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# VENDOR STATEMENT

**PARTIES**

Kyle Jordan Hornsby and Kelsie Therese Borchard

Vendors

-and-

Purchaser

**PREMISES:**

37 Derimal Street Horsham Victoria 3400

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The Vendor makes this vendor statement (**Statement**) concerning the Property pursuant to section 32 of the Sale of Land Act 1962 (**Act**).

This Statement must be signed by the Vendor and given to the Purchaser before the Purchaser signs a contract.

The Vendor may sign this Statement electronically.

The Purchaser acknowledges being given a copy of this Statement signed by the Vendor with attached documents before the Purchaser signed any contract.

## Land use

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

(a) Description:

As set out in the attached copies of title documents.

(b) Particulars of any existing failure to comply with their terms are as follows:

None to the Vendor's knowledge

(c) There is access to the Property by road.

## Planning

The required specific information is in the attached Property Report.

## Financial matters

Information concerning any rates, taxes, charges or other similar outgoings and any interest payable on any part of them:

(a) The total amount does not exceed $3,500.00 p.a.

(b) Any amounts (including any proposed Owners Corporation levy) for which the Purchaser may become liable in consequence of the purchase of the Property are:

(i) an apportionment of outgoings at settlement and any additional amounts assessed as a rate, tax or charge upon the Property after the day of sale; and; and

(c) The amount owing under any other registered or unregistered statutory charge that secures an amount due under any other legislation is none to the Vendors' knowledge.

## Services

The following services (marked "X") are not connected to the Property:

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| Electricity | | Gas | | Water | | Sewerage | | Telephone | |

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## Building approvals

There have been no building approvals granted in the past seven years under the Building Control Act 1981 (Vic) or the Building Act 1993 (Vic).

## Notices

(a) Particulars of any notice, order, declaration, report or recommendation of a public authority or government department or approved proposal affecting the Property of which the Vendor might reasonably be expected to have knowledge, including any Notice of intention to acquire under section 6 of the Land Acquisition and Compensation Act 1986 (Vic):

None to the Vendors' knowledge

(b) Particulars of any notices, property management plans, reports or orders in respect of the Property issued by a government department or public authority in relation to livestock disease or contamination by agricultural chemicals affecting the ongoing use of the Property for agricultural purposes:

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.

## Bushfire prone

The Property is not in a bushfire prone area within the meaning of regulations made under the Building Act 1993 (Vic).

## Owners corporation

The Property is not affected by an owners corporation within the meaning of the Owners Corporations Act 2006 (Vic).

## Growth areas infrastructure contribution (GAIC)

The property is not affected by GAIC.

## Disclosure of energy efficiency information

Details of any energy efficiency information required to be disclosed regarding a disclosure affected building or disclosure area affected area of a building. This is defined by the Building Energy Efficiency Disclosure Act 2010 (Cth) to be a building or part of a building:

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

(b) having a net lettable area of at least  sqm, (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):

Not applicable.

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## Title

### Registered title

Attached are copies of the following documents concerning the title to the Property:

Register search statement for Certificate of Title Volume 8470 Folio 674 and LP030586.

## Due diligence checklist

The due diligence checklist is attached.

## Signing

DocuSigned by:
1F98526B3D5246D...

DocuSigned by:
92E2E3886A1A432...

Signed by the Vendor

Kyle Jordan Hornsby

Kelsie Therese Borchard

/ / 2020 August 24, 2020 | 17:00:06 AEST

August 24, 2020 | 19:35:43 AEST

Date of this Statement

Signed by the Purchaser

*Print full name*

/ / 2020

Date of the Purchaser's acknowledgement

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# Due Diligence Checklist

## What you need to know before buying a residential property

Consumer Affairs Victoria

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 **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.

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Consumer Affairs Victoria

**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.

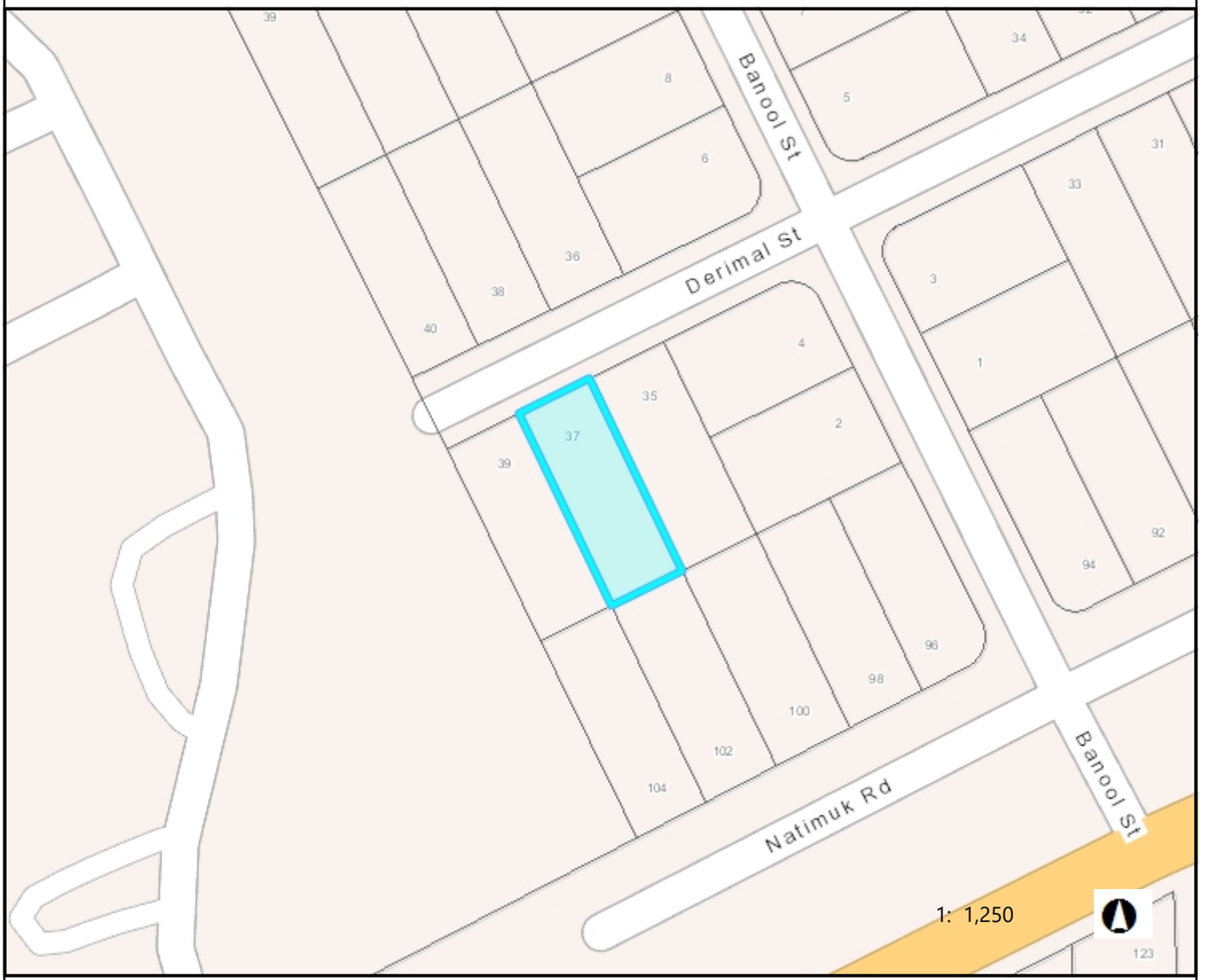
**Buyers' rights**
***Do you know your rights when buying a property?***
The contract of sale and section 32 statement contain important information about the property, so you should request to see these and read them thoroughly. Many people engage a lawyer or conveyancer to help them understand the 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

consumer.vic.gov.au/duediligencechecklist

State Government Victoria

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# 37 Derimal St, Horsham 3400




64 0 32 64 Meters

GDA_1994_VICGRID94

**Map Created on 21-Aug-2020**

Legend

- Property Proposed
- Parcel Proposed
- Property
- Parcel




Disclaimer: This map is a snapshot generated from Victorian Government data. This material may be of assistance to you but the State of Victoria does not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for error, loss or damage which may arise from reliance upon it. All persons accessing this information should make appropriate enquiries to assess the currency of the data.

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

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VOLUME 08470 FOLIO 674 Security no : 124085043440G
Produced 21/08/2020 12:35 PM

LAND DESCRIPTION

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Lot 108 on Plan of Subdivision 030586.
PARENT TITLE Volume 08059 Folio 566
Created by instrument B862009 19/02/1964

REGISTERED PROPRIETOR

---

Estate Fee Simple
Joint Proprietors
KYLE JORDAN HORNSBY of 4468 HENTY HIGHWAY HAVEN VIC 3401
KELSIE THERESE BORCHARD of 849 PLUSH HANNANS ROAD LOWER NORTON VIC 3401
AR069302C 29/05/2018

ENCUMBRANCES, CAVEATS AND NOTICES

---

MORTGAGE AR069303A 29/05/2018
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 or imaged folio set out under DIAGRAM LOCATION below.

DIAGRAM LOCATION

---

SEE LP030586 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: 37 DERIMAL STREET HORSHAM VIC 3400

ADMINISTRATIVE NOTICES

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NIL

eCT Control 15940N CBA - COMMONWEALTH BANK OF AUSTRALIA
Effective from 29/05/2018

DOCUMENT END

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# LP 30586

EDITION 3
PLAN MAY BE LODGED

2 SHEETS
SHEET 1

PLAN OF SUBDIVISION
OF PART OF CROWN ALLOTMENTS 6 & 7
SECTION 4 AND PART OF
FORMER GOVT. ROAD

**PARISH OF HORSHAM**
**COUNTY OF BORUNG**
VOL. 8059 FOL. 566

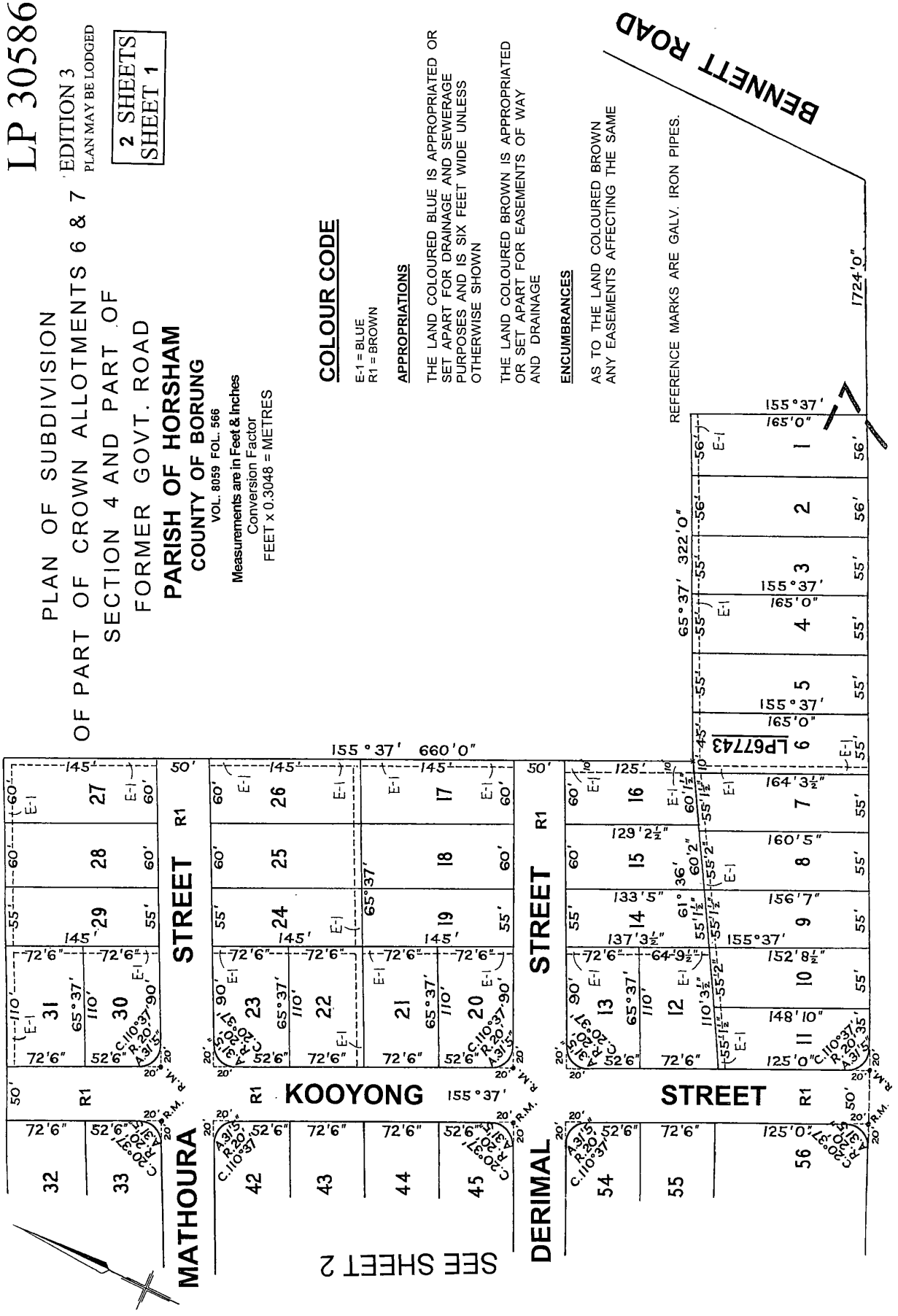
Measurements are in Feet & Inches
Conversion Factor
FEET x 0.3048 = METRES

**COLOUR CODE**
E-1 = BLUE
R1 = BROWN

**APPROPRIATIONS**
THE LAND COLOURED BLUE IS APPROPRIATED OR SET APART FOR DRAINAGE AND SEWERAGE PURPOSES AND IS SIX FEET WIDE UNLESS OTHERWISE SHOWN
THE LAND COLOURED BROWN IS APPROPRIATED OR SET APART FOR EASEMENTS OF WAY AND DRAINAGE

**ENCUMBRANCES**
AS TO THE LAND COLOURED BROWN ANY EASEMENTS AFFECTING THE SAME

REFERENCE MARKS ARE GALV. IRON PIPES.

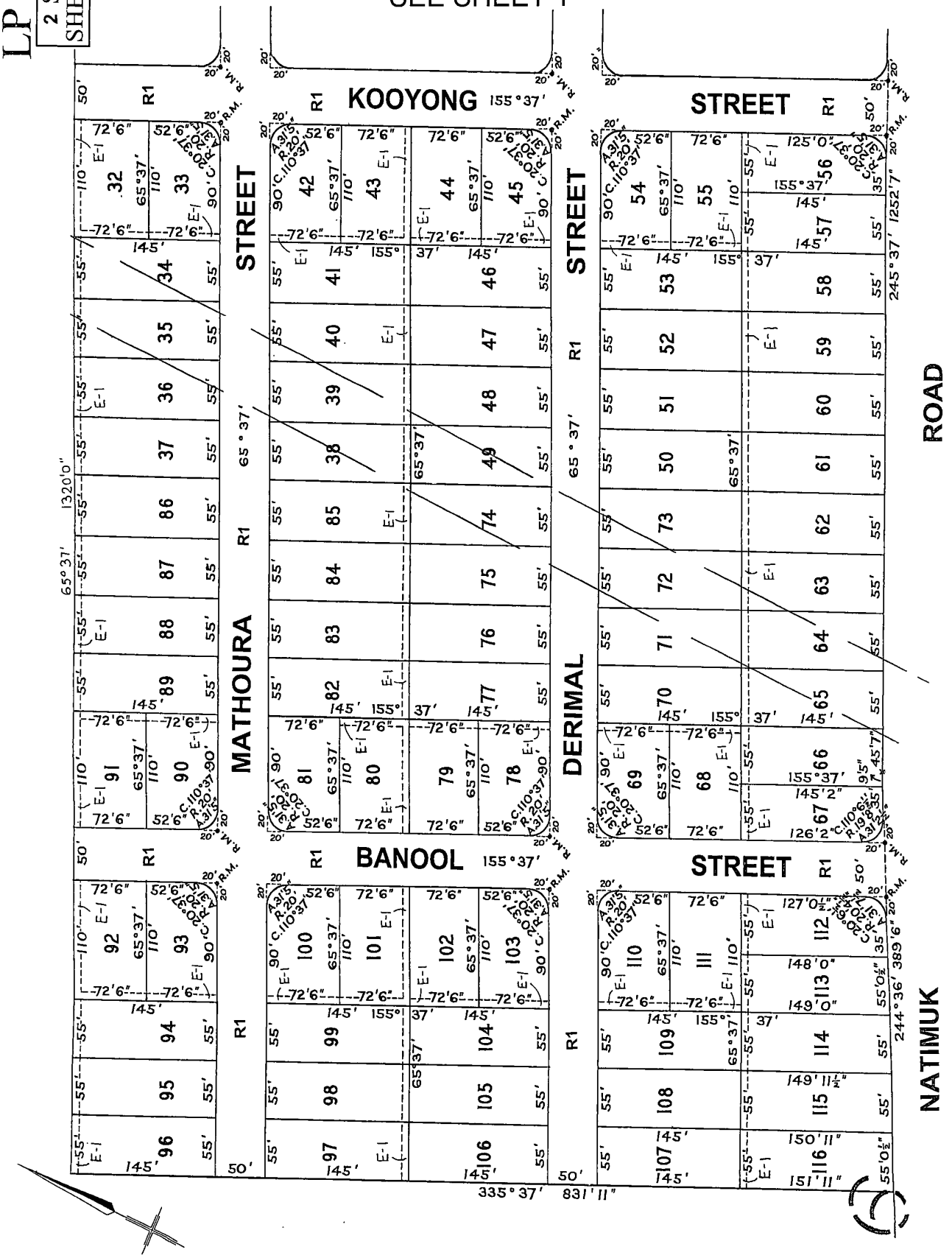


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LP 30586

2 SHEETS
SHEET 2



# MODIFICATION TABLE

RECORD OF ALL ADDITIONS OR CHANGES TO THE PLAN

**PLAN NUMBER**

**LP 30586**

| AFFECTED LAND/PARCEL | LAND/PARCEL IDENTIFIER CREATED | MODIFICATION | DEALING NUMBER | DATE | TIME | EDITION NUMBER | ASSISTANT REGISTRAR OF TITLES |
|---|---|---|---|---|---|---|---|
| LOT 81 | | REMOVAL OF EASEMENT | PS444341V | | | 2 | |
| | | EASEMENTS ENHANCED | | | | 3 | AD |
| | | | | | | | |
| | | | | | | | |
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# Property Report from www.land.vic.gov.au on 21 August 2020 12:20 PM

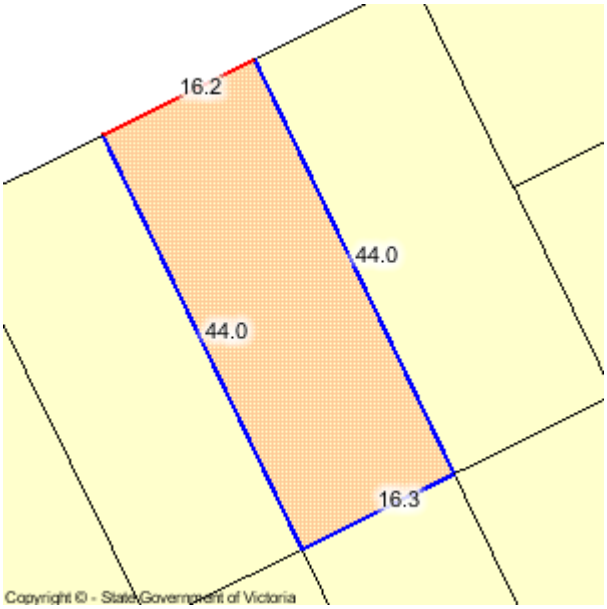
**Address:** 37 DERIMAL STREET HORSHAM 3400
**Lot and Plan Number:** Lot 108 LP30586
**Standard Parcel Identifier (SPI):** 108\LP30586
**Local Government (Council):** HORSHAM **Council Property Number:** 1288
**Directory Reference:** VicRoads 544 B7

**This property is not in a designated bushfire prone area.**
**No special bushfire construction requirements apply. Planning provisions may apply.**

Further information about the building control system and building in bushfire prone areas can be found in the Building Commission section of the Victorian Building Authority website www.vba.vic.gov.au

## Site Dimensions

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




**Area:** 715 sq. m
**Perimeter:** 121 m

For this property:
Site boundaries
Road frontages

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

For more accurate dimensions get copy of plan at
**Title and Property Certificates**

## State Electorates

**Legislative Council:** WESTERN VICTORIA
**Legislative Assembly:** LOWAN

## Utilities

**Rural Water Corporation:** Grampians Wimmera Mallee Water
**Urban Water Corporation:** Grampian Wimmera Malle Water
**Melbourne Water:** outside drainage boundary
**Power Distributor:** POWERCOR (Information about choosing an electricity retailer)

Planning information continued on next page

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## Planning Zone Summary

**Planning Zone:** GENERAL RESIDENTIAL ZONE (GRZ)
GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)

**Planning Overlay:** DESIGN AND DEVELOPMENT OVERLAY (DDO)
DESIGN AND DEVELOPMENT OVERLAY - SCHEDULE 3 (DDO3)

Planning scheme data last updated on 5 August 2020.

A **planning scheme** sets out policies and requirements for the use, development and protection of land.
This report provides information about the zone and overlay provisions that apply to the selected land.
Information about the State and local policy, particular, general and operational provisions of the local planning scheme that may affect the use of this land can be obtained by contacting the local council or by visiting Planning Schemes Online

This report is NOT a **Planning Certificate** issued pursuant to Section 199 of the *Planning and Environment Act 1987.*
It does not include information about exhibited planning scheme amendments, or zonings that may abut the land.
To obtain a Planning Certificate go to Titles and Property Certificates

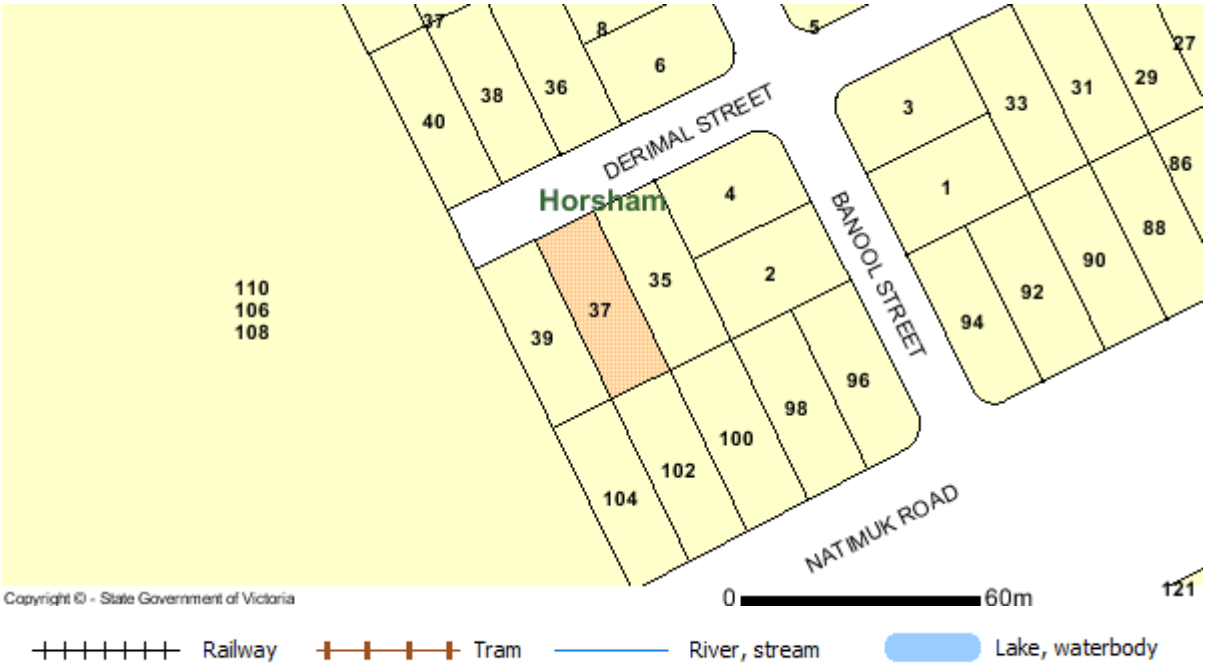
The Planning Property Report includes separate maps of zones and overlays

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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