



**Vendors Statement to the Purchaser of Real Estate  
Pursuant to Section 32 of the Sale of Land Act ("the Act")**

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 incorporates the requirements in section 32 of the *Sale of Land Act 1962* as at 1 October 2014.

# Vendor Statement

The vendor makes this statement in respect of the land in accordance with section 32 of the *Sale of Land Act 1962*.

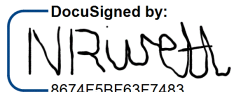
This statement must be signed by the vendor and given to the purchaser before the purchaser signs the contract.

The vendor may sign by electronic signature.

The purchaser acknowledges being given this statement signed by the vendor with the attached documents before the purchaser signed any contract.

**PROPERTY:**                    272 Twelfth Street, Mildura

**VENDOR'S NAME:**            **Nicole Leann Rivett**

DocuSigned by:  


**VENDOR'S SIGNATURE:** .....  
8674F5BF63F7483...

**DATE:** 6/8/2021

**PURCHASER'S NAME:**

**PURCHASER'S SIGNATURE:** .....

**DATE:** \_\_\_\_\_

**VENDORS STATEMENT TO THE PURCHASER OF REAL ESTATE  
PURSUANT TO SECTION 32 OF THE SALE OF LAND ACT ("the Act")**

**Vendor:** Nicole Leann Rivett

**Property:** 272 Twelfth Street, Mildura  
Lot 1 on Plan of Subdivision 743798E being the whole  
of the land in Certificate of Title Volume 11837 Folio 269

**1. Financial matters in respect of the land**

Information concerning the amount of Rates, Taxes, Charges and other similar outgoings affecting the property and interest (if any) payable thereon (including any Owners Corporation Charges and Interest):

- (a) ~~are contained in the attached certificate/s.~~  
are as follows :

<u>Authority</u>	<u>Amount</u>	<u>Interest</u>
1. Mildura Rural City Council	\$2,763.84 per annum 2021/2022	
2. Lower Murray Water- Urban	\$ 174.22 per quarter 2021/2022 (tariff only)	

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: Usual Adjustment of outgoings and water by measure

- (a) ~~Their total does not exceed \$~~
- (b) The particulars of any Charge (whether registered or not) over the property imposed by or under any Act to secure an amount due under that Act are as follows:

**2. Insurance details in respect of the land**

- (a) If the contract provides that the land does not remain at the vendor's risk before the purchaser is entitled to possession or receipt of rents and profits:

No such insurance has been effected  
~~Particulars of vendor's insurance policy:~~

- (b) If there is a residence on the land which was constructed within the preceding 6 years and section 137B of the **Building Act 1993** applies to the residence:

~~No such insurance has been effected.~~  
Particulars of vendor's required insurance:

### 3. Matters relating to land use

- (a) Information concerning any easement, covenant or similar restriction affecting the property, registered or unregistered, are as follows:
  - (i) Description:
  - (ii) Particulars of any existing failure to comply with the terms of that easement, covenant and/or restriction are as follows:
- (b) This land is not within a bushfire prone area within the meaning of the regulations made under the *Building Act 1993*
- (c) There is access to the property by road.
- (d) In the case of land to which a planning scheme applies a statement specifying—
  - (i) name of the planning scheme: See attached
  - (ii) name of the responsible authority: See attached
  - (iii) zoning of the land: See attached
  - (iv) name of any planning overlay affecting the land: See attached
  - (v) Salinity – See attached

### 4. Notices made in respect of land

- (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 property of which the vendor might reasonably be expected to have knowledge:

~~Is contained in the attached certificate/s and/or statement/s.~~  
~~Is as follows:~~  
None to the Vendor's knowledge

- (b) Whether there are 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:

~~Is contained in the attached certificate/s and/or statement/s.~~  
~~Is as follows:~~  
None to the Vendor's knowledge

- (c) Particulars of any notice of intention to acquire served under section 6 of the ***Land Acquisition and Compensation Act 1986***.

~~Is contained in the attached certificate/s and/or statement/s.~~  
~~Is as follows:~~  
None to the Vendor's knowledge

### 5. Building permits

Particulars of any building permit issued during the past seven years under the *Building Act 1993* (where the property includes a Residence):

No such Building permit has been granted to the Vendor's knowledge  
Is contained in the attached certificate/s.  
Is as follows:



## 6. Information relating to any Owners Corporation

The land is not affected by an Owners Corporation within the meaning of the *Owners Corporations Act 2006*.

## 7. Growth areas infrastructure contribution

There is not a work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987*) –

Particulars of work-in-kind agreement:  
Is contained in the attached certificate/s and / or notice/s:

## 8. Disclosure of non-connected services

The following services are **not** connected to the land—

- (a) electricity supply;
- (b) gas supply; Natural
- (c) water supply;
- (d) sewerage;
- (e) telephone services.

## 9. Evidence of title

Attached are copies of 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 and the document, or part of the document, referred to as the diagram location in the Register Search Statement 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 vendor's title to the land;
- (c) if the vendor is not the registered proprietor of the land or the owner of the estate in fee simple in the land, 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) if the plan of subdivision has not been registered, a copy of the plan of subdivision which has been certified by the relevant municipal council; or
  - (ii) if the plan of subdivision has not yet been certified, a copy of the latest version of the plan;
- (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.



## **10. 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 the 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 but the checklist has been attached as a matter of convenience.

### **IMPORTANT NOTICE – ADDITIONAL DISCLOSURE REQUIREMENTS:**

**Where the property is to be sold subject to a Mortgage that is not to be discharged by the date of possession (or receipt of rents and profits) of the property and/or sold on Terms – the Vendor must provide an additional Statement containing the particulars specified in Schedules 1 and 2 of the Act.**

**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 the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land, then the vendor must provide an additional statement containing the information specified in Schedule 2 of the Sale of Land Act 1962.**



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The Victorian Government acknowledges the Traditional Owners of Victoria and pays respects to their ongoing connection to their Country, History and Culture. The Victorian Government extends this respect to their Elders, past, present and emerging.

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

VOLUME 11837 FOLIO 269

Security no : 124091560145G  
Produced 02/08/2021 01:06 PM

**LAND DESCRIPTION**

Lot 1 on Plan of Subdivision 743798E.  
PARENT TITLES :  
Volume 10194 Folio 834 to Volume 10194 Folio 835  
Created by instrument PS743798E 25/11/2016

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
NICOLE LEANN RIVETT of 272 TWELFTH STREET MILDURA VIC 3500  
AT360829S 23/06/2020

**ENCUMBRANCES, CAVEATS AND NOTICES**

MORTGAGE AT360830J 23/06/2020  
NATIONAL AUSTRALIA BANK LTD

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.

AGREEMENT Section 52A TOWN AND COUNTRY PLANNING ACT 1961  
N087162S 24/09/1987

AGREEMENT Section 173 PLANNING AND ENVIRONMENT ACT 1987  
N648621H 17/08/1988

AGREEMENT Section 173 PLANNING AND ENVIRONMENT ACT 1987  
N820952A 08/11/1988

AGREEMENT Section 173 PLANNING AND ENVIRONMENT ACT 1987  
S498015M 21/05/1993

AGREEMENT Section 173 PLANNING AND ENVIRONMENT ACT 1987  
S519067E 03/06/1993

**DIAGRAM LOCATION**

SEE PS743798E 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: 272 TWELFTH STREET MILDURA VIC 3500

**ADMINISTRATIVE NOTICES**



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

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Page 2 of 2

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LIMITED  
Effective from 23/06/2020

DOCUMENT END





## Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Victorian Land Registry Services.

Document Type	<b>Plan</b>
Document Identification	<b>PS743798E</b>
Number of Pages (excluding this cover sheet)	<b>2</b>
Document Assembled	<b>02/08/2021 13:12</b>

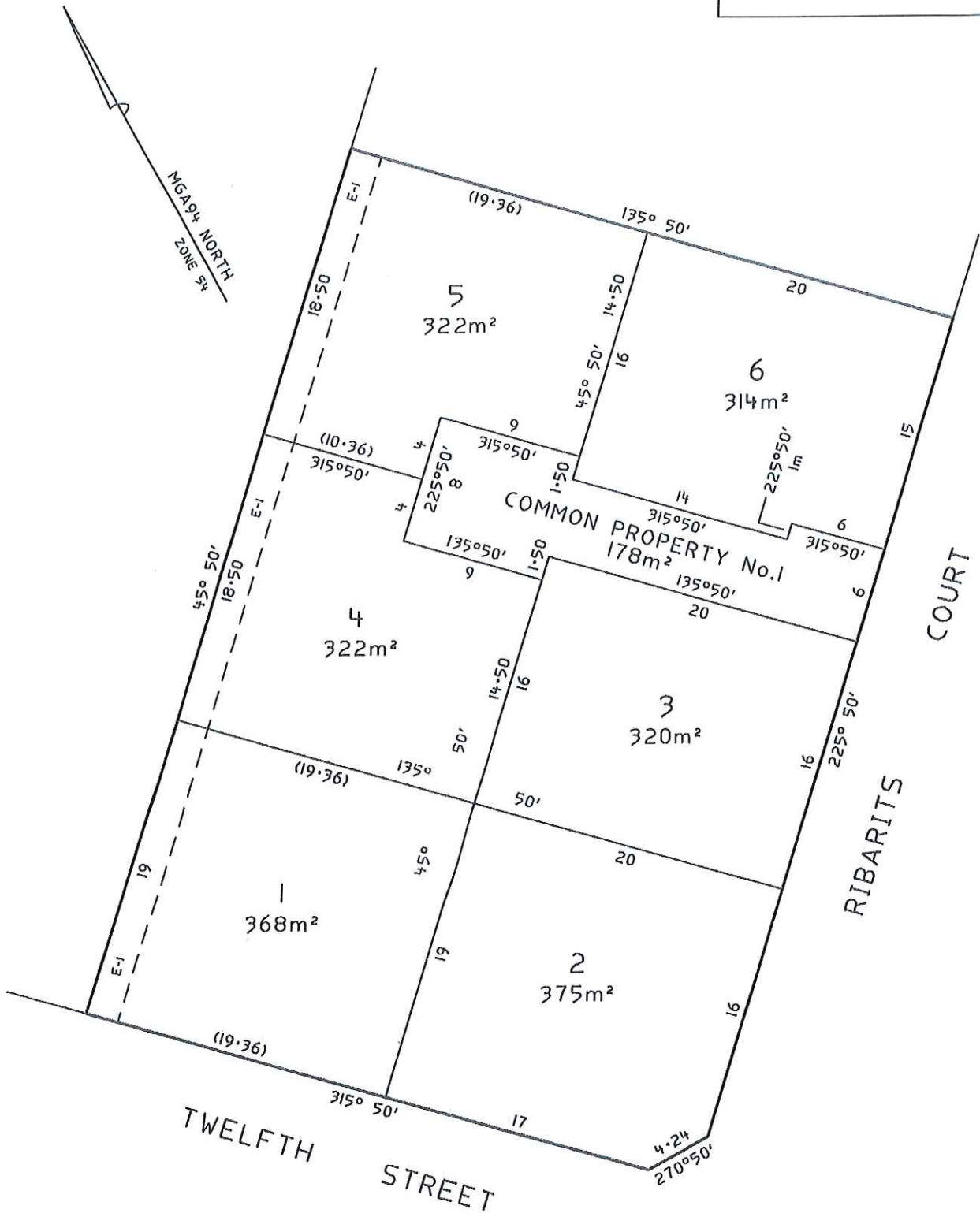
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The document is invalid if this cover sheet is removed or altered.

<b>PLAN OF SUBDIVISION</b>		LR use only EDITION 1	PS743798E										
<p style="text-align: center;">Location of Land</p> <p>Parish: MILDURA  Township: _____  Section: _____  Crown Allotment: _____  Crown Portion: 1 (PART)</p> <p>Title References: Vol 10194 Fol 834 &amp;  Vol 10194 Fol 835</p> <p>Last Plan Reference: PS324022J (LOTS 80 &amp; 81)</p> <p>Postal Address: 270-272 TWELFTH STREET  MILDURA, 3500.</p> <p>MGA94 Co-ordinates: E 605330  (0f approx. centre of plan) N 6217310 Zone 54</p>		<p>Council Name: Mildura Rural City Council</p> <p>Council Reference Number: 007.2015.00000353.001  Planning Permit Reference: 005.2015.00000353.002  SPEAR Reference Number: S084636S</p> <p>Certification</p> <p>This plan is certified under section 11 (7) of the Subdivision Act 1988  Date of original certification under section 6: 08/08/2016</p> <p>Statement of Compliance</p> <p>This is a statement of compliance issued under section 21 of the Subdivision Act 1988</p> <p>Public Open Space</p> <p>A requirement for public open space under section 18 of the Subdivision Act 1988  Has not been made at Certification</p> <p>Digitally signed by: Natalie Jayne Dean for Mildura Rural City Council on 12/10/2016</p>											
<b>Vesting of Roads or Reserves</b>		<b>Notations</b>											
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">Identifier</th> <th>Council/Body/Person</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">NIL</td> <td style="text-align: center;">NIL</td> </tr> </tbody> </table>	Identifier	Council/Body/Person	NIL	NIL	<p>LOTS 3, 4, 5 &amp; 6 AND COMMON PROPERTY No.1 IN THIS PLAN ARE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS.  FOR DETAILS OF OWNERS CORPORATION INCLUDING: PURPOSE, RESPONSIBILITY AND ENTITLEMENT &amp; LIABILITY, SEE OWNERS CORPORATION SEARCH REPORT, OWNERS CORPORATION RULES AND OWNERS CORPORATION ADDITIONAL INFORMATION.</p>								
Identifier	Council/Body/Person												
NIL	NIL												
<b>Notations</b>													
<p>Depth Limitation: 15.24 metres below the surface applies to all the land in this plan.</p> <p>Survey:- This plan is / <del>is not</del> based on survey.</p> <p><i>To be completed where applicable.</i></p> <p>This survey has been connected to permanent marks no(s). 32, 402 &amp; 787</p> <p>In Proclaimed Survey Area no. _____</p> <p>Staging      This <del>is</del> is not a staged subdivision  Planning Permit No. 005.2015.00000353.002</p>													
<b>Easement Information</b>													
<p><b>Legend:</b>    E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement  A - Appurtenant Easement    R - Encumbering Easement (Road)</p>													
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">Easement Reference</th> <th style="width: 30%;">Purpose</th> <th style="width: 10%;">Width (Metres)</th> <th style="width: 15%;">Origin</th> <th style="width: 35%;">Land Benefited/In Favour Of</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">E-1</td> <td>SEWERAGE</td> <td style="text-align: center;">2</td> <td style="text-align: center;">PS324022J</td> <td>SUNRAYSLIA WATER BOARD</td> </tr> </tbody> </table>	Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	E-1	SEWERAGE	2	PS324022J	SUNRAYSLIA WATER BOARD			
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of									
E-1	SEWERAGE	2	PS324022J	SUNRAYSLIA WATER BOARD									
<p><b>FREEMAN &amp; FREEMAN</b>  LAND SURVEYORS  PO BOX 2135 MILDURA VIC 3502  TELEPHONE: (03) 50236239  EMAIL: ffsurvey@ncable.com.au</p>		<p>SURVEYORS REF : 9262</p> <p>Digitally signed by: Robert Bruce Freeman (Freeman and Freeman Land Surveyors),  Surveyor's Plan Version (3),  12/10/2016</p>	<p>ORIGINAL SHEET  SIZE : A3</p> <p>PLAN REGISTERED  TIME: 12:34      DATE: 25/11/2016  C. TRAN  Assistant Registrar of Titles</p>	<p>Sheet 1 of 2 Sheets</p>									

PS743798E



SURVEYORS REF : 9262

**FREEMAN & FREEMAN**  
LAND SURVEYORS

PO BOX 2135 MILDURA VIC 3502  
TELEPHONE: (03) 50236239  
EMAIL: ffsurvey@ncable.com.au

SCALE  
1:250

2.5 0 2.5 5 7.5 10  
LENGTHS ARE IN METRES

Digitally signed by: Robert Bruce Freeman (Freeman and  
Freeman Land Surveyors),  
Surveyor's Plan Version (3),  
12/10/2016

ORIGINAL SHEET  
SIZE : A3

Sheet 2

Digitally signed by:  
Mildura Rural City Council,  
12/10/2016,  
SPEAR Ref: S084636S





## Department of Environment, Land, Water & Planning

### Owners Corporation Search Report

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Produced: 02/08/2021 01:12:18 PM

**OWNERS CORPORATION 1**  
**PLAN NO. PS743798E**

The land in PS743798E is affected by 1 Owners Corporation(s)

**Land Affected by Owners Corporation:**  
Common Property 1, Lots 3 - 6.

**Limitations on Owners Corporation:**  
Unlimited

**Postal Address for Services of Notices:**  
102 EIGHTH STREET MILDURA VIC 3500  
  
AS084511X 12/04/2019

**Owners Corporation Manager:**  
NIL

**Rules:**  
Model Rules apply unless a matter is provided for in Owners Corporation Rules. See Section 139(3) Owners Corporation Act 2006

**Owners Corporation Rules:**  
NIL

**Additional Owners Corporation Information:**  
OC032712H 25/11/2016

**Notations:**  
STANDARD RULES APPLY

**Entitlement and Liability:**  
NOTE – Folio References are only provided in a Premium Report.

Land Parcel	Entitlement	Liability
Common Property 1	0	0
Lot 3	25	25
Lot 4	25	25
Lot 5	25	25
Lot 6	25	25
<b>Total</b>	<b>100.00</b>	<b>100.00</b>



## Department of Environment, Land, Water & Planning

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### Owners Corporation Search Report

Produced: 02/08/2021 01:12:18 PM

**OWNERS CORPORATION 1**  
**PLAN NO. PS743798E**

From 31 December 2007 every Body Corporate is deemed to be an Owners Corporation. Any reference to a Body Corporate in any Plan, Instrument or Folio is to be read as a reference to an Owners Corporation.

Statement End.

Delivered by LANDATA, Enstat 2031/2010 1647 Page 1 of 11  
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151087 1000 MISC 412 117871625  
NO871625

REGD

*Agreement*

CITY OF MELBOURNE

APPLICATION PURSUANT TO SECTION 52B (1) OF THE  
TOWN AND COUNTRY PLANNING ACT 1961

THE MAYOR COUNCILLORS AND CITIZENS of the CITY OF MELBOURNE HEREBY  
APPLY to have a Memorandum of the Agreement pursuant to Section  
52A of the Town and Country Planning Act 1961 dated the 24th  
day of September 1967 and made between themselves as Responsible  
Authority and GEORGE PETER REDAKIS, as Owner of ALL THAT piece  
of land more particularly described in Certificate of Title  
Volume 4942 Folio 240, Volume 4942 Folio 247, Volume 5073 Folio  
337, Volume 5069 Folio 223, Volume 5060 Folio 354, Volume 5100  
Folio 393, a copy of which agreement is annexed hereto entered  
on the said Certificate of Title.

Dated the 24th day of September 1967

THE COMMON SEAL OF THE MAYOR  
COUNCILLORS AND CITIZENS of  
the CITY OF MELBOURNE has  
herunto affixed in the presence  
of:

..... MAYOR  
..... COUNCILLOR  
..... TOWN CLERK

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



*23/10/67*



Delivered by LAI (DAY) 00, 01/11/2017 16:47 Page 2 of 11

Page 1

18/11/87

CASE REFERENCE N0871628

DEALING NO. PARTIES TO DEALING  
N0871628 APPLN: CITY OF MILDURA.

DD1  
PRELIMINARY REQUISITION:  
Your application does not refer to a title reference for  
Allotment 12. As the allotment is referred to in the  
agreement what is your intention?

CITY OF MILDURA  
76-84 DEAKIN AVE.  
MILDURA

3500

//

DocuSign Envelope ID: 83783B5C-8D8E-41A7-952F-8849389FB99A



All communications  
to be addressed  
The Town Clerk  
Telephone Extension  
ask for Box 205  
Mr. Wallis

QUOTE IN REPLY

11th December, 1987

FILE 1 L11/1109/9-12

RECEIVED  
15 DEC 1987  
TITLES OFFICE  
42791

Mr A.X. Lyons,  
Registrar of Titles,  
Land Titles Office,  
203 Queen Street,  
MELBOURNE, VIC., 3000

PPC STOP

Dear Lyons,

RE: G. Ribarits Subdivision  
Lots 9-12 Twelfth Street, Mildura  
Case Reference: NOB/1628

I refer to your letter of November 18th, 1987 and a recent telephone conversation between Mr. Dixon and Mr. W. Wallis of this office.

As discussed, it is requested that you enter the Memorandum of Agreement made pursuant to Section 52A of the Town and Country Planning Act 1961, on Title referred to in the application irrespective of the way in which the land is described in the Section 52A Agreement.

Your early attention to this matter would be appreciated.

Yours faithfully,

(DAMIEN B. GOSS)  
TOWN CLERK / CHIEF EXECUTIVE

PPC

Delivered by LAHDATAS, Email Exp 20/01/2020 10:47 Page 4 of 11

THIS AGREEMENT made the 24<sup>th</sup> day of ~~SEPTEMBER~~ 1987  
B E T W E E N :

THE MAYOR COUNCILLORS AND CITIZENS  
OF THE CITY OF MILDURA

42 14787162S  
(the Council)  
of the first part

and

GEORGE PETER RIDARITS of  
245 Tenth Street, Mildura

(the Owner)  
of the second part

WHEREAS:

A. The Owner is or is entitled to be registered at the Office of Titles as the proprietor of all those pieces of land described in the First Schedule hereto situated at and known as Lots 3, 4, 5, PART OF 6, 9, 10, 11 and 12 Section 79, Block D on Plan of Subdivision No. 2144, being Part Crown Portion 1, Parish of Mildura, Eleventh and Twelfth Streets and Ontario Avenue, Mildura (the land).

B. The Owner made application to the Council as the Responsible Authority under the City of Mildura Planning Scheme for a Modified Permit-

"To subdivide land described as being Lots 3, 4, 5, part of 6, 9, 10, 11 and 12 on L.P. 2144, and to construct a single detached house upon each lot created, on land situated in Eleventh and Twelfth Streets and Ontario Avenue, City of Mildura, in accordance with the attached endorsed plan, (being Stage 1) part of overall Plan of Subdivision development approved with the original permit issued, No. P145/06 dated 26th February 1987, or as subsequently modified. (Modified Permit No. P145/06, Stage 1, dated 3 September 1987.)"

.../2



Noticed by LANDATA/0, 07/10/2010 10:47, Page 5 of 11

- C. The Council by notice of determination dated the 3rd. day of September 1987 determined to grant a permit to subdivide the land in accordance with the endorsed plan and subject to various conditions including a condition which provided as follows:

"The Operator of this permit shall (pursuant to Section 52A of the Town and Country Planning Act 1961) enter into an Agreement with the City of Mildura to preclude the construction of flats upon all lots within the subdivision hereby permitted for a period of ten (10) years with the exception of Lots 22 and 27."

- D. The Council and the Owner have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as it can be so treated this Agreement shall be treated as being an agreement under Section 52A of the Town and Country Planning Act 1961.

- E. The Owner intends to lodge a Plan of Subdivision for approval in accordance with the Modified Planning Permit immediately after the registration of this Agreement.

NOW THIS AGREEMENT WITNESSETH as follows:

- 1. In this Agreement unless inconsistent with the context or subject matter -

"Modified Permit" shall mean the permit issued by the Council as a result of the notice of determination referred to in recital C hereof.

Delivered by LAM DAT A20, Email Date 20/01/2020 (6:47 PM) Page 0 of 11

- 3 -

2. The Owner covenants and agrees to comply with, carry out and observe condition 9 of the Modified Permit.
3. The Owner further covenants and agrees as follows:  
To prohibit the construction of or adaptation to flats as defined in the City of Mildura Planning Scheme for a period of ten (10) years from the date of approval of the Plan of Subdivision by the Office of Titles upon all lots within the subdivision hereby permitted, with the exception of Lots 22, 27 and "A", as illustrated on the endorsed plan annexed hereto.
4. The Owner agrees to do all things necessary to enable the Council to enter a memorandum of this Agreement on the Certificate of Title to the land in accordance with Section 52B of the Town and Country Planning Act 1961 including signing any further agreement acknowledgement or document to enable the said memorandum to be registered under that section.
5. The covenants and agreements of the Owner under this Agreement shall cease and the Owner will be released from its obligations under this Agreement upon the Council delivering to the Owner a certificate stating that the subdivision has been carried out and completed and the Owner has complied with the terms of this Agreement to its satisfaction.

IN WITNESS whereof the parties hereto have hereunto set their hands and seals the day and year first hereinbefore written.

.../4

FIRST SCHEDULE

LOTS 3,4,5, PART OF 6,9,10,11 and 12, Section 79, Block D on Plan of Subdivision 2144 being the whole of the land more particularly described in Certificate of Title Volume 4942 Folio 240, Volume 4942 Folio 247, Volume 9073 Folio 337, Volume 0060 Folio 353, Volume 0060 Folio 354, Volume 5190 Folio 593.

The COMMON SEAL of the MAYOR )  
COUNCILLORS AND CITIZENS OF THE )  
CITY OF MILDURA was hereto )  
affixed in the presence of: )

..... )  
..... )  
..... )  
..... )

Signed by the said )  
GEORGE PETER RIBARITS )  
in the presence of: )

) *G. P. Ribarits*  
) *[Signature]*



DocuSign by LAMIDATA, Emailing 22/01/2020 10:47 Page 1 of 1

G. Ribet Ltd

Town and Country Planning Act 1961

**CITY OF MILDURA PLANNING SCHEME**

**MODIFIED PLANNING PERMIT No. P.145/86**

OFFICE USE ONLY  
A.145/86  
04.11.86

Subject to the conditions (if any) set out hereunder the following is hereby permitted:

To subdivide land described as being Lots 2, 4, 5, part of 6, 9, 10, 11 and 12 on L.P. 2144, and to construct a single detached house upon each lot created, on land situate in Eleventh and Twelfth Streets and Ontario Avenue, City of Mildura, in accordance with the attached endorsed plan, (being Stage 1) part of the overall plan of subdivision development approved with the original permit issued, No. P.145/86 dated 26th February, 1987, or as subsequently modified, subject to the following conditions:-

**Conditions:**

1. This permit shall have no force or effect until the P.M.I.T., S.E.C., S.W.D., Telecom and the City of Mildura (in regard to roads and drainage) have been consulted in respect of their requirements; that the road reservation width has been determined to adequately contain all utility services. Such information shall be reflected upon a subdivision development plan for the land, to the satisfaction of the City of Mildura and the servicing authorities referred to above.
2. The use hereby permitted shall be carried out in accordance with the endorsed plan and shall not be altered or modified without the consent of the Council.
3. The pavement of the roads within the subdivision shall be a minimum of 8 metres in width. Such pavement, including kerbing and footpaths, shall be constructed in a manner to the satisfaction of the City Engineer/Town Planner of the City of Mildura.
4. Reticulated underground power, water, sewerage, drainage and telephone services shall be provided to each lot hereby permitted to be created within the subdivision.
5. No topsoil shall be removed from the land without the consent of the Responsible Authority and any topsoil disturbed as a result of works permitted by this permit shall be stockpiled on the site for later redressing the land.
6. All disturbed surfaces on the land authorised by this permit except those areas set aside for roadways and footpaths shall be dressed with topsoil and, where appropriate, revegetated and stabilised to the satisfaction of the Responsible Authority as to prevent any erosion or siltation either on or adjacent to the land.

3rd September, 1987  
(Date of Determination)

*G. Ribet*  
(Signed)

Delivered by LAMIRATA, Email: lamirata@200120101647, Page 1 of 11

G. Ribarits

Town and Country Planning Act 1961

**CITY OF MILDURA PLANNING SCHEME**

**MODIFIED PLANNING PERMIT No. P.145/06**

OFFICE USE ONLY

A.145/06  
06.11.06

Subject to the conditions (if any) set out hereunder the following is hereby permitted:

P.145/06 continued.....

**Conditions:**

7. A footpath shall be constructed on both sides of each road within the subdivision, and along the frontage of allotments fronting Eleventh & Twelfth Streets and Ontario Avenue.
8. An all colour metal panel fence shall be constructed (at the cost of the operator of this permit) to a height of 1.8 metres around the perimeter of all lots abutting the recreation reserve within the subdivision, prior to completion of all construction works appurtenant to this subdivision.
9. The operator of this permit shall (pursuant to Section 52A of the Town & Country Planning Act 1961) enter into an Agreement with the City of Mildura to preclude the construction of flats upon all lots within the subdivision hereby permitted for a period of 10 years with the exception of Lots 22 and 27.
10. Pursuant to Section 10(5) of the Town and Country Planning Act 1961 the time for commencement of the development hereby permitted is specified as two years from the date hereof, and the time for completion of the development is specified as two years from the date of commencement.
11. The applicant be advised that a cash contribution towards Public Open Space is required to be paid in accordance with Section 569B(8A) of the Local Government Act 1958 prior to the commencement of the development.

3rd September, 1997  
(Date of Determination)

*R. Ribarits*  
(Signed)

OVERSIZED PLAN 

1	2
3	4

  
 Sheet 1 of 2

ELEVENTH

125' 16" 312.65  
(312.65)

RESERVE FOR MUNICIPAL PURPOSES  
3779 m<sup>2</sup>

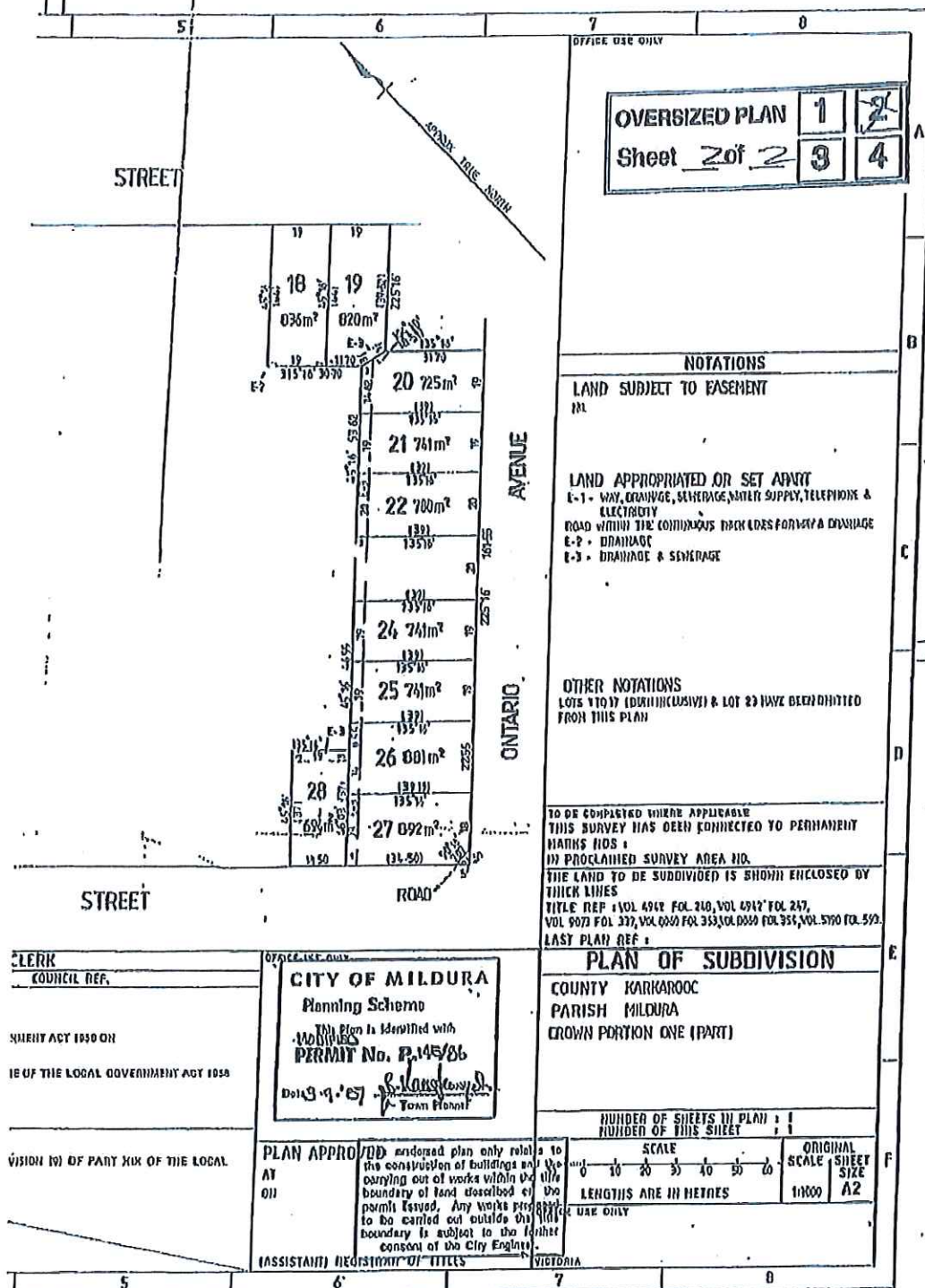
A  
6-043 ha

TWELFTH

CERTIFICATION BY SURVEYOR	CERTIFICATE OF MUNICIPAL C
<p>I, PAUL THOMAS TOMKINSON of 140 MADDEN AVENUE, MILDURA 3500 certify that this plan has been prepared from a survey made under my immediate direction and supervision in accordance with the Surveyors Act 1978 and completed on 20th APRIL 1987 and that this plan is accurate and correctly represents the adopted boundaries and the description of the survey is E3 DATE: 27th AUGUST 1987</p> <p style="text-align: right;">Licensed Surveyor, Surveyors Act 1978. <i>[Signature]</i></p>	<p>MUNICIPALITY CITY OF MILDURA</p> <p><b>CERTIFICATE A</b> THIS PLAN ACCORDS WITH A PLAN SEALED BY THE COUNCIL UNDER SECTION 600B OF THE LOCAL GOVERNMENT ACT 1988 BY THE PLANNING APPEALS BOARD ON AND A REQUIREMENT/NO REQUIREMENT PURSUANT TO SECTION 659 HAS BEEN MADE</p> <p>DATE: _____ MUNICIPAL CLERK _____</p>
<p>AMENDMENTS</p>	<p><b>CERTIFICATE B</b> THIS PLAN ACCORDS WITH A PLAN EXEMPTED FROM SUBDIVISION (S) OF D) GOVERNMENT ACT 1988 BY THE COUNCIL ON THE PLANNING APPEALS BOARD ON</p> <p>DATE: _____ MUNICIPAL CLERK _____</p>
<p>TOMKINSON &amp; ASSOCIATES, 140 MADDEN AVENUE, MILDURA. 3500. PH. 050 236239.</p>	<p>SURVEYORS REF. N 175</p>



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REGD.

170880 1906 HISC 145 N648621H

N648621H

Form 9.1

Lodged by  
*George M. Goss*  
Code *261411*

Titles Office Use Only

VICTORIA

APPLICATION BY A RESPONSIBLE AUTHORITY under Section 181 Planning and Environment Act 1987 for ENTRY OF A MEMORANDUM OF AGREEMENT under Section 173 of the Act.

The Responsible Authority under the Planning Scheme having entered into an Agreement with the parties named for the land described requires that a memorandum of the Agreement be entered on the Certificate(s) of Title to the land referred to.

LAND (Insert Certificate of Title Volume and Folio)

Volume 9792 Folio 990 *AGREEMENT - HILBURN CITY 1906 - 320/330/1022*

ADDRESS OF THE LAND

101n 29-62 Twelfth Street

RESPONSIBLE AUTHORITY (name and address)

CITY OF HILBURN  
Dankin Avenue, Hildurn

PLANNING SCHEME

HILBURN CITY PLANNING SCHEME

AGREEMENT DATE

4th August, 1906

AGREEMENT WITH (name and address)

GEORGE PETER DIDAKIS

A copy of the Agreement is attached to this Application

Signature for the Responsible Authority *[Signature]*

**GEORGE PETER DIDAKIS**  
TOWN CLERK / CHIEF EXECUTIVE

This Agreement has been entered in the Register



*9/58*

Generated by LAMDATAS, Envelope 2001/2010 10:47 Page 2 of 10

7824 - 333 (CANCES 1600) WHOLE

transferred to new Q/T

no issue in

Vol. 9890 - 057

to Vol. 989. in 080 b.1.



THIS AGREEMENT made the 14TH day of AUGUST 1900.  
BETWEEN:

THE MAYOR COUNCILLORS AND CITIZENS  
OF THE CITY OF MILDURA (the Council)  
of the first part

and

GEORGE PETER RIDDRIKS  
of 245 Tenth Street, Mildura (the Owner)  
of the second part

WHEREAS:

- A. The Owner is or is entitled to be registered at the Office of Titles as the proprietor of all those pieces of land described in the First Schedule hereto situated at and known as Lot A on Plan of Subdivision No. 210411K (formerly Lots 3,4,5, part of 6,9,10,11 and 12 on Plan of Subdivision No. 2144) being Part Crown Portion 1, Parish of Mildura, Eleventh and Twelfth Streets and Ontario Avenue, Mildura (the land).
- B. The Owner made application to the Council as the Responsible Authority under the Mildura City Planning Scheme for a Planning Permit to subdivide land described as Lots 3,4,5, Part of 6,9,10,11 and 12 on L.P. 2144 (now known as Lot A on L.P. 210411K) and to construct a single detached house upon each lot created, on land situated in Eleventh and Twelfth Streets and Ontario Avenue, City of Mildura, in accordance with the attached endorsed plan (being Stage 2), part of the overall plan of Subdivision development approved with the Original permit issued No. P145/06 dated 26th February, 1907, or as subsequently modified. (Permit No. P130/00, Stage 2 dated 4 August, 1900).

- 2 -

- C. The Council by notice of determination dated the 4th day of August 1900 determined to grant a Permit to subdivide the land in accordance with the endorsed plan and subject to various conditions including a condition which provided as follows:

"The operator of this permit shall (pursuant to Section 173 and 101 of the Planning & Environment Act 1907) enter into an Agreement with the City of Mildura to preclude the construction of flats upon all lots within the subdivision hereby permitted for a period of 10 years, with the exception of Lots 52,60 and "A".

- D. The Council and the Owner have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as it can be so treated this Agreement shall be treated as being an Agreement under Section 173 of the Planning & Environment Act 1907.
- E. The Owner intends to lodge a Plan of Subdivision for approval in accordance with the Planning Permit immediately after the registration of this Agreement.

NOW THIS AGREEMENT WITNESSETH as follows:

1. In this Agreement unless inconsistent with the context or subject matter -

"Permit" shall mean the permit issued by the Council as a result of the notice of determination referred to in recital C hereof.

2. The Owner covenants and agrees to comply with, carry out and observe condition 9 of the Permit.

.../3

- 3 -

3. The Owner further covenants and agrees as follows:

To prohibit the construction of or adaptation to flats as defined in the City of Hildara Planning Scheme for a period of ten (10) years from the date of approval of the Plan of Subdivision by the Office of Titles upon all lots within the subdivision hereby permitted with the exception of Lots 52, 60 and "A", as illustrated on the endorsed plan annexed hereto.

4. The Owner agrees to do all things necessary to enable the Council to enter a memorandum of this Agreement on the Certificate of Title to the land in accordance with Section 101 of the Planning and Environment Act 1987 including signing any further agreement acknowledgement or document to enable the said memorandum to be registered under that section.

5. The covenants and agreements of the Owner under this Agreement shall cease and the Owner will be released from its obligations under this Agreement upon the Council delivering to the Owner a certificate stating that the subdivision has been carried out and completed and the Owner has complied with the terms of this Agreement to its satisfaction.

IN WITNESS whereof the parties hereto have hereunto set their hands and seals the day and year first hereinbefore written.

.../4

Printed by LAHUYAS, on stamp 22/01/2019 16:47 Page 6 of 10

- 4 -

FIRST SCHEDULE

Lot A on Plan of Subdivision 210411X (formally Lots 3,4,5, Part of 6,9,10,11 and 12, Section 79, Block D on Plan of Subdivision 2104) being the whole of the land more particularly described in Certificate of Title Volume 9792 Folio 990.

The COMMON SEAL of the MAYOR  
COUNCILLORS AND CITIZENS OF THE  
CITY OF MILQUA was hereunto  
affixed in the presence of: )  
)  
)  
)

.....  
.....  
.....

MAYOR  
COUNCILLOR  
TOWN CLERK / CHIEF EXECUTIVE

Signed by the said  
GEORGE PETER HIDALGO  
in the presence of: )  
)  
)

.....  
.....

.....  
.....





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APPLICANTS COPY

Planning & Environment Act 1987

G RIBARITS

# PLANNING PERMIT

Permit No. P130/88 (P.145/86)  
Application No. A130/88 (A.145/86)

Mildura City Planning Scheme  
Responsible Authority: City of Mildura

### ADDRESS OF THE LAND.

LOTS 3-5, PART 6 & 6,9-12 BELVERMIL, TWELFTH STS., ONTARIO AVENUE, INCLUSIVE.

### THE PERMIT ALLOWS

To subdivide land, described in the application as being Lot A on Plan of Subdivision No. 210411X (formally lots 3,4,5, part of 6,9,10,11 and 12 on Plan of Subdivision No. 2146) being Part Gebm Portion 1, Parish of Mildura, Eleventh & Twelfth Streets and Ontario Avenue, City of Mildura (the land) subject to the following conditions:

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT.

1. This permit shall have no force or effect until the E.N.I.T., S.G.C., S.V.D., Telegram & the City of Mildura (in regard to roads and drainage) have been consulted in respect of their requirements; that the road reservation width has been determined to adequately contain all utility services. Such information shall be reflected upon a subdivision development plan for the land, to the satisfaction of the City of Mildura and the surviving authorities referred to above.
2. The use hereby permitted shall be carried out in accordance with the endorsed plan and shall not be altered or modified without the consent of the Council.
3. The pavement of the roads within the subdivision shall be a minimum of 8 metres in width. Such pavement, including kerbing and footpaths, shall be constructed in a manner to the satisfaction of the City Engineer/Town Planner.
4. Retained underground power, water, sewerage, drainage and telephone services shall be provided to each lot hereby permitted to be created within the subdivision.
5. No topsoil shall be removed from the land without the consent of the Responsible Authority and any topsoil disturbed as a result of works permitted by this permit shall be stockpiled on the site for later redressing the land.
6. All disturbed surfaces on the land authorised by this permit except those areas set aside for roadways and footpaths shall be dressed with topsoil and where appropriate revegetated and stabilised to the satisfaction of the Responsible Authority so as to prevent any erosion or siltation either on or adjacent to the land.

The issue of this permit does not obviate the necessity for complying with the requirements of any authority pursuant to any statute or regulation.

Date Issued AUGUST 4, 1988.....

Signature for the Responsible Authority

PLANNING & ENVIRONMENT ACT 1987 FORM 4

Delivered by LANDATA3, on stamp 20/01/2020 15:47 Page 9 of 10

**WHAT HAS BEEN DECIDED?**

The Responsible Authority has issued a permit. This notice sets out on the reverse side what the permit allows and what conditions must be met.

**WHEN DOES A PERMIT BEGIN?**

A permit operates:

- a. from the date specified in the permit, or
- b. if no date is specified, from:
  - (i) the date of the decision of the Administrative Appeals Tribunal, if the permit was issued at the direction of the Tribunal, or
  - (ii) the date on which it was issued, in any other case.

**WHEN DOES A PERMIT EXPIRE?**

1. A permit for the development of land expires if-
  - (a) the development or any stage of it does not start within the time specified in the permit, or
  - (b) the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit.
2. A permit for the use of land expires if-
  - (a) the use does not start within the time specified in the permit, or if no time specified, within two years of the issue of the permit, or
  - (b) the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if-
  - (a) the development or any stage of it does not start within the time specified in the permit; or
  - (b) the development or any stage of it is not completed within the time specified in the permit, or if no time is specified, within two years after the issue of the permit.
  - (c) the use does not start within the time specified in the permit, or if no time is specified, within two years of the issue of the permit, or
  - (d) the use is discontinued for a period of two years.
- (4) The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

**WHAT ABOUT APPEALS?**

The person who applied for the permit may appeal against any condition in the permit unless it was granted at the direction of the Administrative Appeals Tribunal where, in such case, no right of appeal exists.

An appeal must be lodged with the Administrative Appeals Tribunal within 60 days after the permit was issued, unless a Notice of Decision to grant a permit has been issued previously, in which case the appeal must be lodged within 60 days after the giving of this notice.

A notice of appeal form can be obtained from the Administrative Appeals Tribunal, 10th Floor, 800 Collins Street, MELBOURNE, 3000. Phone 020 6111.

Details about appeals can be obtained from the Administrative Appeals Tribunal.

The issue of this permit does not obviate the necessity for complying with the requirements of any other authority pursuant to any statute or regulation.

City of Mildura.  
Phone (050) 222 777.

Post: P.O. Box 105,  
Mildura, 3600.  
DX 60014.  
FAX (050) 21 1283.

Location: Donald Avenue,  
Mildura.



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APPLICANT'S CODE

Planning & Environment Act 1987  
G MIDARITS

# PLANNING PERMIT

Permit No. P.130/88 P.145/86  
Application No. A.130/88 A.145/86

Mildura City Planning Scheme  
Responsible Authority: City of Mildura

ADDRESS OF THE LAND,  
LOTS 3-5, PART 6 & 6,9-12 ELVENTH, TWELFTH STS., ONTARIO AVENUE, INCLUSIVE.

THE PERMIT ALLOWS

P145/86 continued...

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT.

7. A footpath shall be constructed on both sides of each road within the subdivision and along the frontage of allotments fronting Eleventh & Twelfth Streets & Ontario Avenue.
  8. An all colour metal panel fence shall be constructed (at the cost of the operator of this permit) to a height of 1.8 metres around the perimeter of all lots abutting the recreation reserve within the subdivision, prior to completion of all construction works appurtenant to this subdivision.
  9. The operator of this permit shall (pursuant to Section 173 and 181 of the Planning & Environment Act 1987) enter into an Agreement with the City of Mildura to preclude the construction of flats upon all lots within the subdivision hereby permitted for a period of 10 years, with the exception of Lots 32, 50 & 51.
  10. The time for commencement of the development hereby permitted is specified as two years from the date hereof, and the time for completion of the development is specified as two years from the date of commencement.
- NOTE: The applicant be advised that a cash contribution towards Public Open Space is required to be paid in accordance with Section 569B(BA) of the Local Government Act 1990 prior to the commencement of the development.

The issue of this permit does not obviate the necessity for complying with the requirements of any authority pursuant to any statute or regulation.

Date Issued: AUGUST 4, 1988.

Signature for the  
Responsible Authority



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REGISTRATION

NB20962A  
Form D.1

Lodged by  
*City of Hildura*  
Code .....

Title Office Use Only

VICTORIA

APPLICATION BY A RESPONSIBLE AUTHORITY under Section 181 Planning and Environment Act 1987 for ENTRY OF A MEMORANDUM OF AGREEMENT under Section 173 of the Act.

The Responsible Authority under the Planning Scheme having entered into an Agreement with the parties named for the land described requires that a memorandum of the Agreement be entered on the Certificate(s) of Title to the land referred to.

LAND (insert Certificate of Title Volume and Folio)

Volume 982h Folio 333

ADDRESS OF THE LAND

Stage 3, Lot R3 A 30-50 Inclusive Andriaci Court

RESPONSIBLE AUTHORITY (name and address)

CITY OF HILDURA  
Barkin Avenue, Hildura

PLANNING SCHEME

HILDURA CITY PLANNING SCHEME

AGREEMENT DATE

27th October, 1988.

CONTRIBUTOR WITH (name and address)

OROKO PETER BODARIS  
245 Tenth Street  
HILDURA VIC 3500

A copy of the Agreement is attached to this Application

Signature for the Responsible Authority .....

(DANIAN B. GOSD)  
TOWN CLERK / CHIEF EXECUTIVE

Date 27th October 1988

A memorandum of the written instrument has been entered in the Register Book



*10/10/88*

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9889-833 (CANCELLED NUMBER)

to issue in

Vol. 9890<sup>17</sup>, 057

to Vol. 9890 : 1, 080 6.1.

THIS AGREEMENT made the 27th day of October, 1900.  
BETWEEN:

THE MAYOR COUNCILLORS AND CITIZENS  
OF THE CITY OF MILDURA

(the Council)  
of the first part

and

GEORGE PETER HIDALITS  
of 245 Tenth Street, Mildura

(the Owner)  
of the second part

WITNESSES:

A. The Owner is or is entitled to be registered at the Office of Titles as the proprietor of all those pieces of land described in the first Schedule hereto situated at and known as Lot A on Plan of Subdivision No. 212107P (formerly Lots 3,4,5, part of 6,9,10,11 and 12 on Plan of Subdivision No. 2144) being Part Crown Portion 1, Parish of Mildura, Eleventh and Twelfth Streets and Ontario Avenue, Mildura (the land).

B. The Owner made application to the Council as the Responsible Authority under the Mildura City Planning Scheme for a Planning Permit to subdivide land described as Lots 3,4,5, Part of 6,9,10,11 and 12 on L.P. 2144 (now known as Lot A on L.P. 212107P) and to construct a single detached house upon each lot created, on land situated in Eleventh and Twelfth Streets and Ontario Avenue, City of Mildura, in accordance with the attached endorsed plan (being Stage 3), part of the overall plan of subdivision development approved with the Original permit issued No. P50/07 dated the 14th May, 1907, or as subsequently modified. (Permit No. P130/00, Stage 3, dated 15 September, 1900).

.../2

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- 2 -

C. The Council by notice of determination dated the 15th day of September 1900 determined to grant a permit to subdivide the land in accordance with the endorsed plan and subject to various conditions including a condition which provided as follows:

"The operator of this permit shall (pursuant to Section 173 and 101 of the Planning & Environment Act 1907) enter into an Agreement with the City of Hildura to preclude the construction of flats upon all lots within the subdivision hereby permitted for a period of 10 years, with exception of the balance of land described as Lot A".

D. The Council and the Owner have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as it can be so treated this Agreement shall be treated as being an Agreement under Section 173 of the Planning & Environment Act 1907.

E. The Owner intends to lodge a Plan of Subdivision for approval in accordance with the Planning Permit immediately after the registration of this Agreement.

NOW THIS AGREEMENT WITNESSETH as follows:

1. In this Agreement unless inconsistent with the context or subject matter -

"Permit" shall mean the permit issued by the Council as a result of the notice of determination referred to in recital C hereof.

2. The Owner covenants and agrees to comply with, carry out and observe condition 9 of the Permit.

.../3



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- 3 -

3. The Owner further covenants and agrees as follows:

To prohibit the construction of or adaptation to flats as defined in the Mildura City Planning Scheme for a period of ten (10) years from the date of approval of the Plan of Subdivision by the Office of Titles upon all lots within the subdivision hereby permitted with the exception of Lot "A", as illustrated on the endorsed plan annexed hereto.

4. The Owner agrees to do all things necessary to enable the Council to enter a memorandum of this Agreement on the Certificate of Title to the land in accordance with Section 101 of the Planning and Environment Act 1907 including signing any further agreement acknowledgement or document to enable the said memorandum to be registered under that section.

5. The covenants and agreements of the Owner under this Agreement shall cease and the Owner will be released from its obligations under this Agreement upon the Council delivering to the Owner a certificate stating that the subdivision has been carried out and completed and the Owner has complied with the terms of this Agreement to its satisfaction.

IN WITNESS whereof the parties hereto have herunto set their hands and seals the day and year first hereinbefore written.

.../4

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FIRST SCHEDULE

Lot A on Plan of Subdivision No. 212107P (formerly Lots 3,4,5, East of 9,10,11 and 12, Section 79, Block D on Plan of Subdivision 2144) being the whole of the land more particularly described in Certificate of Title Volume 9024 Folio 333.

The COMMON SEAL of the MAYOR  
COUNCILLORS AND CITIZENS OF THE  
CITY OF HILDURA was herewith  
affixed in the presence of:

..... *[Signature]* ..... MAYOR  
..... *[Signature]* ..... COUNCILLOR  
..... *[Signature]* ..... TOWN CLERK / CHIEF EXECUTIVE

Sealed & Delivered &  
Signed by the said  
GEORGE PETER HIBARITS  
in the presence of:  
*[Signature]*

..... *[Signature]* .....

Delivered by LANDATA, Inc. on 2001/02/20 16:47. Page 7 of 10

ORIGINAL COPY

Planning & Environment Act 1987  
TOWNKINSON & ASSOCIATES (G. RICHARDS)

# PLANNING PERMIT

Permit No. P.130/00  
Application No. A.130/00  
Mildura City Planning Scheme  
Responsible Authority: City of Mildura

ADDRESS OF THE LAND.  
STAGE 3, LOT 2) & 30-5- INCLUSIVE ANDIMKEE COURT

### THE PERMIT ALLOWS

To subdivide land described as being Lot A on plan of subdivision No 210611x (formally lots 3,4,5, part of 6,9,10,11 and 12 on Plan of Subdivision No 2144) being part Crown Portion 1, Parish of Mildura, Eleventh & Twelfth Street & Ontario Avenue, City of Mildura, in accordance with the attached endorsed plan, (being Stage 3) part of the overall plan of subdivision development approved with the original permit issued, No P.130/00 dated 4th August, 1999, subject to the following conditions:

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT.

- 1 This permit shall have no force or effect until the F.H.J.T., S.B.C., S.W.B., Tulucum & City of Mildura (in regard to road drainage) have been consulted in respect of their requirements; that the road reservation width has been determined to adequately contain all utility services. Such information shall be reflected upon a subdivision development plan for the land, to the satisfaction of the City of Mildura and the servicing authorities referred to above.
- 2 The use hereby permitted shall be carried out in accordance with the endorsed plan and shall not be altered or modified without the consent of the Council.
- 3 The pavement of the roads within the subdivision shall be a minimum of 0 metres in width. Such pavement, including kerbing and footpaths, shall be constructed in a manner to the satisfaction of the City Engineer/Town Planner.
- 4 Reticulated underground power, water, sewerage, drainage and telephone services shall be provided to each lot hereby permitted to be created within the subdivision.
- 5 No topsoil shall be removed from the land without the consent of the Responsible Authority and any topsoil disturbed as a result of works permitted by this permit shall be stockpiled on the site for later redressing the land.
- 6 All disturbed surfaces on the land authorised by this permit except those areas set aside for roadways and footpaths shall be dressed with topsoil and where appropriate revegetated and stabilised to satisfaction of the Responsible Authority so as to prevent any erosion or siltation either on or adjacent to the land.

The issue of this permit does not obviate the necessity for complying with the requirements of any authority pursuant to any statute or regulation.

Date issued **SEPTEMBER 15, 1999**

Signature for the Responsible Authority *R. G. Locking*

DocuSign Envelope ID: 83783B5C-8D8E-41A7-952F-8849389FB99A

PHOTOCOPY

Planning & Environment Act 1987  
TORKINSON & ASSOCIATES (A FIDELITY)

# PLANNING PERMIT

Permit No. P.130/88  
Application No. A.130/88  
Mildura City Planning Scheme  
Responsible Authority: City of Mildura

## ADDRESS OF THE LAND

STAGE 3, LOT 23 & 30-INCLUSIVE AND INTER COURT

## THE PERMIT ALLOWS

A.130/88 continued....

## THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT.

7. A footpath shall be constructed on both sides of each road within the subdivision and along the frontage of allotments fronting Eleventh & Twelfth Streets & Ontario Avenue.
8. An all colour metal panel fence shall be constructed (at the cost of the operator of this permit) to a height of 1.8 metres around the perimeter of all lots abutting the recreation reserve within the subdivision, prior to completion of all construction works appurtenant to the subdivision.
9. The operator of this permit shall (pursuant to Section 173 & 101 of the Planning & Environment Act 1987) enter into an Agreement with the City of Mildura to preclude the construction of flats upon all lots within the subdivision hereby permitted for a period of 10 years, "with exception of the balance of land described as Lot A".
10. The time for commencement of the development hereby permitted is specified as two years from the date hereof, and the time for completion of the development is specified as two years from the date of commencement.

The issue of this permit does not obviate the necessity for complying with the requirements of any authority pursuant to any statute or regulation.

Date issued .. SEPTEMBER 15, 1988

Signature for the Responsible Authority ..... *R. B. Locking* .....

Planning and Environment Act 1987 Form 4-4





Delivered by MAILMAN, 06/25/2010 16:47 Page 10 of 10

DAVID 27TH DAY OF OCTOBER 1900

HILVERA CITY COUNCIL

with

GEORGE PETER RYLANDS

AGREEMENT PURSUANT TO SECTION 173  
OF THE PLANNING AND ENVIRONMENT  
ACT 1907

Hilvera City Council  
Denkin Avenue  
HILVERA 3500

Telephone: (050) 22 2777

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5498015M

Lodged by Maddock Lonie & Chisholm  
Ref: IHL:FG:AHJ 200241

Code: 1167E

VICTORIA

APPLICATION BY A RESPONSIBLE AUTHORITY under Section 101 of the Planning and Environment Act 1907 for ENTRY OF A MEMORANDUM OF AGREEMENT under Section 173 of the Planning and Environment Act 1907.

The Responsible Authority under the Planning Scheme having entered into an Agreement with the parties named for the land described requires that a memorandum of the Agreement be entered on the Certificate(s) of Title to the land referred to.

**LAND:**

Certificates of Title Volume 10098 Folio 856, Volume 10098 Folio 857, Volume 10098 Folio 858, Volume 10098 Folio 861, Volume 10098 Folio 862 and Volume 10098 Folio 863  
NOTE: 10127/644 TO 650 (61)

**ADDRESS OF THE LAND:**

Eleventh and Twelfth Streets and Ontario Avenue, Mildura

**RESPONSIBLE AUTHORITY:**

The City of Mildura

**PLANNING SCHEME:**

Mildura City Planning Scheme

**AGREEMENT DATE:**

7 December 1992

**AGREEMENT WITH:**

George Peter Ribarits of 245 Tenth Street, Mildura

7  
12/9  
R. 93

Delivered by LAY/DATA3, Enstatmp 2000020 10:47 Page 2 of 12

A copy of the Agreement is attached to this Application

Signature of the Responsible Authority: *C. C. C. C.*

Name of Officer: *CHRIS. CILIAPO*

Date: *3<sup>rd</sup> MAY, 1993*



- 1 -



THIS AGREEMENT made the 7th day of December, 1992.  
BETWEEN:

THE MAYOR COUNCILLORS AND CITIZENS  
OF THE CITY OF MILDURA (the Council)  
of the first part

and

GEORGE PETER RIDARIS (the Owner)  
of 245 Tenth Street, Mildura of the second part

WHEREAS:

- A. The Owner is or is entitled to be registered at the Office of Titles as the proprietor of all those pieces of land described in the First Schedule hereto situated at and known as Lot A on Plan of Subdivision No. 214306X (formally Lots 3,4,5, part of 6,9,10,11 and 12 on Plan of Subdivision No. 2144) being Part Crown Portion 1, Parish of Mildura, Eleventh and Twelfth Streets and Ontario Avenue, Mildura (the land).
- B. The Owner made application to the Council as the Responsible Authority under the Mildura City Planning Scheme for a Planning Permit to subdivide land described as Lots 3,4,5, Part of 6,9,10,11 and 12 on L.P. 2144 (now known as Lot A on L.P. 214306X) and to construct a single detached house upon each lot created, on land situated in Eleventh and Twelfth Streets and Ontario Avenue, City of Mildura, in accordance with the attached endorsed plan (being Stage 4), part of the overall plan of subdivision development approved with the Original permit issued No. P145/86 dated the 26th February, 1987, or as subsequently modified. (Permit No. P145b/86, Stage 4, dated 24th November, 1992).

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- 2 -

C. The Council by notice of determination dated the 24th day of November 1992 determined to grant a Permit to subdivide the land in accordance with the endorsed plan and subject to various conditions including a condition which provided as follows:

"The operator of this permit shall (pursuant to Section 173 and 101 of the Planning & Environment Act 1987) enter into an Agreement with the City of Mildura to preclude the construction of flats upon all lots within the subdivision hereby permitted for a period of 10 years, with the exception of Lots 12, 17 & B."

D. The Council and the Owner have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as it can be so treated this Agreement shall be treated as being an Agreement under Section 173 of the Planning & Environment Act 1987.

E. The Owner intends to lodge a Plan of Subdivision for approval in accordance with the Planning Permit immediately after the registration of this Agreement.

NOW THIS AGREEMENT WITNESSETH as follows:

1. In this Agreement unless inconsistent with the content or subject matter -

"Permit" shall mean the permit issued by the Council as a result of the notice of determination referred to in recital C hereof.

2. The Owner covenants and agrees to comply with, carry out and observe condition 9 of the Permit.

.../3

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- 3 -

3. The Owner further covenants and agrees as follows:

To prohibit the construction of or adaptation to flats as defined in the Mildura City Planning Scheme for a period of ten (10) years from the date of approval of the Plan of Subdivision by the Office of Titles upon all lots within the subdivision hereby permitted with the exception of Lots 12, 17 & D, as illustrated on the endorsed plan annexed hereto.

4. The Owner agrees to do all things necessary to enable the Council to enter a memorandum of this Agreement on the Certificate of Title to the land in accordance with Section 181 of the Planning and Environment Act 1987 including signing any further agreement acknowledgement or document to enable the said memorandum to be registered under that section.

5. The covenants and agreements of the Owner under this Agreement shall cease and the Owner will be released from its obligations under this Agreement upon the Council delivering to the Owner a certificate stating that the subdivision has been carried out and completed and the Owner has complied with the terms of this Agreement to its satisfaction.

IN WITNESS whereof the parties hereto have hereunto set their hands and seals the day and year first hereinbefore written.

.../1

Delivered by LMI/AT/S, Envelope 2201/2010 1647 Page 6 of 12

FIRST SCHEDULE

LOT A on Plan of Subdivision No. 214306X (formerly Lots 3,4,5, Part of 6,9,10,11 and 12, Section 79, Block D on Plan of Subdivision 2144) being the whole of the land more particularly described in Certificate of Title Volume 9090 Folio 079.

The COMMON SEAL of the MAYOR )  
COUNCILLORS AND CITIZENS OF THE )  
CITY OF MILWAUKEE was hereto )  
affixed in the presence of: )

..... *[Signature]* ..... MAYOR  
..... *[Signature]* ..... COUNCILLOR  
..... *[Signature]* ..... MUNICIPAL CLERK

Signed by the said )  
GEORGE PETER RIBARIS ) *[Signature]*  
in the presence of: )  
Michael GREEN )  
..... *[Signature]* .....



Disturbed by LANDATA/20, Esstamp 2001/2020 1047 Page 7 of 12

PUBLIC AND COPY

Planning & Environment Act 1987

G EXHIBITS

PLANNING PERMIT

Permit No. ~~INDEXED PERMIT~~  
Application No. A.1450/06  
P.1450/06

Mildura City Planning Scheme  
Responsible Authority: City of Mildura

ADDRESS OF THE LAND:

to subdivide land described as being Lots 3, 4, 5 and Part 6, 9, 10, 11 & 12 on LP 2144 (now known as Lot A on LP 214306K, Vol 9890, Fol 079) and to construct a single detached dwelling upon each lot created, on land situate in Eleventh & Twelfth Streets & Ontario Avenue, City of Mildura, in accordance with the attached endorsed plan, (being Stage 4) part of the overall plan of subdivision development approved with the original permit issued, No. P.145/06, dated 26 February 1987, or as subsequently modified, subject to the following conditions:-

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT.

1. This permit shall have no force of effect until the F.M.I.F., S.R.C., S.W.D., Telecom & the City of Mildura (in regard to roads and drainage) have been consulted in respect of their requirements; that the road reservation width has been determined to adequately contain all utility services. Such information shall be reflected upon a subdivision development plan for the land, to the satisfaction of the City of Mildura and the servicing authorities referred to above.
2. The use hereby permitted shall be carried out in accordance with the endorsed plan and shall not be altered or modified without the consent of the Council.
3. The pavement of the roads within the subdivision shall be a minimum of 0 metres in width. Such pavement, including kerbing and footpaths, shall be constructed in a manner to the satisfaction of the Director of Planning & Operations, City of Mildura.
4. Reticulated underground power, water, sewerage, drainage and telephone services shall be provided to each lot hereby permitted to be created within the subdivision.
5. No topsoil shall be removed from the land without the consent of the Responsible Authority and any topsoil disturbed as a result of works permitted by this permit shall be stockpiled on the site for later readdressing the land.

-1-

The issue of this permit does not obviate the necessity for complying with the requirements of any authority pursuant to any statute or regulation.

Dpto Issued 24 NOVEMBER 1992

Signature for the Responsible Authority

Planning & Environment Act 1907

APPLICANTS COPY

G EXHIBITS

PLANNING PERMIT

Permit No. NOTIFIED PERMIT  
Application No. P.145D/06  
Mildura City Planning Scheme  
Responsibility Authority: City of Mildura

ADDRESS OF THE LAND:

THE PERMIT ALLOWS P.145D/06 (Continued)

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT.

6. All disturbed surfaces on the land authorised by this permit except those areas set aside for roadways and footpaths shall be dressed with topsoil and, where appropriate, revegetated and stabilised to the satisfaction of the Responsible Authority so as to prevent any erosion or siltation either on or adjacent to the land.
7. A footpath shall be constructed on both sides of each road within the subdivision, and along the frontage of allotments fronting Eleventh & Twelfth Streets and Ontario Avenue.
8. An all colour metal panel fence shall be constructed (at the cost of the operator of this permit) to a height of 1.8 metres around the perimeter of all lots abutting the recreation reserve within the subdivision, prior to completion of all construction works appurtenant to this subdivision.
9. The operator of this permit shall (pursuant to Section 173 & Section 101 of the Planning & Environment Act 1907) enter into an agreement with the City of Mildura to preclude the construction of flats upon all lots within the subdivision hereby permitted for a period of 10 years, with the exception of Lots 12, 17 and B.
10. The time for commencement of the development hereby permitted is specified as two years from the date hereof, and the time for completion of the development is specified as two years from the date of commencement.

END

The issue of this permit does not obviate the necessity for complying with the requirements of any authority pursuant to any statute or regulation.

Date Issued 24 NOVEMBER 1992

Signature for the Responsible Authority

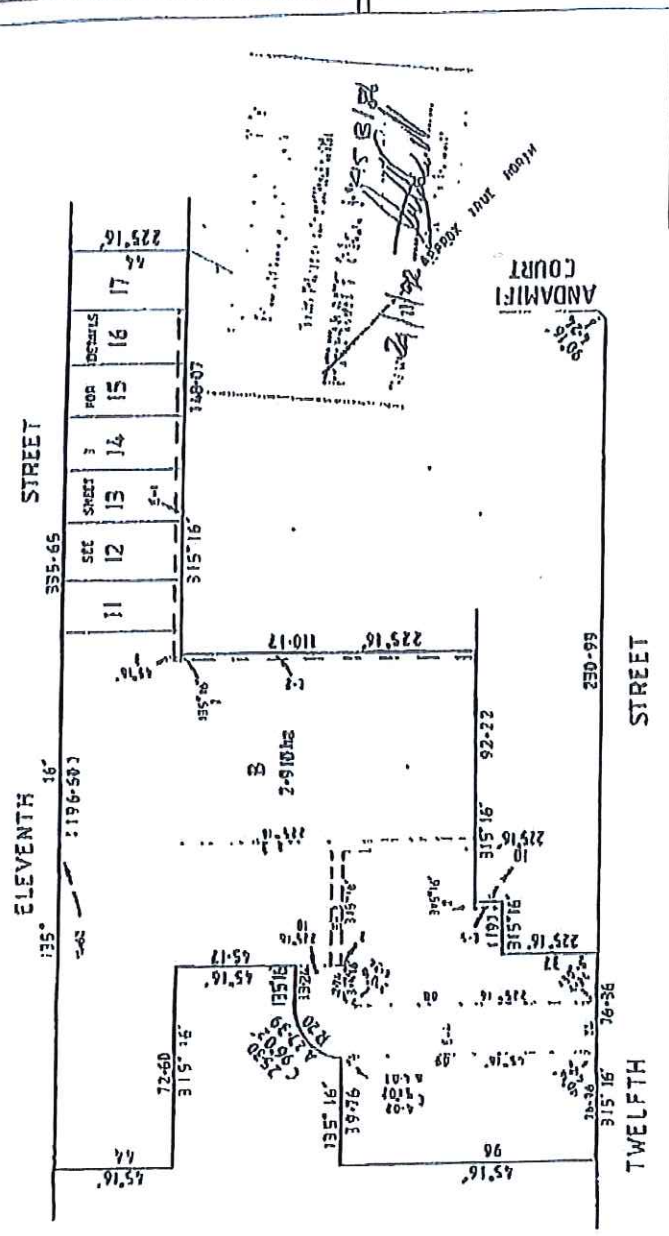
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<b>PLAN OF SUBDIVISION</b>	<b>STAGE NO.</b>	<b>LTO use only</b> <b>EDITION</b>	<b>Plan Number</b> <b>PS322269H</b>																								
<p><b>Location of Land</b> MILDURA</p> <p><b>Allotment:</b> Portion ONE (PART)</p> <p><b>Map Record:</b> CHART NO 2 <b>Reference:</b> VOL 9890 FOL. 079</p> <p><b>Lot Reference:</b> L P 214,306 X (LOT A) <b>Address:</b> ELEVENTH STREET, MILDURA, 3500.</p> <p><b>Co-ordinates</b> E 605300 Zone 54 N 6217200</p> <p><b>Vestor of Roads and/or Reserves</b> Mildura Council/Body/Person</p>	<p style="text-align: center;"><b>Council Certificate and Endorsement</b></p> <p><b>Council Name:</b> CITY OF MILDURA <b>Ref.</b></p> <p>1. This plan is verified under section 114 of the Subdivision Act 1988.</p> <p>2. This plan is verified under section 117(1) of the Subdivision Act 1988. This is a statement of compliance issued under section 117(1) of the Subdivision Act 1988.</p> <p><b>HEREBY GIVEN:</b></p> <p>(i) A requirement to provide upon your next return that the Subdivision Act 1988 has been fully complied with.</p> <p>(ii) The requirement has been satisfied.</p> <p>(iii) The requirement is to be satisfied on date:</p> <p>Council Officer Council Seal</p> <p>Date: / /</p> <p>He verified under section 117(1) of the Subdivision Act 1988.</p> <p>Council Officer Council Seal</p> <p>Date: / /</p> <p style="text-align: center;"><b>Notations</b></p> <p><b>Diagonal</b> This title and adjacent subdivisions shown by yellow lines</p> <p><b>Depth Limitation</b></p> <p>PART OF THIS LAND IS IN THE Mallee County and IS LIMITED TO SO MUCH AS LIES ABOVE THE DEPTH OF 15.24 METRES BELOW THE SURFACE</p> <p>LOTS 1 TO 10 ( BOTH INCLUSIVE ) &amp; LOT A HAVE BEEN OMITTED FROM THIS PLAN</p> <p><b>Survey</b> This plan is based on survey This survey has been completed to permanent marks under 37 &amp; 40 of the Proclamation Survey Area Act 1988.</p>																										
<b>Exemption Information</b>		<b>LTO use only</b>																									
<p>A. Agricultural Exemption B. Environmental Exemption C. Encumbering Exemption (Road)</p>		<p><b>Statement of Compliance/Exemption Statement</b></p> <p>Received</p> <p>Date: / /</p>																									
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Purpose</th> <th style="width: 10%;">Width (Metres)</th> <th style="width: 10%;">Origin</th> <th style="width: 50%;">Land Held in/In Favour Of</th> </tr> </thead> <tbody> <tr> <td>SEWERAGE &amp; SEWERAGE</td> <td>3</td> <td>CP 214306X</td> <td>LOTS ON L.P. 214306X</td> </tr> <tr> <td>SEWERAGE</td> <td>3</td> <td>CP 214306X</td> <td>LOTS ON L.P. 214306X</td> </tr> <tr> <td>SEWERAGE</td> <td>4</td> <td>CP 214306X</td> <td>LOTS ON L.P. 214306X</td> </tr> <tr> <td>SEWERAGE, SEWERAGE, WATER SUPPLY (SEWERAGE) &amp; SEWERAGE</td> <td>511 DUAL SIDE 7</td> <td>CP 214306X</td> <td>LOTS ON L.P. 214306X</td> </tr> <tr> <td>SEWERAGE</td> <td>3</td> <td>L.P. 212187P</td> <td>LOTS ON L.P. 212187P</td> </tr> </tbody> </table>	Purpose	Width (Metres)	Origin	Land Held in/In Favour Of	SEWERAGE & SEWERAGE	3	CP 214306X	LOTS ON L.P. 214306X	SEWERAGE	3	CP 214306X	LOTS ON L.P. 214306X	SEWERAGE	4	CP 214306X	LOTS ON L.P. 214306X	SEWERAGE, SEWERAGE, WATER SUPPLY (SEWERAGE) & SEWERAGE	511 DUAL SIDE 7	CP 214306X	LOTS ON L.P. 214306X	SEWERAGE	3	L.P. 212187P	LOTS ON L.P. 212187P	<p><b>LTO use only</b></p> <p><b>PLAN REGISTERED</b></p> <p><b>DATE:</b> / /</p> <p>Assistant Registrar of Titles</p> <p>Sheet 1 of 1 Sheets</p>		
Purpose	Width (Metres)	Origin	Land Held in/In Favour Of																								
SEWERAGE & SEWERAGE	3	CP 214306X	LOTS ON L.P. 214306X																								
SEWERAGE	3	CP 214306X	LOTS ON L.P. 214306X																								
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SEWERAGE	3	L.P. 212187P	LOTS ON L.P. 212187P																								
<p><b>TOMKINSON &amp; FREEMAN</b> <b>LAND SURVEYORS</b></p> <p>MALDEN AVENUE, MILDURA, VIC, 3500 PHONE (050) 236 239 FAX (050) 221 495</p>		<p>DATE: / /</p> <p>VERSION 2</p> <p>REG 3509/4</p>																									



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PLAN OF SUBDIVISION PS 322269H



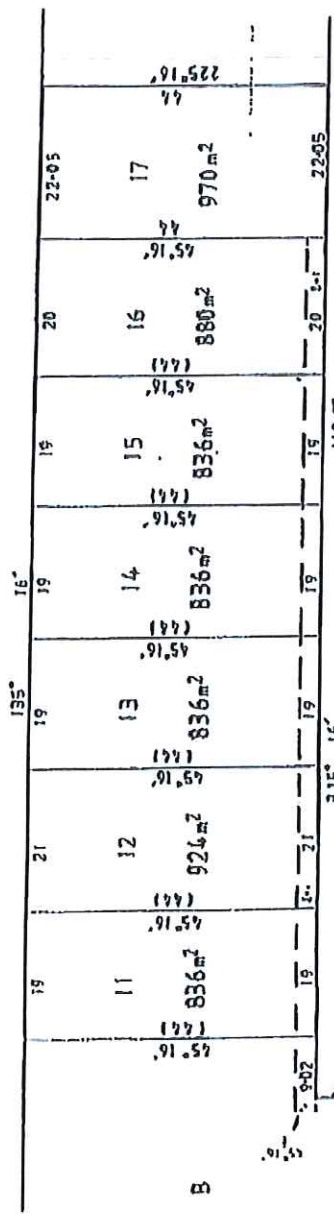
<p>TOMKINSON &amp; FREEMAN LAND SURVEYORS 102 MADDEN AVENUE, MILDURA, VIC. 3500. PHONE (050) 236 239 FAX (050) 221 495</p>		<p>ORIGINAL SCALE 1:500 AS SHOWN ON SHEET PS 322269H</p>	<p>SCALE = 1:50 LONGITUDINAL IN METERS</p>	<p>APPROVED INSTRUMENT REGISTRATION NUMBER PS 322269H DATE 18.7.07 VERSION 2</p>	<p>SHEET 2 OF 3 SHEETS</p>
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PLAN OF SUBDIVISION PS 322269 H

ELEVENTH STREET



APPROX. DATE 1/2021

Sheet 3 of 3 Spaces	STATE 10 1 497	SECTION 2	PLAN 322269 H
TOMKINSON & FREEMAN LAND SURVEYORS 42 MADDER AVENUE, MILDURA, VIC, 3500. PHONE (050) 236 239 FAX (050) 221 495	SCALE 1:500	SCALE 1:500	DATE 10/1/2021
11	12	13	14
15	16	17	18
19	20	21	22

11/2021

DocuSign by LAIDATAS, created on 2000/02/20 16:47 Page 2 of 12

MILDURA CITY COUNCIL

with

GEORGE PETER PERAKINS

AGREEMENT PURSUANT TO SECTION 173  
OF THE PLANNING AND ENVIRONMENT ACT 1987

Mildura City Council  
Deakin Avenue  
MILDURA 3500

Telephone: (050) 22 2777

File A-145/86

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VICTORIA

APPLICATION BY A RESPONSIBLE AUTHORITY under Section 181 of the Planning and Environment Act 1987 for ENTRY OF A MEMORANDUM OF AGREEMENT under Section 173 of the Planning and Environment Act 1987.

The Responsible Authority under the Planning Scheme having entered into an Agreement with the parties named for the land described requires that a memorandum of the Agreement be entered on the Certificate(s) of Title to the land referred to.

LAND:

Certificate of Title Volume 10098 Folio 863. Now: 10127/644 10 650 (01)

ADDRESS OF THE LAND:

Eleventh and Twelfth Streets, Mildura

RESPONSIBLE AUTHORITY:

City of Mildura

PLANNING SCHEME:

Mildura City Planning Scheme

AGREEMENT DATE:

19 April 1993

AGREEMENT WITH:

George Peter Ribarits of 245 Tenth Street, Mildura

[M] 206241u.11:206241

*R. J. 1/9/93*

Delivered by LAVIDATA, Stamp 2001/20201647 Page 2 of 10

A copy of the Agreement is attached to this Application

Signature of the Responsible Authority: *[Handwritten Signature]*

Name of Officer: *CHRIS CHILARD*

Date: *31<sup>ST</sup> MAY, 1993*

[003 20624110.11:200593]



- 1 -

THIS AGREEMENT made the *17th* day of *April* 1993.

BETWEEN:

THE MAYOR COUNCILLORS AND CITIZENS  
OF THE CITY OF MILDURA

(the Council)  
of the first part

and

GEORGE PETER RIBARITS  
of 245 Tenth Street, Mildura

(the Owner)  
of the second part

WHEREAS:

- A. The Owner is or is entitled to be registered at the Office of Titles as the proprietor of all those pieces of land described in the First Schedule hereto situated at and known as lot B on Plan of Subdivision P.S. 322269H (formerly Lots 3,4,5, part of 6,9,10,11 and 12 on Plan of Subdivision No. 2144) being Part Crown Portion 1, Parish of Mildura, Eleventh and Twelfth Streets, Mildura (the land).
- B. The Owner made application to the Council as the Responsible Authority under the Mildura Planning Scheme for a Planning Permit to subdivide land described as Lots 3,4,5, Part of 6,9,10,11 and 12 on L.P. 2144 (the balance now known as lot B on P.S. 322269H) and to construct a single detached house upon each lot created, on land situated in Eleventh and Twelfth Streets, City of Mildura, in accordance with the attached endorsed plan, part of the overall plan of Subdivision development approved with the Original permit issued No. P145/06 dated the 26th February, 1987, or as subsequently modified. (Permit No. P145c/06 dated 10th March 1993).

C. The Council by notice of determination dated the *10th* day of *April* 1993 determined to grant a Permit to subdivide the land in accordance with the endorsed plan and subject to various conditions including a condition which provided as follows:

"The operator of this permit shall (pursuant to Section 173 and 181 of the Planning & Environment Act 1987) enter into an Agreement with the City of Mildura to preclude the construction of flats upon all lots within the subdivision hereby permitted for a period of 10 years, with the exception of Lot 1."

D. The Council and the Owner have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as it can be so treated this Agreement shall be treated as being and Agreement under Section 173 of the Planning & Environment Act 1987.

E. The Owner intends to lodge a Plan of Subdivision for approval in accordance with the Planning Permit immediately after the registration of this Agreement.

F. The Owner agrees to meet all Council costs associated with the preparation of, and registration of, this agreement.

IN WITNESS WHEREOF, the parties hereto have signed and affixed their seals and signatures as follows:

1. In this Agreement unless inconsistent with the context or subject matter -

"Permit" shall mean the permit issued by the Council as a result of the notice of determination referred to in recital C hereof.

2. The Owner covenants and agrees to comply with, carry out and observe condition 9 of the Permit.

3. The Owner further covenants and agrees as follows:

To prohibit the construction of or adaptation to flats as defined in the Mildura City Planning Scheme for a period of ten (10) years from the date of approval of the Plan of Subdivision by the Office of Titles upon all lots within the subdivision hereby permitted with the exception of Lot 1, as illustrated on the endorsed plan annexed hereto.

4. The Owner agrees to do all things necessary to enable the Council to enter a memorandum of this Agreement on the Certificate of Title to the land in accordance with Section 101 of the Planning and Environment Act 1907 including signing any further agreement, acknowledgment or document to enable the said memorandum to be registered under that section.

5. The covenants and agreements of the Owner under this Agreement shall cease and the Owner will be released from its obligations under this Agreement upon the Council delivering to the Owner a certificate stating that the subdivision has been carried out and completed and the Owner has complied with the terms of this Agreement to its satisfaction.

IN WITNESS whereof the parties hereto have hereunto set their hands and seals the day and year first hereinbefore written.

- 4 -

FIRST SCHEDULE

of D on Plan of Subdivision P.S. 32226911 (formerly Lots 3,4,5, Part of  
.9, 10, 11 and 12, Section 79, Block D on Plan of Subdivision 2144) being  
the whole of the land more particularly described in Certificate of Title  
Volume 1.1.17 Folio 863.

In COMON SEAL of the MAYOR )  
COUNCILLORS AND CITIZENS OF THE )  
CITY OF MELBURA was hereunto )  
affixed in the presence of: )

..... MAYOR  
..... COUNCILLOR  
..... MUNICIPAL CLERK

Signed by the said )  
GEORGE PETER RIBARITS )  
In the presence of: )  
Michael B. Ribarits  
.....



**Form 2**  
**Building Act 1993 Building Regulations 2006 Regulation 313**  
**BUILDING PERMIT No. BS-U1070 / 16037870**



**Issued to**  
**Owner** Ben Garraway  
**Postal Address** P.O. Box 1485 CP MILDURA 3502  
**Telephone** 0447 398 630

95 Pine Avenue  
 Mildura Victoria 3500

**Property details (include Title details as and if applicable)**

**Number** 272 **Street/Road** TwilRh Street **City/Suburb/Town** MILDURA  
**Postcode** 3500 **Lot/s** 1 **LP/PS** 743708E  
**Volume** 11837 **Folio** 280 **Crown Allotment**  
**Section** Parish Mildura **Municipal District** Mildura Rural City Council

**P 03 5023 4826**  
**F 03 5023 4849**  
 Reception@regionalbuilding.com.au

**Builder:**

**Name** Ben Garraway - Garraway Developments Pty Ltd **Ph.** 0447 398 630  
**Address** P.O. Box 1485 CP, MILDURA **Postcode** 3502

**Details of building practitioners and architects:**

(a) to be engaged in the building works and (b) who were engaged to prepare documents forming part of the application for this permit:

Type	Registration number	Name	Company
Builder	DB-M 45233	Ben Garraway	Garraway Developments Pty Ltd
Drafting	DA-AB 27418	Duncan Hocking	Innovative Design and Drafting
Structural Engineer	EG044605	Christopher Hale	

The issuer or provider of the required insurance policy is: QBE Insurance

**Nature of building work:**

Construction of a dwelling & carport  
 Stage of building work permitted: All Stages  
 Cost of building work: \$185,000

Total floor area of new building work: 207m<sup>2</sup>

**Building classification:**

1a	New Building	Dwelling
1ca	New Building	Carport

**Occupation or Use of building:**

An Occupancy Permit is required prior to the occupation or use of this building

**Commencement and completion:**

This building work must commence by: 08/12/2017  
 This building work must be completed by: 08/12/2018

**Display of Sign:**

Pursuant to regulation 317 of the Building Regulations 2006, the person in charge of the building works is to display a sign on the building site at all times. The sign must include the Name, Registered Numbers and Contact Details of the builder and building surveyor and the building permit number & date.

**Inspection requirements:**

The mandatory notification stages are:

Inspection of pre-cast  
 Inspection for steel reinforcement  
 Inspection of framework  
 Inspection for Occupancy Certificate

**Relevant building surveyor**

Name: WAYNE D. WILKIE

Registration No. BS-U1070

Signature:

Issued: 08/12/2016

**Notes:**

- Note 1:** Under regulation 317 the person in charge of the carrying out of building work on an allotment must take all reasonable steps to ensure that a copy of this permit and one set of any approved plans, specifications and documents are available for inspection at the allotment while the building work is in progress. They must also take all reasonable steps to ensure that the registration numbers and contact details of the builder and building surveyor and the number and date of issue of this permit are displayed in a conspicuous position accessible to the public before and during the building work to which this permit applies.
- Note 2:** Under regulation 318 an owner of a building or land, for which a building permit has been issued, must notify the relevant building surveyor within 14 days after any change in the name or address of the owner or of the builder carrying out the building work. The penalty for non-compliance is 10 penalty units.
- Note 3:** include building practitioners with continuing involvement in the building work.
- Note 4:** include only building practitioners with no further involvement in the building work.
- Note 5:** Domestic builders carrying out domestic building work forming part of this permit (where the contract price for that work is more than \$16,000) must be covered by an insurance policy as required under section 135 of the Building Act 1993.



95 PINE AVENUE MILDURA Ph. (03) 5023 4826 Fax: (03) 5023 4849

## BUILDING PERMIT CONDITIONS

1. All works authorised by this permit shall comply with the provisions of the Building Act 1993, Building Regulations 2006, Building Code of Australia, other relevant codes and any Local Laws of the Municipality. No Variation from the approved documents shall be permitted without the consent of the relevant Building Surveyor. The owner and/or builder is responsible to obtain any other relevant permits or consents prior to commencing work.
2. The owner and/or builder shall be responsible to define the boundaries of the allotment.
3. All timber framing to comply with AS 1684 -- National Timber Framing Code, or Victorian Timber Framing Manual.
4. The building is in an area designated by the Municipality as likely to be subject to infestation by termites and shall be protected in accordance with Building Code of Australia B1.3 (J) and AS3660.1. It is the owners responsibility to carry out regular inspections (12 months maximum) of the building for evidence of termite activity.
5. It is not the responsibility of the relevant building surveyor to confirm compliance with any section 173 agreement, covenant or other restriction which may be shown on title and by issuing this permit the relevant building surveyor does not warrant that the works authorised by this permit will comply with any section 173, covenant or other restriction which may be shown on title.
6. Applicant to obtain all necessary Road Opening, Crane and Hoarding Permits as required by the Relevant Council. Contact must be made with Council's Engineering Department to determine which relevant permits are required prior to commencement of works.
7. All construction shall meet the performance requirements of Section 2 /B.1 as applicable, of the Building Code of Australia.
8. The builder must ensure that all energy efficiency requirements listed in the energy efficiency report have been complied with and a signed copy of the compliance certificate is to be submitted to this office.
9. The owner and builder must consult with the relevant sewerage authority and local council to ensure that the proposed works do not affect any drains or sewers and that the works comply with the requirements of those authorities.
10. A certificate of completion under Section 221ZH of the Building Act 1993 for plumbing work on this project is to be submitted to this office prior to the issue of an Occupancy or Final Certificate.

### SPECIAL CONDITIONS

Truss details to be submitted for approval prior to frame inspection



**Building Act 1993  
Building Interim Regulations 2017  
Regulation 1005  
Form 6**



**Occupancy Permit**

**For Building Permit number: BS-U1070 /160378/0  
Certificate number: 160378**

95 Pine Avenue  
Mildura Victoria 3500

P 03 5023 4826  
F 03 5023 4849  
reception@regionalbuilding.com.au

**Issued to (owner)  
Ben Garraway  
P.O. Box 1485 CP  
MILDURA VIC 3502**

**Site  
Lot 1 Number: 272 Street: Twelfth Street  
Suburb MILDURA Postcode 3500  
P/S 743798E Vol: 11837 Fol: 269  
Municipality Mildura Rural City Council**

**Description of Building Work:  
Construction of a dwelling & carport**

**Nature of Building Work:  
1a1 New Building Dwelling  
10a New Building Carport**

**Suitability for occupation:  
The building or place of public entertainment or part of a building or place or  
public entertainment to which this permit applies is suitable for occupation**

**Issued By: WAYNE D. WILKIE Registration No.: BS-U1070**

**Signature:**

**Certificate date: 15 June 2017**





**Domestic Building Insurance  
Certificate of Insurance**

**Policy Number 420067366BWI-4**

QBE Insurance (Australia) Ltd  
628 BOURKE STREET  
MELBOURNE VIC 3000  
Phone: (03) 8246 2688  
Fax: (03) 8246 2611  
ABN: 78 003 191 035  
AFS License No: 299545



**BEN GARRAWAY  
UNIT 4 725 ETIWANDA AVE  
MILDURA 3500**

**Name of intermediary  
AON-HIA (VIC)  
4 / 70 JOLMONT STREET  
MELBOURNE VIC 3002**

**Account Number  
42BWHIA00  
Date issued  
29/11/2016**

**Policy Schedule Details**

**Certificate in Respect of Insurance**

**Domestic Building Contract**

A contract of insurance complying with the Ministerial Order for Domestic Building Insurance issued under Section 135 of the Building Act 1993 (Vic) (Domestic Building Insurance) has been issued by QBE Insurance (Australia) Limited ABN 78 003 191 035 for and on behalf of the insurer Victorian Managed Insurance Authority a Statutory Corporation established under the Victorian Managed Insurance Authority Act 1995 (Vic), in respect of the domestic building work described below.

**Domestic Building Work**

**NEW SINGLE DWELLING CONSTRUCTION CONTRACT**

**At the property**

**LOT 1,272 TWELFTH STREET  
MILDURA VIC 3500**

**Carried out by the builder**

**GARRAWAY DEVELOPMENTS PTY LTD  
ACN: 609 201 434**

**Important note:** If the builder's name and/or its ABN/ACN listed above does not exactly match with the information on the domestic building contract, please contact QBE IMMEDIATELY. If these details are incorrect, the domestic building work will not be covered.

**For the building owner**

**BEN GARRAWAY**

**Pursuant to a domestic building contract dated**

**28/11/2016**

**For the contract price of**

**\$165,000.00**

**Type of cover**

**Cover is only provided if GARRAWAY DEVELOPMENTS PTY LTD has died, becomes insolvent or has disappeared or fails to comply with a Tribunal or Court Order\***

**Period of cover**

**Cover commences on the earlier of the date of the domestic building contract or date of building permit for the domestic building work and concludes:**

- **Two years from completion of the domestic building work or termination of the domestic building contract for non structural defects\***
- **Six years from completion of the domestic building work or termination of the domestic building contract for structural defects\***

**The maximum policy limit for all claims made under this policy is**

**\$300,000 all inclusive of costs and expenses\***

**The maximum policy limit for all claims for non-completion of the domestic building works is**

**20% of the contract price\***

**\*The cover and policy limits described in this Certificate are only a summary of the cover and limits and must be read in conjunction with, and are subject to, the terms, limitations and exclusions contained in the policy terms and conditions.**

QMI 824-1207

# PROPERTY REPORT



Environment,  
Land, Water  
and Planning

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 02 August 2021 02:16 PM

## PROPERTY DETAILS

Address: **272 TWELFTH STREET MILDURA 3500**  
 Lot and Plan Number: **Lot 1 PS743798**  
 Standard Parcel Identifier (SPI): **1\PS743798**  
 Local Government Area (Council): **MILDURA**  
 Council Property Number: **412846**  
 Directory Reference: **Vicroads 535 M4**

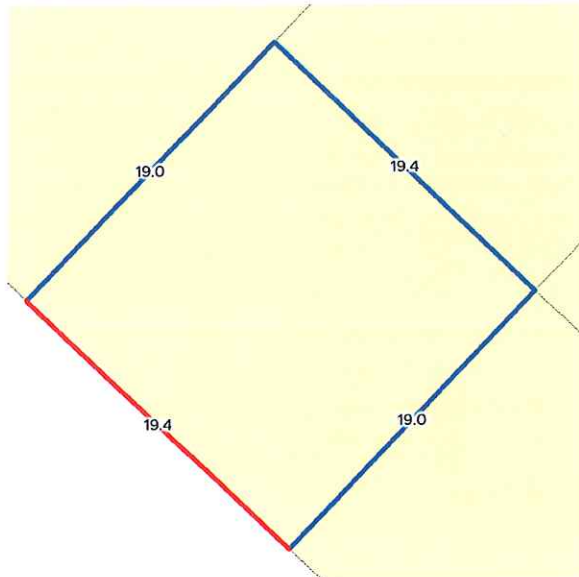
[www.mildura.vic.gov.au](http://www.mildura.vic.gov.au)

**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 on the Victorian Building Authority website <https://www.vba.vic.gov.au>

## SITE DIMENSIONS

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



**Area:** 368 sq. m

**Perimeter:** 77 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: **Lower Murray Water**  
 Urban Water Corporation: **Lower Murray Water**  
 Melbourne Water: **Outside drainage boundary**  
 Power Distributor: **POWERCOR**

## STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**  
 Legislative Assembly: **MILDURA**

## PLANNING INFORMATION

**Planning Zone:** [GENERAL RESIDENTIAL ZONE \(GRZ\)](#)  
[GENERAL RESIDENTIAL ZONE - SCHEDULE 1 \(GRZ1\)](#)  
**Planning Overlay:** [SPECIFIC CONTROLS OVERLAY \(SCO\)](#)  
[SPECIFIC CONTROLS OVERLAY - SCHEDULE 1 \(SCO1\)](#)

## PROPERTY REPORT



Planning scheme data last updated on 29 July 2021.

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>

### Area Map



 Selected Property



# PLANNING PROPERTY REPORT



From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) at 02 August 2021 02:17 PM

## PROPERTY DETAILS

Address: **272 TWELFTH STREET MILDURA 3500**  
 Lot and Plan Number: **Lot 1 PS743798**  
 Standard Parcel Identifier (SPI): **1\PS743798**  
 Local Government Area (Council): **MILDURA**  
 Council Property Number: **412846**  
 Planning Scheme: **Mildura**  
 Directory Reference: **Vicroads 535 M4**

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

[Planning Scheme - Mildura](#)

## UTILITIES

Rural Water Corporation: **Lower Murray Water**  
 Urban Water Corporation: **Lower Murray Water**  
 Melbourne Water: **Outside drainage boundary**  
 Power Distributor: **POWERCOR**

## STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**  
 Legislative Assembly: **MILDURA**

## OTHER

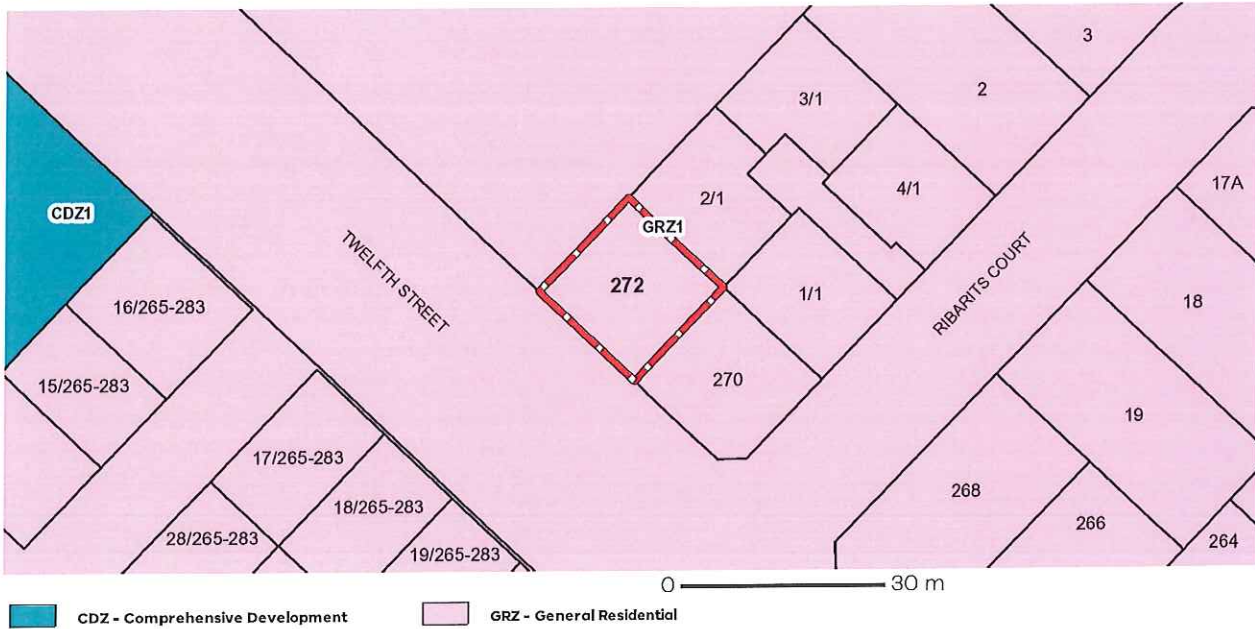
Registered Aboriginal Party: **First People of the Millewa-Mallee**

[View location in VicPlan](#)

## Planning Zones

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

[GENERAL RESIDENTIAL ZONE - SCHEDULE 1 \(GRZ1\)](#)



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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).



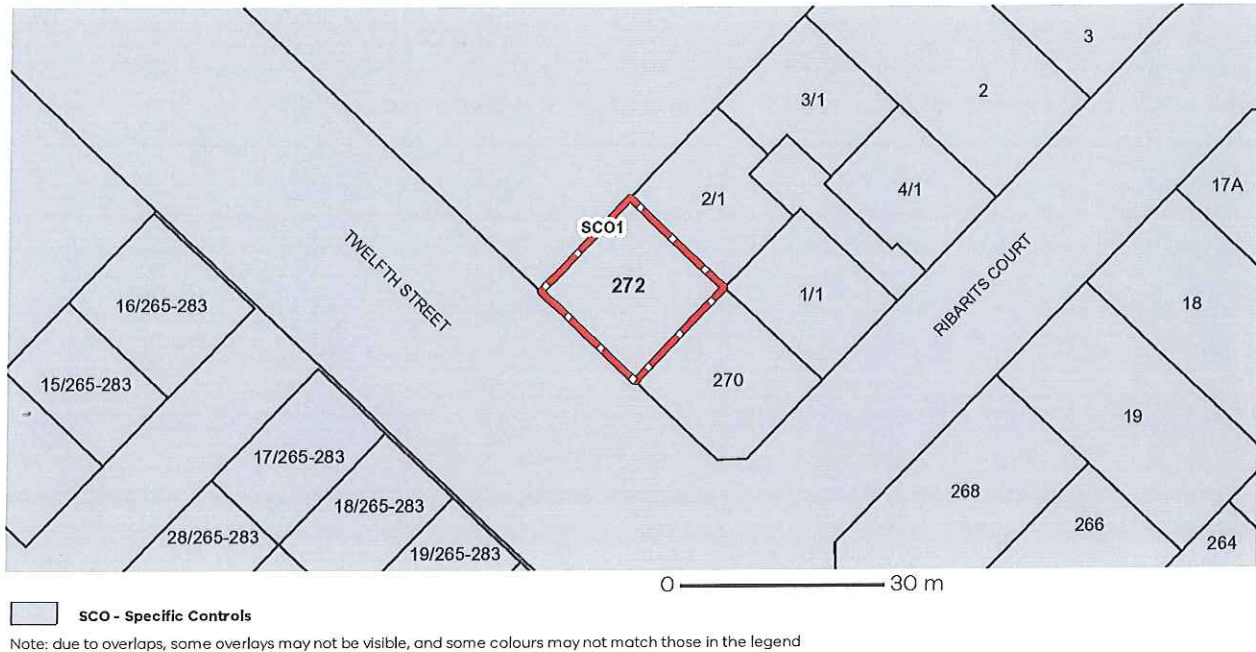
# PLANNING PROPERTY REPORT



## Planning Overlay

### SPECIFIC CONTROLS OVERLAY (SCO)

#### SPECIFIC CONTROLS OVERLAY - SCHEDULE 1 (SCO1)



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 29 July 2021.

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>

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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>

# PLANNING PROPERTY REPORT



## 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>

## 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 his property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvm.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](#) or please contact your relevant council.

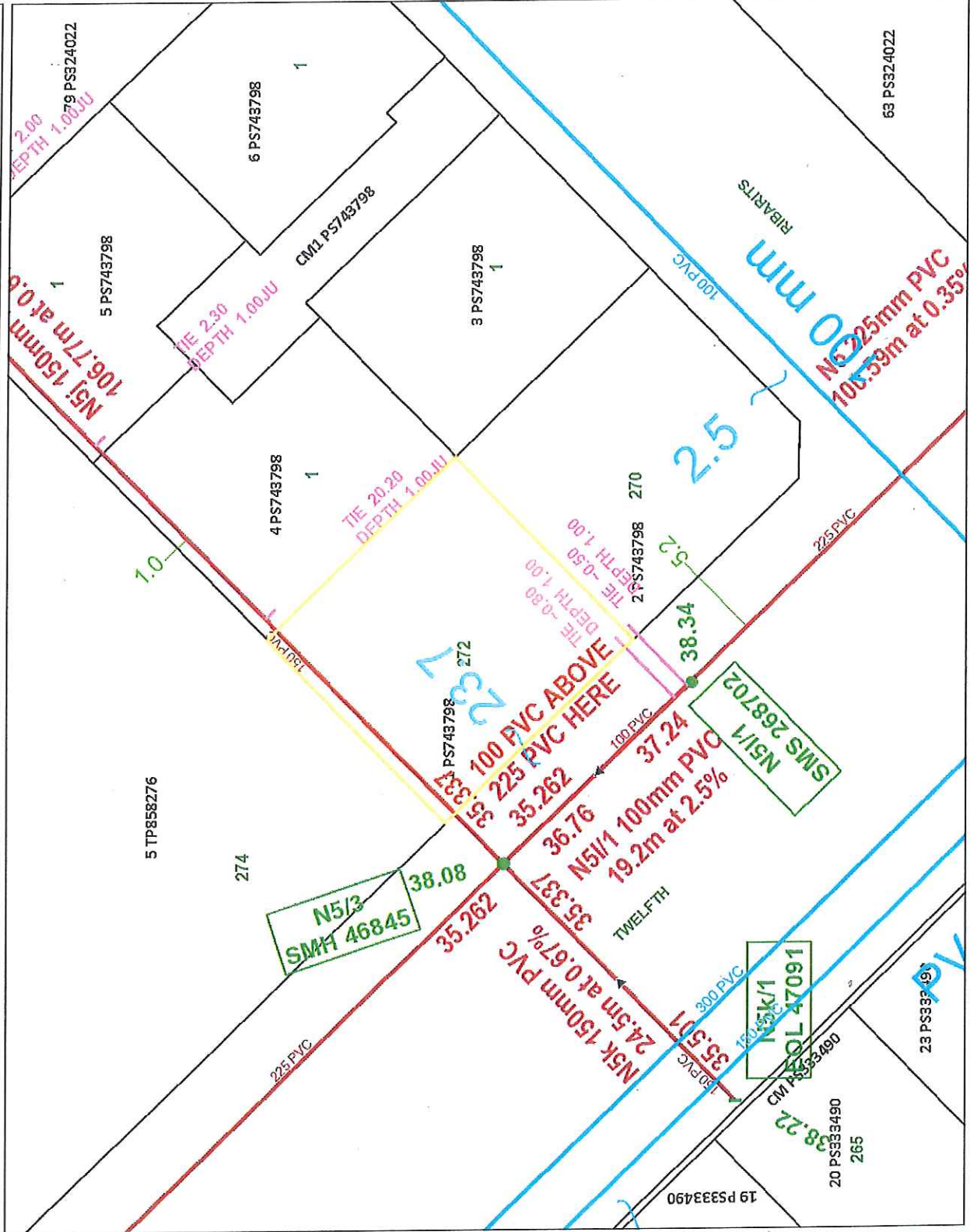
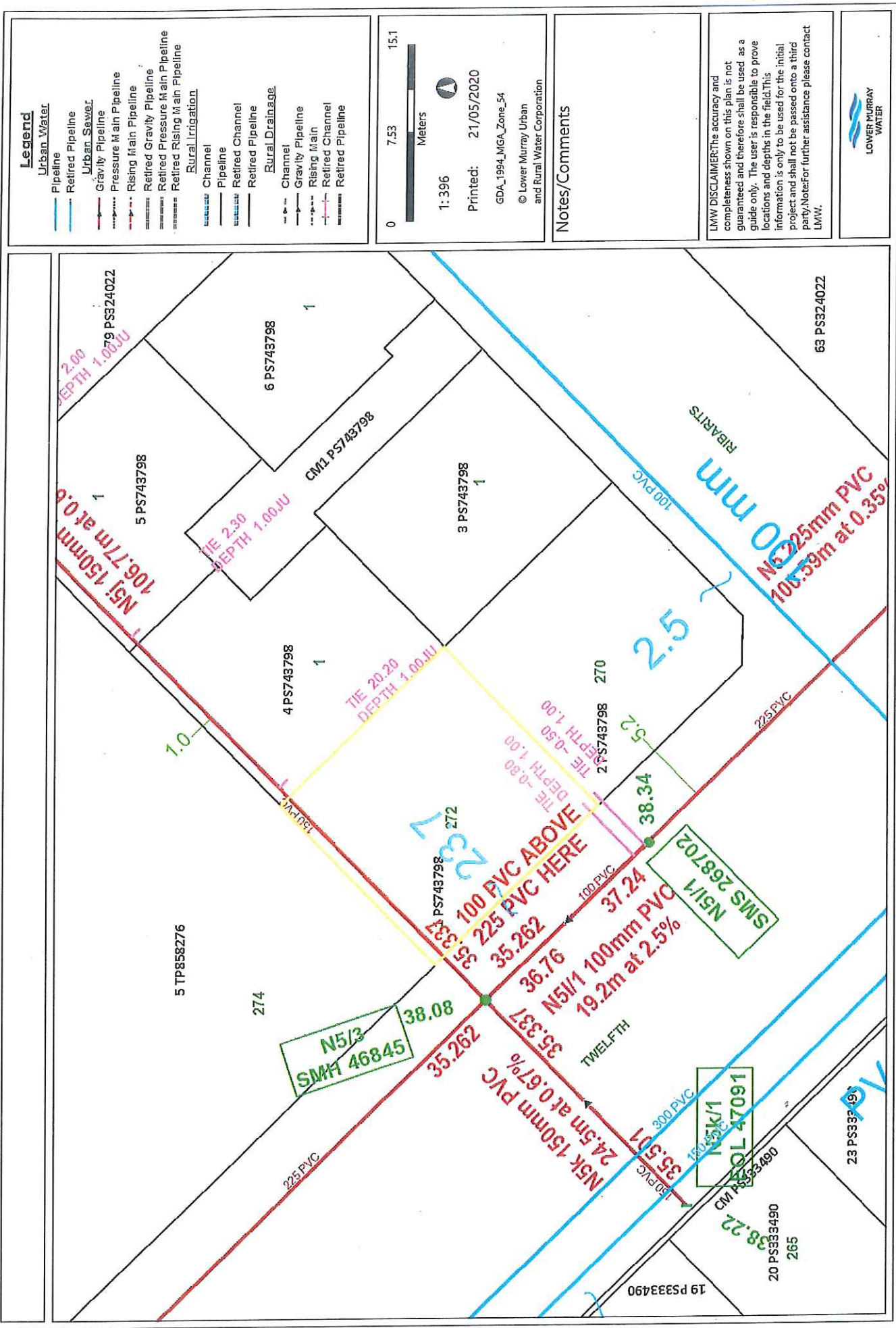
You can find out more about the natural values on your property through NatureKit [NatureKit \(environment.vic.gov.au\)](#)

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Disclaimer: This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided.  
Read the full disclaimer at <https://www2.delwp.vic.gov.au/disclaimer>

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**ATTACHMENT TO REQUEST FOR INFORMATION  
BUILDING REGULATION 51  
SALINITY AFFECTING THE MUNICIPALITY**

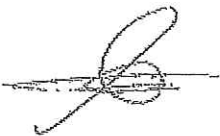
Some land within the municipality of the Mildura Rural City Council contains high levels of salt resulting in a condition commonly referred to as 'salinity'. Salinity can result in 'salt damp' or 'rising damp and salt attack' which can cause damage to certain building materials such as concrete and masonry.

Council recommends that you make your own inquiries regarding the presence of high salinity on land which you own or are considering to purchase.

If you are proposing to construct buildings on land in the municipality, you should ascertain whether or not special measures should be taken during the construction of these buildings to minimise any effects that salinity may have.

Council provides this information to assist you to make informed decisions about existing buildings or the construction of new buildings in high salinity areas.

Yours sincerely



**Mark Yantses**

**MUNICIPAL BUILDING SURVEYOR**

MY/jb



# Due diligence checklist for home buyers

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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. This page contains links to organisations and web pages that can help you learn more.

From 1 October 2014, all sellers or estate agents must make this checklist available to potential buyers.

Sellers or estate agents must:

- ensure copies of the due diligence checklist are available to potential buyers at any open for inspection
- include a link to this webpage ([consumer.vic.gov.au/due diligence checklist](http://consumer.vic.gov.au/due-diligence-checklist)) or include a copy on any website maintained by the estate agent or the seller (if no estate agent is acting for the seller).

You can print additional copies of the [Due diligence checklist {Word, 140KB}](#).

## Urban living

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.

For more information, visit the [Commercial and industrial noise page on the Environment Protection Authority website](#) and the [Odour page on the Environment Protection Authority website](#).

## Buying into 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.

For more information, view our [Owners Corporations section](#) and read the [Statement of advice and information for prospective purchasers and lot owners \(Word, 53KB\)](#).

## Growth areas

You should investigate whether you will be required to pay a growth areas infrastructure contribution.

For more information, visit the [Growth Areas Infrastructure Contribution page on the Department of Planning, Transport and Local Infrastructure website](#).

## Flood and fire risk

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.

More information:

- [Australian Flood Risk Information Portal - Geoscience Australia website](#)
- [Melbourne Water website](#)
- [Mallee Catchment Management Authority website](#)
- » [North Central Catchment Management Authority website](#)
- [Glenelg Hopkins Catchment Management Authority website](#)
- [North East Catchment Management Authority website](#)
- [Wimmera Catchment Management Authority website](#)
- [West Gippsland Catchment Management Authority website](#)
- » [Bushfire Management Overlay in planning schemes - Department of Transport, Planning and Local infrastructure website](#)
- [Building in bushfire prone areas - Department of Transport, Planning and Local Infrastructure website.](#)

## Rural properties

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. For information about what impacts you should expect and how to manage them, visit the [new landholders section on the Department of Environment and Primary Industries website](#).
- » Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property. The limitations on clearing and processes for legal clearing are set out on the [Native Vegetation page on the Department of Environment and Primary industries website](#).
- » Do you understand your obligations to manage weeds and pest animals? Visit the [New landholders section on the Department of Environment and Primary Industries website](#).
- Can you build new dwellings? Contact the local council for more information.
- » 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? For more information, visit the [Department of Environment and Primary Industries website](#).

## Earth resource activity, such as mining

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.

For more information, visit the [CeoVic page on the Department of State Development Business and Innovation website](#) and the [Information for community and landholders page on the Department of State Development Business and Innovation website](#).



## **Soil and groundwater contamination**

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.

For information on sites that have been audited for contamination, visit the [contaminated site management page on the Environment Protection Authority website](#).

For guidance on how to identify if land is potentially contaminated, see the Potentially Contaminated Land General Practice Note June 2005 on the [Miscellaneous practice and advisory notes page on the Department of Planning and Community Development website](#).

## **Land boundaries**

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.

For more information, visit the [Property and land titles page on the Department of Transport, Planning and Local Infrastructure website](#).

## **Planning controls affecting 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.

## **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.

The local council can give you advice about planning schemes, as well as details of proposed or current planning permits. For more information, visit the [Planning Schemes Online on the Department of Planning and Community Development website](#).

A cultural heritage management plan or cultural heritage permit may be required prior to works being undertaken on the property. [The Aboriginal Heritage Planning Tool on the Department of Premier and Cabinet website](#) can help determine whether a cultural heritage management plan is required for a proposed activity

## **Safety**

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.

For more information, visit the [Consumers section on the Victorian Building Authority website](#) and the [Energy Safe Victoria website](#).

## **Building permits**

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.

For more information about building regulation, visit our [Building and renovating section](#).

## **Aboriginal cultural heritage and building plans**

For help to determine whether a cultural heritage management plan is required for a proposed activity, visit the [Aboriginal Cultural Heritage Planning Tool section on the Department of Premier and Cabinet website](#).

## **Insurance cover for recent building or renovation works**

Ask the vendor if there is any owner-builder insurance or builder's warranty to cover defects in the work done to the property.

You can find out more about insurance coverage on the [Owner builders page on the Victorian Building Authority website](#) and [Domestic building insurance page on the Victorian Building Authority website](#).

## **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.

For more information, visit the [Choosing a retailer page on the Your Choice website](#).

For information on possible impacts of easements, visit the [Caveats, covenants and easements page of the Department of Transport, Planning and Local Infrastructure website](#).

For information on the National Broadband Network (NBN) visit the [NBN Co website](#).



## **Buyers' rights**

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.

For more information, view our [Buying property section](#).

## **Professional associations and bodies that may be helpful:**

\* [Archicentre website](#)

[Association of Consulting Surveyors Victoria website](#)

[Australian Institute of Conveyancers \(Victorian Division\) website](#)

[Institute of Surveyors Victoria website](#)

[Law institute of Victoria website](#)

[Real Estate Institute of Victoria website](#)

[Strata Community Australia \(Victoria\) website.](#)

Government of Victoria (Consumer Affairs Victoria) 2014

<http://www.consumer.vic.gov.au/duediligencechecklist> 5/5

**Vendor: Nicole Leann Rivett**

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**Vendor's Section 32 Statement**

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**Property: 272 Twelfth Street, Mildura**

**Vendor's Conveyancer:**  
**ALLSTATE CONVEYANCING SERVICES PTY. LTD.**  
**Of 170 Eighth Street, Mildura, Vic, 3500.**

**Phone: 03 50 235355**  
**Facsimile: 03 50 235653**  
**Ref: 21608 Rivett (Sally)**