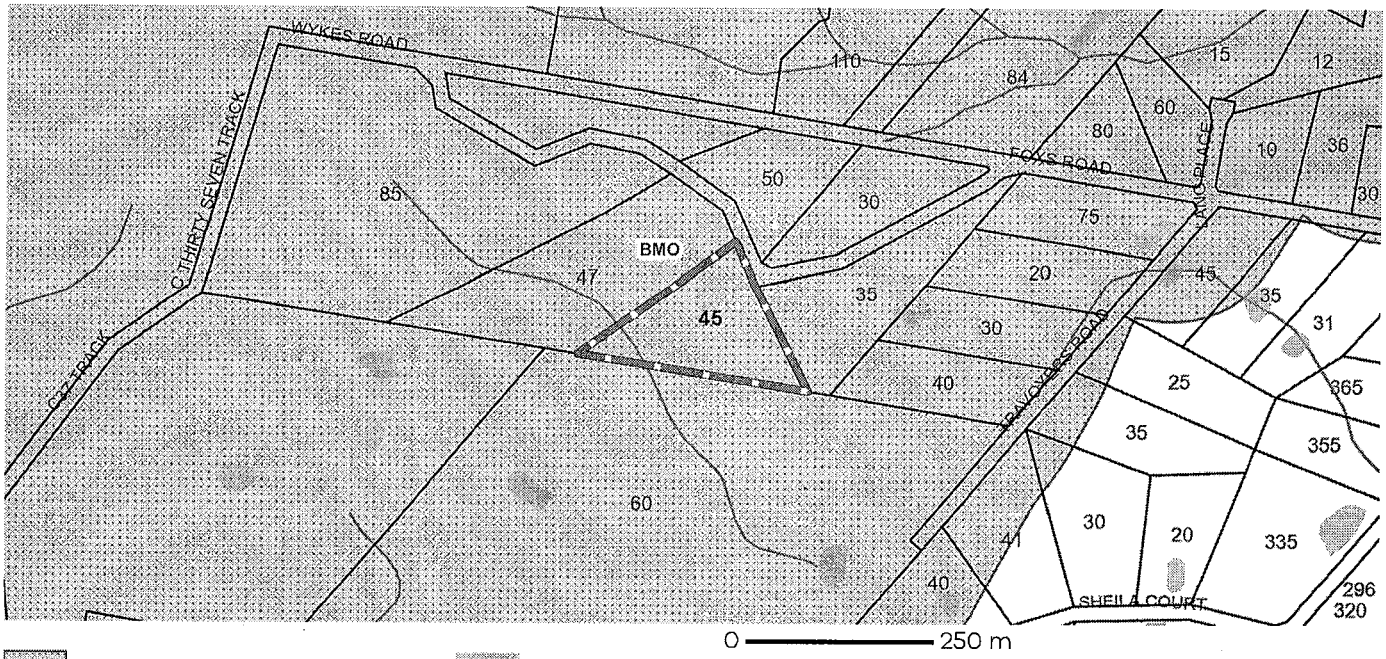
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PLANNING PROPERTY REPORT

Environment, Land, Water and Planning

Planning Overlay

BUSHFIRE MANAGEMENT OVERLAY (BMO)



BMO - Bushfire Management Overlay Water area Water course

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 9 August 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 abut 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

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PLANNING PROPERTY REPORT

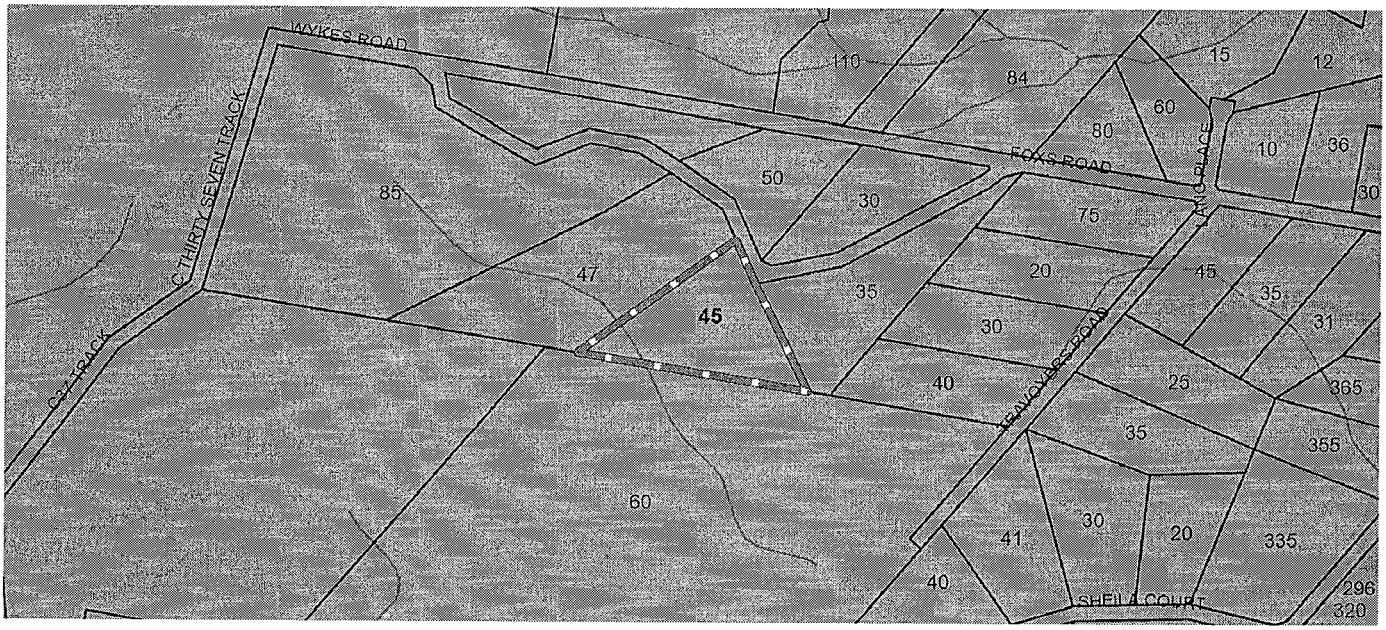
VICTORIA State Government | Environment, Land, Water and Planning

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 Bushfire Prone Areas | Water area | Water course

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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Property Clearance Certificate

Land Tax

STATE REVENUE OFFICE VICTORIA

INFOTRACK / TYLER TIPPING & WOODS

Your Reference:	PAYNE
Certificate No:	79432331
Issue Date:	13 AUG 2024
Enquiries:	ESYSPROD

Land Address: 45 WYKES ROAD TOONGABBIE VIC 3856

Land Id	Lot	Plan	Volume	Folio	Tax Payable
32742478	2	217601	9924	338	$0.00

Vendor: DAVID PAYNE

Purchaser: FOR INFORMATION PURPOSES

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
MR DAVID HARRISON PAYNE	2024	$400,000	$1,650.00	$0.00	$0.00

Comments: Land Tax of $1,650.00 has been assessed for 2024, an amount of $1,650.00 has been paid.

Current Vacant Residential Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total

Comments:

Arrears of Land Tax	Year	Proportional Tax	Penalty/Interest	Total

This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

Paul Broderick
Commissioner of State Revenue

CAPITAL IMPROVED VALUE:	$680,000
SITE VALUE:	$400,000
CURRENT LAND TAX CHARGE:	**$0.00**

Notes to Certificate - Land Tax

Certificate No: 79432331

Power to issue Certificate

1. Pursuant to section 95AA of the *Taxation Administration Act 1997*, the Commissioner of State Revenue must issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

Amount shown on Certificate

2. The Certificate shows any land tax (including Vacant Residential Land Tax, interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue. In addition, it may show:
   - Land tax that has been assessed but is not yet due,
   - Land tax for the current tax year that has not yet been assessed, and
   - Any other information that the Commissioner sees fit to include, such as the amount of land tax applicable to the land on a single holding basis and other debts with respect to the property payable to the Commissioner.

Land tax is a first charge on land

3. Unpaid land tax (including Vacant Residential Land Tax, interest and penalty tax) is a first charge on the land to which it relates. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any such unpaid land tax.

Information for the purchaser

4. Pursuant to section 96 of the *Land Tax Act 2005*, if a purchaser of the land described in the Certificate has applied for and obtained a certificate, the amount recoverable from the purchaser by the Commissioner cannot exceed the amount set out in the certificate, described as the "Current Land Tax Charge" overleaf. A purchaser cannot rely on a Certificate obtained by the vendor.

Information for the vendor

5. Despite the issue of a Certificate, the Commissioner may recover a land tax liability from a vendor, including any amount identified on this Certificate.

Apportioning or passing on land tax to a purchaser

6. A vendor is prohibited from apportioning or passing on land tax to a purchaser under a contract of sale of land entered into on or after 1 January 2024, where the purchase price is less than $10 million (to be indexed annually from 1 January 2025, as set out on the website for Consumer Affairs Victoria).

General information

7. A Certificate showing no liability for the land does not mean that the land is exempt from land tax. It means that there is nothing to pay at the date of the Certificate.

8. An updated Certificate may be requested free of charge via our website, if:
   - The request is within 90 days of the original Certificate's issue date, and
   - There is no change to the parties involved in the transaction for which the Certificate was originally requested.

For Information Only

LAND TAX CALCULATION BASED ON SINGLE OWNERSHIP

Land Tax = $1,650.00

Taxable Value = $400,000

Calculated as $1,350 plus ($400,000 - $300,000) multiplied by 0.300 cents.

Land Tax - Payment Options

BPAY

Biller Code:5249
Ref: 79432331

Telephone & Internet Banking - BPAY®

Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.

www.bpay.com.au

CARD

Ref: 79432331

Visa or Mastercard

Pay via our website or phone 13 21 61. A card payment fee applies.

sro.vic.gov.au/paylandtax

Property Clearance Certificate

Commercial and Industrial Property Tax

STATE REVENUE OFFICE VICTORIA

INFOTRACK / TYLER TIPPING & WOODS

Your Reference:	Payne
Certificate No:	79432331
Issue Date:	13 AUG 2024
Enquires:	ESYSPROD

Land Address: 45 WYKES ROAD TOONGABBIE VIC 3856

Land Id	Lot	Plan	Volume	Folio	Tax Payable
32742478	2	217601	9924	338	$0.00

AVPCC	Date of entry into reform	Entry interest	Date land becomes CIPT taxable land	Comment
117	N/A	N/A	N/A	The AVPCC allocated to the land is not a qualifying use.

This certificate is subject to the notes found on the reverse of this page. The applicant should read these notes carefully.

Paul Broderick
Commissioner of State Revenue

CAPITAL IMPROVED VALUE:	$680,000
SITE VALUE:	$400,000
CURRENT CIPT CHARGE:	**$0.00**

Notes to Certificate - Commercial and Industrial Property Tax

Certificate No: 79432331

Power to issue Certificate

1. Pursuant to section 95AA of the *Taxation Administration Act 1997*, the Commissioner of State Revenue must issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

Amount shown on Certificate

2. The Certificate shows any commercial and industrial property tax (including interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue.

Australian Valuation Property Classification Code (AVPCC)

3. The Certificate may show one or more AVPCC in respect of land described in the Certificate. The AVPCC shown on the Certificate is the AVPCC allocated to the land in the most recent of the following valuation(s) of the land under the *Valuation of Land Act 1960:*
   - a general valuation of the land;
   - a supplementary valuation of the land returned after the general valuation.
4. The AVPCC(s) shown in respect of land described on the Certificate can be relevant to determine if the land has a qualifying use, within the meaning given by section 4 of the *Commercial and Industrial Property Tax Reform Act 2024* (CIPT Act). Section 4 of the CIPT Act Land provides that land will have a qualifying use if:
   - the land has been allocated one, or more than one, AVPCC in the latest valuation, all of which are in the range 200-499 and/or 600-699 in the Valuation Best Practice Specifications Guidelines (the requisite range);
   - the land has been allocated more than one AVPCC in the latest valuation, one or more of which are inside the requisite range and one or more of which are outside the requisite range, and the land is used solely or primarily for a use described in an AVPCC in the requisite range; or
   - the land is used solely or primarily as eligible student accommodation, within the meaning of section 3 of the CIPT Act.

Commercial and industrial property tax information

5. If the Commissioner has identified that land described in the Certificate is tax reform scheme land within the meaning given by section 3 of the CIPT Act, the Certificate may show in respect of the land:
   - the date on which the land became tax reform scheme land;
   - whether the entry interest (within the meaning given by section 3 of the Duties Act 2000) in relation to the tax reform scheme land was a 100% interest (a whole interest) or an interest of less than 100% (a partial interest); and
   - the date on which the land will become subject to the commercial and industrial property tax.
6. A Certificate that does not show any of the above information in respect of land described in the Certificate does not mean that the land is not tax reform scheme land. It means that the Commissioner has not identified that the land is tax reform scheme land at the date of issue of the Certificate. The Commissioner may identify that the land is tax reform scheme land after the date of issue of the Certificate.

Change of use of tax reform scheme land

7. Pursuant to section 34 of the CIPT Act, an owner of tax reform scheme land must notify the Commissioner of certain changes of use of tax reform scheme land (or part of the land) including if the actual use of the land changes to a use not described in any AVPCC in the range 200-499 and/or 600-699. The notification must be given to the Commissioner within 30 days of the change of use.

Commercial and industrial property tax is a first charge on land

8. Commercial and industrial property tax (including any interest and penalty tax) is a first charge on the land to which the commercial and industrial property tax is payable. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any unpaid commercial and industrial property tax.

Information for the purchaser

9. Pursuant to section 27 of the CIPT Act, if a bona fide purchaser for value of the land described in the Certificate applies for and obtains a Certificate in respect of the land, the maximum amount recoverable from the purchaser is the amount set out in the Certificate. A purchaser cannot rely on a Certificate obtained by the vendor.

Information for the vendor

10. Despite the issue of a Certificate, the Commissioner may recover a commercial and industrial property tax liability from a vendor, including any amount identified on this Certificate.

Passing on commercial and industrial property tax to a purchaser

11. A vendor is prohibited from apportioning or passing on commercial and industrial property tax to a purchaser under a contract of sale of land entered into on or after 1 July 2024 where the purchase price is less than $10 million (to be indexed annually from 1 January 2025, as set out on the website for Consumer Affairs Victoria).

General information

12. Land enters the tax reform scheme if there is an entry transaction, entry consolidation or entry subdivision in respect of the land (within the meaning given to those terms in the CIPT Act). Land generally enters the reform on the date on which an entry transaction occurs in respect of the land (or the first date on which land from which the subject land was derived (by consolidation or subdivision) entered the reform).
13. The Duties Act includes exemptions from duty, in certain circumstances, for an eligible transaction (such as a transfer) of tax reform scheme land that has a qualifying use on the date of the transaction. The exemptions apply differently based on whether the entry interest in relation to the land was a whole interest or a partial interest. For more information, please refer to www.sro.vic.gov.au/CIPT.
14. A Certificate showing no liability for the land does not mean that the land is exempt from commercial and industrial property tax. It means that there is nothing to pay at the date of the Certificate.
15. An updated Certificate may be requested free of charge via our website, if:
   - the request is within 90 days of the original Certificate's issue date, and
   - there is no change to the parties involved in the transaction for which the Certificate was originally requested.

Property Clearance Certificate

Windfall Gains Tax

INFOTRACK / TYLER TIPPING & WOODS

Your Reference:	PAYNE
Certificate No:	79432331
Issue Date:	13 AUG 2024

Land Address:	45 WYKES ROAD TOONGABBIE VIC 3856

Lot	Plan	Volume	Folio
2	217601	9924	338

Vendor: DAVID PAYNE

Purchaser: FOR INFORMATION PURPOSES

WGT Property Id	Event ID	Windfall Gains Tax	Deferred Interest	Penalty/Interest	Total
		$0.00	$0.00	$0.00	$0.00

Comments: No windfall gains tax liability identified.

This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

CURRENT WINDFALL GAINS TAX CHARGE: $0.00

Paul Broderick
Commissioner of State Revenue

Notes to Certificate - Windfall Gains Tax

Certificate No: 79432331

Power to issue Certificate

1. Pursuant to section 95AA of the *Taxation Administration Act 1997*, the Commissioner of State Revenue must issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

Amount shown on Certificate

2. The Certificate shows in respect of the land described in the Certificate:
   - Windfall gains tax that is due and unpaid, including any penalty tax and interest
   - Windfall gains tax that is deferred, including any accrued deferral interest
   - Windfall gains tax that has been assessed but is not yet due
   - Windfall gains tax that has not yet been assessed (i.e. a WGT event has occurred that rezones the land but any windfall gains tax on the land is yet to be assessed)
   - Any other information that the Commissioner sees fit to include such as the amount of interest accruing per day in relation to any deferred windfall gains tax.

Windfall gains tax is a first charge on land

3. Pursuant to section 42 of the *Windfall Gains Tax Act 2021*, windfall gains tax, including any accrued interest on a deferral, is a first charge on the land to which it relates. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any unpaid windfall gains tax.

Information for the purchaser

4. Pursuant to section 42 of the *Windfall Gains Tax Act 2021*, if a bona fide purchaser for value of land applies for and obtains a Certificate in respect of the land, the maximum amount recoverable from the purchaser by the Commissioner is the amount set out in the certificate, described as the "Current Windfall Gains Tax Charge" overleaf.
5. If the certificate states that a windfall gains tax is yet to be assessed, note 4 does not apply.
6. A purchaser cannot rely on a Certificate obtained by the vendor.

Information for the vendor

7. Despite the issue of a Certificate, the Commissioner may recover a windfall gains tax liability from a vendor, including any amount identified on this Certificate.

Passing on windfall gains tax to a purchaser

8. A vendor is prohibited from passing on a windfall gains tax liability to a purchaser where the liability has been assessed under a notice of assessment as at the date of the contract of sale of land or option agreement. This prohibition does not apply to a contract of sale entered into before 1 January 2024, or a contract of sale of land entered into on or after 1 January 2024 pursuant to the exercise of an option granted before 1 January 2024.

General information

9. A Certificate showing no liability for the land does not mean that the land is exempt from windfall gains tax. It means that there is nothing to pay at the date of the Certificate.
10. An updated Certificate may be requested free of charge via our website, if:
    - The request is within 90 days of the original Certificate's issue date, and
    - There is no change to the parties involved in the transaction for which the Certificate was originally requested.
11. Where a windfall gains tax liability has been deferred, interest accrues daily on the deferred liability. The deferred interest shown overleaf is the amount of interest accrued to the date of issue of the certificate.

Windfall Gains Tax - Payment Options

BPAY

Biller Code: 416073
Ref: 79432332

Telephone & Internet Banking - BPAY®

Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.

www.bpay.com.au

CARD

Ref: 79432332

Visa or Mastercard

Pay via our website or phone 13 21 61.
A card payment fee applies.

sro.vic.gov.au/payment-options

Important payment information

Windfall gains tax payments must be made using only these specific payment references.

Using the incorrect references for the different tax components listed on this property clearance certificate will result in misallocated payments.

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 (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.