

**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 **ANTHONY CHARLES MARTIN**

PROPERTY **Block 97 Sixth Street, Merbein**
(Lot 2 on Plan of Subdivision 217835C and being the land more particularly described in
Certificate of Title Volume 9909 Folio 414)

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 2019/20	\$802.17	
Lower Murray Water- per qtr 1/1/2020 TO 31/3/2020	\$2,699.88	

(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

This section 2.1 only applies if this vendor statement is in respect of a contract which does NOT provide the land to remain at the risk of the vendor until the purchaser becomes entitled to possession or receipt of rents and profits.

Not applicable.

2.2 Owner-Builder

This section 2.2 only applies where there is a residence on the land that was constructed by an owner builder within the preceding 6 years and section 137B of the *Building Act 1993* applies to the residence.

Not applicable.

3. LAND USE

3.1 Easements, Covenants or Other Similar Restrictions

A description of any easement, covenant or other similar restriction 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 not in a bushfire prone area under section 192A of the *Building Act 1993*.

3.4 Planning Scheme

The required specified information is Attached is a certificate with the required specified information.

4. NOTICES

4.1 Notice, Order, Declaration, Report or Recommendation

Particulars of any notice, order, declaration, report or recommendation of a public authority or government department or approved proposal directly and currently affecting the land, being a notice, order, declaration, report, recommendation or approved proposal of which the vendor might reasonably be expected to have knowledge are as follows:

Nil.

4.2 Agricultural Chemicals

There are NO notices, property management plans, reports or orders in respect of the land issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the land for agricultural purposes. However, if this is not the case, the details of any such notices, property management plans, reports or orders, are as follows:

Nil.

4.3 Compulsory Acquisition

The 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")

Words and expressions in this section 7 have the same meaning as in Part 9B of the *Planning and Environment Act 1987*.

7.1 Work-in-Kind Agreement

There is no work-in-kind agreement (within the meaning of Part 9B of the *Planning and Environment Act 1987*).

7.2 GAIC Recording

The land is not affected by the GAIC.

8. SERVICES

The following services are not connected to the land:

- (a) gas supply
- (b) town water supply
- (c) sewerage
- (d) telephone services

9. TITLE

- 9.1 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: /...../.....

Signature of the vendor:
Anthony Charles Martin

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 09909 FOLIO 414

Security no : 124081829659W
Produced 25/02/2020 01:46 PM

LAND DESCRIPTION

Lot 2 on Plan of Subdivision 217835C.
PARENT TITLE Volume 06615 Folio 890

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

ANTHONY CHARLES MARTIN of BLOCK 102 MAIN AVENUE, MERBEIN VICTORIA 3505
AC705996B 01/03/2004

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AC705998W 01/03/2004

BENDIGO AND ADELAIDE BANK LTD

TRANSFER OF MORTGAGE AL238277K 18/07/2014

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 LP217835C 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: SIXTH STREET MERBEIN VIC 3505

ADMINISTRATIVE NOTICES

NIL

eCT Control 03500L BENDIGO AND ADELAIDE BANK LTD - SAFE CUSTODY
Effective from 21/07/2017

DOCUMENT END

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<p>OFFICE USE ONLY</p> <h1 style="margin: 0;">LP217835C</h1> <h2 style="margin: 0;">EDITION 2</h2>		<p>NOTATIONS</p> <p>LAND SUBJECT TO EASEMENT</p> <p>NIL</p> <p>DEPTH LIMITATION 15.24 METRES</p>		<p>OTHER NOTATIONS</p> <p>THIS PLAN ACCORDS WITH CERTIFICATE OF TITLE VOL. 6615 FOL. 890 AND IS NOT BASED ON SURVEY.</p>		<p>TO BE COMPLETED WHERE APPLICABLE</p> <p>THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS NOS. _____</p> <p>IN PROCLAIMED SURVEY AREA NO. _____</p>		<p>THE LAND TO BE SUBDIVIDED IS SHOWN ENCLOSED BY THICK LINES</p> <p>TITLE REF: C/JG VOL 6615 FOL. 890</p> <p>LAST PLAN REF: _____</p>		<p>PLAN OF SUBDIVISION</p> <p>COUNTY KARKAROOC</p> <p>PARISH MERBEIN</p> <p>CROWN ALLOTMENT 97</p>		<p>NUMBER OF SHEETS IN PLAN _____</p> <p>NUMBER OF THIS SHEET _____</p> <p>SCALE</p> <p>ORIGINAL SHEET SIZE A3</p> <p>LENGTHS ARE IN METRES</p> <p>OFFICE USE ONLY</p>									
<p>GOVT ROAD</p>																					
<p>217835C 2</p>																					
<p>8.281 ha</p>																					
<p>LIST OF MODIFICATIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>LAND</th> <th>MODIFICATION</th> <th>DEALING No.</th> <th>A.R.T.</th> <th>NEW EDN.</th> </tr> </thead> <tbody> <tr> <td>ALL</td> <td>DEPTH LIMITATION</td> <td>R 854143</td> <td></td> <td>2</td> </tr> </tbody> </table>												LAND	MODIFICATION	DEALING No.	A.R.T.	NEW EDN.	ALL	DEPTH LIMITATION	R 854143		2
LAND	MODIFICATION	DEALING No.	A.R.T.	NEW EDN.																	
ALL	DEPTH LIMITATION	R 854143		2																	
<p>CERTIFICATION BY SURVEYOR</p> <p>I, PAUL THOMAS TOMKINSON or 140 MADDEN AVENUE, MILDURA, 3500, a surveyor licensed under the Surveyors Act 1978, certify that this plan correctly represents the information obtained by me from the sources as indicated hereon and is mathematically correct.</p> <p>Date: 24th FEB. 1988</p> <p><i>P. Tomkinson</i> Licensed Surveyor Surveyors Act 1978.</p>																					
<p>CERTIFICATE OF MUNICIPAL CLERK</p> <p>MUNICIPALITY SHIRE OF MILDURA COUNCIL REF. S2249</p> <p>APPROVED 27.10.88</p>																					
<p>AMENDMENTS</p> <p>TOMKINSON & ASSOCIATES 140 MADDEN AVE, MILDURA. 3500. PHONE. 050 236239.</p> <p>SURVEYOR REF. 4559</p>																					
<p>REGISTRAR OF TITLES</p> <p>DATE _____</p> <p>MUNICIPAL CLERK _____</p> <p>(ASSISTANT) REGISTRAR OF TITLES _____</p>																					

ONLY CERTIFICATE & OFFICE USE ONLY
DELETE WORDS NOT APPLICABLE

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. Special Condition – No Water being transferred with sale

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 WUL010579, which authorises an Annual Use Limit of 70.2 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 3 shall be in the form set out hereunder.

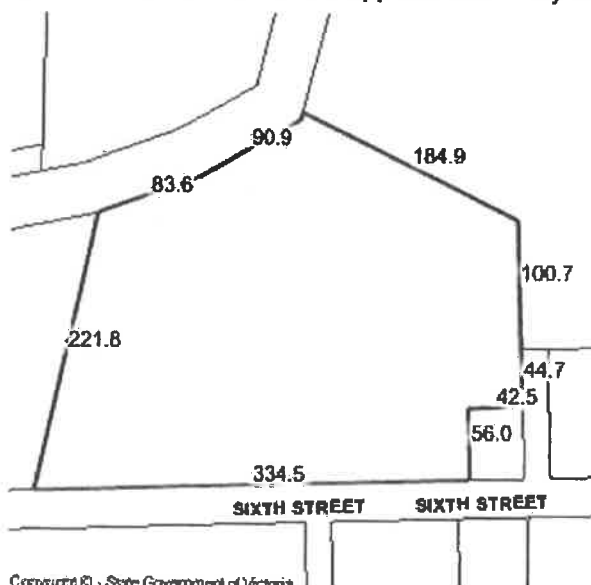
DATED this day of 2020.

in the presence of: _____)

in the presence of: _____)

Property Report from www.land.vic.gov.au on 19 February 2020 04:26 PM**Lot / Plan:** Lot 2 LP217835**Address:** SIXTH STREET MERBEIN 3505**SPI (Standard Parcel Identifier):** 2\LP217835**Local Government (Council):** MILDURA **Council Property Number:** 27540**Directory Reference:** VicRoads 3 B5**This parcel is not in a designated bushfire prone area.****No special bushfire construction requirements apply. Planning provisions may apply.**Further information about the building control system and building in bushfire prone areas can be found in the Building Commission section of the Victorian Building Authority website www.vba.vic.gov.au**Site Dimensions**

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

**Area:** 82819 sq. m (8.2 ha)**Perimeter:** 1164 m

For this parcel:

— Site boundaries

— Road frontages

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

1 dimension shorter than 7m 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**

Lot/Plan or Crown Description	SPI
Lot 2 LP217835	2\LP217835

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 Zone Summary**

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

Planning Overlay: None

Further Planning Information

Planning scheme data last updated on 18 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, local, particular and general provisions of the local planning scheme that may affect the use of the 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 & 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](#)

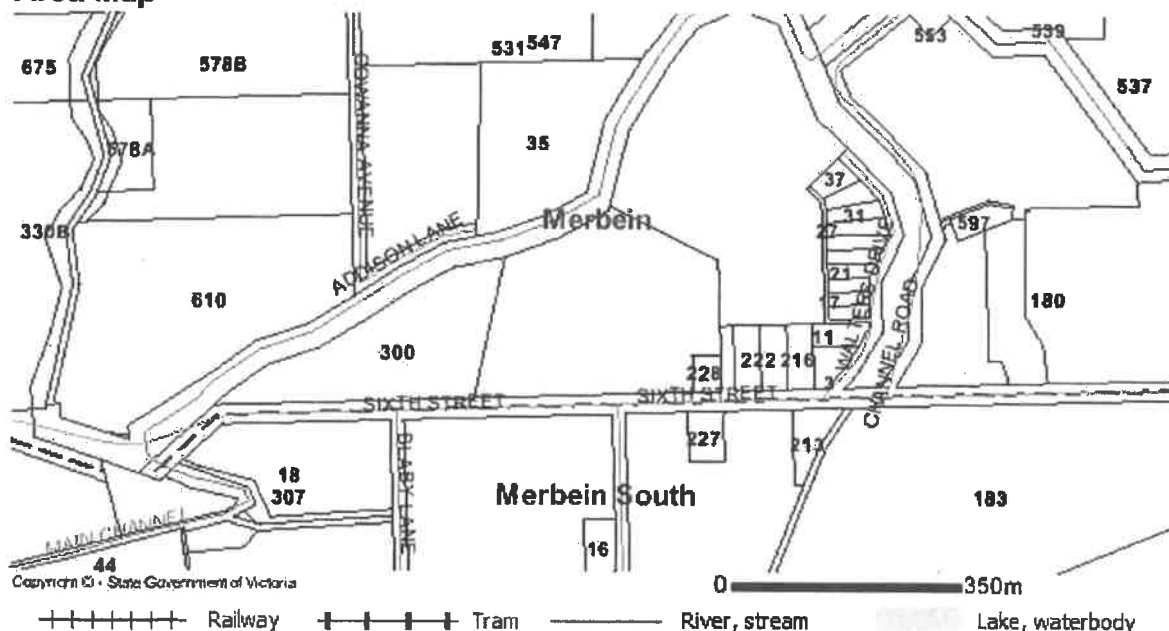
The Planning Property Report includes separate maps of zones and overlays

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



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Environment,
Land, Water
and Planning

PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

From www.planning.vic.gov.au on 19 February 2020 04:27 PM

PROPERTY DETAILS

Lot and Plan Number: **Lot 2 LP217835**
Address: **SIXTH STREET MERBEIN 3505**
Standard Parcel Identifier (SPI): **2\LP217835**
Local Government Area (Council): **MILDURA**
Council Property Number: **27540**
Planning Scheme: **Mildura**
Directory Reference: **VicRoads 3 B5**

www.mildura.vic.gov.au

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

UTILITIES

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

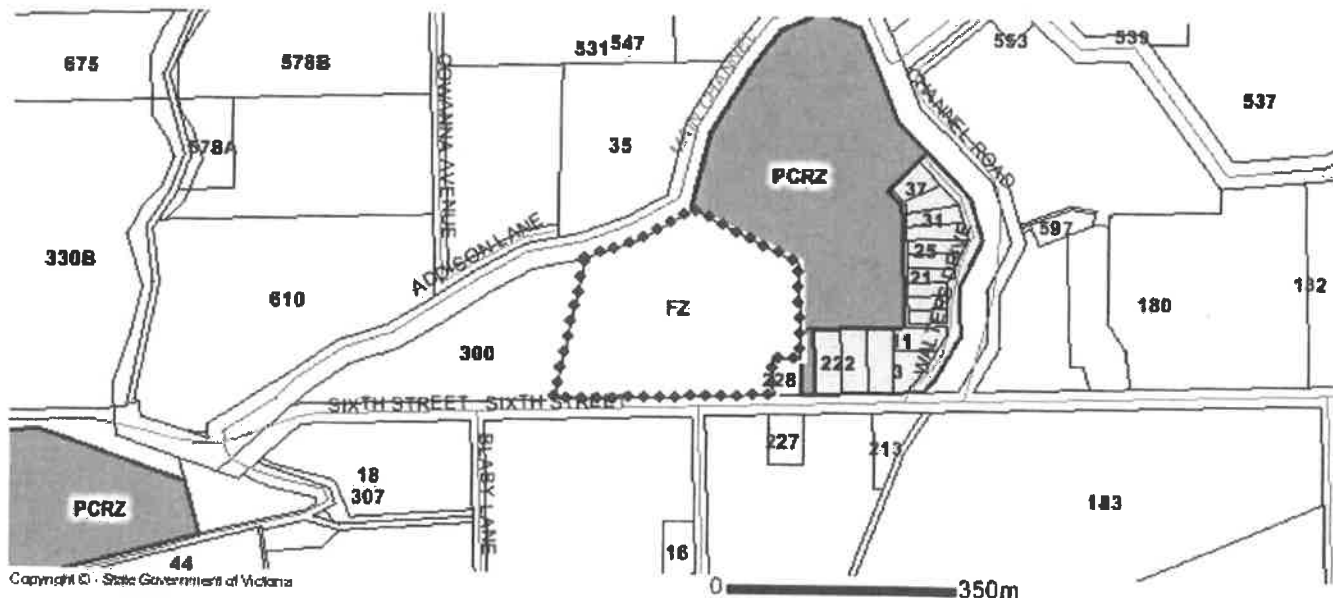
STATE ELECTORATES

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

Planning Zones

FARMING ZONE (FZ)

SCHEDULE TO THE FARMING ZONE (FZ)



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FZ - Farming

GRZ - General Residential

PCRZ - Public Conservation & Resource

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

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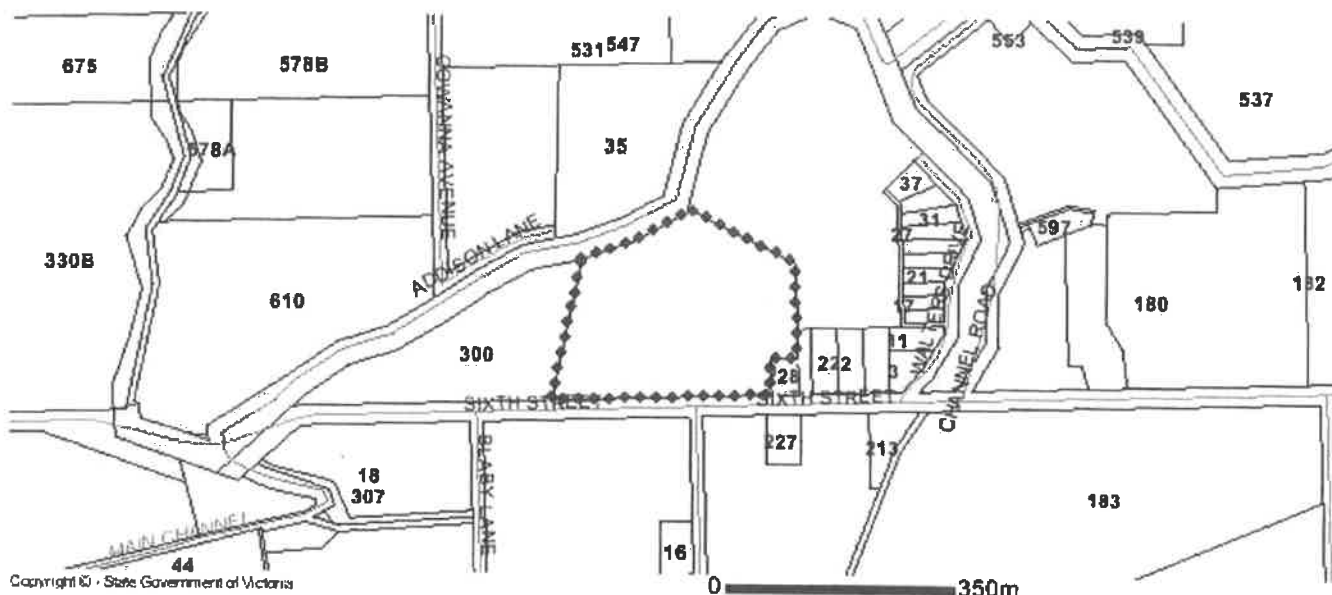
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Notwithstanding this disclaimer, a vendor may rely on the information in this report for the purpose of a statement that land is in a bushfire prone area as required by section 32C (b) of the Sale of Land 1962 (Vic).

PLANNING PROPERTY REPORT: Lot 2 LP217835

Planning Overlay

None affecting this land



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

Further Planning Information

Planning scheme data last updated on 18 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>

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

To view planning zones, overlay and heritage information in an interactive format visit <http://mapshare.maps.vic.gov.au/vicplan>

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

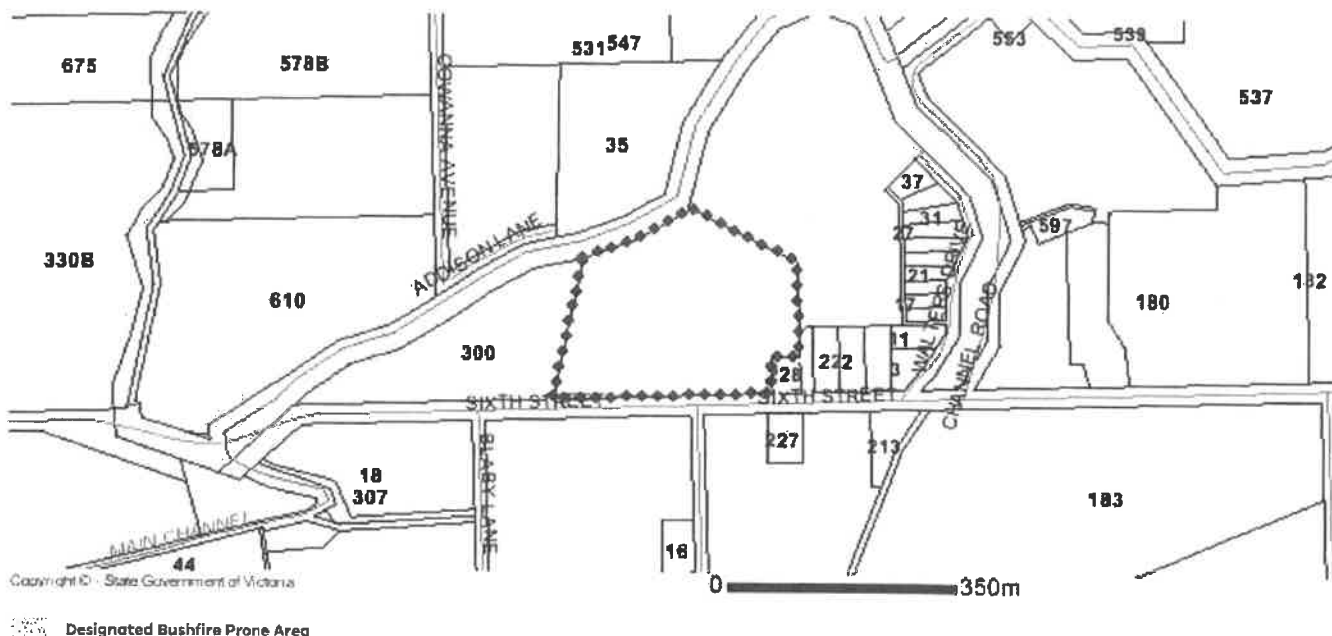
PLANNING PROPERTY REPORT



Environment,
Land, Water
and Planning

Designated Bushfire Prone Area

**This parcel 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>



Mildura Rural City Council



TAX INVOICE



Mr A C & Ms K E Martin
PO Box 24
MERBEIN VIC 3505



033
1017086
R3_1089

Total Rates & Charges For this Year
\$802.17

Refer below for payment options

Rate and Valuation Notice

1 July 2019 to 30 June 2020

Property Location & Description
Sixth Street MERBEIN VIC 3505
Lot 2 PS 217835C Parish of Merbein

AVPCC: 561 - Vineyard

RATING DETAILS

Irrigated Farm Rate

0.00488703 158000 \$772.15

VICTORIAN STATE GOVERNMENT FIRE SERVICES PROPERTY LEVY
Primary Production Fire Levy (Variable)

0.00019 158000 \$30.02

TOTAL AMOUNT

\$802.17

Payment In full	Or	1st Instalment	2nd Instalment	3rd Instalment	4th Instalment
Due 15 Feb 2020 \$802.17		Due 30 Sep 2019 \$200.52	Due 30 Nov 2019 \$200.55	Due 29 Feb 2020 \$200.55	Due 31 May 2020 \$200.55

Note: If full payment of the 1st Instalment isn't received by the due date, this account will automatically default to the Payment in Full option and you will not receive reminder instalment notices.
Please refer to the reverse side of this notice for information relating to penalties for late payment.

Payment Slip

Mr A C & Ms K E Martin
Sixth Street MERBEIN VIC 3505
Assessment No: 27540

Payment In Full: \$802.17
Or 1st Instalment: \$200.52



Biller code: 93922
Ref: 275404

BPAY this payment via Internet or phone banking
BPAY View: View and pay this bill using Internet banking
BPAY View Registration No.: 275404



Full Payment *41 275404



Post Billpay Biller code: 0041
Ref: 275404

Pay in person at any post office, phone
13 18 16 or go to postbillpay.com.au

Centrepay Ref:
555 054 730B

Internal Use Only



24 Hour Supply Emergency
 1800 808 830
 Tel: (03) 5351 3400
 Fax: (03) 5351 3401
 Email: enquiries@lmw.vic.gov.au
 Web: www.lmw.vic.gov.au

LOWER MURRAY WATER

ABN 18 475 808 826
www.lmw.vic.gov.au

RURAL ACCOUNT
 Tel: (03) 5350 3560
 Fax: (03) 5350 3561
 Email: enquiries@lmw.vic.gov.au
 Web: www.lmw.vic.gov.au



24 Hour Supply Emergency
 1800 808 830

MR AC MARTIN
 PO BOX 24
 MERBEIN VIC 3505

Reference No. 047922
 RURAL ACCOUNT
 Amount Due \$2,699.88

Due Date 28-FEB-2020

Date Of Issue 20/01/2020

Tariffs and Charges Notice
 3rd Quarter 2019/20
 01/01/2020 - 31/03/2020

POST *850 700479223

Property Address : SIXTH STREET MERBEIN VIC 3505 (Prop:47922) - Rural Account
 Lot 2 LP 217835C CA Pt 97 Par Merbein V 9909 F 414

	Charge	MLDS	Usage	Balance
Service Charge (Quarterly)	25.00			25.00
Delivery Share Fee Irrigation (Qtr)	850.92	8.400		850.92
Metered Water Usage Fee Irrigation	1629.00		35.367ML	1629.00
Property Drainage Fee Division 1 (Qtr)	194.96	8.400		194.96

TOTAL OWING \$2,699.88

Payments/Credits since last Notice \$1,586.12

These services are GST free. The next Quarterly Notice will be mailed Apr 2020 - due late May
 Interest charges will accrue at a rate of 4% pa against any outstanding ARREARS and/or current charges not paid by the due date as shown above. Exemptions apply.

Payment Slip - Methods of Payment

Online at lmw.vic.gov.au - Pay your Account

047922/245461

SIXTH STREET MERBEIN VIC 3505 (Prop:47922) - Rural Account



Direct Debit
 Please contact your local office



Centrepay
 Use Centrepay to arrange regular
 deductions from your Centrelink pay-ent
 simply notify us at Merbein Water Office



Billpay Code: 0850
 Ref: 7004 7922 3

Pay in person at any Post Office.



Biller Code: 78477
 Ref: 7004 7922 3

Contact your bank or financial institution to arrange
 payment from your electronic funds transfer (EFT) account
 or for more information visit www.bpay.com.au



*850 700479223

\$2,699.88



Biller Code: 78477
 Ref: 7004 7922 3

BPAY® - Make this payment via internet
 or phone banking.
 BPAY View® - Receive, view and pay this
 bill using internet banking.
 BPAY View Registration No: 7004 7922 3

Amount Due

\$2,699.88



Payment Ref: 7004 7922 3



By Phone
 Pay by phone (03) 8572 0587
 Standard call charges apply

See reverse for
 In Person and By Mail options

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 WUL010579 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 WUL010579 is not fit for any use that may involve human consumption, directly or indirectly, without first being properly treated.

Water-use licence WUL010579 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 9909 Folio 414
Lot 2 of Plan LP217835C

Holder(s) of Water-Use Licence

ANTHONY CHARLES MARTIN of PO BOX 24 MERBEIN VIC 3505

Water-Use Licence Details

Status	Active
Annual use limit	70.2 megalitres
Water share holding limit	140.4 megalitres
Licensing water authority	Lower Murray Water
Trading zone for water use	7 VIC Murray - Barmah to SA
Delivery system	Merbein Irrigation District
Related works licences	Nil
Associated water shares	Nil
Salinity impact zone	Low Impact Zone 1 (LI 1)

Application History

<i>Reference</i>	<i>Type</i>	<i>Status</i>	<i>Lodged date</i>	<i>Approved date</i>	<i>Recorded date</i>
WUV003735	Variation	Approved	13 Jun 2008	13 Jun 2008	

Conditions

Water-use licence WUL010579 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 70.20
- 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.

END OF COPY OF RECORD

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

ANTHONY CHARLES MARTIN

VENDOR'S STATEMENT

Property

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