



**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: 228 Myall Street, Cardross

VENDOR'S NAME: Simon Geoffrey May

VENDOR'S SIGNATURE: 

DATE: 21/10/20.

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: Simon Geoffrey May

Property: 228 Myall Street, Cardross
Lot 1 on PS 731866G being the whole of the land in
Certificate of Title Volume 11550 Folio 134

Water: WEE019428 – 5.2 Megalitres
WUL024394

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 certificate/s.
are as follows :

| <u>Authority</u> | <u>Amount</u> | <u>Interest</u> |
|-------------------------------|--------------------------------------|-----------------|
| 1. Mildura Rural City Council | \$3,314.03 per annum 2020/2021 | |
| 2. Lower Murray Water – Rural | Refer Information Statement attached | |

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) he 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: See attached letter from LMW dated 28th August, 2000

~~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

VOLUME 11550 FOLIO 134

Security no : 124085900492D
Produced 06/10/2020 01:30 PM

LAND DESCRIPTION

Lot 1 on Plan of Subdivision 731866G.

PARENT TITLES :

Volume 09377 Folio 804 Volume 09476 Folio 040 Volume 11488 Folio 780
Created by instrument PS731866G 05/02/2015

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

SIMON GEOFFREY MAY of 228 MYALL STREET CARDROSS VIC 3496
AS926742M 24/01/2020

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AS926743K 24/01/2020
WESTPAC BANKING CORPORATION

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 set out under DIAGRAM LOCATION below.

AGREEMENT as to part Section 173 Planning and Environment Act 1987
AL454078K 29/10/2014

DIAGRAM LOCATION

SEE PS731866G 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: 228 MYALL STREET CARDROSS VIC 3496

ADMINISTRATIVE NOTICES

NIL

eCT Control 16320Q WESTPAC BANKING CORPORATION
Effective from 24/01/2020

DOCUMENT END

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Signed by Council: Mildura Rural City Council, PP Ref: 2013.104, Cert Ref: 005.2013.00000104.001, Original Certification: 19/11/2014, S.O.C.: 19/11/2014

| | | | | | |
|--|--|--|-----------------------|--|---|
| PLAN OF SUBDIVISION | | | | LR use only EDITION 1 | PS 731866G |
| <p style="text-align: center;">Location of Land</p> <p>Parish: MILDURA Township: _____ Section: B Crown Allotment: 557, 557^A & 2456 Crown Portion: _____</p> <p>Title References: Vol 9377 Fol 804, Vol 9476 Fol 040 & Vol 11488 Fol 780 (pt.)</p> <p>Last Plan Reference: TP 293638V, TP 266053E & TP 951991M</p> <p>Postal Address: 228 MYALL STREET, CARDROSS, 3496.</p> <p>MGA94 Co-ordinates: E 606670 (Of approx. centre of plan) N 6204200 Zone 54</p> | | | | <p style="text-align: center;">COUNCIL NAME : MILDURA RURAL CITY COUNCIL</p> | |
| Vesting of Roads or Reserves | | | | Notations | |
| Identifier | Council/Body/Person | <p>THE RESERVATIONS, EXCEPTIONS, CONDITIONS AND POWERS CONTAINED IN CROWN GRANT Vol 11488 Fol 788 AFFECT PART OF THE LAND ON THIS PLAN.</p> <p>IN THE MALLEE COUNTRY FOR THE PURPOSES OF THE LAND ACT.</p> | | | |
| NIL | NIL | | | | |
| Notations | | | | | |
| <p>Depth Limitation: 15.24 Metres below the surface. Applies to C.A. 557^A only. 15 Metres below the surface. Applies to C.A. 2456 only.</p> <p>Survey:- This plan is / is not based on survey. LOT 1 ONLY IS THE RESULT OF SURVEY</p> <p>LOT 2 IS THE BALANCE OF TITLES.</p> <p><i>To be completed where applicable.</i></p> <p>This survey has been connected to permanent marks no(s). 275,474 475,517&987.</p> <p>In Proclaimed Survey Area no. _____</p> <p>Staging This is is not a staged subdivision Planning Permit No. 005.2013.00000104.001</p> | | | | | |
| Easement Information | | | | | |
| <p>Legend: E - Encumbering Easement or Condition in Crown Grant in the Nature of an Easement A - Appurtenant Easement R - Encumbering Easement (Road)</p> | | | | | |
| Easement Reference | Purpose | Width (Metres) | Origin | Land Benefited/In Favour Of | <p>LR use only</p> <p>Statement of Compliance / Exemption Statement</p> <p>Received <input checked="" type="checkbox"/></p> <p>Date 24/12/14</p> |
| E-1 | THE CONDITION DESCRIBED IN C/G VOL 11488 FOL 788 FOR THE TRANSMISSION, SUPPLY OR DISTRIBUTION OF ELECTRICITY | 7 | C/G VOL 11488 FOL 780 | REFER TO CROWN GRANT VOL 11488 FOL 780. | <p>LR use only</p> <p>PLAN REGISTERED</p> <p>TIME 12:45PM</p> <p>DATE 05/02/15</p> <p style="text-align: center;">GK Assistant Registrar of Titles</p> |
| E-2 | DRAINAGE | 5 | C/E J205715 | CROWN ALLOTMENT 557 ^A , SECTION B, PARISH OF MILDURA, (BEING PART OF LOT 1 ON THIS PLAN). | |
| <p>LICENSED SURVEYOR: ROBERT BRUCE FREEMAN <i>DIGITALLY SIGNED</i></p> <p>REF 7990/1 VERSION 1</p> | | | | | <p>Sheet 1 of 2 Sheets</p> <p>Original sheet size A3</p> |
| <p>FREEMAN & FREEMAN LAND SURVEYORS PO BOX 2135 MILDURA VIC 3502 TELEPHONE: (03) 50236239 EMAIL: ffsurvey@ncable.com.au</p> | | | | | |

Signed by Council: Mildura Rural City Council, PP Ref: 2013.104, Cert Ref: 005.2013.00000104.001, Original Certification: 19/11/2014, S.O.C.: 19/11/2014

FREEMAN & FREEMAN

LAND SURVEYORS
PO BOX 2135 MILDURA VIC 3502
TELEPHONE: (03) 50236239
EMAIL: ffsurvey@nccode.com.au

ORIGINAL
SHEET SCALE
SIZE A3 1:2000

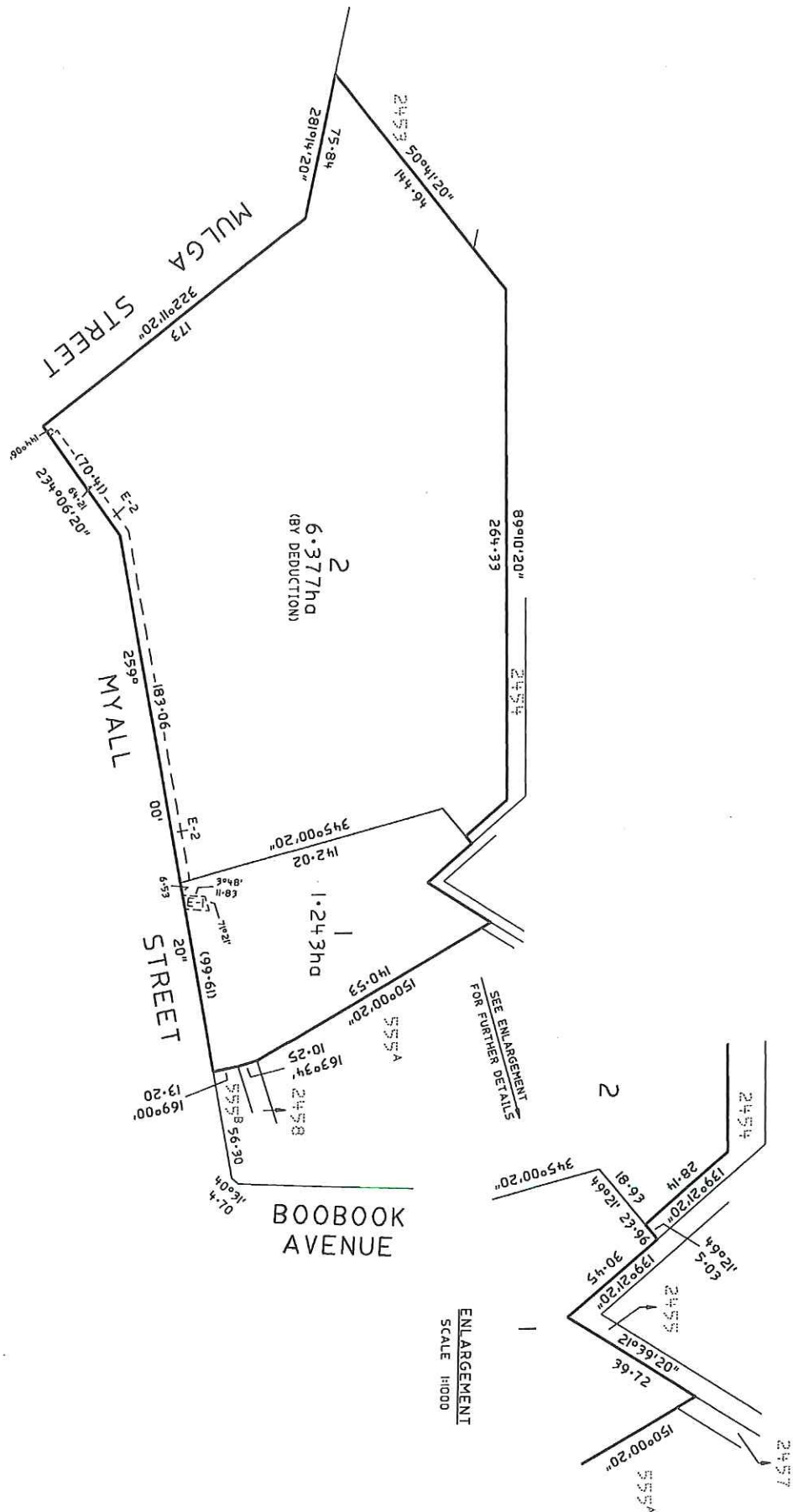
SCALE
20 0 20 40 60 80
LENGTHS ARE IN METRES

LICENSED SURVEYOR: ROBERT BRUCE FREEMAN
DIGITALLY SIGNED
REF 7990/1 VERSION 1

SHEET 2 OF 2 SHEETS

PLAN OF SUBDIVISION

PS 731866G



Plan of Subdivision PS731866G
Concurrent Certification and Statement of Compliance
(Form 3)



SUBDIVISION (PROCEDURES) REGULATIONS 2011

SPEAR Reference Number: S056096A
Plan Number: PS731866G
Responsible Authority Name: Mildura Rural City Council
Responsible Authority Permit Ref. No.: 2013.104
Responsible Authority Certification Ref. No.: 005.2013.00000104.001
Surveyor's Plan Version: 1

Certification

☒ This plan is certified under section 6 of the Subdivision Act 1988

Statement of Compliance

☒ This is a statement of compliance issued under section 21 of the Subdivision Act 1988

Public Open Space

A requirement for public open space under section 18 of the Subdivision Act 1988

☐ Has not been made at Certification

Digitally signed by Council Delegate: Natalie Dean

Organisation: Mildura Rural City Council

Date: 19/11/2014



Imaged Document Cover Sheet

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29/10/2014 \$116.50 173



FORM 18

Section 181

**APPLICATION BY RESPONSIBLE AUTHORITY FOR THE MAKING OF A
RECORDING OF AN AGREEMENT**

Planning and Environment Act 1987

Lodged by:

Name: Martin Irwin & Richards Lawyers
Phone: 03 50237900
Address: 61 Deakin Avenue, Mildura VIC 3500
Ref: POOLE / POOLE
Customer Code: 1008B

The Authority having made an agreement referred to in Section 181(1) of the *Planning and Environment Act 1987* requires a recording to be made in the Register for the land.

LAND: Crown Allotment 557A contained in Crown Grant Volume 09476 Folio 040; and
Crown Allotment 557 contained in Crown Grant Volume 09377 Folio 804

AUTHORITY: Mildura Rural City Council of 108-116 Madden Avenue, Mildura, Victoria 3500

Section and Act under which agreement is made: Section 173 of the *Planning and Environment Act 1987*.

A COPY OF THIS AGREEMENT IS ATTACHED TO THIS APPLICATION

Signature of Authority  Gerald Jose
Name of Officer Chief Executive Officer
Mildura Rural City Council
Position
Date 21 Oct 2014

MILDURA RURAL CITY COUNCIL

AL454078K

and



**LEONARD JAMES POOLE and
SUSAN LOUISE POOLE**

**SECTION 173 AGREEMENT
228 MYALL STREET CARDROSS**



**Martin Irwin & Richards
Lawyers**

**61 Deakin Avenue
MILDURA VIC 3500
DX 50022 MILDURA**

**Phone: 03 5023 7900
Fax: 03 5021 2700
Ref: KEM:DD 141786**

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THIS AGREEMENT is made on the 21st day of October 2014.

PARTIES

BETWEEN MILDURA RURAL CITY COUNCIL of 108 – 116 Madden Avenue,
Mildura in the State of Victoria ("the Council")

AND LEONARD JAMES POOLE and SUSAN LOUISE POOLE both of
557A Myall Street Cardross in the State of Victoria ("the Owners")

RECITALS

- A. The Owners are registered or are entitled to be registered as the proprietors of the Land.
- B. The Council is the responsible authority under the Planning and Environment Act 1987 ("the Act") for the Mildura Planning Scheme ("the Planning Scheme").
- C. The Owners have made an application to the Council for a planning permit under the Planning Scheme for the development of the Land for a two (2) lot subdivision resubdivision and the creation of carriageway easements ("the Development").
- D. The Council has agreed to the Development subject to the conditions contained in the planning permit issued on 24 July 2013 and numbered 005.2013.00000104.001 ("the Permit").
- E. Condition 2 of the Permit provides:
 - 2. Prior to the issue of a Statement of Compliance, the owner must enter into an agreement with the Responsible Authority in accordance with Section 173 of the Planning and Environment Act, 1987. The agreement must be to the satisfaction of the Responsible Authority and must provide for the following:
That:
 - (i) This land has been subject to a subdivision in accordance with Mildura Planning Scheme;

- (ii) Any allotment created pursuant to planning permit 005.2013.00000104.001 (or any subsequent amendment to this permit) may not be further subdivided (other than for a resubdivision which is in accordance with the provisions of the current Mildura Older Irrigated Area Incorporated Document);
- (iii) No further dwellings may be constructed on either Lot;
- (iv) Any variation to this Agreement including amending or ending the Agreement requires approval from both the Responsible Authority and the Minister for Planning.

This agreement is to be registered on the title to all Lots created in the plan of subdivision under Section 181 of the Act and any cost associated with the process including preparation, lodging and checking of the Agreement must be borne by the owner.

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THE PARTIES AGREE:

1. DEFINITIONS

In this Agreement unless inconsistent with the context or subject matter: -

"Act" means the Planning and Environment Act 1987 (Vic);

"Council" means the Mildura Rural City Council and any or its successors or assigns;

"Land" means the property situate at 228 Myall Street Cardross in the State of Victoria and described as:

- Crown Allotment 557A contained in Crown Grant Volume 09476 Folio 040;
and
- Crown Allotment 557 Contained in Crown Grant Volume 09377 Folio 804.

"Lot" means any allotment created as a result of the Development;

"Owner" means the person or persons described as Owner at the time of entering into this Agreement and the person or persons entitled from time to time to be registered by the Registrar of Titles as the proprietor or proprietors of an estate in fee simple of the Land or any allotment created by any subdivision of the same and shall include the singular and the plural;

"Permit" means planning permit number 005.2013.00000104.001 issued by the Council on 21 July 2013.

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2. INTERPRETATION

In this Agreement, unless a contrary intention appears:

- (a) the singular includes the plural and vice versa;
- (b) words importing any gender include all other genders;
- (c) "person" includes a firm, a body corporate, or an unincorporated association;
- (d) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes, assigns, employees, servants, agents, consultants, contractors, advisers, financiers, subcontractors, licensees and invitees;
- (e) a reference to this Agreement or another instrument includes any variation or replacement of any of them;
- (f) a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.

3. SECTION 173 AGREEMENT

3.1 Agreement under Section 173 of the Act

The Council and the Owners have agreed that without restricting or limiting their respective powers to enter into this Agreement and insofar as it can be so treated this Agreement shall be treated as an agreement under Section 173 of the Act.

3.2 Covenants Run with the Land

The Owners acknowledge and agree that any obligation imposed on the Owners under this Agreement takes effect as a covenant which is annexed to the Land and runs at law and in equity with the Land until this Agreement ends.

4. COMMENCEMENT

This Agreement will come into force and effect from the date of this Agreement.

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5. OWNER'S COVENANTS

5.1 Successors in title

The Owners will not sell, transfer, dispose of, assign, mortgage or otherwise part with possession of all or part of the Land after execution of this Agreement and before its registration at the Land Titles Office without first disclosing to its successors the existence and nature of this Agreement.

5.2 Registration

The Owners will do all things necessary to enable the Council to register this Agreement on the Certificate of Title to the Land in accordance with Section 181 of the Act including signing any further agreement, acknowledgement or document to enable the Agreement to be registered under that Section.

5.3 Performance of Covenants

The Owners will do all things necessary including the signing of such further agreements, undertakings, covenants, consents, approvals or other documents for the purpose of ensuring that it carries out the covenants and agreements and obligations contained in this Agreement and to enable the Council to enforce the performance by the Owners of such covenants, agreements and undertakings.

5.4 Comply with Permit

The Owners will comply with and carry out the conditions of the Permit.

5.5 Costs

The Owners will pay the Council's costs of and incidental to the preparation and execution of this Agreement and the registration of this Agreement at the Land Titles Office pursuant to Section 181 of the Act and any duties or fees payable in connection with either the Agreement or the registration of the Agreement at the Land Titles Office.

**5.6 No further subdivision**

The Owners will not subdivide or permit to be subdivided any allotment created pursuant to Planning Permit 005.2013.00000104.001 or any subsequent amendment to this permit other than for a resubdivision which is in accordance with the provisions of the current Mildura Older Irrigated Area Incorporated Document.

5.7 No further dwellings

The Owners will not construct or permit to be constructed any dwellings on any allotment created pursuant to Planning Permit 005.2013.00000104.001 or any subsequent amendment to this permit.

5.8 Variation of agreement

The Owners acknowledge and agree that any variation to this Agreement including amending or ending the Agreement requires the approval of both the Responsible Authority and the Minister for Planning.

6. ADDITIONAL MATTERS**6.1 Severance**

If any provision of this Agreement is not valid it shall not affect the validity of the other provisions of this Agreement but shall be read down or severed so as to leave the other provisions of this Agreement in effect.

6.2 Proper law

This Agreement is governed by and the parties submit to the jurisdiction of the laws of the State of Victoria.

6.3 Joint & several

This Agreement is binding on the Owners and the Owners for the time being of any Lot created by the Development. In the event that there is more than one Owner of any Lot the covenants, undertakings, warranties and liabilities of the Owners of the Lot shall be joint and several.

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6.4 No Waiver

Any time or other indulgence granted by the Council to the Owners or any variation of the terms or conditions of this Agreement or any judgment or order obtained by either party against the other will not in any way amount to a waiver of any of the rights or remedies of the Council in relation to the terms of this Agreement.

7. DEFAULT OF OWNERS

In the event of the Owners defaulting or failing to perform any of the obligations under this Agreement, the Council may without prejudice to any other remedies rectify such default and the cost of any works undertaken by the Council to rectify any default shall be borne by the Owners and any such costs together with any amount payable to Council pursuant to this Agreement shall be capable of being recovered by the Council in any Court of competent jurisdiction as a civil debt recoverable summarily.

EXECUTED as a deed.

AL454078K


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THE COMMON SEAL of the)
MILDURA RURAL CITY COUNCIL)
was affixed hereto by authority of)
the Council in the presence of:)


.....
Councillor John Arnold


.....
Councillor Glenn Milne


.....
Chief Executive Officer

SIGNED SEALED & DELIVERED
by the said LEONARD JAMES POOLE
in the presence of:

)
) 
)

SIGNED SEALED & DELIVERED
by the said SUSAN LOUISE POOLE
in the presence of:

)
) 
)

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 | 5.2 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)

Sole Owner 1 of 1

SIMON GEOFFREY MAY of PO BOX 341 DARETON NSW 2717
WET706811 Lodged on : 15 Jan 2020 Recorded on : 29 Jan 2020

Current Year Allocation

| | |
|--|----------|
| Carryover at 1 July: | 1.945 ML |
| Seasonal allocation since 1 July: | 2.080 ML |
| Total allocation to date: | 4.025 ML |
| Possible future allocation to 30 June: | 3.120 ML |

Spillable Account Details

| | |
|--|--------------|
| Low risk of spill declaration: | Not yet made |
| Volume spilled: | 0.000 ML |
| Current volume subject to above entitlement storage fee: | 0.000 ML |
| Maximum volume subject to above entitlement storage fee: | 1.945 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> |
|---------------------|---------------|-------------|------------------------------|
| WUL024394 | Active | Use licence | 5.2 |

Land description

Volume 11550 Folio 134
Lot 1 of Plan PS731866G

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> |
|------------------|---------------------------|---------------|--------------------|----------------------|----------------------|
| PTA015123 | Address amendment | Recorded | | | 05 Jun 2012 |
| WET706811 | Transfer within authority | Recorded | 15 Jan 2020 | 16 Jan 2020 | 29 Jan 2020 |
| MOD017006 | Mortgage discharge | Recorded | 23 Aug 2016 | | 23 Aug 2016 |
| WET702353 | Transfer within authority | Recorded | 26 Jul 2016 | 27 Jul 2016 | 23 Aug 2016 |
| WEV700919 | Association and Variation | Recorded | 25 Feb 2015 | 25 Feb 2015 | 25 Feb 2015 |
| S259602K | Mortgage create | Recorded | 01 Jul 2007 | | 01 Jul 2007 |
| WEI034818 | Issue | Recorded | 01 Jul 2007 | 01 Jul 2007 | 01 Jul 2007 |

END OF COPY OF RECORD

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 WUL024394 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 WUL024394 is not fit for any use that may involve human consumption, directly or indirectly, without first being properly treated.

Water-use licence WUL024394 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 11550 Folio 134
Lot 1 of Plan PS731866G

Holder(s) of Water-Use Licence

SIMON GEOFFREY MAY of PO BOX 341 DARETON NSW 2717

Water-Use Licence Details

| | |
|-----------------------------------|--------------------------------|
| Status | Active |
| Annual use limit | 5.2 megalitres |
| Water share holding limit | 10.4 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 | WEE019428 |
| Salinity impact zone | High Impact Zone (HI 2) |

Application History

| <i>Reference</i> | <i>Type</i> | <i>Status</i> | <i>Lodged date</i> | <i>Approved date</i> | <i>Recorded date</i> |
|------------------|---------------------------|---------------|--------------------|----------------------|----------------------|
| WET706811 | Transfer within authority | Recorded | 15 Jan 2020 | 16 Jan 2020 | 29 Jan 2020 |
| LTA265026 | Transfer | Approved | 15 Jan 2020 | 05 Feb 2020 | |
| WUV700893 | Variation | Approved | 27 Jul 2016 | 27 Jul 2016 | |
| WET702353 | Transfer within authority | Recorded | 26 Jul 2016 | 27 Jul 2016 | 23 Aug 2016 |
| LTA242038 | Transfer | Approved | 26 Jul 2016 | 26 Aug 2016 | |
| WUA700224 | Issue | Approved | 24 Feb 2015 | 25 Feb 2015 | |

Conditions

Water-use licence WUL024394 is subject to the following conditions:

Managing groundwater infiltration

- 1 Water used for the purposes of irrigation on the land specified in the licence must be measured through a meter approved by a water authority.
- 2 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 5.20.
- 3 Ponded 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.

END OF COPY OF RECORD

RURAL SUPPLY INFORMATION STATEMENT



Statement No: IS21/83433
Our Ref: 46703 / 101338
Issue Date: 15/10/2020
Your Ref: 41396182-031-8

LANDATA
DX 250639
EAST MELBOURNE

Statement showing Tariffs, Charges & Interest due within Financial Year Ending 30/06/2021.

Owner Name(s) MR SG MAY
Situat: 228 MYALL STREET CARDROSS VIC 3496
Description: Lot 1 PS 731866G Par Mildura Vol 11550 Fol 134

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 | 1/07/2020 to 30/06/2021 | |
| GMW Entitlement Storage Murray HR (Ann) | | 48.98 |
| DELWP Water Share Fee - per Share (Ann) | | 13.21 |
| TARIFFS & CHARGES LEVIED for period: | 1/10/2020 to 31/12/2020 | |
| Property Drainage Fee Division 1 (Qtr) | | 13.92 |
| Delivery Share Fee Irrigation (Qtr) | | 72.07 |
| Service Charge (Quarterly) | | 25.00 |
| Metered Water Usage Fee Irrigation up to 15/9/2020 | | 17.04 |
| Receipts, Concessions & Rebates | | (62.19) |
| Balance Due | | \$128.03 |

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 contactus@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: | Irrigation of land / Irrigation drainage |
| Water Supply: | Untreated Water |

Last Billed Water Consumption Details - Metered Water Usage Fee Irrigation

 Period Of Usage: 12/6/2020 to 15/9/2020 (95 Days)
 0.347 ML @ \$49.10000 Step1 Rate = \$17.04

Water Meter Details

| Serial No. | Outlet No. | Size | Date Read | Reading |
|------------|------------|------|-----------|---------|
| 14HB01351 | 8585 | 50 | 15/9/2020 | 36.802 |

Water Register Details

 The current volume of Water Share as shown on the Victorian Water Register is 5.2 ML

The current Water Use Licence and AUL details as shown on the Victorian Water Register are:
 WUL024394 5.2 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 LICENCE

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

Customers should obtain a copy of the Water Use Licence 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 - 0.6

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 has been provided.

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.

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 700467038.

This statement was issued by the Mildura Office.

Signed:

S. Walker

On behalf of:

LOWER MURRAY URBAN & RURAL WATER CORPORATION

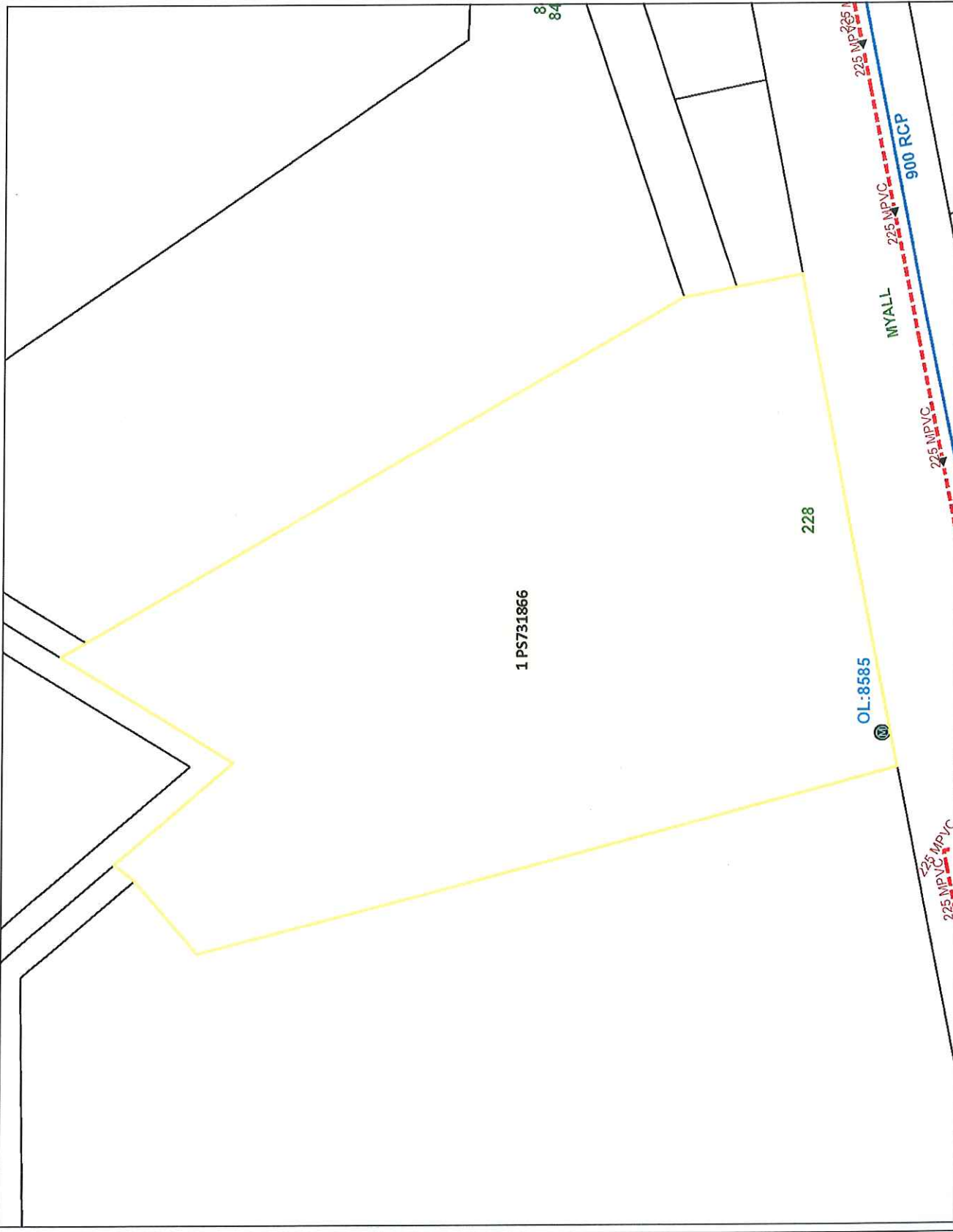
PLEASE NOTE:

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.

LMW Assets - Property Inquiry - IS21_83433 - PAC 46703



Legend

- Urban Water
 - Pipeline
 - Retired Pipeline
- Urban Sewer
 - Gravity Pipeline
 - Pressure Main Pipeline
 - Rising Main Pipeline
 - Retired Gravity Pipeline
 - Retired Pressure Main Pipeline
 - Retired Rising Main Pipeline
- Rural Irrigation
 - Channel
 - Pipeline
 - Retired Channel
 - Retired Pipeline
- Irrigation Outlet
 - Domestic and Stock Outlet
- Rural Drainage
 - Channel
 - Gravity Pipeline
 - Rising Main
 - Retired Channel
 - Retired Pipeline

LOWER MURRAY WATER
Property Inquiry
08/10/2020

LMW DISCLAIMER:

The accuracy and completeness shown on this plan is not guaranteed and therefore shall be used as a guide only. The user is responsible to prove locations and depths in the field. This information is only to be used for the initial project and shall not be passed onto a third party.

Note: The exact location of outlets newly installed or replaced under SMP may have not been verified. For further assistance please contact LMW.

GDA_1994_MGA_Zone_54
© Lower Murray Urban
and Rural Water Corporation



Statement of water entitlements on land

The information contained in this document may be incomplete or out-of-date if land parcel, licence or entitlement changes have not been updated in the Water Register. Information provided for each asset/service is limited to a brief summary – detailed information on each can be obtained by purchasing a **Copy of Record** from your water authority or from www.waterregister.vic.gov.au

An **Information Statement** may also be requested from your water authority to show rates, charges and agreements relevant to the property (fees may apply).

Search criteria: WUL024394

Land parcels



PCL179153 Lot 1 of Plan PS731866G (11550/134), HI 2 - HIZ, Impact zone HI 2 - HIZ, (Service Id: 46703)

Land owners

PTY222413 Simon Geoffrey May
PO BOX 1009 CARDROSS VIC 3496

Water services that would transfer with land transfers

WUL024394 Water-use licence 5.2 ML AUL
DSE023489 Delivery share 0.301 ML/7days, Red Cliffs Irrigation District

Service points

| Outlet number | Type | Delivery system | Delivery rate ^{ML/7days} | Det.flow rate ^{L/sec} |
|-----------------|----------|--------------------------------|-----------------------------------|--------------------------------|
| 8585 (SP059171) | Delivery | Red Cliffs Irrigation District | 0.301 | Refer to Authority |

Total: 0.301 ML/7days

Other water assets and services linked to the land (transfer is optional)

Note that these assets and services may not be under the same ownership as the land parcels.

Water shares

WEE019428 Water Share 5.2 ML High Reliability, 7 VIC Murray - Barmah to SA (Service ID: 101338)
Held by:Simon Geoffrey May

Water allocations

ABA1104XX Allocations 3.6 ML tradable, 7 VIC Murray - Barmah to SA
Held by:Simon Geoffrey May



28 August 2020

OUR REF: 46703

SIMON GEOFFREY MAY
PO BOX 341
DARETONNSW2717

Dear Customer

ANNUAL USE LIMIT (AUL) - 2019/20 SEASONAL ADJUSTMENT

In seasons where evapotranspiration rates are considered to be higher than normal and effective rainfall is low, Lower Murray Water (LMW) may make an application to the Minister for Water for a one off temporary seasonal increase to Annual Use Limits (AUL).

In recognition of the unseasonably dry conditions in the Mallee over December 2019 and January 2020, the Department of Environment, Land, Water and Planning (DELWP) have applied a 20% seasonal adjustment for all water-use licences / registrations in the LMW service region that used more than 90% of their AUL in the 2019-20 irrigation season.

The 20% adjustment reflects the exceptionally high transpiration and low rainfall during the irrigation season. The size of the adjustment has been determined by expert assessment of climate data and particularly feedback from customer groups representing the almond, citrus and table grape industries.

The following Seasonal adjustment annual use limit (SAUL) has been applied to your water-use licence/registration for the 2019-20 irrigation season:

| Water Use Licence / Registration | AUL | SAUL |
|----------------------------------|--------------------|--------------------|
| WUL024394 | 5.2000000000000002 | 6.2000000000000002 |

An annual use limit is the maximum volume of water in an irrigation season that may be used on the land described in a water-use licence or registration. It is a breach of your licence conditions to exceed the maximum volume and compliance action may be taken if you exceed the maximum volume.

Should you require any further information please contact our Rural Customer Team on (03) 5051 3400.

Yours sincerely

KALEB SEXTON
MANAGER CUSTOMER

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 Report from www.land.vic.gov.au on 06 October 2020 02:32 PM

Address: 228 MYALL STREET CARDROSS 3496

Lot and Plan Number: Lot 1 PS731866

Standard Parcel Identifier (SPI): 1\PS731866

Local Government (Council): MILDURA **Council Property Number:** 412454

Directory Reference: VicRoads 3 D6

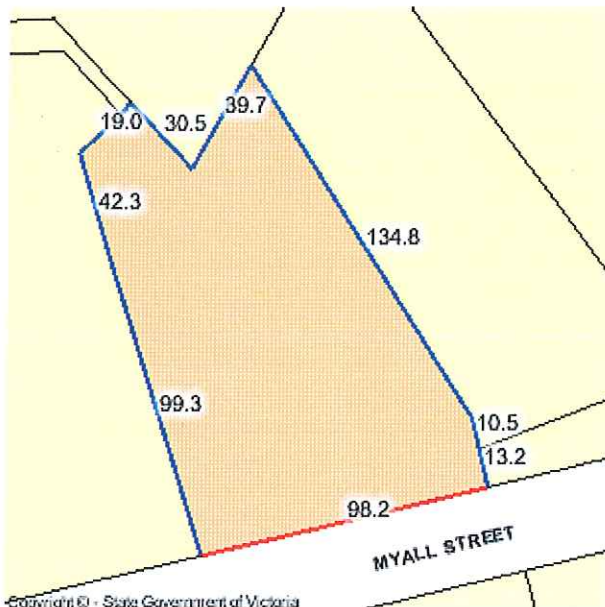
This property is not in a designated bushfire prone area.

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: 12377 sq. m
(1.2 ha)

Perimeter: 498 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.

3 dimensions shorter than 6m 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](#)

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: SPECIFIC CONTROLS OVERLAY (SCO)

SPECIFIC CONTROLS OVERLAY - SCHEDULE 1 (SCO1)

Planning scheme data last updated on 30 September 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](#)

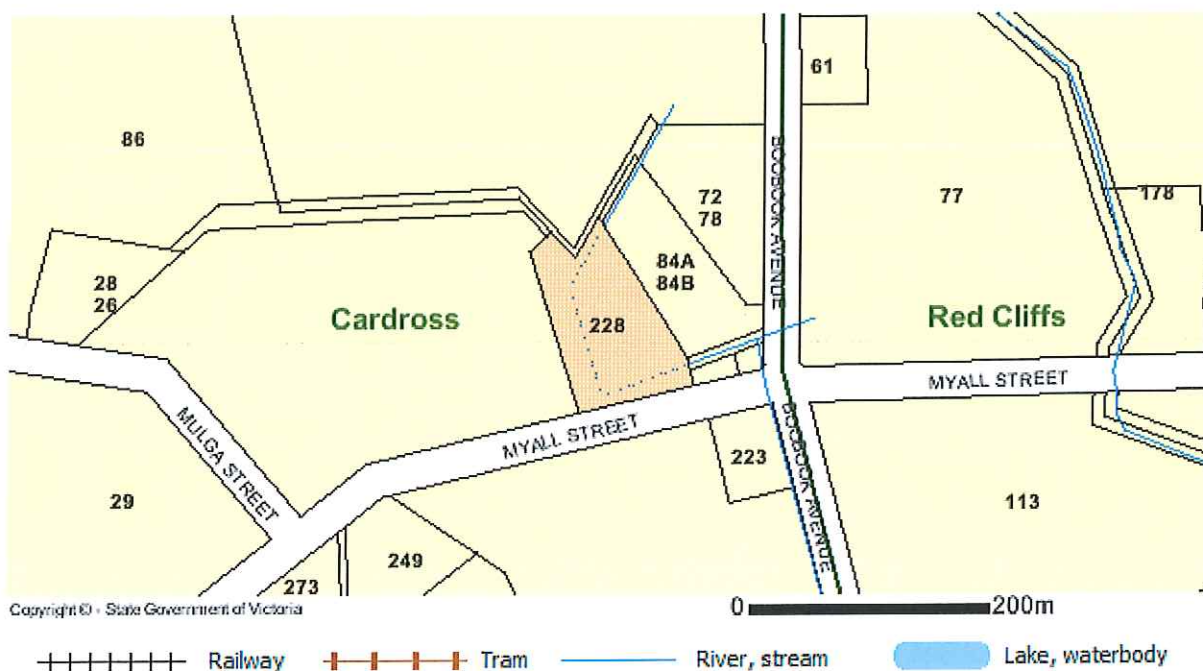
The Planning Property Report includes separate maps of zones and overlays

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

Area Map



PLANNING PROPERTY REPORT

From www.planning.vic.gov.au on 06 October 2020 02:33 PM

PROPERTY DETAILS

Address: 228 MYALL STREET CARDROSS 3496
Lot and Plan Number: Lot 1 PS731866
Standard Parcel Identifier (SPI): 1\PS731866
Local Government Area (Council): MILDURA
Council Property Number: 412454
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

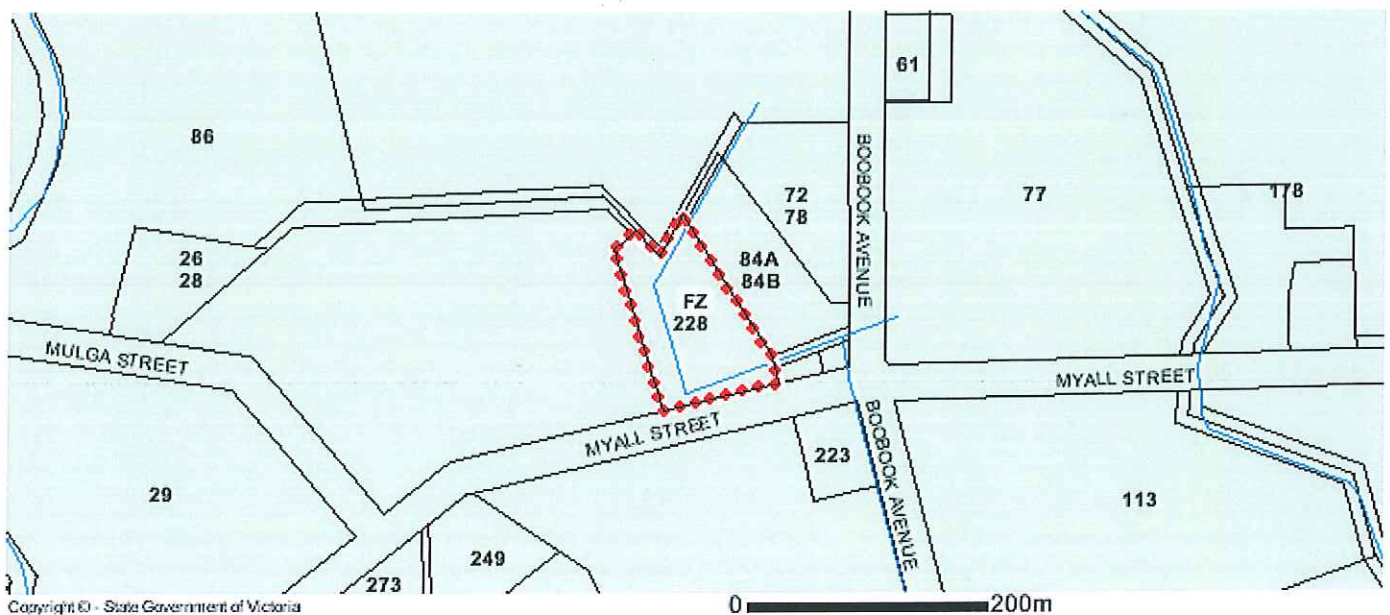
STATE ELECTORATES

Legislative Council: NORTHERN VICTORIA
Legislative Assembly: MILDURA

Planning Zones

FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE (FZ)



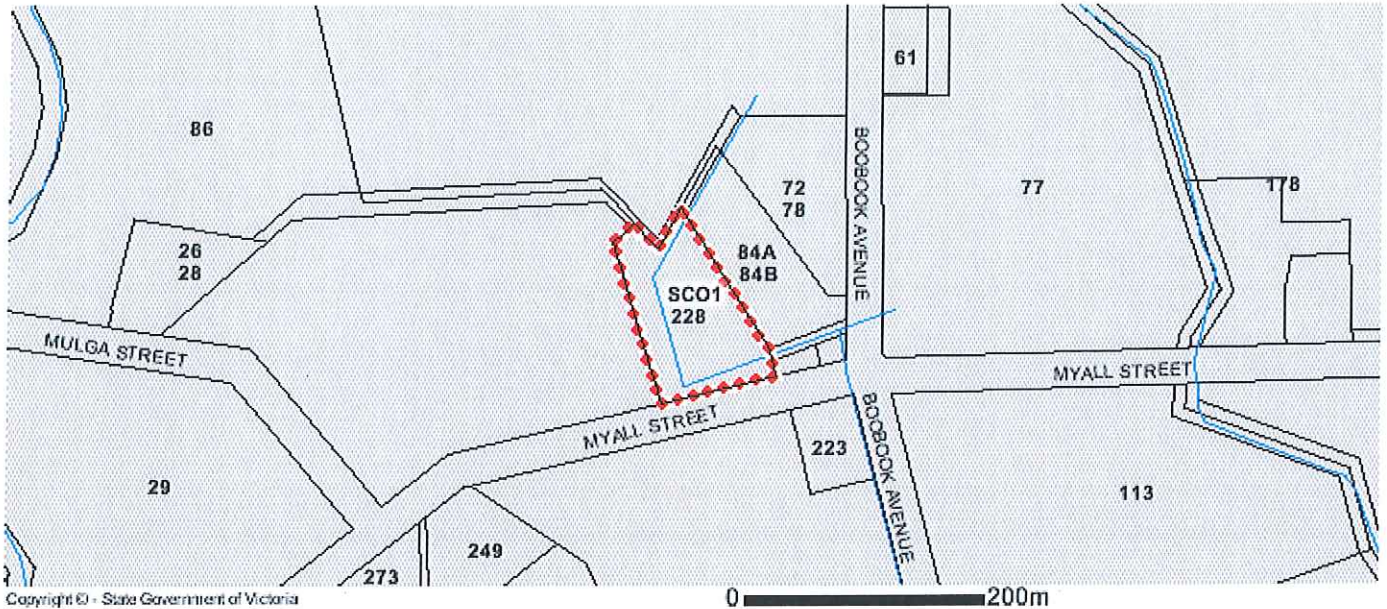
 FZ - Farming

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

Planning Overlay

SPECIFIC CONTROLS OVERLAY (SCO)

SPECIFIC CONTROLS OVERLAY - SCHEDULE 1 (SCO1)



SCO - Specific Controls

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 30 September 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 affect the land. To obtain a Planning Certificate go to Titles and Property Certificates at Landata - <https://www.landata.vic.gov.au>

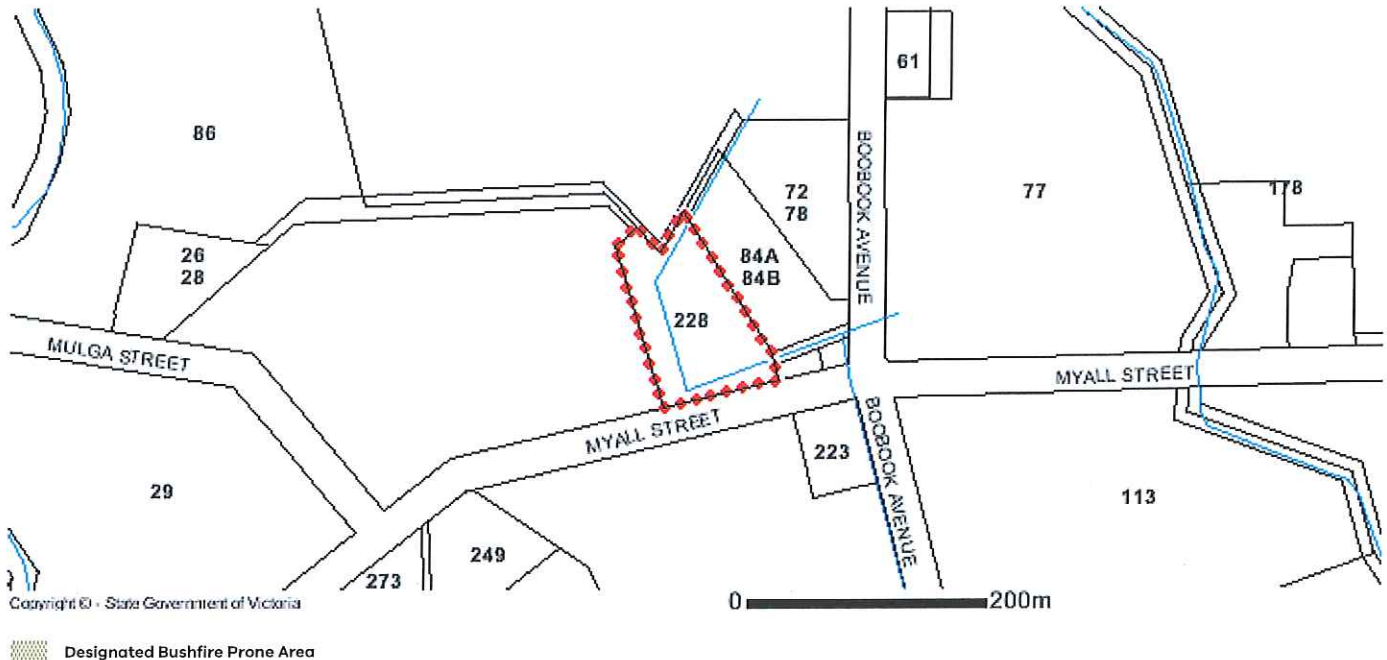
For details of surrounding properties, use this service to get the Reports for properties of interest.

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>

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>

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

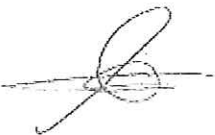
Some land within the municipality of the Mildura Rural City Council contains high levels of salt resulting in a condition commonly referred to as 'salinity'. Salinity can result in 'salt damp' or 'rising damp and salt attack' which can cause damage to certain building materials such as concrete and masonry.

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

A handwritten signature in dark ink, appearing to be 'Mark Yantzes', written over a horizontal line.

Mark Yantzes

MUNICIPAL BUILDING SURVEYOR

MY/jb

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

Vendor: Simon Geoffrey May

Vendor's Section 32 Statement

Property: 228 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: 20718 May (Sally)