



AGREEMENT TO CLOSURE OF WATER RACE

Scheme: Paparua / Malvern / Ellesmere (please circle appropriate scheme)

Valuation No:

Legal Description:

I confirm I am the owner of the above property and where I am not the sole owner, I am duly authorised to sign this agreement on behalf of that owner or those owners.

I hereby agree to the closure of the water race that runs through or adjacent to my property.

I acknowledge I will no longer be liable for rates in respect to the supply of stock water from the date of closure as advised to Council unless other races are on or adjacent to my property.

I understand that LIM information for my property will state that closed water race channels exist on the property.

I acknowledge that I have no further claim against Council for the provision of stock water from the closed water race.

I accept that I am liable for my share of the costs associated with the race closure and Council will bear no costs, including filling in the remaining channel.

I acknowledge that stock water race closures are subject to my acceptance of the following conditions:

1. Either:
 - a. the stock water race channel remains open and I undertake to maintain the channel on my property, or
 - b. I will put in place a soak hole that is sufficient to dispose of water that would have entered and/or been conveyed by the race.
 - c. Should I construct a soak hole and subsequently experience ponding or backflow, it will be my responsibility to take all prudent steps to dispose of that excess water;

I accept responsibility for any loss or damage caused by the closure of the stock water race and the making of the other changes contemplated in this agreement.

I acknowledge that Council is no longer responsible for any works on the race.

Property Owner:

Address of Property:

Telephone No Mobile

Signature of Owner Date