

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

Section 32 Statement

The vendor makes this statement in respect of the land in 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 purchase signed any contract.

Land Certificate of Title Volume 9444 Folio 296

Property Address 328 CHIVERS ROAD, GLENROWAN WEST

Vendor's name JACQUELINE DOROTHY FOGARTY (formerly Ryan)

Signature J. D. Fogarty **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) <u>Rural City of Benalla</u>	(1) <u>\$3,677.75</u>	(1) <u>\$</u>
(2) _____	(2) <u>\$</u>	(2) <u>\$</u>
(3) _____	(3) <u>\$</u>	(3) <u>\$</u>
(4) _____	(4) <u>\$</u>	(4) <u>\$</u>

(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 in items 1.1(a), (b) or (c) above; other than any amounts described in this rectangular box. \$

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

\$ _____ To _____

Other particulars (including dates and times of payments):

1.3 Terms Contract

This section 1.3 only applies if this section 32 statement is in respect of a terms contract where the purchaser is obliged to make 2 or more payments (other than a deposit or final payment) to the vendor after the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land.

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

1.4 Sale Subject to Mortgage

This section 1.4 only applies if this section 32 statement is in respect of a contract which provides that any mortgage (whether registered or unregistered), is NOT to be discharged before the purchaser becomes entitled to possession or receipts of rents and profits.

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

1.5. Commercial and Industrial Property Tax Reform Act 2024 (Vic) (CIPT Act)

(a) The Australian Valuation Property Classification Code (within the meaning of the CIPT Act) most recently allocated to the land is set out in the attached Municipal rates notice or property clearance certificate or is as follows	AVPCC No. 520
(b) Is the land tax reform scheme land within the meaning of the CIPT Act?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
(c) If the land is tax reform scheme land within the meaning of the CIPT Act, the entry date within the meaning of the CIPT Act is set out in the attached Municipal rates notice or property clearance certificate or is as follows	Date: OR <input checked="" type="checkbox"/> Not applicable

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 section 32 statement is in respect of a contract which does NOT provide for the land to remain at the risk of the vendor until the purchaser becomes entitled to possession or receipt of rents and profits.

- (a) Attached is a copy or extract of any policy of insurance in respect of any damage to or destruction of the land.
OR
- (b) Particulars of any such policy of insurance in respect of any damage to or destruction of the land are as follows:

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 of her 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 Benalla Planning Scheme
- (b) Name of responsible authority Rural City of Benalla
- (c) Zoning of the land Farming
- (d) Name of planning overlay Vegetation Protection

~~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 AREA 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 section 32 statement for convenience.)

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

- (a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and
- (b) which has a net lettable area of at least 1 000m²; (but does not include a building under a strata title system or if an occupancy permit was issued less than 2 years before the 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 section 32 statement but the checklist may be attached as a matter of convenience.)

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

13. ATTACHMENTS

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

(Attached is a Law Institute of Victoria published "Additional Section 32 Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)

Certificate of Title Volume 9444 Folio 296



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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**

Page 1 of 1

VOLUME 09444 FOLIO 296

Security no : 124122981868K
Produced 19/03/2025 05:02 PM

LAND DESCRIPTION

Crown Allotment 87A Parish of Glenrowen.
PARENT TITLE Volume 05699 Folio 666
Created by instrument J536462 08/07/1981

REGISTERED PROPRIETOR

Estate Fee Simple
Sole Proprietor

JACQUELINE DOROTHY RYAN of 43 DONOVAN DR WANGARATTA 3677
S747208P 20/10/1993

ENCUMBRANCES, CAVEATS AND NOTICES

For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP283151H 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: "BAARMUTHA" 326 CHIVERS ROAD GLENROWAN WEST VIC 3675

DOCUMENT END

TITLE PLAN	EDITION 1	TP 283151H
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Location of Land

Parish: GLENROWEN
 Township:
 Section:
 Crown Allotment: 87A
 Crown Portion:

Last Plan Reference:
 Derived From: VOL 9444 FOL 296
 Depth Limitation: 15.24 m

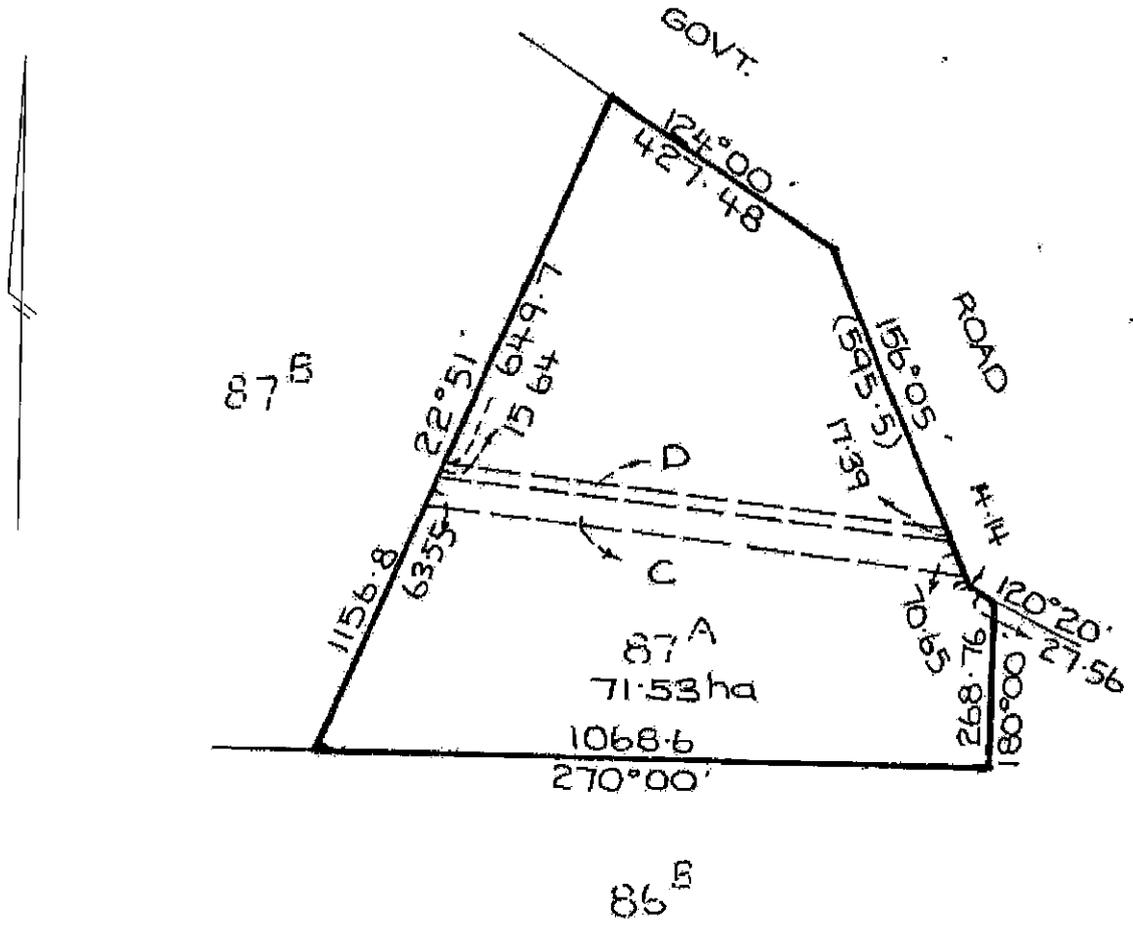
Notations

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

Description of Land / Easement Information

ENCUMBRANCES REFERRED TO
 As to the land shown marked C and D -
 respectively - - - - -
THE EASEMENTS to State Electricity - -
 Commission of Victoria created by - -
 Instruments A363289 and H963013 - - -
 respectively - - - - -

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT
 COMPILED: 24/01/2000
 VERIFIED: M.P



LENGTHS ARE IN METRES
 Metres = 0.3048 x Feet
 Metres = 0.201168 x Links

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 owner his 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 owner his 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 *Thirty-first* day of *May* one thousand nine hundred and *fifty-seven*.

Signed Sealed and Delivered by the said
TREVOR CHARLES CHIVERS
in the State of Victoria in the presence of—

T. C. Chivers

T. D. Chivers

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

W. G. G. G. G. Chairman.
R. G. G. G. G. Secretary.



ENCUMBRANCES REFERRED TO

Nil

A memorandum of the within instrument
has been entered in the Register Book.
Vol. 5699 Fol. 666

[Signature]
Assistant Registrar of Titles

Dated the _____ day of _____ 19____

No. KSH. 220

T.C. CHIVERS

to the

STATE ELECTRICITY COMMISSION
OF VICTORIA

CREATION OF EASEMENT.

(No Track.)

STATE ELECTRICITY COMMISSION
OF VICTORIA.

By Authority:
I. I. Conner, Gen. Mgr., M.A.B.
P.O. Box 5-382/72

MEMORIAL OF INSTRUMENT.

Nature of Instrument.	Time of its Production for Registration.	To Whom Given.	Number or Symbol Thereon.
Creation of Easement	The _____ day of _____ 19____	State Electricity Commission of Victoria	

Assistant Registrar of Titles.

I certify that a Memorial of the within instrument was entered, at the time last mentioned, in the
Register Book, Vol. _____ Folio _____

Assistant Registrar of Titles.

Comm Ref: H933013 22075 WY-1 00

H933013 22075 WY-1 00

H963013 REGD E9

Esmt. No. ...KSHW..220..

STATE ELECTRICITY COMMISSION OF VICTORIA

CREATION OF EASEMENT

PASTURA PTY LTD whose address is at the office of Gerald E Delany & Co formerly of 452 Lonsdale Street Melbourne but now of 185 William Street Melbourne

(hereinafter referred to as "the Owner(s)") being registered or entitled to be registered as the proprietor(s) of an estate in fee simple in ALL THAT piece of land delineated and coloured red on the plan annexed hereto being part of Allotment 87A Parish of Glenrowen and being part of the land described in Crown Grant volume 5699 folio 666

(hereinafter referred to as "the servient tenement") subject to the encumbrances notified hereunder in consideration of the sum of TWO HUNDRED AND FIFTY (250) DOLLARS paid to it by the STATE ELECTRICITY COMMISSION OF VICTORIA (hereinafter called "the Commission") DO HEREBY TRANSFER AND GRANT unto the Commission and its successors 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 servient tenement and to lay and erect thereon ~~not~~ ^{(which}

~~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 (21) years of the date hereof select) and~~ such cables wires and other apparatus and appliances as may be required or desired for the transmission of electricity (all of which ~~are~~ cables wires apparatus and appliances are hereinafter referred to as "the said appliances") but so always that every electric cable or wire shall be erected about six point seven (6.7) metres above the present surface of the servient tenement AND ALSO to clear the servient tenement 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 to use the servient tenement and the said appliances for all purposes of and incidental to transmitting electricity safely and economically across the servient tenement at any time hereafter AND ALSO to keep the servient tenement free of any buildings whatsoever and of any thing which is or may be an obstruction to the exercise of the rights hereby granted including trees ~~more than~~

~~in height or any structure more than whatsoever~~

~~in height AND ALSO to inspect maintain in good and efficient working order repair renew and remove the said appliances AND ALSO from time to time to go pass and repass for all purposes aforesaid either with or without vehicles and equipment through over and along the servient tenement PROVIDED ALWAYS THAT in the exercise of the foregoing powers of the Commission to inspect maintain repair renew and 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 owner(s) or successors in title 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 1958 AND PROVIDED FURTHER that the Commission will at all times hereafter keep indemnified the owner(s) and successors in title 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 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 or authorities on the Commission or its assigns.~~

Dated the 10 day of APRIL one thousand nine hundred and EIGHTY

Signed Sealed and Delivered by the said

in the State of Victoria in the presence of

5699-666 (PT)

The Common Seal of PASTURA PTY LIMITED)
was hereto affixed in accordance with)
the provisions of its Articles of)
Association as its officers undersigned)
do certify -)

Tatiana Delany, Director
Gerald R Delany, Director



APR-11-80 55342 31192

LE 61015 *****1-00

The Common Seal of the State Electricity Commission of Victoria was hereto affixed with the authority of the Commission by its

Assistant Secretary FRANCIS JAMES GLYNN

22 OCT 1980 pursuant to Power of Attorney filed in the Office of the Registrar-General for Victoria No. 234356.

Assistant Secretary

ENCUMBRANCES REFERRED TO

Registered Mortgage No C678257.
The reservations and conditions contained in Crown Grant volume 5699 folio 666.

Sup. of P. 102/103 not required with to the new cert case.

51/28

Exd good 1-8-80

K.../...

 **Natural Resources and Environment**
AGRICULTURE • RESOURCES • CONSERVATION • LAND MANAGEMENT

INTENTIONALLY

BLANK 



STATE ELECTRICITY COMMISSION OF VICTORIA

Easement required for Transmission Line KSHW 220
220 kV. T/L DEDERANG T.S. - GLENROWAN T.S.
 Owner PASTURA PTY LTD.

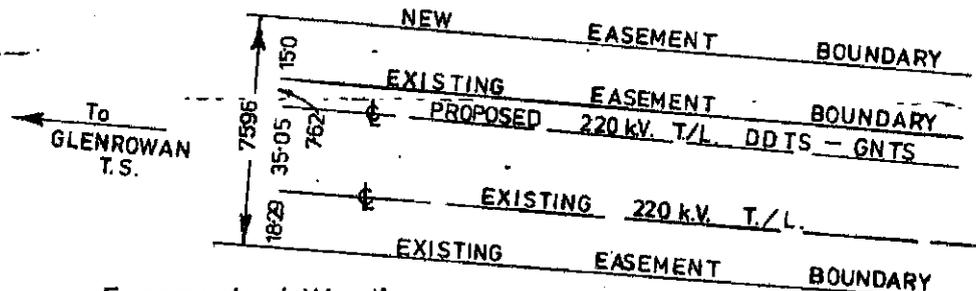
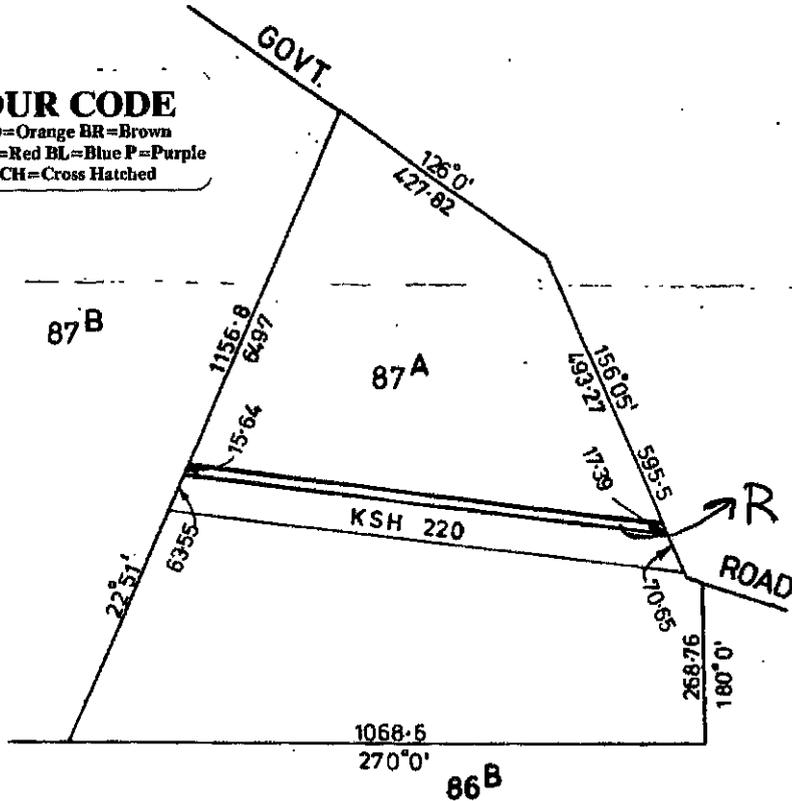
Part of Allotment 87 A Section _____
 Parish of GLENROWEN County of DELATITE

a. r. p.
 Area 1.227 ha
 Scale 1:10,000 to an inch

Certificate Vol. 5699
 Fol. 9666

COLOUR CODE

Y=Yellow O=Orange BR=Brown
 G=Green R=Red BL=Blue P=Purple
 H=Hatched CH=Cross Hatched

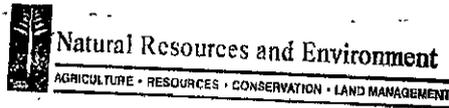


Easement width diagram
 Not to Scale

Measurements are in METRES
 S. SZ. 21-5-79

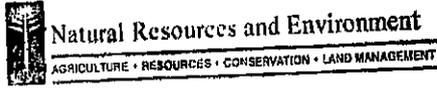


Towers Nil
 Poles _____
 Guys _____
 Patrol Track _____
 Grd. Clear 6.7 m
 Field Book _____
 Search Book 465/27



INTENTIONALLY

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**INTENTIONALLY
BLANK**



~~Registrar of Titles~~

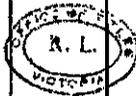
~~Please register this instrument and on completion return Crown Grant Volume 5699 Folio 666 and Mortgage No 6678257 to~~

~~Signed~~

To the Registrar of Titles
Please register this Creation of Easement
and upon completion

have CPB, the mortgage to
THE NATIONAL BANK OF AUSTRALASIA LIMITED
THE NATIONAL BANK OF AUSTRALASIA LIMITED
[Signature] Prop. Manager

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



CREATION OF EASEMENT

STATE ELECTRICITY COMMISSION
OF VICTORIA

and

PASTORA PTY LTD

KSHW 220

500 Bourke

THE NATIONAL BANK OF AUSTRALASIA LIMITED ~~57~~ ⁵⁰⁰ Bourke Street Melbourne being registered
as the proprietor of a Mortgage entered in the Register Book No 6678257 over inter
alia the land delineated and coloured red on the plan annexed hereto 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

18th

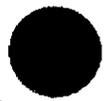
day of

March

19 80

Exhibit
OF / UCIF
232285

[Signature]
[Signature]



PLANNING PROPERTY REPORT



Department of Transport and Planning

From www.planning.vic.gov.au at 19 March 2025 05:07 PM

PROPERTY DETAILS

Address: **326 CHIVERS ROAD GLENROWAN WEST 3675**
Crown Description: **Allot. 87A PARISH OF GLENROWEN**
Standard Parcel Identifier (SPI): **87A\PP2685**
Local Government Area (Council): **BENALLA**
Council Property Number: **A11578**
Planning Scheme: **Benalla**
Directory Reference: **Vicroads 34 E9**

www.benalla.vic.gov.au

[Planning Scheme - Benalla](#)

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: **EUROA**

OTHER

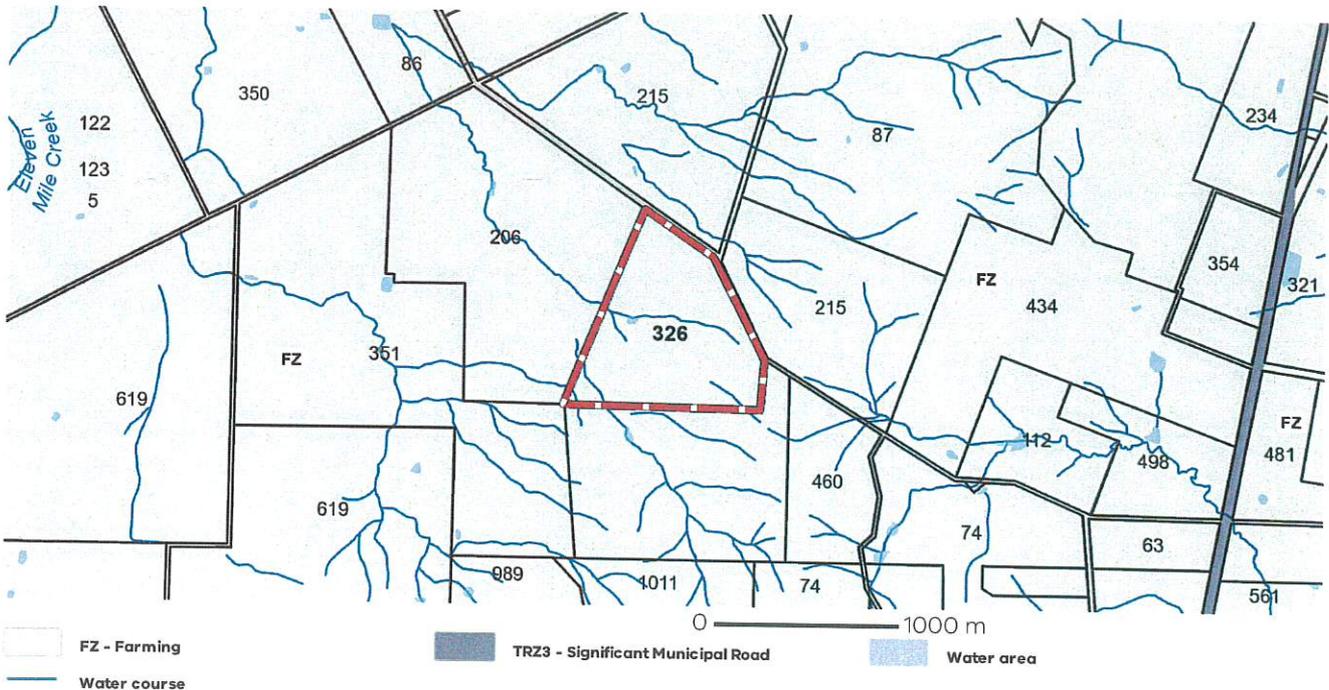
Registered Aboriginal Party: **Yorta Yorta Nation Aboriginal Corporation**

[View location in VicPlan](#)

Planning Zones

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

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



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

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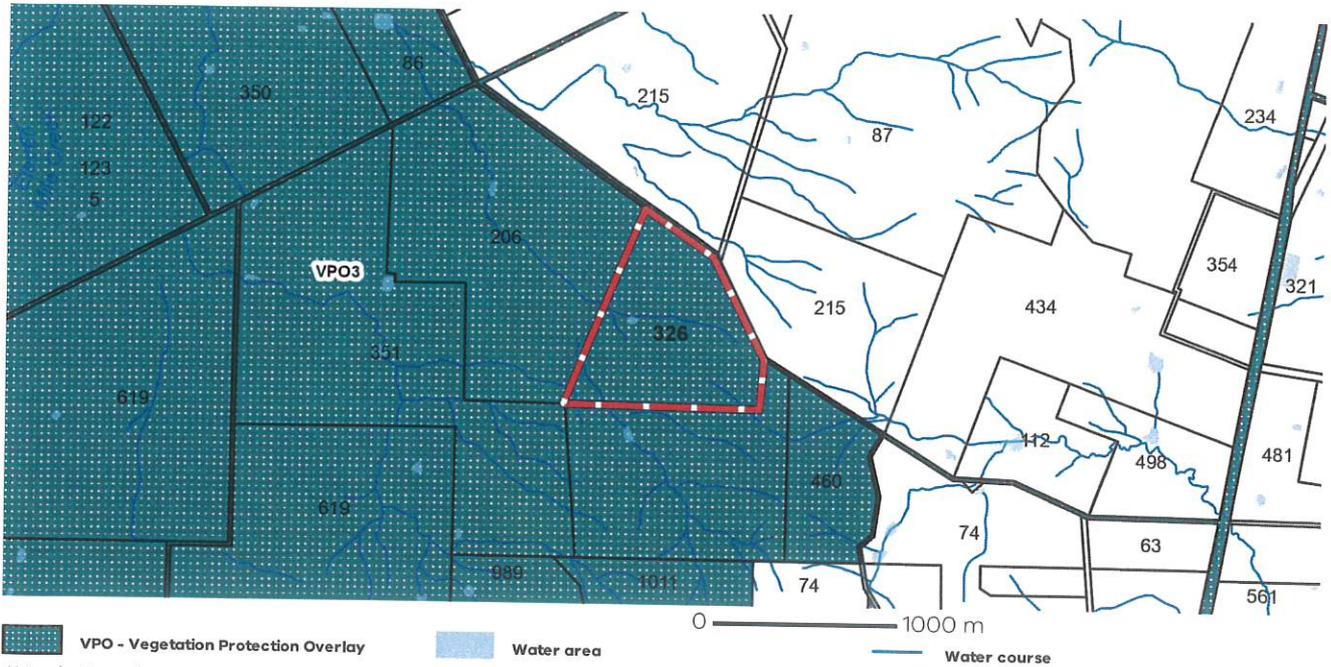
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Planning Overlays

VEGETATION PROTECTION OVERLAY (VPO) (BENALLA)

VEGETATION PROTECTION OVERLAY - SCHEDULE 3 (VPO3) (BENALLA)



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

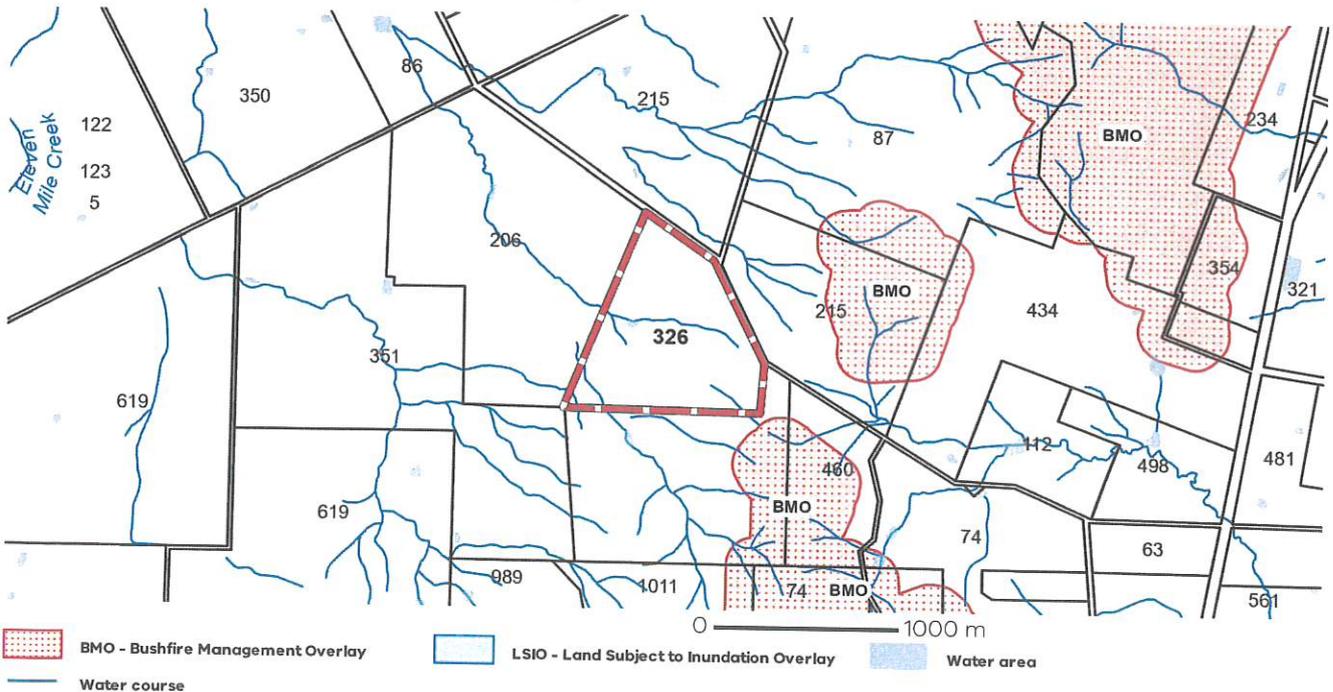
OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

BUSHFIRE MANAGEMENT OVERLAY (BMO) (BENALLA)

BUSHFIRE MANAGEMENT OVERLAY (BMO) (WANGARATTA)

LAND SUBJECT TO INUNDATION OVERLAY (LSIO) (WANGARATTA)



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

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Further Planning Information

Planning scheme data last updated on 13 March 2025.

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/vicoplan>

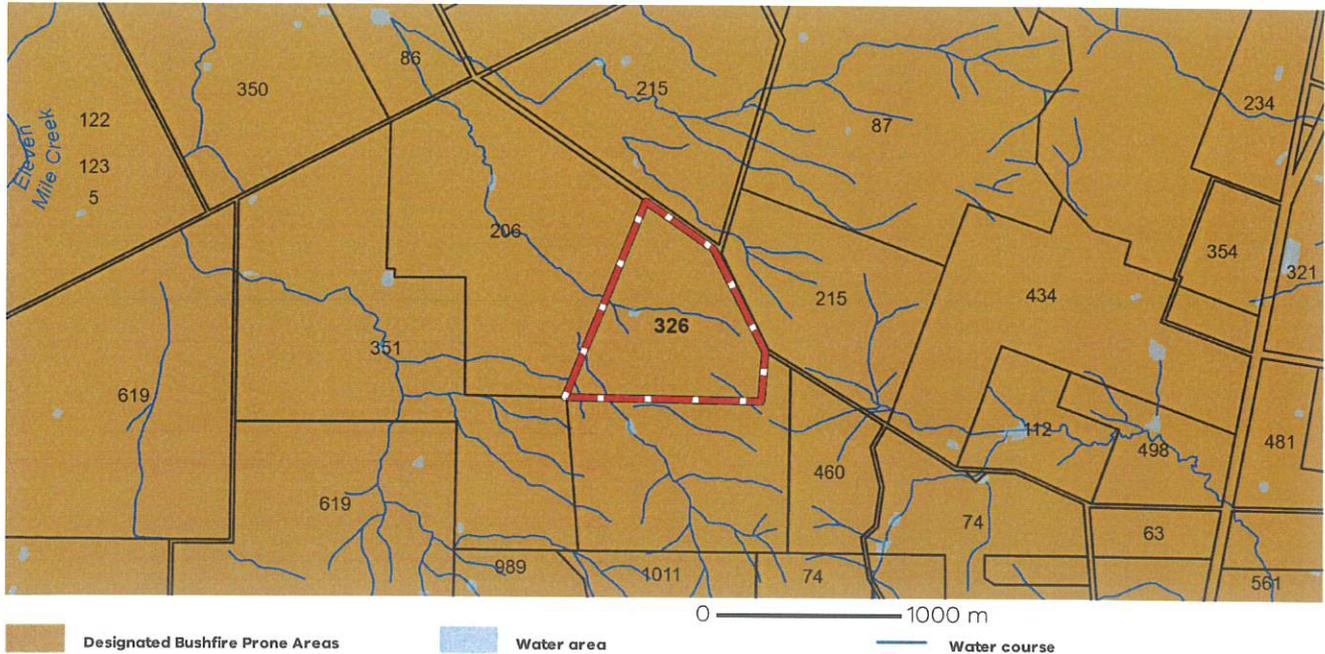
For other information about planning in Victoria visit <https://www.planning.vic.gov.au>

Designated Bushfire Prone Areas

This property is in a designated bushfire prone area. Special bushfire construction requirements apply to the part of the property mapped as a designated bushfire prone area (BPA). Planning provisions may apply.

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.



Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

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

Create a BPA definition plan in [VicPlan](#) to measure the BPA.

Information for lot owners building in the BPA is available at <https://www.planning.vic.gov.au>.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website <https://www.vba.vic.gov.au>. Copies of the Building Act and Building Regulations are available from <http://www.legislation.vic.gov.au>. For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>.

Native Vegetation

Native plants that are indigenous to the region and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see [Native Vegetation \(Clause 52.17\)](#) with local variations in [Native Vegetation \(Clause 52.17\) Schedule](#)

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

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

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Extractive Industry Work Authorities (WA)

All or parts of this property are within 500 metres of Extractive Industry Work Authorities (current).

On 22 March 2022, Amendment VC219 introduced changes to all planning schemes in Victoria to support the ongoing operation of extractive industry across Victoria and increase amenity protection for nearby accommodation in rural zones.

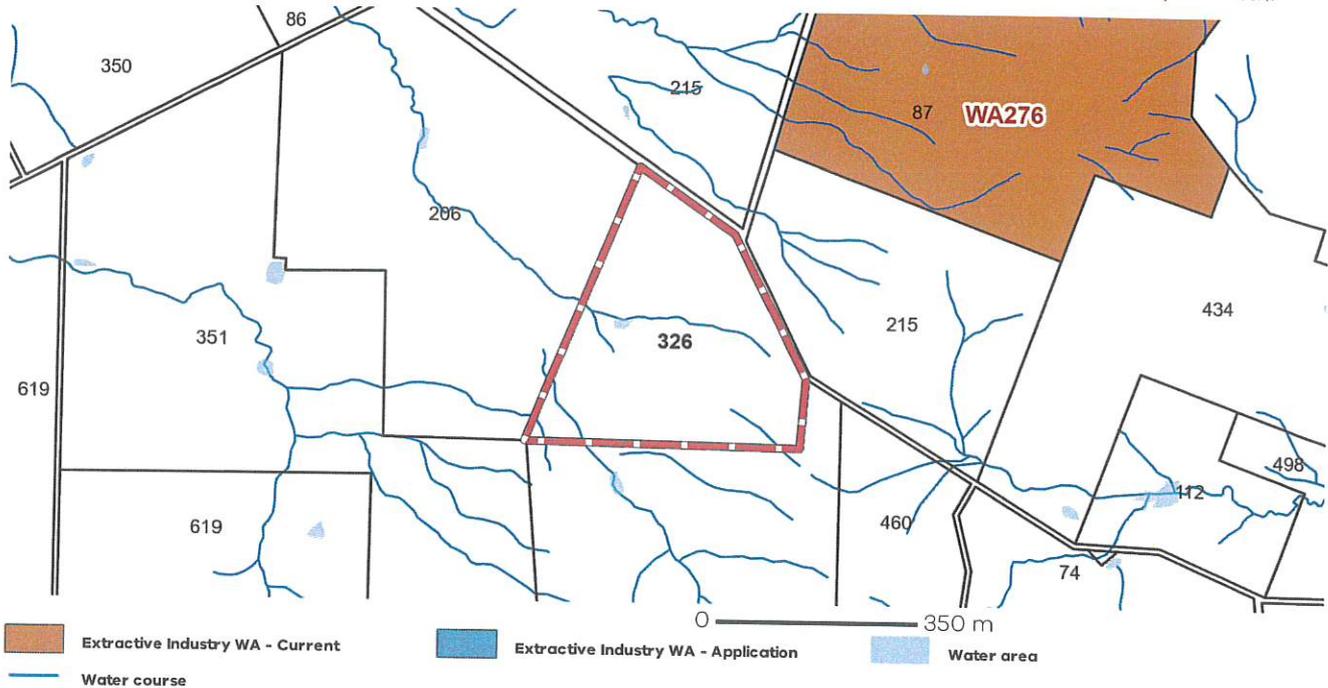
The amendment made changes to the Rural Living Zone, Green Wedge Zone, Green Wedge Zone A, Rural Activity Zone, Farming Zone and Rural Conservation Zone, introducing a permit requirement for accommodation and building and works associated with accommodation that is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990 (MRSD Act).

The Amendment also introduced new referral and notice requirements, and decision guidelines.

VicPlan mapping shows property information, including whether a work authority application has been made or approved under the MRSD Act.

Guidance on accessing work authority maps is detailed at the DELWP [Extractive Resources \(planning.vic.gov.au\)](https://www.delwp.vic.gov.au) webpage.

Further information on extractive and mining activities in Victoria can be found on the [GeoVic - Earth Resources](https://www.geovic.vic.gov.au) website which is maintained by the Resources Branch within the Department of Jobs, Precincts and Regions. Limited information is available for unregistered users (anonymous user).



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:

VENDOR:

JACQUELINE DOROTHY FOGARTY

PURCHASER:

VENDOR STATEMENT

PROPERTY:

**326 CHIVERS ROAD
GLENROWAN WEST**

VENDOR'S SOLICITOR:

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

Tel: **(03) 5721 5311**
Fax: **(03) 5722 1314**
Ref: **JMM:250127**