

## **SPECIAL CONDITIONS**

The following condition is part of the contract to which this Vendors Statement is annexed and subsequently entered into between the Vendor and any Purchaser. The condition shall take effect as a Special Condition notwithstanding any conflicting General Conditions set out in or incorporated by reference to the Contract

1. It is acknowledged by the Purchasers that none of the Vendors current Water Entitlements held by them is included in this sale, provided however, Water-Use Licence WUL008586 which authorises an Annual Use Limit of 131 megalitres and Water-Use Licence WUL008606 which authorises an Annual Use Limit of 87 megalitres on the property is included in the sale and delivery which is transferable to the Purchasers by them lodging a Form 24 with Lower Murray Water at their own cost following the completion of this sale.

**2. IF THE PURCHASER IS A COMPANY:**

The Guarantee referred to in General Condition 20 shall be in the form set out hereunder.

### **FORM OF GUARANTEE**

.....

.....

(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 for the price and upon the terms and conditions therein set forth do hereby for ourselves our respective executors and administrators jointly and severally covenant with the said Vendor that if at any time default shall be made in the payment of the deposit or residue of purchase money or interest or other monies 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 we will forthwith on demand by the Vendor pay to the Vendor the whole of such deposit residue of purchase money interest or other monies which shall then be due and payable to the Vendor and will keep the Vendor indemnified against all loss of purchase money interest and other monies payable under the within Contract and all losses costs charges and expenses whatsoever which the Vendor may incur by reason of any default as aforesaid on the part of the Purchaser. This Guarantee shall be a continuing Guarantee and shall not be released by any neglect or forbearance on the part of the Vendor in enforcing payment of any of the monies payable under the within Contract or the performance or observance of any of the agreements obligations or conditions under the within Contract or by time being given to the Purchaser for any such payment performance or observance or by any other thing which under the law relating to sureties would but for this provision have the effect of releasing us our executors or administrators.

**DATED** this

day of

2020.

**SIGNED SEALED AND DELIVERED** by

)

)

in the presence of:

)

**SIGNED SEALED AND DELIVERED** by

)

)

in the presence of:

)

**VENDOR'S STATEMENT PURSUANT TO 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.*

**VENDOR**                      **SALLY MAREEA KEENS and KERRIE FRANCES CLAREY**

**PROPERTY**                **76 Dickeson Grove, Colignan VIC 3494**  
**(Lot 15 on Plan of Subdivision 023846 Parish of Colignan being the land more particularly**  
**described in Certificate of Title Volume 08096 Folio 206 and Lot 29 and Lot 30 on Plan of**  
**Subdivision 031985 Parish of Colignan being the land more particularly described in Certificate**  
**of Title Volume 08110 Folio 047)**

**1. FINANCIAL MATTERS**

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

(a) Their amounts are as follows:

Authority	Amount	Interest (if any)
Mildura Rural City Council - per annum 2019/2020	4,135.84	
Lower Murray Water - per qtr 2019/20	356.83	

(b) Amounts for which the purchaser may become liable as a consequence of the sale of which the vendor might reasonably be expected to have knowledge of, are as follows:

- (i) The purchaser will be liable for municipal, water, sewerage and drainage rates and charges from the date of settlement.
- (ii) The purchaser may also become liable for State Land Tax depending on the use to which the property is put and other properties owned by the purchaser.

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

Nil.

**1.3 Terms Contract** – This section 1.3 only applies if the 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, particulars are as follows:

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 to the receipt of rents and profits, are as follows:

Nil.

## 2. INSURANCE

- 2.1 **Damage and Destruction** - if the contract does not provide for the land to remain at the risk of the vendor until the purchaser becomes entitled to possession or to the receipt of rents and profits, particulars of any policy of insurance maintained by the vendor in respect of any damage to or destruction of the land are as follows:

Not applicable.

- 2.2 **Owner-Builder** - 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, particulars of any required insurance under that Act applying to the residence are as follows:

Not applicable.

## 3. LAND USE

- 3.1 **Easements, Covenants or Other Similar Restrictions** affecting the land (whether registered or unregistered):

- (a) Are as set out in the attached copies of title documents otherwise none known to the vendor.
- (b) Particulars of any existing failure to comply with the terms of that easement, covenant or restriction are as follows:

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

- 3.2 **Road Access** - there is access to the property by road.

- 3.3 **Designated Bushfire Prone Area** - the land is in a bushfire prone area under section 192A of the *Building Act 1993*.

- 3.4 **Planning Scheme** - information concerning the planning scheme is contained in the attached certificate.

## 4. NOTICES

- 4.1 **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 particulars are as follows:

Nil.

- 4.2 **Livestock Disease or Contamination by Agricultural Chemicals** - particulars of 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 are as follows:

Nil.

- 4.3 **Compulsory Acquisition** - particulars of any notice of intention to acquire served under section 6 of the *Land Acquisition and Compensation Act 1986* are as follows:

Nil.

## 5. BUILDING PERMITS

No building permits have been issued under the *Building Act 1993* in the preceding 7 years (required only where there is a residence on the land).

**6. 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 ("GAIC")**

The land is not affected by the GAIC. There is no work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987*), certificate or notice relating to the GAIC applicable to the land.

**8. NON-CONNECTED SERVICES**

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

- (a) gas supply
- (b) sewerage
- (c) telephone services

**9. TITLE**

Attached is a copy of the Register Search Statement and the document, or part of the document, referred to as a "diagram location" in the Statement that identifies the land and its location.

**10. DISCLOSURE OF ENERGY EFFICIENCY INFORMATION**

There is no certificate relating to Energy Efficiency Information applicable.

**11. 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 with, or attached to, this vendor statement but the checklist may be attached as a matter of convenience.*

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

Date of this Statement: ..... 18 / 02 / 20 .....

Signatures of the vendor:

.....  
Sally Mareea Keens

.....  
Kerrie Frances Clarey

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

**Date of this Acknowledgment:** ..... / ..... / .....

**Signature of the purchaser:** .....

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

VOLUME 08096 FOLIO 206

Security no : 124081654420Y  
Produced 14/02/2020 02:46 PM

LAND DESCRIPTION

Lot 15 on Plan of Subdivision 023846.  
PARENT TITLE Volume 06857 Folio 371  
Created by instrument 2616880 12/01/1954

REGISTERED PROPRIETOR

Estate Fee Simple  
TENANTS IN COMMON  
As to 1 of a total of 2 equal undivided shares  
Sole Proprietor  
SALLY MAREEA KEENS of 255 MCEDWARD STREET CABARITA VIC 3505  
As to 1 of a total of 2 equal undivided shares  
Sole Proprietor  
KERRIE FRANCES CLAREY of 48 AMESS ROAD RIDDELLS CREEK VIC 3431  
AS514153F 09/09/2019

ENCUMBRANCES, CAVEATS AND NOTICES

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP877025C 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: 76 DICKESON GROVE COLIGNAN VIC 3494

ADMINISTRATIVE NOTICES

NIL

eCT Control 19620L MIR LAWYERS  
Effective from 09/09/2019

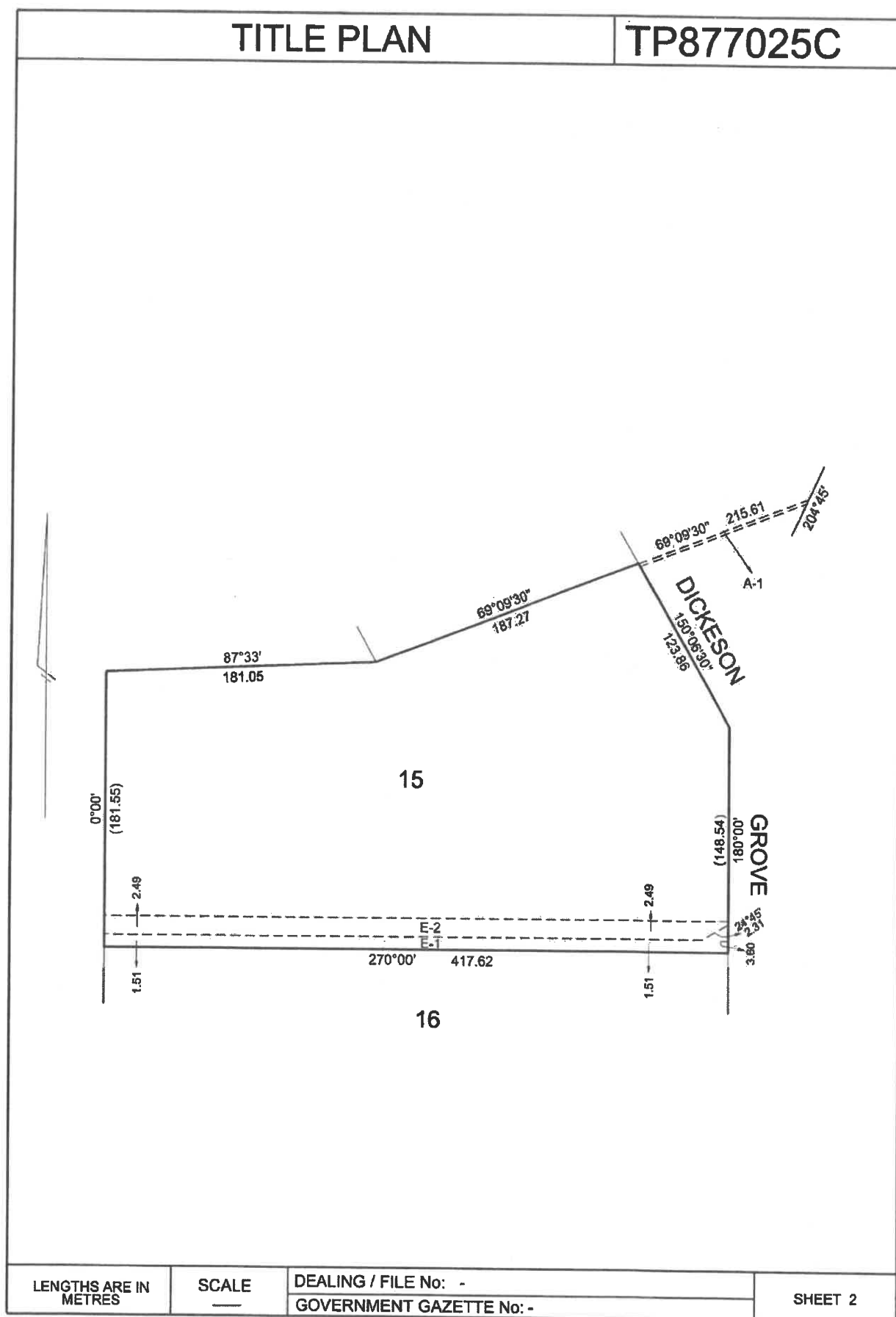
DOCUMENT END

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TITLE PLAN		EDITION 2	TP 877025C																																			
<b>LOCATION OF LAND</b> Parish: COLIGNAN Township: Section: Crown Allotment: 6 (PT) Crown Portion:  Last Plan Reference: LOT 15 ON LP 23846 Derived From: VOL.8096 FOL.206 Depth Limitation: 50 FEET BELOW THE SURFACE		<b>Notations</b> LAND IN THE MALLEE COUNTRY FOR THE PURPOSES OF THE LAND ACT   ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN																																				
			THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FOR TITLE DIAGRAM PURPOSES  COMPILED: Date: 19/3/07 VERIFIED: A. DALLAS <i>Assistant Registrar of Titles</i>																																			
<table border="1" style="width: 100%; border-collapse: collapse; font-size: 0.8em;"> <tr> <th colspan="5" style="text-align: center; padding: 5px;">EASEMENT INFORMATION</th> </tr> <tr> <th colspan="5" style="text-align: center; padding: 5px;">Legend: A - Appurtenant Easement E - Encumbering Easement R- Encumbering Easement (Road)</th> </tr> <tr> <th style="width: 10%;">Easement Reference</th> <th style="width: 20%;">Purpose</th> <th style="width: 10%;">Width (Metres)</th> <th style="width: 30%;">Origin</th> <th style="width: 30%;">Land Benefitted / In Favour Of</th> </tr> <tr> <td style="text-align: center;">E-1</td> <td style="text-align: center;">SUPPLY OF WATER</td> <td style="text-align: center;">SEE DIAG.</td> <td style="text-align: center;">LP23845</td> <td style="text-align: center;">LOTS ON LP23845</td> </tr> <tr> <td style="text-align: center;">E-1</td> <td style="text-align: center;">SUPPLY OF WATER</td> <td style="text-align: center;">SEE DIAG.</td> <td style="text-align: center;">LP23846</td> <td style="text-align: center;">LOTS ON LP23846</td> </tr> <tr> <td style="text-align: center;">E-1,E-2</td> <td style="text-align: center;">DRAINAGE</td> <td style="text-align: center;">SEE DIAG.</td> <td style="text-align: center;">SEC. 130 OF THE WATER ACT 1989 AND DIV. 4 PART 2 OF THE LAND ACQUISITION AND COMPENSATION ACT 1986 SEE AR609448Q</td> <td style="text-align: center;">LOWER MURRAY URBAN AND RURAL WATER CORPORATION</td> </tr> <tr> <td style="text-align: center;">A-1</td> <td style="text-align: center;">WATER PIPELINE</td> <td style="text-align: center;">2.01</td> <td style="text-align: center;">A133298</td> <td style="text-align: center;">LAND IN THIS PLAN</td> </tr> </table>				EASEMENT INFORMATION					Legend: A - Appurtenant Easement E - Encumbering Easement R- Encumbering Easement (Road)					Easement Reference	Purpose	Width (Metres)	Origin	Land Benefitted / In Favour Of	E-1	SUPPLY OF WATER	SEE DIAG.	LP23845	LOTS ON LP23845	E-1	SUPPLY OF WATER	SEE DIAG.	LP23846	LOTS ON LP23846	E-1,E-2	DRAINAGE	SEE DIAG.	SEC. 130 OF THE WATER ACT 1989 AND DIV. 4 PART 2 OF THE LAND ACQUISITION AND COMPENSATION ACT 1986 SEE AR609448Q	LOWER MURRAY URBAN AND RURAL WATER CORPORATION	A-1	WATER PIPELINE	2.01	A133298	LAND IN THIS PLAN
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A-1	WATER PIPELINE	2.01	A133298	LAND IN THIS PLAN																																		
SEE SHEET 2 FOR DIAGRAM																																						
LENGTHS ARE IN METRES		Metres = 0.3048 Feet Metres = 0.201168 x Links																																				
			Sheet 1 of 2 Sheets																																			





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

VOLUME 08110 FOLIO 047

Security no : 124081654422W  
Produced 14/02/2020 02:46 PM

LAND DESCRIPTION

-----  
Lots 29 and 30 on Plan of Subdivision 031985.  
PARENT TITLE Volume 06857 Folio 371  
Created by instrument A133299 28/03/1956

REGISTERED PROPRIETOR

-----  
Estate Fee Simple  
TENANTS IN COMMON  
As to 1 of a total of 2 equal undivided shares  
Sole Proprietor  
SALLY MAREEA KEENS of 255 MCEDWARD STREET CABARITA VIC 3505  
As to 1 of a total of 2 equal undivided shares  
Sole Proprietor  
KERRIE FRANCES CLAREY of 48 AMESS ROAD RIDDELLS CREEK VIC 3431  
AS514153F 09/09/2019

ENCUMBRANCES, CAVEATS AND NOTICES

-----  
Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

-----  
SEE LP031985 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)

ADMINISTRATIVE NOTICES

-----  
NIL

eCT Control 19620L MIR LAWYERS  
Effective from 09/09/2019

DOCUMENT END

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31985

LP 31985  
 EDITION 2

PLAN MAY BE LODGED 25/1/1956

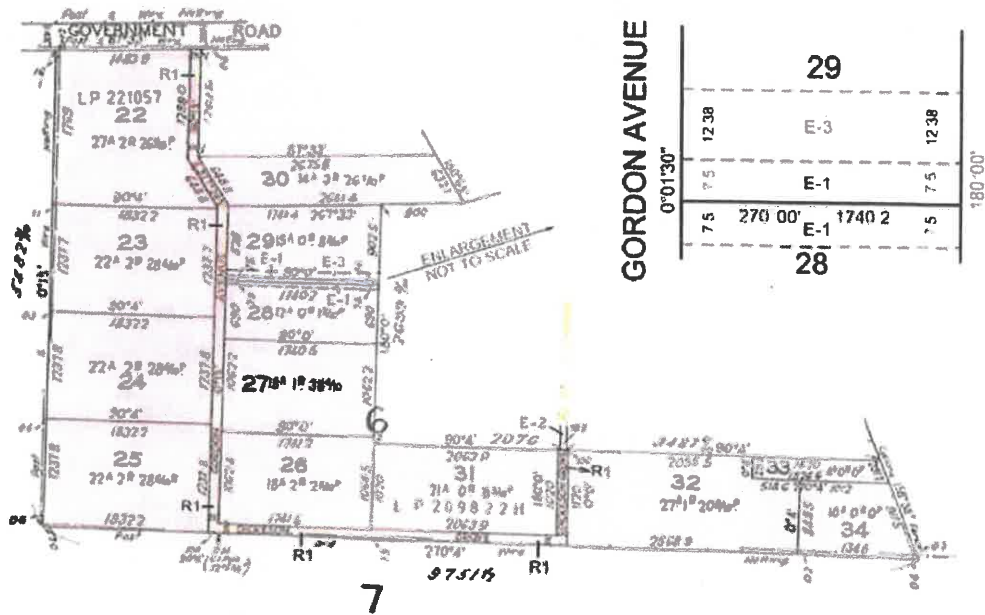
PLAN OF SUBDIVISION  
 OF PART OF CROWN ALLOTMENT 6  
 PARISH OF COLIGNAN  
 COUNTY OF KARKAROOC

COLOUR CODE  
 E-1 = BLUE  
 R1 & E-2 = BROWN

Measurements are in Links  
 Conversion Factor  
 LINKS X 0.201168 = METRES  
 VOL. 6857 FOL. 371

LAND IN THE MALLEE COUNTRY

DEPTH LIMITATION : 50 FEET



**ENCUMBRANCES**

AS TO THE LAND MARKED E-1, E-3 LOWER  
 MURRAY URBAN AND RURAL WATER  
 CORPORATION HAS, PURSUANT TO SEC  
 130 OF THE WATER ACT 1989 AND DIV 4  
 PART 2 OF THE LAND AND COMPENSATION  
 ACT 1986 ACQUIRED AN EASEMENT FOR  
 DRAINAGE SEE AR60944RQ

**APPROPRIATIONS**

THE LAND COLOURED BROWN IS  
 APPROPRIATED OR SET APART  
 FOR EASEMENTS OF WAY AND  
 DRAINAGE

THE LAND COLOURED BLUE IS  
 APPROPRIATED OR SET APART  
 FOR EASEMENTS OF WATER  
 SUPPLY.

WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.  
 NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.

31985



## Property Report

from [www.land.vic.gov.au](http://www.land.vic.gov.au) on 14 February 2020 02:48 PM

**Address:** 76 DICKESON GROVE COLIGNAN 3494

**Lot and Plan Number:** This property has 3 parcels. See table below.

**Standard Parcel Identifier (SPI):** See table below.

**Local Government (Council):** MILDURA Council **Property Number:** 21157

**Directory Reference:** VicRoads 6 G2

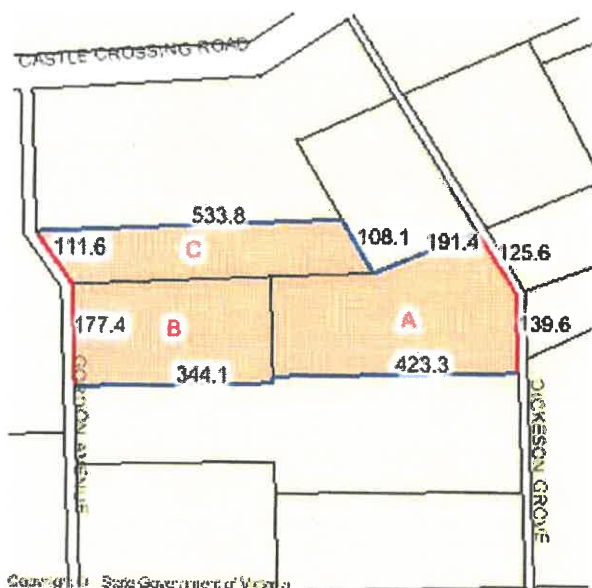
**This property is in a designated bushfire prone area.**

**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](http://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:** 194453 sq. m

(19.4 ha)

**Perimeter:** 2165 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.

1 dimension shorter than 13m not displayed

Calculating the area from the dimensions shown may give a different value to the area shown above - which has been calculated using all the dimensions.

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

### Parcel Details

Letter in first column identifies parcel in diagram above

	Lot/Plan or Crown Description	SPI
A	Lot 15 LP23846	15\LP23846
B	Lot 29 LP31985	29\LP31985
C	Lot 30 LP31985	30\LP31985

### State Electorates

**Legislative Council:** NORTHERN VICTORIA

**Legislative Assembly:** MILDURA

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## 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 Zone Summary

**Planning Zone:** FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE (FZ)

**Planning Overlay:** None

Planning scheme data last updated on 13 February 2020.

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](#)

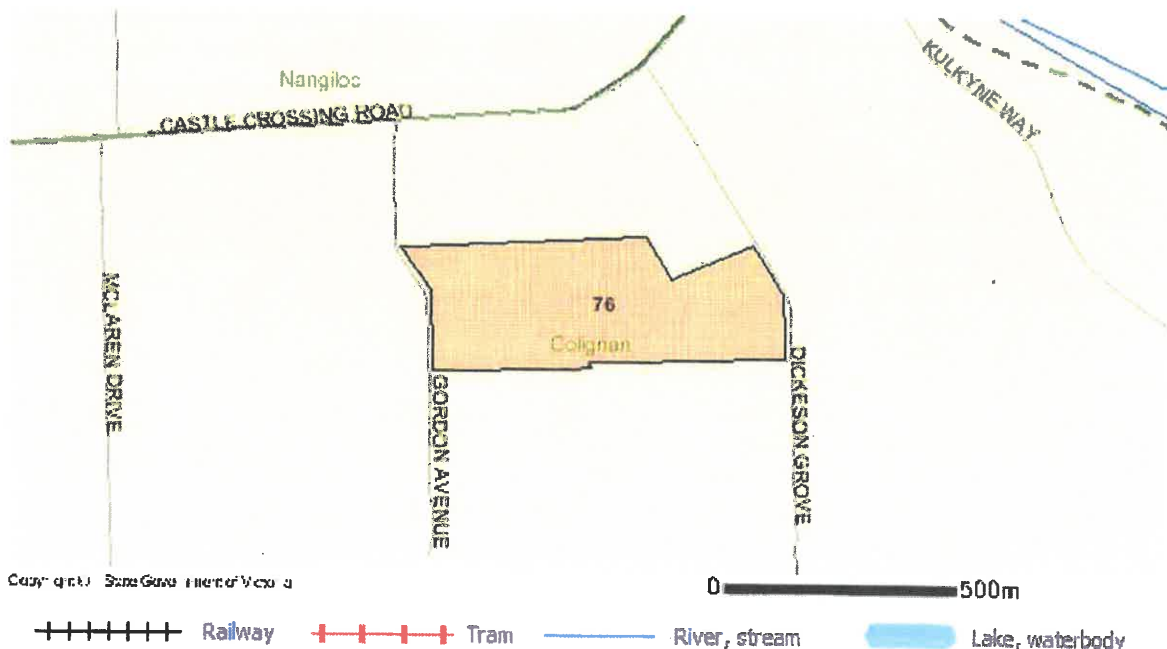
The Planning Property Report includes separate maps of zones and overlays

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](http://www.planning.vic.gov.au)

## Area Map



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# PLANNING PROPERTY REPORT



Environment,  
Land, Water  
and Planning

From [www.planning.vic.gov.au](http://www.planning.vic.gov.au) on 14 February 2020 02:48 PM

## PROPERTY DETAILS

Address: **76 DICKESON GROVE COLIGNAN 3494**  
Lot and Plan Number: **Lot 15 LP23846**  
Standard Parcel Identifier (SPI): **15\LP23846**  
Local Government Area (Council): **MILDURA**  
Council Property Number: **21157**  
Planning Scheme: **Mildura**  
Directory Reference: **VicRoads 6 G2**

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

[planning-schemes.delwp.vic.gov.au/schemes/mildura](http://planning-schemes.delwp.vic.gov.au/schemes/mildura)

This property has 3 parcels. For full parcel details get the free Basic Property report at [Property Reports](#)

## UTILITIES

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

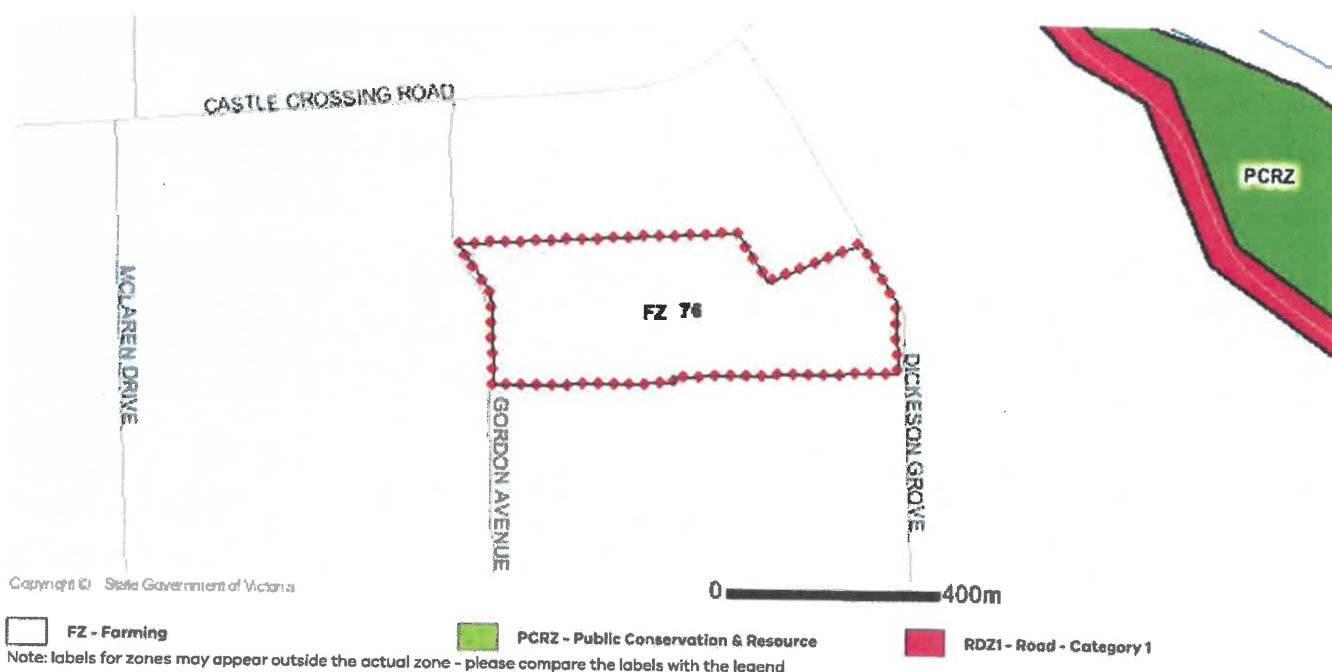
## STATE ELECTORATES

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

## Planning Zones

### FARMING ZONE (FZ)

### SCHEDULE TO THE FARMING ZONE (FZ)



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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: 76 DICKESON GROVE COLIGNAN 3494



# PLANNING PROPERTY REPORT



Environment,  
Land, Water  
and Planning

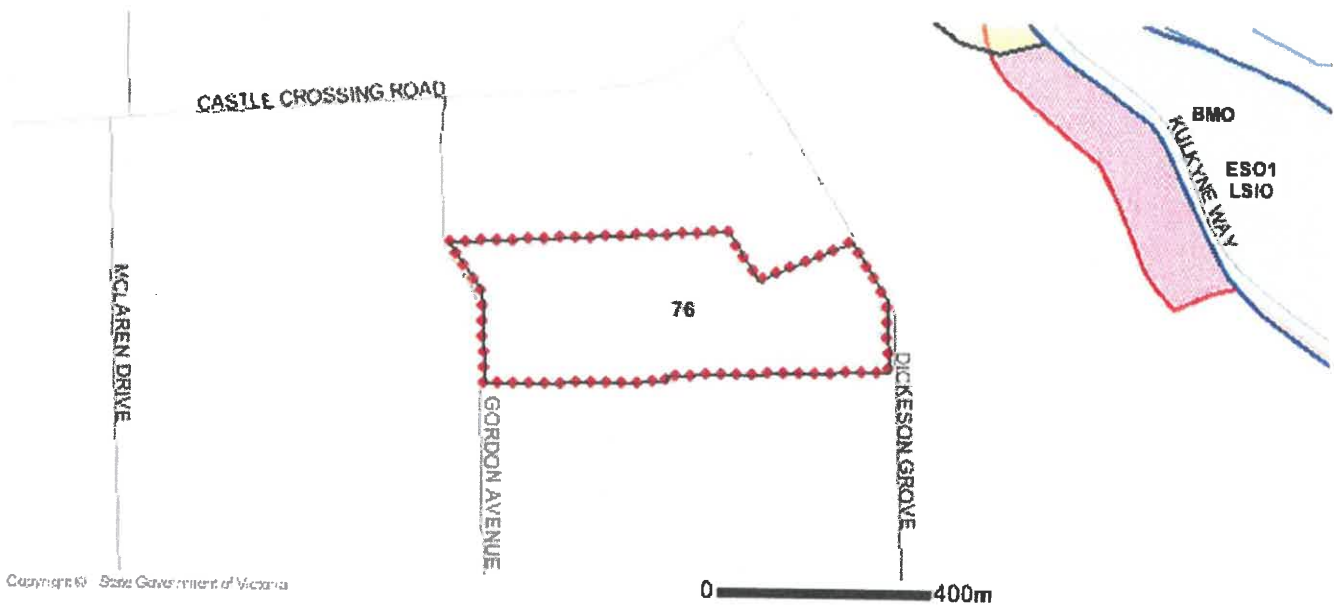
## Planning Overlay

None affecting this land - there are overlays in the vicinity

BUSHFIRE MANAGEMENT OVERLAY (BMO)

ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO)

LAND SUBJECT TO INUNDATION OVERLAY (LSIO)



BMO - Bushfire Management

ESO - Environmental Significance

LSIO - Land Subject to Inundation

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 13 February 2020.

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 abut 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>

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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: 76 DICKESON GROVE COLIGNAN 3494



## Designated Bushfire Prone Area

**This property is in a designated bushfire prone area.  
Special bushfire construction requirements apply. Planning provisions may apply.**



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

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

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

Copies of the Building Act and Building Regulations are available from [www.legislation.vic.gov.au](http://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-USE LICENCE**

### **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 licence WUL008586 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 licence.*

*Water used under water-use licence WUL008586 is not fit for any use that may involve human consumption, directly or indirectly, without first being properly treated.*

Water-use licence WUL008586 authorises the use of water for the purpose of irrigation, 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, subject to the conditions that are specified.

### **Land on which water may be used**

#### **Land description**

Volume 8110 Folio 047  
Lot 29 of Plan LP031985

Volume 8110 Folio 047  
Lot 30 of Plan LP031985

*The person who owns all the land parcels set out in this copy of record is legally deemed the holder of the water-use licence. The water register currently records the following as the owner(s) of the land parcels – however, recent dealings in land may mean that this information is not current.*

### **Holder(s) of Water-Use Licence**

KERRIE FRANCES CLAREY of C/- MARTIN IRWIN & RICHARDS  
PO BOX 4101 MILDURA VIC 3502  
SALLY MAREEA KEENS of 81 COMMERCIAL STREET MERBEIN VIC 3505  
NOEL FREDERICK KEENS of PO BOX 1342 MILDURA VIC 3502

### **Water-Use Licence Details**

<b>Status</b>	Active
<b>Annual use limit</b>	131.0 megalitres
<b>Water share holding limit</b>	262.0 megalitres
<b>Licensing water authority</b>	Lower Murray Water
<b>Trading zone for water use</b>	7 VIC Murray - Barmah to SA
<b>Delivery system</b>	R Murray (Euston-Wentworth)

**Related works licences**  
**Associated water shares**

WLE005475

WEE070799

WEE070800

**Salinity impact zone**

Low Impact Zone 4 (LI 7)

**Application History**

<i>Reference</i>	<i>Type</i>	<i>Status</i>	<i>Lodged date</i>	<i>Approved date</i>	<i>Recorded date</i>
LTA225150	Transfer	Approved	20 Aug 2014	21 Aug 2014	

## **Conditions**

Water-use licence WUL008586 is subject to the following conditions:

### **Managing groundwater infiltration**

- 1 Subject to the Minister declaring a seasonal adjustment to annual use limits to accommodate exceptionally high evapotranspiration rates, the maximum number of megalitres of water that may be applied to the land specified in the licence in any 12-month period from 1 July to 30 June will be 131.0
- 2 Water used for the purposes of irrigation on the land specified in the licence must be measured through a meter approved by the water Authority unless the Authority has granted an exemption in writing.
- 3 Pondered irrigation must not be carried out on the land specified in the licence without the addition of particular conditions governing the use of such an irrigation system.

### **Managing drainage disposal**

- 4 Where irrigation results in drainage from the land specified in the licence that drainage water must be disposed in ways that meet with the standards, terms and conditions adopted from time to time by the water authority.

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**END OF COPY OF RECORD**

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# COPY OF RECORD IN THE VICTORIAN WATER REGISTER

## WATER-USE LICENCE

### 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 licence WUL008606 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 licence.*

*Water used under water-use licence WUL008606 is not fit for any use that may involve human consumption, directly or indirectly, without first being properly treated.*

Water-use licence WUL008606 authorises the use of water for the purpose of irrigation, 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, subject to the conditions that are specified.

### Land on which water may be used

#### Land description

Volume 8096 Folio 206

Lot 15 of Plan LP023846

*The person who owns all the land parcels set out in this copy of record is legally deemed the holder of the water-use licence. The water register currently records the following as the owner(s) of the land parcels – however, recent dealings in land may mean that this information is not current.*

### Holder(s) of Water-Use Licence

KERRIE FRANCES CLAREY of C/- MARTIN IRWIN & RICHARDS

PO BOX 4101 MILDURA VIC 3502

SALLY MAREEA KEENS of 81 COMMERCIAL STREET MERBEIN VIC 3505

NOEL FREDERICK KEENS of PO BOX 1342 MILDURA VIC 3502

### Water-Use Licence Details

Status	Active
Annual use limit	87.0 megalitres
Water share holding limit	174.0 megalitres
Licensing water authority	Lower Murray Water
Trading zone for water use	7 VIC Murray - Barmah to SA
Delivery system	R Murray (Euston-Wentworth)
Related works licences	WLE005475
Associated water shares	WEE070801
	WEE070802

**Salinity impact zone**

Low Impact Zone 4 (LI 7)

**Application History**

<i>Reference</i>	<i>Type</i>	<i>Status</i>	<i>Lodged date</i>	<i>Approved date</i>	<i>Recorded date</i>
LTA225151	Transfer	Approved	20 Aug 2014	21 Aug 2014	

## **Conditions**

Water-use licence WUL008606 is subject to the following conditions:

### **Managing groundwater infiltration**

- 1 Subject to the Minister declaring a seasonal adjustment to annual use limits to accommodate exceptionally high evapotranspiration rates, the maximum number of megalitres of water that may be applied to the land specified in the licence in any 12-month period from 1 July to 30 June will be 87.0
- 2 Water used for the purposes of irrigation on the land specified in the licence must be measured through a meter approved by the water Authority unless the Authority has granted an exemption in writing.
- 3 Poned irrigation must not be carried out on the land specified in the licence without the addition of particular conditions governing the use of such an irrigation system.

### **Managing drainage disposal**

- 4 Where irrigation results in drainage from the land specified in the licence that drainage water must be disposed in ways that meet with the standards, terms and conditions adopted from time to time by the water authority.

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END OF COPY OF RECORD

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# Due diligence checklist

## What you need to know before buying a residential property

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

### Urban living

#### ***Moving to the inner city?***

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

#### ***Is the property subject to an owners corporation?***

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

### Growth areas

#### ***Are you moving to a growth area?***

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

### Flood and fire risk

#### ***Does this property experience flooding or bushfire?***

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

### Rural properties

#### ***Moving to the country?***

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

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

#### ***Can you build new dwellings?***

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

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

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

### Soil and groundwater contamination

#### ***Has previous land use affected the soil or groundwater?***

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



## **Land boundaries**

### ***Do you know the exact boundary of the property?***

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

## **Planning controls**

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

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

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

### ***Are there any proposed or granted planning permits?***

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

## **Safety**

### ***Is the building safe to live in?***

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

## **Building permits**

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

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

### ***Are any recent building or renovation works covered by insurance?***

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

## **Utilities and essential services**

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

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

## **Buyers' rights**

### ***Do you know your rights when buying a property?***

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

DATED

2020

SALLY MAREEA KEENS  
and  
KERRIE FRANCES CLAREY

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**VENDOR'S STATEMENT**

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Property  
76 Dickeson Grove, Colignan

MARTIN IRWIN & RICHARDS LAWYERS  
61 Deakin Avenue  
MILDURA VIC 3500  
DX 50022 MILDURA  
Tel: 03 5023 7900  
Fax: 03 5023 7560  
Ref: DCON/CC/267320-2

31985

LP 31985  
 EDITION 2

PLAN MAY BE LODGED 25/1/1956

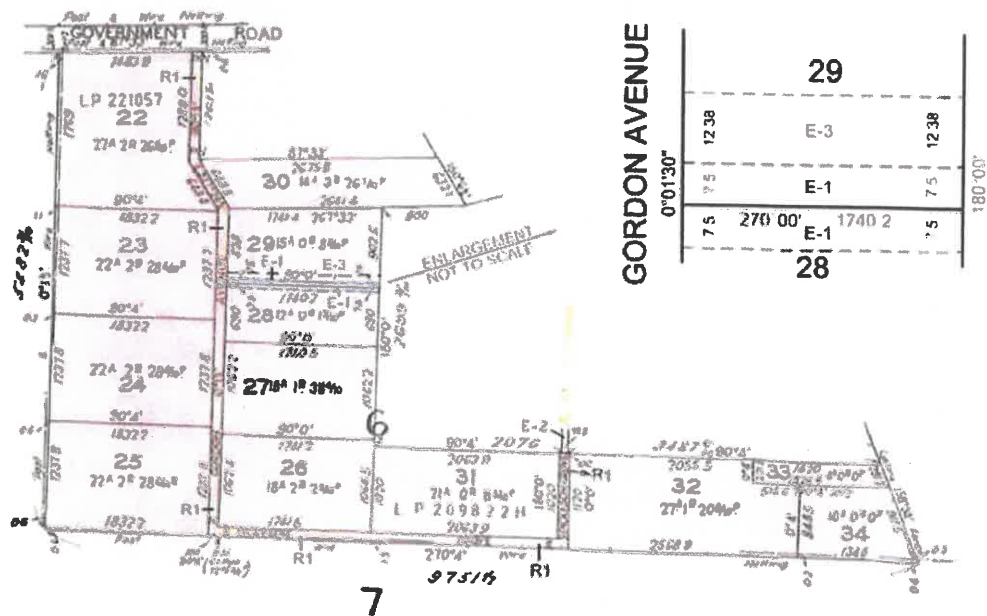
PLAN OF SUBDIVISION  
 OF PART OF CROWN ALLOTMENT 6  
 PARISH OF COLIGNAN  
 COUNTY OF KARKAROOC

COLOUR CODE  
 E-1 = BLUE  
 R1 & E-2 = BROWN

Measurements are in Links  
 Conversion Factor  
 LINKS X 0.201168 = METRES  
 VOL. 8857 FOL. 371

LAND IN THE MALLEE COUNTRY

DEPTH LIMITATION : 50 FEET



**ENCUMBRANCES**

AS TO THE LAND MARKED E-1, E-3 LOWER  
 MURRAY URBAN AND RURAL WATER  
 CORPORATION HAS, PURSUANT TO SEC  
 130 OF THE WATER ACT 1989 AND DIV 4  
 PART 2 OF THE LAND AND COMPENSATION  
 ACT 1986 ACQUIRED AN EASEMENT FOR  
 DRAINAGE SEE AR60944RQ

**APPROPRIATIONS**

THE LAND COLOURED BROWN IS  
 APPROPRIATED OR SET APART  
 FOR EASEMENTS OF WAY AND  
 DRAINAGE

THE LAND COLOURED BLUE IS  
 APPROPRIATED OR SET APART  
 FOR EASEMENTS OF WATER  
 SUPPLY.

WARNING: THE IMAGE OF THIS DOCUMENT OF THE REGISTER HAS BEEN DIGITALLY AMENDED.  
 NO FURTHER AMENDMENTS ARE TO BE MADE TO THE ORIGINAL DOCUMENT OF THE REGISTER.

31985

