



*Allstate Conveyancing Services Pty. Ltd. (ACN 072 163 154)
Holding Licence No. 0000733L and Sheree Hensgen holding Provisional
Licence No. P000072L both under the Conveyancers Act, 2006*

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170 Eighth Street, Mildura, Vic, 3500, P.O. Box 3334, Mildura, Vic, 3502.

This firm holds Professional Indemnity Insurance against civil liability in connection with all conveyancing work performed in the course of this business

Our Ref: 19692 Symes (Sally)
Your Ref: Tim Davey
30 October 2019

The Manager
Collie & Tierney Real Estate
67 Lime Avenue
MILDURA VIC 3500

Dear Sirs,

Re: Symes- Sale
Property: 473 Myall Street, Cardross

We refer to the above matter and enclose herewith one (1) copy of the Vendors' Statement IN FULL COLOUR signed by the Vendors. We also enclose suggested special conditions to be included in any Contract Note prepared by you on behalf of the Vendors. Please note that the Section 32 Statement should only be used if all details within the document are current and correct. Allstate Conveyancing Services Pty. Ltd. will not be responsible for any unauthorized amendments. Please confirm with the Vendors and/or our office at the time of signing a Contract of Sale with a prospective Purchaser that all details are still current and correct.

As from the 1st July 2018 the attached Special Condition must be included in all Contracts of Sale. Please ensure the Contract of Sale you prepare has the attached condition included or alternatively a similar condition that may have been provided to you by the REIV.

PLEASE NOTE THAT AS FROM THE 1ST OCTOBER, 2014 THE ATTACHED DUE DILIGENCE CHECKLIST IS REQUIRED TO BE HANDED TO ANY PROSPECTIVE PURCHASER PRIOR TO THEM SIGNING A CONTRACT OF SALE.

Please note that the enclosed Section 32 Statement remains the property of the Vendor and should you cease representation of the Vendor, please return all five signed copies to our office or the Vendor.

Please ensure this property is advertised and sold in accordance with the Vendors' instructions.

Yours faithfully,

Sally McGlashan

ALLSTATE CONVEYANCING SERVICES PTY. LTD.

Encls:

SPECIAL CONDITIONS included in Contract of Sale
BETWEEN
Graham Milton Symes and Jennifer Mary Symes as Vendors
And
As Purchaser

SPECIAL CONDITIONS:

- 1. GST Withholding**
- 1A 1.** Words and expression defined or used in Subdivision 14-E of Schedule 1 to the *Taxation Administration Act 1953 (Cth)* or in *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* have the same meaning in the Special Condition unless the context requires otherwise. Words and expression first used in the Special Condition and shown in italics and marked with an asterisk are defined or described in at least one of those Acts.
- 1A 2.** This Special Condition 1A applies if the purchaser is required to pay the Commissioner an *amount in accordance with section 14-250 of Schedule 1 to the *Taxation Administration Act 1953 (Cth)* because the property is *new residential premises or *potential residential land in either case falling within the parameters of that section, and also if the sale attracts the operation of section 14-255 of the legislation. Nothing in this Special Condition 1A is to be taken as relieving the Vendor from compliance with Section 14-255.
- 1A 3.** The amount is to be deducted from the Vendor's entitlement to the contract *consideration and is then taken to be paid to the Vendor, whether or not the Vendor provides the Purchaser with a GST Withholding notice in accordance with section 14-255 of Schedule 1 to the *Taxation Administration Act 1953 (Cth)*. The Vendor must pay to the purchaser at settlement such part of the amount as is represented by nonmonetary consideration.
- 1A 4.** The Purchaser must:
 - (a)** Engage a legal practitioner or conveyancer ("representative") to conduct all the legal aspects of settlement, including the performance of the Purchaser's obligations under the legislation and this Special Condition; and
 - (b)** Ensure that the representative does so.
- 1A 5.** The terms of the representative's engagement are taken to include instructions to have regard to the Vendor's interests relating to the payment of the amount to the Commissioner and instructions that the representative must:
 - (a)** Pay, or ensure payment of, the amount to the Commissioner in the manner required by the Commissioner and as soon as reasonably and practicably possible, from monies under the control or direction of the representative in accordance with this Special Condition on settlement of the sale of the property;

- (b) Promptly provide the Vendor with evidence of payment, including any notification or other document provided by the Purchaser to the Commissioner relating to payment; and
 - (c) Otherwise comply, or ensure compliance, with this Special Condition.
- Despite:
- (d) any contrary instructions, other than from both the purchaser and the vendor;
 - And
 - (e) any other provision in this contract to the contrary.
- 1A 6.** The representative is taken to have complied with the requirements of special condition 1A.5 if:
- (a) Settlement is conducted through the electronic conveyancing system operated by Property Exchange Australia Ltd or any other electronic conveyancing system agreed by the parties; and
 - (b) The amount is included in the settlement statement requiring payment to the Commissioner in respect of this transaction.
- 1A 7.** The Purchaser may at settlement give the vendor a bank cheque for the amount in accordance with section 16-30 (3) of Schedule 1 to the Taxation Administration Act 1953 (Cth), but only if:
- (a) So agreed by the vendor in writing; and
 - (b) The settlement is not conducted through an electronic settlement system described in special condition 1A.6.
- However, if the purchaser gives the bank cheque in accordance with this special condition 1A.7, the vendor must:
- (c) Immediately after settlement provide the bank cheque to the Commissioner to pay the amount in relation to the supply; and
 - (d) Give the purchaser a receipt for the bank cheque which identifies the transaction and includes particulars of the bank cheque, at the same time the purchaser gives the vendor the bank cheque.
- 1A 8.** The Vendor must provide the purchaser with a GST withholding notice in accordance with section 14-255 of Schedule 1 to the Taxation Administration Act 1953 (Cth) at least 14 days before the due date for settlement.
- 1A 9.** A party must provide the other party with such information as the other party requires to:
- (a) Decide if an amount is required to be paid or the quantum of it, or
 - (b) Comply with the purchaser's obligation to pay the amount,
- In accordance with section 14-250 of Schedule 1 to the Taxation Administration Act 1953 (Cth). The party providing the information warrants that it is true and correct.
- 1A 10.** The Vendor warrants that:
- (a) At settlement, the property is not new residential premises or potential residential land in either case falling within the parameters of section 14-250 of Schedule 1 to the Taxation Administration Act 1953 (Cth) if the vendor gives the purchaser a written notice under section 14-255 to the effect that the purchaser will not be required to make a payment under section 14-250 in respect of the supply, or fails to give a written notice as required by and within the time specified in section 14-255; and

- (b) The amount described in a written notice given by the vendor to the purchaser under section 14-255 of Schedule 1 to the Taxation Administration Act 1953 (Cth) is the correct amount required to be paid under section 14-250 of the legislation.
- 1A 11. The purchaser is responsible for any penalties or interest payable to the Commissioner on account of non-payment or late payment of the amount, except to the extent that:
- (a) The penalties or interest arise from the vendor's failure, including breach of a warranty in special condition 1A 10: or
- (b) The purchaser's reasonable belief that the property is neither new residential premises nor potential residential land requiring the purchaser to pay an amount to the Commissioner in accordance with section 14-250 (1) of Schedule 1 to the Taxation Administration Act 1953 (Cth).
The Vendor is responsible for any penalties or interest payable to the Commissioner on account of non-payment or late payment of the amount if either exception applies.
- 1A 12. This special condition will not merge on settlement.

2. Director's Guarantee and Warranty:

In the event that the Purchaser is a corporate entity then the Director/s signing on behalf of the Corporate Purchaser shall execute the Contract and shall warrant that same is done lawfully in accordance with the Articles of Association of the Purchaser Company and further shall cause either the Sole Director or at least two Directors of the Purchaser Company to execute the form of Guarantee and Indemnity annexed hereto.

3. Water:

- a) The parties acknowledge that the Purchaser will be responsible for the payment of any charges and fees in relation to continuing the Lower Murray Water Authority water supply and also the installation and supply of a Lower Murray Water meter. The parties acknowledge that the Purchaser will be responsible for any associated disconnection fees and charges if applicable.
- b) The sale consideration shall be apportioned for stamp duty purposes as follows:

Water (1.5 megalitres @ \$5,000.00 per megalitre)	\$ 7,500.00
Land	\$

	\$

- c) The Vendor warrants that there will be 1.5 megalitres by way of Water Share WEE062311 together with WUR006728 in this transaction. This Contract will be subject to the approval by the Lower Murray Water to the transfer of the water share referred to herein.
- d) Upon this contract becoming unconditional, the Vendor shall submit an approved Form to transfer the said Water Share and WUR006728 in readiness for lodgement with the Lower Murray Water;

- e) The Vendor acknowledges that from the date hereof, and until the date the Purchaser is registered as owner of the Water Share referred to above, that they/he/she will hold all interest in the water on trust for the benefit of the Purchaser and will not do anything to adversely affect the Purchaser's right to the ownership or use of the water. This condition shall not merge upon settlement;
- f) The Vendor shall not trade or in any way deal with any water entitlement to which the Purchaser is entitled pursuant to the terms and conditions hereof;
- g) The Vendor acknowledges that this is a condition in favour of the Purchaser and as such the Vendor will not seek release of the deposit prior to settlement;
- h) The purchase price herein does not include any carry over water to which the Vendor is entitled to as at the date of settlement herein. The Vendor is under no obligation to transfer to the Purchaser their right to any carry over water to which they are entitled to;
- i) The Vendor shall provide the Purchaser, wither at settlement or within the application submitted to the Lower Murray Water, the Trade of Allocation transferring any seasonal allocation relevant to the 1.5 megalitres being transferred in this transaction. The Purchaser shall be liable for the fee payable to the Lower Murray Water for processing the Trade of Allocation;
- j) Settlement of this matter will be completed on the date nominated herein or within seven (7) working days from the date of notification by the Vendor's Conveyancer to the Purchaser's representative that the Transfer of Water Share has issued, whichever shall be the later;
- k) The Vendors shall sign all necessary documents to transfer their/his/her interest in the Lower Murray Water Works Licence associated with the property sold herein.

The following Guarantee shall be executed by each person who executed this Contract for and on behalf of the Purchaser (if not the same person) and by each Director of the Purchaser (if the Purchaser is a Corporation):

GUARANTEE and INDEMNITY

I/We, _____ of _____

and _____ of _____

being the **Sole Director / Directors of** **ACN**
(hereinafter called the "Guarantors") IN CONSIDERATION of the within-named Vendor selling to the within-named Purchaser at our request the Land described in the within Contract of Sale for the price and upon the terms and conditions contained therein DO HEREBY for ourselves and our respective executors and administrators **JOINTLY AND SEVERALLY COVENANT** with the said Vendor and their assigns that if at any time default shall be made in payment of the Deposit Money or residue of Purchase Money or interest or any other moneys payable by the Purchaser to the Vendor under the within Contract or in the performance or observance of any term or condition of the within Contract to be performed or observed by the Purchaser I/we will forthwith on demand by the Vendor pay to the Vendor the whole of the Deposit Money, residue of Purchase Money, interest or other moneys which shall then be due and payable to the Vendor and hereby indemnify and agree to keep the Vendor indemnified against all loss of Deposit Money, residue of Purchase Money, interest and other moneys payable under the within Contract and all losses, costs, charges and expenses whatsoever which the Vendor may incur by reason of any default on the part of the Purchaser. This Guarantee shall be a continuing Guarantee and Indemnity and shall not be released by:-

- (a) any neglect or forbearance on the part of the Vendor in enforcing payment of any of the moneys payable under the within Contract;
- (b) the performance or observance of any of the agreements, obligations or conditions under the within Contract;
- (c) by time given to the Purchaser for any such payment performance or observance;
- (d) by reason of the Vendor assigning his, her or their rights under the said Contract; and
- (e) by any other thing which under the law relating to sureties would but for this provision have the effect of releasing me/us, my/our executors or administrators.

IN WITNESS whereof the parties hereto have set their hands and seals

this _____ day of _____ 20_____

SIGNED SEALED AND DELIVERED by the said

Print Name.....

in the presence of:

Witness.....

Director (Sign)

SIGNED SEALED AND DELIVERED by the said

Print Name.....

in the presence of:

Witness.....

Director (Sign)

Due diligence checklist for home buyers

Before you buy a home, you should be aware of a range of issues that may affect that property and impose restrictions or obligations on you, if you buy it. This checklist aims to help you identify whether any of these issues will affect you. The questions are a starting point only and you may need to seek professional advice to answer some of them. This page contains links to organisations and web pages that can help you learn more.

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

Sellers or estate agents must:

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

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

Urban living

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

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

Buying into an owners corporation

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

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

Growth areas

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

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

Flood and fire risk

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

More information:

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

Rural properties

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

- » Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle. For information about what impacts you should expect and how to manage them, visit the [new landholders section on the Department of Environment and Primary Industries website](#).
- » Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property. The limitations on clearing and processes for legal clearing are set out on the [Native vegetation page on the Department of Environment and Primary Industries website](#).
- » Do you understand your obligations to manage weeds and pest animals? Visit the [New landholders section on the Department of Environment and Primary Industries website](#).
- Can you build new dwellings? Contact the local council for more information.
- » Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land? For more information, visit the [Department of Environment and Primary Industries website](#).

Earth resource activity, such as mining

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

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

Soil and groundwater contamination

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

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

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

Land boundaries

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

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

Planning controls affecting how the property is used, or the buildings on it

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

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

Proposed or granted planning permits

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

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

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

Safety

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

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

Building permits

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

For more information about building regulation, visit our Building and renovating section.

Aboriginal cultural heritage and building plans

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

Insurance cover for recent building or renovation works

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

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

Connections for water, sewerage, electricity, gas, telephone and internet

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

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

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

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

Buyers' rights

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

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

Professional associations and bodies that may be helpful:

* Archicentre website

[Association of Consulting Surveyors Victoria website](#)

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

[Institute of Surveyors Victoria website](#)

[Law institute of Victoria website](#)

[Real Estate Institute of Victoria website](#)

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

Government of Victoria (Consumer Affairs Victoria) 2014

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

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

This document is prepared from a precedent intended solely for use by legal practitioners with the knowledge, skill and qualifications required to use the precedent to create a document suitable to meet the vendor's legal obligation to give certain statements and documents to a purchaser before the purchaser signs a contract to purchase the land. This document incorporates the requirements in section 32 of the *Sale of Land Act* 1962 as at 1 October 2014.

Vendor Statement

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

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

The vendor may sign by electronic signature.

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

PROPERTY: 473 Myall Street, Cardross

VENDOR'S NAME: Graham Milton Symes and Jennifer Mary Symes

VENDOR'S SIGNATURE:



DATE: 14.11.19

PURCHASER'S NAME:

PURCHASER'S SIGNATURE:

DATE:

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

Vendor: **Graham Milton Symes and Jennifer Mary Symes**

Property: **473 Myall Street, Cardross
Crown Allotment 672A Section B Parish of Mildura being
the whole of the land in Certificate of Title Volume 11486
Folio 617**

Water: **WEE062311 1.5 Megalitres
WUR006728**

1. Financial matters in respect of the land

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

- (a) are contained in the attached certificates.
are as follows:

<u>Authority</u>	<u>Amount</u>	<u>Interest</u>
1. Mildura Rural City Council	\$1,834.76 per annum 2019/2020	
2. Lower Murray Water – Rural	See attached certificates	

Any further amounts (including any proposed Owners Corporation Levy) for which the Purchaser may become liable as a consequence of the purchase of the property are as follows: Usual Adjustment of outgoings and water by measure

- a. ~~Their total does not exceed \$~~
- b. The particulars of any Charge (whether registered or not) over the property imposed by or under any Act to secure an amount due under that Act are as follows:
- c. The Purchaser may be liable for ongoing Lower Murray Water charges that are applicable to water righted land. Refer to information statement attached hereto for information.
- d. The parties acknowledge that the Purchaser will be responsible for the payment of any charges and fees in relation to continuing the Lower Murray Water Authority water connection and also the installation and supply of a Lower Murray Water meter (if required).

2. Insurance details in respect of the land

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

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

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

No such insurance has been effected.

~~Particulars of vendor's required insurance:~~

3. Matters relating to land use

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

4. Notices made in respect of land

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

~~Is contained in the attached certificate/s and/or statement/s.~~

~~Is as follows:~~

None to the Vendor's knowledge

- (b) whether there are any notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes:

~~Is contained in the attached certificate/s and/or statement/s.~~

~~Is as follows:~~

None to the Vendor's knowledge

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

~~Is contained in the attached certificate/s and/or statement/s.~~

~~Is as follows:~~

None to the Vendor's knowledge

5. Building permits

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

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

6. Information relating to any owners corporation

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

7. Growth areas infrastructure contribution

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

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

8. Disclosure of non-connected services

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

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

9. Evidence of title

Attached are copies of the following document/s concerning Title:

- (a) in the case of land under the *Transfer of Land Act 1958*, a copy of the Register Search Statement and the document, or part of the document, referred to as the diagram location in the Register Search Statement that identifies the land and its location;
- (b) in any other case, a copy of—
 - ~~(i) the last conveyance in the chain of title to the land; or~~
 - ~~(ii) any other document which gives evidence of the vendor's title to the land;~~
- ~~(c) if the vendor is not the registered proprietor of the land or the owner of the estate in fee simple in the land, evidence of the vendor's right or power to sell the land;~~
- ~~(d) in the case of land that is subject to a subdivision—~~
 - ~~(i) if the plan of subdivision has not been registered, a copy of the plan of subdivision which has been certified by the relevant municipal council; or~~
 - ~~(ii) if the plan of subdivision has not yet been certified, a copy of the latest version of the plan;~~
- ~~(e) in the case of land that is part of a staged subdivision within the meaning of Section 37 of the Subdivision Act 1988—~~
 - ~~(i) if the land is in the second or a subsequent stage, a copy of the plan for the first stage; and~~

- ~~(ii) Details of any requirements in a statement of compliance relating to the stage in which the land is included that have not been complied with; and~~
- ~~(iii) Details of any proposals relating to subsequent stages that are known to the vendor; and~~
- ~~(iv) A statement of the contents of any permit under the **Planning and Environment Act 1987** authorising the staged subdivision.~~
- (f) In the case of land that is subject to a subdivision and in respect of which a further plan within the meaning of the **Subdivision Act 1988** is proposed -
 - ~~(i) If the later plan has not been registered, a copy of the plan which has been certified by the relevant municipal council; or~~
 - ~~(ii) If the later plan has not yet been certified, a copy of the latest version of the plan.~~

10. DUE DILIGENCE CHECKLIST:

The Sale of Land Act, 1962 provides that the Vendor or the Vendor's Licensed Estate Agent must make a prescribed due diligence checklist available to the Purchasers before offering land for sale that is vacant residential land or land on which there is a residence. The due diligence checklist is NOT required to be provided but the checklist has been attached as a matter of convenience.

IMPORTANT NOTICE – ADDITIONAL DISCLOSURE REQUIREMENTS:

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

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



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

Page 1 of 1

VOLUME 11486 FOLIO 617

Security no : 124079778679X
Produced 16/10/2019 02:49 PM

LAND DESCRIPTION

Crown Allotment 672A Section B Parish of Mildura.
PARENT TITLE Volume 09150 Folio 017
Created by instrument AL000390S 02/04/2014

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
GRAHAM MILTON SYMES
JENNIFER MARY SYMES both of 473 MYALL STREET CARDROSS VIC 3496
AL000390S 02/04/2014

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 TP310374Q 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: 473 MYALL STREET CARDROSS VIC 3496

DOCUMENT END



Imaged Document Cover Sheet

The document following this cover sheet is an imaged document supplied by LANDATA®, Land Use Victoria.

Document Type	plan
Document Identification	TP310374Q
Number of Pages (excluding this cover sheet)	2
Document Assembled	16/10/2019 14:51

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

MALEE COUNTRY in the said State being Allotments
containing an area of about 1000 acres in the Parish of Mudgee County of New South Wales

All that piece of land in the
said County of Mudgee containing an area of about 1000 acres

as shown on the map in the margin hereof provided that this Grant is made subject to—

(a) the reservation to Us Our heirs and successors of—

(i) all gold silver and minerals within the meaning of the *Mines Act 1958* and petroleum within the meaning of the *Petroleum Act 1958* (hereinafter called "the reserved minerals");

(ii) rights of access for the purpose of searching for and obtaining the reserved minerals in any part of the said land;

(iii) rights of access and for pipe-lines works and other purposes necessary for obtaining and conveying on and from the said land any of the reserved minerals which is obtained in any part of the said land;

(iv) the right to require the said land for mining purposes pursuant to section 205 of the *Land Act 1958*;

(v) 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 1958* or any corresponding previous enactment to enter on the said land and to mine for gold or minerals within the meaning of that Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those under which such a person has now the right to mine for gold and silver in and upon Crown lands provided that compensation or prescribed by Part II. of that Act is paid for surface damage to be done to the said land by reason of mining thereon;

(vi) and on amount over the land colored red on the said map which is exempted from the grant and running water in the above rivers and water supply thereon pursuant to section 205 of the *Land Act 1958*.

Property Report

from www.land.vic.gov.au on 16 October 2019 02:31 PM

Crown Description: Allot. 672A Sec. B MILDURA

Address: 473 MYALL STREET CARDROSS 3496

Standard Parcel Identifier (SPI): 672A~B1PP3102

Local Government (Council): MILDURA **Council Property Number:** 20546

Directory Reference: VicRoads 3 D6

This parcel is not in a designated bushfire prone area.

No special bushfire construction requirements apply. Planning provisions may apply.

Further information about the building control system and building in bushfire prone areas can be found in the Building Commission section of the Victorian Building Authority website www.vba.vic.gov.au

Site Dimensions

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



Area: 6269 sq. m

Perimeter: 369 m

For this parcel:

— Site boundaries

— Road frontages

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

For more accurate dimensions get copy of plan at
Title and Property Certificates

State Electorates

Legislative Council: NORTHERN VICTORIA

Legislative Assembly: MILDURA

Utilities

Rural Water Corporation: Lower Murray Water

Urban Water Corporation: Lower Murray Water

Melbourne Water: outside drainage boundary

Power Distributor: POWERCOR (Information about [choosing an electricity retailer](#))

Planning information continued on next page

Planning Zone Summary

Planning Zone: FARMING ZONE (FZ)
SCHEDULE TO THE FARMING ZONE (FZ)

Planning Overlay: None

Planning scheme data last updated on 9 October 2019.

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 [Planning Schemes Online](#)

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](#)

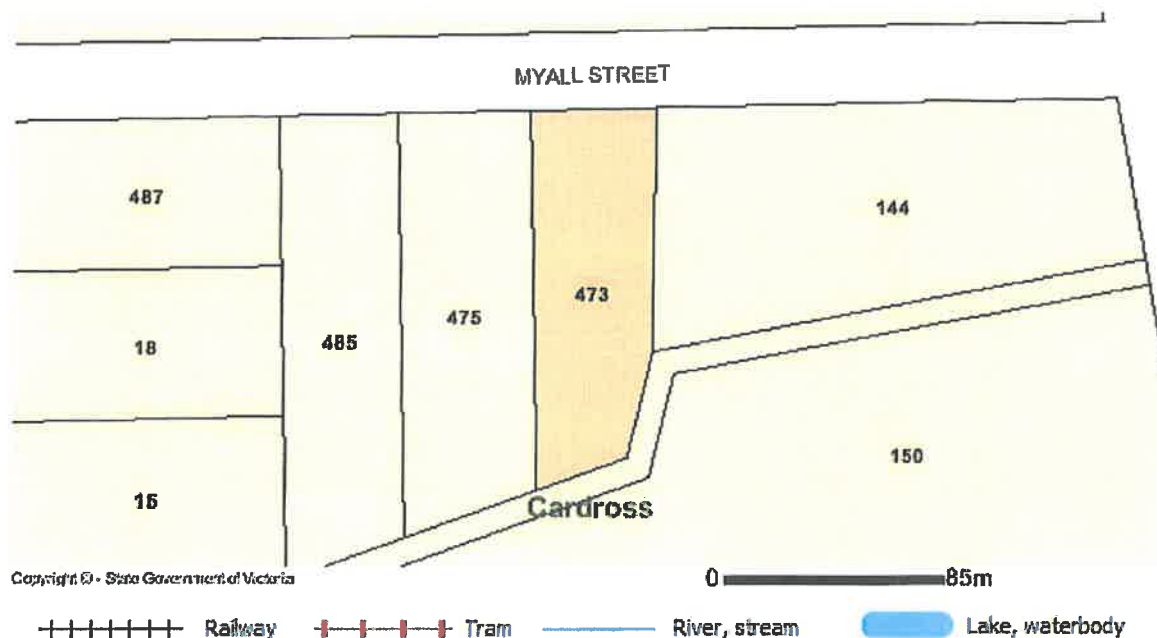
The Planning Property Report includes separate maps of zones and overlays

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 [Planning Maps Online](#)

For other information about planning in Victoria visit www.planning.vic.gov.au

Area Map



PLANNING PROPERTY REPORT

From: www.planning.vic.gov.au on 16 October 2019 02:30 PM

PROPERTY DETAILS

Address: 473 MYALL STREET CARDROSS 3496
Crown Description: Allot. 672A Sec. B PARISH OF MILDURA
Standard Parcel Identifier (SPI): 672A-B\PP3102
Local Government Area (Council): MILDURA
Council Property Number: 20546
Planning Scheme: Mildura
Directory Reference: VicRoads 3 D6

www.mildura.vic.gov.au

planning-schemes.delwp.vic.gov.au/schemes/mildura

UTILITIES

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

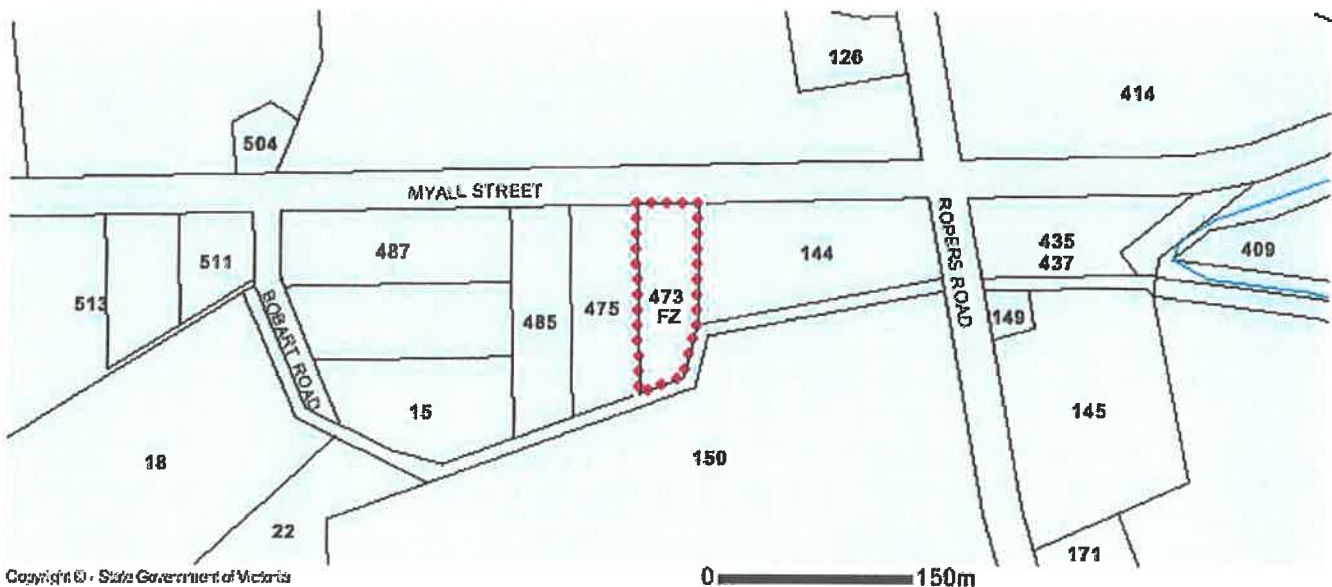
STATE ELECTORATES

Legislative Council: NORTHERN VICTORIA
Legislative Assembly: MILDURA

Planning Zones

FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE (FZ)



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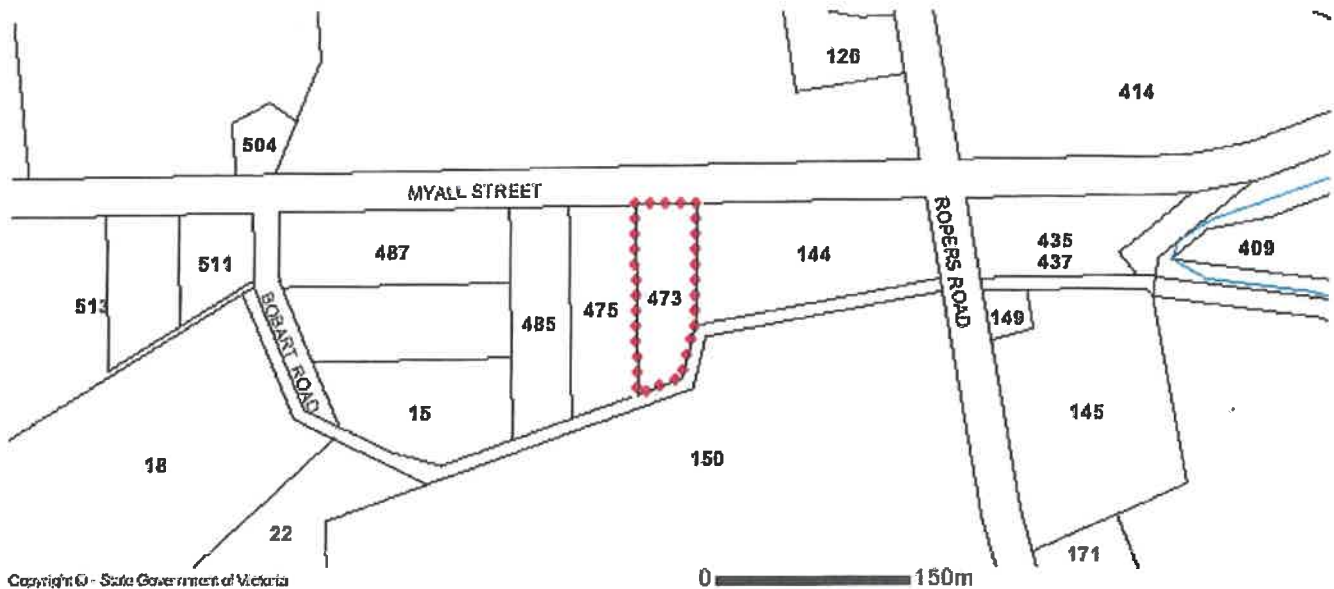
☐ FZ - Farming

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

PLANNING PROPERTY REPORT

Planning Overlay

None affecting this land



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

Further Planning Information

Planning scheme data last updated on 9 October 2019.

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 <http://mapshare.maps.vic.gov.au/vicplan>

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

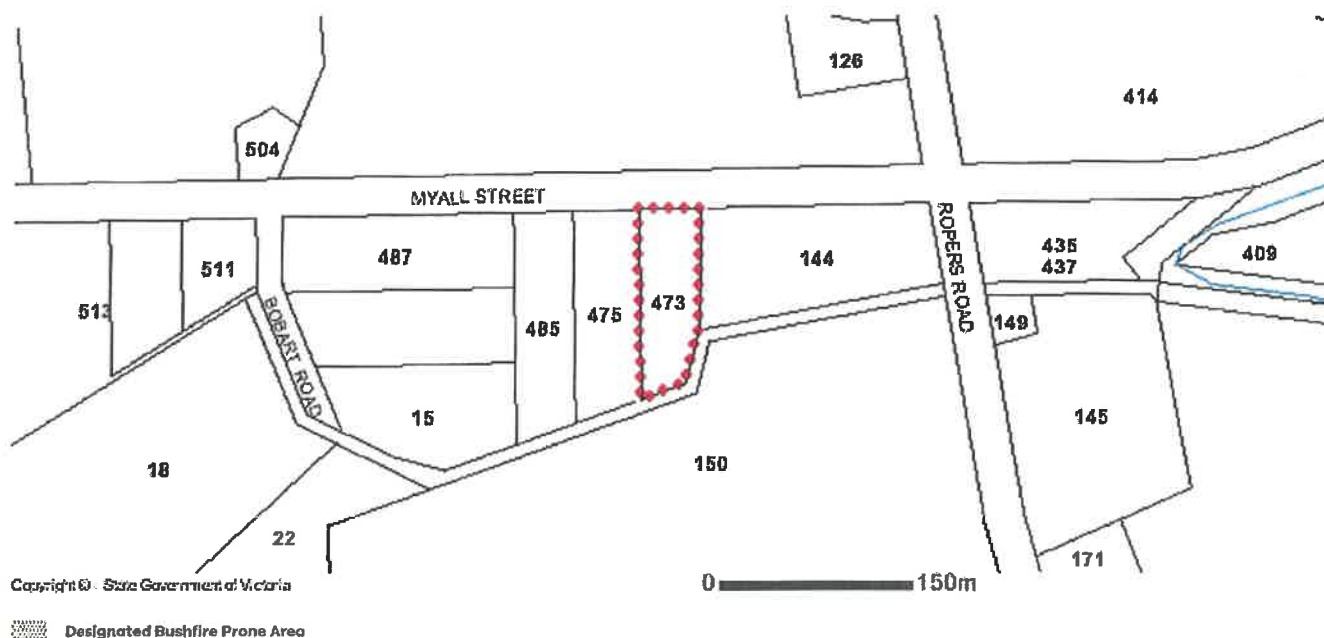
PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

Designated Bushfire Prone Area

**This property is not in a designated bushfire prone area.
No special bushfire construction requirements apply. Planning provisions may apply.**



Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011 and amended from time to time.

The Building Regulations 2018 through application of the Building Code of Australia, apply bushfire protection standards for building works in designated bushfire prone areas.

Designated bushfire prone areas maps can be viewed on VicPlan at <http://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 www.vba.vic.gov.au

Copies of the Building Act and Building Regulations are available from www.legislation.vic.gov.au

For Planning Scheme Provisions in bushfire areas visit <https://www.planning.vic.gov.au>

COPY OF RECORD IN THE VICTORIAN WATER REGISTER

WATER SHARE

Water Act 1989

The information in this copy of record is as recorded at the time of printing. Current information should be obtained by a search of the register. The State of Victoria does not warrant the accuracy or completeness of this information and accepts no responsibility for any subsequent release, publication or reproduction of this information.

Water Share Description

Status	Active
Volume	1.5 megalitres
Water authority	Lower Murray Water
Water system source	Murray
Water system type	Regulated
Reliability class	High
Trading zone source	7 VIC Murray - Barmah to SA
Trading zone use	7 VIC Murray - Barmah to SA
Delivery system	Red Cliffs Irrigation District
Tenure	Ongoing
Tradability	Tradable
Carryover allowed	Yes

Water Share Owner(s)

Joint owner 1 of 1

GRAHAM MILTON SYMES of PO BOX 205CP MILDURA CENTRE PLAZA VIC 3501
WED153956 Lodged on : 18 Dec 2015 Recorded on : 18 Dec 2015

JENNIFER MARY SYMES of PO BOX 205CP MILDURA CENTRE PLAZA VIC 3501
WED153956 Lodged on : 18 Dec 2015 Recorded on : 18 Dec 2015

Current Year Allocation

Carryover at 1 July:	1.425 ML
Seasonal allocation since 1 July:	0.600 ML
Total allocation to date:	2.025 ML
Possible future allocation to 30 June:	0.900 ML

Spillable Account Details

Low risk of spill declaration:	Jul 1 2019
Volume spilled:	0.000 ML
Current volume subject to above entitlement storage fee:	0.525 ML
Maximum volume subject to above entitlement storage fee:	1.425 ML

Water Share Association

Water use reference(s)

<i>Water use ID</i>	<i>Status</i>	<i>Type</i>	<i>Annual use limit (ML)</i>
WUL010006	Cancelled	Use licence	121.0
WUR006728	Active	Use registration	1.5

Land description

Volume 11486 Folio 617
CA 672A Section B Parish of Mildura

Recorded Interests

Mortgage

<i>Priority</i>	<i>Reference</i>	<i>Recorded date</i>	<i>Mortgagee</i>
Nil			

Limited term transfer

<i>Reference</i>	<i>Start date</i>	<i>End date</i>	<i>Trading zone use</i>	<i>Delivery system</i>	<i>Water-use licence</i>	<i>Water authority</i>
Nil						

Notifications

<i>Reference</i>	<i>Recorded date</i>	<i>Notification details</i>
Nil		

Application History

<i>Reference</i>	<i>Type</i>	<i>Status</i>	<i>Lodged date</i>	<i>Approved date</i>	<i>Recorded date</i>
PTA038019	Address amendment	Recorded			28 Apr 2016
PTA038018	Address amendment	Recorded			28 Apr 2016
MOD017174	Mortgage discharge	Refused			
PTX003855	Party record amendment application.	Recorded	29 Nov 2017		29 Nov 2017
PTX003835	Party record amendment application.	Recorded	28 Nov 2017		28 Nov 2017
MOD017236	Mortgage discharge	Recorded	26 Oct 2016		26 Oct 2016
MOD017235	Mortgage discharge	Recorded	26 Oct 2016		26 Oct 2016
WEV701887	Association and Variation	Recorded	18 Dec 2015	18 Dec 2015	18 Dec 2015
WED153956	Division	Recorded	18 Dec 2015	18 Dec 2015	18 Dec 2015

END OF COPY OF RECORD

COPY OF RECORD IN THE VICTORIAN WATER REGISTER WATER-USE REGISTRATION

Water Act 1989

The information in this copy of record is as recorded at the time of printing. Current information should be obtained by a search of the register. The State of Victoria does not warrant the accuracy or completeness of this information and accepts no responsibility for any subsequent release, publication or reproduction of this information.

Water-use registration WUR006728 does not remove the need to apply for any authorisation or permission necessary under any other Act of Parliament with respect to anything authorised by the water-use registration.

Water used under water-use registration WUR006728 is not fit for any use that may involve human consumption, directly or indirectly, without first being properly treated.

Water-use registration WUR006728 authorises the use of water for the purpose of watering a kitchen garden that is not more than 0.4 hectares, watering animals kept as pets, watering cattle or other stock (not including piggeries, feed lots, poultry farms or any other intensive or commercial use), dairy use, and general non-irrigation farm use, on the land described below.

Land on which water may be used

Land description

Volume 11486 Folio 617

CA 672A Section B Parish of Mildura

Holder(s) of Water-Use Registration

GRAHAM MILTON SYMES of PO BOX 205CP MILDURA CENTRE PLAZA VIC 3501

JENNIFER MARY SYMES of PO BOX 205CP MILDURA CENTRE PLAZA VIC 3501

Water-Use Registration Details

Status	Active
Annual use limit	1.5 megalitres
Water share holding limit	3.0 megalitres
Licensing water authority	Lower Murray Water
Trading zone for water use	7 VIC Murray - Barmah to SA
Delivery system	Red Cliffs Irrigation District
Related works licences	Nil
Associated water shares	WEE062311

Application History

<i>Reference</i>	<i>Type</i>	<i>Status</i>	<i>Lodged date</i>	<i>Approved date</i>	<i>Recorded date</i>
PTA038019	Address amendment	Recorded			28 Apr 2016
PTA038018	Address amendment	Recorded			28 Apr 2016
WUA700435	Issue	Approved	18 Dec 2015	18 Dec 2015	

END OF COPY OF RECORD



Statement No: IS20/80665
Our Ref: 69742 / 2008784
Issue Date: 18/10/2019
Your Ref: 33056139-024-2

LANDATA
DX 250639
EAST MELBOURNE

Statement showing Tariffs, Charges & Interest due within Financial Year Ending 30/06/2020.

Owner Name(s) MR GM SYMES & MRS JM SYMES
Situate: 473 MYALL STREET CARDROSS VIC 3496
Description: CA 672A Sec B Par Mildura Vol 11486 Fol 617

Lower Murray Water hereby states that the above described property has the following Tariffs and Charges raised on the Property and the amounts are due and payable to Lower Murray Water.

NOTE: ALL ARREARS SHOWING ON THIS STATEMENT MUST BE PAID IN FULL ON SETTLEMENT.
NOTE: THIS STATEMENT IS VALID FOR A PERIOD OF THIRTY DAYS FROM DATE OF ISSUE
OR UNTIL THE END OF THE CURRENT PERIOD AS STATED BELOW

TARIFFS AND CHARGES

ANNUAL CHARGES	1/07/2019 to 30/06/2020	
DELWP Water Share Fee - per Share (Ann)		13.21
GMW Entitlement Storage Murray HR (Ann)		13.83
TARIFFS & CHARGES LEVIED for period:	1/10/2019 to 31/12/2019	
Delivery Share Fee Domestic/Stock (Qtr)		23.40
Service Charge (Quarterly)		25.00
Metered Water Usage Fee Domestic/Stock up to 22/9/2019		6.34

* Conditions for Domestic and Stock (D & S) Tapping enclosed

Receipts, Concessions & Rebates (820.12)

CREDIT Balance - \$738.34

Mildura (Head Office)
T 03 5051 3400
741-759 Fourteenth Street
Mildura Victoria 3500
PO Box 1438
Mildura Victoria 3502
AUSDOC DX 50023

Swan Hill (Area Office)
T 03 5036 2150
73 Beveridge Street
Swan Hill Victoria 3585
PO Box 1447
Swan Hill Victoria 3585
AUSDOC DX 30164

Kerang (Area Office)
T 03 5450 3960
56 Wellington Street
Kerang Victoria 3579
PO Box 547
Kerang Victoria 3579
AUSDOC DX 57908

E admin@lmw.vic.gov.au

lmw.vic.gov.au



ABN 18 475 808 826

All Emergencies
1800 808 830



PROPERTY SERVICE INFORMATION	
Property Serviced:	Yes
Purpose:	Stock & Domestic
Water Supply:	Untreated Water

Last Billed Water Consumption Details - Metered Water Usage Fee Domestic/Stock

 Period Of Usage: 15/6/2019 to 22/9/2019 (99 Days)
 0.135 ML @ \$47.00000 Step1 Rate = \$6.34

Water Meter Details

Serial No.	Outlet No.	Size	Date Read	Reading
15hb00815	18535	50	22/9/2019	5.936

Water Register Details

 The current volume of Water Share as shown on the Victorian Water Register is 1.5 ML
 The applicant has advised it is not yet confirmed if the Water Share will be transferred to the purchaser.

The current Water Use Registration and AUL details as shown on the Victorian Water Register are:
 WUR006728 1.5 ML AUL

Issued Pursuant to Section 158 of the Water Act 1989.

WATER SHARE DETAILS

The Entitlement Storage Fee as set out in the Rates and Charges is based on the Water Share appearing in the Victorian Water Register. The Corporation suggests that the Contract of Sale specifies the volume of water share to be linked to the property upon sale.

Any information contained in this statement in relation to a water share is based on information contained in the Victorian Water Register and possibly information that Lower Murray Water has become aware of as a result of a relevant transfer application(s) to LMW.

While LMW has endeavoured to provide accurate information, LMW makes no warranties or representations as to the accuracy of the water share details specified in this statement. Among other things, the Victorian Water Register may not accurately reflect the water share, applications may have been made which affect the water share, of which LMW has no knowledge, and the relevant transfer may not ultimately be registered. The reader should make his or her own enquiries and not rely upon the information contained in this statement. We suggest you obtain legal advice in relation to any proposed dealings affecting the Water Share.

TRANSFER OF WATER SHARE

In order to transfer the ownership of the Water Share in the Victorian Water Register, please complete the required prescribed forms and submit along with the appropriate fee to this office. A completed Water Share Owner Identification 100 Point Check Form (for Solicitors) will also be required.

A transfer of ownership of a water share under Section 33S (3) does not have the effect of assigning any water allocated for that share before the recording of the transfer.

WATER USE REGISTRATION

This property has a Water Use Registration which may be transferred. This will occur on the settlement of the property.

Customers should obtain a copy of the Water Use Registration to seek all relevant water use conditions. Customers should specifically take note of the Annual Use Limit which applies on the land. This is the maximum amount of water which can be used annually.

DELIVERY SHARE - 0.2

Each pumped irrigation district property has a delivery share. This is the amount of access granted into the LMW irrigation system. The delivery share is what Lower Murray Water's fixed charges are based upon. Please note a delivery share charge will apply, regardless of the volume of water share owned by a landholder. It is very important for customers to understand the obligation to pay based on the amount of delivery share attached to the land. Please seek professional advice on the delivery share requirements of the property to be purchased. Should you wish to decrease the volume of delivery share on a property a termination fee applies.

CAPITAL AND OPERATIONS & MAINTENANCE SALINITY CHARGES.

Some properties have salinity capital and operations and maintenance charges applying to them. You should inquire about these before purchasing the property as these charges may be significant.

USAGE AND ALLOCATION

A Special Meter Reading is recommended to determine water usage prior to settlement or another party taking working possession. Fees apply, refer to fee schedule.

Customers must not exceed the available balance in their Allocation Bank Account (ABA). Should more water be required then a transfer of water allocation must take place.

The fee for Excess Usage for the 2019/2020 financial year is \$1,000.00 per megalitre.

Customers should always seek advice on the balance of the ABA at settlement to ensure there is an understanding of what water is available for use.

SPILLABLE WATER CHARGES

Spillable water account charges are levied to the owner of a water share and are raised after the low risk of spill declaration has been made.

It is important to consider that if you are buying a water share prior to the spillable water account fees being raised, you will be liable for any spillable water account charges which are issued later in the year.

THE WATER SUPPLIED IS ONLY RIVER / CHANNEL QUALITY STANDARD:

It is not potable water and is not intended for human consumption (non consumptive domestic use); it may be unsuitable at times for other purposes (example washing, bathing, animal consumption; and it is the property owner's responsibility to advise other parties who may use this water of the quality relating to this water supply.

Lower Murray Water will endeavour to supply water to Customers at a quality that is at least the same as the source water from where it is taken. Lower Murray Water will monitor water quality and endeavour to inform Customers of changes in water quality which are likely to impact on the purposes for which water is used by Customers. Lower Murray Water will, when necessary, issue public notices regarding water quality. These notices will also be placed on Lower Murray Water's web site.

Other Information:

If you wish to make the settlement payment for this property via BPay please use the following information:
Biller Code 78477 Payment Reference Number 700697428.

This statement was issued by the Mildura Office.

Signed:



On behalf of:

LOWER MURRAY URBAN & RURAL WATER CORPORATION

PLEASE NOTE:

Property owners of the relevant land are responsible for the operation and maintenance of all internal private services including all drains and service pipes up to the connection point of the Corporation's main.

DISCLAIMER:

Information as to the location of services provided in that statement in accordance with Section 158(3) of the Water Act 1989, relate only to services owned by the Corporation which are located within or adjacent to the property. The Corporation does not accept responsibility for information it attempts to provide to assist in relation to the location of private services within the property, this information provided under Section 158(4) of the Water Act 1989, and should not be relied upon without further physical inspection.

1. The water supplied from this tapping is only river / channel quality standard:

- It is not potable water and is not intended for human consumption (non consumptive domestic use);
- It may be unsuitable at times for other purposes (example washing, bathing, animal consumption; and
- It is the property owner's responsibility to advise other parties who may use this water of the quality relating to this water supply.
- Lower Murray Water will endeavor to supply water to Customers at a quality that is at least the same as the source water from where it is taken. Lower Murray Water will monitor water quality and endeavor to inform Customers of changes in water quality which are likely to impact on the purposes for which water is used by Customers. Lower Murray Water will, when necessary, issue public notices regarding water quality. These notices will also be placed on Lower Murray Water's web site.



2. D&S Allowance (Water Use Registration)

- The minimum D&S water share allowance for a D&S property is 1.5ML
- The maximum D&S water share allowance is 5.0ML.
- The LMW customer will not be able to access any water through the tapping until he/she has applied for and has received a Water Use Registration through the Victorian Water Register.
- Properties without a D&S water share are required to transfer the appropriate volume of water onto the property in accordance with LMW procedures and transfer of water share guidelines.

3. Tapping and Internal Pipeline Size

- The size of the tapping shall be in accordance with Attachment 1 of Lower Murray Water's Customer Charter (Rural) and as a guide shall be in accordance with the following table and as determined by Lower Murray Waters Engineering Department.

Water Pressure	Tapping Size (mm)	Meter Size (mm)	Flow Control Valve
Greater than 25 metres water pressure.	25mm	25mm	Yes
8 metres to 25 metres water pressure.	25mm	32mm	No
Greater than 3 metres and less than 8 metres water pressure.	25mm	40mm	No
Less than 3 metres water pressure at all times	40mm	50mm	No

- The internal pipeline is to feed directly into the storage and be equipped with a ball valve.
- The tapping and the isolation valve on the LMW supply pipeline system is the property of LMW.

4. Pumps on D&S Installation

- A pump may be used to fill the approved storage if there is not sufficient pressure from the LWM supply system to do this.
- The maximum pump size shall be 20mm diameter centrifugal or pressure pump with an output of no greater than 0.6 l/s from gravity pipelines or 0.75l/s from medium/high pressure pipelines or channels.
- The pump shall be fitted with a cut-off switch to prevent overtopping when the tank is full.
- The pump can only be used to fill the approved storage and must not be used to water directly onto the property.

5. Approved Storage

It is recommended LMW customers who receive a D&S Water Supply should have adequate storage for 6 weeks normal use and the following minimum storage volumes are recommended to cover periods when irrigation systems are not operation eg: winter irrigation schedule.

- Sole supply from LMW (Rural) D&S – minimum recommended storage capacity 45,000 litres, or
- Dual Supply from LMW (Rural) D&S plus urban supply – minimum recommended storage capacity 4,500 litres.
- Earthen storages are not permitted.

6. Connection between LMW supply system and on-property storage

- No tapings are allowed to be installed on the internal pipeline between the tank and the LMW pipeline responsibility for repairs to the pipeline shall be in accordance with Section 9.1 and Attachment 1 of Lower Murray Water's Customer Charter (Rural). In general the owner in low pressure systems the owner is responsible for the pipeline up to the meter assembly and in high pressure systems Lower Murray Water is responsible for the pipeline up to the meter assembly.

7. Meters

- An approved meter installation must be installed on all new connections and be located as close to the distribution system as possible
- A meter installation may include a meter, filter, flow control valve, pressure reducing valve and all pipe-work immediately before and after these fittings.
- All meters are the property of LMW.
- Where a meter is located on private land, the customer is to provide reasonable access (as determined by LMW) to read the meter and maintain the meter installation site. The meter installation must also be kept clear, to 0.5 metre distance, of all plants, weeds and structures.

8. The Customer is responsible:

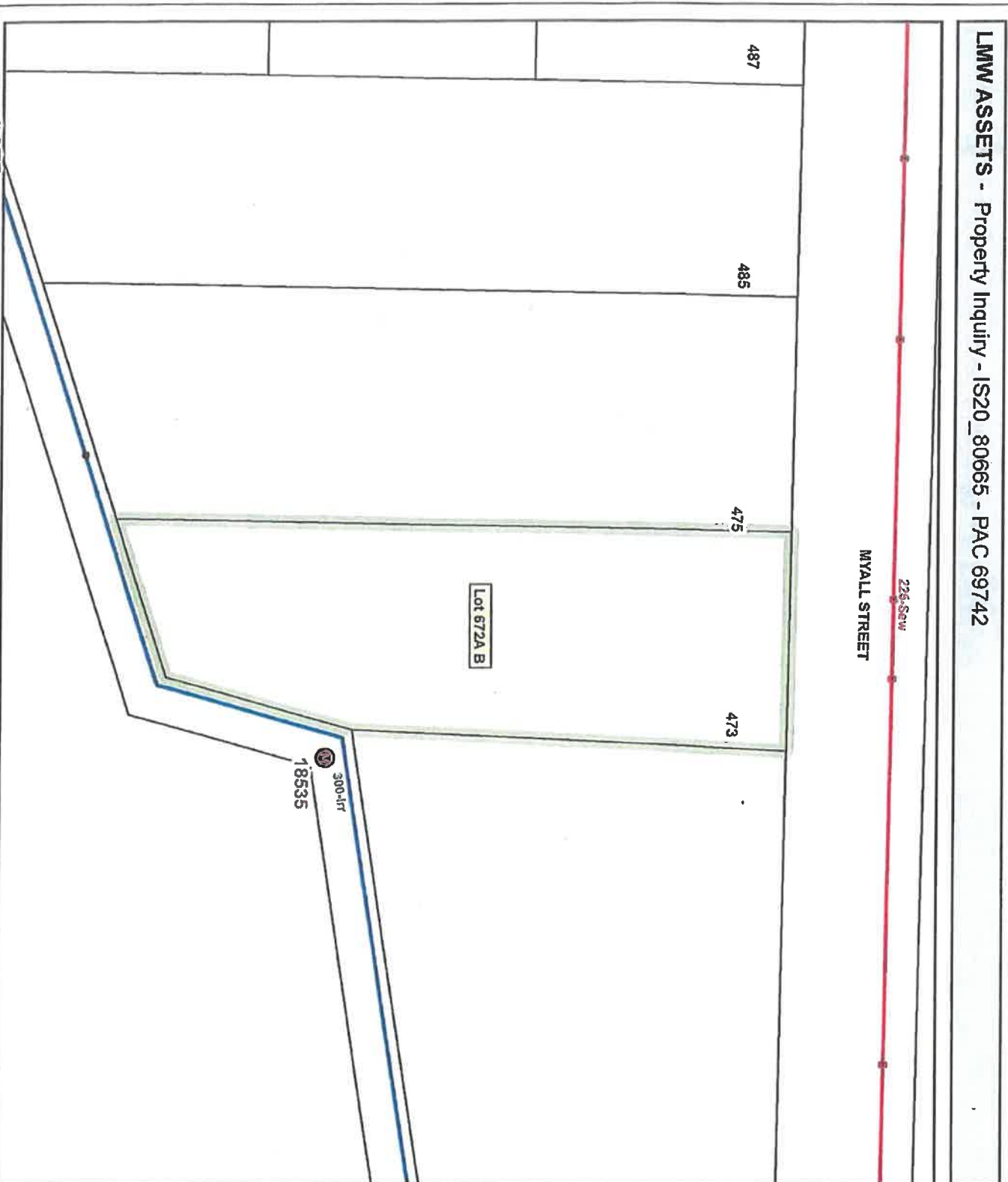
- To pay all rates, tariffs and charges that are applicable to this supply, as determined by LMW.
- For cleaning the filter
- To not interfere or alter any part of the meter installation other than to clean the filter.
- To ensure that where necessary, all easement rights are obtained over the private pipeline in favour of LMW.

9. Shared Private D&S Pipelines

- LMW may allow a shared private community pipeline to a number of separate D&S properties from a single tapping on LMW supply system.
- A separate meter installation must be installed at each internal supply point.

10. Approval Process

- Once the application is approved, the customer is to pay all required installation charges to LMW, who will then arrange for the tapping and subsequent meter to be installed.
- The tapping will only be installed if there is no interruption to the pumping schedule and/or interferes with supply to other customers.
- Once the application is approved, the approval is only valid for the financial year (30 June) in which approval was granted.
- If there is a delay by LMW in the installation process, and changes are made to the relevant Policy or Procedures, then those changes will be applicable at the installation time at no additional cost to the customer.



LMW DISCLAIMER:
The accuracy and completeness of information shown on this plan is not guaranteed and shall be used as a guide only. The user is responsible to prove locations and depths in the field. The exact location of outlets newly installed or replaced under SMP may not have been verified.

Legend	
	Urban Water Pipe (Watt)
	Active
	Retired
	Sewer Pipe (Sew)
	Active
	Retired
	Irrigation / D&S Channel
	Active
	Retired
	Irrigation / D&S Pipe (lnt)
	Active
	Retired
	Irrigation Meter - IRR / D&S
	Active
	Retired
	Drainage Pipe (Dm)
	Active
	Retired
	Boundary: Title

Note : D&S (Domestic and Stock)

LOWER MURRAY WATER
Property Inquiry Report
16/10/2019



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

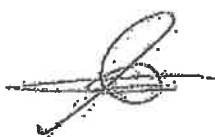
Some land within the municipality of the Mildura Rural City Council contains high levels of salt resulting in a condition commonly referred to as 'salinity'. Salinity can result in 'salt damp' or 'rising damp and salt attack' which can cause damage to certain building materials such as concrete and masonry.

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

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

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

Yours sincerely



Mark Yantses

MUNICIPAL BUILDING SURVEYOR

MY/mn

Due diligence checklist for home buyers

Before you buy a home, you should be aware of a range of issues that may affect that property and impose restrictions or obligations on you, if you buy it. This checklist aims to help you identify whether any of these issues will affect you. The questions are a starting point only and you may need to seek professional advice to answer some of them. This page contains links to organisations and web pages that can help you learn more.

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

Sellers or estate agents must:

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

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

Urban living

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

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

Buying into an owners corporation

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

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

Growth areas

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

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

Flood and fire risk

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

More information:

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

Rural properties

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

- » Is the surrounding land use compatible with your lifestyle expectations? Farming can create noise or odour that may be at odds with your expectations of a rural lifestyle. For information about what impacts you should expect and how to manage them, visit the [new landholders section on the Department of Environment and Primary Industries website](#).
- » Are you considering removing native vegetation? There are regulations which affect your ability to remove native vegetation on private property. The limitations on clearing and processes for legal clearing are set out on the [Native vegetation page on the Department of Environment and Primary industries website](#).
- » Do you understand your obligations to manage weeds and pest animals? Visit the [New landholders section on the Department of Environment and Primary Industries website](#).
- Can you build new dwellings? Contact the local council for more information.
- » Does the property adjoin crown land, have a water frontage, contain a disused government road, or are there any crown licences associated with the land? For more information, visit the [Department of Environment and Primary Industries website](#).

Earth resource activity, such as mining

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

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

Soil and groundwater contamination

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

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

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

Land boundaries

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

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

Planning controls affecting how the property is used, or the buildings on it

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

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

Proposed or granted planning permits

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

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

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

Safety

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

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

Building permits

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

For more information about building regulation, visit our Building and renovating section.

Aboriginal cultural heritage and building plans

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

Insurance cover for recent building or renovation works

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

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

Connections for water, sewerage, electricity, gas, telephone and internet

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

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

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

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

Buyers' rights

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

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

Professional associations and bodies that may be helpful:

* [Archicentre website](#)

[Association of Consulting Surveyors Victoria website](#)

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

[Institute of Surveyors Victoria website](#)

[Law institute of Victoria website](#)

[Real Estate Institute of Victoria website](#)

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

Government of Victoria (Consumer Affairs Victoria) 2014

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

Vendor: Graham Milton Symes and Jennifer Mary Symes

Vendor's Section 32 Statement

Property: 473 Myall Street, Cardross

Vendor's Conveyancer:

**ALLSTATE CONVEYANCING SERVICES PTY. LTD.
Of 170 Eighth Street, Mildura, Vic, 3500.**

**Phone: 03 50 235355
Facsimile: 03 50 235653
Ref: 19692 Symes (Sally)**