

Form 1—Vendor's statement

(Section 7 *Land and Business (Sale and Conveyancing) Act 1994*)

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Preliminary

To the purchaser:

The purpose of a statement under section 7 of the *Land and Business (Sale and Conveyancing) Act 1994* is to put you on notice of certain particulars concerning the land to be acquired.

If you intend to carry out building work on the land, change the use of the land or divide the land, you should make further inquiries to determine whether this will be permitted. For example, building work may not be permitted on land not connected to a sewerage system or common drainage scheme if the land is near a watercourse, dam, bore or the River Murray and Lakes.

The Aboriginal Heritage Act 1988 protects any Aboriginal site or object on the land. Details of any such site or object may be sought from the "traditional owners" as defined in that Act.

If you desire additional information, it is up to you to make further inquiries as appropriate.

Instructions to the vendor for completing this statement:

☐ means the Part, Division, particulars or item may not be applicable

If it is applicable, ensure the box is ticked and complete the Part, Division, particulars or item.

If it is not applicable, ensure the box is empty or strike out the Part, Division, particulars or item. Alternatively, the Part, Division, particulars or item may be omitted but not in the case of an item or heading in the table of particulars in Division 1 of the Schedule that is required by the instructions at the head of that table to be retained as part of this statement.

* means strike out or omit the option that is not applicable.

All questions must be answered with a YES or NO (inserted in the place indicated by a rectangle or square brackets below or to the side of the question).

If there is insufficient space to provide any particulars required, continue on attachments

Part A—Parties and land

1

Purchaser:

Address:

2.

Purchaser's registered agent:

Address:

3

Vendor:

DYLAN THOMAS JONES and AMIE NICOLE JONES

Address

7 CARDHU PLACE GREENWITH SA 5125

4

Vendor's Registered Agent:

EXP AUSTRALIA PTY LTD

Address

U3 / 169 FULLARTON ROAD DULWICH SA 5065

5

Date of contract (if made before this statement is served):

6

Description of the land

[Identify the land including any certificate of title reference]

7 CARDHU PLACE GREENWITH SA 5125 SA BEING THE WHOLE OF THE LAND CONTAINED IN CERTIFICATE OF TITLE 5082 FOLIO 611

Part B—Purchaser's cooling-off rights and proceeding with the purchase

To the purchaser:

Right to cool-off (section 5)

1—Right to cool-off and restrictions on that right

You may notify the vendor of your intention not to be bound by the contract for the sale of the land
UNLESS—

- (a) you purchased by auction; or
- (b) you purchased on the same day as you, or some person on your behalf, bid at the auction of the land; or
- (c) you have, before signing the contract, received independent advice from a legal practitioner and the legal practitioner has signed a certificate in the prescribed form as to the giving of that advice; or
- (d) you are a body corporate and the land is not residential land; or
- (e) the contract is made by the exercise of an option to purchase not less than 5 clear business days after the grant of the option and not less than 2 clear business days after service of this form; or
- (f) the sale is by tender and the contract is made not less than 5 clear business days after the day fixed for the closing of tenders and not less than 2 clear business days after service of this form; or
- (g) the contract also provides for the sale of a business that is not a small business.

2—Time for service

The cooling-off notice must be served—

- (a) if this form is served on you before the making of the contract—before the end of the second clear business day after the day on which the contract was made; or
- (b) if this form is served on you after the making of the contract—before the end of the second clear business day from the day on which this form is served.

However, if this form is not served on you at least 2 clear business days before the time at which settlement takes place, the cooling-off notice may be served at any time before settlement.

3—Form of cooling-off notice

The cooling-off notice must be in writing and must be signed by you.

4—Methods of service

The cooling-off notice must be—

- (a) given to the vendor personally; or
- (b) posted by registered post to the vendor at the following address:

7 CARDHU PLACE GREENWITH SA 5125 SA

(being the vendor's last known address); or

- (c) transmitted by fax or email to the following fax number or email address:

sa.@expaustralia.com.au

(being a number or address provided to you by the vendor for the purpose of service of the notice); or

- (d) left for the vendor's agent (with a person apparently responsible to the agent) at, or posted by registered post to the agent at, the following address:

U3 / 169 FULLARTON ROAD DULWICH SA 5065

(being ~~the agent's address for service under the Land Agents Act 1994~~ an address nominated by the agent to you for the purpose of service of the notice).

Note—

Section 5(3) of the *Land and Business (Sale and Conveyancing) Act 1994* places the onus of proving the giving of the cooling-off notice on the purchaser. It is therefore strongly recommended that—

- (a) if you intend to serve the notice by leaving it for the vendor's agent at the agent's address for service or an address nominated by the agent, you obtain an acknowledgment of service of the notice in writing;
- (b) if you intend to serve the notice by fax or email, you obtain a record of the transmission of the fax or email.

5—Effect of service

If you serve such cooling-off notice on the vendor, the contract will be taken to have been rescinded at the time when the notice was served. You are then entitled to the return of any money you paid under the contract other than—

- (a) the amount of any deposit paid if the deposit did not exceed \$100; or
- (b) an amount paid for an option to purchase the land.

Proceeding with the purchase

If you wish to proceed with the purchase—

- (a) it is strongly recommended that you take steps to make sure your interest in the property is adequately insured against loss or damage;
- (b) pay particular attention to the provisions in the contract as to time of settlement - it is essential that the necessary arrangements are made to complete the purchase by the agreed date - if you do not do so, you may be in breach of the contract;
- (c) you are entitled to retain the solicitor or registered conveyancer of your choice.

Part C—Statement with respect to required particulars
(section 7(1))

To the purchaser:

*I/We,

DYLAN THOMAS JONES AND AMIE NICOLE JONES

of

7 CARDHU PLACE GREENWITH SA 5125

being the vendor(s) in relation to the transaction state that the Schedule contains all particulars required to be given to you pursuant to section 7(1) of the Land and Business (Sale and Conveyancing) Act 1994.

Date: 12 November 2024 | 11:52 AM ACDT 07 November 2024 | 5:01 PM ACDT

Signed:

Signed by:
DYLAN THOMAS JONES
3963CC479D34491...

Signed by:
Amie Nicole Jones
F37398A78A17452...

Part D—Certificate with respect to prescribed inquiries by registered agent
(section 9)

To the purchaser:

I, Pasha Mehr of Conatur Legal, 1026 South Road Edwardstown SA 5039 certify [that, subject to the exceptions stated below, the responses](#) to the inquiries made pursuant to section 9 of the *Land and Business (Sale and Conveyancing) Act 1994* confirm the completeness and accuracy of the particulars set out in the Schedule.


Exceptions

Nil

Date:

30/10/2024

Signed:



[*Person authorised to act on behalf of Vendor's agent](#)

Schedule—Division 1

Particulars of mortgages, charges and prescribed encumbrances affecting the land

(section 7(1)(b))

- Note—
- Section 7(3) of the Act provides that this statement need not include reference to charges arising from the imposition of rates or taxes less than 12 months before the date of service of the statement.
- Where a mortgage, charge or prescribed encumbrance referred to in column 1 of the table below is applicable to the land, the particulars in relation to that mortgage, charge or prescribed encumbrance required by column 2 of the table must be set out in the table (in accordance with the instructions in the table) unless—
- (a) there is an attachment to this statement and—
 - (i) all the required particulars are contained in that attachment; and
 - (ii) the attachment is identified in column 2; and
 - (iii) if the attachment consists of more than 2 sheets of paper, those parts of the attachment that contain the required particulars are identified in column 2; or
 - (b) the mortgage, charge or prescribed encumbrance—
 - (i) is one of the following items in the table:
 - (A) under the heading 1. General—
 - 1.1 Mortgage of land
 - 1.2 Lease, agreement for lease, tenancy agreement or licence
 - 1.3 Caveat
 - 1.4 Lien or notice of a lien
 - (B) under the heading 36. Other charges—
 - 36.1 Charge of any kind affecting the land (not included in another item); and
 - (ii) is registered on the certificate of title to the land; and
 - (iii) is to be discharged or satisfied prior to or at settlement.

Table of particulars

Column 1	Column 2	Column 3
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[If an item is applicable, ensure that the box for the item is ticked and complete the item.]

[If an item is not applicable, ensure that the box for the item is empty or else strike out the item or write "NOT APPLICABLE" or "N/A" in column 1. Alternatively, the item and any inapplicable heading may be omitted, but not in the case of—

- (a) the heading "1. General" and items 1.1, 1.2, 1.3 and 1.4; and
- (b) the heading "5. Development Act 1993 (repealed)" and item 5.1; and
- (c) the heading "6. Repealed Act conditions" and item 6.1 and
- (d) the heading "29. Planning, Development and Infrastructure Act 2016" and items 29.1 and 29.2,

which must be retained as part of this statement whether applicable or not.]

[If an item is applicable, all particulars requested in column 2 must be set out in the item unless the Note preceding this table otherwise permits. Particulars requested in **bold type** must be set out in column 3 and all other particulars must be set out in column 2.]

[If there is more than 1 mortgage, charge or prescribed encumbrance of a kind referred to in column 1, the particulars requested in column 2 must be set out for each such mortgage, charge or prescribed encumbrance.

[If requested particulars are set out in the item and then continued on an attachment due to insufficient space, identify the attachment in the place provided in column 2.

If all of the requested particulars are contained in an attachment (instead of in the item) in accordance with the Note preceding this table, identify the attachment in the place provided in column 2 and (if required by the Note) identify the parts of the attachment that contain the particulars.]

1. General**1.1 Mortgage of land****Note-**

Do not omit this item. The item and its heading must be included in the statement even if not applicable.

Is this item applicable?**Will this be discharged or satisfied prior to or at settlement?**

YES

Are there attachments?

YES

If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):

REFER TO ANNEXURE CERTIFICATE OF TITLE SEARCH

Number of mortgage (if registered):

11827615

Name of mortgagee:

WESTPAC BANKING CORPORATION

1.2 Easement

(whether over the land or annexed to the land)

Note-

"Easement" includes rights of way and party wall rights

Note-

Do not omit this item. The item and its heading must be included in the statement even if not applicable

Is this item applicable?**Will this be discharged or satisfied prior to or at settlement?**

NO

Are there attachments?

YES

If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):

REFER TO ANNEXURE PROPERTY INTEREST REPORT

Description of land subject to easement:

PORTION

Nature of easement

STATUTORY EASEMENT TO SA POWER NETWORKS

Are you aware of any encroachment on the easement?

NO

If YES, give details:

If there is an encroachment, has approval for the encroachment been given?

[YES/NO]

If YES give details

1.3 Restrictive covenant**Note—**

Do not omit this item. The item and its heading must be included in the statement even if not applicable.

Is this item applicable?**Will this be discharged or satisfied prior to or at settlement?**

NO

Are there attachments?

YES

If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):

REFER TO ANNEXURE MEMORANDUM OF ENCUMBRANCE

Nature of restrictive covenant:

REFER TO ANNEXURE MEMORANDUM OF ENCUMBRANCE

Name of person in whose favour the restrictive covenant operates:

SOUTH AUSTRALIAN URBAN PROJECTS AUTHORITY

Does the restrictive covenant affect the whole of the land being acquired?

YES

If NO, give details:

Does the restrictive covenant affect land other than that being acquired

NO

1.4	Lease, agreement for lease, tenancy agreement or licence (The information does not include information about any sublease or subtenancy. That information may be sought by the purchaser from the lessee or tenant or sublessee or subtenant.)	Is this item applicable? <div style="text-align: right;">☐</div> Will this be discharged or satisfied prior to or at settlement? <div style="text-align: right;">[YES/NO]</div> Are there attachments? <div style="text-align: right;">[YES/NO]</div> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> <div style="border: 1px solid black; height: 20px; margin-bottom: 10px;"></div> Names of parties: <div style="border: 1px solid black; height: 20px; margin-bottom: 10px;"></div> Period of lease, agreement for lease etc: From _____ to _____ <div style="border: 1px solid black; height: 20px; margin-bottom: 10px;"></div> Amount of rent or licence fee \$ _____ per FORTNIGHT Is the lease, agreement for lease etc in writing? <div style="text-align: right;">[YES/NO]</div>
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Note—
 Do not omit this item. The item and its heading must be included in the statement even if not applicable.

If the lease or licence was granted under an Act relating to the disposal of Crown lands, specify—

(a) the Act under which the lease or licence was granted:

(b) the outstanding amounts due (including any interest or penalty):

1.5	Caveat	Is this item applicable? <div style="text-align: right;">☐</div> Will this be discharged or satisfied prior to or at settlement? <div style="text-align: right;">[YES/NO]</div> Are there attachments? <div style="text-align: right;">[YES/NO]</div> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> <div style="border: 1px solid black; height: 20px; margin-bottom: 10px;"></div> Name & address of caveator: <div style="border: 1px solid black; height: 20px; margin-bottom: 10px;"></div> Particulars of interest claimed:: <div style="border: 1px solid black; height: 20px;"></div>
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5. Development Act 1993 (repealed)

5.1 Section 42 – Condition (that continues to apply) of a development authorisation

Is this item applicable?



Will this be discharged or satisfied prior to or at settlement?

NO

Are there attachments?

YES

Note-

Do not omit this item. The item and its heading must be included in the statement even if not applicable

If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):

REFER TO ANNEXURE COUNCIL SEARCH

Conditions of authorisation

REFER TO ANNEXURE COUNCIL SEARCH

5.2 ~~section 50(1) – Requirement to vest land in a council or the Crown to be held as open space~~

Is this item applicable?



Will this be discharged or satisfied prior to or at settlement?

[YES/NO]

Are there attachments?

[YES/NO]

If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):

- Date requirement given: _____

Name of body giving requirement:

- Nature of requirement:

- Contribution payable (if any): _____

6. Repealed Act conditions

6.1 Condition (that continues to apply) of an approval or authorisation granted under the Building Act 1971 (repealed), the City of Adelaide Development Control Act 1976 (repealed), the Planning Act 1982 (repealed) or the Planning and Development Act 1966 (repealed)

Is this item applicable?



Will this be discharged or satisfied prior to or at settlement?

NO

Are there attachments?

YES

If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):

REFER TO ANNEXURE COUNCIL SEARCH

Nature of condition(s)

REFER TO ANNEXURE COUNCIL SEARCH

Note-

Do not omit this item. The item and its heading must be included in the statement even if not applicable

29. Planning, Development and Infrastructure Act 2016

29.1 Part 5- Planning and Design Code
[Note - Do not omit this item. The item and its heading must be included in the attachment even if not applicable.]

Is this item applicable? ☒
Will this be discharged or satisfied prior to or at settlement? NO
Are there attachments? YES
If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):

REFER TO ANNEXURE COUNCIL SEARCH

Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code)::

Zones
General Neighbourhood (GN)

Subzones
No

Zoning overlays
Overlays

Affordable Housing
The Affordable Housing Overlay seeks to ensure the integration of a range of affordable dwelling types into residential and mixed use development.

Defence Aviation Area (All structures over 15 metres)
The Defence Aviation Area Overlay seeks to ensure building height does not pose a hazard to the operational and safety requirements of Defence Aviation Areas.

Hazards (Bushfire - Urban Interface) (Urban Interface)
The Hazards (Bushfire - Urban Interface) Overlay seeks to ensure urban neighbourhoods adjoining bushfire risk areas allow access through to bushfire risk areas, are designed to protect life and property from the threat of bushfire and facilitate evacuation to areas safe from bushfire danger.

Hazards (Flooding - Evidence Required)
The Hazards (Flooding - Evidence Required) Overlay adopts a precautionary approach to mitigate potential impacts of potential flood risk through appropriate siting and design of development.

Prescribed Wells Area
The Prescribed Wells Area Overlay seeks to ensure sustainable water use in prescribed wells areas.

Regulated and Significant Tree
The Regulated and Significant Tree Overlay seeks to mitigate the loss of regulated trees through appropriate development and redevelopment.

Stormwater Management
The Stormwater Management Overlay seeks to ensure new development incorporates water sensitive urban design techniques to capture and re-use stormwater.

Urban Tree Canopy
The Urban Tree Canopy Overlay seeks to preserve and enhance urban tree canopy through the planting of new trees and retention of existing mature trees where practicable

Is there a State heritage place on the land or is the land situated in a State heritage area?

NO

Is the land designated as a local heritage place?

NO

Is there a tree or stand of trees declared in Part 10 of the Planning and Design Code to be a significant tree or trees on the land?

UNKNOWN

Is there a current amendment to the Planning and Design Code released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?

YES

Note:-

For further information about the Planning and Design Code visit
www.code.plan.sa.gov

29.2

section 127—
Condition (that
continues to apply)
of a development
authorisation

[Note-
Do not omit this item. The
item and its heading
must be included in the
statement even if not
applicable.]

Is this item applicable?



Will this be discharged or satisfied prior to or at settlement?

[YES/NO]

Are there attachments?

[YES/NO]

If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):

Date of authorisation: _____

Name of relevant authority that granted authorisation:

Condition(s) of authorisation:

Schedule—Division 2—Other particulars~~(section 7(1)(b))~~**Particulars of transactions in last 12 months**~~If the vendor, within 12 months before the date of the contract of sale—~~~~(a) — obtained title to the land; or~~~~(b) — obtained an option to purchase the land; or~~~~(c) — entered into a contract to purchase the land (whether on the vendor's own behalf or on behalf of another);~~~~the vendor must provide the following particulars of all transactions relating to the acquisition of the interest that occurred within that 12 month period:~~

- ~~1— The name and address of each party to the transaction and of each person in whom an interest vested as a result of the transaction:~~

- ~~2— The date and nature of each instrument registered on the certificate of title or, if no such instrument has been registered, the date and nature of each document forming the whole or part of a contract relating to the transaction:~~

- ~~3 Particulars of the consideration provided for the purposes of the transaction:~~

The above particulars must be provided for each transaction**Particulars of building indemnity insurance****Note—**

Building indemnity insurance is not required for—

- ~~— (a) — domestic building work for which approval under the *Development Act 1993* or the repealed *Building Act 1971* is or was not required; or~~
- ~~— (b) — minor domestic building work (see section 3 of the *Building Work Contractors Act 1995*); or~~
- ~~— (c) — domestic building work commenced before 1 May 1987; or~~
- ~~— (d) — building work in respect of which an exemption from the application of Division 3 of Part 5 of the *Building Work Contractors Act 1995* applies under the *Building Work Contractors Regulations 2011*; or~~
- ~~— (e) — building work in respect of which an exemption from the application of Division 3 of Part 5 of the *Building Work Contractors Act 1995* has been granted under section 45 of that Act.~~

Details of building indemnity insurance still in existence for building work on the land:

- 1 Name(s) of person(s) insured: _____
- 2 Name of insurer: _____
- 3 Limitations on the liability of the insurer: _____
- 4 Name of builder: _____
- 5 Builder's licence number: _____
- 6 Date of issue of insurance: _____
- 7 Description of insured building work: _____

Exemption from holding insurance:



If particulars of insurance are not given, has an exemption been granted under section 45 of the *Building Work Contractors Act 1995* from the requirement to hold an insurance policy in accordance with Division 3 of Part 5 of that Act?

[YES/NO]

If YES give details:

(a) Date of the exemption: _____

(b) Name of builder granted the exception:

(c) Licence number of builder granted the exemption:

(d) Details of building work to which the exemption applies:

(e) Details of conditions (if any) to which the exemption is subject:

ANNEXURES & ATTACHMENTS

THE FOLLOWING DOCUMENTS ARE ANNEXED HERETO -

FORM R3

ANNEXURE - SA POWER NETWORKS EASEMENT NOTICE

ANNEXURE - TAKING OF UNDERGROUND WATER NOTICE

ANNEXURE - COUNCIL SEARCH

ANNEXURE - TREE REFORM INFORMATION BROCHURE

ANNEXURE - PROPERTY INTEREST REPORT

ANNEXURE - CERTIFICATE OF TITLE

ANNEXURE - CERTIFICATE OF WATER AND SEWER CHARGES & ENCUMBRANCE INFORMATION

ANNEXURE - CERTIFICATE OF LAND TAX PAYABLE

ANNEXURE - CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

ANNEXURE – MEMORANDUM OF ENCUMBRANCE

Acknowledgement of Receipt

I/We, the abovenamed Purchaser(s), hereby acknowledge having received this day this Statement under section 7 under the *Land and Business (Sale and Conveyancing) Act* with the annexures as set out above.

Dated this day of 2024

Signed: _____

Purchaser(s)

(*Strike out whichever is not applicable)

Form R3

Buyers information notice

Land and Business (Sale and Conveyancing) Act 1994 section 13A

Land and Business (Sale and Conveyancing) Regulations 1995 regulation 15A

Before you buy a home there are a number of things that you should investigate and consider. Though it may not be obvious at the time, there could be matters that may affect your enjoyment of the property, the safety of people on the property or the value of the property.

The following questions may help you to identify if a property is appropriate to purchase. In many cases the questions relate to a variety of laws and standards. These laws and standards change over time, so it is important to seek the most up to date information.

Various government agencies can provide up to date and relevant information on many of these questions. To find out more the Office of Consumer and Business Affairs recommends that you check the website:

www.ocba.sa.gov.au/Realestate/

Consider having a professional building inspection done before proceeding with a purchase. A building inspection will help you answer some of the questions below.

The questions have been categorised under the headings **Safety**, **Enjoyment** and **Value**, but all of the issues are relevant to each heading.

Safety

- Is there **asbestos** in any of the buildings or elsewhere on the property
e.g. sheds and fences?
- Does the property have any significant **defects** e.g. **cracking or salt damp**?
Have the wet areas been waterproofed?
- Is the property in a **bushfire** prone area?
- Are the **electrical wiring, gas installation, plumbing and appliances** in good working order and in good condition? Is a **safety switch** (RCD) installed? Is it working?
- Are there any prohibited **gas appliances** in bedrooms or bathrooms?
- Are **smoke alarms** installed in the house? If so, are they hardwired? Are they in good working order and in good condition? Are they compliant?
- Is there a **swimming pool and/or spa pool** installed on the property? Are there any safety barriers or fences in place? Do they conform to current standards?

- Does the property have any **termite** or other pest infestations? Is there a current preventative termite treatment program in place? Was the property treated at some stage with persistent organochlorines (now banned) or other **toxic** termiticides as fill been used on the site? Is the soil contaminated by **chemical residues** or waste?
- Does the property use **cooling towers** or manufactured warm water systems?
If so, what are the maintenance requirements?

Enjoyment

- Does the property have any **stormwater** problems?
- Is the property in a **flood prone** area? Is the property prone to coastal flooding?
- Does the property have an on-site **wastewater treatment facility** such as a septic tank installed? If so, what are the maintenance requirements? Is it compliant?
- Is a **sewer mains connection** available?
- Are all gutters, downpipes and stormwater systems in good working order and in good condition?
- Is the property near **power lines**? Are there any trees on the property near power lines? Are you considering planting any trees? Do all structures and trees maintain the required clearance from any power lines?
- Are there any significant trees on the property?
- Is this property a unit on **strata or community title**? What could this mean for you? Do you understand the restrictions of use and the financial obligations of ownership? Will you have to pay a previous owner's debt or the cost of planned improvements?
- Is the property close to a hotel, restaurant or other venue with entertainment consent for live music? Is the property close to any industrial or commercial activity, a busy road or airport, etc that may result in the generation of noise or the **emission of materials or odours** into the air?
- What appliances, equipment and fittings are included in the sale of the property?
- Is there sufficient car parking space available to the property?

Value

- Are there any **illegal or unapproved additions**, extensions or alterations to the buildings on the property?
- How **energy efficient** is the home, including appliances and lighting?
- What **energy sources** (e.g. electricity, gas) are available?
- Is the property connected to SA Water operated and maintained **mains water**? Is a mains water connection available? Does the property have a **recycled water** connection? What sort of water meter is located on the property (a **direct or indirect meter** – an indirect meter can be located some distance from the property)? Is the property connected to a water meter that is also serving another property?
- Are there water taps outside the building? Is there a watering system installed? Are they in good working order and in good condition?

- Does the property have **alternative sources of water** other than mains water supply (including **bore or rainwater**)? If so, are there any special maintenance requirements?

For more information on these matters visit:

www.ocba.sa.gov.au/consumeradvice/realestate

Disclaimer: There may be other issues relevant to the purchase of real estate. If you are unable to ascertain enough information about the questions raised in this form and any other concerns you may have we strongly recommend you obtain independent advice through a building inspection, a lawyer, and a financial adviser.

ANNEXURE (1 page)

Electricity Infrastructure - Building Restrictions and Statutory Easements

It is an offence under section 86 of the Electricity Act 1996 to erect a building or structure within a prescribed distance of aerial or underground powerlines. In some, but not all, cases approval may be obtained from the Technical Regulator. Generally, however, land owners must not build, or alter a building or structure, with the result that any part of the resulting building or structure is within the minimum clearance distance required from certain types of powerlines. These building limitations are set out in the Electricity (General) Regulations 2012 regulations 81 and 82. Purchasers intending to redevelop the property to be purchased should therefore be aware that the restrictions under the Electricity Act and Regulations may affect how, or if, they are able to redevelop the property.

In addition, if a building or structure is erected in proximity to a powerline of an electricity entity in contravention of the Electricity Act, the entity may seek a court order:

- a) requiring the person to take specified action to remove or modify the building or structure within a specified period;
- b) for compensation from the person for loss or damage suffered in consequence of the contravention; and/or
- c) for costs reasonably incurred by the entity in relocating the powerline or carrying out other work.

Contact the Office of the Technical Regulator in DMITRE for further details.

Statutory easements

Separate from the above restrictions, South Australia's electricity supply and transmission businesses have statutory easements over land where part of the electricity distribution or transmission system was on, above or under the land as at particular dates specified by legislation.

This notice does not necessarily imply that any statutory or other easement exists. However, where in existence, statutory easements provide these businesses (identified in the relevant legislation) with the right of entry, at any reasonable time, to operate, repair, examine, replace, modify or maintain their equipment, to bring any vehicles or equipment on the land for these purposes, and to install, operate and carry out work on any telecommunications cables or equipment that may be incorporated in, or attached to, their equipment (Clause 2 of Schedule 1 of the Electricity Corporations (Restructuring and Disposal) Act 1999; section 48A of the Electricity Act 1996).

A statutory easement is not generally registered on the title for the land.

To avoid risking injury and damage, it is recommended that the location of underground services be confirmed by telephoning Dial-Before-You-Dig on 1100.

For further clarification on these matters, please contact SA Power Networks' Real Estate Branch on telephone 8404 5897 or 8404 5894.

ANNEXURE (1 page)

Natural Resources Management Act 2004

Water Resources Management - Taking of underground water

Under the provisions of the Natural Resources Management Act 2004, if you intend to utilise underground water on the land subject to this enquiry the following apply:

- A well construction permit accompanied by the prescribed fee is required if a well/bore exceeding 2.5 meters is to be constructed. As the prescribed fee is subject to annual review, you should contact the Department on the telephone number below to confirm the current fee
- A licensed well driller is required to undertake all work on any well/bore Work on all wells/bores is to be undertaken in accordance with the General Specifications for well construction, modification and abandonment in South Australia

Further information may be obtained by contacting the Department of Water, Land and Biodiversity Conservation, Level 1 Grenfell Centre, 25 Grenfell Street, Adelaide or on telephone 8463 6898

Certificate No: **2024/1064**
 Receipt No: **466791**

Date of Issue: **23 October 2024**



CITY OF
TEA TREE GULLY
Naturally Better

571 Montague Road
 Modbury SA 5092
 Tel (08) 8397 7444
 Fax (08) 8397 7400
 TTY (08) 8397 7340

www.teatreegully.sa.gov.au
 Email: searches@cttg.sa.gov.au

Conatur Legal
1026 South Road
EDWARDSTOWN SA 5039

CERTIFICATE

Section 187 (1) of the Local Government Act

Assessment No: **934207**
 Valuer General No: **2841800001**
 Property Description: **LOT: 78 DP: 29414 CT: 5082/611**
 Property Address: **7 Cardhu Place GREENWITH SA 5125**
 Owner: **Mr Dylan Thomas Jones & Mrs Amie Nicole Jones**

Rates - Regional Landscape Levy	\$42.40
Rates - Residential	\$1,785.95
Overdue/Arrears	\$0.00
Interest/Rounding	\$0.00
Legal Costs	\$0.00
Less Rebate	\$0.00
Less Payments Received	-\$458.00
General Debtors	\$0.00
Total Amount Due	\$1,370.35

Please Note:

Further fines & interest may be applied to overdue accounts.

NOTE: Verbal updates will be available for 3 months on current year's rates from the date of issue of this certificate

Charges may be pending for the removal of flammable undergrowth or other flammable or combustible materials or substances under the Fire and Emergency Services Act 2005. The charges that apply will be those that are incurred by the Council.

I certify in terms of Section 187(1) of the Local Government Act the following rates and charges are outstanding as at the date of this certificate:

Delegated Officer:



We accept settlement payment of council rates

BPay Biller Code: 439075 / Reference # 1009342070

Account balance and payment available online: Go to www.teatreegully.sa.gov.au/Payments

LOCAL GOVERNMENT INQUIRY CERTIFICATE

Section 7 of Land and Business (Sale and Conveyancing) Act 1994



CITY OF
TEA TREE GULLY
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Certificate No: 2024/1064 Date of Issue: 23 October 2024
Assessment No: 934207
Receipt No: 466791

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Valuer General No: 2841800001
Property Description: LOT: 78 DP: 29414 CT: 5082/611
Property Address: 7 Cardhu Place GREENWITH SA 5125
Owner: Mr Dylan Thomas Jones & Mrs Amie Nicole Jones

Provision of Prescribed Information

Section 7 Land and Business (Sales and Conveyancing) Act 1994

The information herein is provided pursuant to Council’s Obligations under Section 12 of the Land and Business (Sales and Conveyancing) Act 1994.

Development Section

Prescribed Encumbrance	Particulars Required
Part 1 – Items that must be included in statement	
Development Act 1993 (Repealed)	
Section 42 – Condition (that continues to apply) of a development authorisation)	21 February 2003 - Development Application - Approved - 2003/00081409 - Verandah
Repealed Act Conditions <i>Disclaimer: The nature of the City of Tea Tree Gully records are such that it cannot provide details of conditions (that continue to apply) of provisional building rules consent (or its equivalent) granted under the following repealed Acts.</i>	
Condition (that continues to apply) of an approval or authorisation granted under any of the following Acts: Building Act 1971 (repealed) City of Adelaide Development Control Act 1976 (repealed) Planning and Development Act 1966 (repealed) Planning Act 1982 (repealed)	15 June 1992 - Provisional Building Rules - Approved - 1992/00049346 - Dwelling
Planning, Development and Infrastructure Act 2016	
Part 5 – Planning and Design Code	Refer PlanSA Extract

Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code)	
Is the land situated in a designated State Heritage place?	Refer PlanSA Extract
Is the land designated as a place of local heritage value?	Refer PlanSA Extract
Is there a tree declared to be a significant tree or a stand of trees declared to be significant trees on the land?	Refer PlanSA Extract
Is there a current amendment to the Planning and Design Code released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	Refer to Property Interest Report Land Services SA
Section 127 – Condition (that continues to apply) of a development authorisation	Refer PlanSA Extract
Part 2 – Items to be included if land affected	
Development Act 1993 (repealed)	
Section 50(1) – Requirement to vest land in a council or the Crown to be held as open space	N/A
Section 50(2) – Agreement to vest land in a council or the Crown to be held as open space	N/A
Section 55 – Order to remove or perform work	NIL
Section 56 – Notice to complete development	NIL
Section 57 – Land Management Agreement	See Title for Details
Section 69 – Emergency Order	NIL
Section 71 – Fire Safety Notice	NIL
Section 84 – Enforcement Notice	NIL
Section 85(6), 85(10) or 106 – Enforcement Order	NIL
Part 11 Division 2 – Proceedings	NIL
Fire and Emergency Services Act 2005	
Section 105f - Notice of action required concerning flammable materials on land / Notice of action required to protect against outbreak or spread of fire	NIL
Food Act 2001	
Section 44 – Improvement Notice	NIL
Section 46 – Prohibition Order	NIL

Housing Improvement Act 1940 (repealed)	
Section 23 – declaration that house is undesirable or unfit for human habitation	NIL
Local Government Act 1934 (repealed)	
Notice, order, declaration, charge, claim or demand given or made under the Act	NIL
Local Government Act 1999	
Notice, order, declaration, charge, claim or demand given or made under the Act	NIL
Planning, Development and Infrastructure Act 2016	
Section 141 – Order to remove or perform work	NIL
Section 142 – Notice to complete development	NIL
Section 155 – Emergency order	NIL
Section 157 – Fire safety notice	NIL
Section 192 or 193 – Land Management Agreement	Refer PlanSA Extract
Section 198(1) – Requirement to vest land in a council or the Crown to be held as open space	N/A
Section 198(2) – Agreement to vest land in a council or the Crown to be held as open space	NIL
Part 16 Division 1 – Proceedings	NIL
Section 213 – Enforcement notice	NIL
Section 214(6), 214(10) or 2222 – Enforcement Order	NIL
Public and Environmental Health Act 1987 (repealed)	
<i>Disclaimer: The wastewater from the septic tank must be disposed of in accordance with all relevant Standards & Codes. The nature of the City of Tea Tree Gully records are such that it cannot provide details of conditions (that continue to apply) under the above repealed Act.</i>	
South Australian Public Health Act 2011	
Notice, order, declaration, charge, claim or demand given or made under the Act	NIL

Additional Information (City of Tea Tree Gully)	
<i>Note: The following is provided for additional information purposes only and is not provided pursuant to the Land and Business (Sale and Conveyancing) Act 1994 or Regulations 2010</i>	
Miscellaneous	NIL
Easements	NIL
CWMS	NIL

Particulars relating to Environment Protection

Does the council hold details of any development approvals relating to

- (a) Commercial or industrial activity at the land; or
- (b) A change in the use of the land or part of the land (within the meaning of the *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016*)

NO

All development approvals on Council records relating to this subject are listed under the heading “Development Act 1993 or the Planning, Development and Infrastructure Act 2016”

Note – Building Indemnity Insurance is not required for:

- a) Domestic building work for which approval under the Planning, Development and Infrastructure Act 2016, the Development Act 1993 or the repealed Building Act 1971 is or was not required;
- b) minor domestic building work (see section 3 of the Building Work Contractors Act 1995);
- c) Domestic building work commenced before 1 May 1987; or
- d) Building work in respect of which an exemption from the application of Division 3 of Part 5 of the Building Work Contractors Act 1995 applies under the Building Work Contractors Regulations 1996; or
- e) Building work in respect of which an exemption from the application of Division 3 of Part 5 of the Building Work Contractors Act 1995 has been granted under section 45 of that Act.

BUILDING INDEMNITY INSURANCE AS ATTACHED OR AS PROVIDED ON PLANSA EXTRACT
NO

*Please note Council may not hold a copy of Building Indemnity Insurance if the Application has been undertaken by a Private Certifier.

Disclaimer

The nature of the City of Tea Tree Gully’s records is such that it may not be able to provide details of Building Indemnity Insurance.

The City of Tea Tree Gully endeavours to ensure that the information provided by this search request is current and accurate, however cannot guarantee the accuracy, currency or completeness of the information contained within.

All information provided by this search is for information purposes only and no reliance should be placed on this information for any possible legal purpose or any circumstance where loss or damage could arise as a result of reliance on this information.

The City of Tea Tree Gully does not accept any responsibility or liability should you rely upon the information provided by this property search to your detriment, except as provided by statute. The information herein is provided pursuant to the Council’s obligations under Section 7 of the Land Business (Sales and Conveyancing) Act, 1994. The information provided should not be taken as a representation as to whether or not any other charges or encumbrances affect the subject land.

It should be noted that the approval of development by a Council does not necessarily mean that the development has taken place. The Council will not necessarily be able to provide a complete history of all such development that has taken place at the land.

Authorised Officer



Date...23/10/2024.....

DECISION NOTIFICATION FORM

Development Number: 070/81409/2003

FOR DEVELOPMENT APPLICATION:

DATED:

08/02/2003

REGISTERED ON:

12/02/2003



CITY OF
TEA TREE GULLY
Naturally Better

TO:

Mr A P Minuzzo
7 Cardhu Place
GREENWITH SA 5125

LOCATION OF PROPOSED
DEVELOPMENT:

7 Cardhu Place GREENWITH 5125

FORMAL PROPERTY TITLE:

LOT: 78 ALP: SEC: SEC: 2163 DP: 29414 CT: 5082/611

BUILDING RULES CLASSIFICATION SOUGHT: 10A

Nature of Proposed Development:

Verandah

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT GRANTED	DATE	NO OF CONDITIONS
Provisional Development Plan Consent	YES	12/02/2003	1
Provisional Building Rules Consent	YES	20/02/2003	3
DEVELOPMENT APPROVAL	YES	21/02/2003	4

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Notification form you must not start any site works or building work or change the use of the land until you have also received notification of a Development Approval.

Date of Decisions: 21/02/2003

Signed: _____

Date: 24/2/03

☐ Development Assessment Commission or delegate

☒ Council Chief Executive Officer or delegate

☐ Private Certified

☒ Sheets attached

TELEPHONE: Building 83977323 Planning 83977209 FAX 83977366



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APPLICATION NO. 070/81409/2003 APPROVED DATE 21/02/2003

CITY OF
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PROVISIONAL DEVELOPMENT PLAN CONSENT CONDITIONS

- (1) The development must be undertaken and completed in accordance with the plans and information detailed in Application No.070/81409/2003 except where varied by any condition(s) listed below.

Note(s):

- (1) The cost of rectifying any conflict with any existing services arising out of this development will be borne by the applicant.

PER.....

PROVISIONAL BUILDING RULES CONSENT CONDITIONS

- (1) Stormwater to be connected to existing stormwater system.
- (2) Stormwater shall be disposed of in such a manner so that none of the following conditions occur:
- (i) the water enters or lies against the building;
 - (ii) the water unduly affects the stability of the building or any other building on the same site;
 - (iii) the water unduly creates any unhealthy or dangerous condition on the site or within the building;
 - (iv) the water discharges into any drain leading to a sewerage system or to a common effluent drainage system and shall not be discharged so that it flows onto adjoining properties without the prior written consent of the property owners.
- (3) The builder shall ensure that the existing stormwater disposal system, including roof rainwater goods, is adequate to carry the additional load, and shall be in accordance with AS2179 and AS1273.
Reason: No details provided.

PER.....



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DEVELOPMENT APPROVAL NOTES

The owner is responsible to ensure that:-

- the description of the land in the site plan is in accordance with the Certificate of Title for the property
- building works are correctly depicted on the site plan submitted
- approved building works are constructed within the property boundary.

An approved crossing place (entranceway) must be provided prior to commencement of construction. Crossing place construction application details are attached to this Development Approval.

It is the owners responsibility to ensure that the proposed building work is not sited over an easement. A copy of the certificate of title, which is available from the Lands Titles Office, will provide this information.

You are advised to contact the appropriate authorities such as S A Water, ETSA, Telstra, Transport SA, Boral Energy, Aust Post and Office of the Technical Regulator regarding their requirements before construction is commenced.

The Office of the Technical Regulator should be notified by you of all proposed additions and alterations to existing building and those proposals to erect signs, awnings, temporary scaffolding or other structures near overhead electricity service and street mains. Building work near overhead electricity conductors sometimes creates dangerous situations while underground cables are often covered in such a way that maintenance becomes impossible. Failure to observe safe clearances to existing services in building operations may make you liable to pay damages to the Trust.

Building materials are not to be placed on the road or footpath areas.

- 1 You may have a right of appeal to the Environment, Resources and Development Court against the decision if it is either:

- a refusal, or
- an authorisation with conditions.

Such an appeal may be lodged within two months of the day on which you receive notice of the decision or such longer period as the Court may allow.

Please contact the Environment, Resources & Development Court, not Council, if you wish to appeal. The Court is situated in the Samuel Way Building, Victoria Square, Adelaide, Telephone 82040300.

- 2 If your application was the subject of third party representations, any consent shall not operate until after fifteen business days from the date of the decision.

If there is an appeal by a third party, any consent shall not operate until determination or withdrawal of the appeal.

It is suggested that, fifteen business days after the date of the decision, you contact the Environment, Resources and Development Court to determine if an appeal has been lodged.

- 3 The development must be substantially commenced or for land division, you must apply to the Council and the Planning Commission for certificates of approval, within 12 months of the date of the decision unless the period has been extended by Council, or if the decision has been subject to an appeal, 12 months from the date of the determination or withdrawal of the appeal.

Any consent granted, whether subject to conditions or not shall lapse after 3 years from the operative date of the decision or appeal, if the development has not been substantially completed.

You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.



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Data Extract for Section 7 search purposes

Valuation ID 2841800001

Data Extract Date: 23/10/2024

Parcel ID: D29414 A78

Certificate Title: CT5082/611

Property Address: 7 CARDHU PL GREENWITH SA 5125

Zones

General Neighbourhood (GN)

Subzones

No

Zoning overlays

Overlays

Affordable Housing

The Affordable Housing Overlay seeks to ensure the integration of a range of affordable dwelling types into residential and mixed use development.

Defence Aviation Area (All structures over 15 metres)

The Defence Aviation Area Overlay seeks to ensure building height does not pose a hazard to the operational and safety requirements of Defence Aviation Areas.

Hazards (Bushfire - Urban Interface) (Urban Interface)

The Hazards (Bushfire - Urban Interface) Overlay seeks to ensure urban neighbourhoods adjoining bushfire risk areas allow access through to bushfire risk areas, are designed to protect life and property from the threat of bushfire and facilitate evacuation to areas safe from bushfire danger.

Hazards (Flooding - Evidence Required)

The Hazards (Flooding - Evidence Required) Overlay adopts a precautionary approach to mitigate potential impacts of potential flood risk through appropriate siting and design of development.

Prescribed Wells Area

The Prescribed Wells Area Overlay seeks to ensure sustainable water use in prescribed wells areas.

Regulated and Significant Tree

The Regulated and Significant Tree Overlay seeks to mitigate the loss of regulated trees through appropriate development and redevelopment.

Stormwater Management

The Stormwater Management Overlay seeks to ensure new development incorporates water sensitive urban design techniques to capture and re-use stormwater.

Urban Tree Canopy

The Urban Tree Canopy Overlay seeks to preserve and enhance urban tree canopy through the planting of new trees and retention of existing mature trees where practicable.

Is the land situated in a State Heritage Place/Area

No

Open the SA Heritage Places Database Search tool to find the locations' Heritage Place Details.

<http://maps.sa.gov.au/heritagesearch/HeritageSearchLocation.aspx>

Is the land designated as a Local Heritage Place

No

Open the SA Heritage Places Database Search tool to find the locations' Heritage Place Details.

<http://maps.sa.gov.au/heritagesearch/HeritageSearchLocation.aspx>

Is there a tree or stand of trees declared in Part 10 of the Planning and Design Code (the Code) to be a significant tree or trees on the land? (Note: there may be regulated and/or significant trees on the land that are not listed in the Code - see below).

No

Under the Planning, Development and Infrastructure Act 2016 (the Act), a tree may be declared as a significant tree in the Code, or it may be declared as a significant or regulated tree by the Planning, Development and Infrastructure (General) Regulations 2017. Under the Act, protections exist for trees declared to be significant and/or regulated trees. Further information regarding protected trees can be found on the PlanSA website: <https://plan.sa.gov.au/>

Open the Online Planning and Design Code to browse the full Code and Part 10 - Significant Trees for more information.

<https://code.plan.sa.gov.au/>

Associated Development Authorisation Information

A Development Application cannot be enacted unless the Development Authorisation for Development Approval has been granted.

No

Land Management Agreement (LMA)

No

Tree Reform Information

Planning and Land Use Services

Published June 2024



PlanSA



Government of South Australia
Department for Trade
and Investment



What is Tree Damaging Activity?

Any activity that damages a Regulated or Significant tree is development and requires development approval.

Specifically, development approval is needed for:

- tree removal
- killing or destruction
- branch or limb lopping
- ringbarking or topping
- any substantial damage to the tree, including to its root system.

The Regulated and Significant tree criteria only apply within the area of the Regulated and Significant Tree Overlay within the Planning and Design Code. Outside of this area, it is likely that the Native Vegetation Overlay applies, which protects vegetation that falls within the meaning of native vegetation (in accordance with the *Native Vegetation Act 1991*).

Refer to the [SA Property and Planning Atlas \(SAPPA\)](#) to view these Overlays.

Changes to Tree Legislation

Regulated and Significant Tree criteria in the *Planning, Development and Infrastructure (General) Regulations 2017* ('Regulations') was amended and came into effect on **16 May 2024**.

Table 1 *Changes to Regulated and Significant Tree Legislation*

	Pre-16 May 2024 Requirement	Post 16 May 2024 Requirement
Definition: Regulated tree	2m circumference Multiple trunks – average circumference of 625mm	1m circumference Multiple trunks – average circumference of 310mm
Definition: Significant tree	3m circumference Multiple trunks – average circumference of 625mm	2m circumference Multiple trunks – average circumference of 625mm
Not included in definition of Regulated or Significant Tree	Tree located within 10m of a dwelling or swimming pool, other than: <ul style="list-style-type: none">• Agonis flexuosa (Willow Myrtle)• Eucalyptus	Tree located within 3m of a dwelling or swimming pool, other than: <ul style="list-style-type: none">• Agonis flexuosa (Willow Myrtle)• Eucalyptus• Angophora• Corymbia
	Tree within the designated species list in the Regulations.	A tree of a species designated by the Minister by notice published on the SA Planning Portal (noting the list in the Regulations has been removed).
	Tree within 20m of a dwelling in Medium or High Bushfire Risk area within a Hazards (Bushfire Protection) Overlay under the Planning and Design Code.	Tree within 20m of a dwelling in Medium or High Bushfire Risk area within a Hazards (Bushfire) Overlay under the Planning and Design Code.
	A tree which is dead.	A tree which is dead.
Tree damaging activity – pruning	Pruning removes no more than 30% of the crown of the tree – no time limit	Pruning removes no more than 30% of the crown of the tree – every 5 years
Exclusions from definition of development – general	The tree is within one of the following species: <ul style="list-style-type: none">• Prickly-leaved Paperbark• Norfolk Island Hibiscus	The tree is within one of the following species: <ul style="list-style-type: none">• Weeping Williwow• Prickly-leaved paperbark• Norfolk Island hibiscus

Which species are listed in the Minister's declared exemption list?

The species listed in the Minister's declaration are primarily limited to exotic species, trees considered to have a medium to high risk for limb failure and infrastructure damage, and common trees planted in urban areas. The list can be changed from time to time by the Minister.

The current list as at 16 May 2024 includes a tree within one of the following species:

- *Acer negundo* (Box Elder)
- *Acer saccharinum* (Silver Maple)
- *Ailanthus altissima* (Tree of Heaven)
- *Alnus acuminata* subsp. *Glabrata* (Evergreen Alder)
- *Celtis australis* (European Nettle Tree)
- *Celtis sinensis* (Chinese Nettle Tree)
- *Cinnamomum camphora* (Camphor Laurel)
- *Cupressus macrocarpa* (Monterey Cypress)
- *Ficus* spp. (Figs), other than *Ficus macrophylla* (Morton Bay Fig) located more than 15 metres from a dwelling
- *Fraxinus angustifolia* (Narrow-leaved Ash)
- *Fraxinus angustifolia* ssp. *Oxycarpa* (Desert Ash)
- *Pinus radiata* (Radiata Pine/Monterey Pine)
- *Platanus x acerifolia* (London Plane)
- *Populus alba* (White Poplar)
- *Populus nigra* var. *italica* (Lombardy Poplar)
- *Robinia pseudoacacia* (Black Locust)
- *Salix babylonica* (Weeping Willow)
- *Salix chilensis* 'Fastigiata' (Chilean Willow, Evergreen Willow, Pencil Willow)
- *Salix fragilis* (Crack Willow)
- *Salix x rubens* (White Crack Willow, Basket Willow)
- *Salix x sepulcralis* var. *chrysocoma* (Golden Weeping Willow)
- *Schinus areira* (Peppercorn Tree)
- *Melaleuca styphelioides* (Prickly-leaved Paperbark)
- *Lagunaria patersonia* (Norfolk Island Hibiscus).

Transitional Provisions

Transitional provisions were included in the amendments to the Regulations that essentially mean the new Regulations do not 'turn on' for lodged or existing development approvals (subject to some exceptions) until **16 May 2025**.

The Transitional Provisions are as follows:

1-Transitional provision

The amendments effected by these regulations do not apply in relation to any activity that is—

- (a) undertaken for the purposes of a development that is the subject of—
 - (i) an application for development authorisation under the Planning, Development and Infrastructure Act 2016 lodged before the commencement of this clause; or*
 - (ii) a development authorisation under the Planning, Development and Infrastructure Act 2016 granted before the commencement of this clause, if the activity is undertaken after development authorisation is granted and before the day falling 12 months after the commencement of this clause; or**
- (b) undertaken by or on behalf of the South Australian Housing Trust for the purposes of a development, or in connection with the demolition of a dwelling or residential flat building, before 1 January 2027 (regardless of whether the application for development authorisation is lodged, or development authorisation is granted, in respect of the development before or after the commencement of this clause).*

Meaning of 'lodged'

For the purposes of the transitional provisions, an application for development authorisation will be taken to have been lodged before the commencement of the new tree protections on 16 May 2024 if the application was submitted in the SA planning portal. This is on the basis that regulation 29 of the Regulations refers to applications being lodged electronically via the SA planning portal or at the principal office of a relevant authority. In these circumstances, applications have not been verified in the SA planning portal and fees may not have been paid.

It must be noted that an application is not considered to have been made for the purposes of section 132 of the Planning, Development and Infrastructure Act 2016 until the application has been verified and fees have been paid.



Scenarios

What do the Transitional Provisions mean for submitted and approved applications?

Scenario 1 – Dwelling approved before 16 May 2024 + variation

- Development approval was granted for a dwelling prior to 16 May 2024.
- In order to act on the development approval, a tree with a circumference of 1.5 metres measured at 1 metre above natural ground level requires removal as it is within the footprint of the proposed building.
- The removal of the tree is not contemplated by the existing development approval as the tree was not a 'Regulated' tree at the time the application was assessed.
- The tree may be removed prior to **16 May 2025** to enable construction of the dwelling.

Variation

- If the applicant wishes to vary the approved plans (not a minor variation) or vary a condition of consent, a new development application would need to be submitted and would be subject to the new Regulations.
- Assessment of a variation is limited to the aspects of the proposal that are sought to be varied, for example:
 - If the variation seeks to change the height of the proposed dwelling, the assessment of the variation will be limited to assessing the building height. As the tree sits within the proposed dwelling footprint and impact on the tree does not change as a result of the variation, the tree cannot be considered as part of the variation.
 - If the variation seeks to vary a condition of approval that does not relate to the tree, then assessment of the variation would be limited to considering the proposed changes to conditions.

Scenario 2 – Dwelling application submitted before 16 May 2024

- A development application for a dwelling was submitted prior to 16 May 2024 and is currently under assessment.
- There is an existing tree on the site with a trunk circumference of 1.8 metres measured at 1 metre above natural ground level.
- The tree will require removal in order for the proposed dwelling to be built, as the tree is within the footprint of the proposed dwelling.
- The tree is not a 'Regulated' tree because at the time the application was submitted, it was not considered Regulated.
- If the application is approved, the tree may be removed prior to **16 May 2025**.

Scenario 3 – Dwelling addition approved before 16 May 2024

- Development approval was granted for a dwelling addition prior to 16 May 2024.
- There is an existing tree, a corymbia species, with a trunk circumference of 2.8 metres measured at 1 metre above natural ground level that is 9.6 metres from the existing dwelling.
- The tree will be 4 metres from the proposed dwelling addition.
- The proposal plans identified the tree and noted that it would be removed to facilitate the proposed addition.
- The tree may be removed prior to **16 May 2025** to enable the construction of the dwelling addition.

If the tree was not identified on the plans

- If the plans did not include the tree and did not identify that it should be removed, then the tree would be a 'Significant' tree and must be retained.
- Further advice should be sought from the local council about progressing the dwelling addition, as its construction may result in tree damaging activity.

Scenario 4 – Dwelling and tree damaging activity approved before 16 May 2024

- Development approval was granted for a dwelling and tree damaging activity prior to 16 May 2024.
- The approved tree damaging activity is for the removal of a 'Regulated' tree with a trunk circumference of 2.8 metres measured at 1 metre above natural ground level.
- The tree may be removed prior to **16 May 2025**.
- After 16 May 2025, the tree will be classed as a 'Significant' tree and a new development application for tree damaging activity will need to be submitted and assessed against the Planning and Design Code.

Scenario 5 – Dwelling application submitted before 16 May 2024 but not lodged

- A development application for a dwelling was submitted prior to 16 May 2024.
- The proposed dwelling will require removal of a tree with a trunk circumference of 1.9 metres measured at 1 metre above natural ground level.
- The application has been verified but no application fees have been paid.
- The application will not need to be amended to include tree damaging activity as it was submitted before 16 May 2024.

Scenarios

Scenario 6 – Shed approved before 16 May 2024 + minor variation

- Development approval was granted for a shed prior to 16 May 2024.
- A tree requires removal in order to act on the development approval, as the tree is located in the footprint of the proposed shed.
- The tree has a trunk circumference of 2.5 metres measured at 1 metre above natural ground level.
- The removal of the tree was not assessed as part of the development application, as the tree was exempt from requiring approval due to it being within 10 metres of the existing dwelling and not being a Eucalyptus or Agonis flexuosa (Willow Myrtle).
- The tree may be removed prior to **16 May 2025** to enable construction of the shed.

Minor Variation

- If a minor variation to the development approval is sought, the tree will remain an exempt tree for the purposes of assessing the minor variation.

Scenario 7 – Land Division submitted before 16 May 2024

- A large scale 100 allotment land division was submitted prior to 16 May 2024.
- Within the site for the proposed land division, there are 15 trees that have a trunk circumference of between 1 metre and 2 metres measured 1 metre above natural ground level.
- The proposal plans for the land division identify that these 15 trees are proposed for removal.
- The 15 trees that have a trunk circumference of between 1 to 2 metres are not 'Regulated' trees for the purposes of the land division assessment.
- Should the land division be approved, the trees may be removed prior to **16 May 2025** to facilitate the land division.
- From 16 May 2025, the removal of any trees with a trunk circumference of 1 metre or greater measured 1 metre above natural ground level will constitute tree damaging activity and will require development approval.

Scenario 8 – Land Division approved before 16 May 2024

- Development approval was granted to a land division proposing the creation of one additional allotment (one allotment into two) prior to 16 May 2024.
- On the site of the land division, there is one tree in the rear of one allotment with a trunk circumference of between 1 metre and 2 metres measured 1 metre above natural ground level.
- The plan of division did not identify that the tree would be removed.
- The tree is now a 'Regulated' tree and must be retained or a development application must be submitted for tree damaging activity (to remove the tree), which will be assessed against the provisions in the Planning and Design Code.

Scenario 9 – Tree damaging activity approved before 16 May 2024

- An application to remove a tree which has a trunk circumference of 2.5 metres measured at 1 metre above natural ground level was granted development approval prior to 16 May 2024.
- The tree was assessed as a 'Regulated' tree and not a 'Significant' tree.
- The tree may be removed prior to **16 May 2025** in accordance with the approved development application.
- If the tree is not removed by 16 May 2025, a new development application for tree damaging activity (tree removal) must be submitted and the tree will be assessed as a 'Significant' tree.

Scenario 10 – Tree damaging activity submitted before 16 May 2024

- An application was submitted prior to 16 May 2024 for a development which involves removal of a tree with a trunk circumference of 2.5 metres measured at 1 metre above natural ground level.
- For the purposes of assessing the application, the tree will be assessed as a 'Regulated' tree and not a 'Significant' tree.
- If approval for the application is granted, the tree must be removed prior to **16 May 2025**.
- If it is not removed prior to 16 May 2025, a new development application must be submitted for tree damaging activity (removal) and the tree will be assessed as a 'Significant' tree.

Scenarios

Scenario 11 – Development application for bulky goods outlet submitted before 16 May 2024

- An application for a bulky goods outlet was submitted prior to 16 May 2024.
- The proposed development will require the removal of 10 trees with a trunk circumference of between 1 and 2 metres measured at 1 metre above natural ground level.
- A request for information is received from the relevant authority and the applicant requests for the application to be placed on hold.
- A number of delays occur and the application is not determined by 16 May 2025.
- The trees on the land where the development is to occur are now recognised as 'Regulated' trees and the application will need to be varied to include tree damaging activity.

Scenario 12 – Development application for warehouse approved before 16 May 2024 + changes to Essential Safety Provisions

- Development approval for a warehouse was granted before 16 May 2024.
- The approved development will require the removal of two trees with a trunk circumference of 1.5 metres measured at 1 metre above natural ground level.
- The trees may be removed prior to **16 May 2025** to enable construction of the warehouse.

Changes to Essential Safety Provisions (ESPs)

- The ESPs for the warehouse require amendment after 16 May 2025.
- The changes to the ESP require lodgement of a variation application.
- The variation will be assessed against current legislation including the new Regulations. However, the assessment of a variation will be limited to assessing the ESPs.
- If the requirements for the ESPs do not result in any tree damaging activity, then this will not be assessed as part of the variation.

Scenario 13 – Community housing provider acting on behalf of SAHT

- A community housing provider acting on behalf of the South Australian Housing Trust proposes to lodge an application for a residential flat building, however, the application is not yet submitted.
- The development will require the removal of 6 trees with a trunk circumference of between 1 and 2 metres measured at 1 metre above natural ground level.
- The community housing provider has until 1 January 2027 to remove the trees without the need for development approval.

Scenario 14 – Pergola application approved before 16 May 2024 – Accepted Development

- A development application for a pergola was submitted prior to 16 May 2024.
- The application did not require planning consent, as it was an 'Accepted Development'.
- The application is still awaiting Building Consent and Development Approval.
- To construct the pergola, a tree with a trunk circumference of 2.4 metres measured at 1 metre above natural ground level requires removal.
- The tree is an Angophora and is 7 metres from the existing dwelling.
- The tree's removal was not contemplated when the Relevant Authority deemed the application 'Accepted Development', as the tree was exempt from being a 'Regulated' tree and its removal did not constitute tree damaging activity.
- The tree may be removed prior to **16 May 2025** in order to build the pergola.



Removal of Regulated and Significant Trees

Where an applicant proposes to remove a regulated or significant tree, they must either plant replacement trees or pay the appropriate fee.

Planting Replacement Trees

If replacement plantings are proposed, the following rates for new tree plantings apply:

- 2 replacement trees for removal of one regulated tree
- 3 replacement trees for the removal of one significant tree

Replacement trees must:

- not be a species listed in the Minister’s exempt species list; and
- not be planted within 3 metres of an existing dwelling or an existing in-ground swimming pool

Payment of Fee

Where replacement trees are not or cannot be proposed as part of a tree removal application, payment of \$500 per replacement tree not planted must be made into either:

- A Urban Tree Fund established by the relevant local council; or
- The State Government’s Planning and Development Fund if no Urban Tree Fund has been established by the relevant local council.

In essence, this means that fees for the removal of Regulated and Significant trees has increased as follows:

Table 1 *Fee for Removal of Regulated or Significant Tree*

	Fee before 16 May 2024	Fee from 16 May 2024
Regulated tree	\$326	\$1,000 (two replacement trees)
Significant tree	\$489	\$1,500 (three replacement trees)

Any application for tree removal submitted after 16 May 2024 will attract the increased removal fees applicable from 16 May 2024.

Any applications for tree removal submitted before 16 May 2024 will attract the lower removal fees applicable before 16 May 2024.

Payment into the applicable fund will not be required where replacement trees are proposed.

Urban Tree Canopy Offset Scheme

The Urban Tree Canopy Offset Scheme (the Scheme) is an offset contribution scheme established under section 197 of the Act and which has been established to support the Urban Tree Canopy Overlay in the Code.

The Scheme specifies that payment may be made in lieu of planting a tree or trees in accordance with the Urban Tree Canopy Overlay.

Where trees cannot be feasibly planted in new infill areas (due to limited setbacks or reactive soil types), the Scheme exists to fund council investment in new tree planting and parks.

Amendments to the Urban Tree Canopy Offset Scheme have been made to increase the required contributions when trees are not planted alongside the construction of a new dwelling.

	Fee before 16 May 2024	Fee from 16 May 2024
Small Tree	\$300	\$500
Medium Tree	\$600	\$1,000
Large Tree	\$1,200	\$1,500

Further Investigations

To support the changes to the Regulations, the State Government is undertaking the following further investigations:

By the State Planning Commission

- Preparation of a design standard to provide minimum urban tree planting and maintenance requirements for public areas in greenfield developments.
- Amending the Planning and Design Code to strengthen and extend tree protection policies relating to a tree's urban canopy contribution and promoting design innovation to retain large trees.
- Appropriate assessment pathway for trees within 3–10 metres of a dwelling or swimming pool where offset fees are paid.
- Extend the urban tree canopy requirements to greenfield developments in 'Master Planned Neighbourhood Zones' and townships.
- Extend regulated and significant tree protections in townships, capturing areas beyond metropolitan Adelaide.

Environment, Resources and Development Committee

- Provide advice on further tree protections relating to canopy size, tree height and modifications to the exempt species list as part of finalising their Inquiry into the Urban Forest.

Property Interest Report

Provided by Land Services SA on behalf of the South Australian Government

Title Reference	CT 5082/611	Reference No. 2617617
Registered Proprietors	D T & A N*JONES	Prepared 23/10/2024 16:02
Address of Property	7 CARDHU PLACE, GREENWITH, SA 5125	
Local Govt. Authority	CITY OF TEA TREE GULLY	
Local Govt. Address	PO BOX 571 MODBURY SA 5092	

This report provides information that may be used to complete a Form 1 as prescribed in the *Land and Business (Sale and Conveyancing) Act 1994*

Table of Particulars

Particulars of mortgages, charges and prescribed encumbrances affecting the land as identified in Division 1 of the Schedule to Form 1 as described in the Regulations to the *Land and Business (Sale and Conveyancing) Act 1994*

All enquiries relating to the Regulations or the Form 1 please contact Consumer & Business Services between 8:30 am and 5:00 pm on 131 882 or via their website www.cbs.sa.gov.au

Prescribed encumbrance	Particulars (Particulars in bold indicates further information will be provided)
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1. General

1.1	Mortgage of land <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	Refer to the Certificate of Title
1.2	Easement (whether over the land or annexed to the land) Note--"Easement" includes rights of way and party wall rights <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	Refer to the Certificate of Title
1.3	Restrictive covenant <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	Refer to the Certificate of Title for details of any restrictive covenants as an encumbrance
1.4	Lease, agreement for lease, tenancy agreement or licence (The information does not include information about any sublease or subtenancy. That information may be sought by the purchaser from the lessee or tenant or sublessee or subtenant.) <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	Refer to the Certificate of Title also Contact the vendor for these details
1.5	Caveat	Refer to the Certificate of Title
1.6	Lien or notice of a lien	Refer to the Certificate of Title

2. Aboriginal Heritage Act 1988

2.1	section 9 - Registration in central archives of an Aboriginal site or object	Aboriginal Affairs and Reconciliation in AGD has no registered entries for Aboriginal sites or objects affecting this title
2.2	section 24 - Directions prohibiting or restricting access to, or activities on, a site or	Aboriginal Affairs and Reconciliation in AGD has no record of any direction affecting this title

an area surrounding a site

- 2.3 Part 3 Division 6 - Aboriginal heritage agreement

Aboriginal Affairs and Reconciliation in AGD has no record of any agreement affecting this title

also

Refer to the Certificate of Title

3. ***Burial and Cremation Act 2013***

- 3.1 section 8 - Human remains interred on land

Births, Deaths and Marriages in AGD has no record of any gravesites relating to this title

also

contact the vendor for these details

4. ***Crown Rates and Taxes Recovery Act 1945***

- 4.1 section 5 - Notice requiring payment

Crown Lands Program in DEW has no record of any notice affecting this title

5. ***Development Act 1993 (repealed)***

- 5.1 section 42 - Condition (that continues to apply) of a development authorisation

State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]

also

Contact the Local Government Authority for other details that might apply

- 5.2 section 50(1) - Requirement to vest land in a council or the Crown to be held as open space

State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply

- 5.3 section 50(2) - Agreement to vest land in a council or the Crown to be held as open space

State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply

- 5.4 section 55 - Order to remove or perform work

State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

- 5.5 section 56 - Notice to complete development

State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

- 5.6 section 57 - Land management agreement

Refer to the Certificate of Title

- 5.7 section 60 - Notice of intention by building owner

Contact the vendor for these details

- 5.8 section 69 - Emergency order

State Planning Commission in the Department for Housing and Urban Development has no record of any order affecting this title

also

Contact the Local Government Authority for other details that might apply

- 5.9 section 71 - Fire safety notice

Building Fire Safety Committee in the Department for Housing and Urban Development has no record of any notice affecting this title

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| 5.10 | section 84 - Enforcement notice | State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title |
| | | also |
| | | Contact the Local Government Authority for other details that might apply |
| 5.11 | section 85(6), 85(10) or 106 - Enforcement order | State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title |
| | | also |
| | | Contact the Local Government Authority for other details that might apply |
| 5.12 | Part 11 Division 2 - Proceedings | Contact the Local Government Authority for other details that might apply |
| | | also |
| | | Contact the vendor for these details |

6. Repealed Act conditions

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| 6.1 | Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act, 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1966</i> (repealed) | State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title |
| | | also |
| | | Contact the Local Government Authority for other details that might apply |
- [Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*

7. Emergency Services Funding Act 1998

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| 7.1 | section 16 - Notice to pay levy | <p>An Emergency Services Levy Certificate will be forwarded.
 If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.</p> <p>Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates
 www.revenuesaonline.sa.gov.au</p> |
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8. Environment Protection Act 1993

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| 8.1 | section 59 - Environment performance agreement that is registered in relation to the land | EPA (SA) does not have any current Performance Agreements registered on this title |
| 8.2 | section 93 - Environment protection order that is registered in relation to the land | EPA (SA) does not have any current Environment Protection Orders registered on this title |
| 8.3 | section 93A - Environment protection order relating to cessation of activity that is registered in relation to the land | EPA (SA) does not have any current Orders registered on this title |
| 8.4 | section 99 - Clean-up order that is registered in relation to the land | EPA (SA) does not have any current Clean-up orders registered on this title |
| 8.5 | section 100 - Clean-up authorisation that is registered in relation to the land | EPA (SA) does not have any current Clean-up authorisations registered on this title |
| 8.6 | section 103H - Site contamination assessment order that is registered in relation to the land | EPA (SA) does not have any current Orders registered on this title |
| 8.7 | section 103J - Site remediation order that is registered in relation to the land | EPA (SA) does not have any current Orders registered on this title |
| 8.8 | section 103N - Notice of declaration of special management area in relation to the land (due to possible existence of site contamination) | EPA (SA) does not have any current Orders registered on this title |

8.9	section 103P - Notation of site contamination audit report in relation to the land	EPA (SA) does not have any current Orders registered on this title
8.10	section 103S - Notice of prohibition or restriction on taking water affected by site contamination in relation to the land	EPA (SA) does not have any current Orders registered on this title
9.	<i>Fences Act 1975</i>	
9.1	section 5 - Notice of intention to perform fencing work	Contact the vendor for these details
10.	<i>Fire and Emergency Services Act 2005</i>	
10.1	section 105F - (or section 56 or 83 (repealed)) - Notice to take action to prevent outbreak or spread of fire	Contact the Local Government Authority for other details that might apply Where the land is outside a council area, contact the vendor
11.	<i>Food Act 2001</i>	
11.1	section 44 - Improvement notice	Public Health in DHW has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply
11.2	section 46 - Prohibition order	Public Health in DHW has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply
12.	<i>Ground Water (Qualco-Sunlands) Control Act 2000</i>	
12.1	Part 6 - risk management allocation	Qualco Sunlands Ground Water Control Trust has no record of any allocation affecting this title
12.2	section 56 - Notice to pay share of Trust costs, or for unauthorised use of water, in respect of irrigated property	DEW Water Licensing has no record of any notice affecting this title
13.	<i>Heritage Places Act 1993</i>	
13.1	section 14(2)(b) - Registration of an object of heritage significance	Heritage Branch in DEW has no record of any registration affecting this title
13.2	section 17 or 18 - Provisional registration or registration	Heritage Branch in DEW has no record of any registration affecting this title
13.3	section 30 - Stop order	Heritage Branch in DEW has no record of any stop order affecting this title
13.4	Part 6 - Heritage agreement	Heritage Branch in DEW has no record of any agreement affecting this title also Refer to the Certificate of Title
13.5	section 38 - "No development" order	Heritage Branch in DEW has no record of any "No development" order affecting this title
14.	<i>Highways Act 1926</i>	
14.1	Part 2A - Establishment of control of access from any road abutting the land	Transport Assessment Section within DIT has no record of any registration affecting this title
15.	<i>Housing Improvement Act 1940 (repealed)</i>	
15.1	section 23 - Declaration that house is undesirable or unfit for human habitation	Contact the Local Government Authority for other details that might apply
15.2	Part 7 (rent control for substandard houses) - notice or declaration	Housing Safety Authority has no record of any notice or declaration affecting this title
16.	<i>Housing Improvement Act 2016</i>	

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| 16.1 | Part 3 Division 1 - Assessment, improvement or demolition orders | Housing Safety Authority has no record of any notice or declaration affecting this title |
| 16.2 | section 22 - Notice to vacate premises | Housing Safety Authority has no record of any notice or declaration affecting this title |
| 16.3 | section 25 - Rent control notice | Housing Safety Authority has no record of any notice or declaration affecting this title |

17. *Land Acquisition Act 1969*

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| 17.1 | section 10 - Notice of intention to acquire | Refer to the Certificate of Title for any notice of intention to acquire
also
Contact the Local Government Authority for other details that might apply |
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18. *Landscape South Australia Act 2019*

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| 18.1 | section 72 - Notice to pay levy in respect of costs of regional landscape board | The regional landscape board has no record of any notice affecting this title |
| 18.2 | section 78 - Notice to pay levy in respect of right to take water or taking of water | DEW has no record of any notice affecting this title |
| 18.3 | section 99 - Notice to prepare an action plan for compliance with general statutory duty | The regional landscape board has no record of any notice affecting this title |
| 18.4 | section 107 - Notice to rectify effects of unauthorised activity | The regional landscape board has no record of any notice affecting this title
also
DEW has no record of any notice affecting this title |
| 18.5 | section 108 - Notice to maintain watercourse or lake in good condition | The regional landscape board has no record of any notice affecting this title |
| 18.6 | section 109 - Notice restricting the taking of water or directing action in relation to the taking of water | DEW has no record of any notice affecting this title |
| 18.7 | section 111 - Notice to remove or modify a dam, embankment, wall or other obstruction or object | The regional landscape board has no record of any notice affecting this title |
| 18.8 | section 112 - Permit (or condition of a permit) that remains in force | The regional landscape board has no record of any permit (that remains in force) affecting this title
also
DEW has no record of any permit (that remains in force) affecting this title |
| 18.9 | section 120 - Notice to take remedial or other action in relation to a well | DEW has no record of any notice affecting this title |
| 18.10 | section 135 - Water resource works approval | DEW has no record of a water resource works approval affecting this title |
| 18.11 | section 142 - Site use approval | DEW has no record of a site use approval affecting this title |
| 18.12 | section 166 - Forest water licence | DEW has no record of a forest water licence affecting this title |
| 18.13 | section 191 - Notice of instruction as to keeping or management of animal or plant | The regional landscape board has no record of any notice affecting this title |
| 18.14 | section 193 - Notice to comply with action order for the destruction or control of animals or plants | The regional landscape board has no record of any notice affecting this title |
| 18.15 | section 194 - Notice to pay costs of destruction or control of animals or plants on road reserve | The regional landscape board has no record of any notice affecting this title |
| 18.16 | section 196 - Notice requiring control or quarantine of animal or plant | The regional landscape board has no record of any notice affecting this title |
| 18.17 | section 207 - Protection order to secure compliance with specified provisions of the | The regional landscape board has no record of any notice affecting this title |

Act

- | | | |
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| 18.18 | section 209 - Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act | The regional landscape board has no record of any notice affecting this title |
| 18.19 | section 211 - Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act | The regional landscape board has no record of any notice affecting this title |
| 18.20 | section 215 - Orders made by ERD Court | The regional landscape board has no record of any notice affecting this title |
| 18.21 | section 219 - Management agreements | The regional landscape board has no record of any notice affecting this title |
| 18.22 | section 235 - Additional orders on conviction | The regional landscape board has no record of any notice affecting this title |

19. Land Tax Act 1936

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|------|---|--|
| 19.1 | Notice, order or demand for payment of land tax | <p>A Land Tax Certificate will be forwarded.
 If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.</p> <p>Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates
 www.revenuesaonline.sa.gov.au</p> |
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20. Local Government Act 1934 (repealed)

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| 20.1 | Notice, order, declaration, charge, claim or demand given or made under the Act | Contact the Local Government Authority for other details that might apply |
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21. Local Government Act 1999

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| 21.1 | Notice, order, declaration, charge, claim or demand given or made under the Act | Contact the Local Government Authority for other details that might apply |
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22. Local Nuisance and Litter Control Act 2016

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| 22.1 | section 30 - Nuisance or litter abatement notice | Contact the Local Government Authority for other details that might apply |
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23. Metropolitan Adelaide Road Widening Plan Act 1972

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| 23.1 | section 6 - Restriction on building work | Transport Assessment Section within DIT has no record of any restriction affecting this title |
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24. Mining Act 1971

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|------|---|---|
| 24.1 | Mineral tenement (other than an exploration licence) | Mineral Tenements in the Department of Energy and Mining has no record of any proclamation affecting this title |
| 24.2 | section 9AA - Notice, agreement or order to waive exemption from authorised operations | Contact the vendor for these details |
| 24.3 | section 56T(1) - Consent to a change in authorised operations | Contact the vendor for these details |
| 24.4 | section 58(a) - Agreement authorising tenement holder to enter land | Contact the vendor for these details |
| 24.5 | section 58A - Notice of intention to commence authorised operations or apply for lease or licence | Contact the vendor for these details |
| 24.6 | section 61 - Agreement or order to pay compensation for authorised operations | Contact the vendor for these details |
| 24.7 | section 75(1) - Consent relating to extractive minerals | Contact the vendor for these details |
| 24.8 | section 82(1) - Deemed consent or agreement | Contact the vendor for these details |

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| 24.9 | Proclamation with respect to a private mine | Mineral Tenements in the Department of Energy and Mining has no record of any proclamation affecting this title |
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25. *Native Vegetation Act 1991*

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|------|--|--|
| 25.1 | Part 4 Division 1 - Heritage agreement | DEW Native Vegetation has no record of any agreement affecting this title

also

Refer to the Certificate of Title |
| 25.2 | section 25C - Conditions of approval regarding achievement of environmental benefit by accredited third party provider | DEW Native Vegetation has no record of any agreement affecting this title

also

Refer to the Certificate of Title |
| 25.3 | section 25D - Management agreement | DEW Native Vegetation has no record of any agreement affecting this title

also

Refer to the Certificate of Title |
| 25.4 | Part 5 Division 1 - Refusal to grant consent, or condition of a consent, to clear native vegetation | DEW Native Vegetation has no record of any refusal or condition affecting this title |

26. *Natural Resources Management Act 2004 (repealed)*

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| 26.1 | section 97 - Notice to pay levy in respect of costs of regional NRM board | The regional landscape board has no record of any notice affecting this title |
| 26.2 | section 123 - Notice to prepare an action plan for compliance with general statutory duty | The regional landscape board has no record of any notice affecting this title |
| 26.3 | section 134 - Notice to remove or modify a dam, embankment, wall or other obstruction or object | The regional landscape board has no record of any notice affecting this title |
| 26.4 | section 135 - Condition (that remains in force) of a permit | The regional landscape board has no record of any notice affecting this title |
| 26.5 | section 181 - Notice of instruction as to keeping or management of animal or plant | The regional landscape board has no record of any notice affecting this title |
| 26.6 | section 183 - Notice to prepare an action plan for the destruction or control of animals or plants | The regional landscape board has no record of any notice affecting this title |
| 26.7 | section 185 - Notice to pay costs of destruction or control of animals or plants on road reserve | The regional landscape board has no record of any notice affecting this title |
| 26.8 | section 187 - Notice requiring control or quarantine of animal or plant | The regional landscape board has no record of any notice affecting this title |
| 26.9 | section 193 - Protection order to secure compliance with specified provisions of the Act | The regional landscape board has no record of any order affecting this title |
| 26.10 | section 195 - Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act | The regional landscape board has no record of any order affecting this title |
| 26.11 | section 197 - Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act | The regional landscape board has no record of any authorisation affecting this title |

27. *Outback Communities (Administration and Management) Act 2009*

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|------|---|--|
| 27.1 | section 21 - Notice of levy or contribution payable | Outback Communities Authority has no record affecting this title |
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28. ***Phylloxera and Grape Industry Act 1995***

- 28.1 section 23(1) - Notice of contribution payable The Phylloxera and Grape Industry Board of South Australia has no vineyard registered against this title. However all properties with greater than 0.5 hectares of planted vines are required to be registered with the board

29. ***Planning, Development and Infrastructure Act 2016***

- 29.1 Part 5 - Planning and Design Code
[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]
- Contact the Local Government Authority for the title or other brief description of the zone or subzone in which the land is situated.
- also
- Heritage Branch in DEW has no record of a State Heritage Area created prior to 15 January 1994 under the former South Australian Heritage Act 1978 affecting this title
- also
- For details of this item, including State Heritage Areas which have been authorised or put under interim effect since 15 January 1994, contact the Local Government Authority
- also
- Contact the Local Government Authority for other details that might apply to a place of local heritage value
- also
- For details of declared significant trees affecting this title, contact the Local Government Authority
- also

Code Amendment

Golden Grove Neighbourhood - The Proponent (YAS Property & Development and Falkenburg Road Pty Ltd) is proposing to rezone land at Golden Grove to support a premium quality master-planned development with open space and new cycling and pedestrian connections. For more information, refer to the 'Code Amendments' page on the PlanSA portal: https://plan.sa.gov.au/have_your_say/ or phone PlanSA on 1800752664.

Code Amendment

Statewide Bushfire Hazards Overlay - aims to review the current policy framework (spatial layers and policy content) of the six Hazard (Bushfire Risk) Overlays as well as explore other planning instruments and mechanisms to assist in mitigating bushfire hazard impacts. Please note that this Code Amendment only applies to a portion of some council areas. To understand if your property is affected, please check the bushfire hazard map at <https://plus.geodata.sa.gov.au/bushfire/index.html>. For more information, please visit https://plan.sa.gov.au/have_your_say/ or contact PlanSA via email (PlanSA@sa.gov.au) or telephone (1800 752 664).

Code Amendment

Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment - The Chief Executive of the Department for Trade and Investment has initiated the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment to review the definitions for 'ancillary accommodation' and 'student accommodation'. For more information and to view the DPA online, visit the amendment webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664.

Code Amendment

10-20 Halls Road Highbury – Hallan Nominees Pty Ltd (the Proponent) are proposing to rezone the land at 10-20 Halls Road, Highbury from "Resource Extraction" to "General Neighbourhood" to facilitate low density residential development. Preliminary investigations undertaken by the proponent have concluded that residential uses should be possible with appropriate levels of engineering and protection. For more information, visit the Code Amendments webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664.

29.2	section 127 - Condition (that continues to apply) of a development authorisation <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.3	section 139 - Notice of proposed work and notice may require access	Contact the vendor for these details
29.4	section 140 - Notice requesting access	Contact the vendor for these details
29.5	section 141 - Order to remove or perform work	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.6	section 142 - Notice to complete development	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.7	section 155 - Emergency order	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.8	section 157 - Fire safety notice	Building Fire Safety Committee in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.9	section 192 or 193 - Land management agreement	Refer to the Certificate of Title
29.10	section 198(1) - Requirement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.11	section 198(2) - Agreement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.12	Part 16 Division 1 - Proceedings	Contact the Local Government Authority for details relevant to this item also Contact the vendor for other details that might apply
29.13	section 213 - Enforcement notice	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.14	section 214(6), 214(10) or 222 - Enforcement order	Contact the Local Government Authority for details relevant to this item also

State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

30. ***Plant Health Act 2009***

- | | | |
|------|---|---|
| 30.1 | section 8 or 9 - Notice or order concerning pests | Plant Health in PIRSA has no record of any notice or order affecting this title |
|------|---|---|

31. ***Public and Environmental Health Act 1987 (repealed)***

- | | | |
|------|---|---|
| 31.1 | Part 3 - Notice | Public Health in DHW has no record of any notice or direction affecting this title
also
Contact the Local Government Authority for other details that might apply |
| 31.2 | <i>Public and Environmental Health (Waste Control) Regulations 2010 (or 1995)</i> (revoked) Part 2 - Condition (that continues to apply) of an approval | Public Health in DHW has no record of any condition affecting this title
also
Contact the Local Government Authority for other details that might apply |
| 31.3 | <i>Public and Environmental Health (Waste Control) Regulations 2010</i> (revoked) regulation 19 - Maintenance order (that has not been complied with) | Public Health in DHW has no record of any order affecting this title
also
Contact the Local Government Authority for other details that might apply |

32. ***South Australian Public Health Act 2011***

- | | | |
|------|---|---|
| 32.1 | section 66 - Direction or requirement to avert spread of disease | Public Health in DHW has no record of any direction or requirement affecting this title |
| 32.2 | section 92 - Notice | Public Health in DHW has no record of any notice affecting this title
also
Contact the Local Government Authority for other details that might apply |
| 32.3 | <i>South Australian Public Health (Wastewater) Regulations 2013</i> Part 4 - Condition (that continues to apply) of an approval | Public Health in DHW has no record of any condition affecting this title
also
Contact the Local Government Authority for other details that might apply |

33. ***Upper South East Dryland Salinity and Flood Management Act 2002 (expired)***

- | | | |
|------|---|--|
| 33.1 | section 23 - Notice of contribution payable | DEW has no record of any notice affecting this title |
|------|---|--|

34. ***Water Industry Act 2012***

- | | | |
|------|---|---|
| 34.1 | Notice or order under the Act requiring payment of charges or other amounts or making other requirement | <p>An SA Water Certificate will be forwarded.
 If you do not receive the certificate please contact the SA Water Customer Contact Centre on 1300 650 950</p> <p>also</p> <p>The Office of the Technical Regulator in DEM has no record of any notice or order affecting this title</p> <p>also</p> <p>Lightsview Re-Water Supply Co Pty Ltd has no record of any notice or order affecting this title.</p> <p>also</p> <p>Robusto Investments Pty. Ltd. trading as Compass Springs has no current record of any notice or order affecting this title.</p> <p>also</p> <p>Alano Utilities Pty. Ltd. has no record of any notice or order affecting this title.</p> |
|------|---|---|

35. **Water Resources Act 1997 (repealed)**

- 35.1

section 18 - Condition (that remains in force) of a permit

DEW has no record of any condition affecting this title
- 35.2

section 125 (or a corresponding previous enactment) - Notice to pay levy

DEW has no record of any notice affecting this title

36. **Other charges**

- 36.1

Charge of any kind affecting the land (not included in another item)

Refer to the Certificate of Title

also

Contact the vendor for these details

also

Contact the Local Government Authority for other details that might apply

Other Particulars

Other particulars as identified in Division 2 of the Schedule to Form 1 as described in the *Regulations to the Land and Business (Sale and Conveyancing) Act 1994*

- | | | |
|-----|---|---|
| 1. | Particulars of transactions in last 12 months | Contact the vendor for these details |
| 2. | Particulars relating to community lot (including strata lot) or development lot | Enquire directly to the Secretary or Manager of the Community Corporation |
| 3. | Particulars relating to strata unit | Enquire directly to the Secretary or Manager of the Strata Corporation |
| 4. | Particulars of building indemnity insurance | Contact the vendor for these details
also
Contact the Local Government Authority |
| 5. | Particulars relating to asbestos at workplaces | Contact the vendor for these details |
| 6. | Particulars relating to aluminium composite panels | Please note that the audit is limited to classes of buildings, and that this note does not confirm the presence or absence of Aluminium Composite Panelling. Contact the vendor for relevant details. |
| 7. | Particulars relating to court or tribunal process | Contact the vendor for these details |
| 8. | Particulars relating to land irrigated or drained under Irrigation Acts | SA Water will arrange for a response to this item where applicable |
| 9. | Particulars relating to environment protection | Contact the vendor for details of item 2
also
EPA (SA) has no record of any particulars relating to items 3, 4 or 5 affecting this title
also
Contact the Local Government Authority for information relating to item 6 |
| 10. | Particulars relating to <i>Livestock Act, 1997</i> | Animal Health in PIRSA has no record of any notice or order affecting this title |

Additional Information

The following additional information is provided for your information only.
These items are not prescribed encumbrances or other particulars prescribed under the Act.

- | | | |
|-----|--|---|
| 1. | Pipeline Authority of S.A. Easement | Epic Energy has no record of a Pipeline Authority Easement relating to this title |
| 2. | State Planning Commission refusal | No recorded State Planning Commission refusal |
| 3. | SA Power Networks | SA Power Networks has no interest other than that recorded on the attached notice or registered on the Certificate of Title |
| 4. | South East Australia Gas Pty Ltd | SEA Gas has no current record of a high pressure gas transmission pipeline traversing this property |
| 5. | Central Irrigation Trust | Central Irrigation Trust has no current records of any infrastructure or Water Delivery Rights associated to this title. |
| 6. | ElectraNet Transmission Services | ElectraNet has no current record of a high voltage transmission line traversing this property |
| 7. | Outback Communities Authority | Outback Communities Authority has no record affecting this title |
| 8. | Dog Fence (<i>Dog Fence Act 1946</i>) | The Dog Fence Board has no current interest in Dog Fence rates relating to this title. |
| 9. | Pastoral Board (<i>Pastoral Land Management and Conservation Act 1989</i>) | The Pastoral Board has no current interest in this title |
| 10. | Heritage Branch DEW (<i>Heritage Places Act 1993</i>) | Heritage Branch in DEW has no record of any World, Commonwealth or National Heritage interest affecting this title |
| 11. | Health Protection Programs – Department for Health and Wellbeing | Health Protection Programs in the DHW has no record of a public health issue that currently applies to this title. |

Notices

Notices are printed under arrangement with organisations having some potential interest in the subject land. You should contact the identified party for further details.

Electricity and Telecommunications Infrastructure - Building Restrictions and Statutory Easements (including those related to gas, water and sewage)

Building restrictions

It is an offence under section 86 of the *Electricity Act 1996* to erect a building or structure within a prescribed distance of aerial or underground powerlines. In some, but not all, cases approval may be obtained from the Technical Regulator. Generally, however, land owners must not build, or alter a building or structure, with the result that any part of the resulting building or structure is within the minimum clearance distance required from certain types of powerlines. These building limitations are set out in the *Electricity (General) Regulations 2012* regulations 81 and 82. Purchasers intending to redevelop the property to be purchased should therefore be aware that the restrictions under the *Electricity Act* and *Regulations* may affect how, or if, they are able to redevelop the property.

In addition, if a building or structure is erected in proximity to a powerline of an electricity entity in contravention of the *Electricity Act*, the entity may seek a court order:

- a) requiring the person to take specified action to remove or modify the building or structure within a specified period;
- b) for compensation from the person for loss or damage suffered in consequence of the contravention; and/or
- c) for costs reasonably incurred by the entity in relocating the powerline or carrying out other work.

Contact the Office of the Technical Regulator in DEM on 8226 5500 for further details.

Statutory easements

Statutory easements for purposes such as (and without limitation) electricity, telecommunications, gas, water and sewage, may also exist, but may not be registered or defined on the title for the land.

Separate from the above building restrictions, South Australia's electricity supply and transmission businesses have statutory easements over land where part of the electricity distribution or transmission system was on, above or under the land as at particular dates specified by legislation.

This notice does not necessarily imply that any statutory or other easement exists.

However, where in existence, statutory easements may provide these organisations and businesses (identified in the relevant legislation) with the right of entry, at any reasonable time, to operate, repair, examine, replace, modify or maintain their equipment, to bring any vehicles or equipment on the land for these purposes, and to install, operate and carry out work on any pipelines, electricity or telecommunications cables or equipment that may be incorporated in, or attached to, their equipment (For example, see Clause 2 of Schedule 1 of the *Electricity Corporations (Restructuring and Disposal) Act 1999*; section 48A of the *Electricity Act 1996*).

For further clarification on these matters, please contact the relevant organisations or businesses, such as SA Power Networks' Easements Branch on telephone 8404 5897 or 8404 5894.

If you intend to excavate, develop or subdivide land, it is suggested that you first lodge a 'Dial Before you Dig' enquiry. Dial Before You Dig is a free referral service that provides information on the location of underground infrastructure. Using the Dial Before you Dig service (<https://1100.com.au>) may mitigate the risk of injury or expense resulting from inadvertent interference with, damage to, or requirement to relocate infrastructure.

Land Tax Act 1936 and Regulations thereunder

Agents should note that the current owner will remain liable for any additional charge accruing due before the date of this certificate which may be assessed on the land and also that the purchaser is only protected in respect of the tax for the financial year for which this certificate is issued. If the change of ownership will not occur on or before the 30th June, another certificate should be sought in respect of the next financial year or requests for certificate should not be made until after 30th June.

Animal and Plant Control (Agriculture Protection and other purposes) Act 1986 and Regulations

Agents should note that this legislation imposes a responsibility on a landholder to control and keep controlled proclaimed plants and particular classes of animals on a property.

Information should be obtained from:

- The vendor about the known presence of proclaimed plants or animals on the property including details which the vendor can obtain from records held by the local animal and plant control board
- The local animal and plant control board or the Animal and Plant Control Commission on the policies and priorities relating to the control of any serious proclaimed plants or animals in the area where the property is located.

Landscape South Australia 2019

Water Resources Management - Taking of underground water

Under the provisions of the *Landscape South Australia Act 2019*, if you intend to utilise underground water on the land subject to this enquiry the following apply:

- A well construction permit accompanied by the prescribed fee is required if a well/bore exceeding 2.5 meters is to be constructed. As the prescribed fee is subject to annual review, you should visit the webpage below to confirm the current fee
- A licensed well driller is required to undertake all work on any well/bore
- Work on all wells/bores is to be undertaken in accordance with the *General specification for well drilling operations affecting water in South Australia*.

Further information may be obtained by visiting <https://www.environment.sa.gov.au/licences-and-permits/water-licence-and-permit-forms>. Alternatively, you may contact the Department for Environment and Water on (08) 8735 1134 or email DEWwaterlicensing@sa.gov.au.



Product
Date/Time
Customer Reference
Order ID

Check Search
23/10/2024 04:02PM
F4525
20241023009142

Certificate of Title

Title Reference: CT 5082/611
Status: CURRENT
Edition: 9

Dealings

No Unregistered Dealings and no Dealings completed in the last 90 days for this title

Priority Notices

NIL

Registrar-General's Notes

No Registrar-General's Notes exist for this title



Product
Date/Time
Customer Reference
Order ID

Historical Search
23/10/2024 04:02PM
F4525
20241023009142

Certificate of Title

Title Reference: CT 5082/611
Status: CURRENT
Parent Title(s): CT 4369/240
Dealing(s) Creating Title: CONVERTED TITLE
Title Issued: 10/08/1992
Edition: 9

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
28/09/2012	23/10/2012	11827615	MORTGAGE	REGISTERED	WESTPAC BANKING CORPORATION
28/09/2012	23/10/2012	11827614	TRANSFER	REGISTERED	DYLAN THOMAS JONES, AMIE NICOLE JONES
28/09/2012	23/10/2012	11827613	DISCHARGE OF MORTGAGE	REGISTERED	10970615
02/06/2008	14/06/2008	10970615	MORTGAGE	REGISTERED	COMMONWEALTH BANK OF AUSTRALIA
02/06/2008	14/06/2008	10970614	TRANSFER	REGISTERED	JULIAN MANCINI ROEGER, ANNIE ELIZA MCCLURE
02/06/2008	14/06/2008	10970613	DISCHARGE OF MORTGAGE	REGISTERED	10481055
15/06/2006	27/06/2006	10481055	MORTGAGE	REGISTERED	COMMONWEALTH BANK OF AUSTRALIA
15/06/2006	27/06/2006	10481053	DISCHARGE OF MORTGAGE	REGISTERED	9297133
15/03/2002	27/03/2002	9297133	MORTGAGE	REGISTERED	PERPETUAL TRUSTEE CO. LTD.
15/03/2002	27/03/2002	9297132	TRANSFER	REGISTERED	DIANNE JOAN MINUZZO, ANDREW PAUL MINUZZO
15/03/2002	27/03/2002	9297131	DISCHARGE OF MORTGAGE	REGISTERED	8832879
07/02/2000	24/02/2000	8832879	MORTGAGE	REGISTERED	NATIONAL AUSTRALIA BANK LTD.
07/02/2000	24/02/2000	8832878	TRANSFER	REGISTERED	CELESTE BELINDA SOULSBY, SHANE ANDREW SOULSBY
12/07/1996	26/07/1996	8144320	DISCHARGE OF MORTGAGE	REGISTERED	7745053
29/06/1994	16/09/1994	7745053	MORTGAGE	REGISTERED	STATE BANK OF SOUTH



Product

Date/Time

Customer Reference

Order ID

Historical Search

23/10/2024 04:02PM

F4525

20241023009142

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
				D	AUSTRALIA
23/06/1992	13/08/1992	7318550	TRANSFER	REGISTERED	JOHN CHRISTOPHER BROWN
03/12/1990	25/01/1991	7023105	ENCUMBRANCE	REGISTERED	



Certificate of Title

Title Reference

CT 5082/611

Status

CURRENT

Easement

NO

Owner Number

15961074

Address for Notices

7 CARDHU PL GREENWITH 5125

Area

564m² (CALCULATED)

Estate Type

Fee Simple

Registered Proprietor

DYLAN THOMAS JONES
AMIE NICOLE JONES
OF 7 CARDHU PLACE GREENWITH SA 5125
AS JOINT TENANTS

Description of Land

ALLOTMENT 78 DEPOSITED PLAN 29414
IN THE AREA NAMED GREENWITH
HUNDRED OF YATALA

Last Sale Details

Dealing Reference

TRANSFER (T) 11827614

Dealing Date

28/09/2012

Sale Price

\$381,000

Sale Type

TRANSFER FOR FULL MONETARY CONSIDERATION

Constraints

Encumbrances

Dealing Type	Dealing Number	Beneficiary
ENCUMBRANCE	7023105	SOUTH AUSTRALIAN URBAN PROJECTS AUTHORITY
MORTGAGE	11827615	WESTPAC BANKING CORPORATION

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
2841800001	CURRENT	7 CARDHU PLACE, GREENWITH, SA 5125



Product
Date/Time
Customer Reference
Order ID

Title and Valuation Package
23/10/2024 04:02PM
F4525
20241023009142

Notations

Dealings Affecting Title

NIL

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

Valuation Record

Valuation Number	2841800001
Type	Site & Capital Value
Date of Valuation	01/01/2024
Status	CURRENT
Operative From	01/07/1991
Property Location	7 CARDHU PLACE, GREENWITH, SA 5125
Local Government	TEA TREE GULLY
Owner Names	DYLAN THOMAS JONES AMIE NICOLE JONES
Owner Number	15961074
Address for Notices	7 CARDHU PL GREENWITH 5125
Zone / Subzone	GN - General Neighbourhood
Water Available	Yes
Sewer Available	Yes
Land Use	1100 - House
Description	6H DG
Local Government Description	Residential

Parcels

Plan/Parcel	Title Reference(s)
D29414 ALLOTMENT 78	CT 5082/611

Values



Product
Date/Time
Customer Reference
Order ID

Title and Valuation Package
23/10/2024 04:02PM
F4525
20241023009142

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$390,000	\$600,000			
Previous	\$365,000	\$550,000			

Building Details

Valuation Number	2841800001
Building Style	Bay Window Villa
Year Built	1993
Building Condition	Very Good
Wall Construction	Brick
Roof Construction	Galvanised Iron
Equivalent Main Area	160 sqm
Number of Main Rooms	6

Note – this information is not guaranteed by the Government of South Australia



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5082/611)
23/10/2024 04:02PM
F4525
20241023009142

REAL PROPERTY ACT, 1886



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5082 Folio 611

Parent Title(s) CT 4369/240
Creating Dealing(s) CONVERTED TITLE
Title Issued 10/08/1992 Edition 9 Edition Issued 23/10/2012

Estate Type

FEE SIMPLE

Registered Proprietor

DYLAN THOMAS JONES
AMIE NICOLE JONES
OF 7 CARDHU PLACE GREENWITH SA 5125
AS JOINT TENANTS

Description of Land

ALLOTMENT 78 DEPOSITED PLAN 29414
IN THE AREA NAMED GREENWITH
HUNDRED OF YATALA

Easements

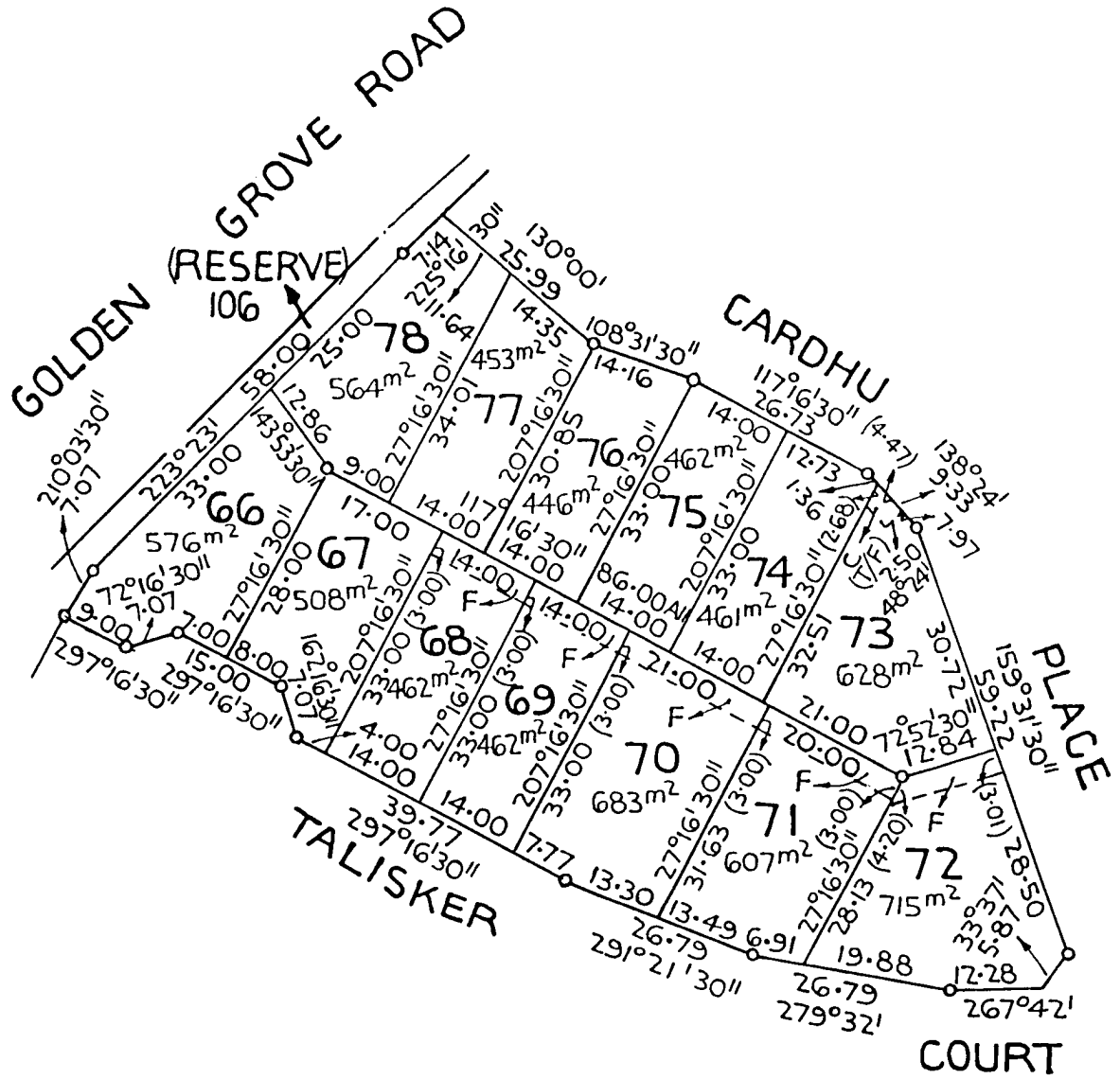
NIL

Schedule of Dealings

Dealing Number	Description
7023105	ENCUMBRANCE TO SOUTH AUSTRALIAN URBAN PROJECTS AUTHORITY (SINGLE COPY ONLY)
11827615	MORTGAGE TO WESTPAC BANKING CORPORATION

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL





ABN 19 040 349 865
Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

This form is a statement of land tax payable pursuant to Section 23 of the Land Tax Act 1936. The details shown are current as at the date of issue.

PIR Reference No: 2617617

DATE OF ISSUE

24/10/2024

THE TRUSTEE FOR IMPEX GLOBAL TRUST
1026 SOUTH ROAD
EDWARDSTOWN SA 5039

ENQUIRIES:

Tel: (08) 8226 3750
Email: landtax@sa.gov.au

OWNERSHIP NAME

D T & A N JONES

FINANCIAL YEAR

2024-2025

PROPERTY DESCRIPTION

7 CARDHU PL / GREENWITH SA 5125 / LT 78

ASSESSMENT NUMBER

2841800001

TITLE REF.

(A "+" indicates multiple titles)

CT 5082/611

TAXABLE SITE VALUE

\$390,000.00

AREA

0.0564 HA

DETAILS OF THE LAND TAX PAYABLE FOR THE ABOVE PARCEL OF LAND:

CURRENT TAX	\$	0.00	SINGLE HOLDING	\$	0.00
- DEDUCTIONS	\$	0.00			
+ ARREARS	\$	0.00			
- PAYMENTS	\$	0.00			
= <u>AMOUNT PAYABLE</u>	\$	0.00			

Please Note:

If the Current Tax details above indicate a Nil amount, the property may be subject to an Exemption. This exemption should be validated prior to settlement. In order to ensure indemnity for the purchaser of this land, full payment of the amount payable is required:

ON OR BEFORE

22/01/2025



Government of
South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

Please Note:

Please check that the property details shown on this Certificate are correct for the land being sold.

This Certificate is only valid for the financial year shown.

If the change of ownership will occur in the following financial year, you must obtain another Certificate after 30 June.

Payment should be made as part of the settlement process.

The amount payable on this Certificate must be paid in full even if only a portion of the subject land is being sold. RevenueSA cannot apportion the land tax.

If the amount payable is not paid in full on or before the due date shown on this Certificate, the purchaser will not be released from liability of the whole amount of the land tax outstanding as at the date of settlement.

The owner of the land as at midnight on 30 June immediately before the financial year of this Certificate will remain liable for any additional land tax accrued before the date of this Certificate, even if the amount payable on this Certificate has been paid.

The amount payable on this Certificate is the land tax payable at the date of issue. However, land tax for a particular financial year may be reassessed at any time, changing the amount payable.

Should a reassessment occur after this Certificate has been paid in full, the purchaser will remain indemnified and will not be responsible for payment of the new land tax payable amount. The owner at the beginning of the relevant financial year will be responsible for payment of any additional land tax payable.

Should a reassessment occur after this Certificate has been issued but not paid in full, the purchaser will not be indemnified and may become responsible for payment of the new land tax payable amount.

Should a reassessment occur after this Certificate has been paid in full and the Certificate is subsequently updated, the purchaser will not be indemnified and may become responsible for payment of the new land tax payable amount.

Provision of this Certificate does not relieve the land owner of their responsibility to pay their Notice of Land Tax Assessment by the due date.

For more information:

Visit: www.revenuesa.sa.gov.au
Email: revsupport@sa.gov.au
Phone: (08) 8226 3750

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at:

OR

By Post to:

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001



ABN 19 040 349 865
Emergency Services Funding Act 1998

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

The details shown are current as at the date of issue.

PIR Reference No: 2617617

THE TRUSTEE FOR IMPEX GLOBAL TRUST
1026 SOUTH ROAD
EDWARDSTOWN SA 5039

DATE OF ISSUE

24/10/2024

ENQUIRIES:
Tel: (08) 8226 3750
Email: revsaesl@sa.gov.au

OWNERSHIP NUMBER		OWNERSHIP NAME		
15961074		D T & A N JONES		
PROPERTY DESCRIPTION				
7 CARDHU PL / GREENWITH SA 5125 / LT 78				
ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	CAPITAL VALUE	AREA / FACTOR	LAND USE / FACTOR
			R4	RE
2841800001	CT 5082/611	\$600,000.00	1.000	0.400
LEVY DETAILS:				
		FIXED CHARGE	\$	50.00
		+ VARIABLE CHARGE	\$	226.05
FINANCIAL YEAR		- REMISSION	\$	139.20
2024-2025		- CONCESSION	\$	0.00
		+ ARREARS / - PAYMENTS	\$	-136.85
		= <u>AMOUNT PAYABLE</u>	\$	0.00

Please Note: If a concession amount is shown, the validity of the concession should be checked prior to payment of any outstanding levy amount. The expiry date displayed on this Certificate is the last day an update of this Certificate will be issued free of charge. **It is not the due date for payment.**

EXPIRY DATE 22/01/2025

See overleaf for further information



Government of
South Australia

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Emergency Services Funding Act 1998

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

Please Note:

Please check that the property details shown on this Certificate are correct for the land being sold.

The amount payable on this Certificate is accurate as at the date of issue.

This Certificate is only valid for the financial year shown.

If the change of ownership will occur in the following financial year, you must obtain another Certificate after 30 June.

Payment should be made as part of the settlement process.

The amount payable on this Certificate must be paid in full even if only a portion of the subject land is being sold. RevenueSA cannot apportion the ESL.

If the amount payable is not paid in full, the purchaser may become liable for all of the outstanding ESL as at the date of settlement.

The owner of the land as at 12:01am on 1 July in the financial year of this Certificate will remain liable for any additional ESL accrued before the date of this Certificate, even if the amount payable on this Certificate has been paid.

Provision of this Certificate does not relieve the land owner of their responsibility to pay their Notice of ESL Assessment by the due date.

If the owner of the subject land is receiving an ESL pensioner concession but was not living in the property as their principal place of residence as at 12:01am on 1 July of the current financial year, or is now deceased, you must contact RevenueSA prior to settlement.

For more information:

Visit: www.revenuesa.sa.gov.au
Email: revsupport@sa.gov.au
Phone: (08) 8226 3750

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at:

OR

By Post to:

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001



Account Number	L.T.O Reference	Date of issue	Agent No.	Receipt No.
28 41800 00 1	CT5082611	24/10/2024	8036	2617617

CONATUR LEGAL
1026 SOUTH ROAD
EDWARDSTOWN SA 5039
info@conatur.com.au

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: D T & A N JONES
Location: 7 CARDHU PL GREENWITH LT 78
Description: 6H DG Capital Value: \$ 600 000
Rating: Residential

Periodic charges

Raised in current years to 31/12/2024

			\$
	Arrears as at: 30/6/2024	:	65.52
Water main available:	1/10/1991	Water rates	: 157.20
Sewer main available:	1/10/1991	Sewer rates	: 186.60
		Water use	: 305.11
		SA Govt concession	: 0.00
		Recycled Water Use	: 0.00
		Service Rent	: 0.00
		Recycled Service Rent	: 0.00
		Other charges	: 0.00
		Goods and Services Tax	: 0.00
		Amount paid	: 461.52CR
		Balance outstanding	: 252.91

Degree of concession: 00.00%
Recovery action taken: ACCOUNT SENT

Next quarterly charges: Water supply: 78.60 Sewer: 93.30 Bill: 1/1/2025

This Account is billed four times yearly for water use charges.

The last Water Use Year ended on 07/06/2024.

Please note: If you have also ordered a Special Meter Reading for this property and it comes back as estimated, please ensure you provide a photo of the meter including serial number to have the certificate reissued.

SA Water has no record of an Encumbrance on this property as at the date of issue of this certificate.



If your property was constructed before 1929, it's recommended you request a property interest report and internal 'as constructed' sanitary drainage drawing to understand any specific requirements relating to the existing arrangements.

As constructed sanitary drainage drawings can be found at <https://maps.sa.gov.au/drainageplans/>



South Australian Water Corporation

Name:
D T & A N JONES

Water & Sewer Account
Acct. No.: 28 41800 00 1

Amount: _____

Address:
7 CARDHU PL GREENWITH LT 78

Payment Options

EFT

EFT Payment

Bank account name: SA Water Collection Account
BSB number: 065000
Bank account number: 10622859
Payment reference: 2841800001



Bill code: 8888
Ref: 2841800001

Telephone and Internet Banking — BPAY®

Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More information at bpay.com.au



Paying online

Pay online at www.sawater.com.au/paynow for a range of options. Have your account number and credit card details to hand.



Paying by phone

Call 1300 650 870 and pay by phone using your Visa/Mastercard 24/7.

SA Water account number: 2841800001



Government of
South Australia

South Australian Water Corporation
250 Victoria Square/Tarntanyangga
Adelaide SA 5000
GPO Box 1751 Adelaide SA 5001

1300 SA WATER
(1300 729 283)
ABN 69 336 525 019
sawater.com.au

PREFIX

E

No.

7023105



SINGLE COPY ONLY

2

SERIES No.

TO BE COMPLETED BY AGENT

NOTES

1. All panels to be completed. If insufficient space use Annexure Form B1. The panel should then only contain the words "See Annexure A" (or as the case may be) attached.
2. State whether the whole or portion only of the land comprised in the Certificate of Title. (If portion only, describe precisely).
3. Insert "estate in fee simple", estate as Crown Lessee. (As the case may be).
4. List encumbrances which effect the estate being mortgaged only.
5. If address and/or occupation has changed, identify as "formerly".
6. If tenants in common in unequal shares, then specify.
7. If an executing party is a natural person, execution should read "SIGNED by the encumbrancer in the presence of". The witness must be a disinterested person. If an executing party is a body corporate, execution must conform to any prescribed formalities relating to the affixing of the common seal.
8. The short form of proof is applicable where the witness is an authorised functionary.
9. The long form of proof is applicable where the witness is not an authorised functionary. The address and occupation of the witness must be stated.

REGISTRAR-GENERAL'S OFFICE

SOUTH AUSTRALIA

MEMORANDUM OF ENCUMBRANCE

FORM APPROVED BY THE REGISTRAR-GENERAL

CERTIFIED CORRECT FOR THE PURPOSES OF THE REAL PROPERTY ACT, 1886

(SIGNED)

E.P. Warburton — Licensed Land Broker

DELFIN REALTY PTY. LTD.

3 DEC 1990	TIME	11.25
FEES		\$
R.G.O.		44.
POSTAGE		
ADVERTISING		
NEW C.T. TO ISSUE		

OFFICE NOTES:

03DEC1990 010060552L.T.O.

44.00

BELOW THIS LINE FOR OFFICE USE ONLY

EXAMINATION

CORRECTION		PASSED
O.D.R. No.		EXAMINER TO INITIAL
REFERRED	RETURNED	

BELOW THIS LINE FOR AGENT USE ONLY

Lodged by: DELFIN REALTY PTY. LTD. DRPL
Address: 155 Brebner Drive
West Lakes 5021

Correction to DELFIN REALTY PTY. LTD. DRPL

TITLES, CROWN LEASES, DECLARATIONS ETC. LODGED WITH THIS INSTRUMENT (TO BE FILLED IN BY PERSON LODGING)

1..... } Received
2..... } items
3..... } No.
4..... }
5..... } Assessor

REGISTERED ON 29.1.1991 AT 1500
BY ENTRY OF A MEMORIAL OF THIS INSTRUMENT IN THE
REGISTER BOOK. VOL. 4369 FOLIO 240

DE Schuyt pro



ITEM(S) DELIVERED—POSTED

IN ACCORDANCE WITH DELIVERY INSTRUCTIONS

DELIVERY INSTRUCTIONS:

PLEASE DELIVER THE FOLLOWING ITEM(S)
TO THE UNDERMENTIONED AGENT(S)

ITEM	AGENT/RGO BOX No.	DELIVERY DATE	*POSTAGE DATE	INITIALS	ITEM: CT/CL REF.	AGENTS NAME	AGENT/RGO BOX No.	POSTAL ADDRESS*
1								
2								
3								
4								
5								

*FILL OUT POSTAGE DATE ONLY IF ITEMS ARE RETURNED BY CERTIFIED MAIL

IV—MCMLXXXIX

*FILL OUT POSTAL ADDRESS ONLY IF ITEMS ARE TO BE RETURNED BY CERTIFIED MAIL

AGENTS INITIALS

COVENANTS, cont.

becoming aware that the said land has been advertised (and a certificate under the hand of a manager or secretary or other senior officer of the Trust shall be conclusive evidence of such date) with settlement to be effected within two calendar months of the exercise of the option.

AND the encumbrancer acknowledges for himself and his successors in title that the foregoing covenants are entered into and undertaken for the purposes of the Trust's scheme of development for the lands comprised in the Development Zone and that the Trust has declared and undertaken that it has required and will require from each purchaser of the lands comprised in the Development Zone as a condition of its sale of those lands a Memorandum of Encumbrance in the same or substantially similar form to this instrument and containing the same or substantially similar covenants and other stipulations.

PROVIDED ALWAYS THAT

1. The Trust may from time to time in its absolute discretion modify waive or release any of the covenants and other stipulations herein contained or implied.

2. The Trust may from time to time in its absolute discretion modify waive or release any of the covenants and other stipulations expressed or implied in any Memorandum of Encumbrance or other instrument whatsoever relating to any other land in the Development Zone and whether the same were entered into or imposed before or at the same time as or after the date hereof and no such modification or waiver or release shall release the encumbrancer or his successors in title from the covenants and other stipulations herein contained and implied.

In this instrument:

- (1) Unless repugnant to the context words importing any particular gender shall include all other genders and words importing the singular number shall include the plural and vice versa;
- (2) The expression "the encumbrancer" includes the registered proprietor for the time being of the said land;
- (3) If there shall be more than one person responsible hereunder as the encumbrancer or as a successor in title to the encumbrancer, the liability of all such persons shall be both joint and several.

AND subject as aforesaid the Trust shall be entitled to all the powers rights and remedies given to encumbrancees by the Real Property Act 1886, as amended.

DATED the 27th day of November 1990.

SIGNED by the said encumbrancer in the presence of:


J. E. BROWN


J. P.

EXECUTION AND
ATTESTATION
(See Note 7)

SHORT FORM OF
PROOF
(See Note 8)

Appeared before me at Bot. Lincoln the 25th day of November 1990, the encumbrancer within described the party executing the within instrument being a person well known to me and did freely and voluntarily sign the same.

(SIGNED)  J. P.

Appeared before me at _____ the _____ day of _____ 19____

(hereinafter referred to as "the witness"), a person known to me and of good repute, attesting witness to this instrument and acknowledged his signature to the same; and did further declare that the encumbrancer, the party executing the same, was personally known to the witness, that the signature to the said instrument is in the handwriting of the encumbrancer, and that the encumbrancer did freely and voluntarily sign the same, in the presence of the witness and was at that time of sound mind.

(SIGNED)

LONG FORM OF
PROOF
(See Note 9)

COVENANTS cont.

3. (1) That no building or structure (including a fence or wall of any nature whatsoever) will be erected or made on in or over the said land or any part thereof unless sketch plans and a schedule of materials sufficient to outline the building or structure have received the prior written approval of the Trust.

(2) That no siteworks (including fencing any excavation filling or retaining walls) will be erected made or carried out on or about the said land or any part thereof unless sketch plans sufficient to outline the works have received the prior written approval of the Trust.

(3) That no external sign or hoarding or any tank or any clothes line or letter box or mast or pole of any description or television antenna or radio aerial will be erected or made on or over the said land or any part thereof on or outside any building or structure on the said land or on any part thereof without the prior written approval of the Trust.

(4) That no external flood lights or spotlights or any lights illuminating any pool or tennis court or other similar enclosure will be erected on the said land or any part thereof without the prior written approval of the Trust.

PROVIDED THAT the Trust will not unreasonably or capriciously refuse or withhold any such approval but a refusal shall not be or be deemed unreasonable or capricious if a registered architect shall have certified that the proposed works do not conform with the general standards of design and planning of the development of other lands within the Development Zone or that the proposed works are undesirable by reason of the effect they would have upon the development, appearance, health or amenity of the neighbourhood or any part of it.

4. That no undue delay will be permitted by the encumbrancer to occur in the commencement or in the completion of any work approved by the Trust and no variation to such work as approved will be permitted other than in accordance with the terms of any subsequent written approval of the Trust given before such variation was commenced.

5. That the said land will not be divided.

6. If the construction of a dwelling approved by the Trust in accordance with Clause 3 (1) hereof is not commenced within **eighteen** calendar months from the date hereof or such further time as the Trust may advise the encumbrancer, the encumbrancer will, at the request of the Trust, made within two calendar months of the expiration of the said **eighteen** calendar months (or the said further time as the case may be) transfer to the Trust or its nominee twenty eight days after the date of such request (which is hereinafter referred to as "the date of transfer") an estate in fee simple in the said land subject only to this encumbrance for such price (not being less than \$31,350.00) as the Trust may in its sole discretion determine and will execute a Memorandum of Transfer of the said land submitted to the encumbrancer by the Trust in a form registerable under the Real Property Act 1886 as amended and return the same to the Trust on or prior to the date of transfer together with the duplicate Certificate of Title for the said land. Rates and taxes and all other outgoings in respect of the said land will be adjusted to the date of transfer and all costs associated with the said Memorandum of Transfer shall be borne by the Trust or its nominee. The said consideration shall be payable to the encumbrancer on delivery to the Trust of the said Memorandum of Transfer and duplicate Certificate of Title for the said land.

7. (a) The encumbrancer shall not lease or transfer the said land before the expiration of twenty (20) years from the date hereof unless a dwelling approved by the Trust in accordance with Clause 3 (1) hereof has been completed upon the said land PROVIDED THAT if such a dwelling has not been so completed and the encumbrancer shall desire to transfer the said land the Trust shall have the option of re-purchasing the said land subject only to this encumbrance for the price stated in clause 6 hereof.

(b) In such case the encumbrancer shall make an offer in writing addressed to the Trust to sell the said land to the Trust or its nominee for the abovementioned price and such offer will remain open for acceptance for one calendar month after the date of service of the offer.

(c) If the offer is accepted the encumbrancer shall sell the said land to the Trust or its nominee upon the terms in this clause mentioned and settlement will be effected and the purchase price paid in full within one calendar month from the date of acceptance in exchange for a proper registerable transfer of the said land (subject only to this encumbrance) and delivery of the duplicate Certificate of Title. Rates and taxes and all other outgoings in respect of the said land will be adjusted to the date of settlement and all costs associated with the transfer will be borne by the Trust or its nominee.

(d) The offer shall be served on the Trust by being left at or posted in a prepaid envelope addressed to the Trust at its registered office in South Australia.

(e) Until the expiration of the said period of one month from the date of service of the offer the encumbrancer shall not be at liberty to transfer or agree to transfer the said land otherwise than in accordance with this option unless in the meantime the Trust shall in writing unconditionally decline such offer.

(f) This clause shall not apply in the case of a transfer of the said land from the executor of the will or the administrator of the estate of the encumbrancer to a person entitled to the said land under the will or upon the intestacy of the encumbrancer.

(g) If the encumbrancer shall advertise or cause or permit the said land to be advertised for sale before a dwelling approved by the Trust in accordance with Clause 3 (1) hereof has been completed upon the said land or the Trust has declined an offer to purchase the said land pursuant to sub-clause (c) hereof the Trust shall have the option to purchase the said land at the price referred to in Clause 6 hereof on the same terms and conditions as set out in this Clause, such option to be exercised by notice in writing to be forwarded to the encumbrancer as its last known address within one month of the Trust

MEMORANDUM OF ENCUMBRANCE

DESCRIPTION OF
LAND
(See Note 2)

The whole of the land comprised in Certificate of Title Register Book
VOLUME 4369 FOLIO 240

ESTATE AND INTEREST
(See Note 3)

Estate in fee simple

ENCUMBRANCES
(See Note 4)

Nil

ENCUMBRANCER
(Full name, address
and occupation)
(See Note 5)

JEAN ELEANOR BROWN of 21 Breton Place Port Lincoln 5606 Hospital Scientist

(hereinafter called "the encumbrancer").

ENCUMBRANCEE
(Full name, address
and occupation)
(See Note 6)

SOUTH AUSTRALIAN URBAN LAND TRUST of 55 Gawler Place, Adelaide 5000 in the said State (hereinafter called "the Trust" which expression includes its successors and assigns)

IN CONSIDERATION of the transfer of the said land to the encumbrancer by the Trust ~~or FOR VALUABLE CONSIDERATION~~
~~hereby acknowledges to have been received by the encumbrancer from the Trust~~ AND DESIRING TO render the said land
available for the purposes of securing to the Trust the rent charge hereinafter mentioned and the performance and
observance of the covenants on the part of the encumbrancer hereinafter contained the encumbrancer DOES HEREBY
ENCUMBER the said land with the payment to the Trust of the annual sum or yearly rent charge of TEN CENTS (10¢) payable
(if demanded by the Trust) on the 1st day of January in each and every year commencing on the 1st day of January next after
the execution hereof to the intent that the Trust shall hold the said rent charge in fee simple AND with the performance and
observance of the covenants on the part of the encumbrancer hereinafter contained PROVIDED THAT the Trust shall not
demand payment of the said rent charge if and so long as the encumbrancer and his successors in title shall duly perform and
observe all the covenants and other stipulations hereinafter contained (and the burden of proving such performance and
observance shall lie upon the encumbrancer), but none of the foregoing provisions for or in respect of payment of the said
annuity or rent charge shall in any way affect or prejudice the rights of the Trust or any other person claiming under the Trust as
purchaser of any part or parts of the Development Zone to an injunction to prevent or restrain any breach of the covenants and
other stipulations hereinafter contained or to damages for any such breach.

The encumbrancer for himself and his successors in title HEREBY COVENANTS with the Trust as proprietor of and with all
other persons claiming under the Trust as purchasers of any part or parts of the Development Zone more particularly
delineated in the plan deposited in the General Registry Office numbered ~~218~~ 340 of 1990 (hereinafter called the
Development Zone) and therein margined red (to the intent that the benefit of such covenants shall be annexed to and
devolve with each and every part of the Development Zone other than the land hereby encumbered) as follows:—

1. That the said land will not be used for any purpose nor will any part of the said land be used for any purpose unless such
use shall be a use contemplated by the planning regulations from time to time in force affecting the said land as being
permitted (either unconditionally or subject to consent of the local Council) in an area zoned as a residential zone.
2. That notwithstanding the provisions of clause 1 hereof the said land will not be used for any purpose nor will any part of
the said land be used for any purpose unless such use shall be permitted and lawful under and in accordance with the
planning regulations from time to time in force and under and in accordance with the conditions of any consent given for or in
respect of such by any Council or other authority under such regulations.