

SECTION 32

STATEMENT

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

Vendor:	Jack Roy Leslie Lawford and Mikaila Rose Toohey
Property:	7 Glenda Court BAIRNSDALE Victoria

VENDORS REPRESENTATIVE

Eastcoast Conveyancing
PO Box 695
Bairnsdale Vic 3875
DX 82212 Bairnsdale Vic
Phone: 03 5152 1171
Fax: 03 5152 6033
Email: info@eastcoastconvey.com.au
Ref: 20-9366

SECTION 32 STATEMENT
7 GLENDA COURT BAIRNSDALE VIC 3875

32A FINANCIAL MATTERS

Information concerning any rates, taxes, charges or other similar outgoings AND any interest payable on any part of them :
are as follows:

Provider	Amount (& interest if any)	Period
East Gippsland Shire Council	\$1,588.68	Per annum
East Gippsland Water	\$873.90	Per annum

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

Their total does not exceed \$2,600.00

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.

32A(b)The particulars of any Charge (whether registered or not) over the land imposed by or under an Act to secure an amount due under that Act, including the amount owing under the charge are as follows:-
Not Applicable

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
- (b) Where there is a residence on the land which was constructed within the preceding six years, and section 137B of the *Building Act 1993* applies, particulars of the required insurance 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

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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.

(d) PLANNING

Planning Scheme: East Gippsland Planning Scheme
Responsible Authority: East Gippsland Shire Council
Zoning: GRZ General Residential Zone
Planning Overlay/s: Refer to attached Planning Property Report

32D NOTICES

- (a) 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 of which the Vendor might reasonably be expected to have knowledge are:-

None to the Vendors knowledge

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

- (b) The Vendor is not aware of any 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.
- (c) Particulars of any Notice of intention to acquire served under Section 6 of the *Land Acquisition and Compensation Act, 1986* are: Not Applicable

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*.

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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 DISCLOSURE OF NON-CONNECTED SERVICES

The following services denoted with an “x” are **not** connected to the land

Electricity	Gas	Water	Sewerage	Telephone
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Connected services are provided by an authority and operating on the day of sale. The Purchaser should be aware that the Vendor may terminate their account with the service provider before settlement, and the purchaser will have to have the service reconnected at the purchasers expense.

32I TITLE

Attached are the following document/s concerning Title:

- (a) In the case of land under the *Transfer of Land Act 1958* 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.
- (b) In any other case, a copy of -
 - (i) the last conveyance in the Chain of Title to the land; or
 - (ii) any other document which gives evidence of the Vendors title to the land.
- (c) Where the Vendor is not the registered proprietor or the owner of the estate in fee simple, copies of the documents bearing evidence of the Vendor’s right or power to sell the land.
- (d) In the case of land that is subject to a subdivision -
 - (i) a copy of the Plan of Subdivision which has been certified by the relevant municipal council (if the Plan of Subdivision has not been registered), or
 - (ii) a copy of the latest version of the plan (if the Plan of Subdivision has not been certified).
- (e) In the case of land that is part of a staged subdivision within the meaning of Section 37 of the *Subdivision Act 1988* -
 - (i) if the land is in the second or a subsequent stage, a copy of the plan for the first stage; and
 - (ii) details of any requirements in a Statement of Compliance relating to the stage in which the land is included that have not been complied with; and
 - (iii) details of any proposals relating to subsequent stages that are known to the Vendor; and
 - (iv) a statement of the contents of any permit under the *Planning and Environment Act 1987* authorising the staged subdivision.
- (f) In the case of land that is subject to a subdivision and in respect of which a further plan within the meaning of the *Subdivision Act 1988* is proposed -
 - (i) if the later plan has not been registered, a copy of the plan which has been certified by the relevant municipal council; or
 - (ii) if the later plan has not yet been certified, a copy of the latest version of the plan.

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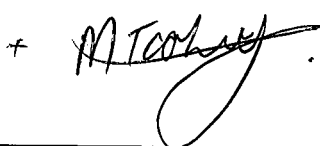
DATE OF THIS STATEMENT

/ /20

Name of the Vendor

Jack Roy Leslie Lawford and Mikaila Rose Toohey

Signature/s of the Vendor

x  + 

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

DATE OF THIS ACKNOWLEDGMENT

/ /20

Name of the Purchaser

Signature/s of the Purchaser

x

IMPORTANT NOTICE - ADDITIONAL DISCLOSURE REQUIREMENTS

Undischarged mortgages – S32A(a)

Where the land is to be sold subject to a mortgage (registered or unregistered) which is not to be discharged before the purchaser becomes entitled to possession or receipt of rents and profits, then the vendor must provide an additional statement including the particulars specified in Schedule 1 of the *Sale of Land Act 1962*.

Terms contracts – S32A(d)

Where the land is to be sold pursuant to a terms contract which obliges the purchaser to make two or more payments to the vendor after execution of the contract and before the vendor is entitled to a conveyance or transfer, then the vendor must provide an additional statement containing the information specified in Schedule 2 of the *Sale of Land Act 1962*.

Register Search Statement - Volume 8608 Folio 660

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

VOLUME 08608 FOLIO 660

Security no : 124083335437G
Produced 26/05/2020 10:35 AM

LAND DESCRIPTION

Lot 7 on Plan of Subdivision 071891.
PARENT TITLE Volume 07712 Folio 089
Created by instrument LP071891 31/03/1966

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
MIKAILA ROSE TOOHEY
JACK ROY LESLIE LAWFORD both of 7 GLENDA COURT BAIRNSDALE VIC 3875
AS370575A 22/07/2019

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AS370576X 22/07/2019
COMMONWEALTH BANK OF AUSTRALIA

COVENANT C635214 09/11/1966

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 LP071891 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: 7 GLENDA COURT BAIRNSDALE VIC 3875

ADMINISTRATIVE NOTICES

NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA

Effective from 22/07/2019

DOCUMENT END

**Delivered from the LANDATA® System by SAI Global Property Division Pty Ltd
Delivered at 26/05/2020, for Order Number 62415467. Your reference: 20-9366.**

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LP71891
EDITION 1
 APPROVED 25/2/66

COLOUR CONVERSION
 E-1 = BLUE
 R1 = BROWN
 E-3 = GREEN
 E-4 = PURPLE
 A-1 = YELLOW

PLAN OF SUBDIVISION OF
CROWN ALLOTMENT B & PART OF D, SECTION 56
TOWNSHIP & PARISH OF BAIRNSDALE

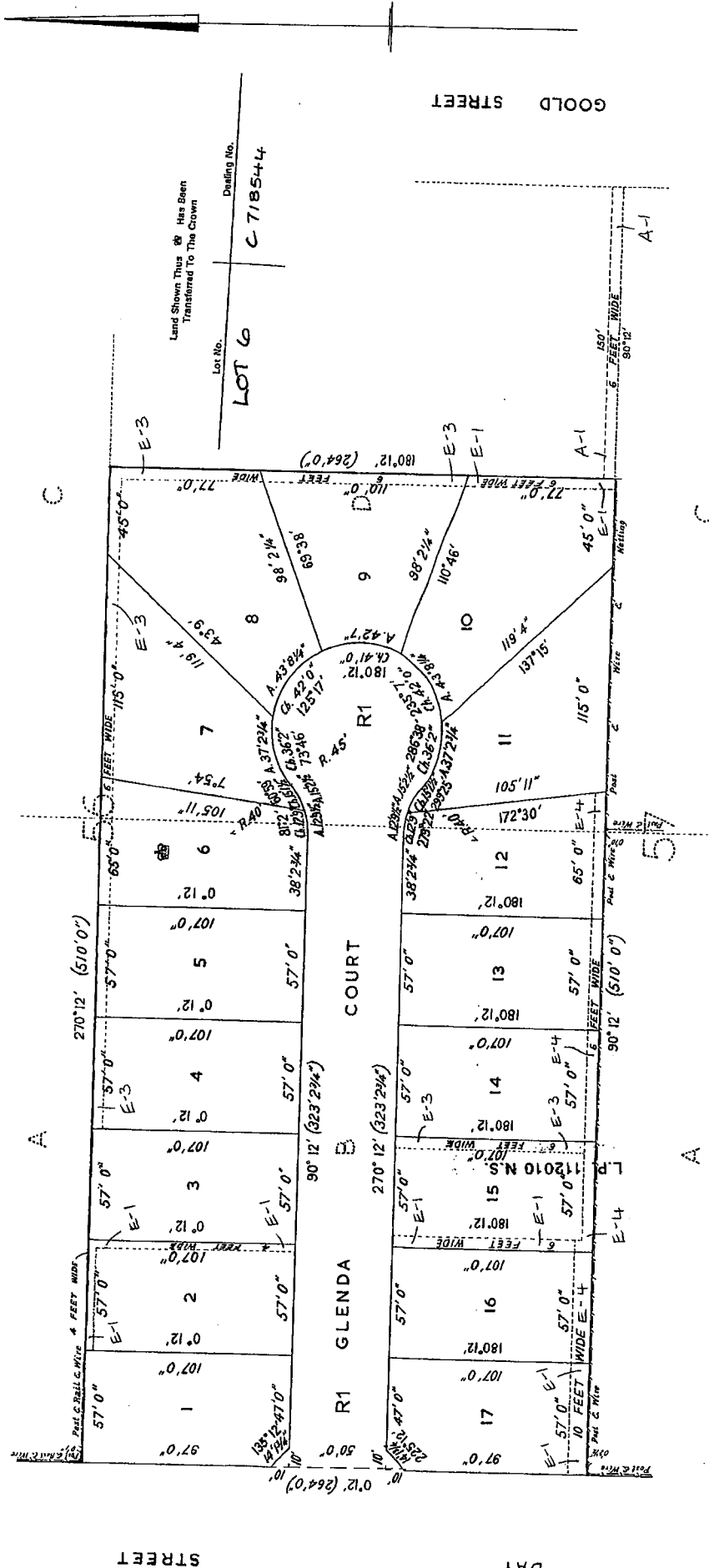
COUNTY OF TANJIL
 Measurements are in Feet & Inches
 Conversion Factor
 FEET X 0.3048 = METRES
 VOL. 7712 FOL. 089

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

THE LAND COLOURED GREEN & PURPLE
 IS APPROPRIATED OR SET APART FOR
 EASEMENTS OF SEWERAGE

THE LAND COLOURED BROWN
 IS APPROPRIATED OR SET APART FOR
 EASEMENTS OF WAY

EASEMENTS
 THE LAND COLOURED YELLOW
 IS AN IMPLIED EASEMENT OF DRAINAGE
 VIDE SEC 98 T.L.A. SEE LP 22414



DAY

STREET

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\$6

C635214

28

C635214

WEIGALL & CROWTHER for WARREN, GRAHAM & MURPHY, Solicitors, Bairnsdale.

*****6.00 FRT
FREEHOLD

10-52 118773 NOV-9-66 VICTORIA

R.D.

NO CERT

TRANSFER OF LAND

We, JOHN PETER IRISH Contractor and ALLISON MERLE IRISH Married Woman both of Bairnsdale being registered as the proprietors of an estate in fee simple in the land hereinafter described subject to the encumbrances notified hereunder IN CONSIDERATION of the sum of ONE THOUSAND NINE HUNDRED DOLLARS (\$1,900.00) paid to us by JOHN TREVOR STEPHENSON Law Clerk and JOAN MARION STEPHENSON Married Woman both

of Bairnsdale DO HEREBY TRANSFER to the said John Trevor Stephenson (hereinafter called "the Transferees" and Joan Marion Stephenson as joint tenants/all our estate and

interest in ALL THAT piece of land being the whole of the land comprised in Certificate of Title Volume 8608 Folio 660 AND THE SAID

being lots 7 and 8 of subdivision no 71891 parts of Bairnsdale

TRANSFEREES with the intent that the benefit of this covenant shall be attached to and run at law and in equity with every other lot (and each and every part thereof) on the said Plan of Subdivision other than the land hereby transferred AND THAT the burden of this covenant shall be annexed to and run at law and in equity with the ~~land hereby transferred and each and every part thereof and be set out as an encumbrance at the foot of the said Certificate of Title to issue for the land hereby transferred~~ HEREBY JOINTLY AND SEVERALLY COVENANT for themselves and each of them their his or her heirs executors administrators and transferees with the said John Peter Irish and Allison Merle Irish and his her or their transferees and others the registered proprietor or proprietors for the time being of all the lots on the said Plan of Subdivision and each and every part thereof other than the land hereby transferred and their respective heirs executors administrators and transferees that they the transferees shall not erect or permit or licence or authorise to be erected or permitted or licensed or permit or allow to remain erected on the land hereby transferred any building other than one built entirely of new materials and except for the usual outbuildings to comprise at least half brick veneer or brick construction

DATED the First day of November 1966

SIGNED by the said JOHN PETER IRISH } J. Irish
in Victoria in the presence of: }

G J Dungey

[Handwritten signature]

VICTORIA STAMP DUTY

NOV-866 173798 67711

LEFTS *****23-75



DC635214-1-3

bar
14/11/66

SIGNED by the said ALLISON MERLE IRISH

in Victoria in the presence of:

} ... *at. at. Irish*
ly of D. J. J. J.

SIGNED by the said JOHN TREVOR STEPHENSON

in Victoria in the presence of:

} ... *Stephenson*

John Trevor Stephenson

SIGNED by the said JOAN MARION STEPHENSON

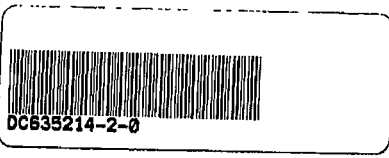
in Victoria in the presence of:

} ... *Stephenson*

John Trevor Stephenson

ENCUMBRANCES REFERRED TO:

The covenant hereinbefore contained and the easements (if any) set out on the said Plan of Subdivision.



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



DATED

1966.

J.P. & A.M. IRISH,

- From -

J.T. & J.M. STEPHENSON

TRANSFER OF LAND

WARREN, GRAHAM & MURPHY,
Solicitors,
96 Main Street,
Bairnsdale.

JTS:LJ

From www.planning.vic.gov.au at 26 May 2020 10:27 AM

PROPERTY DETAILS

Address: **7 GLENDA COURT BAIRNSDALE 3875**
 Lot and Plan Number: **Lot 7 LP71891**
 Standard Parcel Identifier (SPI): **7\LP71891**
 Local Government Area (Council): **EAST GIPPSLAND**
 Council Property Number: **7133**
 Planning Scheme: **East Gippsland**
 Directory Reference: **Vicroads 688 G7**

www.eagippsland.vic.gov.au

[Planning Scheme - East Gippsland](#)

UTILITIES

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

[View location in VicPlan](#)

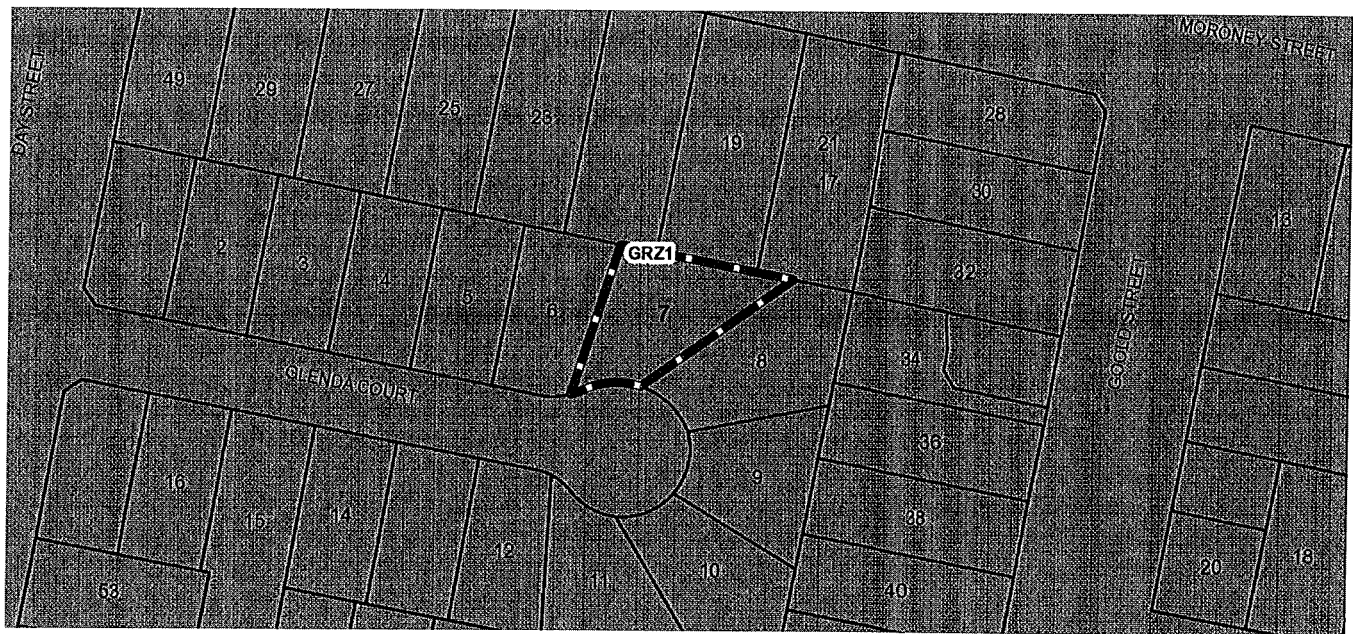
STATE ELECTORATES

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

Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ)

GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)



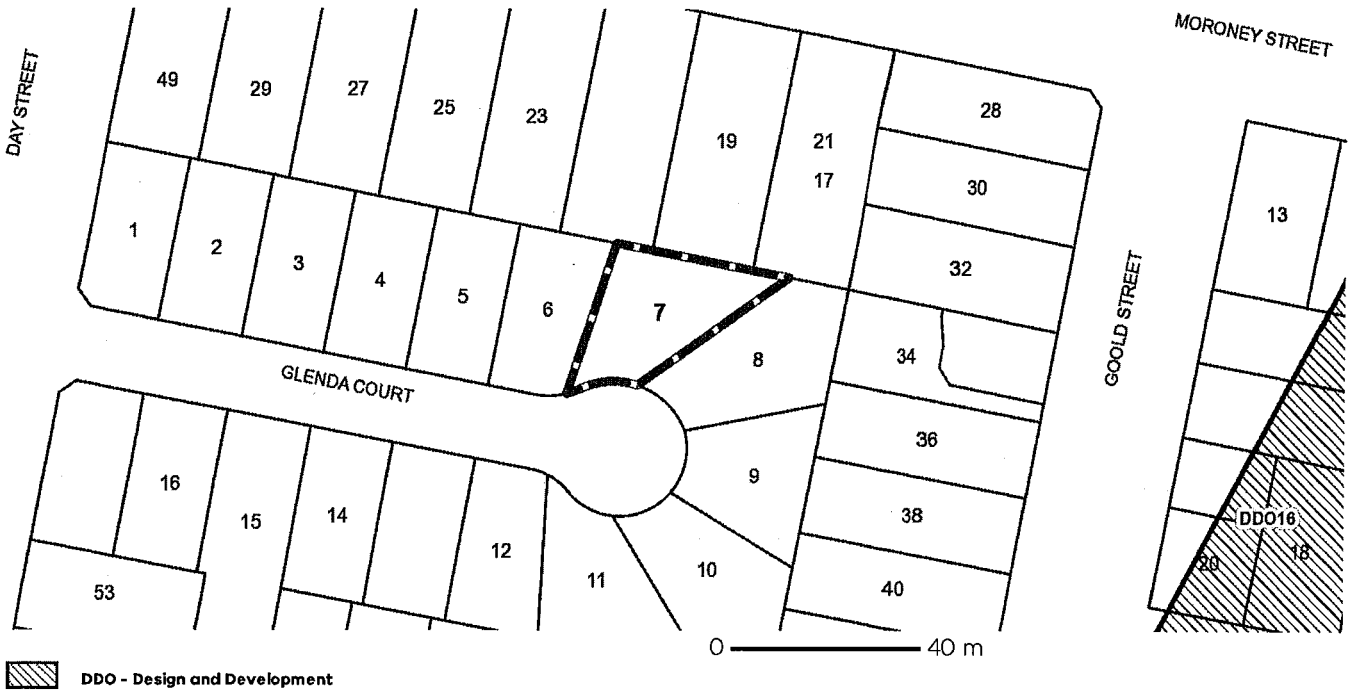
GRZ - General Residential

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

Planning Overlay

None affecting this land - there are overlays in the vicinity

DESIGN AND DEVELOPMENT OVERLAY (DDO)



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 20 May 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>

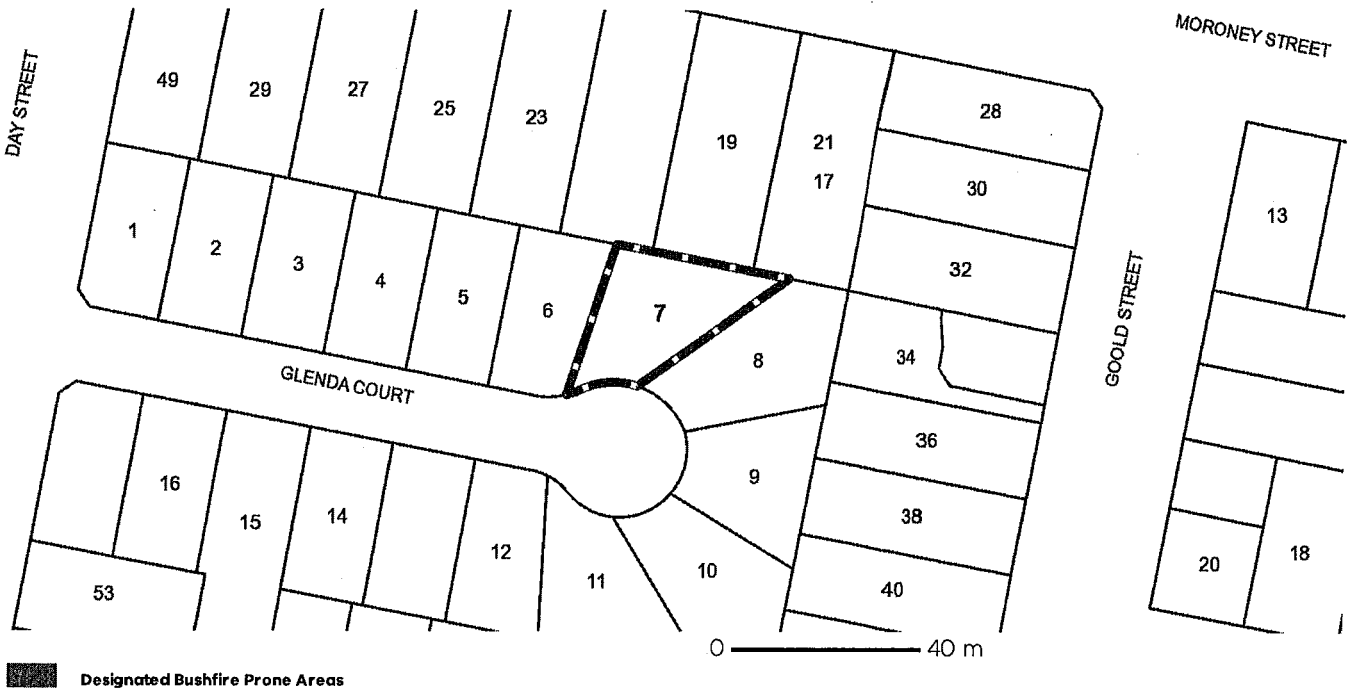
For details of surrounding properties, use this service to get the Reports for properties of interest.

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 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