

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 30 October 2018.

Vendor Statement

section 32 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.

Land Crown Grant Volume 6588 Folio 495

Property Address 17 BUSSELLS LANE, WHOROULY

Vendor's name NORMAN KENNETH BUSSELL

Signature _____ Date _____

+ Vendor's name ANNE WINIFRED WILSON

+ Signature _____ Date _____

Purchaser's name _____

Signature _____ Date _____

Important information

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1. FINANCIAL MATTERS

1.1 Particulars of any Rates, Taxes, Charges or Other Similar Outgoings (and any interest on them)

(a) *Their total does not exceed: \$ _____
OR

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

(c) *Their amounts are:

Authority	Amount	Interest (if any)
(1) Rural City of Wangaratta	(1) \$3,547.05	(1) \$ _____
(2) _____	(2) \$ _____	(2) \$ _____
(3) _____	(3) \$ _____	(3) \$ _____
(4) _____	(4) \$ _____	(4) \$ _____

(d) *There are NO amounts for which the purchaser may become liable as a consequence of the sale of which the vendor might reasonably be expected to have knowledge¹, which are not included above; other than any amounts described in this rectangular box. \$

1.2 Particulars of any Charge (whether registered or not) imposed by or under any Act to secure an amount due under that Act, including the amount owing under the charge

\$ _____ To _____

Other particulars (including dates and times of payments):

1.3 Terms Contract

This section 1.3 only applies if this vendor statement is in respect of a terms contract where the purchaser is obliged to make 2 or more payments (other than a deposit or final payment) to the vendor after the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land.

*Attached is a Law Institute of Victoria published "Additional Vendor Statement".

1.4 Sale Subject to Mortgage

This section 1.4 only applies if this vendor statement is in respect of a contract which provides that any mortgage (whether registered or unregistered), is NOT to be discharged before the purchaser becomes entitled to possession or receipts of rents and profits.

*Attached is a Law Institute of Victoria published "Additional Vendor Statement".

¹ Other than any GST payable in accordance with the contract.

~~2. INSURANCE~~

2.1 Damage and Destruction

This section 2.1 only applies if this vendor statement is in respect of a contract which does NOT provide for the land to remain at the risk of the vendor until the purchaser becomes entitled to possession or receipt of rents and profits.

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

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

Name of insurance company: _____

Type of policy: _____ Policy no: _____

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

2.2 Owner-Builder

This section 2.2 only applies where there is a residence on the land that was constructed by an owner - builder within the preceding 6 years and section 137B of the Building Act 1993 applies to the residence.

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

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

Name of insurance company: _____

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

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

3. LAND USE**3.1 Easements, Covenants or Other Similar Restrictions**

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

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

OR

- *Is as follows:

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

3.2 Road Access

*There is NO access to the property by road if the square box is marked with an "X"

3.3 Designated Bushfire Prone Area

*The land is in a designated bushfire prone area under section 192A of the *Building Act 1993* if the square box is marked with an "X"

3.4 Planning Scheme

- *Attached is a certificate with the required specified information.

OR

- *The required specified information is as follows:

- (a) Name of planning scheme Wangaratta Planning Scheme
- (b) Name of responsible authority Rural City of Wangaratta
- (c) Zoning of the land Farming
- (d) Name of planning overlay part Bushfire Management, Floodway & Land Subject to Inundation

~~4. NOTICES~~

4.1 Notice, Order, Declaration, Report or Recommendation

Particulars of any notice, order, declaration, report or recommendation of a public authority or government department or approved proposal directly and currently affecting the land, being a notice, order, declaration, report, recommendation or approved proposal of which the vendor might reasonably be expected to have knowledge:

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

OR

*Are as follows:

4.2 Agricultural Chemicals

There are NO notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes. However, if this is not the case, the details of any such notices, property management plans, reports or orders, are as follows:

4.3 Compulsory Acquisition

The particulars of any notices of intention to acquire that have been served under section 6 of the *Land Acquisition and Compensation Act 1986* are as follows:

~~5. BUILDING PERMITS~~

Particulars of any building permit issued under the *Building Act 1993* in the preceding 7 years (required only where there is a residence on the land):

*Are contained in the attached certificate.

OR

*Are as follows:

~~6. OWNERS CORPORATION~~

This section 6 only applies if the land is affected by an owners corporation within the meaning of the *Owners Corporations Act 2006*.

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

OR

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

OR

6.3 *The owners corporation is an inactive owners corporation.²

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

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

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

7.1 Work-in-Kind Agreement

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

- (a) *The land is NOT to be transferred under the agreement unless the square box is marked with an "X"
- (b) *The land is NOT land on which works are to be carried out under the agreement (other than Crown land) unless the square box is marked with an "X"
- (c) *The land is NOT land in respect of which a GAIC is imposed unless the square box is marked with an "X"

7.2 GAIC Recording

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

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

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

- (a) *Any certificate of release from liability to pay a GAIC
- (b) *Any certificate of deferral of the liability to pay the whole or part of a GAIC
- (c) *Any certificate of exemption from liability to pay a GAIC
- (d) *Any certificate of staged payment approval
- (e) *Any certificate of no GAIC liability
- (f) *Any notice providing evidence of the grant of a reduction of the whole or part of the liability for a GAIC or an exemption from that liability
- (g) *A GAIC certificate issued under Part 9B of the *Planning and Environment Act 1987* must be attached if there is no certificate or notice issued under any of sub-sections 7.2 (a) to (f) above

8. SERVICES

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

- Electricity supply Gas supply Water supply Sewerage Telephone services

9. TITLE

Attached are copies of the following documents:

9.1 *(a) Registered Title

A Register Search Statement and the document, or part of a document, referred to as the "diagram location" in that statement which identifies the land and its location.

OR

*(b) General Law Title

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

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

~~10. SUBDIVISION~~

10.1 Unregistered Subdivision

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

- (a) *Attached is a copy of the plan of subdivision certified by the relevant municipal council if the plan is not yet registered.
OR
- (b) *Attached is a copy of the latest version of the plan if the plan of subdivision has not yet been certified.

10.2 Staged Subdivision

This section 10.2 only applies if the land is part of a staged subdivision within the meaning of section 37 of the Subdivision Act 1988.

- (a) *Attached is a copy of the plan for the first stage if the land is in the second or a subsequent stage.
- (b) The requirements in a statement of compliance relating to the stage in which the land is included that have not been complied with are as follows:

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

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

10.3 Further Plan of Subdivision

This section 10.3 only applies if the land is subject to a subdivision in respect of which a further plan within the meaning of the Subdivision Act 1988 is proposed.

- (a) *Attached is a copy of the plan which has been certified by the relevant municipal council (if the later plan has not been registered).
OR
- (b) *Attached is a copy of the latest version of the plan (if the later plan has not yet been certified).

~~11. *DISCLOSURE OF ENERGY INFORMATION~~

(Disclosure of this information is not required under section 32 of the Sale of Land Act 1962 but may be included in this vendor statement for convenience.)

Details of any energy efficiency information required to be disclosed regarding a disclosure affected building or disclosure area affected area of a building as defined by the Building Energy Efficiency Disclosure Act 2010 (Cth)

- (a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and
- (b) which has a net lettable area of at least 1000m²; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the relevant date):
 - *Are contained in the attached building energy efficiency certificate.
 - OR
 - *Are as follows:

12. DUE DILIGENCE CHECKLIST

(The Sale of Land Act 1962 provides that the vendor or the vendor's licensed estate agent must make a prescribed due diligence checklist available to purchasers before offering land for sale that is vacant residential land or land on which there is a residence. The due diligence checklist is NOT required to be provided with, or attached to, this vendor statement but the checklist may be attached as a matter of convenience.)

- Vacant Residential Land or Land with a Residence
- Attach Due Diligence Checklist (this will be automatically attached if ticked)

13. ATTACHMENTS

(Any certificates, documents and other attachments may be annexed, and additional information may be added to this section 13 where there is insufficient space in any of the earlier sections)

(Attached is a Law Institute of Victoria published "Additional Vendor Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)

Crown Grant Volume 6588 Folio 495



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

VOLUME 06588 FOLIO 495

Security no : 124098270440H
Produced 12/06/2022 03:02 PM

CROWN GRANT

LAND DESCRIPTION

Crown Allotment 11 Parish of Whorouly.

REGISTERED PROPRIETOR

Estate Fee Simple

TENANTS IN COMMON

As to 1 of a total of 2 equal undivided shares

Sole Proprietor

NORMAN KENNETH BUSSELL of "WEEROONA" RMB 1500 WHOROULY VICTORIA 3735

As to 1 of a total of 2 equal undivided shares

Sole Proprietor

ANNE WINIFRED WILSON of "WEEROONA" RMB 1500 WHOROULY VICTORIA 3735

AD298318D 09/12/2004

ENCUMBRANCES, CAVEATS AND NOTICES

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below.
For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP471484F 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: "WEEROONA" 17 BUSSELLS LANE WHOROULY VIC 3735

DOCUMENT END

TITLE PLAN

EDITION 1

TP 471484F

Location of Land

Parish : WHOROULY
 Township:
 Section:
 Crown Allotment: 11
 Crown Portion: -

Notations

SUBJECT TO THE RESERVATIONS, EXCEPTIONS, CONDITIONS AND POWERS CONTAINED IN CROWN GRANT VOL. 6588 FOL. 495 AND NOTED ON SHEET 2 OF THIS PLAN

Last Plan Reference : -
 Derived From : VOL. 6588 FOL. 495
 Depth Limitation : 50 FEET BELOW THE SURFACE

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land/ Easement Information

ENCUMBRANCES

AS TO THE LAND MARKED E-1
 THE EASEMENT TO THE S.E. C. OF VIC.
 CREATED BY INST. 2105287

THIS PLAN HAS BEEN PREPARED BY
 LAND REGISTRY, LAND VICTORIA. FOR
 TITLE DIAGRAM PURPOSES

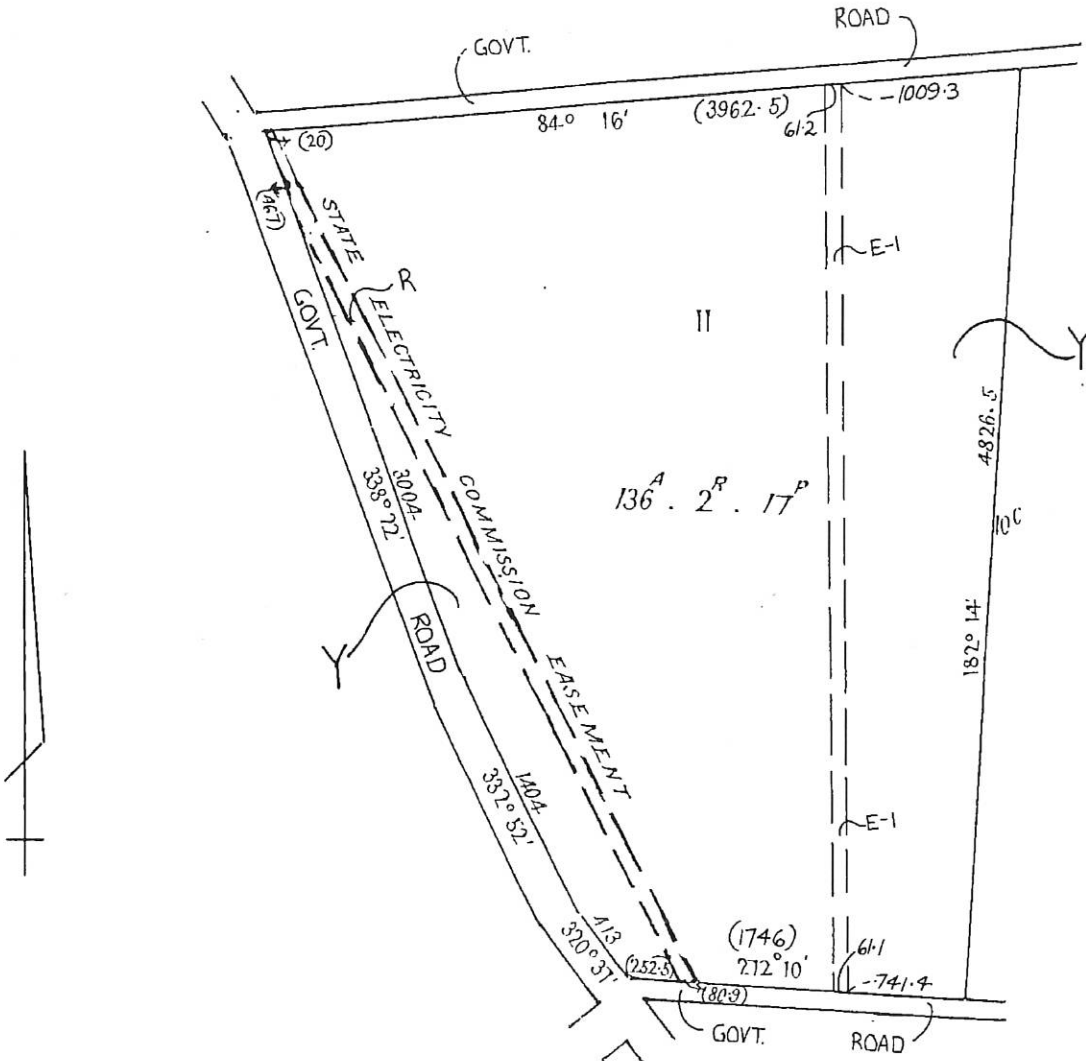
COMPILED: Date 29/10/07

VERIFIED: A. DALLAS

Assistant Registrar of Titles

COLOUR CODE

Y & E-1 = YELLOW
 R = RED



LENGTHS ARE IN
 LINKS

Metres = 0.3048 x Feet
 Metres = 0.201168 x Links

TITLE PLAN

TP 471484F

LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS
AND POWERS AS SHOWN ON THE CROWN GRANT

George VI,

by the Grace of God of Great Britain Ireland and the British Dominions beyond the Seas
KING Defender of the Faith EMPEROR of India TO all to whom these presents shall come GREETING

WHEREAS in conformity with the laws relating to the sale and occupation of Crown lands in Our State of Victoria the person hereinafter named has in consideration of the sum of One thousand six hundred and fourteen pounds nine shillings and eleven pence which sum has been duly paid become entitled to a grant in fee simple of the surface and down to the depth of FIFTY feet below the surface of the land hereinafter described NOW KNOW YE that in consideration of the sum so paid and in pursuance of the law Us in that behalf enabling WE DO HEREBY GRANT unto FREDERICK HERBERT KNEEBONE of Gapsted Farmer so much and such parts as lie above the depth of FIFTY feet below the surface of ALL THAT PIECE OF LAND in the said State containing one hundred and thirty-six acres two roods and seventeen perches more or less being Allotment eleven in the Parish of Whorouly County of Delatite delineated with the measurements and abuttals thereof in the map drawn in the margin of these presents and therein colored yellow and red

PROVIDED nevertheless that the grantee shall be entitled to sink wells for water and to the use and enjoyment of any wells or springs of water upon or within the boundaries of the said land for any and for all purposes as though he held the land without limitation as to depth EXCEPTING nevertheless unto Us Our heirs and successors all gold and silver and minerals as defined in the Mines Act 1928 in upon or under or within the boundaries of the land hereby granted AND reserving to Us Our heirs and successors free liberty and authority for Us Our heirs and successors and Our and their licensees agents and servants at any time or times hereafter to enter upon the said land and to search and mine therein for gold and silver and minerals as aforesaid and to extract and remove therefrom any such gold silver and minerals and to search for and work dispose of and carry away the said gold silver and minerals lying in upon or under the land hereby granted and for the purposes aforesaid to sink shafts make drives erect machinery and to carry on any works and do any other things which may be necessary or usual in mining and with all other incidents that are necessary to be used for the getting of the said gold silver and minerals and the working of all mines seams lodes and deposits containing such gold silver and minerals in upon or under the land hereby granted AND ALSO reserving to Us Our heirs and successors--

- (i) all petroleum as defined in the Mines (Petroleum) Act 1935 on or below the surface of the said land and
- (ii) the right of access for the purpose of searching for and for the operations of obtaining such petroleum in any part or parts of the said land and
- (iii) rights of way for access and for pipe-lines and other purposes necessary for obtaining and conveying such petroleum in the event of such petroleum being obtained in any part or parts of the said land.

AND also Reserving and Excepting unto the State Electricity Commission of Victoria (hereinafter called "the Commission") and its assigns All that the full and free right and liberty to and for it and them and its and their contractors servants agents and workmen to enter in and upon that portion of the said land colored red (hereinafter called "the said portion") and to lay and erect

CONTINUED ON SHEET 3

LENGTHS ARE IN
LINKS

Metres = 0.3048 x Feet
Metres = 0.201168 x Links

Sheet 2 of 4 Sheets

TITLE PLAN

TP 471484F

LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS
CONDITIONS AND POWERS AS SHOWN ON THE CROWN GRANT

CONTINUED FROM SHEET 2

thereon not more than five poles (which poles shall be erected at such times as the Commission or its officers shall deem advisable and at such places as the Commission shall within twenty-one years from the thirteenth day of February 1939 have selected) and such wires and other apparatus and appliances as the Commission may require or desire (all of which poles wires apparatus and appliances are hereinafter referred to as "the said appliances") for the transmission of electricity and for a telephone line or lines (but so always that as to every electric line erected by the Commission on the said portion the lowest point of any such line for the purposes of the transmission of electricity shall be at least twenty-two feet and the lowest point of any line erected by the Commission for the purposes of telephoning shall be at least eighteen feet above the surface of the said portion) And also to clear the said portion of obstructions including any buildings whatsoever and to carry out thereon such digging cutting and excavating as may be reasonably necessary for the bases or foundations of the said appliances and keeping the said bases or foundations free of the injurious accumulation of water And also from time to time to go pass and repass for all purposes aforesaid either with or without horses or other animals carts or other carriages through over and along the said portion And also to use the said portion and the said appliances for all purposes of and incidental to transmitting electricity and telephoning And also to keep the said portion free of obstructions (including any trees more than twelve feet in height or any structure more than twelve feet in height or any buildings whatsoever) whether to transmitting electricity safely and economically or to telephoning across the said portion at any time hereafter And Also to maintain and to remove the said appliances.

CONTINUED ON SHEET 4

LENGTHS ARE IN
LINKS

Metres = 0.3048 x Feet
Metres = 0.201168 x Links

TITLE PLAN

TP 471484F

LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS
CONDITIONS AND POWERS AS SHOWN ON THE CROWN GRANT

CONTINUED FROM SHEET 3

TO HOLD unto the said Frederick Herbert Kneebone in fee simple
 PROVIDED ALWAYS that the said land is and shall be subject to be resumed for mining purposes under Section 168 of the
 Land Act 1928.

AND PROVIDED also that the said land is and shall be subject to the right of any person being the holder of a miner's
 right or of a mining lease or mineral lease under the Mines Act 1928 or any corresponding previous enactment to enter
 therein and to mine for gold silver or minerals within the meaning of the said Act and to erect and occupy mining plant
 or machinery thereon in the same manner and under the same conditions and provisions as those to which such person
 would for the time being be entitled to mine for gold and silver in and upon Crown lands PROVIDED that compensation
 shall be paid to the said Frederick Herbert Kneebone his executors administrators assigns or transferees by such
 person for surface damage to be done to such land by reason of mining thereon such compensation to be determined as
 provided for the time being by law and the payment thereof to be a condition precedent to such right of entry.

DATED the eighth day of March in the year of our Lord One thousand nine hundred and forty-four being the day the person
 herein named became entitled to this Grant.

IN TESTIMONY WHEREOF We have caused this Our Grant to be sealed at Melbourne with the Seal of the said State.

WITNESS Our trusty and well-beloved Major-General SIR WINSTON JOSEPH DUGAN, Knight Commander of the Most Distinguished
 Order of Saint Michael and Saint George, Companion of the Most Honorable Order of the Bath, Companion of the Distinguished
 Service Order, Governor of the said State of Victoria and its Dependencies in the Commonwealth of Australia. *W*

Winston Dugan

LENGTHS ARE IN
LINKS

Metres = 0.3048 x Feet
Metres = 0.201168 x Links

Sheet 4 of 4 Sheets

4507245

No. 2105287

STATE ELECTRICITY COMMISSION OF VICTORIA

VICTORIA

CREATION OF EASEMENT.

Top

MICROFILMED

Age 710 871990

LODGED
51.5
10 OCT 1947

O.O.T!

WE, *J* MARY CLARA LENNANE Married Woman and LESLIE EDWARD LENNANE Farmer

both ~~of~~ formerly of Wangaratta but now of Whorouly -----

(hereinafter referred to as "the Owners") being registered or entitled to be registered as the joint

proprietors of an estate in fee simple in the land secondly hereinafter described subject to the

encumbrances notified hereunder in consideration of the sum of ONE SHILLING - - -

paid to ~~us~~ by the STATE ELECTRICITY COMMISSION OF VICTORIA (hereinafter called

"the Commission") DO HEREBY TRANSFER AND GRANT unto the Commission and its

successors and transferees the registered proprietor or proprietors for the time being of ALL

THAT piece of land being part of Crown Allotment Portion 22 Section at Thomastown

Parish of Keelbundora County of Bourke and being the whole

of the land comprised in Certificate of Title entered in the Register Book of

the Office of Titles volume 4968 folio 993486 ALL THAT the full

and free right and liberty to and for it and them and its and their contractors

servants agents and workmen to enter in and upon the land hereinafter described and to lay and

erect thereon not more than ----- TWO ----- poles (which poles shall be erected at such

times as the Commission or its officers shall deem advisable and at such places as the Commission

shall within twenty-one years from the date hereof select) and such wires and other apparatus and

appliances as the Commission may require or desire (all of which poles wires apparatus and

appliances are hereinafter referred to as "the said appliances") for the transmission of

electricity (but so always that as to every line erected by the Commission on the land

hereinafter described for the purposes of the transmission of electricity the lowest point of

such line shall be at least sixteen (16) feet above the surface of such land) AND

ALSO to clear the land hereinafter described of obstructions including any buildings

whatsoever and to carry out thereon such digging cutting and excavating as may be

reasonably necessary for the bases or foundations of the said appliances and keeping the said

bases or foundations free of the injurious accumulation of water AND ALSO from time

to time to go pass and repass for all purposes aforesaid either with or without horses or

other animals carts or other carriages through over and along ALL THAT piece of land

delineated and coloured red on the plan drawn hereon being part of Crown Allotment

Eleven Parish of Whorouly County of Delatite -----

IMAGED

of easement
6588/495
(part)
to
4968/486
(whole)
Rdb
15.3.48
SKAHC
17/3/48
Red
18.3.48

and to remove the said appliances PROVIDED ALWAYS that in the exercise of the foregoing powers of the Commission to maintain and to remove the said appliances the Commission shall do as little damage as may be and shall if required within two years from the exercise of the same make full compensation to the ~~Owners or the survivor of them or his or her~~ ^{heirs executors administrators or transferees} for any damage sustained by him or them in consequence of such exercise of such powers such damage to be determined in default of agreement in manner provided in the *Lands Compensation Act 1928* AND PROVIDED FURTHER that the Commission will at all times hereafter keep indemnified the ~~Owners and the survivor of them and his or her~~ ^{heirs executors administrators and transferees} from and against all damage injury or nuisance which may be caused or occasioned by the transmission of electricity on to or over the servient tenement through over or along the said appliances if such damage arise from any failure of the Commission to erect and maintain the said appliances in and according to a proper and safe manner and design in the light of present day knowledge or any cause being *vis major* the act of God or the act or neglect of any employee or agent or contractor of the Commission acting in the scope of his employment or in accordance with his authority AND PROVIDED FURTHER that nothing herein shall be deemed in any way to restrict limit or detract from any right power or authority of the Commission or its assigns under the State Electricity Commission Acts or any other Acts which now or hereafter may confer any rights duties powers or authorities on the Commission or its assigns.

Dated the *fourth* day of *February* One thousand nine hundred and *forty-seven*

Signed Sealed and Delivered by the said

MARY CLARA LENNANE
in the State of Victoria in the presence of—

M. C. Lennane

William
Postmaster at Wharfedale

SIGNED SEALED AND DELIVERED by the said LESLIE EDWARD LENNANE in the State of Victoria in the presence of—

L. E. Lennane

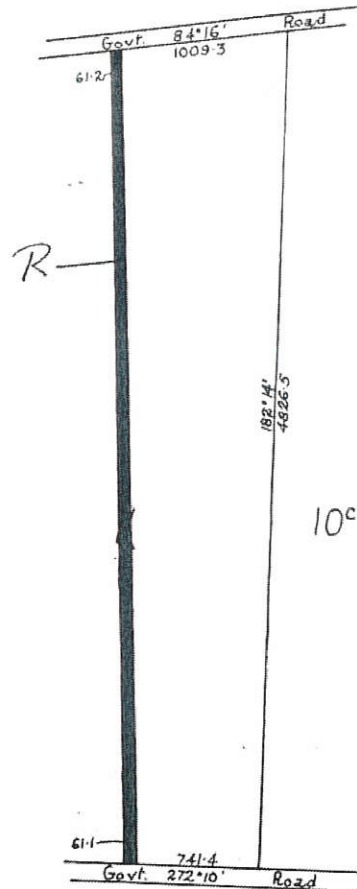
William
Postmaster at Wharfedale

The Common Seal of the State Electricity Commission of Victoria was hereto affixed by authority of the Commission in the presence of—

S. J. Ryan Chairman.
W. J. ... Secretary.

ENCUMBRANCES REFERRED TO—

Mortgage regd. 23/10/45 No. 849010 to George Michael Powell.
~~Mortgage regd. 23/10/45 No. 849011 to John Ryan.~~
202-43 Mortgage of 8/1/99 regd 25/2/47 to Lellan Lellan Commission




 Measurements are in Links

THE SOLDIER SETTLEMENT COMMISSION being entitled to be registered as the proprietor of a mortgage dated the 17th September, 1946 to secure the sum of Six hundred pounds over inter alia the land delineated and coloured red on the plan drawn hereon DO TH HEREBY CONSENT to the within Creation of Easement taking priority over the said Mortgage and to a memorandum to such effect being endorsed on the said mortgage.

DATED the Eight day of July 1947.

The Common Seal of the SOLDIER SETTLEMENT COMMISSION was hereunto affixed in the presence of

Chairman

or

Member

A. Holmberg

Secretary

E. Burgeleson

Mr. George Michael Powell being registered as the proprietor of a Mortgage entered in the register book No. 849010 over inter alia the land delineated and coloured red on the plan drawn hereon DOOTH HEREBY CONSENT to the within Creation of Easement taking priority over the said Mortgage and to a memorandum to such effect being endorsed on the said Mortgage.

DATED the *Fifteen* day of *February* 1947.

G M Powell

~~Mr. John Ryan being registered as the proprietor of a Mortgage entered in the register book No. 849011 over inter alia the land delineated and coloured red on the plan drawn hereon DOOTH HEREBY CONSENT to the within Creation of Easement taking priority over the said Mortgage and to a memorandum to such effect being endorsed on the said Mortgage.~~

~~DATED the *Fifteen* day of *February* 1947.~~

John Ryan

No. M.W./30

Dated the _____ day of _____ 19____

MR. L. E. AND MRS. M. C. LEMMAYNE

to the

STATE ELECTRICITY COMMISSION
OF VICTORIA

CREATION OF EASEMENT.
(No Track)

STATE ELECTRICITY COMMISSION
OF VICTORIA.

9561/45
By Authority:
J. I. Combs, Sec. Print. Mch.

MEMORIAL OF INSTRUMENT.

Nature of Instrument.	Time of its Production for Registration.	To Whom Given.	Number or Symbol Thereon.
Creation of Easement	The <i>10th</i> day of <i>October</i> 1947	State Electricity Commission of Victoria	<i>2105287</i>
<i>[Signature]</i> Assistant Registrar of Titles.			
<p>3 certify that a Memorial of the within instrument was entered, at the time last mentioned, in the Register Book, Vol. <i>6588</i> Folio <i>1317495</i></p>			
<i>[Signature]</i> Assistant Registrar of Titles.			

[Handwritten mark]

From www.planning.vic.gov.au at 12 June 2022 03:15 PM

PROPERTY DETAILS

Address: **17 BUSSELLS LANE WHOROULY 3735**
 Crown Description: **Allot. 11 PARISH OF WHOROULY**
 Standard Parcel Identifier (SPI): **11\PP3810**
 Local Government Area (Council): **WANGARATTA**
 Council Property Number: **4784**
 Planning Scheme: **Wangaratta**
 Directory Reference: **Vicroads 35 A9**

www.wangaratta.vic.gov.au

[Planning Scheme - Wangaratta](#)

UTILITIES

Rural Water Corporation: **Goulburn-Murray Water**
 Urban Water Corporation: **North East Water**
 Melbourne Water: **Outside drainage boundary**
 Power Distributor: **AUSNET**

STATE ELECTORATES

Legislative Council: **NORTHERN VICTORIA**
 Legislative Assembly: **OVENS VALLEY**

OTHER

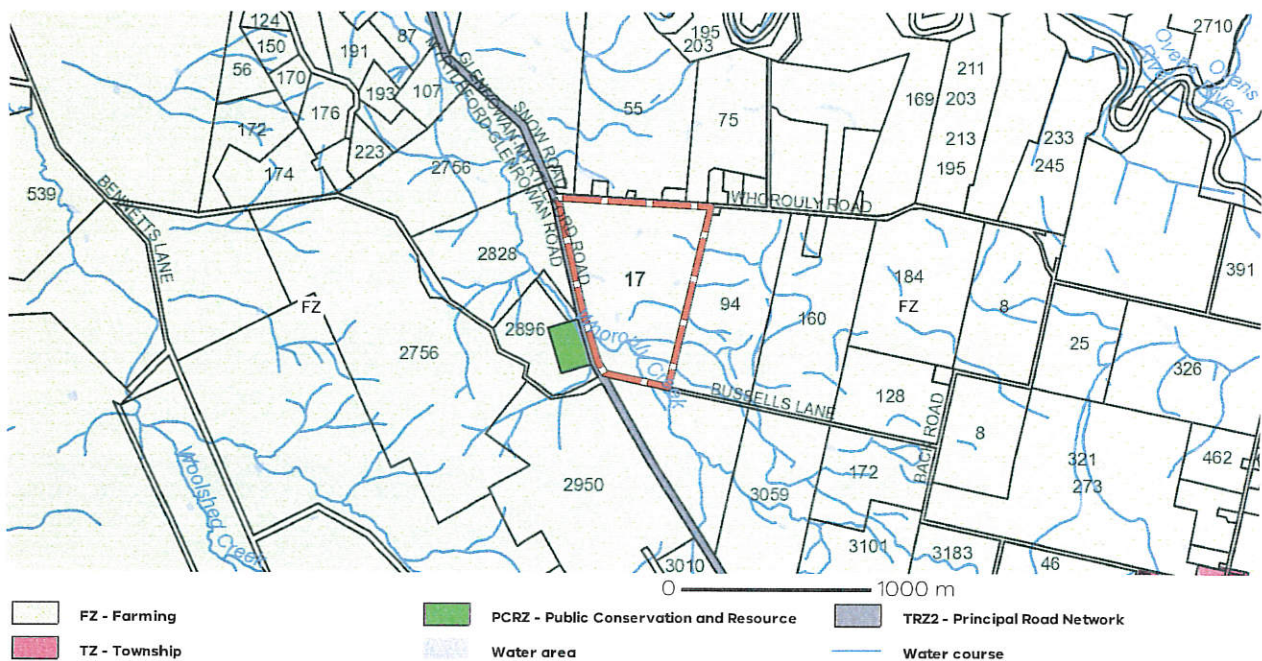
Registered Aboriginal Party: **Taungurung Land and Waters Council Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

[FARMING ZONE \(FZ\)](#)

[SCHEDULE TO THE FARMING ZONE \(FZ\)](#)



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

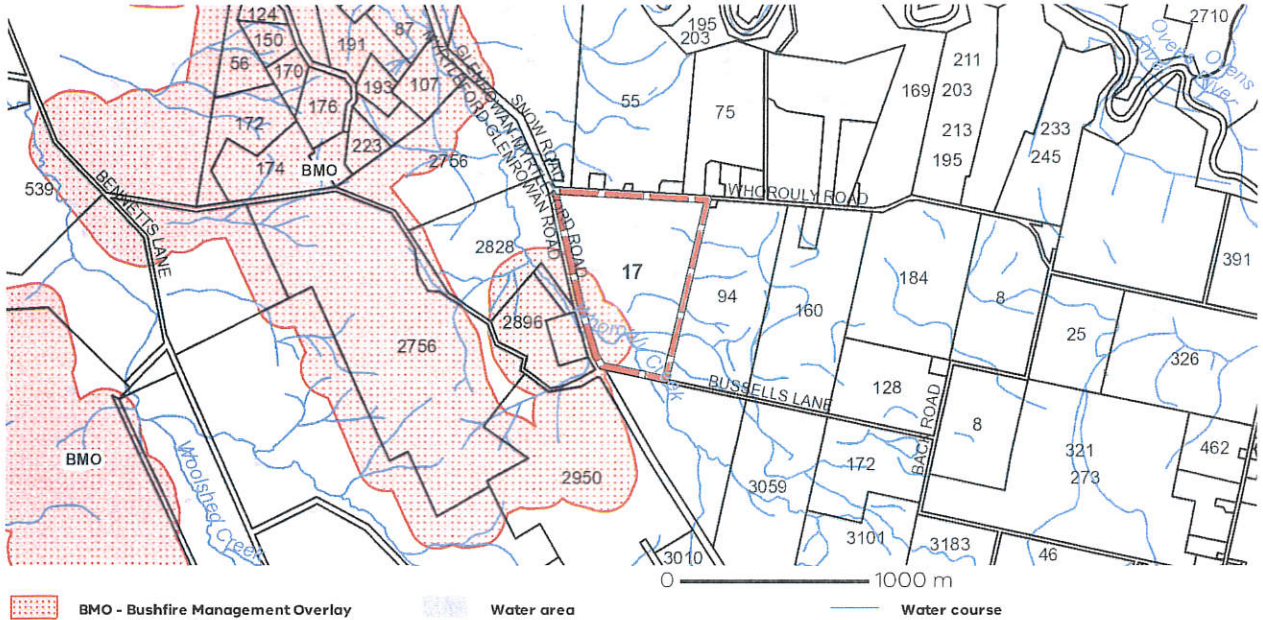
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Planning Overlays

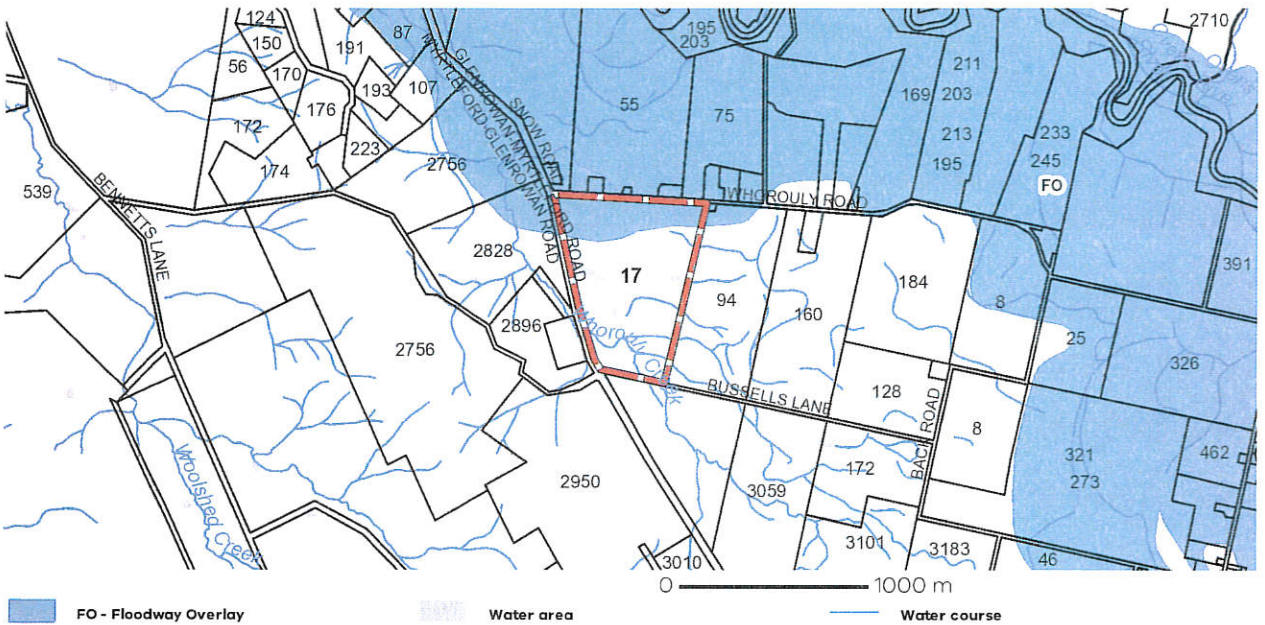
BUSHFIRE MANAGEMENT OVERLAY (BMO)



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

FLOODWAY OVERLAY (FO)

FLOODWAY OVERLAY SCHEDULE (FO)



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

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Areas of Aboriginal Cultural Heritage Sensitivity

All or part of this property is an 'area of cultural heritage sensitivity'.

'Areas of cultural heritage sensitivity' are defined under the Aboriginal Heritage Regulations 2018, and include registered Aboriginal cultural heritage places and land form types that are generally regarded as more likely to contain Aboriginal cultural heritage.

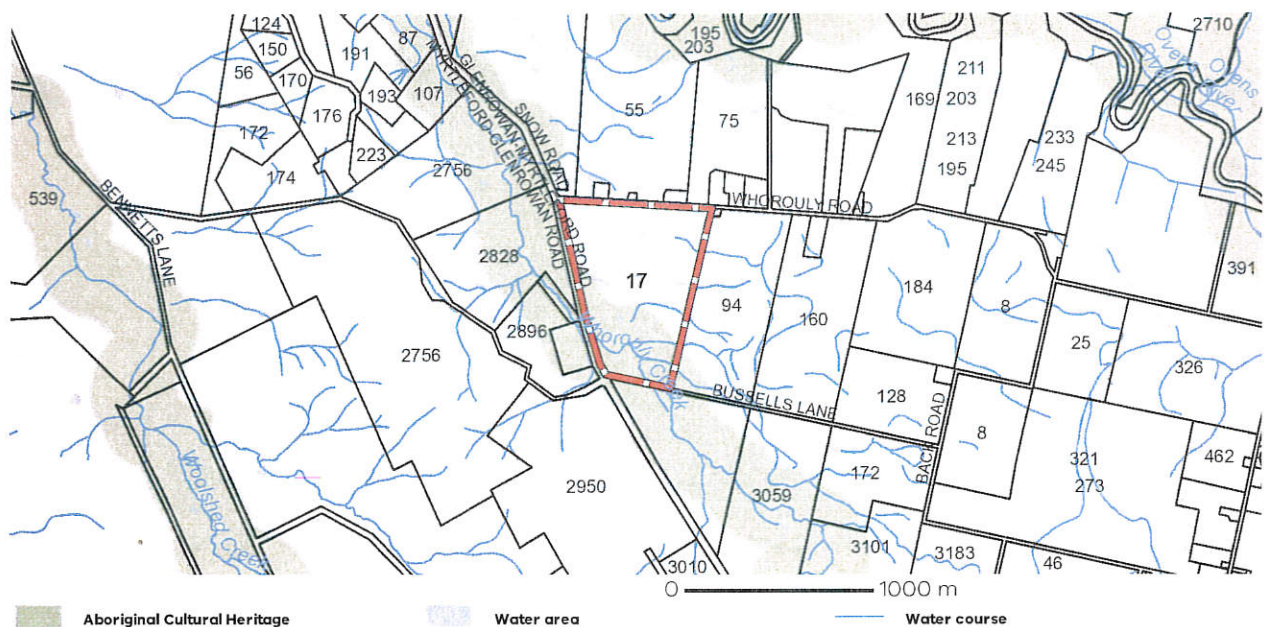
Under the Aboriginal Heritage Regulations 2018, 'areas of cultural heritage sensitivity' are one part of a two part trigger which require a 'cultural heritage management plan' be prepared where a listed 'high impact activity' is proposed.

If a significant land use change is proposed (for example, a subdivision into 3 or more lots), a cultural heritage management plan may be triggered. One or two dwellings, works ancillary to a dwelling, services to a dwelling, alteration of buildings and minor works are examples of works exempt from this requirement.

Under the Aboriginal Heritage Act 2006, where a cultural heritage management plan is required, planning permits, licences and work authorities cannot be issued unless the cultural heritage management plan has been approved for the activity.

For further information about whether a Cultural Heritage Management Plan is required go to <http://www.gav.nrms.net.au/gavQuestion1.aspx>

More information, including links to both the Aboriginal Heritage Act 2006 and the Aboriginal Heritage Regulations 2018, can also be found here - <https://www.aboriginalvictoria.vic.gov.au/aboriginal-heritage-legislation>



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Further Planning Information

Planning scheme data last updated on 8 June 2022.

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>

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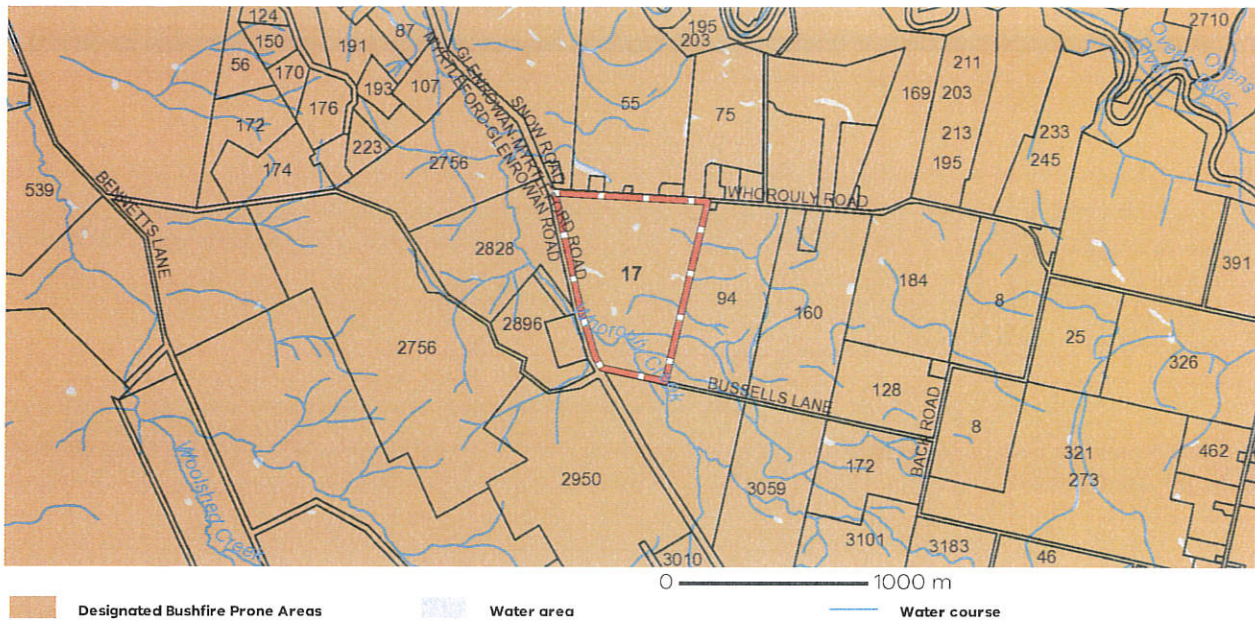
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Designated Bushfire Prone Areas

This property is in a designated bushfire prone area.
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 this property and the application of Clause 52.17 please visit the Native Vegetation Information Management system <https://nvim.delwp.vic.gov.au/> and [Native vegetation \(environment.vic.gov.au\)](https://www.environment.vic.gov.au/) or please contact your relevant council.

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

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Due diligence checklist

What you need to know before buying a residential property

Before you buy a home, you should be aware of a range of issues that may affect that property and impose restrictions or obligations on you, if you buy it. This checklist aims to help you identify whether any of these issues will affect you. The questions are a starting point only and you may need to seek professional advice to answer some of them. You can find links to organisations and web pages that can help you learn more, by visiting the [Due diligence checklist page on the Consumer Affairs Victoria website](https://consumer.vic.gov.au/duediligencechecklist) (consumer.vic.gov.au/duediligencechecklist).

Urban living

Moving to the inner city?

High density areas are attractive for their entertainment and service areas, but these activities create increased traffic as well as noise and odours from businesses and people. Familiarising yourself with the character of the area will give you a balanced understanding of what to expect.

Is the property subject to an owners corporation?

If the property is part of a subdivision with common property such as driveways or grounds, it may be subject to an owners corporation. You may be required to pay fees and follow rules that restrict what you can do on your property, such as a ban on pet ownership.

Growth areas

Are you moving to a growth area?

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

Flood and fire risk

Does this property experience flooding or bushfire?

Properties are sometimes subject to the risk of fire and flooding due to their location. You should properly investigate these risks and consider their implications for land management, buildings and insurance premiums.

Rural properties

Moving to the country?

If you are looking at property in a rural zone, consider:

- Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle.
- Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property.
- Do you understand your obligations to manage weeds and pest animals?

Can you build new dwellings?

Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land?

Is there any earth resource activity such as mining in the area?

You may wish to find out more about exploration, mining and quarrying activity on or near the property and consider the issue of petroleum, geothermal and greenhouse gas sequestration permits, leases and licences, extractive industry authorisations and mineral licences.

Soil and groundwater contamination

Has previous land use affected the soil or groundwater?

You should consider whether past activities, including the use of adjacent land, may have caused contamination at the site and whether this may prevent you from doing certain things to or on the land in the future.

Land boundaries

Do you know the exact boundary of the property?

You should compare the measurements shown on the title document with actual fences and buildings on the property, to make sure the boundaries match. If you have concerns about this, you can speak to your lawyer or conveyancer, or commission a site survey to establish property boundaries.

Planning controls

Can you change how the property is used, or the buildings on it?

All land is subject to a planning scheme, run by the local council. How the property is zoned and any overlays that may apply, will determine how the land can be used. This may restrict such things as whether you can build on vacant land or how you can alter or develop the land and its buildings over time.

The local council can give you advice about the planning scheme, as well as details of any other restrictions that may apply, such as design guidelines or bushfire safety design. There may also be restrictions – known as encumbrances – on the property's title, which prevent you from developing the property. You can find out about encumbrances by looking at the section 32 statement.

Are there any proposed or granted planning permits?

The local council can advise you if there are any proposed or issued planning permits for any properties close by. Significant developments in your area may change the local 'character' (predominant style of the area) and may increase noise or traffic near the property.

Safety

Is the building safe to live in?

Building laws are in place to ensure building safety. Professional building inspections can help you assess the property for electrical safety, possible illegal building work, adequate pool or spa fencing and the presence of asbestos, termites, or other potential hazards.

Building permits

Have any buildings or retaining walls on the property been altered, or do you plan to alter them?

There are laws and regulations about how buildings and retaining walls are constructed, which you may wish to investigate to ensure any completed or proposed building work is approved. The local council may be able to give you information about any building permits issued for recent building works done to the property, and what you must do to plan new work. You can also commission a private building surveyor's assessment.

Are any recent building or renovation works covered by insurance?

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

Utilities and essential services

Does the property have working connections for water, sewerage, electricity, gas, telephone and internet?

Unconnected services may not be available, or may incur a fee to connect. You may also need to choose from a range of suppliers for these services. This may be particularly important in rural areas where some services are not available.

Buyers' rights

Do you know your rights when buying a property?

The contract of sale and section 32 statement contain important information about the property, so you should request to see these and read them thoroughly. Many people engage a lawyer or conveyancer to help them understand the contracts and ensure the sale goes through correctly. If you intend to hire a professional, you should consider speaking to them before you commit to the sale. There are also important rules about the way private sales and auctions are conducted. These may include a cooling-off period and specific rights associated with 'off the plan' sales. The important thing to remember is that, as the buyer, you have rights.

DATED:

VENDORS:

**NORMAN KENNETH BUSSELL
and ANNE WINIFRED WILSON**

PURCHASER:

VENDOR STATEMENT

PROPERTY:

**17 BUSSELLS LANE
WHOROULY**

VENDORS' SOLICITOR:

**Milne Lawyers
27 Reid Street
Wangaratta, 3677**

Tel: **(03) 5721 5311**
Fax: **(03) 5722 1314**
DX: **67710 Wangaratta**
Ref: **JMM:220315**