Vendor's Statement to the Purchaser of Real Estate

PURSUANT TO SECTION 32 OF THE SALE OF LAND ACT 1962 (VIC)

Vendor:	**DAVID STUART GIFFARD AND SARAH JOY GIFFARD**
Property:	**2 JADE COURT, KANGAROO FLAT 3555**

IMPORTANT NOTICE TO PURCHASERS

1. The use to which you propose to put the property may be prohibited by planning or building controls applying to the locality or may require the consent or permit of the municipal council or other responsible authority. It is in your interest to undertake a proper investigation of permitted land use before you commit yourself to buy.
2. The property may be located in an area where commercial agricultural production activity may affect your enjoyment of the property. It is therefore in your interest to undertake an investigation of the possible amenity and other impacts from nearby properties and the agricultural practices and processes conducted there.
3. You should check with the appropriate authorities as to the availability and cost of providing any essential services not connected to the property.
4. You may be liable to pay a growth areas infrastructure contribution when you purchase this property. The instrument of transfer cannot be lodged for registration with the Registrar of Titles until the contribution is paid in full or an exemption from, or reduction of, the whole or part of the liability to pay the contribution is granted and any remainder of the contribution is paid or there has been a deferral of the whole or part of the liability to pay the contribution or an approval has been given for staged payment of the contribution. The transfer may also be exempted from a growth areas infrastructure contribution in certain situations. It is in your interest to obtain advice as to any potential liability before you commit yourself to buy.

DETAILS MUST BE ATTACHED WHERE NECESSARY, IF INSUFFICIENT SPACE IS AVAILABLE. DELETE AS APPROPRIATE WHEREVER ASTERISK (*) APPEARS.

1. TITLE

Attached are copies of the following documents concerning the title -

1.1 the Certificate/s of Title and/or Crown Grant/s and/or an authorised reproduction of the folio/s of the Register.

2. RESTRICTIONS

Information concerning any easement, covenant or other similar restriction affecting the property (registered or unregistered) -

2.1 Description -

as set out in the attached copies of title document/s

2.2 Particulars of any existing failure to comply with their terms 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, caveat or similar restriction.

3. PLANNING, ROAD ACCESS AND BUSHFIRE-PRONE PROPERTY

Information concerning any planning instrument -

Is as follows -

3.1	Name of planning instrument	Greater Bendigo Planning Scheme
3.2	The responsible authority is	Greater Bendigo City Council
3.3	Zoning and/or reservation	Residential 1 Zone (R1Z)

There is ☒ access ☐ no access to the property by road.

The property ☒ is in a bushfire-prone area within the meaning of regulations made under the **Building Act 1993 (Vic)**. A bushfire-prone area report ☒ is attached.

4. BUILDING APPROVALS, OWNER-BUILDER INSURANCE AND OTHER INSURANCE

Particulars of any building permit issued in the past seven years under the **Building Act 1993 (Vic)** (required only where the property includes a residence) -

Not Applicable

Particulars of any required insurance effected under the **Building Act 1993 (Vic)** (required where the property includes a residence to which section 137B of the **Building Act 1993 (Vic)** applies) -

Nil

5. SERVICES

Information concerning the supply of the following services -

	Service	**Status**	**Name of Authority** (if service is connected)
5.1	Electricity supply	☒ Connected ☐ Not Connected	

10. DISCLOSURE OF ENERGY EFFICIENCY INFORMATION

*(Please note that disclosure of this information is not required under section 32 of the **Sale of Land Act 1962 (Vic)** but is included in the statement for convenience.)*

Details of any energy efficient information required to be disclosed regarding a disclosure affected building or disclosure area affected area of a building as defined by the **Building Energy Efficiency Disclosure Act 2010 (Cth)** -

(a) to be a building or part of a building used or capable of being used as an office for administrative, clerical, professional or similar based activities including any support facilities; and

(b) which has a net lettable area of at least 2000m^2; (but does not include a building under a strata title system or if an Occupancy Permit was issued less than 2 years before the relevant date) -

are as follows -

Not Applicable

DATE OF THIS STATEMENT 9 / 10 / **2013**

Names of the Vendors

David Stuart Giffard and Sarah Joy Giffard

Signatures of the Vendors

x

The Purchaser acknowledges being given a duplicate of this statement signed by the Vendor before the Purchaser signed any contract.

DATE OF THIS ACKNOWLEDGMENT / / **2013**

Name/s of the Purchaser/s

Signature/s of the Purchaser/s

x

Register Search Statement - Volume 10637 Folio 982

Copyright State of Victoria. This publication is copyright.
No part may be reproduced by any process except in accordance with
the provisions of the Copyright Act and for the purposes of Section
32 of the Sale of Land Act 1962 or pursuant to a written agreement.
The information is only valid at the time and in the form obtained
from the LANDATA REGD TM System. The State of Victoria accepts no
responsibility for any subsequent release, publication or reproduction
of the information.

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

VOLUME 10637 FOLIO 982 Security no : 124047666725V
Produced 08/10/2013 11:46 am

LAND DESCRIPTION

Lot 26 on Plan of Subdivision 442369H.
PARENT TITLE Volume 10487 Folio 711
Created by instrument PS442369H 23/03/2002

REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors
DAVID STUART GIFFARD
SARAH JOY GIFFARD both of 2 JADE COURT KANGAROO FLAT VIC 3555
AD938283G 13/10/2005

ENCUMBRANCES, CAVEATS AND NOTICES

MORTGAGE AG921116V 14/12/2009
COMMONWEALTH BANK OF AUSTRALIA

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.

DIAGRAM LOCATION

SEE PS442369H 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: 2 JADE COURT KANGAROO FLAT VIC 3555

DOCUMENT END

Delivered from the Landata ® System by SAI Global Property Division Pty Ltd
Delivered at 08/10/2013, for Order Number 16818775. Your reference: Giffard - 134855-1.

Delivered by LANDATA®. Land Victoria timestamp 08/10/2013 11:45 Page 1 of 2
© State of Victoria. This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act and for the purposes of Section 32 of the Sale of Land Act 1962 or pursuant to a written agreement. The information is only valid at the time and in the form obtained from the LANDATA® System. The State of Victoria accepts no responsibility for any subsequent release, publication or reproduction of the information.

PLAN OF SUBDIVISION

STAGE NO. /

LTO use only
EDITION 1

Plan Number
PS 442369H

Location of Land

Parish: MANDURANG

Township: ———

Section: D

Crown Allotment: 75C (PART)

Crown Portion: ———

LTO Base Record: DCMB

Title Reference: VOLUME 10487 FOLIO 711

Last Plan Reference: PS 442368K, LOT D

Postal Address: ELVEY DRIVE,
(at time of subdivision) KANGAROO FLAT, VIC. 3555

AMG Co-ordinates: E 253 380
(of approx. centre of land in plan) N 5922 220 Zone: 55

Council Certification and Endorsement

Council Name: CITY OF GREATER BENDIGO Ref. 666/96

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

~~2. This plan is certified under section 11(7) of the Subdivision Act 1988.~~
~~Date of original certification under section 6 / /~~

~~3. This is a statement of compliance issued under section 21 of the Subdivision Act 1988.~~

OPEN SPACE

(i) A requirement for public open space under section 18 of the Subdivision Act 1988 ~~has/~~has not been made.

~~(ii) The requirement has been satisfied.~~

~~(iii) The requirement is to be satisfied in Stage.....~~

Council Delegate
~~Council Seal~~
Date 12 / 10/01

Re-certified under section 11(7) of the Subdivision Act 1988
Council Delegate
Council Seal
Date / /

Vesting of Roads and/or Reserves

Identifier	Council/Body/Person
ROADS R1	CITY OF GREATER BENDIGO

Notations

Staging This ~~is/~~is not a staged subdivision
Planning Permit No. 666.96

Depth Limitation
15·24 METRES BELOW THE SURFACE APPLIES TO ALL THE LAND IN THIS PLAN

LAND BEING SUBDIVIDED IS ENCLOSED WITHIN THICK CONTINUOUS LINES

LOTS 1 TO 14 (BOTH INCLUSIVE) AND LOTS 19 TO 22 (BOTH INCLUSIVE) HAVE BEEN OMITTED FROM THIS PLAN

Survey This plan is/~~is not~~ based on survey

This survey has been connected to permanent marks no(s) 88, 89 &. 112

In Proclaimed Survey Area No. ———

Easement Information

Legend: A – Appurtenant Easement E – Encumbering Easement R – Encumbering Easement(Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of
R1	WAY, DRAINAGE, SEWERAGE AND SUPPLY OF WATER, TELEPHONE, GAS AND ELECTRICITY	SEE DIAGRAM	THIS PLAN	LAND IN THIS PLAN

LTO use only

Statement of Compliance/ Exemption Statement

Received ☑

Date 19/3/2002

LTO use only

PLAN REGISTERED

TIME 11.37am

DATE 23 / 3 /02

Assistant Registrar of Titles

Sheet 1 of 2 sheets

SINGLETON BAHEN STANSFIELD PTY. LTD.
ABN 71 088 433 087
SURVEYORS • ENGINEERS • PLANNERS
596 NORTH ROAD ORMOND PH(03) 9578 0829 FAX(03) 9578 1838
61 BULL STREET BENDIGO PH(03) 5443 3188 FAX(03) 5443 3703
13 HARGRAVES STREET CASTLEMAINE PH(03) 5472 2111

LICENSED SURVEYOR (PRINT) KEVIN NOEL THIELE

SIGNATURE ..... DATE / /

REF 01264 B VERSION 01

DATE / /

COUNCIL DELEGATE SIGNATURE

Original sheet size A3

0 10 20 30 40 50 60 70 80 90 100 mm

Department of
Transport, Planning and
Local Infrastructure

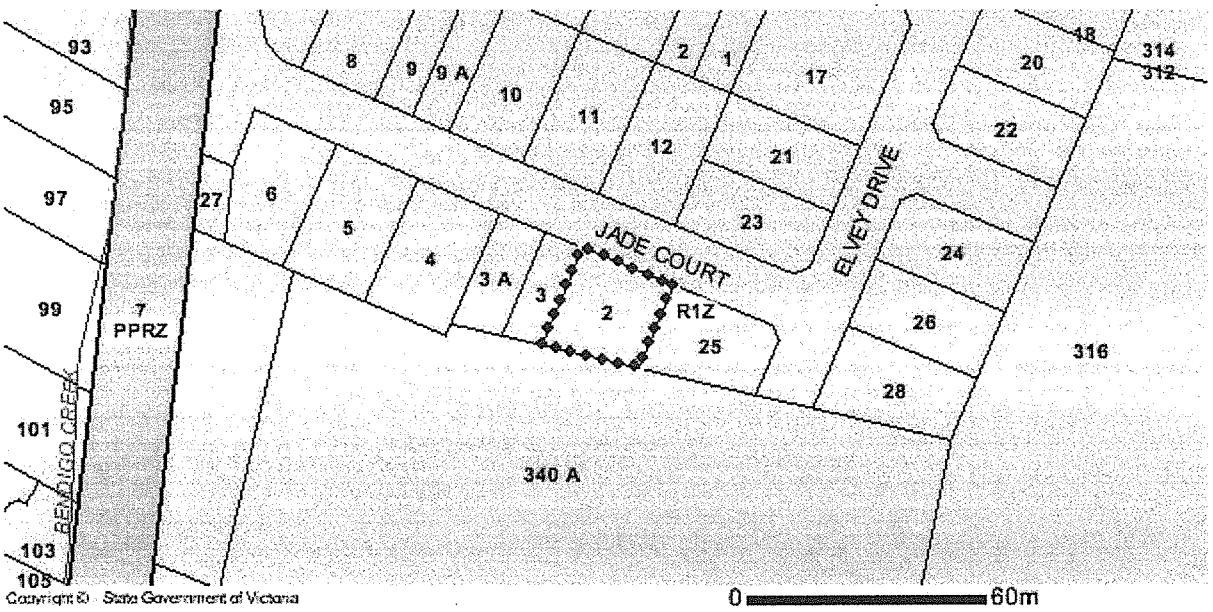
Planning Property Report

From www.dpcd.vic.gov.au/planning on 08 October 2013 11:33 AM

Address: 2 JADE COURT KANGAROO FLAT 3555
Lot / Plan: Lot 26 PS442369
Local Government (Council): GREATER BENDIGO **Council Property Number:** 219461
Directory Reference: VicRoads 612 K6

Planning Zone

RESIDENTIAL 1 ZONE (R1Z)
SCHEDULE TO THE RESIDENTIAL 1 ZONE



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

Zones Legend

- ACZ - Activity Centre
- B1Z - Commercial 1
- B2Z - Commercial 1
- B3Z - Commercial 2
- B4Z - Commercial 2
- B5Z - Commercial 1
- C1Z - Commercial 1
- C2Z - Commercial 2
- CA - Commonwealth Land
- CCZ - Capital City
- CDZ - Comprehensive Development
- DZ - Dockland
- ERZ - Environmental Rural
- FZ - Farming
- GRZ - General Residential
- GWAZ - Green Wedge A
- GWZ - Green Wedge
- IN1Z - Industrial 1
- IN2Z - Industrial 2
- IN3Z - Industrial 3
- LDRZ - Low Density Residential
- MUZ - Mixed Use
- NRZ - Neighbourhood Residential
- PCRZ - Public Conservation & Resource
- PDZ - Priority Development
- PPRZ - Public Park & Recreation
- PUZ1 - Public Use - Service & Utility
- PUZ2 - Public Use - Education
- PUZ3 - Public Use - Health Community
- PUZ4 - Public Use - Transport
- PUZ5 - Public Use - Cemetery/Crematorium
- PUZ6 - Public Use - Local Government
- PUZ7 - Public Use - Other Public Use
- R1Z - Residential 1
- R2Z - Residential 2
- R3Z - Residential 3
- RAZ - Rural Activity
- RCZ - Rural Conservation
- RDZ1 - Road - Category 1
- RDZ2 - Road - Category 2
- RGZ - Residential Growth
- RLZ - Rural Living
- RUZ - Rural
- SUZ - Special Use
- TZ - Township
- UFZ - Urban Floodway
- UGZ - Urban Growth
- Urban Growth Boundary

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.dpcd.vic.gov.au/planning

Areas of Aboriginal Cultural Heritage Sensitivity

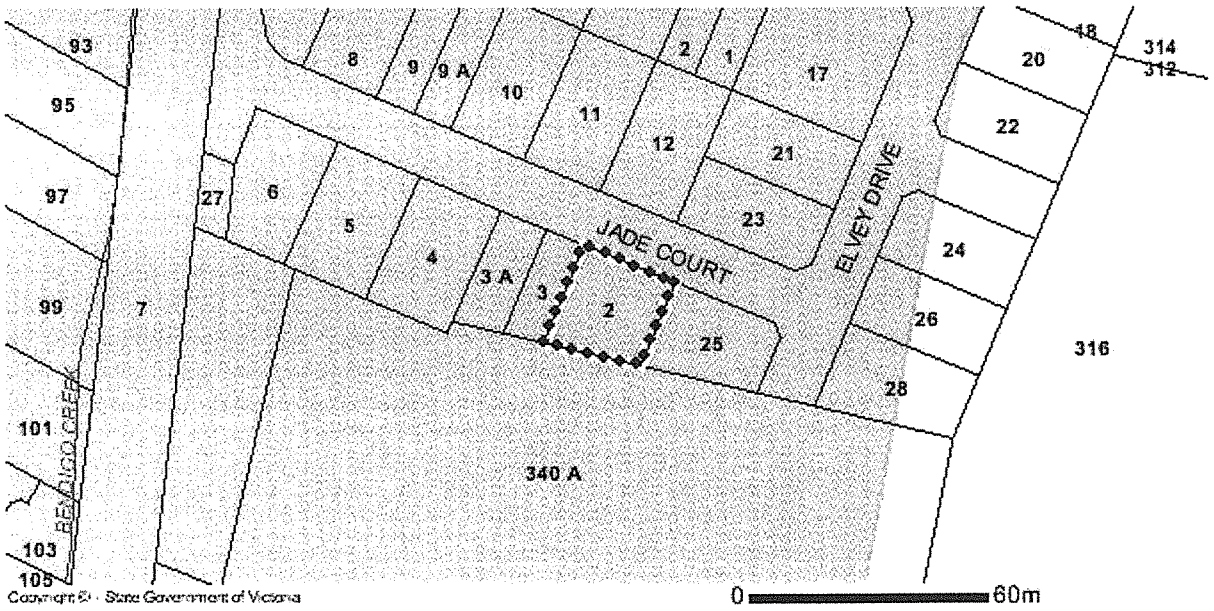
This property is within, or affected by, one or more areas of cultural heritage sensitivity as described in the Aboriginal Heritage Regulations 2007.

The data provides indicative information about the location and extent of areas of Aboriginal cultural heritage sensitivity
and is provided to assist with the decisions about the potential need to prepare a Cultural Heritage Management Plan
in relation to proposed activities on this property.

For further information about whether a Cultural Heritage Management Plan is required go to Aboriginal Heritage Planning Tool

To find out if your property has any recorded Aboriginal cultural heritage places, such as scarred trees, occupation sites or places of burial, you can request information from the Victorian Aboriginal Heritage Register.

Find out more about the Victorian Aboriginal Heritage Register



Aboriginal Cultural Heritage Sensitivity Aboriginal Cultural Heritage Sensitivity Selected Land

Copyright © - State Government of Victoria
Disclaimer : This content is provided for information purposes only. No claim is made as to the accuracy or authenticity of the content. The Victorian Government does not accept any liability to any person for the information provided. Read the full disclaimer at www.land.vic.gov.au/home/copyright-and-disclaimer

Department of
Transport, Planning and
Local Infrastructure

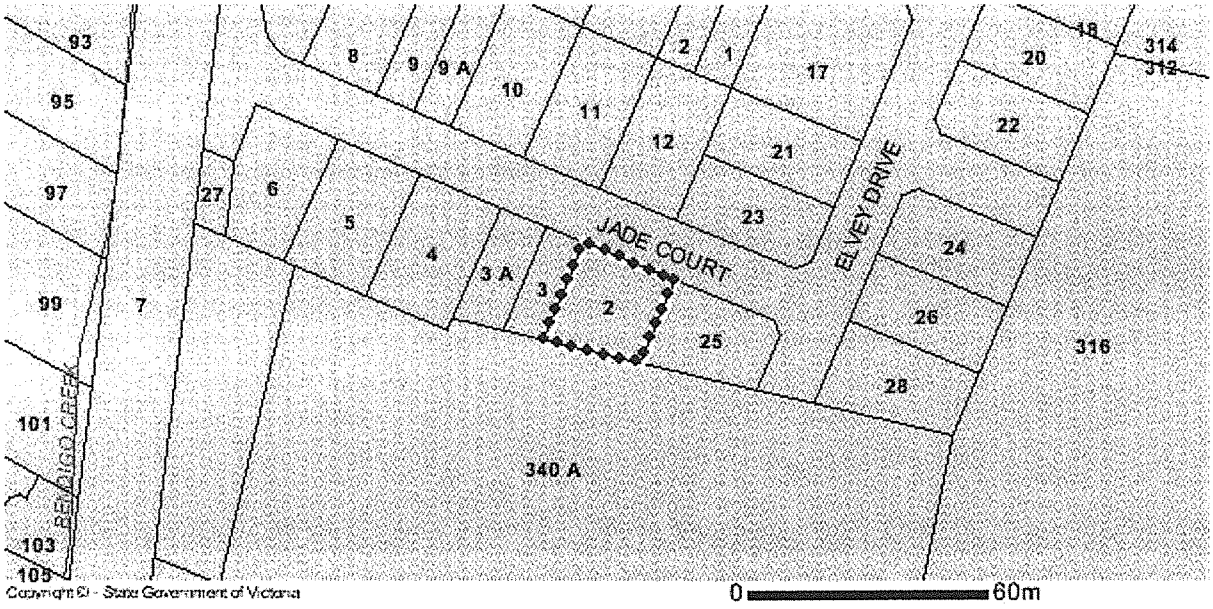
Bushfire Prone Area Report

From www.dpcd.vic.gov.au/planning on 08 October 2013 11:33 AM

Address: 2 JADE COURT KANGAROO FLAT 3555
Lot / Plan: Lot 26 PS442369
Local Government (Council): GREATER BENDIGO **Council Property Number:** 219461
Directory Reference: VicRoads 612 K6

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

Bushfire Prone Area Map



Bushfire Prone Area Legend Bushfire Prone Area Selected Land

Designated bushfire prone areas as determined by the Minister for Planning are in effect from 8 September 2011, as amended by gazette notices on 25 October 2012 and 8 August 2013.

The Building Regulations 2006 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 via the Bushfire Prone Areas Map Service at services.land.vic.gov.au/maps/bushfire.jsp 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 in the Building Commission section of 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

SEARCH FOR MINE HAZARD
Form No. 692

08 Oct 2013

Selection:

2 JADE COURT KANGAROO
FLAT 3555

It is advised that:

Our records do not show the existence of any mine workings on or under this site, but it lies within an area subjected to prospecting and mining in the past, and there is a possibility of unrecorded mine workings being present.

Contact Department of Primary Industries for information:

GIS Officer
Minerals & Petroleum Business Centre
Phone: 9658 4456
Fax: 9658 4460
E-mail: mbc.info@dpi.vic.gov.au

NOTE: Although mine subsidence hazard advice is given as accurately as our plans and records permit, these records are often incomplete, and it is not possible to guarantee that no subsidence hazard exists for properties which are the subject of this report. Our plans and records are updated whenever new information becomes available.
The information acquired by the user is as accurate as our records permit, however, no warranty or guarantee is given, and no responsibility arising therefrom is accepted by the State of Victoria or the Department, its officers, agents or delegates. The Department makes no representation as to the hazards on the land.

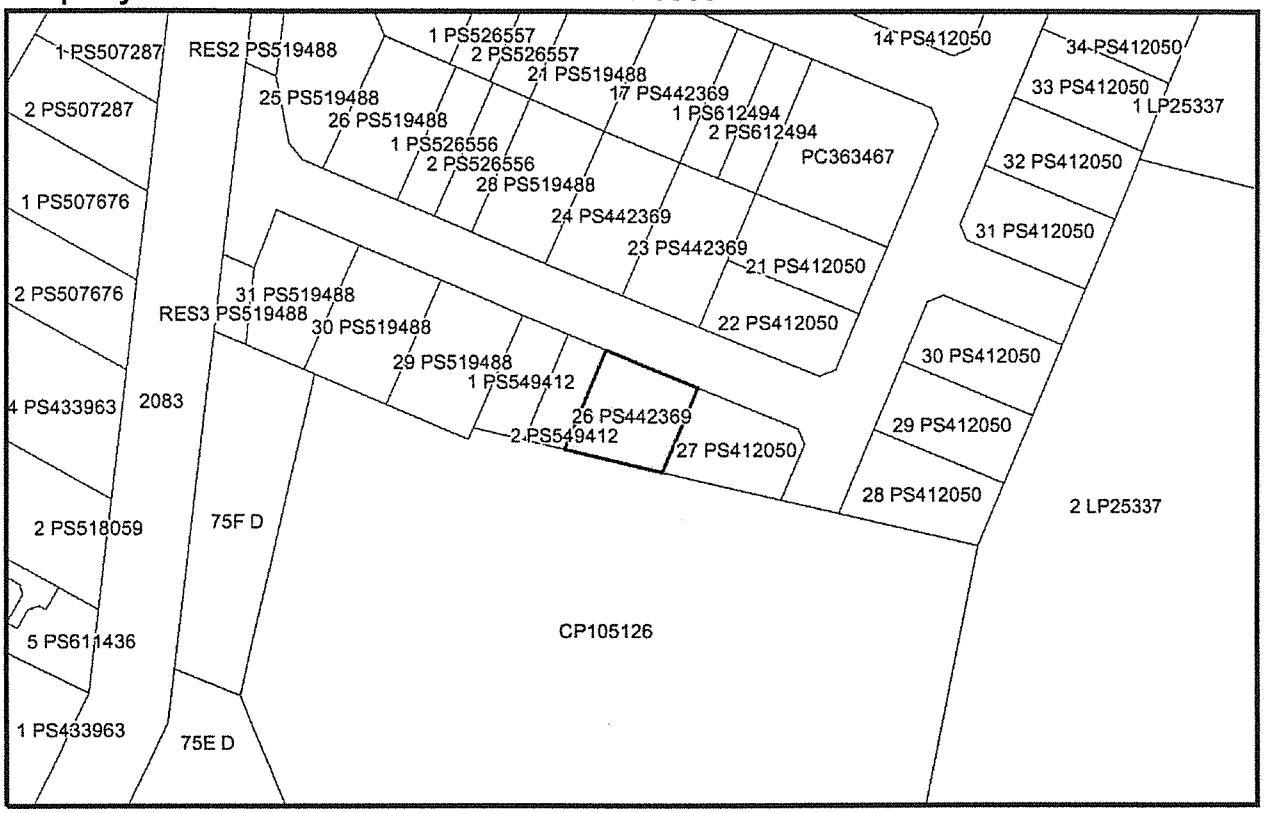
Mine Overlaps:

Current Tenement Overlaps:

Expired Tenement Overlaps:

MINE SUBSIDENCE HAZARD REPORT

Property: 2 JADE COURT KANGAROO FLAT 3555



Scale 1:1,800

Details (as at 8/10/13 11:35)

Tenement Overlaps:

None

Other Overlaps:

None

LEGEND:

Selected Parcel

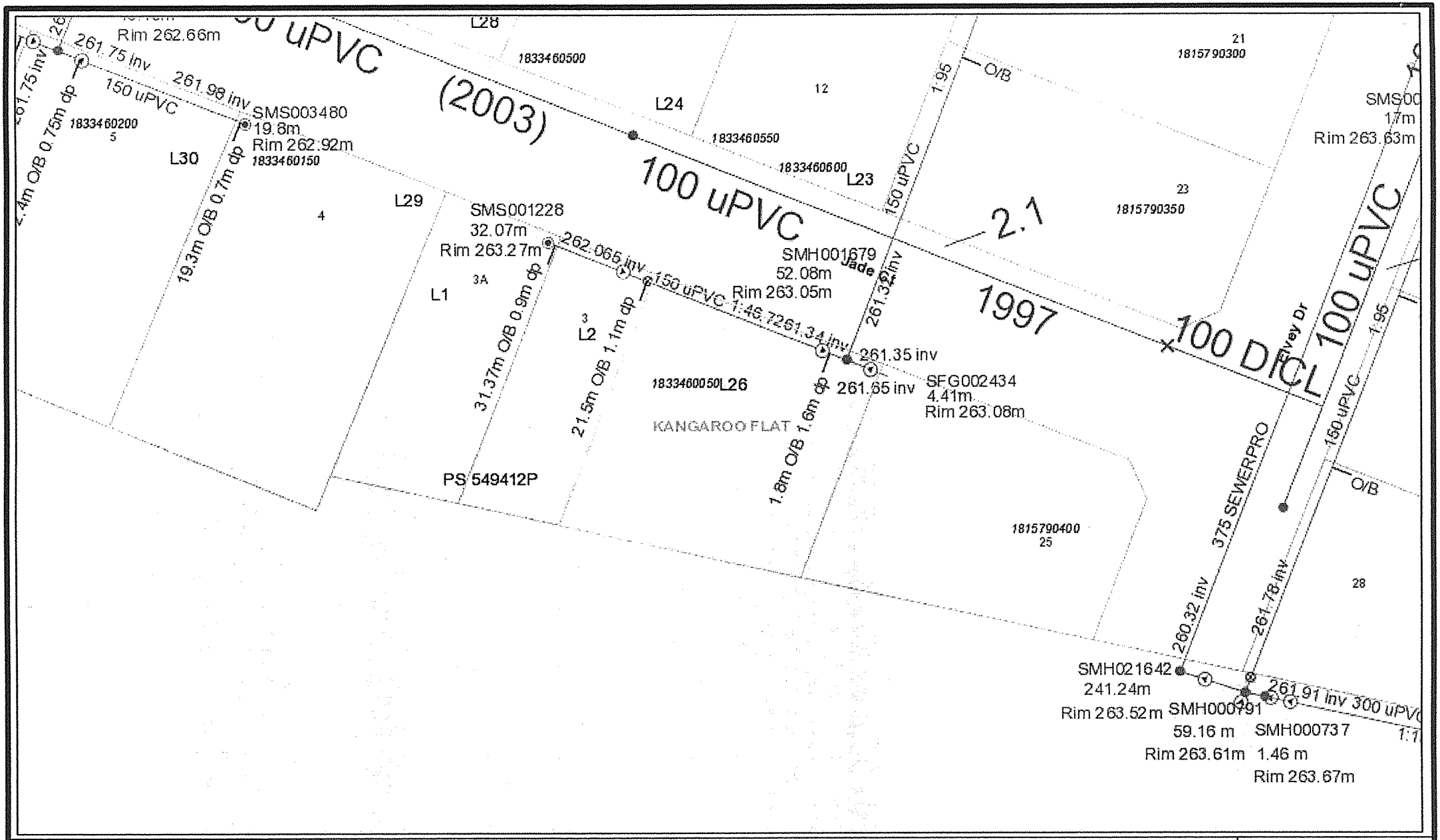
* Refer to later page for full legend details *

Results of search:
Our records do not show the existence of any mine workings on or under this site, but it lies within an area subjected to prospecting and mining in the past, and there is a possibility of unrecorded mine workings being present.

NOTE: Although mine subsidence hazard advice is given as accurately as our plans and records permit, these records are often incomplete, and it is not possible to guarantee that no subsidence hazard exists for properties which are the subject of this report. Our plans and records are updated whenever new information becomes available.
The information, acquired by the purchaser is as accurate as our records permit, however no warranty or guarantee is given, and no responsibility arising therefrom is accepted by the State of Victoria or the Department, its officers, agents or delegates. The Department makes no representation as to the hazards on the land and the information is not to be used by any party other than the party to whom the information has been provided by the Department, including, but not limited to, purchasers, lessees and mortgagees of an interest in land which has been the subject of a subsidence hazard report.

Department of Primary Industries
Earth Resources Division
16/1 Spring St
Melbourne 3000
Ph. 9658 4454

Data on this map is current at the day of printing.Only recorded Mine Shafts are shown. There may be unrecorded mine shafts or mining activities.



Coliban WATER

The Coliban Region Water Corporation believes that the information contained herein is correct. However it does not warrant the accuracy of that information. The Coliban Region Water Corporation disclaims all responsibility for any omissions, inaccuracies, discrepancies, errors or scale inconsistencies that may exist between the actual and the plan representation. The Coliban Region Water Corporation further disclaims all responsibility for any loss or damage that may be suffered by any person relying upon such information, whether that loss or damage is caused by any negligence on the part of the Coliban Region Water Corporation or its employees. The data shown herein remains the property of the Coliban Region Water Corporation and may not be reproduced or resold without the express written consent of the Coliban Region Water Corporation

Coliban Region Water Corporation

2 Jade Crt Kangaroo Flat

N

Scale: 1:500	(A4)
Sheet 1 of 1	
File: FILE NO	
Date: 08/10/2013	

DATED 2013

David Stuart Giffard and Sarah Joy Giffard

VENDOR'S STATEMENT TO THE PURCHASER OF REAL ESTATE

Property: **2 Jade Court, Kangaroo Flat 3555**

John Boundy
Solicitor
92 Wills Street
Bendigo 3550

Tel: 03 5443 8399
DX: 55063 Bendigo
Fax: 03 5443 8499
Ref: JB:AW:134855-1