

# 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.

**Land**

4251 Hamilton Highway, Mortlake 3272

**Vendor's name**

Peter Brent Kain

**Date**

12/09/25

**Vendor's  
signature**

P. B. Kain

**Vendor's name**

Lindsay Claire Kain (incorrectly spelt Lindsay Clare Kain on title)

**Date**

12/09/25

**Vendor's  
signature**

L. Kain

**Purchaser's  
name**

**Date**

/ /

**Purchaser's  
signature**

**Purchaser's  
name**

**Date**

/ /

**Purchaser's  
signature**

## FINANCIAL MATTERS

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

- (a) Are contained in the attached certificate/s.

### 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.

Not Applicable.

### 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.

Not Applicable.

### 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. 530
(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 of property clearance certificate or is as follows	Date: OR <input checked="" type="checkbox"/> Not applicable

## 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.

Not Applicable.

### 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.

Not Applicable.

## 3 LAND USE

### 3.1 Easements, Covenants or Other Similar Restrictions

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

Is in the attached copies of title documents.

Electricity supply <input type="checkbox"/>	Gas supply <input checked="" type="checkbox"/>	Water supply <input checked="" type="checkbox"/>	Sewerage <input checked="" type="checkbox"/>	Telephone services <input checked="" type="checkbox"/>
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## 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.

## 10 SUBDIVISION

### 10.1. Unregistered Subdivision

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

Not Applicable.

### 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*.

Not Applicable.

### 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.

Not Applicable.

## 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 1000m<sup>2</sup>; (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):

Not Applicable.

## 12 MATERIAL FACTS DISCLOSURE

*The Vendor discloses the existence of a Planning Permit PA1800406 which doesn't apply to their land but rather applies to neighbouring farmland in the area. The Permit allows for Use and Development for a Wind Energy Facility, Utility installations and associated buildings and works.*

## 13 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 attached if ticked)

## 14 ATTACHMENTS

*(Any certificates, documents and other attachments may be annexed to this section 13)*

*(Additional information may be added to this section 13 where there is insufficient space in any of the earlier sections)*

*(Attached is an "Additional Vendor Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)*

- |   |
|---|
| 1. Certificate of Title Volume 9595 Folio 080 |
|---|

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

To the best of the vendor's knowledge, there is no existing failure to comply with the terms of any easement, covenant or other similar restriction.

### 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.

## 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:

Not Applicable save and except for Planning Permit attached that was never acted upon

### 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:

Not Applicable.

### 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:

Not Applicable.

## 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):

Not applicable

## 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.

Not Applicable.

## 7 GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

Not Applicable.

## 8 SERVICES

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

2. Title Plan TP673564G
3. Property Report
4. Planning Property Report
5. Moyne Shire rate notice
6. Copy Planning Permit
7. Due Diligence Checklist





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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 09595 FOLIO 080

Security no : 124126124510U  
Produced 11/07/2025 07:52 AM

### LAND DESCRIPTION

Crown Allotment 1 Section 15 Parish of Mortlake.  
PARENT TITLE Volume 09344 Folio 666  
Created by instrument L433521Q 20/12/1984

### REGISTERED PROPRIETOR

Estate Fee Simple  
Joint Proprietors  
LINDSAY CLARE KAIN  
PETER BRENT KAIN both of 689 CONNEWARREN LANE MORTLAKE VIC 3272  
AW522003V 06/02/2023

### ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AW522004T 06/02/2023  
NATIONAL AUSTRALIA BANK LTD

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

### DIAGRAM LOCATION

SEE TP673564G 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: "SHERRYNG" 4251 HAMILTON HIGHWAY MORTLAKE VIC 3272

### ADMINISTRATIVE NOTICES

NIL

eCT Control 16089P NATIONAL AUSTRALIA BANK LTD  
Effective from 06/02/2023

DOCUMENT END



# Imaged Document Cover Sheet

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Document Type	<b>Plan</b>
Document Identification	<b>TP673564G</b>
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Document Assembled	<b>11/07/2025 07:52</b>

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TITLE PLAN		EDITION 1	TP 673564G
<div>Location of Land</div> <div>Parish: MORTLAKE</div> <div>Township:</div> <div>Section: 15</div> <div>Crown Allotment: 1</div> <div>Crown Portion:</div> <div>Last Plan Reference:</div> <div>Derived From: VOL 9595 FOL 080</div> <div>Depth Limitation: 15 m</div>		<div>Notations</div> <div>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</div>	
<div>Description of Land / Easement Information</div> <div>ENCUMBRANCES REFERRED TO</div> <div>As to the land shown marked E-1 - - - -</div> <div>THE RESERVATION in favour of the State-Electricity Commission of Victoria set-out in Crown Grant Vol.9344 Fol.666 - -</div>		<div>THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT</div> <div>COMPILED: 31/10/2000</div> <div>VERIFIED: MP</div>	
<div></div>			
<div>LENGTHS ARE IN METRES</div>		<div>Metres = 0.3048 x Feet</div> <div>Metres = 0.201168 x Links</div>	Sheet 1 of 1 sheets

# PROPERTY REPORT



Energy,  
Environment  
and Climate Action

From [www.land.vic.gov.au](http://www.land.vic.gov.au) at 11 July 2025 07:54 AM

## PROPERTY DETAILS

Address: **4251 HAMILTON HIGHWAY MORTLAKE 3272**  
 Crown Description: **Allot. 1 Sec. 15 PARISH OF MORTLAKE**  
 Standard Parcel Identifier (SPI): **1-15\PP3196**  
 Local Government Area (Council): **MOYNE**  
 Council Property Number: **503005**  
 Directory Reference: **Vicroads 90 G2**

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

## SITE DIMENSIONS

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



**Area:** 2240863 sq. m (224.09 ha)

**Perimeter:** 6388 m

For this property:

— Site boundaries

— Road frontages

Dimensions for individual parcels require a separate search, but dimensions for individual units are generally not available

Calculating the area from the dimensions shown may give a different value to the area shown above

For more accurate dimensions get copy of plan at [Title and Property Certificates](#)

## UTILITIES

Rural Water Corporation: **Southern Rural Water**  
 Urban Water Corporation: **Wannon Water**  
 Melbourne Water: **Outside drainage boundary**  
 Power Distributor: **POWERCOR**

## STATE ELECTORATES

Legislative Council: **WESTERN VICTORIA**  
 Legislative Assembly: **LOWAN**

## PLANNING INFORMATION

Property Planning details have been removed from the Property Reports to avoid duplication with the Planning Property Reports from the Department of Transport and Planning which are the authoritative source for all Property Planning information.

The Planning Property Report for this property can found here - [Planning Property Report](#)

Planning Property Reports can be found via these two links

**Vicplan** <https://mapshare.vic.gov.au/vicplan/>

**Property and parcel search** <https://www.land.vic.gov.au/property-and-parcel-search>

## PROPERTY REPORT



Energy,  
Environment  
and Climate Action

### Area Map



Selected Property



Water area

0 ————— 1000 m



Water course

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PROPERTY REPORT: 4251 HAMILTON HIGHWAY MORTLAKE 3272

PLANNING PROPERTY REPORT



Department of Transport and Planning

From www.planning.vic.gov.au at 11 July 2025 07:54 AM

PROPERTY DETAILS

Address: 4251 HAMILTON HIGHWAY MORTLAKE 3272  
Crown Description: Allot. 1 Sec. 15 PARISH OF MORTLAKE  
Standard Parcel Identifier (SPI): 1-15\PP3196  
Local Government Area (Council): MOYNE  
Council Property Number: 503005  
Planning Scheme: Moyne  
Directory Reference: Vicroads 90 G2

www.moyne.vic.gov.au

Planning Scheme - Moyne

UTILITIES

Rural Water Corporation: Southern Rural Water  
Urban Water Corporation: Wannon Water  
Melbourne Water: Outside drainage boundary  
Power Distributor: POWERCOR

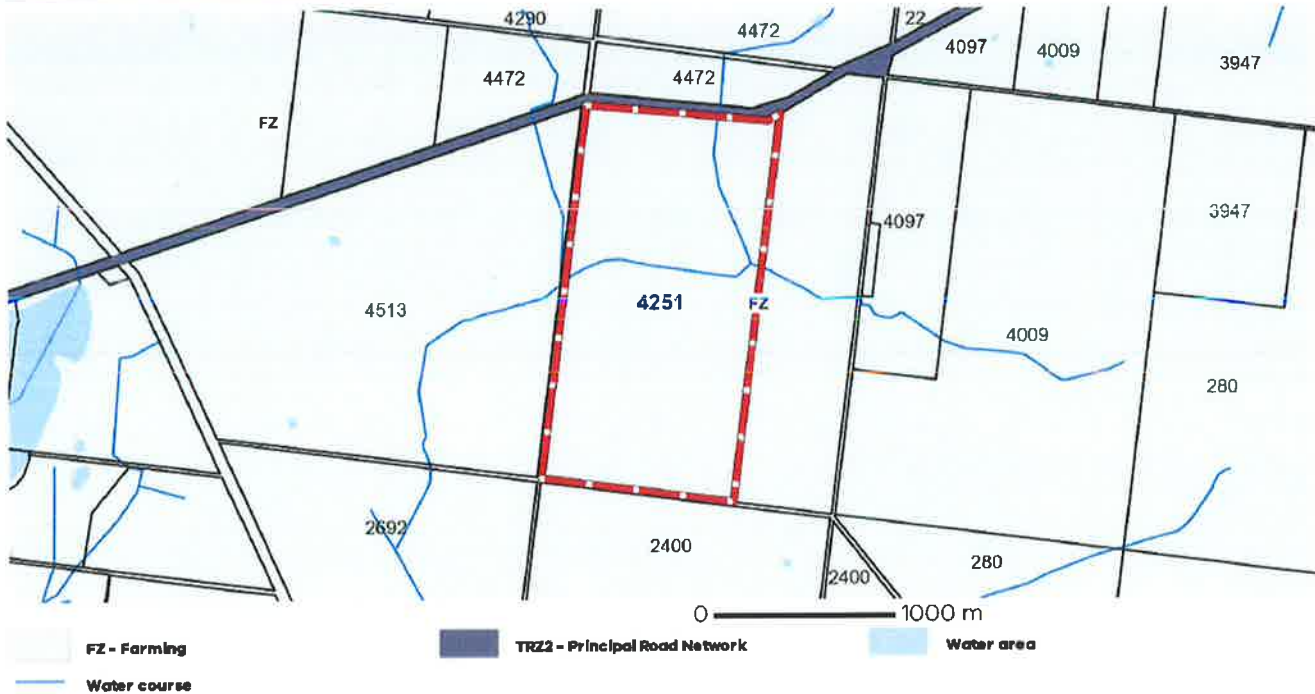
STATE ELECTORATES

Legislative Council: WESTERN VICTORIA  
Legislative Assembly: LOWAN  
OTHER  
Registered Aboriginal Party: Eastern Maar Aboriginal Corporation  
Fire Authority: Country Fire Authority

[View location in VicPlan](#)

Planning Zones

FARMING ZONE (FZ)  
SCHEDULE 6 TO THE FARMING ZONE (FZ)



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

Planning Overlays

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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



Department  
of Transport  
and Planning

No planning overlay found

# PLANNING PROPERTY REPORT



Department  
of Transport  
and Planning

## 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 <https://heritage.achris.vic.gov.au/aavQuestion1.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.firstpeoplesrelations.vic.gov.au/aboriginal-heritage-legislation>



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## PLANNING PROPERTY REPORT



Department  
of Transport  
and Planning

### Further Planning Information

Planning scheme data last updated on 11 July 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/vicplan>

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



# PLANNING PROPERTY REPORT



Department  
of Transport  
and Planning

## Designated Bushfire Prone Areas

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

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

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



Designated 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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PLANNING PROPERTY REPORT: 4251 HAMILTON HIGHWAY MORTLAKE 3222

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# MOYNE SHIRE COUNCIL

ABN: 69 056 376 923

MOYNE  
SHIRE



## Valuation, Rate and Charge Notice

RATES AND CHARGES DECLARED BY COUNCIL ON THE 25th JUNE 2024  
(CAPITAL IMPROVED VALUE USED FOR RATING PURPOSES)



034-3272 (1371)

P B Kain & L C Kain  
689 Connewarren Lane  
MORTLAKE VIC 3272

MOYNE SHIRE COUNCIL: Princes Street, Port Fairy, 3284  
MAIL TO: PO Box 51, Port Fairy, 3284  
TELEPHONE: 1300 656 564  
WEB: [www.moyne.vic.gov.au](http://www.moyne.vic.gov.au)  
OFFICE HOURS: 8.45AM TO 4.45pm MONDAY TO FRIDAY

Rate Account Number 503005	Rating Period 1/7/2024 - 30/6/2025	Issue Date 27/08/2024	Level of Value Date 01/01/2024	Operative Date of Valuation 01/07/2024
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Site Value \$2,960,000	Capital Improved Value \$3,370,000	Net Annual Value \$168,500
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DESCRIPTION OF PROPERTY: 4251 Hamilton Highway  
MORTLAKE VIC 3272  
MORTLAKE Lot 1 Sec 15 TP 673564G 224.600000 HA  
Mortlake Graz Lease 2000228 2.100000 Ha

AVPCC: 530: Mixed farming and grazing  
Property Owners: P B Kain, L C Kain

### Rating Details:

Municipal Charge	\$294.00
General Rates 0.0012913c/\$	\$4,351.68
Waste Facilities Service Charge - Improved	\$108.00
Payments/Adjustments	-\$1,247.00
Fire Service Levy Primary Production Fixed	\$267.00
Fire Service Levy Primary Production Variable (.000287 x CIV)	\$967.19

### TOTAL DUE

\$4,740.87

Remaining Instalments  
30/11/2024 \$1,497.00  
28/02/2025 \$1,497.00  
31/05/2025 \$1,497.00

INSTALMENT AMOUNT PAYABLE BY 30/09/2024

\$249.87

Transactions after 26 August 2024 have not been included in this notice.

See reverse side of this notice for important information and payment detail.



Billor Code: 71944  
Ref: 5030 053



Billor Code: 71944  
Ref: 5030 053

## MOYNE SHIRE COUNCIL

Name  
P B Kain & L C Kain  
Rate Account Number  
503005  
Instalment amount  
\$249.87  
Due date  
30/09/2024



Billor Code: 2381  
Ref: 5030 053



\*2381 5030053

For credit:

MOYNE SHIRE COUNCIL

Drawer

Bank

Branch

--	--	--

Trancode

User code

Customer reference number

831

066844

5030053

\$

PAYMENT AMOUNT

<066844>

<000000005030053>

>

## 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](http://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.

(04/10/2016)

## 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.

(04/10/2016)



Ref: PL21/177  
Contact: Angela Daly

13 August 2021

NPM Architects  
Po Box 233  
Mortlake VIC 3272

Dear Sir/Madam,

**PLANNING PERMIT APPLICATION No. PL21/177**  
**PROPERTY: 4251 HAMILTON HIGHWAY MORTLAKE VIC 3272**

Please find enclosed your Planning Permit, recently issued by Council.

Conditions may apply to this Permit and you are advised to read it carefully.  
Your attention is drawn to the notes on the reverse side of the Permit.

Other permits (e.g. building approval, septic tank permit or Food Act Registration) may be required prior to commencing the use or development approved by this Permit.

If you have any queries regarding this matter, please contact Council via email to [moyne@moyne.vic.gov.au](mailto:moyne@moyne.vic.gov.au) to the attention of Statutory Planning Department, with your permit reference number PL21/177 in the subject line.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Angela Daly".

**Angela Daly**  
**Statutory Planning Officer**

Enc.



<b>PLANNING</b>	<b>Permit No:</b>	<b>PL21/177</b>
<b>PERMIT</b>	<b>Planning Scheme:</b>	Moyne
	<b>Responsible Authority:</b>	Moyne Shire Council

**ADDRESS OF THE LAND:** **4251 Hamilton Highway MORTLAKE**  
**CA1 Sec 15 TP 673564G – Parish of Mortlake**

**THE PERMIT ALLOWS:** **Alterations and additions to a dwelling**

**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT: (7 Conditions)**

**General:**

- 1) The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
- 2) All external materials and colours must be non-reflective, earthy colours which blend in with the landscape of the area, match the existing dwelling, or as otherwise shown on the endorsed plans, to the satisfaction of the Responsible Authority.
- 3) The development hereby permitted must be located clear of any easements, septic and soakage areas to the satisfaction of the Responsible Authority.
- 4) The development must be managed so that the amenity of the area is not detrimentally affected, through the:
  - a. Transport of materials, goods or commodities to or from the land;
  - b. Appearance of any building, works or materials;
  - c. Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, or oil, or otherwise.

**Environmental Health:**

- 5) All waste water must be treated and retained on-site in accordance with the Environment Protection Act 2017. In this regard an altered or new approved septic disposal system may be required to be installed concurrently with the erection of the dwelling alterations and additions, and all waste must be disposed of within the curtilage of the property to the satisfaction of the Responsible Authority.

**DATE ISSUED: 13/08/2021**

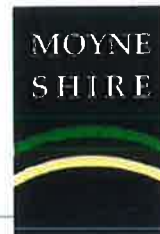
Planning and Environment Regulations 2015 Form 4  
Sections 63, 64, 64A and 86

**SIGNATURE FOR THE  
RESPONSIBLE AUTHORITY**

**Daryl Baker**  
**Statutory Planning Coordinator**







## **PL21/177 – Conditions continued**

### **Assets:**

- 6) All stormwater is to be contained on site or diverted to the legal point of discharge to the satisfaction of the Responsible Authority. Council encourages the use of a rainwater storage tank or other such storage device as part of the stormwater system.

### **Time Limit:**

- 7) This permit will expire if one of the following circumstances applies:

- The development is not started within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

### **Notes:**

- 1) This permit does not authorise the commencement of any building works. Building approval must be obtained prior to the commencement of any approved works.
- 2) A separate application to upgrade the existing system or install a new all waste septic tank system is required to be submitted to and approved by Council's Environmental Health Department prior to the commencement of works.

**DATE ISSUED: 13/08/2021**

Planning and Environment Regulations 2015 Form 4  
Sections 63, 64, 64A and 86

**SIGNATURE FOR THE  
RESPONSIBLE AUTHORITY**

A handwritten signature in blue ink, appearing to read "Daryl Baker", written over a horizontal line.

**Daryl Baker**  
**Statutory Planning Coordinator**

*yourshire*



### **What has been decided?**

The Responsible Authority has issued a permit. (Note: This is not a permit granted under Division 5 or 6 of the **Planning and Environment Act 1987**.)

### **Can the Responsible Authority amend this permit?**

The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

### **When does a permit begin?**

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
  - i.) the date of the decision of the Victorian Civil and Administrative 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—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage 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 or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - 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; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

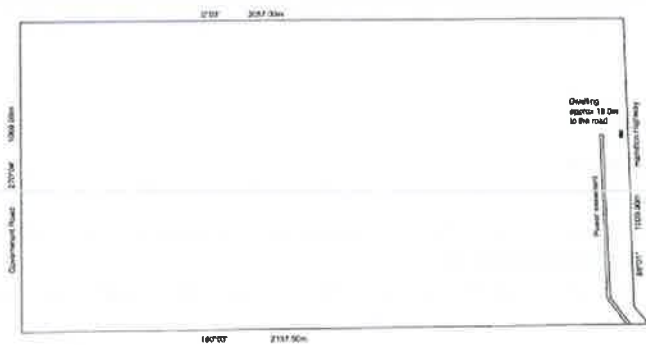
### **What about reviews?**

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged 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 application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the Responsible Authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

*yourshire*

MOYNE SHIRE COUNCIL  
THIS PLAN IS ENDORSED PURSUANT TO  
PLANNING PERMIT No. 1521/177  
SUBJECT TO THE CONDITIONS OF THE  
PERMIT AND PROVISIONS OF THE MOYNE  
PLANNING SCHEME.

13/8/2021  
Date  
Signature for Responsible Authority



Site Plan

- not to scale
- NOTES:
- To be used in conjunction with specifications
- 1. General
  - 2. All works and dimensions to be site verified before commencement of works
  - 3. Do not scale drawings
  - 4. Large scale drawings take precedence over smaller scale general details and all work practices shall comply with the NCC and other relevant codes referred to in the NCC/BCA
  - 5. These plans shall be read in conjunction with any relevant structural and/or civil engineering specifications and drawings relating to this project
  - 6. The builder shall take all steps necessary to ensure the stability of new and existing structures during all works
  - 7. The owner is responsible for providing any assessment details relating to this site

Property Information  
Address: 621 Hamilton Highway, Mortlake 3272  
Crown Allot 1 Section 18  
Parish of Mortlake  
Local Government: Moyne Shire  
Rural Water Corporation: Southwestern Water  
Power: Powerco

Dwelling  
approx 18.0m  
to the road

Power easement

Hamilton Highway

1009.90m

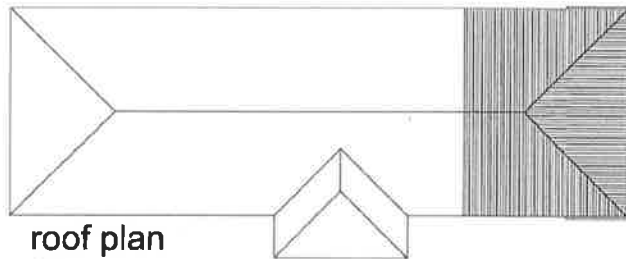
88'01"

Site Plan

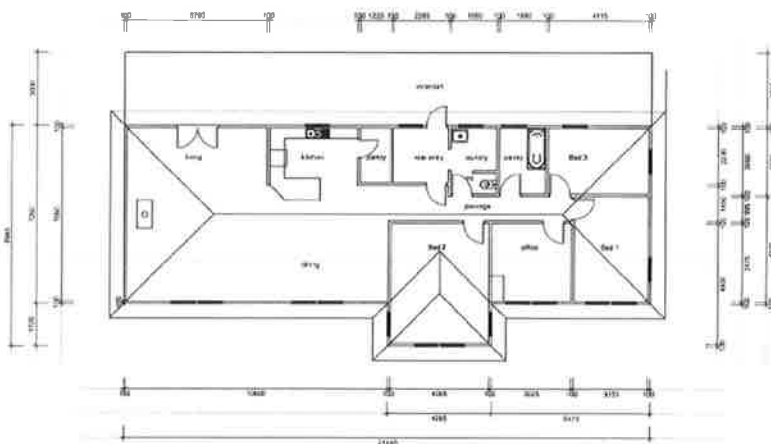
not to scale

npm DESIGNERS	99 Dunlop Street, P.O. Box 233, Mortlake 3272 ph: (03) 5599 2098 Mob: 0416 682 749 Fax: (03) 5599 2156 Email: npm@npsdesigners.au Registered C51044		PROJECT: PETER & LINDSAY KAM		REV:	PROJECT NO: 1754	DRAWN: RPR
			621 HAMILTON HIGHWAY, MORTLAKE VICTORIA 3272		REV:	DATE: April 21	PRELIMINARY
			SITE PLAN		REV:	SCALE: 1:100 (A2)	SHEET NO: 001
					REV:		





roof plan  
1:100



existing plan  
1:100

Construction Requirements for Building Form Size  
(Section 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.1.11, 4.1.12, 4.1.13, 4.1.14, 4.1.15, 4.1.16, 4.1.17, 4.1.18, 4.1.19, 4.1.20, 4.1.21, 4.1.22, 4.1.23, 4.1.24, 4.1.25, 4.1.26, 4.1.27, 4.1.28, 4.1.29, 4.1.30, 4.1.31, 4.1.32, 4.1.33, 4.1.34, 4.1.35, 4.1.36, 4.1.37, 4.1.38, 4.1.39, 4.1.40, 4.1.41, 4.1.42, 4.1.43, 4.1.44, 4.1.45, 4.1.46, 4.1.47, 4.1.48, 4.1.49, 4.1.50, 4.1.51, 4.1.52, 4.1.53, 4.1.54, 4.1.55, 4.1.56, 4.1.57, 4.1.58, 4.1.59, 4.1.60, 4.1.61, 4.1.62, 4.1.63, 4.1.64, 4.1.65, 4.1.66, 4.1.67, 4.1.68, 4.1.69, 4.1.70, 4.1.71, 4.1.72, 4.1.73, 4.1.74, 4.1.75, 4.1.76, 4.1.77, 4.1.78, 4.1.79, 4.1.80, 4.1.81, 4.1.82, 4.1.83, 4.1.84, 4.1.85, 4.1.86, 4.1.87, 4.1.88, 4.1.89, 4.1.90, 4.1.91, 4.1.92, 4.1.93, 4.1.94, 4.1.95, 4.1.96, 4.1.97, 4.1.98, 4.1.99, 4.1.100)

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Construction Requirements for Building Form Size  
(Section 4.1.1, 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.6, 4.1.7, 4.1.8, 4.1.9, 4.1.10, 4.1.11, 4.1.12, 4.1.13, 4.1.14, 4.1.15, 4.1.16, 4.1.17, 4.1.18, 4.1.19, 4.1.20, 4.1.21, 4.1.22, 4.1.23, 4.1.24, 4.1.25, 4.1.26, 4.1.27, 4.1.28, 4.1.29, 4.1.30, 4.1.31, 4.1.32, 4.1.33, 4.1.34, 4.1.35, 4.1.36, 4.1.37, 4.1.38, 4.1.39, 4.1.40, 4.1.41, 4.1.42, 4.1.43, 4.1.44, 4.1.45, 4.1.46, 4.1.47, 4.1.48, 4.1.49, 4.1.50, 4.1.51, 4.1.52, 4.1.53, 4.1.54, 4.1.55, 4.1.56, 4.1.57, 4.1.58, 4.1.59, 4.1.60, 4.1.61, 4.1.62, 4.1.63, 4.1.64, 4.1.65, 4.1.66, 4.1.67, 4.1.68, 4.1.69, 4.1.70, 4.1.71, 4.1.72, 4.1.73, 4.1.74, 4.1.75, 4.1.76, 4.1.77, 4.1.78, 4.1.79, 4.1.80, 4.1.81, 4.1.82, 4.1.83, 4.1.84, 4.1.85, 4.1.86, 4.1.87, 4.1.88, 4.1.89, 4.1.90, 4.1.91, 4.1.92, 4.1.93, 4.1.94, 4.1.95, 4.1.96, 4.1.97, 4.1.98, 4.1.99, 4.1.100)

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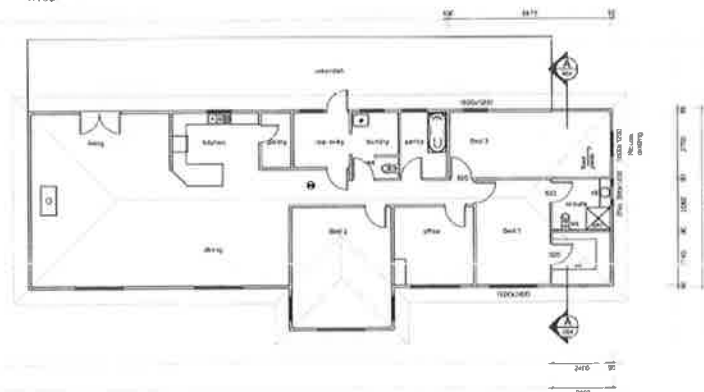
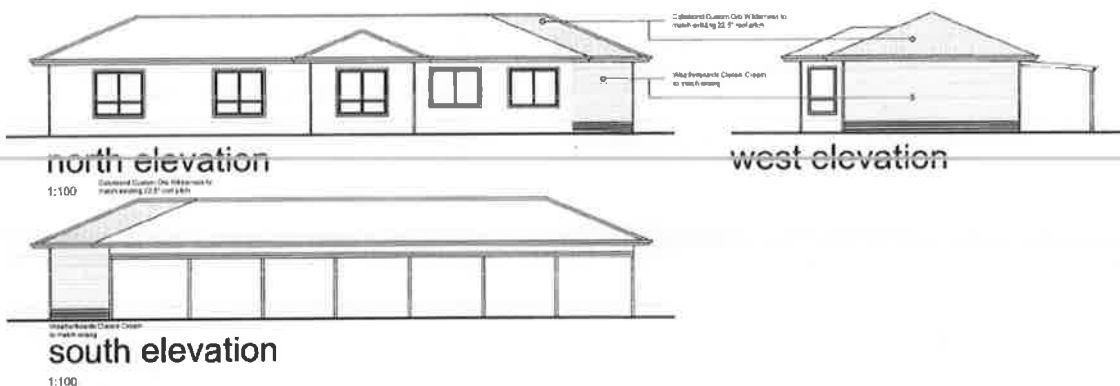
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MOYNE SHIRE COUNCIL  
THIS PLAN IS ENDORSED PURSUANT TO  
PLANNING PERMIT NO. P.21/177  
SUBJECT TO THE CONDITIONS OF THE  
PERMIT AND PROVISIONS OF THE MOYNE  
PLANNING SCHEME.

18/02/2021  
Date Signature for Responsible Authority  
Project of 3

<b>npm</b> BIGGEST	99 Dunlop Street, P.O. Box 233, Morfitts 3272 Ph: (03) 5599 2096, Mobile: 0418 682 749 Fax: (03) 5599 2188, Email: npm.arch@bigpond.net.au Registered C51044		PROJECT: PETER & LINDSAY KAIN 4351 HAMILTON HIGHWAY, MORFITT VICTORIA 3272 TITLE: EXISTING PLAN	REV: REV: REV: REV:	PROJECT NO: 1754 DRAWN: NPM DATE: JULY 21 SCALE: 1:500 (A2) SHEET NO: 002
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- Common and not legal but is needed in context of being asked with having a reasonable suspicion
- It is not needed as interviewers should be able to find ways of an original data, open-ended questions and other such spending when getting a co-observed system
- All legal documents that involve and co-observers are to be destroyed
- All legal free-form questioning etc. are to be quipped
- All external links to be checked and signed and signed, after all internal notes to pages and what not, confidential notes
- All interviews and forms to have the signature of the MEC and signature of the MEC and signature

**LEGEND**

- ② The infrastructure to be built during the trial is directly related to the user costs of the system. We have contributed to the development of ROC-SEA, Part 1.3.3. Verification
- | Area inventory |        | Area prospect |        |
|----------------|--------|---------------|--------|
| House          | 00.50  | House         | 05.00  |
| Water          | 700.00 | Water         | 175.00 |
| Land           | 225.00 | Land          | 125.00 |

## GET REAL

Wet Asphalts shall be repaved to a depth of 100mm above the base to  
prevent segregation and 100mm above and to 100mm, 100mm and 100mm of surface  
Type of the soil.

MOYNE SHIRE COUNCIL

THIS PLAN IS ENDORSED PURSUANT TO  
PLANNING PERMIT No. P21/177  
SUBJECT TO THE CONDITIONS OF THE  
PERMIT AND PROVISIONS OF THE THE  
PLANNING SCHEME.

13/05/2021   
Date Signature for Responsible Authority

proposed plan

