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# Vendor Statement

Pursuant to Section 32 Sale of Land Act 1962

And

# Contract of Sale of Land

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Property address: 275 James Road, Bael Bael, Victoria 3579

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Vendor: Gerard William Fitzpatrick

---

Purchaser:

---

Prepared by  
**Mills Hebbard Moore**  
135 End Street  
Deniliquin NSW 2710  
623, Deniliquin 2710  
DX 5562 Deniliquin  
Email: [helenmhm@bigpond.net.au](mailto:helenmhm@bigpond.net.au)  
Ref: PH:DF:20897

# 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, or on behalf of, the vendor and given to the purchaser before the purchaser signs the contract.

The vendor may sign by electronic signature.

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

**Land:** 275 James Road, Bael Bael, Victoria 3579

## SIGNED BY THE VENDOR

Name: **Gerard William Fitzpatrick**

On \_\_\_\_ / \_\_\_\_ / 20\_\_\_\_

\_\_\_\_\_  
*State nature of authority if applicable (e.g. 'director', 'attorney under power of attorney')*

## SIGNED BY THE PURCHASER

Name:

On \_\_\_\_ / \_\_\_\_ / 20\_\_\_\_

\_\_\_\_\_  
*State nature of authority if applicable (e.g. 'director', 'attorney under power of attorney')*

**SUMMARY PAGE OF THE VENDOR STATEMENT** *(Please tick)*

✓	Topic	✓	Topic	✓	Topic
✓	Attachments		Subdivision		Building insurance
✓	Title		Owners corporation		Terms contract
✓	Land use & services		Notices		Sale subject to mortgage
✓	Planning		Building permits		(GAIC) Growth areas infrastructure contribution
✓	Financial matters		Owner builder insurance		Disclosure of energy information

**ATTACHMENTS**

*Any certificates, documents and other attachments may be annexed or further information added here.*

Attached

Further information:

**TITLE**

(a) Attached are copies of the following documents:

Register Search Statement and the document referred to as the diagram location in the Register Search Statement.

General Law Title.

*The last conveyance in the chain of title or other document which gives evidence of the vendor's title to the land.*

(b)  Evidence of the vendor's right or power to sell where the vendor is not the registered proprietor or the owner in fee simple.

Not Applicable

**LAND USE & SERVICES**

(a) Easements, covenants, or other similar restrictions

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

Attached copies of title document/s.

OR

Full description:

Nil

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

**(b) Services**

The following services are NOT connected to the land:

Electricity supply     Gas supply     Telephone     Water supply     Sewerage

**(c) Road access**     Yes     No

**PLANNING**

**(a) Planning scheme**

Attached is a certificate with the required specified information.

**(b) Designated bushfire prone area**

Yes     No    Under section 192A of the Building Act 1993

**FINANCIAL MATTERS**

**(a) Particulars of the amount of any rates, taxes, charges or other similar outgoings including interest**

Their total does not exceed:

**(b) Particulars of any charge under any Act**

To

# DUE DILIGENCE CHECKLIST FOR HOME AND RESIDENTIAL PROPERTY BUYERS

Consumer Affairs Victoria

## Overview

Before you buy a home or vacant residential land, 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.

All sellers or estate agents must make this checklist available to potential buyers of homes or residential property.

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 \(Word, 58KB\)](#).

This page contains additional links to organisations and web pages that can help you learn more.

## 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 Environment, Land, Water & Planning website](#).

To find out if a property is within the Melbourne Strategic Assessment area, which has special requirements for biodiversity conservation, use the Obligations in the Biodiversity Conservation Strategy Area tool on the [Department of Environment, Land, Water and Planning - Native Vegetation Information Management 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.

For information about fire risk, visit:

- [Bushfire Management Overlay in planning schemes - Department of Environment, Land, Water & Planning website](#)
- [Building in bushfire prone areas - Department of Environment, Land, Water & Planning website](#).

For general information about flood risk, visit the [Australian Flood Risk Information Portal on the Geoscience Australia website](#).

To find out who is responsible for floodplain management in your area, visit the [Catchment management framework page on the Department of Environment, Land, Water & Planning website](#).

Catchment management authority websites:

- [Melbourne Water website](#) - includes floodplain management for Port Phillip and Westernport regions
- [Corangamite Catchment Management Authority website](#)
- [East Gippsland Catchment Management Authority website](#)
- [Glenelg Hopkins Catchment Management Authority website](#)
- [Goulburn Broken Catchment Management Authority website](#)
- [Mallee Catchment Management Authority website](#)
- [North Central Catchment Management Authority website](#)
- [North East Catchment Management Authority website](#)
- [West Gippsland Catchment Management Authority website](#)
- [Wimmera Catchment Management Authority 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 Agriculture Victoria 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 Agriculture Victoria website](#).
- Do you understand your obligations to manage weeds and pest animals? Visit the [New landholders section on the Agriculture Victoria 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 [Forestry & land use page on the Department of Environment, Land, Water & Planning website](#).

## Earth resource activity, such as mining

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

For more information, visit the:

- [GeoVic page on the Department of Economic Development, Jobs, Transport and Resources website](#)

- [Information for community and landholders page on the Department of Economic Development, Jobs, Transport and Resources 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 [Planning Practice Notes page on the Department of Environment, Land, Water & Planning 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 Environment, Land, Water & Planning 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 section on the Department of Environment, Land, Water & Planning website.](#)

A cultural heritage management plan or cultural heritage permit may be required prior to works being undertaken on the property. For help to determine whether a cultural heritage management plan is required for a proposed activity, visit the [Planning and development of land page on the Aboriginal Victoria website.](#)

### **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 [Planning and development of land page on the Aboriginal Victoria 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 help choosing an energy retailer, visit the [Victorian Energy Compare website.](#)

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 on the Department of Environment, Land, Water and Planning 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:**

- [Australian Institute of Architects 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.](#)

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

VOLUME 04392 FOLIO 238

Security no : 124087561236W  
Produced 15/01/2021 09:46 AM

LAND DESCRIPTION

Crown Allotment 1 Section A and Crown Allotment 2 Section A Parish of Bael Bael.

PARENT TITLES :

Volume 04154 Folio 741 to Volume 04154 Folio 742

Created by instrument 964319 22/09/1920

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

GERARD WILLIAM FITZPATRICK of CAMPBELLS ROAD WOOSANG VIA CHARLTON 3525  
AC255891W 11/08/2003

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP367562T FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

DOCUMENT END

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TITLE PLAN		EDITION 1	TP 367562T
Location of Land Parish: BAEL BAEL Township: Section: A Crown Allotment: 1, 2 Crown Portion:  Last Plan Reference: Derived From: VOL 4382 FOL 238 Depth Limitation: NIL		Notations  ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN	
Description of Land / Easement Information		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 27/03/2000 VERIFIED: C.L.	
TOTAL AREA = 639A 3R 14P			
LENGTHS ARE IN LINKS LINKS		Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 1 sheets



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

VOLUME 10172 FOLIO 670

Security no : 124087561240S  
Produced 15/01/2021 09:46 AM

CROWN GRANT

LAND DESCRIPTION

Crown Allotment 6A Section A Parish of Bael Bael.

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

GERARD WILLIAM FITZPATRICK of CAMPBELLS ROAD WOOSANG VIA CHARLTON 3525  
AC255891W 11/08/2003

ENCUMBRANCES, CAVEATS AND NOTICES

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below. For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP068046F 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: 275 JAMES ROAD BAEL BAEL VIC 3579

DOCUMENT END

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<b>TITLE PLAN</b>	<b>EDITION 1</b>	<b>TP 68046F</b>
<b>Location of Land</b> Parish: BAEI BAEI Township: A Section: A Crown Allotment: 6 A Crown Portion:  Last Plan Reference: Derived From: VOL 10172 FOL 670 Depth Limitation: 15 m		<b>Notations</b> SUBJECT TO THE RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS CONTAINED IN CROWN GRANT VOL. 10172 FOL. 670 AND NOTED ON SHEET 2 OF THIS PLAN  ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN
Description of Land / Easement Information		THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT COMPILED: 13/07/1999 VERIFIED: EWA
LENGTHS ARE IN METRES	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 1 of 2 sheets

TITLE PLAN		TP 68046F
<p><b>LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT</b></p> <p style="text-align: right;">all that</p> <p>piece of land in the said State being Allotment SIX<sup>A</sup> of Section A in the PARISH OF BAEL BAEL County of Tatchera and being the land shown enclosed by continuous lines in the map hereon and identified by that allotment number</p> <p>Provided that this Grant is made subject to -</p> <p>(a) the reservation to Us Our heirs and successors of -</p> <p>(i) any minerals within the meaning of the <i>Mineral Resources Development Act 1990</i> and petroleum within the meaning of the <i>Petroleum Act 1958</i> (hereinafter called "the reserved minerals");</p> <p>(ii) rights of access for the purpose of searching for and obtaining the reserved minerals in any part of the said land;</p> <p>(iii) rights for access and for pipe-lines works and other purposes necessary for obtaining and conveying on and from the said land any of the reserved minerals which is obtained in any part of the said land;</p> <p>(b) the right to resume the said land for mining purposes pursuant to section 205 of the <i>Land Act 1958</i>;</p> <p>(c) the right of any person being a licensee under the <i>Mineral Resources Development Act 1990</i> or any corresponding previous enactment to enter on the said land and to do work within the meaning of that Act and to erect and occupy mining plant or machinery thereon in the same manner and under the same conditions and provisions as those under which such a person has now the right to do such work in and upon Crown lands provided that compensation as prescribed by Part 8 of that Act is paid for surface damage to be done to the said land by reason of doing such work on it.</p> <p>(d) the condition that the grantee shall take the said land notwithstanding any defects arising from the past user thereof for mining purposes or from any reclamation work carried out thereon or from any other cause whatsoever and that no warranty shall be implied herein as to the fitness of the said land for any purpose.</p>		
LENGTHS ARE IN METRES	Metres = 0.3048 x Feet Metres = 0.201168 x Links	Sheet 2 of 2 sheets

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

VOLUME 08025 FOLIO 195

Security no : 124087561242Q  
Produced 15/01/2021 09:46 AM

LAND DESCRIPTION

Crown Allotment 4 Section A, Crown Allotment 5 Section A and Crown Allotment 6 Section A Parish of Bael Bael.  
PARENT TITLE Volume 03640 Folio 862  
Created by instrument 2413338 13/11/1953

REGISTERED PROPRIETOR

Estate Fee Simple  
Sole Proprietor  
GERARD WILLIAM FITZPATRICK of CAMPBELLS ROAD WOOSANG VIA CHARLTON 3525  
AC255891W 11/08/2003

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP829988J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

DOCUMENT END

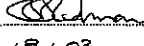
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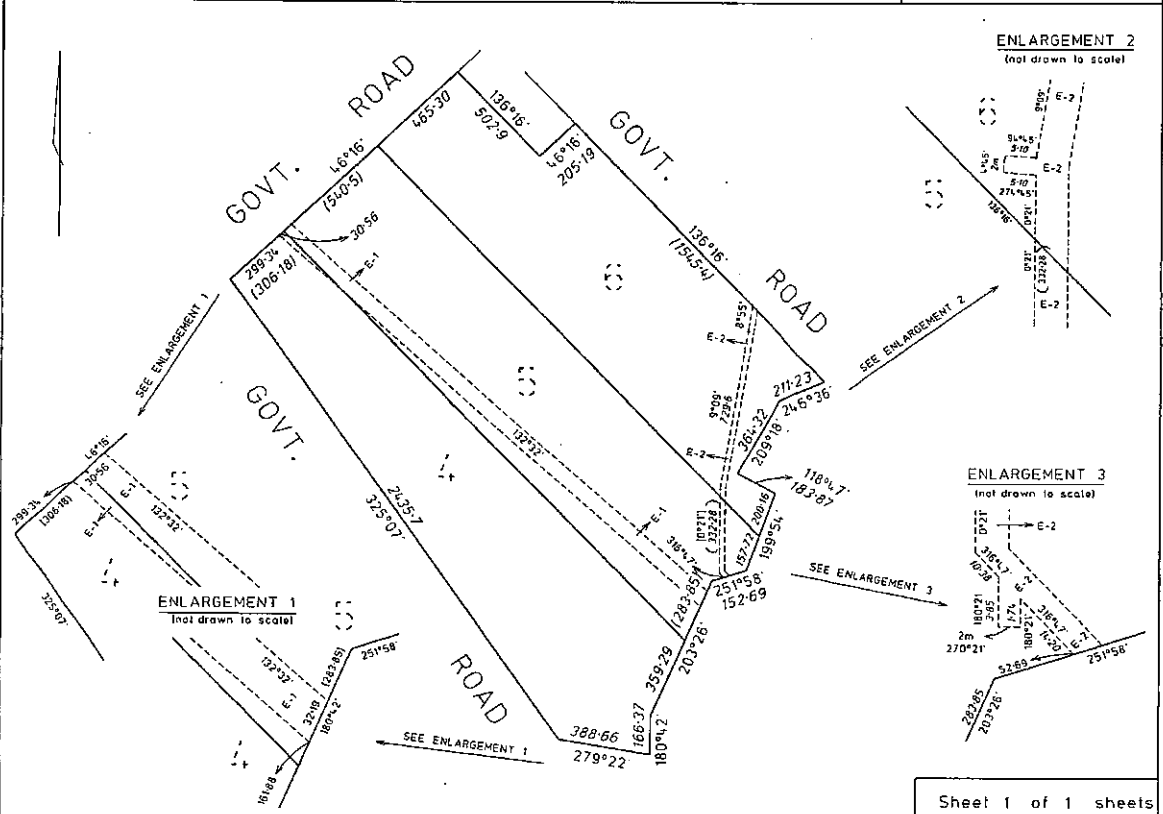
	TITLE PLAN	EDITION 1	TP829988J
LOCATION OF LAND PARISH : BAEI BAEI TOWNSHIP : - SECTION : A CROWN ALLOTMENT : 4, 5 and 6 CROWN PORTION : -  LTO BASE RECORD : SDMB-C LAST PLAN REFERENCE : - TITLE REFERENCE : Vol. 8025 Fol. 195  DEPTH LIMITATION : NIL		NOTATIONS:	

Easement Information				
Easement Reference	Purpose / Authority	Width (Metres)	Origin	Land benefitted / in favour of
E-1	TRANSMISSION OF ELECTRICITY	SEE DIAG.	B232824	STATE ELECTRICITY COMMISSION OF VICTORIA
E-2	TRANSMISSION OF ELECTRICITY	16.30	L762355E	STATE ELECTRICITY COMMISSION OF VICTORIA

THIS PLAN HAS BEEN PREPARED FOR THE VICTORIAN LAND TITLES OFFICE FOR TITLE DIAGRAM PURPOSES

Checked by   
 Date 22 / 8 / 03  
 Assistant Registrar of Titles

Legend . A - Appurtenant E - Encumbering Easement R - Encumbering Easement (Road)



Sheet 1 of 1 sheets

LAND VICTORIA	SCALE		DEALING No : AC255891W
	LENGTHS ARE IN METRES		
	SCALE	SHEET SIZE A3	DEALING CODE - SEC45 TLA

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

VOLUME 02595 FOLIO 854

Security no : 124087561245M  
Produced 15/01/2021 09:46 AM

CROWN GRANT

LAND DESCRIPTION

Crown Allotment 3 Section A Parish of Bael Bael.

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

GERARD WILLIAM FITZPATRICK of CAMPBELLS ROAD WOOSANG VIA CHARLTON 3525  
AC255891W 11/08/2003

ENCUMBRANCES, CAVEATS AND NOTICES

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below.  
For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

SEE TP771004B FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

-----END OF REGISTER SEARCH STATEMENT-----

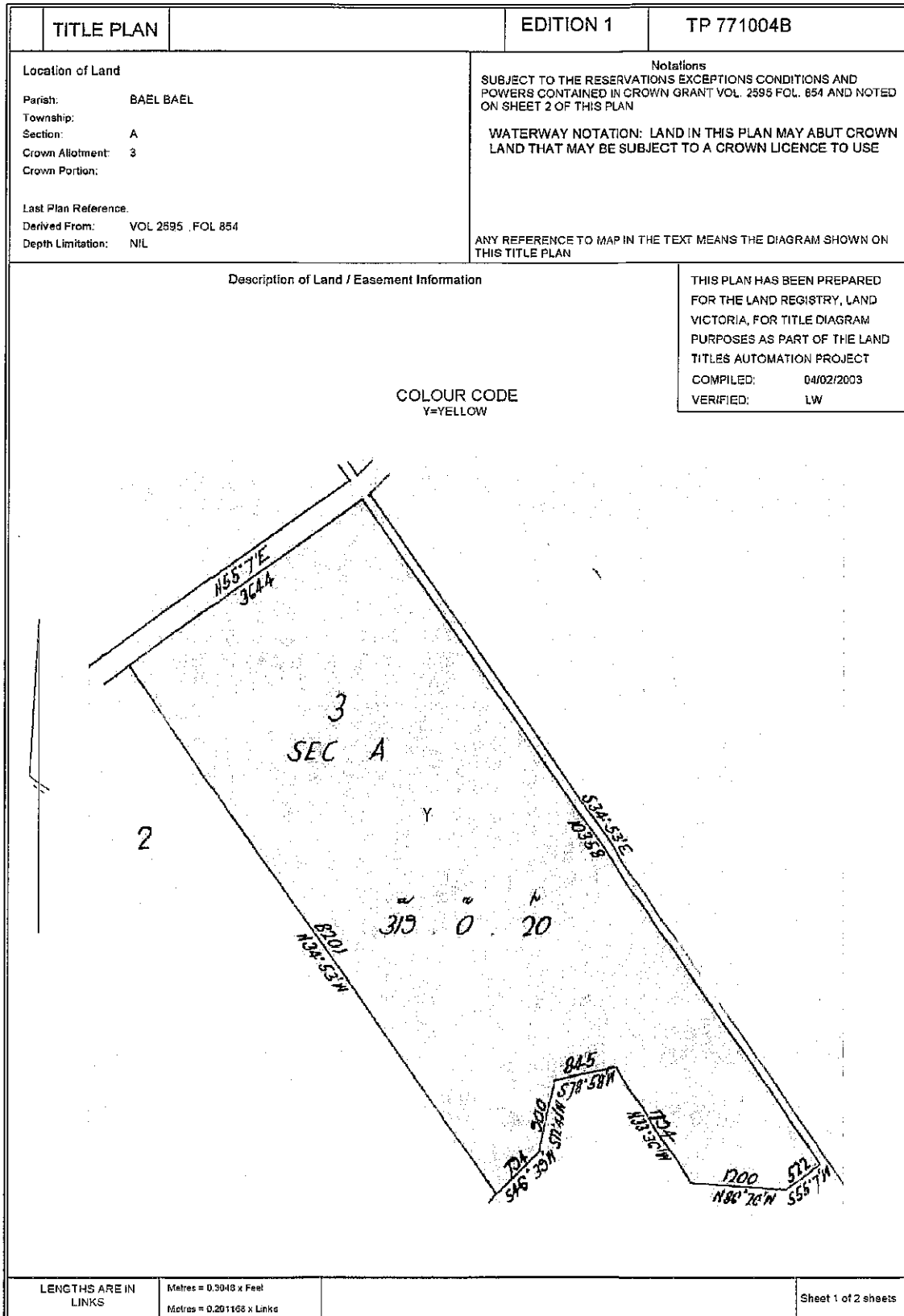
Additional information: (not part of the Register Search Statement)

Street Address: 275 JAMES ROAD BAEL BAEL VIC 3579

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TITLE PLAN		TP 771004B
<p><b>LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS SHOWN ON THE CROWN GRANT</b></p>		
<p>All that piece of Land in the said Colony containing <i>three hundred and nineteen acres and twenty perches more or less being allotment three of Section A in the District of Bael Bael County of Victoria</i></p>		
<p>delineated with the measurements and abutments thereof in the map drawn in the margin of these presents and therein coloured yellow</p>		
<p>Excavate however into us our heirs and successors all gold and silver and auriferous and argentiferous earth or stone and all mines containing gold silver copper tin antimony coal lignite and all other metals and mineral ores whatsoever and all mines veins lodes and deposits containing gold silver copper tin antimony coal lignite and other metals and minerals and mineral ores in upon or under and within the boundaries of this said land And also reserving to us our heirs and successors free liberty and authority for us our heirs and successors and our and their agents and servants at any time or times hereafter to enter upon the said land and to search and mine therein for gold silver copper tin antimony coal lignite and other metals and minerals and mineral ores and to extract and remove therefrom any gold silver and any auriferous and argentiferous earth or stone copper tin antimony coal lignite and other metals and minerals and mineral ores and to search for and work dispose of and carry away the gold silver copper tin antimony coal lignite metals minerals and their ores and the mines metals and minerals in upon and under the land hereby granted and for the purposes aforesaid in such shafts erect machinery carry on any works and do any other things which may be necessary or usual in mining. <b>GRANTEE</b> Provided always that it shall be lawful for us our heirs and successors at any time on paying full compensation to the said</p>		
<p>his heirs executors administrators or assigns for the full value other than that due to any metals or minerals or mineral ores being thereon or thereunder of the said piece of land or so much thereof as may be resumed as hereinafter mentioned and of the improvements upon the said piece of land or the part so resumed such value in case of disagreement to be ascertained by arbitration to resume the said piece of land or any part thereof for mining purposes And that the terms conditions and events upon which such land may be resumed and the manner in which such arbitration may be conducted may be determined by regulations in such manner as the Governor in Council may from time to time direct or if at any time no such regulations shall be in force then by the regulations concerning the resumption of land for mining purposes in force at the date of this Grant unless Parliament shall otherwise determine.</p>		
<p>LENGTHS ARE IN LINKS</p>	<p>Metres = 0.3048 x Feet Metres = 0.201168 x Links</p>	<p>Sheet 2 of 2 sheets</p>

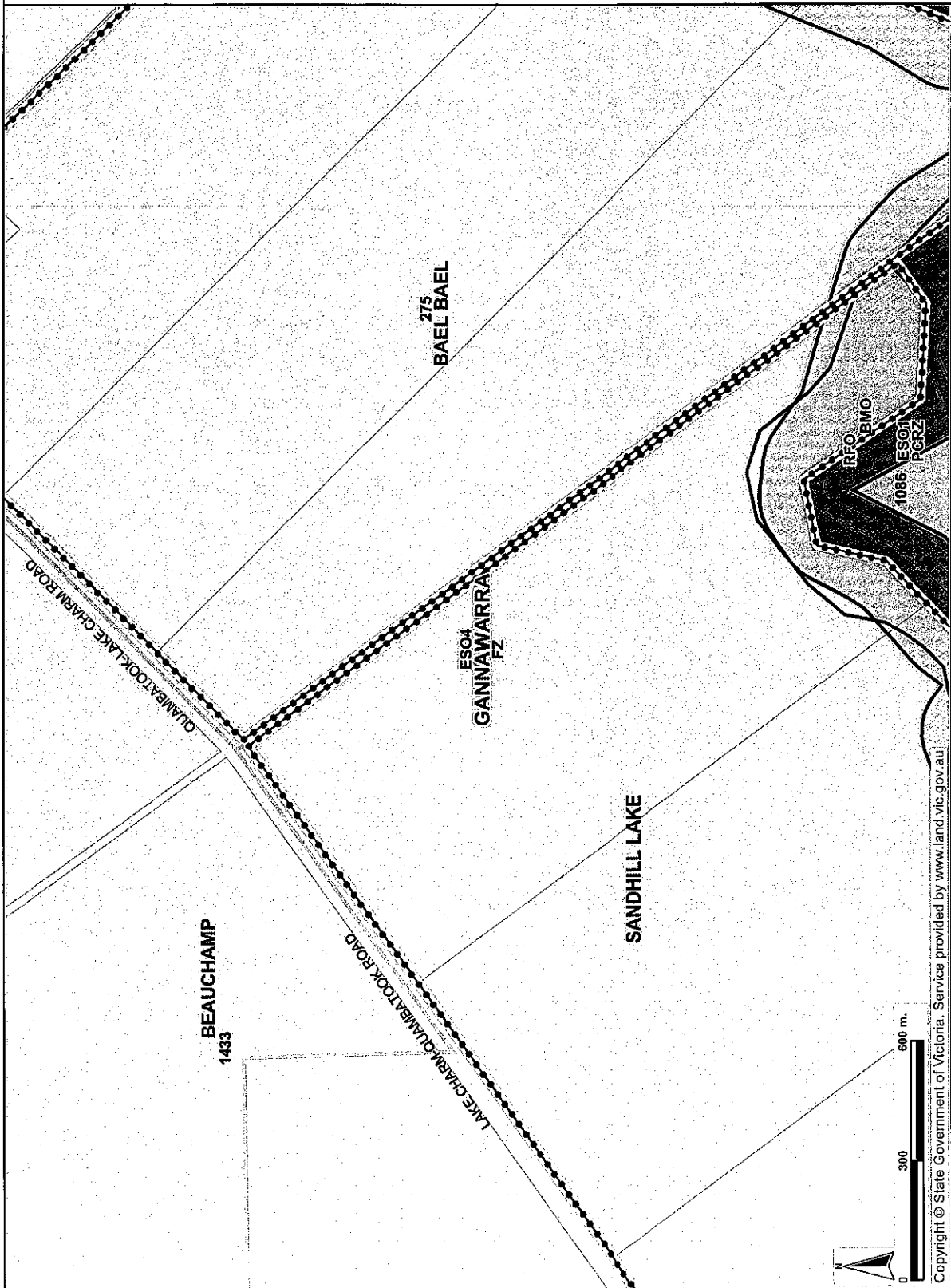


- Legend**
- Washed area
  - Major Town
  - Major Road, Road
  - Road name
  - Railway, Tramway
  - Property/Parcel, Selected
  - Address, Lot, Crown allotment
  - River, Stream, Coastline
  - Waterbody
  - Locality
  - Local Government Area
  - Urban Growth Boundary (UGB)
  - Area outside the UGB
  - Investigation Area
  - Land added to UGB since 2005
  - Boundary of Searched Suburb

**ZONES**

- ACZ - Activity Centre
- B1Z - Commercial 1
- B2Z - Commercial 2
- B3Z - Commercial 3
- B4Z - Commercial 4
- B5Z - Commercial 5
- C1Z - Commercial 1
- C2Z - Commercial 2
- C3Z - Commercial 3
- C4Z - Commercial 4
- C5Z - Commercial 5
- CA - Community Land
- CCZ - Central City
- CDZ - Comprehensive Development
- DZ - District
- E1Z - Environmental Rural
- E2Z - Environmental Rural
- E3Z - Environmental Rural
- E4Z - Environmental Rural
- E5Z - Environmental Rural
- E6Z - Environmental Rural
- E7Z - Environmental Rural
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- E99Z - Environmental Rural
- E100Z - Environmental Rural

- OVERLAYS**
- ASD - Abattoir Enclave
  - BMD - Buffer Management
  - COP - Conservation Overlay
  - COP2 - Conservation Overlay 2
  - COP3 - Conservation Overlay 3
  - COP4 - Conservation Overlay 4
  - COP5 - Conservation Overlay 5
  - COP6 - Conservation Overlay 6
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  - COP98 - Conservation Overlay 98
  - COP99 - Conservation Overlay 99
  - COP100 - Conservation Overlay 100



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Scale: 0 300 600 m

# LAND INFORMATION CERTIFICATE

In accordance with Section 229 of The Local Government Act 1989

Certificate No: 1648

Date: 22/01/2021



## APPLICANT'S DETAILS

APPLICANT: Mills Hebbard Moore C/ LANDATA  
GPO Box 527  
MELBOURNE VIC 3001

Applicant's Ref: 44475614-033-5

Purchaser:

Vendor: GW Fitzpatrick

P.O. Box 287, KERANG 3579

Phone: (03) 5456 5222

Fax: (03) 5456 2173

COUNCIL OFFICES

23 King Edward St, Cohuna

49 Victoria St, Kerang

Email: council@gannawarra.vic.gov.au

ABN: 98 993 182 937

This certificate provides information regarding Valuation, Rates, Charges, and other monies owing and any orders or notices made under the *Local Government Act 1958*, the *Local Government Act 1989* or under a local law or by-law of the Gannawarra Shire Council and specified flood level if any by the Gannawarra Shire Council.

This certificate is not required to include information regarding Planning, Building, Health, Land Fill, Land Slip, other Flooding information or Service Easements. Information regarding these matters may be available from the Council or the relevant Authority. A fee may be charged for such information.

## PROPERTY DETAILS

Property Number: A72694

Address: 275 James Road Bael Bael VIC 3579

Owner(s)

Gerard William Fitzpatrick

as per Rate Book:

Area (Ha): 787.32

Description: CA 1&2&3&4&5&6&6A SEC A PARISH OF BAEL BAEL

## PROPERTY VALUATIONS

Land Valuation Date:

Operative Date of Valuation: 1/07/2020

Site Value: \$600,000.00

Capital Improved Value: \$670,000.00

Net Annual value: \$33,500.00

## Statement of Rates and Charges for YEAR ENDING 30 June 2021

### RATES AND CHARGES

FARM DRYLAND @ 0.4292% of CIV

FSPL Charge

Municipal Charge

Payments Received

### BALANCE DUE

\$2,875.64

\$357.30

\$100.00

\$0.00

Total

\$3,332.94

*Any other monies due for this property are shown in the Other Information section on Page 2 of this Certificate. If this Certificate shows any unpaid rates, please contact this office for an update, prior to settlement.*

PROPERTY NO: A72694

**PLEASE NOTE:**

\* Verbal confirmation or variations will only be given for a period of 60 days from the date of issue. However, Council will not be held responsible for information provided verbally. For settlement purposes another certificate should be obtained after 60 days.

\* Amounts shown as paid on this Certificate may be subject to clearance by a Bank

\* Overdue amounts accrue interest on a daily basis

**OTHER INFORMATION:**

1. There ARE NO notices or orders on the land that have been served by Council under the *Local Government Act 1989*, or any other Act or Regulation, or under a Local Law of the Council, which have a continuing application at the date of the Certificate, details being (if any):
2. There ARE NO monies owed for works under the *Local Government Act 1989*.
3. There IS NO potential liability for rates under the *Cultural and Recreational Land Act 1963*.
4. There IS NO potential liability for the land to become rateable under Section 173 or 174A of the *Local Government Act 1989* should the land use change.
5. There ARE NO outstanding amounts required to be paid, and/or transfers to be made to Council, for recreational purposes under Section 18 of the *Subdivision of Land Act 1988* or the *Local Government Act 1989*.
6. There ARE NO monies owed by a former owner or occupier, which can be claimed under section 227 of the *Local Government Act 1989*.
7. Any change in the use of this land could result in a change of status of the land for rating purposes, and could lead to an increase in rates.

**8. DWELLINGS IN UNSEWERED AREAS:**

MOST SEPTIC TANK SYSTEMS INSTALLED PRIOR TO 1996 DO NOT HAVE APPROVALS TO INSTALL OR USE. MANY DO NOT COMPLY WITH THE APPROPRIATE STANDARDS AND WILL REQUIRE REPLACEMENT OR ALTERATION WHEN THE SHIRE'S DOMESTIC WASTEWATER MANAGEMENT PLAN IS IMPLEMENTED. IF IN DOUBT ENGAGE A LICENCED PLUMBER TO ASSESS THE SYSTEM.

**9. VACANT LAND IN UNSEWERED AREAS:**

Prospective purchasers of vacant unsewered land are urged to contact Council's Environmental Health Officer to determine whether a septic tank can be installed. Environmentally sensitive sites and small allotments (less than 4000m<sup>2</sup>) can make installation of a septic tank costly, difficult and in some cases not practical at all.

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I hereby certify that, as at the date of issue, the information given in this certificate is a correct disclosure of the rates, charges, interest and other monies payable to the Gannawarra Shire Council, together with any Notices pursuant to The *Local Government Act 1989*, Local Laws or any other legislation.

I acknowledge having received the sum of \$27.00 being the fee for this certificate.



---

Authorised Officer

# Property Clearance Certificate

## Taxation Administration Act 1997



INFOTRACK / MILLS HEBBARD MOORE

**Your Reference:** 20897  
**Certificate No:** 41119200  
**Issue Date:** 20 JAN 2021  
**Enquiries:** MXM0

**Land Address:** 275 JAMES ROAD BAEL BAEL VIC 3579

Land Id	Lot	Plan	Volume	Folio	Tax Payable
REFER TO ATTACHMENT					

**Vendor:** GERARD WILLIAM FITZPATRICK  
**Purchaser:** FOR INFORMATION PURPOSES

Current Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
REFER TO ATTACHMENT					

**Comments:** Refer to attachment

Current Vacant Residential Land Tax	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
REFER TO ATTACHMENT					

**Comments:** Refer to attachment

Arrears of Land Tax	Year	Proportional Tax	Penalty/Interest	Total

This certificate is subject to the notes that appear on the reverse. The applicant should read these notes carefully.

**Paul Broderick**  
 Commissioner of State Revenue

<b>CAPITAL IMP VALUE:</b>	<b>\$670,000</b>
<b>SITE VALUE:</b>	<b>\$600,000</b>
<b>AMOUNT PAYABLE:</b>	<b>\$0.00</b>



# Notes to Certificates Under Section 95AA of the *Taxation Administration Act 1997*

**Certificate No:** 41119200

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## Power to issue Certificate

1. The Commissioner of State Revenue can issue a Property Clearance Certificate (Certificate) to an owner, mortgagee or bona fide purchaser of land who makes an application specifying the land for which the Certificate is sought and pays the application fee.

## Amount shown on Certificate

2. The Certificate shows any land tax (including Vacant Residential Land Tax, interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue. In addition, it may show:
  - Land tax that has been assessed but is not yet due,
  - Land tax for the current tax year that has not yet been assessed, and
  - Any other information that the Commissioner sees fit to include, such as the amount of land tax applicable to the land on a single holding basis and other debts with respect to the property payable to the Commissioner.

## Land tax is a first charge on land

3. Unpaid land tax (including Vacant Residential Land Tax, interest and penalty tax) is a first charge on the land to which it relates. This means it has priority over any other encumbrances on the land, such as a mortgage, and will continue as a charge even if ownership of the land is transferred. Therefore, a purchaser may become liable for any such unpaid land tax.

## Information for the purchaser

4. If a purchaser of the land described in the Certificate has applied for and obtained a Certificate, the amount recoverable from the purchaser cannot exceed the 'amount payable' shown. A purchaser cannot rely on a Certificate obtained by the vendor.

## Information for the vendor

5. Despite the issue of a Certificate, the Commissioner may recover a land tax liability from a vendor, including any amount identified on this Certificate.

## General information

6. A Certificate showing no liability for the land does not mean that the land is exempt from land tax. It means that there is nothing to pay at the date of the Certificate.
7. An updated Certificate may be requested free of charge via our website, if:
  - The request is within 90 days of the original Certificate's issue date, and
  - There is no change to the parties involved in the transaction for which the Certificate was originally requested.

## For Information Only

LAND TAX CALCULATION BASED ON SINGLE OWNERSHIP


Land Tax = \$975.00

Taxable Value = \$600,000

Calculated as \$975 plus ( \$600,000 - \$600,000) multiplied by 0.500 cents.

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## Property Clearance Certificate - Payment Options

<b>BPAY</b> 	Billor Code: 5249 Ref: 41119200
<b>Telephone &amp; Internet Banking - BPAY®</b>	
Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.	
<a href="http://www.bpay.com.au">www.bpay.com.au</a>	

<b>CARD</b> 	Ref: 41119200
<b>Visa or Mastercard</b>	
Pay via our website or phone 13 21 61. A card payment fee applies.	
<a href="http://sro.vic.gov.au/paylandtax">sro.vic.gov.au/paylandtax</a>	

# Property Clearance Certificate

## Taxation Administration Act 1997

Certificate No: 41119200

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Land Address: 275 JAMES ROAD BAEL BAEL VIC 3579

Land Id	Lot	Plan	Volume	Folio	Tax Payable
1152535			4392	238	\$0.00
			10172	670	

Land Tax Details	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
MR GERARD WILLIAM FITZPATRICK	2021	\$299,676	\$0.00	\$0.00	\$0.00

Comments: Property is exempt: LTX Principal Place of Residence. Property is exempt: LTX primary production land. Certificate incorporates EXTRA VOL/FOL: 8025/195;2595/854;

Vacant Residential Land Tax Details	Year	Taxable Value	Tax Liability	Penalty/Interest	Total
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Comments:

**Total Amount Payable for Property: 1152535 \$0.00**

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Land Address: 275 JAMES ROAD BAEL BAEL VIC 3579

Land Id	Lot	Plan	Volume	Folio	Tax Payable
30916885			4392	238	\$0.00
			10172	670	

Land Tax Details	Year	Taxable Value	Proportional Tax	Penalty/Interest	Total
MR GERARD WILLIAM FITZPATRICK	2021	\$300,324	\$0.00	\$0.00	\$0.00

Comments: Property is exempt: LTX primary production land.

Vacant Residential Land Tax Details	Year	Taxable Value	Tax Liability	Penalty/Interest	Total
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Comments:

**Total Amount Payable for Property: 30916885 \$0.00**

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**Total: \$0.00**





**GWM**Water

11 McLehlan Street  
(PO Box 481)  
Horsham Victoria 3402

Tel: 1300 659 961

Fax: 03 5381 9881

Email: [info@gwmwater.org.au](mailto:info@gwmwater.org.au)

Website: [www.gwmwater.org.au](http://www.gwmwater.org.au)

Mills Hebbard Moore  
135 End Street  
DENILIQUIN NSW 2710

Your Ref:  
Statement No: CER2020/01789  
Property No: 160743  
Valid Date: 15/02/2021  
Settlement Date: 12/03/2021

## Information Statement

### *Water Act 1989, Section 158*

Statement of encumbrances, works required, outstanding matters, tariffs and other charges including outstanding amounts and other information which the Corporation considers relevant for the property known as:

CA 4 5 6 SEC A BAEL BAEL

#### **Title(s):**

CA 4 5 6 SEC A BAEL BAEL

#### **Owner(s):**

G W Fitzpatrick

#### **Account Calculations:**

<b>Fees and Charges (including interest)</b>		<b>\$2,222.85</b>
<i>(Amounts below do not include any pensions rebates or concessions)</i>		
<b>Charges to:</b>	<b>12/03/2021</b>	<b>(from page 2)</b>
		<b>\$16.87CR</b>
	<b>Total amount:</b>	<b>\$2,205.98</b>



Info Stmt No: CER2020/01789

Property Address: CA 4 5 6 SEC A BAEL BAEL

Details for Services provided and their tariffs:

METERED SERVICE: 61711 (20mm) Meter Number: 15B061561

Pipeline Capacity Charge: (CREDIT) From 12/03/21 to 01/04/21 = 20 days @ 246.79¢ per day =	\$49.36CR
Pipeline Standard Meter Charge: (CREDIT) From 12/03/21 to 01/04/21 = 20 days @ 44.16¢ per day =	\$8.83CR
Water Volume: Read 1250 (14/02/21) - Prev. Read 1212 (30/12/20) =	38 kL
Water Volume Charged:	38 kL = 38 kL
Pipeline Usage Charge Grampians(2020-21)	38 kL @ 108.73¢ per kL = \$41.32

----- PLEASE NOTE -----

1. In accordance with Section 275(1) of the *Water Act 1989*, the person/s who becomes the owners of a property must pay any amount that is under Section 274 (4a) a charge on that property. All unpaid charges must be paid in full upon settlement.
2. The statement may include estimate volumetric consumption from the last meter read. Should you require a special reading this may be applied for upon payment of a \$34.40 fee.
3. All measurements used for encumbrances are to be assumed to be estimations of locations. Further details should be obtained from the Corporation before works are commenced.

AMOUNTS SHOULD BE CONFIRMED PRIOR TO SETTLEMENT

**Encumbrances and other information:**

This property is not subject to encumbrances resulting from works of the Corporation. There are no works, matters or other details to be disclosed.

An update is recommended closer to settlement date to reflect any new charges raised, meter readings or payments received. Please note that statements will only be updated for three months after the valid date.

Non Potable Water Supply Available. Not suitable for human consumption.

Rural pipeline customers are required to have a 72 hour back up supply of water stored on farm to ensure adequate water in times of interruptions to supply, in accordance with our Rural Customer Charter.

This property has an Annual 1000kL Standard Water Allowance.

Water usage has been billed to 14 February 2021. A Special Meter Reading is recommended before settlement to eliminate any discrepancies at settlement at a cost of \$34.40.

The vendor may be entitled to retain part of the water allowance attached to this property by permanently trading the water allowance to another property, prior to the sale of the land. For further information, please contact GWMWater on 1300 659 961.

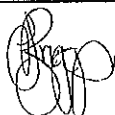
CA 5~A and CA 6~A are currently rated with CA 4~A BAEL BAEL and will be separated after settlement. CA 5~A and CA 6~A will no longer be rated by GWMWater unless vendors choose to connect.

CA 5~A and CA 6~A has direct access to the water supply but is not connected. Should purchasers choose to connect, connection charges will apply.

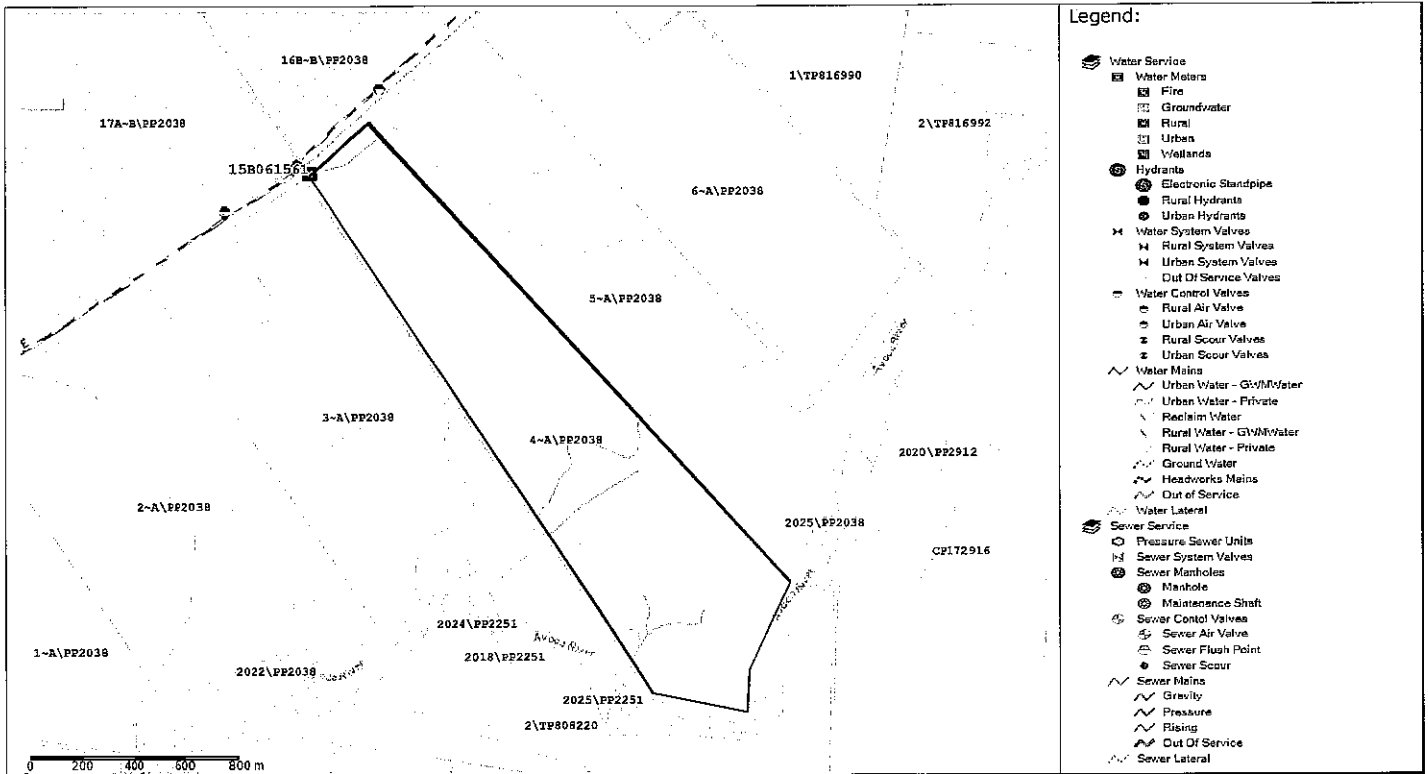
B-Pay Biller Code: 79855 Account Reference Number: 1607431

**Comments:**

Signed



Authorised Officer  
Steven Briggs, Manager Customer Services



**Legend:**

- Water Service
  - Water Meters
  - Fire
  - Groundwater
  - Rural
  - Urban
  - Wellands
  - Hydrants
    - Electronic Standpipes
    - Rural Hydrants
    - Urban Hydrants
  - Water System Valves
    - Rural System Valves
    - Urban System Valves
    - Out Of Service Valves
  - Water Control Valves
    - Rural Air Valve
    - Urban Air Valve
    - Rural Scour Valves
    - Urban Scour Valves
  - Water Mains
    - Urban Water - GWM/Water
    - Urban Water - Private
    - Reclaim Water
    - Rural Water - GWM/Water
    - Rural Water - Private
    - Ground Water
    - Headworks Mains
    - Out of Service
    - Water Lateral
  - Sewer Service
    - Pressure Sewer Units
    - Sewer System Valves
    - Sewer Manholes
      - Manhole
      - Maintenance Shaft
    - Sewer Control Valves
      - Sewer Air Valve
      - Sewer Flush Point
      - Sewer Scour
    - Sewer Mains
      - Gravity
      - Pressure
      - Rising
      - Out Of Service
      - Sewer Lateral

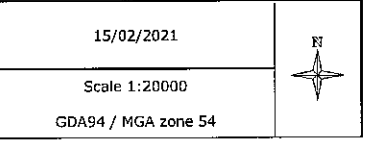


**Disclaimer**  
 Digital Mapping Solutions does not warrant the accuracy of information in this publication and any person using or relying upon such information does so on the basis that GWMWater shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.

15/02/2021

Scale 1:20000

GDA94 / MGA zone 54



# untreated water supply notice



**GWM**Water

The water supplied to customers in the below towns and rural pipeline systems do not meet accepted Australian Drinking Water Standards.

**This water is not treated (non-potable) which means it must not be used for brushing teeth, drinking, food preparation, preparing baby formula, ice making or other human consumption purposes.**

Untreated water may be use for household activities, such as watering gardens, flushing toilets, showering/bathing and laundry.

11 McLachlan Street  
(PO Box 481)  
Horsham Victoria 3402

Tel: 1300 659 961

Fax: 03 5381 9881

Email: [info@gwmwater.org.au](mailto:info@gwmwater.org.au)

Website: [www.gwmwater.org.au](http://www.gwmwater.org.au)

*Certified to best practice standards  
ISO 9001 / 14001 and AS/NZS 4501*

## Towns

Antwerp	Glenorchy	Miram	Tarranyurk
Apsley	Goroke	Moyston	Tempy
Berriwillock	Harrow	Murrayville	Ultima
Buangor	Jung	Nandaly	Waitchie
Chillingollah	Kaniva	Nullawil	Walpeup
Chinkapook	Kiata	Patchewollock	Watchem
Cowangie	Lalbert	Pimpinio	Westmere
Culgoa	Lascelles	Serviceton	Wickliffe
Dooen	Lillimur	Speed	Yaapeet
Elmhurst	Marnoo	Streatham	

## Rural customers supplied by the following pipeline systems

Wimmera Mallee Pipeline  
Northern Mallee Pipeline  
Cannie Ridge Pipeline  
South West Loddon Pipeline  
Ararat - Lake Fyans Pipeline  
Landsborough Valley Pipeline  
Mt Cole Pipeline  
Moyston Pipeline  
St Arnaud Pipeline  
Stawell Trunk Main Pipeline  
Wickliffe Pipeline  
Willaura Pipeline



## Want to know more?

If you would like more information about living with an untreated water supply, please visit our website at [www.gwmwater.org.au](http://www.gwmwater.org.au) or phone us on 1300 659 961.

# application form

## property enquiry

property number: 160743 \$57.40



**GWM**Water

11 McLachlan Street  
(PO Box 481)  
Horsham Victoria 3402

Tel: 1300 659 961

Fax: 03 5381 9881

Email: [info@gwmwater.org.au](mailto:info@gwmwater.org.au)

Website: [www.gwmwater.org.au](http://www.gwmwater.org.au)

Certified to best practice standards  
ISO 9001 / 14001 and AS/NZS 4801

Purchaser name and address	
Not applicable	
Vendor name and address	Vendor's solicitor name and address
Gerard William Fitzpatrick	Mills Hebbard Moore PO Box 623 Deniliquin <del>debmym@bigpond.net.au</del> <u>debfmhm@bigpond.net.au</u>
Applicant's name and address	Applicant's details <u>bigpond.net.au</u>
Mills Hebbard Moore 135 End Street Deniliquin NSW 03 5881 1955	Total Sale Price: \$ Auction / Settlement Date: <u>NO DATE</u> Telephone Number: Fax Number: Applicant's Reference Number:

**IMPORTANT:**

1. Please ensure that the description of land is precise. Insufficient information on this form will result in return of your application.
2. If more than one certificate is required, please complete separate Property Enquiry Applications Forms.
3. Please attach to each application form a locality plan (copy of title or sketch) showing dimensions of whole of property and distance from nearest street intersection.

Unit Number	Street Number 275	Street/Road Name James Road	Town Bael Bael	
Lot Number See attached Title searches	Plan Number	Crown Allotment <u>CA Section 1</u>	Postcode	Parish
Volume	Folio	Section	Municipality	
Additional references or comments				
<u>VISA HARLEY R MOORE</u>				
<u>Only CA Cellie</u>				
<u>meter attached to</u>				
<u>CA 4</u>				
<u>4065 8713 04/30 8594</u>				
<u>exp 04/22</u>				
<u>MULLOOL</u>				

TRIM REF: CMSI  
Revision: 001  
Issued: 30/09/2013  
Review Date: 31/01/2016

Not Enc  
Std Allow: 1000kl  
Sub-div  
Reminder  
BPay Ref: 1607431

Meter id: 15B061561  
Last Read: 30/12/2020 - 1212  
RPIP: 14/2/2021 - 1250  
= 38kl  
Std Meter

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

VOLUME 08025 FOLIO 195

Security no : 124087561242Q

Produced 15/01/2021 09:46 AM

LAND DESCRIPTION

Crown Allotment 4 Section A, Crown Allotment 5 Section A and Crown Allotment 6 Section A Parish of Bael Bael.

PARENT TITLE Volume 03640 Folio 862

Created by Instrument 2413338 13/11/1953

REGISTERED PROPRIETOR

Estate Fee Simple

Sole Proprietor

GERARD WILLIAM FITZPATRICK of CAMPBELLS ROAD WOOSANG VIA CHARLTON 3525  
AC255891W 11/08/2003

ENCUMBRANCES, CAVEATS AND NOTICES

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

DIAGRAM LOCATION

SEE TP829988J FOR FURTHER DETAILS AND BOUNDARIES

ACTIVITY IN THE LAST 125 DAYS

NIL

DOCUMENT END

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# GWMWater

11 McLachlan St  
HORSHAM VIC 3400  
Phone: 1300 659 961  
Fax 03 5381 9881  
Email: info@gwmwater.org.au  
ABN: 35 584 588 263

Receipt No: 2145405

Receipt Date: 12/02/2021

From: Mills Hebbard Moore

To: .

## RECEIPT

<u>Description</u>	<u>Property</u>	<u>Application</u>	<u>Reference</u>	<u>Narrative/Qty</u>	<u>Amount</u>	<u>Balance</u>
Receipt		GL Receipt	InfoStatements	160743	\$57.40	-\$57.40
						<u>-\$57.40</u>
				<b>Transaction Total:</b>		<u><u>\$57.40</u></u>

EFTPOS FROM WESTPAC  
GWMWATER  
11 MCLACHLAN ST  
HORSHAM 3400  
Australia

TIME 12/FEB/21 12:59  
MID 26107749  
TSP 100381947859  
RRN 210212011008  
VISA Debit (N) CR  
CARD.....8594  
AUTH 317266

MOTO AJDST. 40

(000) APPROVED

\*CUSTOMER COPY\*

### Amounts Tendered

Cash	Cheque	Db/Cr Card	Money Order	Agency	Total
\$0.00	\$0.00	\$57.40	\$0.00	\$0.00	<u>\$57.40</u>
				Rounding:	\$0.00
				Change:	<u>\$0.00</u>
				Nett:	<u>\$57.40</u>