# 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 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** | 2/5 Selkirk Drive, Horsham 3400 | |
| **Vendor's name** | | **Date** / / |
| **Vendor's signature** | | |
| **Vendor's name** | | **Date** / / |
| **Vendor's signature** | | |

| | | |
|---|---|---|
| **Purchaser's name** | | **Date** / / |
| **Purchaser's signature** | | |
| **Purchaser's name** | | **Date** / / |
| **Purchaser's signature** | | |

# 1 FINANCIAL MATTERS

1.1 **Particulars of any Rates, Taxes, Charges or Other Similar Outgoings** (and any interest on them)

(a) Their total does not exceed: $6,000.00 p.a.

1.2 **Particulars of any Charge** (whether registered or not) imposed by or under any Act to secure an amount due under that Act, including the amount owing under the charge

| | To | |
|---|---|---|
| | | |

Other particulars (including dates and times of payments):

1.3 **Terms Contract**

This section 1.3 only applies if this vendor statement is in respect of a terms contract where the purchaser is obliged to make 2 or more payments (other than a deposit or final payment) to the vendor after the execution of the contract and before the purchaser is entitled to a conveyance or transfer of the land.

Not Applicable.

1.4 **Sale Subject to Mortgage**

This section 1.4 only applies if this vendor statement is in respect of a contract which provides that any mortgage (whether registered or unregistered), is NOT to be discharged before the purchaser becomes entitled to possession or receipts of rents and profits.

Not Applicable.

1.5 **Commercial and Industrial Property Tax Reform Act 2024 (Vic) (CIPT Act)**

| | |
|---|---|
| (a) The Australian Valuation Property Classification Code (within the meaning of the CIPT Act) most recently allocated to the land is set out in the attached Municipal rates notice or property clearance certificate or is as follows | AVPCC No. 120 |
| (b) Is the land tax reform scheme land within the meaning of the CIPT Act? | ☐ Yes ☒ No |
| (c) If the land is tax reform scheme land within the meaning of the CIPT Act, the entry date within the meaning of the CIPT Act is set out in the attached Municipal rates notice of property clearance certificate or is as follows | Date:<br>OR<br>☒ Not applicable |

# 2 INSURANCE

2.1 **Damage and Destruction**

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

Not Applicable.

2.2 **Owner Builder**

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

Not Applicable.

# 3 LAND USE

3.1 **Easements, Covenants or Other Similar Restrictions**

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

Is in the attached copies of title documents.

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

| |
|---|
| To the best of the vendor's knowledge, there is no existing failure to comply with the terms of any easement, covenant or other similar restriction. |

3.2. **Road Access**

There is NO access to the property by road if the square box is marked with an 'X' ☐

3.3. **Designated Bushfire Prone Area**

The land is in a designated bushfire prone area under section 192A of the *Building Act* 1993 if the square box is marked with an 'X' ☒

3.4. **Planning Scheme**

Attached is a certificate with the required specified information.

# 4 NOTICES

4.1. **Notice, Order, Declaration, Report or Recommendation**

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

Not Applicable.

4.2. **Agricultural Chemicals**

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

| |
|---|
| Not Applicable. |

4.3. **Compulsory Acquisition**

The particulars of any notices of intention to acquire that have been served under section 6 of the *Land Acquisition and Compensation Act* 1986 are as follows:

| |
|---|
| Not Applicable. |

# 5 BUILDING PERMITS

Particulars of any building permit issued under the *Building Act* 1993 in the preceding 7 years (required only where there is a residence on the land):

Not Applicable.

# 6 OWNERS CORPORATION

This section 6 only applies if the land is affected by an owners corporation within the meaning of the *Owners Corporations Act* 2006.

Not Applicable.

# 7 GROWTH AREAS INFRASTRUCTURE CONTRIBUTION ("GAIC")

Not Applicable.

# 8 SERVICES

The services which are marked with an 'X' in the accompanying square box are NOT connected to the land:

| | | | | |
|---|---|---|---|---|
| Electricity supply ☐ | Gas supply ☐ | Water supply ☐ | Sewerage ☐ | Telephone services ☒ |

## 9 TITLE

Attached are copies of the following documents:

9.1 (a) **Registered Title**
A Register Search Statement and the document, or part of a document, referred to as the 'diagram location' in that statement which identifies the land and its location.

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

## 10 SUBDIVISION

10.1. **Unregistered Subdivision**

This section 10.1 only applies if the land is subject to a subdivision which is not registered.

Not Applicable.

10.2. **Staged Subdivision**

This section 10.2 only applies if the land is part of a staged subdivision within the meaning of section 37 of the *Subdivision Act* 1988.

Not Applicable.

10.3. **Further Plan of Subdivision**

This section 10.3 only applies if the land is subject to a subdivision in respect of which a further plan within the meaning of the *Subdivision Act* 1988 is proposed.
Not Applicable.

## 11 DISCLOSURE OF ENERGY INFORMATION

*(Disclosure of this information is not required under section 32 of the Sale of Land Act 1962 but may be included in this vendor statement for convenience.)*

Details of any energy efficiency 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 1000m²; (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.

## 12 DUE DILIGENCE CHECKLIST

*(The Sale of Land Act 1962 provides that the vendor or the vendor's licensed estate agent must make a prescribed due diligence checklist available to purchasers before offering land for sale that is vacant residential land or land on which there is a residence. The due diligence checklist is NOT required to be provided with, or attached to, this vendor statement but the checklist may be attached as a matter of convenience.)*

☒ Vacant Residential Land or Land with a Residence

☐ Attach Due Diligence Checklist (this will be attached if ticked)

## 13 ATTACHMENTS

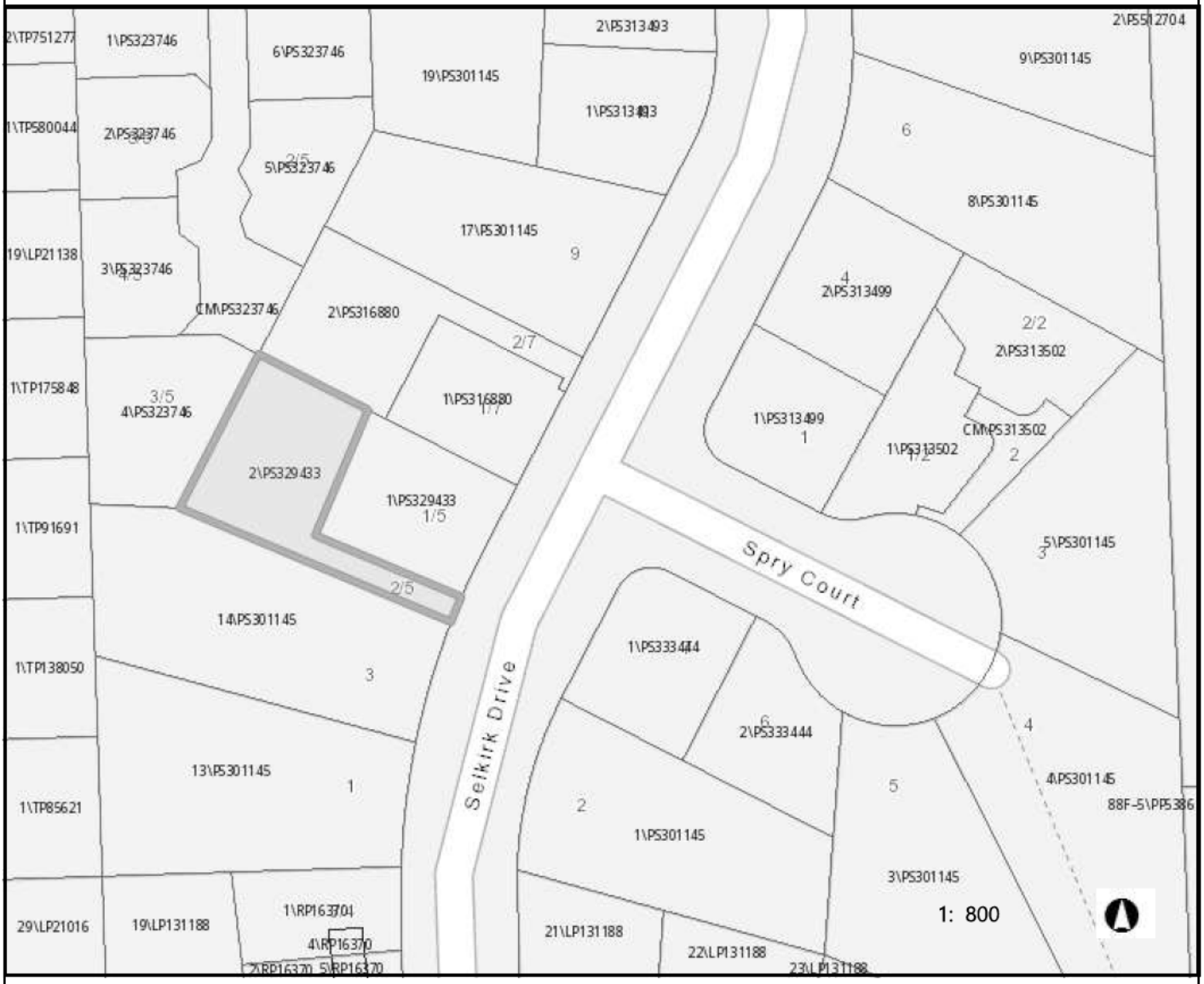
*(Any certificates, documents and other attachments may be annexed to this section 13)*

*(Additional information may be added to this section 13 where there is insufficient space in any of the earlier sections)*

*(Attached is an "Additional Vendor Statement" if section 1.3 (Terms Contract) or section 1.4 (Sale Subject to Mortgage) applies)*

| |
|---|
| |

# 2/5 Selkirk Drive, Horsham VIC 3400




41 0 20 41 Meters

GDA2020_Vicgrid

**Map Created on 29-Oct-2025**

## 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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VICTORIA State Government | Energy, Environment and Climate Action

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



VOLUME 10164 FOLIO 001

Security no : 124129456119F
Produced 29/10/2025 03:00 PM

## LAND DESCRIPTION

Lot 2 on Plan of Subdivision 329433J.
PARENT TITLE Volume 10020 Folio 254
Created by instrument PS329433J 11/04/1994

## REGISTERED PROPRIETOR

Estate Fee Simple
Joint Proprietors

PS329433J 11/04/1994

## ENCUMBRANCES, CAVEATS AND NOTICES

COVENANT (as to whole or part of the land) in instrument R478073S

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 PS329433J 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: UNIT 2 5 SELKIRK DRIVE HORSHAM VIC 3400

DOCUMENT END



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# PLAN OF SUBDIVISION

STAGE No. /

LTO USE ONLY
**EDITION 1**

PLAN NUMBER
**PS 329433J**

## LOCATION OF LAND

**PARISH:** HORSHAM

**TOWNSHIP:** HORSHAM

**SECTION:** 5

**CROWN ALLOTMENT:** 21 (PART)

**CROWN PORTION:** ———————

**LTO BASE RECORD:** CHART 1 (2764)
**TITLE REFERENCES:**
VOL. 10020 FOL. 254

**LAST PLAN REFERENCE/S:** PS301145V (LOT 15)

**POSTAL ADDRESS:** 5 SELKIRK DRIVE
**(At time of subdivision)** HORSHAM. 3400

**AMG Co-ordinates**
(of approx centre of land in plan) E 606490 N 5935300 ZONE: 54

## COUNCIL CERTIFICATION AND ENDORSEMENT

COUNCIL NAME: CITY OF HORSHAM REF: A 5420

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 20/ 1 / 94

~~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 |
|---|---|
| NIL | NIL |

## NOTATIONS

STAGING This ~~is~~/is not a staged subdivision.
Planning permit No. 1845

DEPTH LIMITATION DOES NOT APPLY.

SURVEY. THIS PLAN IS/~~IS NOT~~ BASED ON SURVEY

THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS No.(s)
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 |
|---|---|---|---|---|
| E-1 | SEWERAGE | 2·50 | THIS PLAN | LOT 1 |

LTO USE ONLY

STATEMENT OF COMPLIANCE/
EXEMPTION STATEMENT

RECEIVED ☑

DATE: 11 / 4 / 94

LTO USE ONLY

PLAN REGISTERED

TIME 3·45

DATE 11 / 4 / 94

Wm. R. McPhee
Assistant Registrar of Titles

SHEET 1 OF 2 SHEETS

Ferguson & Perry Pty. Ltd.
Licensed Surveyors ACN005543779
62 McLachlan Street Horsham 3400
Telephone (053)822023 Fax (053)811544

LICENSED SURVEYOR (PRINT) DONALD JAMES PERRY

SIGNATURE ..... DATE / /

REF 5051 VERSION 2

..... DATE / /
COUNCIL DELEGATE SIGNATURE

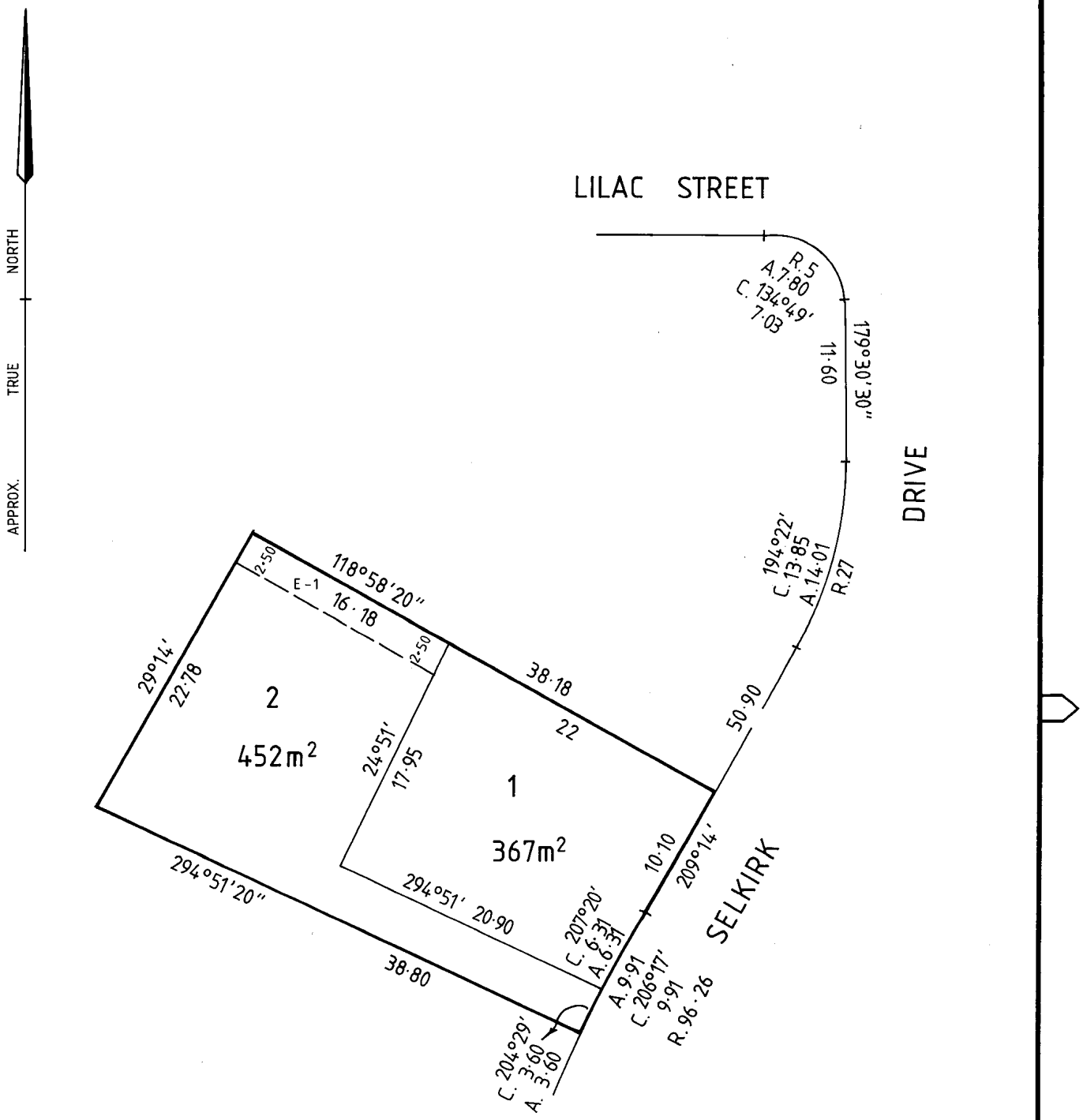
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# PLAN OF SUBDIVISION

STAGE No.

PLAN NUMBER
**PS 329433J**




Ferguson & Perry Pty. Ltd.
Licensed Surveyors ACN 005543779
62 McLachlan Street Horsham 3400
Telephone (053) 822023 Fax (053) 811544

3 0 3 6 9 12 15
LENGTHS ARE IN METRES

ORIGINAL

| SCALE | SHEET SIZE |
|---|---|
| 1:300 | A3 |

LICENSED SURVEYOR (PRINT) DONALD JAMES PERRY

SIGNATURE ..... DATE / /

REF 5051 VERSION 2

SHEET 2 OF 2 SHEETS

DATE / /

COUNCIL DELEGATE SIGNATURE

0 10 20 30 40 50 60 70 80 90 100 110 120 130 140 150mm

# Imaged Document Cover Sheet

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Titles Office Use Only

REGD

070891 1140 45 26 R4780735

R4780735

Lodged at the Titles Office by

MARSHALL RICHARDS + ASSOC.

Code 1466T.

**VICTORIA** **TRANSFER OF LAND**

Subject to the encumbrances affecting the land including any created by dealings lodged for registration prior to the lodging of this instrument the transferor for the consideration expressed at the request and by the direction of the directing party (if any) transfers to the transferee the estate and the interest specified in the land described together with any easement hereby created and subject to any easement hereby reserved or restrictive covenant herein contained or covenant created pursuant to statute and included herein.

STAMPED 08 EXAMINED

Land (Note 5)

Lot 15 on Plan of Subdivision No. PS301145V being the whole of the land described in Certificate of Title Volume 10020 Folio 254.

STAMP DUTY VICTORIA
U#020#2 S#1 T#075577 00045769 22/07 31
R#302200 D#44 $474.00

Consideration (Note 6)

$26,000.00

Transferor (Note 7)

BRIAN BREUER NOMINEES PTY. LTD. and KEN BREUER NOMINEES PTY. LTD.

Transferee (Note 8)

both of 14 Alexander Parade, Shepparton as joint tenants.

Estate and Interest (Note 9)

All its estate and interest in the fee simple.

Comptroller of Stamps Use Only

Directing Party (Note 10)

Creation (or Reservation) of Easement and/or Covenant (Notes 11-12)

PLEASE TURN OVER.

T2 Office Use Only

OFFICE OF TITLES VICTORIA

19/8/91

Approval No. T2/1

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"And the Transferees with the intent that the benefit of this Covenant shall be attached to and run at law and in equity with each and every lot on the said Plan of Subdivision other that the land hereby transferred and that the said Covenant shall be set out as an encumbrance at the foot of the Certificate of Title to be issued pursuant to this Transfer for themselves, their respective heirs, executors, administrators and the transferees thereof hereby and as separate covenants COVENANT with the Transferors / their successors and transferees and other the registered proprietor or proprietors for the time being of each and every lot on the said Plan of Subdivision other than the land hereby transferred and their respective heirs, executors administrators and transferees that they shall not at any time hereafter erect construct or build or cause to be erected constructed or built on the said land or any part thereof any building(s) other than:-

(a) one dwelling house having a floor area of at least 140 square metres; or

(b) two or more dwelling houses each having a floor area of at least 70 square metres -

and necessary outbuildings, the external walls of which are constructed of new materials save for bricks which may be secondhand.

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Dated the 13th day of June 1991. (Note 13)

Execution and Attestation (Note 14)

THE COMMON SEAL of BRIAN BREUER NOMINEES PTY. LTD. )
was hereunto affixed in accordance with its Articles )
of Association in the presence of: )

DIRECTOR: B.K. Breuer
DIRECTOR: B.D. Breuer

BRIAN BREUER NOMINEES PTY. LTD. ACN. 005 265 159
THE COMMON SEAL OF

Richards.

THE COMMON SEAL of KEN BREUER NOMINEES PTY. LTD. )
was hereunto affixed in accordance with its Articles )
of Association in the presence of: )

DIRECTOR: K.W. Breuer
DIRECTOR: G.L. Breuer

KEN BREUER NOMINEES PTY. LTD. ACN. 005 265 140
THE COMMON SEAL OF

# PROPERTY REPORT

Energy, Environment and Climate Action

**Created at 29 October 2025 11:41 AM**

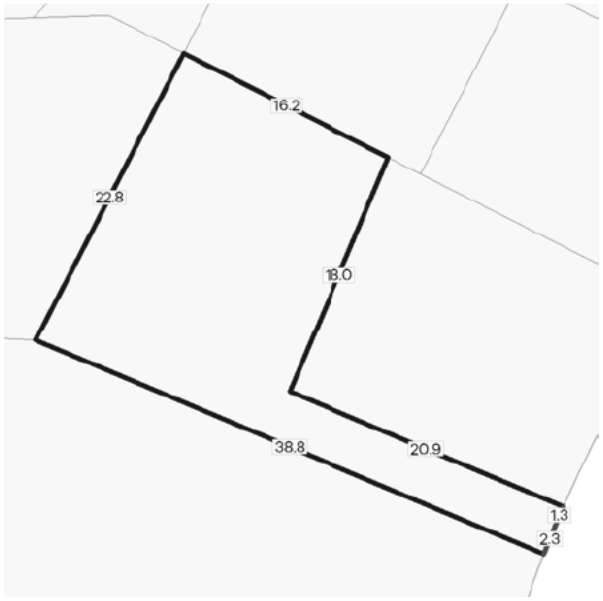
## PROPERTY DETAILS

| | |
|---|---|
| Address: | **2/5 SELKIRK DRIVE HORSHAM 3400** |
| Lot and Plan Number: | **Lot 2 PS329433** |
| Standard Parcel Identifier (SPI): | **2\PS329433** |
| Local Government Area (Council): | **HORSHAM** |
| Council Property Number: | **7573** |
| Directory Reference: | **Vicroads 544 E7** |

www.hrcc.vic.gov.au

## SITE DIMENSIONS

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




**Area:** 452 sq. m
**Perimeter:** 120 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.

Calculating the area from the dimensions shown may give a different value to the area shown above

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

## UTILITIES

| | |
|---|---|
| Rural Water Corporation: | **Grampians Wimmera Mallee Water** |
| Urban Water Corporation: | **Grampians Wimmera Mallee Water** |
| Melbourne Water: | **Outside drainage boundary** |
| Power Distributor: | **POWERCOR** |

## STATE ELECTORATES

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

## PLANNING INFORMATION

Property Planning details have been removed from the Property Reports to avoid duplication with the Planning Property Reports from the Department of Transport and Planning which are the authoritative source for all Property Planning information.

The Planning Property Report for this property can found here - Planning Property Report

Planning Property Reports can be found via these two links
**Vicplan** https://mapshare.vic.gov.au/vicplan/
**Property and parcel search** https://www.land.vic.gov.au/property-and-parcel-search

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# PROPERTY REPORT

Energy, Environment and Climate Action

## Area Map




Selected Property

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# PLANNING PROPERTY REPORT

Department of Transport and Planning

From www.planning.vic.gov.au at 07 November 2025 03:13 PM

## PROPERTY DETAILS

| | |
|---|---|
| Address: | **2/5 SELKIRK DRIVE HORSHAM 3400** |
| Lot and Plan Number: | **Lot 2 PS329433** |
| Standard Parcel Identifier (SPI): | **2\PS329433** |
| Local Government Area (Council): | **HORSHAM** www.hrcc.vic.gov.au |
| Council Property Number: | **7573** |
| Planning Scheme: | **Horsham** Planning Scheme - Horsham |
| Directory Reference: | **Vicroads 544 E7** |

## UTILITIES

| | |
|---|---|
| Rural Water Corporation: | **Grampians Wimmera Mallee Water** |
| Urban Water Corporation: | **Grampians Wimmera Mallee Water** |
| Melbourne Water: | **Outside drainage boundary** |
| Power Distributor: | **POWERCOR** |

## STATE ELECTORATES

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

## OTHER

| | |
|---|---|
| Registered Aboriginal Party: | **Barengi Gadjin Land Council Aboriginal Corporation** |
| Fire Authority: | **Country Fire Authority** |

View location in VicPlan

## Planning Zones

GENERAL RESIDENTIAL ZONE (GRZ)
GENERAL RESIDENTIAL ZONE - SCHEDULE 1 (GRZ1)




GRZ - General Residential
PUZ1 - Public Use-Service and Utility

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

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

## Planning Overlays

DESIGN AND DEVELOPMENT OVERLAY (DDO)

DESIGN AND DEVELOPMENT OVERLAY – SCHEDULE 3 (DDO3)

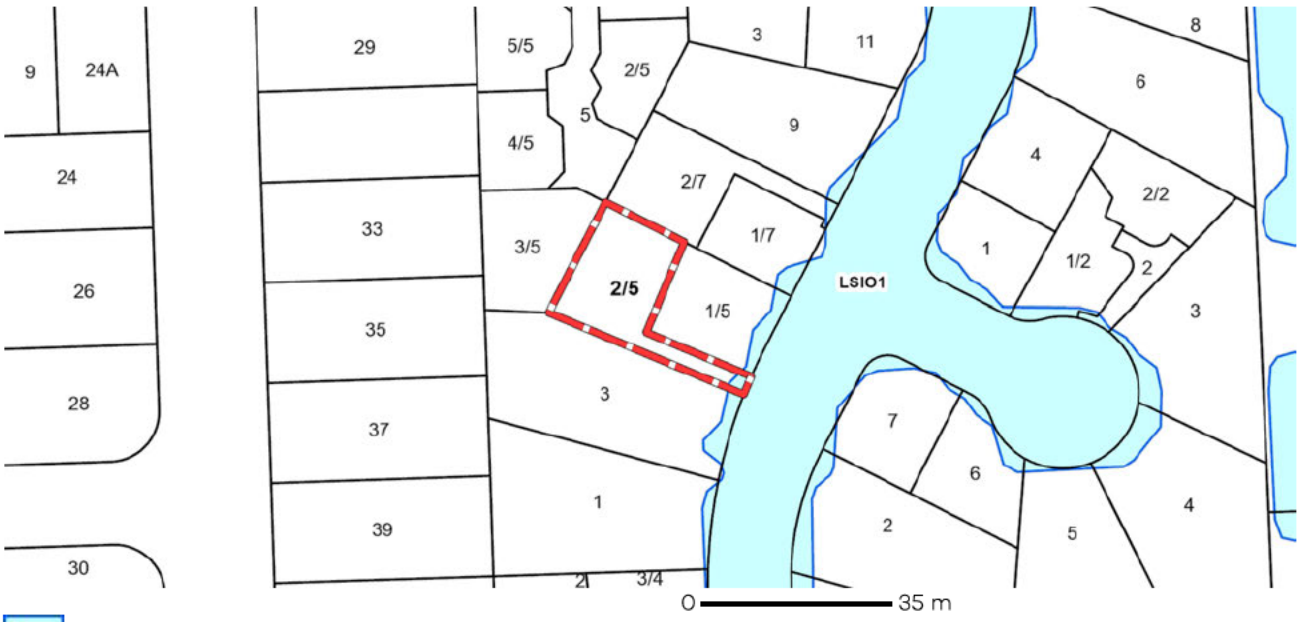



**DDO – Design and Development Overlay**

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

LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

LAND SUBJECT TO INUNDATION OVERLAY – SCHEDULE 1 (LSIO1)




**LSIO – Land Subject to Inundation Overlay**

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

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# PLANNING PROPERTY REPORT

Department of Transport and Planning

## Planning Overlays

OTHER OVERLAYS

Other overlays in the vicinity not directly affecting this land

ENVIRONMENTAL AUDIT OVERLAY (EAO)




**EAO - Environmental Audit Overlay**

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

## Further Planning Information

Planning scheme data last updated on 6 November 2025.

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

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 at Landata - https://www.landata.vic.gov.au

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 https://mapshare.vic.gov.au/vicplan/

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

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Read the full disclaimer at https://www.vic.gov.au/disclaimer

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

## Designated Bushfire Prone Areas

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

Where part of the property is mapped as BPA, if no part of the building envelope or footprint falls within the BPA area, the BPA construction requirements do not apply.

Note: the relevant building surveyor determines the need for compliance with the bushfire construction requirements.




Designated BPA are determined by the Minister for Planning following a detailed review process. The Building Regulations 2018, through adoption of the Building Code of Australia, apply bushfire protection standards for building works in designated BPA.

Designated BPA maps can be viewed on VicPlan at https://mapshare.vic.gov.au/vicplan/ or at the relevant local council.

Create a BPA definition plan in VicPlan to measure the BPA.

Information for lot owners building in the BPA is available at https://www.planning.vic.gov.au.

Further information about the building control system and building in bushfire prone areas can be found on the Victorian Building Authority website https://www.vba.vic.gov.au. Copies of the Building Act and Building Regulations are available from http://www.legislation.vic.gov.au. For Planning Scheme Provisions in bushfire areas visit https://www.planning.vic.gov.au.

## Native Vegetation

Native plants that are indigenous to Victoria and important for biodiversity might be present on this property. This could include trees, shrubs, herbs, grasses or aquatic plants. There are a range of regulations that may apply including need to obtain a planning permit under Clause 52.17 of the local planning scheme. For more information see Native Vegetation (Clause 52.17) with local variations in Native Vegetation (Clause 52.17) Schedule

To help identify native vegetation on this property and the application of Clause 52.17 please visit the Native Vegetation Regulations Map (NVR Map) https://mapshare.vic.gov.au/nvr/ and Native vegetation (environment.vic.gov.au) or please contact your relevant council.

You can find out more about the natural values on your property through NatureKit NatureKit (environment.vic.gov.au)

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HORSHAM
Rural City Council

CIVIC CENTRE
18 ROBERTS AVENUE, HORSHAM 3400
Tel: 03 5382 9777 Fax: 03 5382 1111
Email: council@hrcc.vic.gov.au
Weekdays: 8.30am to 5.00pm
TTY: 133 677 ask for 03 5382 9777

# VALUATION AND RATE NOTICE / TAX INVOICE FOR THE YEAR ENDING 30 JUNE 2026

ABN 37 019 724 765

UNIT 2
5 SELKIRK DRIVE
HORSHAM VIC 3400

033
I003633
DLX1_9843

Date of Notice: 11/08/2025

Date Declared: 23/06/2025

Assessment: 7573

If you are experiencing Financial Hardship please contact Council's Rates staff on 03 5382 9777 or email council@hrcc.vic.gov.au to confidentially discuss payment plan options.

*DESCRIPTION AND LOCATION OF LAND*
UNIT 2 5 SELKIRK DRIVE HORSHAM

LOT 2 PS 329433J HORSHAM

| | |
|---|---|
| SITE VALUE | 93,000 |
| CAPITAL IMPROVED VALUE | 419,000 |
| NETT ANNUAL VALUE | 20,950 |
| EFFECTIVE DATE | 01/07/2025 |
| LEVEL OF VALUE DATE | 01/01/2025 |

AREA 452.0000 SQUARE METRES

AVPCC 120 SINGLE STRATA UNIT/VILLA UNIT/TOWNHOUSE

| *RATE DETAILS* | *RATE IN $ / CHARGE* | *CIV / AMT* | *TOTAL* |
|---|---|---|---|
| ARREARS AT 11/08/2025 | | | $0.00 |
| RESIDENTIAL RATE | 0.00383400 | 419,000 | $1606.45 |
| MUNICIPAL CHARGE RESIDENTIAL | 200.00 | 1 | $200.00 |
| URBAN BIN SERVICE | 543.00 | 1 | $543.00 |
| GOVT PENSION REBATE - RATES | | | -$266.00 |
| COUNCIL PENSION REBATE - RATES | | | -$50.00 |
| ***VICTORIA STATE GOVERNMENT EMERGENCY SERVICES AND VOLUNTEERS FUND*** | | | |
| ESVF RESIDENTIAL FIXED | 136.00 | 1 | $136.00 |
| ESVF RESIDENTIAL VARIABLE | 0.00017300 | 419,000 | $72.49 |
| GOVT PENSION REBATE - ESVF | | | -$50.00 |

TOTAL RATES AND CHARGES OWING **$2,191.94**
*TOTAL INCLUDES ESVF CHARGES FOR THE CURRENT YEAR*

**Payment In Full**
Due 16 Feb 2026
**$2,191.94**

Or

**On Instalments**
Instalment 1 Due
30 Sept 2025
**$548.00**

| Instalment 2 | Instalment 3 | Instalment 4 |
|---|---|---|
| Due 1 Dec 2025 | Due 2 Mar 2026 | Due 1 Jun 2026 |
| $547.98 | $547.98 | $547.98 |

***Note:*** Payments received after the due date may be charged interest at 10% pa. Any arrears shown on this notice are due immediately and may accrue interest until paid.

To have your notices emailed
Register at **hrcc.enotices.com.au**
Reference No: 6C713849BR

BPAY
Biller Code: 87221
Ref: 0757 39

**BPAY** this payment via internet or phone banking
**BPAY View Registration No.: 0757 39**

Post Billpay
Bilpay Code: 2315
Ref: 75739

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

ASSESSMENT: 7573

RATEPAYER NAME:

PO BOX 511
HORSHAM VIC 3402

POST billpay
*2315 075739

POST billpay
*2315 075739

## PAYMENT OPTIONS

The rates and charges levied on this notice can be paid **IN FULL** by 16 February 2026 OR by **FOUR INSTALMENTS** as follows:

| | |
|---|---|
| **FIRST** | 30 September 2025 |
| **SECOND** | 1 December 2025 |
| **THIRD** | 2 March 2026 |
| **FOURTH** | 1 June 2026 |

**Where the first instalment is paid by the due date** – Notices for the second, third and fourth instalments will be issued at least 14 days before the due dates for payment. Please note that the first instalment includes any arrears and interest. **Where the first instalment is not paid by the due date** – The property will not be entered on the four instalment plan and rates will be payable in full by 16 February 2026.

## ALLOCATION OF PAYMENTS

1. Legal Costs (If any)
2. Interest Charges (if any)
3. Overdue Rates & Charges (If any)
4. Current Year Rates & Charges

**NOTE: Rates and Charges Includes State imposed and Council Rates and Charges**

## INTEREST PENALTY ON LATE PAYMENTS

Council may waive interest on overdue rates if hardship is experienced and a payment plan is put in place. All other overdue amounts may be charged interest at 10% pa as fixed under the Penalty Interest Rates Act 1983. Where applicable the interest penalty will be applied after the due date of an instalment. For lump sum payers interest penalty will be applied after the due date of a lump sum, but calculated on each of the instalment amounts that are overdue from the day after their due dates.

## OTHER PENALTIES FOR FAILING TO PAY

Council may sue in the Magistrates' Court to recover any outstanding rates and/or charges. This will result in further cost for property owner/s. In accordance with Section 181 of the Local Government Act 1989, Council may exercise its right to sell property in order to recover unpaid rates and charges.

## RIGHT OF OBJECTION TO DIFFERENTIAL RATING

Under Section 183 of the Local Government Act 1989, if you are aggrieved by Council's decision to classify or not classify your land as a particular type class for differential rating purposes you may apply to VCAT within 60 days after the date of the notice. However, you are invited to first discuss classification with the Valuer appointed to Council by the Valuer- General Victoria.

## RATE IN THE $

All rating differentials adopted by Council for 2025/2026, are shown for comparative purposes only.

| Capital Improved Value | | $ 419,000 |
|---|---|---|
| Residential | 0.003834 cents | 1,606.45 |
| Farm | 0.002014 cents | 843.87 |
| Commercial | 0.003834 cents | 1,606.45 |
| Industrial | 0.003834 cents | 1,606.45 |
| Culture & Recreation | 0.001917 cents | 803.22 |

## RIGHT OF APPEAL AGAINST RATES

Under Section 184 of the Local Government Act 1989 aggrieved persons have a right of appeal to the County Court within 60 days after the date of the notice in respect of rates and charges on specific grounds.

## PENSIONER CONCESSION REBATE

A person holding a current Pensioner Concession Card or DVA Gold Card (TPI or War Widow only) may be entitled to a Government rebate (maximum $266.00) and a Council rebate of $50.00 on their Council rates, as well as a $50.00 rebate on the Emergency Services and Volunteers Fund on their principal place of residence. Those whose rebate appears on this notice need not to reapply.

**NOTE: A Health Care Card does not entitle the holder to a rate reduction. Centrepay deductions are also available. Contact Council or Centrelink for more information.**

## MUNICIPAL REVALUATION

All properties were revalued by the Valuer General at a level of value date 1 January 2025, subject to supplementary valuations for property changes. Rates levied have been based on the Capital Improved Value shown overleaf using the rate in the dollar shown.

**NOTE: The Capital Improved Value includes the Site Value.**

## RIGHT OF OBJECTION TO VALUATIONS

Ratepayers and/or owners have a right under Division 3 of the Valuation of Land Act 1960 to object to the valuations of the property described on the Valuation and Rate Notice on specific grounds set out in this Division. Objections must be lodged within **two months** of the date of issue of this notice. Forms can be downloaded from hrcc.vic.gov.au/Our-Council/Rates-Valuations/Valuations or lodged online at ratingvaluationobjections.vic.gov.au. It is suggested that you discuss your concerns with the valuer appointed to Council by the Valuer-General Victoria or Council Rates staff before lodging an objection. Contact Council on (03) 5382 9777 or via council@hrcc.vic.gov.au

**NOTE: Objection to a valuation does not excuse you from paying your rates and charges by the due dates. Unpaid rates will attract interest at the specific rate and conditions.**

## LAND TAX

Notice is given that Council valuations may be used by ther rating authorities for the purpose of a rate or tax. The State Revenue Office uses the site value in assessing land tax. For further information refer to the State Revenue Office website www.sro.vic.gov.au

## EMERGENCY SERVICES AND VOLUNTEERS FUND

From July 2025 the Fire Services Property Levy was replaced by the Emergency Services and Volunteers Fund. All funds collected by Council will go to the State Government to support a range of emergency services. Refer to www.sro.vic.gov.au/emergency-services-and-volunteers-fund or call the ESVF support line on 1300 819 033.

## FINANCIAL HARDSHIP

Any ratepayer who is having difficulty paying part or all of their rates and charges should contact Council's Rates Department for a confidential discussion about assistance options such as payment plans, interest waivers, deferrals, rates waivers and financial hardship applications. Further information in relation to financial hardship support can be found at hrcc.vic. gov.au/Our-Council/Rates-Valuations/Rates-and-Charges

## CHANGE OF PROPERTY OWNERSHIP/OCCUPANCY OR MAILING ADDRESS

The Council must be notified in writing of changes of occupancy, ownership or mailing address. When ownership of a property changes, liability for payment of rates remains with he owner recorded with Council until a Notice of Acquisition is received from the transferor or their agent. Address alterations should be in writing and lodged with the Rates Department on Council's website at hrcc.vic.gov.au/Contacts-Us/Change-Your-Details

## TRANSFERRING OF RATING OBLIGATION

You must supply a copy of the original Valuation and Rate Notice to any legal identity to whom you have transferred your obligation to pay rates associated with the property for which the notice is issued to ensure the due dates and timelines associated with the notice are met.

## MUNICIPAL CHARGE

A municipal charge of $200.00 has been levied on all rateable properties not previously granted an exemption. Exemptions may be granted on eligible farming properties which form part of a single farming enterprise upon application. Applications can be found on Council's website at hrcc.vic.gov.au/Residents/Rates-and valuations/Rates-and-Charges

## FREE LOAD OF WASTE

Ratepayers with a Waste or Recycling charge listed on the front of this notice are eligible for one free load of waste (other than e-waste, mattresses or tyres) in a 6' x 4' trailer or car boot delivered to the Horsham or Quantong Transfer Stations. Please present this notice to the site attendant to redeem. Valid until issue of your next Annual Rate Notice. For more information on the free load of waste visit hrcc.vic.gov.au/Our-Council/Rates-Valuations/Rates-and-Charges.

## WASTE SERVICE CHARGES

For more information on the current waste charges please visit hrcc.vic.gov.au/Our-Council/Rates-Valuations/Rates-and-Charges. For more information and to set up reminders on your bin day please download Council's Waste app by visiting hrcc.vic.gov.au/Residents/Waste-and-recycling/HRCC-Waste-App

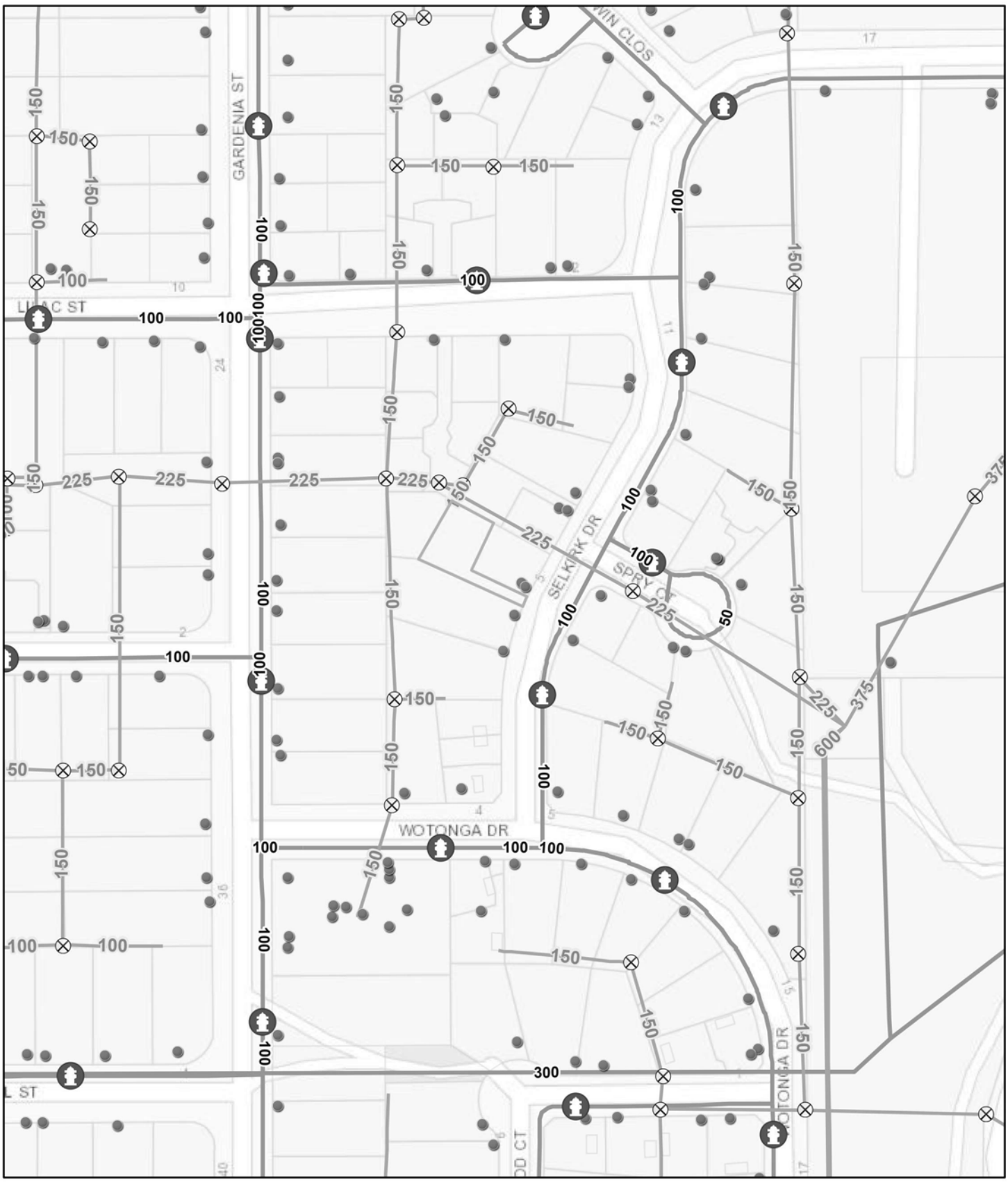
Owner/s Rogers, David John; Rogers, Dorothy Beryl

Prescribed statement in accordance with Local Government (General) Amendment Regulations 2016.

Council has complied with the Victorian Government's rates cap of 3.00 per cent. The cap applies to the average annual increase of rates and charges. The rates and charges for your property may have increased or decreased by a different percentage amount for the following reasons:

(i) The valuation of your property relative to the valuation of other properties in the municipal district;
(ii) The application of any differential rate by Council;
(iii) The inclusion of other rates and charges not covered by the Victorian Government's rates cap, ie waste charges and Emergency Services and Volunteers Fund (State Government Charge).

# GWMWater Interactive Map




10/29/2025, 11:53:20 AM

1:2,257

0 0.01 0.03 0.06 mi

0 0.02 0.04 0.09 km

- Urban Hydrants
- Sewer Mains
- GWMwater
- Urban Water Main
- LGA Boundaries - LGA Boundaries
- Urban Water Meters
- Sewer Manholes
- Parcels

Vicmap, Esri, HERE, Garmin, USGS

By GWMWater

# Property Clearance Certificate

*Land Tax*

INFOTRACK / POWER & BENNETT

| | |
|---|---|
| **Your Reference:** | 251590 |
| **Certificate No:** | 93953333 |
| **Issue Date:** | 29 OCT 2025 |
| **Enquiries:** | ESYSPROD |

**Land Address:** UNIT 2, 5 SELKIRK DRIVE HORSHAM VIC 3400

| Land Id | Lot | Plan | Volume | Folio | Tax Payable |
|---|---|---|---|---|---|
| 23051975 | 2 | 329433 | 10164 | 1 | $0.00 |

**Vendor:**

**Purchaser:** FOR INFORMATION PURPOSES

| Current Land Tax | Year | Taxable Value (SV) | Proportional Tax | Penalty/Interest | Total |
|---|---|---|---|---|---|
| MR DAVID JOHN ROGERS | 2025 | $93,000 | $0.00 | $0.00 | $0.00 |

**Comments:** Property is exempt: LTX Principal Place of Residence.

| Current Vacant Residential Land Tax | Year | Taxable Value (CIV) | Tax Liability | Penalty/Interest | Total |
|---|---|---|---|---|---|

**Comments:**

| 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

| | |
|---|---|
| CAPITAL IMPROVED VALUE (CIV): | $404,000 |
| SITE VALUE (SV): | $93,000 |
| **CURRENT LAND TAX AND VACANT RESIDENTIAL LAND TAX CHARGE:** | **$0.00** |

# Notes to Certificate - Land Tax

**Certificate No:** 93953333

**Power to issue Certificate**

1. Pursuant to section 95AA of the *Taxation Administration Act 1997*, the Commissioner of State Revenue must 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. Pursuant to section 96 of the *Land Tax Act 2005*, if a purchaser of the land described in the Certificate has applied for and obtained a certificate, the amount recoverable from the purchaser by the Commissioner cannot exceed the amount set out in the certificate, described as the "Current Land Tax Charge and Vacant Residential Land Tax Charge" overleaf. 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.

**Apportioning or passing on land tax to a purchaser**

6. A vendor is prohibited from apportioning or passing on land tax including vacant residential land tax, interest and penalty tax to a purchaser under a contract of sale of land entered into on or after 1 January 2024, where the purchase price is less than $10 million (to be indexed annually from 1 January 2025, as set out on the website for Consumer Affairs Victoria).

**General information**

7. 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.

8. 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 = $500.00

Taxable Value = $93,000

Calculated as $500 plus ( $93,000 - $50,000) multiplied by 0.000 cents.

VACANT RESIDENTIAL LAND TAX CALCULATION

Vacant Residential Land Tax = $4,040.00

Taxable Value = $404,000

Calculated as $404,000 multiplied by 1.000%.

## Land Tax - Payment Options

**BPAY**

Biller Code:5249
Ref: 93953333

**Telephone & Internet Banking - BPAY®**

Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.

**www.bpay.com.au**

**CARD**

Ref: 93953333

**Visa or Mastercard**

Pay via our website or phone 13 21 61. A card payment fee applies.

**sro.vic.gov.au/paylandtax**

# Property Clearance Certificate

*Commercial and Industrial Property Tax*

*INFOTRACK / POWER & BENNETT*

| | |
|---|---|
| **Your Reference:** | 251590 |
| **Certificate No:** | 93953333 |
| **Issue Date:** | 29 OCT 2025 |
| **Enquires:** | ESYSPROD |

**Land Address:** UNIT 2, 5 SELKIRK DRIVE HORSHAM VIC 3400

| Land Id | Lot | Plan | Volume | Folio | Tax Payable |
|---|---|---|---|---|---|
| 23051975 | 2 | 329433 | 10164 | 1 | $0.00 |

| AVPCC | Date of entry into reform | Entry interest | Date land becomes CIPT taxable land | Comment |
|---|---|---|---|---|
| 120 | N/A | N/A | N/A | The AVPCC allocated to the land is not a qualifying use. |

This certificate is subject to the notes found on the reverse of this page. The applicant should read these notes carefully.

**Paul Broderick**
Commissioner of State Revenue

| | |
|---|---|
| CAPITAL IMPROVED VALUE: | $404,000 |
| SITE VALUE: | $93,000 |
| **CURRENT CIPT CHARGE:** | **$0.00** |

# Notes to Certificate - Commercial and Industrial Property Tax

**Certificate No:** 93953333

**Power to issue Certificate**

1. Pursuant to section 95AA of the *Taxation Administration Act 1997,* the Commissioner of State Revenue must 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 commercial and industrial property tax (including interest and penalty tax) that is due and unpaid on the land described in the Certificate at the date of issue.

**Australian Valuation Property Classification Code (AVPCC)**

3. The Certificate may show one or more AVPCC in respect of land described in the Certificate. The AVPCC shown on the Certificate is the AVPCC allocated to the land in the most recent of the following valuation(s) of the land under the *Valuation of Land Act 1960:*
   - a general valuation of the land;
   - a supplementary valuation of the land returned after the general valuation.
4. The AVPCC(s) shown in respect of land described on the Certificate can be relevant to determine if the land has a qualifying use, within the meaning given by section 4 of the *Commercial and Industrial Property Tax Reform Act 2024* (CIPT Act). Section 4 of the CIPT Act Land provides that land will have a qualifying use if:
   - the land has been allocated one, or more than one, AVPCC in the latest valuation, all of which are in the range 200-499 and/or 600-699 in the Valuation Best Practice Specifications Guidelines (the requisite range);
   - the land has been allocated more than one AVPCC in the latest valuation, one or more of which are inside the requisite range and one or more of which are outside the requisite range, and the land is used solely or primarily for a use described in an AVPCC in the requisite range; or
   - the land is used solely or primarily as eligible student accommodation, within the meaning of section 3 of the CIPT Act.

**Commercial and industrial property tax information**

5. If the Commissioner has identified that land described in the Certificate is tax reform scheme land within the meaning given by section 3 of the CIPT Act, the Certificate may show in respect of the land:
   - the date on which the land became tax reform scheme land;
   - whether the entry interest (within the meaning given by section 3 of the Duties Act 2000) in relation to the tax reform scheme land was a 100% interest (a whole interest) or an interest of less than 100% (a partial interest); and
   - the date on which the land will become subject to the commercial and industrial property tax.
6. A Certificate that does not show any of the above information in respect of land described in the Certificate does not mean that the land is not tax reform scheme land. It means that the Commissioner has not identified that the land is tax reform scheme land at the date of issue of the Certificate. The Commissioner may identify that the land is tax reform scheme land after the date of issue of the Certificate.

**Change of use of tax reform scheme land**

7. Pursuant to section 34 of the CIPT Act, an owner of tax reform scheme land must notify the Commissioner of certain changes of use of tax reform scheme land (or part of the land) including if the actual use of the land changes to a use not described in any AVPCC in the range 200-499 and/or 600-699. The notification must be given to the Commissioner within 30 days of the change of use.

**Commercial and industrial property tax is a first charge on land**

8. Commercial and industrial property tax (including any interest and penalty tax) is a first charge on the land to which the commercial and industrial property tax is payable. 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 unpaid commercial and industrial property tax.

**Information for the purchaser**

9. Pursuant to section 27 of the CIPT Act, if a bona fide purchaser for value of the land described in the Certificate applies for and obtains a Certificate in respect of the land, the maximum amount recoverable from the purchaser is the amount set out in the Certificate. A purchaser cannot rely on a Certificate obtained by the vendor.

**Information for the vendor**

10. Despite the issue of a Certificate, the Commissioner may recover a commercial and industrial property tax liability from a vendor, including any amount identified on this Certificate.

**Passing on commercial and industrial property tax to a purchaser**

11. A vendor is prohibited from apportioning or passing on commercial and industrial property tax to a purchaser under a contract of sale of land entered into on or after 1 July 2024 where the purchase price is less than $10 million (to be indexed annually from 1 January 2025, as set out on the website for Consumer Affairs Victoria).

**General information**

12. Land enters the tax reform scheme if there is an entry transaction, entry consolidation or entry subdivision in respect of the land (within the meaning given to those terms in the CIPT Act). Land generally enters the reform on the date on which an entry transaction occurs in respect of the land (or the first date on which land from which the subject land was derived (by consolidation or subdivision) entered the reform).
13. The Duties Act includes exemptions from duty, in certain circumstances, for an eligible transaction (such as a transfer) of tax reform scheme land that has a qualifying use on the date of the transaction. The exemptions apply differently based on whether the entry interest in relation to the land was a whole interest or a partial interest. For more information, please refer to www.sro.vic.gov.au/CIPT.
14. A Certificate showing no liability for the land does not mean that the land is exempt from commercial and industrial property tax. It means that there is nothing to pay at the date of the Certificate.
15. 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.

# Property Clearance Certificate

*Windfall Gains Tax*

INFOTRACK / POWER & BENNETT

| | |
|---|---|
| **Your Reference:** | 251590 |
| **Certificate No:** | 93953333 |
| **Issue Date:** | 29 OCT 2025 |

| | |
|---|---|
| **Land Address:** | UNIT 2, 5 SELKIRK DRIVE HORSHAM VIC 3400 |

| Lot | Plan | Volume | Folio |
|---|---|---|---|
| 2 | 329433 | 10164 | 1 |

**Vendor:**

**Purchaser:** FOR INFORMATION PURPOSES

| WGT Property Id | Event ID | Windfall Gains Tax | Deferred Interest | Penalty/Interest | Total |
|---|---|---|---|---|---|
| | | $0.00 | $0.00 | $0.00 | $0.00 |

**Comments:** No windfall gains tax liability identified.

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

**CURRENT WINDFALL GAINS TAX CHARGE:**

**$0.00**

**Paul Broderick**
Commissioner of State Revenue

# Notes to Certificate - Windfall Gains Tax

**Certificate No:** 93953333

**Power to issue Certificate**

1. Pursuant to section 95AA of the *Taxation Administration Act 1997*, the Commissioner of State Revenue must 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 in respect of the land described in the Certificate:
   - Windfall gains tax that is due and unpaid, including any penalty tax and interest
   - Windfall gains tax that is deferred, including any accrued deferral interest
   - Windfall gains tax that has been assessed but is not yet due
   - Windfall gains tax that has not yet been assessed (i.e. a WGT event has occurred that rezones the land but any windfall gains tax on the land is yet to be assessed)
   - Any other information that the Commissioner sees fit to include such as the amount of interest accruing per day in relation to any deferred windfall gains tax.

**Windfall gains tax is a first charge on land**

3. Pursuant to section 42 of the *Windfall Gains Tax Act 2021*, windfall gains tax, including any accrued interest on a deferral, 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 unpaid windfall gains tax.

**Information for the purchaser**

4. Pursuant to section 42 of the *Windfall Gains Tax Act 2021*, if a bona fide purchaser for value of land applies for and obtains a Certificate in respect of the land, the maximum amount recoverable from the purchaser by the Commissioner is the amount set out in the certificate, described as the "Current Windfall Gains Tax Charge" overleaf.
5. If the certificate states that a windfall gains tax is yet to be assessed, note 4 does not apply.
6. A purchaser cannot rely on a Certificate obtained by the vendor.

**Information for the vendor**

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

**Passing on windfall gains tax to a purchaser**

8. A vendor is prohibited from passing on a windfall gains tax liability to a purchaser where the liability has been assessed under a notice of assessment as at the date of the contract of sale of land or option agreement. This prohibition does not apply to a contract of sale entered into before 1 January 2024, or a contract of sale of land entered into on or after 1 January 2024 pursuant to the exercise of an option granted before 1 January 2024.

**General information**

9. A Certificate showing no liability for the land does not mean that the land is exempt from windfall gains tax. It means that there is nothing to pay at the date of the Certificate.
10. 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.
11. Where a windfall gains tax liability has been deferred, interest accrues daily on the deferred liability. The deferred interest shown overleaf is the amount of interest accrued to the date of issue of the certificate.

## Windfall Gains Tax - Payment Options

**BPAY**

Biller Code: 416073
Ref: 93953339

**Telephone & Internet Banking - BPAY®**

Contact your bank or financial institution to make this payment from your cheque, savings, debit or transaction account.

**www.bpay.com.au**

**CARD**

Ref: 93953339

**Visa or Mastercard**

Pay via our website or phone 13 21 61.
A card payment fee applies.

**sro.vic.gov.au/payment-options**

**Important payment information**

Windfall gains tax payments must be made using only these specific payment references.

Using the incorrect references for the different tax components listed on this property clearance certificate will result in misallocated payments.

# ENDURING POWER OF ATTORNEY

Regulation 5

Name of principal:

Address of principal: **2/5 Selkirk Drive, Horsham, Victoria 3400**

## APPOINTMENT

## AUTHORISATION

**I authorise** my attorneys **acting jointly and each of them acting severally** to do anything on my behalf that I can lawfully do by an attorney (including both personal and financial matters).

## REVOCATION

**I revoke** all previous Enduring Power of Attorney made by me that conferred authority in respect of financial and/or personal decision and guardianship matters.

## COMMENCEMENT

The powers under this enduring power of attorney for all matters are exercisable immediately on the making of this enduring power of attorney.

## CONDITIONS AND INSTRUCTIONS

The exercise of power under this enduring power of attorney is subject to the following conditions or instructions: Nil.

**Signed**: *[Signature of principal]*

Date:

## CERTIFICATE OF WITNESSES

**Witnessed** by:

Name of first witness: JOHN JAMES ADLINGTON

Address of first witness: 12 Pynsent Street, Horsham VIC 3400

Name of second witness: OLIVIA MICHELLE NEILSON

Address of second witness: 12 Pynsent Street, Horsham VIC 3400

**Each witness certifies** that:

- the principal appeared to freely and voluntarily sign this instrument in our presence; and
- at that time, the principal appeared to me to have decision making capacity in relation to the making of this enduring power of attorney; and
- I am not an attorney under this enduring power of attorney; and
- I am not a relative of the principal or of an attorney under this enduring power of attorney;
- I am not a care worker or accommodation provider for the principal; and

**Signed**:

First witness: *[signature of first witness]* 

Qualification: *[if first witness is acting as a medical practitioner or person authorised to witness affidavits]* Australian Legal Practitioner

Second witness: *[signature of second witness]* 

Qualification: *[if second witness is acting as a medical practitioner or person authorised to witness affidavits]* Law Clerk

Date: 30/9/2025

## STATEMENT OF ACCEPTANCE OF APPOINTMENT – ATTORNEY

Name of attorney:

Address of attorney:

**I accept my appointment as attorney** under this enduring power of attorney and state that:

- I am eligible under Part 3 of the **Powers of Attorney Act 2014** to act as an attorney under an enduring power of attorney; and
- I understand the obligations of an attorney under an enduring power of attorney and under the **Powers of Attorney Act 2014** and the consequences of failing to comply with those obligations; and
- I undertake to act in accordance with the **Powers of Attorney Act 2014** that relate to the enduring powers of attorney.

☐ I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty.

*[Tick this box if the attorney is appointed for financial matters and has been convicted or found guilty of an offence involving dishonesty]*

**Signed**: *[signature of attorney]*

Date: 30/9/2025

**Witnessed** by:

Name of witness: JOHN JAMES ADLINGTON

Address of witness: 12 Pynsent Street, Horsham VIC 3400

I witnessed the signing of the statement of acceptance by the attorney.

**Signed**: *[signature of witness]*

Date: 30/9/2025

Note: Each attorney must sign a statement of acceptance and it must be witnessed separately in the enduring power of attorney.

## STATEMENT OF ACCEPTANCE OF APPOINTMENT – ATTORNEY

Name of attorney:

Address of attorney:

**I accept my appointment as attorney** under this enduring power of attorney and state that:

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- I undertake to act in accordance with the **Powers of Attorney Act 2014** that relate to the enduring powers of attorney.

☐ I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty.

*[Tick this box if the attorney is appointed for financial matters and has been convicted or found guilty of an offence involving dishonesty]*

**Signed**: *[signature of attorney]*

Date: 30/9/2025

**Witnessed** by:

Name of witness: JOHN JAMES ADLINGTON

Address of witness: 12 Pynsent Street, Horsham VIC 3400

I witnessed the signing of the statement of acceptance by the attorney.

**Signed**: *[signature of witness]*

Date: 30/9/2025

Note: Each attorney must sign a statement of acceptance and it must be witnessed separately in the enduring power of attorney.

## STATEMENT OF ACCEPTANCE OF APPOINTMENT – ATTORNEY

Name of attorney:

Address of attorney:

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- I understand the obligations of an attorney under an enduring power of attorney and under the **Powers of Attorney Act 2014** and the consequences of failing to comply with those obligations; and
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*[Tick this box if the attorney is appointed for financial matters and has been convicted or found guilty of an offence involving dishonesty]*

**Signed**: *[signature of attorney]*

Date: 30/9/2025

**Witnessed** by:

Name of witness: JOHN JAMES ADLINGTON

Address of witness: 12 Pynsent Street, Horsham VIC 3400

I witnessed the signing of the statement of acceptance by the attorney.

**Signed**: *[signature of witness]*

Date: 30/9/2025

Note: Each attorney must sign a statement of acceptance and it must be witnessed separately in the enduring power of attorney.

DATED 2025

# ENDURING POWER OF ATTORNEY

**OF**

POWER & BENNETT
LAWYERS
12 PYNSENT STREET
HORSHAM VIC 3400
TEL: (03) 5382 0061
EMAIL: john@powerandbennett.com.au
REF: JJA:CR:251424

# ENDURING POWER OF ATTORNEY

Regulation 5

Name of principal:

Address of principal: **2/5 Selkirk Drive, Horsham, Victoria 3400**

## APPOINTMENT

## AUTHORISATION

**I authorise** my attorneys **acting jointly and each of them acting severally** to do anything on my behalf that I can lawfully do by an attorney (including both personal and financial matters).

## REVOCATION

**I revoke** all previous Enduring Power of Attorney made by me that conferred authority in respect of financial and/or personal decision and guardianship matters.

## COMMENCEMENT

The powers under this enduring power of attorney for all matters are exercisable immediately on the making of this enduring power of attorney.

## CONDITIONS AND INSTRUCTIONS

The exercise of power under this enduring power of attorney is subject to the following conditions or instructions: Nil.

**Signed**: *[Signature of principal]*

Date: 30/9/2025

## CERTIFICATE OF WITNESSES

**Witnessed** by:

Name of first witness: JOHN JAMES ADLINGTON

Address of first witness: 12 Pynsent Street, Horsham VIC 3400

Name of second witness: OLIVIA MICHELLE NEILSON

Address of second witness: 12 Pynsent Street, Horsham VIC 3400

**Each witness certifies** that:

- the principal appeared to freely and voluntarily sign this instrument in our presence; and
- at that time, the principal appeared to me to have decision making capacity in relation to the making of this enduring power of attorney; and
- I am not an attorney under this enduring power of attorney; and
- I am not a relative of the principal or of an attorney under this enduring power of attorney;
- I am not a care worker or accommodation provider for the principal; and

**Signed**:

First witness: *[signature of first witness]* 

Qualification: *[if first witness is acting as a medical practitioner or person authorised to witness affidavits]* Australian Legal Practitioner

Second witness: *[signature of second witness]* 

Qualification: *[if second witness is acting as a medical practitioner or person authorised to witness affidavits]* Law Clerk

Date: 30/9/2025

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☐ I have disclosed to the principal that I have been convicted or found guilty of an offence involving dishonesty.

*[Tick this box if the attorney is appointed for financial matters and has been convicted or found guilty of an offence involving dishonesty]*

**Signed**: *[signature of attorney]*

Date: 30/9/2025

**Witnessed** by:

Name of witness: JOHN JAMES ADLINGTON

Address of witness: 12 Pynsent Street, Horsham VIC 3400

I witnessed the signing of the statement of acceptance by the attorney.

**Signed**: *[signature of witness]*

Date: 30/9/2025

Note: Each attorney must sign a statement of acceptance and it must be witnessed separately in the enduring power of attorney.

## STATEMENT OF ACCEPTANCE OF APPOINTMENT – ATTORNEY

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**Signed**: *[signature of attorney]*

Date: 30/9/2025

**Witnessed** by:

Name of witness: JOHN JAMES ADLINGTON

Address of witness: 12 Pynsent Street, Horsham VIC 3400

I witnessed the signing of the statement of acceptance by the attorney.

**Signed**: *[signature of witness]*

Date: 30/9/2025

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*[Tick this box if the attorney is appointed for financial matters and has been convicted or found guilty of an offence involving dishonesty]*

**Signed**: *[signature of attorney]*

Date: 30/9/2025

**Witnessed** by:

Name of witness: JOHN JAMES ADLINGTON

Address of witness: 12 Pynsent Street, Horsham VIC 3400

I witnessed the signing of the statement of acceptance by the attorney.

**Signed**: *[signature of witness]*

Date: 30/9/2025

Note: Each attorney must sign a statement of acceptance and it must be witnessed separately in the enduring power of attorney.

DATED 2025

# ENDURING POWER OF ATTORNEY

**OF**

POWER & BENNETT
LAWYERS
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TEL: (03) 5382 0061
EMAIL: john@powerandbennett.com.au
REF: JJA:CR:251424

# Due diligence checklist

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

Before you buy a home, you should be aware of a range of issues that may affect that property and impose restrictions or obligations on you, if you buy it. This checklist aims to help you identify whether any of these issues will affect you. The questions are a starting point only and you may need to seek professional advice to answer some of them. You can find links to organisations and web pages that can help you learn more, by visiting the Due diligence checklist page on the Consumer Affairs Victoria website (consumer.vic.gov.au/duediligencechecklist).

## 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.

(04/10/2016)

## 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.

(04/10/2016)

CONSUMER AFFAIRS VICTORIA