

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:

Ryan Scott Madden

Address:

116B Portrush Road Payneham South SA 5070

4

Vendor's registered agent:

BHEN & CO Real Estate

Address:

Shop 3, 83-87 Goodwood Road Goodwood SA 5034

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]*

Lot 704 primary community plan 22823 in the area named Payneham South hundred of Adelaide being improved land situated at 116B Portrush Road Payneham South SA 5070 Volume 5941 Folio 199 in the City of Norwood Payneham

## 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:

116B Portrush Rd Payneham South SA 5070

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

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

brad@bhenandco.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:

Shop 3, 83-87 Goodwood Road Goodwood SA 5034

(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; and
- (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; and
- (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:

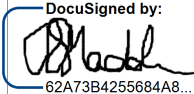
~~\*I/We,~~ Ryan Scott Madden

of 116B Portrush Rd Payneham South SA 5070

being the \*vendor(s) / ~~person authorised to act on behalf of 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: 24-Oct-22

Signed: DocuSigned by:

  
62A73B4255684A8...

Date:

Signed:

Date:

Signed:

Date:

Signed:

**Part D - Certificate with respect to prescribed inquiries by registered agent**

(section 9)



To the purchaser:

I, Karen Sue Bowers T/A First Paige Form 1

certify \*that the responses / ~~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: None known

Date: 21-Oct-22

Signed: DocuSigned by:

  
506474092A6B4D0...

~~\*Vendor's / Purchaser's agent~~

\*Person authorised to act on behalf of \*Vendor's / ~~Purchaser'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 1 of the following items in the table:
    - (A) under the heading 1. General -
      - 1.1 Mortgage of land
      - 1.4 Lease, agreement for lease, tenancy agreement or licence
      - 1.5 Caveat
      - 1.6 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 |
|--|----------|----------|
| <p>[If an item is applicable, ensure that the box for the item is ticked and complete the item.]</p> <p>[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.</p> <p>Alternatively, the item and any inapplicable heading may be omitted, but not in the case of-</p> <p>(a) the heading "1. General" and items 1.1, 1.2, 1.3 and 1.4; and</p> <p>(b) the heading "5. Development Act 1993 (repealed)" and item 5.1; and</p> <p>(c) the heading "6. Repealed Act conditions" and item 6.1; and</p> <p>(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.]</p> <p>[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 <b>bold type</b> must be set out in column 3 and all other particulars must be set out in column 2.]</p> <p>[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.]</p> <p>[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.]</p> |          |          |

1. General

|     |                  |   |  |
|-----|------------------|---|--|
| 1.1 | Mortgage of land | <div><div>Is this item applicable?</div><div>Will this be discharged or satisfied prior to or at settlement?</div><div>Are there attachments?</div><div>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</div><div></div><div>Number of mortgage (if registered):</div><div>12092894</div><div></div><div>Name of mortgagee:</div><div>Westpac Banking Corporation</div><div></div></div> | <div><div><input checked="" type="checkbox"/></div><div>YES</div><div>NO</div></div> |
|-----|------------------|---|--|

**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. This 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?****Are there attachments?***If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):*

Refer to page 12 of the Property Interest Report attached

Description of land subject to easement:

Lot 704 primary community plan 22823 in the area named Payneham South hundred of Adelaide being improved land situated at 116B Portrush Road Payneham South SA 5070 Volume 5941 Folio 199 in the City of Norwood Payneham

Nature of easement:

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

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?

If YES, give details:

**1.3 Restrictive covenant***[Note - Do not omit this item. This 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?****Are there attachments?***If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):*

Nature of restrictive covenant:

Name of person in whose favour restrictive covenant operates:

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

If NO, give details:

Does the restrictive covenant affect land other than that being acquired?



NO

YES



14 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.)

[Note - Do not omit this item. This 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?

Are there attachments?

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

Name of parties:

Period of lease, agreement for lease etc:

From

to

Amount of rent or licence fee:

\$

per

(period)

Is the lease, agreement for lease etc in writing?

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):



5. Development Act 1993 (repealed)

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

[Note - Do not omit this item. This 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?  
Are there attachments?

☒

NO

YES

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

Refer to pages 2 and 11 to 16 inclusive of the council search attached

Condition(s) of authorisation:

Application Number: 155/0233/04 - Alterations to 2 single storey detached dwellings and construction of two (2) two

Application Number: 155/00036/04 - 4 new two storey dwellings and alterations to 2 existing dwellings - Stage 2. Roof Construction

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)

[Note - Do not omit this item. This 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?

Are there attachments?

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

Nature of condition(s):

7. Emergency Services Funding Act 1998

7.1 section 16 - Notice to pay levy

Is this item applicable?

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

Are there attachments?

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

Emergency Services Levy Certificate

Date of notice:

19/10/2022

Amount of levy payable:

\$347.00 pa - \$325.19 outstanding

☒

YES

YES

19. Land Tax Act 1936

19.1 Notice, order or demand for payment of land tax

Is this item applicable?

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

Are there attachments?

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

Land Tax Certificate

Date of notice, order or demand:

19/10/2022

Amount payable (as stated in the notice):

\$ 522.51

☒

YES

YES

20. Local Government Act 1934 (repealed)

20.1 Notice, order, declaration, charge, claim or demand given or made under the Act

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

~~Date of notice, order etc:~~

~~Name of council by which, or person by whom, notice, order etc is given or made:~~

~~Land subject thereto:~~

~~Nature of requirements contained in notice, order etc:~~

~~Time for carrying out requirements:~~

~~Amount payable (if any):~~

☐

## 21. Local Government Act 1999

21.1 Notice, order, declaration, charge, claim or demand given or made under the Act

*Is this item applicable?*

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

*Are there attachments?*

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

Council Search

Date of notice, order etc:

19/10/2022

Name of council by which, or person by whom, notice, order etc is given or made:

City of Norwood Payneham & St Peters

Land subject thereto:

Refer to Part 6. Description of the Land (as above)

Nature of requirements contained in notice, order etc:

Balance now due and payable

Time for carrying out requirements:

Refer to the council search attached

Amount payable (if any):

\$ 990.00



YES

YES

## 22. Local Nuisance and Litter Control Act 2016

22.1 section 30 - Nuisance or litter abatement notice

*Is this item applicable?*

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

*Are there attachments?*

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

Date of notice:

Notice issued by:

Nature of requirements contained in notice:

Time for carrying out requirements:



### 23. Metropolitan Adelaide Road Widening Plan Act 1972

### 23.1 section 6- Restriction on building work

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

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Does the restriction apply to all of the land?

If NO, give details about the part of the land to which the restriction applies:

| Year | Total Workforce (Millions) | Nonfarm Sector Workforce (Millions) |
|------|----------------------------|-------------------------------------|
| 1990 | 100                        | 85                                  |
| 1995 | 110                        | 95                                  |
| 2000 | 120                        | 105                                 |
| 2005 | 130                        | 115                                 |
| 2010 | 140                        | 125                                 |

29. Planning, Development and Infrastructure Act 2016

|      |  |   |   |
|------|--|---|---|
| 29.1 | <div>Part 5 - Planning and Design Code</div> <div><i>[Note - Do not omit this item. The item and its heading must be included in the attachment even if not applicable.]</i></div> | <div>Is this item applicable?</div> <div>Will this be discharged or satisfied prior to or at settlement?</div> <div>Are there attachments?</div> <div>If YES, identify the attachment(s)<br/>(and, if applicable, the part(s) containing the particulars):</div> <div>Council Search and Property Interest Report</div> <div>Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code):</div> <div>Zones: General Neighbourhood (GN)<br/>Subzones: No<br/>Zoning overlays: refer to pages 9 and 10 of the council search attached</div>  | <div><input checked="" type="checkbox"/></div> <div>NO</div> <div>YES</div> |
|      |  | <div>Is there a State heritage place on the land or is the land situated in a State heritage area?</div> <div>Is the land designated as a local heritage place?</div> <div>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?</div> <div>Is there a current amendment to the Planning and Design Code released for public consultation by a designated entity on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?</div> <div>Note - For further information about the Planning and Design Code visit <a href="http://www.code.plan.sa.gov.au">www.code.plan.sa.gov.au</a>.</div> | <div>NO</div> <div>NO</div> <div>NO</div> <div>YES</div>                    |

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 attachment  
even if not applicable.]

Is this item applicable?

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

Are there attachments?

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:

29.3

section 139 - Notice of  
proposed work and notice may  
require access

Is this item applicable?

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

Are there attachments?

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

Date of notice:

Name of person giving notice of proposed work:

Building work proposed (as stated in the notice):

Other building work as required pursuant to the Act:

29.4 section 140 - Notice requesting access

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

Date of notice:

Name of person requesting access:

Reason for which access is sought (as stated in the notice):

Activity of work to be carried out:

29.5 section 141 - Order to remove or perform work

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

Date of order:

Terms of order:

Building work (if any) required to be carried out:

Amount payable (if any):



29.6

section 142 - Notice to complete development

Is this item applicable?

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

Are there attachments?

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

Date of notice:

Requirements of notice:

Building work (if any) required to be carried out:

Amount payable (if any):

29.7

section 155 - Emergency order

Is this item applicable?

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

Are there attachments?

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

Date of order:

Name of authorised officer who made order:

Name of authority that appointed the authorised officer:

Nature of order:

Amount payable (if any):

**29.8** section 157 - Fire safety notice***Is this item applicable?***☐***Will this be discharged or satisfied prior to or at settlement?***☐***Are there attachments?***☐***If YES, identify the attachment(s)  
(and, if applicable, the part(s) containing the particulars):*****Date of notice:****Name of authority giving notice:****Requirements of notice:****Building work (if any) required to be carried out:****Amount payable (if any):****29.9** section 192 or 193 - Land management agreement***Is this item applicable?***☐***Will this be discharged or satisfied prior to or at settlement?***☐***Are there attachments?***☐***If YES, identify the attachment(s)  
(and, if applicable, the part(s) containing the particulars):*****Date of agreement:****Names of parties:****Terms of agreement:**

**29.10** section 198(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?***

***Are there attachments?***

*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):

☐

**29.11** section 198(2) - Agreement 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?***

***Are there attachments?***

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

Date of agreement:

Names of parties:

Terms of agreement:

Contribution payable (if any):

☐

**29.12** Part 16 Division 1 - Proceedings***Is this item applicable?***☐***Will this be discharged or satisfied prior to or at settlement?***☐***Are there attachments?***☐***If YES, identify the attachment(s)  
(and, if applicable, the part(s) containing the particulars):***

Date of commencement of proceedings:

Date of determination or order (if any):

Terms of determination or order (if any):

**29.13** section 213 - Enforcement notice***Is this item applicable?***☐***Will this be discharged or satisfied prior to or at settlement?***☐***Are there attachments?***☐***If YES, identify the attachment(s)  
(and, if applicable, the part(s) containing the particulars):***

Date notice given:

Name of designated authority giving notice:

Nature of directions contained in notice:

Building work (if any) required to be carried out:

Amount payable (if any):

Is this item applicable?



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

33.1 section 23 - Notice of contribution payable

~~Is this item applicable?~~

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

~~Are there attachments?~~

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

Date of notice:

Terms of notice:

Amount payable:

### 34. Water Industry Act 2012

34.1 Notice or order under the Act requiring payment of charges or other amounts or making other requirement

Is this item applicable?

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

Are there attachments?

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

SA Water Certificate

Date of notice or order:

19/10/2022

Name or person or body who served notice or order:

South Australian Water Corporation

Amount payable (if any) as specified in the notice or order:

\$ 216.38

Nature of other requirement made (if any) as specified in the notice or order:

Balance outstanding

☒

YES

YES

**Particulars relating to community lot (including strata lot) or development lot**

- 1 Name of community corporation: Community Corporation No.22823 Inc.  
Address of community corporation: 116B Portrush Road Payneham South SA 5070
- 2 Application must be made in writing to the community corporation for the particulars and documents referred to in 3 and 4. Application must also be made in writing to the community corporation for the documents referred to in 6 unless those documents are obtained from the Lands Titles Registration Office.
- 3 Particulars supplied by the community corporation or known to the vendor:
- (a) particulars of contributions payable in relation to the lot (including details of arrears of contributions related to the lot):  
Refer to the community statement attached
- (b) particulars of assets and liabilities of the community corporation:  
Refer to the community statement attached
- (c) particulars of expenditure that the community corporation has incurred, or has resolved to incur, and to which the owner of the lot must contribute, or is likely to be required to contribute:  
Refer to the community statement attached
- (d) if the lot is a development lot, particulars of the scheme description relating to the development lot and particulars of the obligations of the owner of the development lot under the development contract:  
Refer to the community statement attached
- (e) if the lot is a community lot, particulars of the lot entitlement of the lot:  
2,600 of 10,000

*[If any of the above particulars have not been supplied by the community corporation by the date of this statement and are not known to the vendor, state "not known" for those particulars.]*

- 4 Documents supplied by the community corporation that are enclosed:
- (a) a copy of the minutes of the general meetings of the community corporation and management committee  
~~\*for the 2 years preceding this statement / since the deposit of the community plan;~~  
(\*Strike out or omit whichever is the greater period)  
NO
- (b) a copy of the statement of accounts of the community corporation last prepared;  
NO
- (c) a copy of current policies of insurance taken out by the community corporation.  
YES

*[For each document indicate (YES or NO) whether or not the document has been supplied by the community corporation by the date of this statement.]*

- 5 If "not known" has been specified for any particulars in 3 or a document referred to in 4 has not been supplied, set out the date of the application made to the community corporation and give details of any other steps taken to obtain the particulars or documents concerned:

A community statement has been completed and is attached

- 6 The following documents are enclosed:

- ~~(a) a copy of the scheme description (if any) and the development contract (if any);~~  
 (b) a copy of the by-laws of the community scheme.

☐

- ~~7 The following additional particulars are known to the vendor or have been supplied by the community corporation:~~

☐

- 8 Further inquiries may be made to the secretary of the community corporation or the appointed community scheme manager.

Name: Self Managed

Address: 116B Portrush Road Payneham South SA 5070

#### Note-

- 1 A community corporation must (on application by or on behalf of a current or prospective owner or other relevant person) provide the particulars and documents referred to in 3(a)-(c) and 4 and must also make available for inspection any information required to establish the current financial position of the corporation, a copy of any contract with a body corporate manager and the register of owners and lot entitlements that the corporation maintains: see sections 139 and 140 of the *Community Titles Act 1996*.
- 2 Copies of the scheme description, the development contract or the by-laws of the community scheme may be obtained from the community corporation or from the Lands Titles Registration Office.
- 3 All owners of a community lot or a development lot are bound by the by-laws of the community scheme. The by-laws regulate the rights and liabilities of owners of lots in relation to their lots and the common property and matters of common concern.
- 4 For a brief description of some of the matters that need to be considered before purchasing a community lot, see Division 3 of this Schedule.



## Schedule-Division 3-Community lots and strata units



### Matters to be considered in purchasing a community lot or strata unit

The property you are buying is on strata or community title. There are **special obligations and restrictions** that go with this kind of title. Make sure you understand these. If unsure, seek legal advice before signing a contract. For example:

#### Governance

You will automatically become a member of the **body corporate**, which includes all owners and has the job of maintaining the common property and enforcing the rules. Decisions, such as the amount you must pay in levies, will be made by vote of the body corporate. You will need to take part in meetings if you wish to have a say. If outvoted, you will have to live with decisions that you might not agree with.

If you are buying into a mixed use development (one that includes commercial as well as residential lots), owners of some types of lots may be in a position to outvote owners of other types of lots. Make sure you fully understand your voting rights, see later.

#### Use of your property

You, and anyone who visits or occupies your property, will be bound by rules in the form of **articles or by-laws**. These can restrict the use of the property, for example, they can deal with keeping pets, car parking, noise, rubbish disposal, short-term letting, upkeep of buildings and so on. Make sure that you have read the articles or by-laws before you decide whether this property will suit you.

Depending on the rules, you might not be permitted to make changes to the exterior of your unit, such as installing a television aerial or an air-conditioner, building a pergola, attaching external blinds etc without the permission of the body corporate. A meeting may be needed before permission can be granted. Permission may be refused.

Note that the articles or by-laws **could change** between now and when you become the owner: the body corporate might vote to change them. Also, if you are buying before the community plan is registered, then any by-laws you have been shown are just a draft.

#### Are you buying a debt?

If there are unpaid contributions owing on this property, you can be made to pay them. You are entitled to **know the financial state of the body corporate** and you should make sure you see its records before deciding whether to buy. As a prospective owner, you can write to the body corporate requiring to see the records, including minutes of meetings, details of assets and liabilities, contributions payable, outstanding or planned expenses and insurance policies. There is a fee. To make a request, write to the secretary or management committee of the body corporate.

#### Expenses

The body corporate can **require you to maintain your property**, even if you do not agree, or can carry out maintenance and bill you for it.

The body corporate can **require you to contribute** to the cost of upkeep of the common property, even if you do not agree. Consider what future maintenance or repairs might be needed on the property in the long term.

#### Guarantee

As an owner, you are a **guarantor** of the liabilities of the body corporate. If it does not pay its debts, you can be called on to do so. Make sure you know what the liabilities are before you decide to buy. Ask the body corporate for copies of the financial records.

#### Contracts

The body corporate can make contracts. For example, it may engage a body corporate manager to do some or all of its work. It may contract with traders for maintenance work. It might engage a caretaker to look after the property. It might make any other kind of contract to buy services or products for the body corporate. Find out **what contracts the body corporate is committed to and the cost**.

The body corporate will have to raise funds from the owners to pay the money due under these contracts. As a guarantor, you could be liable if the body corporate owes money under a contract.

#### Buying off the plan

If you are buying a property that has not been built yet, then you **cannot be certain** what the end product of the development process will be. If you are buying before a community plan has been deposited, then any proposed development contract, scheme description or by-laws you have been shown could change.

#### Mixed use developments—voting rights

You may be buying into a group that is run by several different community corporations. This is common in mixed use developments, for example, where a group of apartments is combined with a hotel or a group of shops. If there is more than one corporation, then you should not expect that all lot owners in the group will have equal voting rights. The corporations may be structured so that, even though there are more apartments than shops in the group, the shop-owners can outvote the apartment owners on some matters. Make enquiries so that you understand how many corporations there are and what voting rights you will have.

#### Further information

The Real Estate Institute of South Australia provides an information service for enquiries about real estate transactions, see [www.reisa.com.au](http://www.reisa.com.au).

A free telephone Strata and Community Advice Service is operated by the Legal Services Commission of South Australia: call 1300 366 424.

Information and a booklet about strata and community titles is available from the Legal Services Commission of South Australia at [www.lsc.sa.gov.au](http://www.lsc.sa.gov.au).

You can also seek advice from a legal practitioner.

ANNEXURES

~~There are no documents annexed hereto~~ / The following documents are annexed hereto -

Form R3 – Buyers Information Notice  
Copy of certificate(s) of title to the land

Property Interest Report  
Council Search  
Emergency Services Levy Certificate  
Land Tax Certificate  
Water Certificate  
Community Statement  
By - Laws  
Community Insurance

(\*Strike out whichever is not applicable)

ACKNOWLEDGEMENT OF RECEIPT OF FORM 1 – VENDOR’S STATEMENT  
(Section 7, *Land and Business (Sale and Conveyancing) Act 1994*)

\*I/~~We~~ the abovenamed Purchaser(s), hereby acknowledge having received this day the Form 1 with the annexures as set out above.

Dated this  Day of  20

Signed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Purchaser(s)

# Form R3

## Buyers information notice

---

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

Land and Business (Sale and Conveyancing) Regulations 2010 regulation 17

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, Consumer and Business Services recommends that you check the website: [www.cbs.sa.gov.au](http://www.cbs.sa.gov.au)

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 eg sheds and fences?
- Does the property have any significant **defects** eg **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 preventive termite treatment program in place? Was the property treated at some stage with persistent organochlorins (now banned) or other **toxic** termiticides?
- Has 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? Is this property on strata or community title? 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** (eg 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.cbs.sa.gov.au](http://www.cbs.sa.gov.au)

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.



**Product**  
**Date/Time**  
**Customer Reference**  
**Order ID**

Register Search (CT 5941/199)  
18/10/2022 04:23PM  
F2721  
20221018009603

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 5941 Folio 199

**Parent Title(s)** CT 5818/734  
**Creating Dealing(s)** ACT 10210629  
**Title Issued** 26/05/2005 **Edition** 8 **Edition Issued** 27/03/2014

## Estate Type

FEE SIMPLE

## Registered Proprietor

RYAN SCOTT MADDEN  
OF 116B PORTRUSH ROAD PAYNEHAM SOUTH SA 5070

## Description of Land

LOT 704 PRIMARY COMMUNITY PLAN 22823  
IN THE AREA NAMED PAYNEHAM SOUTH  
HUNDRED OF ADELAIDE

## Easements

NIL

## Schedule of Dealings

| Dealing Number | Description                             |
|----------------|---|
| 12092894       | MORTGAGE TO WESTPAC BANKING CORPORATION |

## Notations

**Dealings Affecting Title** NIL

**Priority Notices** NIL

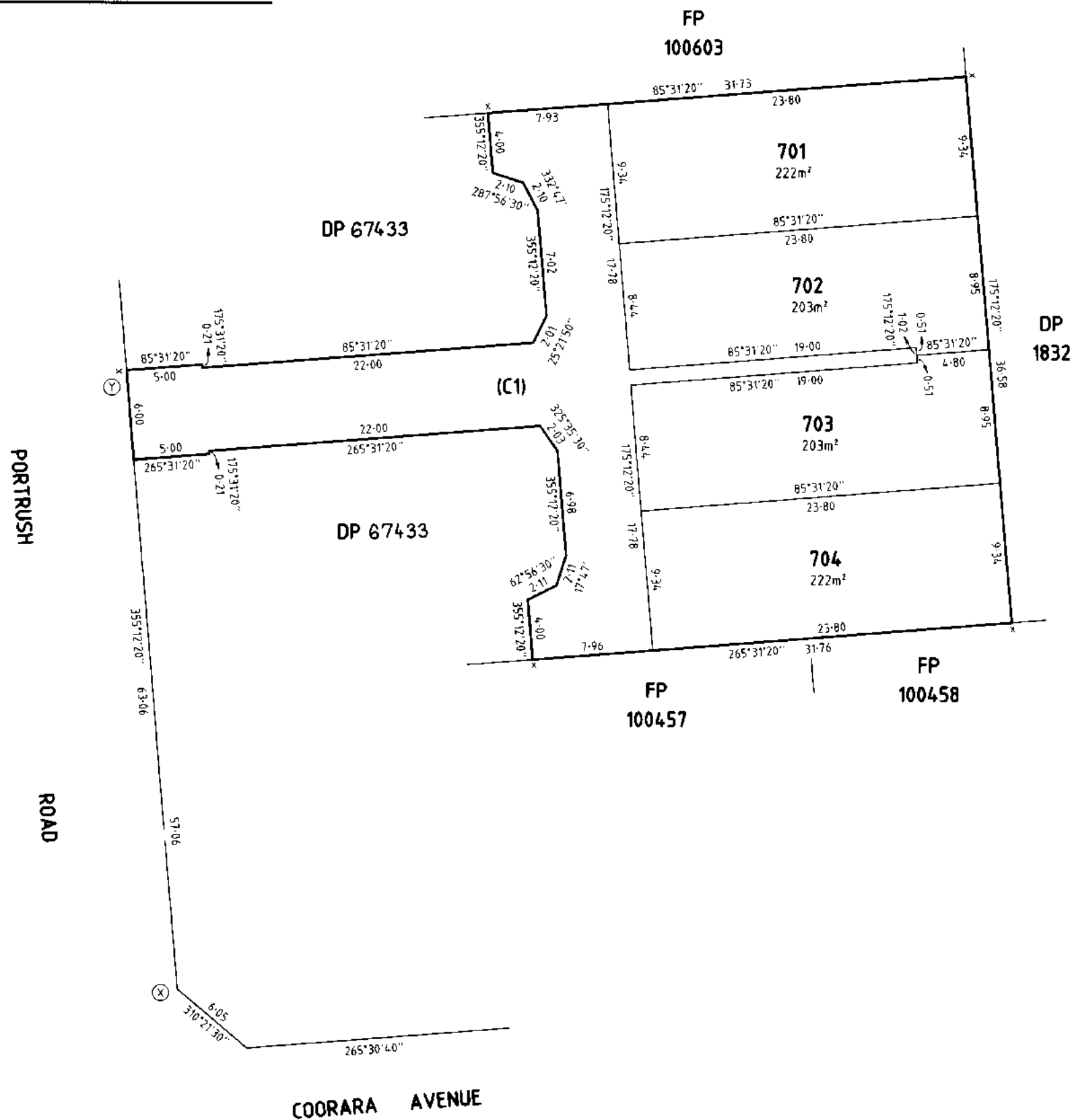
### Notations on Plan

| Lodgement Date | Dealing Number | Description | Status |
|----------------|----------------|-------------|--------|
| 22/04/2005     | 10210630       | BY-LAWS     | FILED  |

**Registrar-General's Notes** NIL

**Administrative Interests** NIL

## LOCATION AND COMMON PROPERTY PLAN

COMMUNITY PLAN NUMBER  
**CP 22823**

PLAN TYPE PRIMARY

THIS IS SHEET 1 OF 2 SHEETS

DEPOSITED 12/5/2005

PRO REGISTRAR GENERAL

|                         |                       |                          |                        |
|-------------------------|-----------------------|--------------------------|------------------------|
| CLOSURE CHECKED<br>Z.H. | PLAN EXAMINED<br>J.B. | PLAN APPROVED<br>30/3/05 | P.M.S. APPROVED<br>--- |
|-------------------------|-----------------------|--------------------------|------------------------|

TITLE REFERENCE PART C'st 5818/734 5172/508

LAND DESCRIPTION

ALLOTMENT 3 IN DP 67433  
OF PART SECTION 264

|   |          |
|---|----------|
| IRRIGATION AREA                               | DIVISION |
| HUNDRED ADELAIDE                              |          |
| AREA PAYNEHAM SOUTH                           |          |
| COUNCIL CITY OF NORWOOD, PAYNEHAM & ST PETERS |          |

MAP REF 6628-42-B

O.B. DP 67433 TOTAL AREA 124.7m²

DEV No 155/C037/04

|       |        |   |   |   |    |    |    |
|-------|--------|---|---|---|----|----|----|
| SCALE | 0      | 2 | 4 | 8 | 12 | 16 | 20 |
|       | METRES |   |   |   |    |    |    |

ANNOTATIONS

THE COMMON PROPERTY IS DESIGNATED (C1) FOR LAND INFORMATION PURPOSES ONLY AND DOES NOT PROVIDE A LEGAL IDENTIFIER FOR THE COMMON PROPERTY

THE SERVICE INFRASTRUCTURE WAS NOT IN PLACE AS AT 2/12/2004

ALL DISTANCES ARE GROUND DISTANCES

|                                    |      |     |
|------------------------------------|------|-----|
| COMBINED SCALE FACTOR              | ZONE | MGA |
| BEARING DATUM (X)-(Y) 355°12'20"   |      |     |
| DERIVED FROM ADOPTED FROM DP 67433 |      |     |

CERTIFICATE OF LICENSED SURVEYOR

I, JOHN FREDRICK PETERSEN

a licensed Surveyor under the Survey Act 1992, certify that this community plan has been correctly prepared in accordance with the Community Titles Act 1996 to a scale prescribed by regulation.

Dated the 2ND day of DECEMBER 04

Licensed Surveyor *J.F. Petersen*

## STATE SURVEYS

INCORPORATING CAVALLO FOREST &amp; ASSOCIATES

465/B SOUTH ROAD, KESWICK, S.A. 5035  
PHONE (08) 8293 2939 FAX (08) 8293 2949  
EMAIL INFO@STATESURVEYS.COM.AU

REF: 04247LTD-CP

DMS

VERSION: 7/12/04

LEGEND

|                       |                   |
|-----------------------|-------------------|
| NETWORK PSM           | FD                |
| NETWORK STATION       | FD                |
| PERMANENT SURVEY MARK | PLACED FOUND GONE |
| REFERENCE MARKS       | PLACED FOUND GONE |
| DRILL HOLE & WING     | MP OR RM          |
| DIRECTION CHANGE      | SPK FD            |
| PART DISTANCES        | BT GONE           |
| CALCULATED DATA       | (20-32)           |
| COPIED DATA           | 20-85 CALC        |
|                       | 100-85            |

## LOT ENTITLEMENT SHEET

COMMUNITY PLAN NUMBER

CP 22823

THIS IS SHEET 2 OF 2 SHEETS

APPROVED

B. F. Fink  
30/3/05

DEPOSITED

12/5/2005

PRO REGISTRAR-GENERAL

APPLICATION 10210629

## SCHEDULE OF LOT ENTITLEMENTS

| Lot              | Lot Entitlement | Sub - Divided |
|------------------|-----------------|---------------|
| 701              | 2,600           |               |
| 702              | 2,400           |               |
| 703              | 2,400           |               |
| 704              | 2,600           |               |
| <b>Aggregate</b> | <b>10,000</b>   |               |

## CERTIFICATE OF LAND VALUER

I, PETER J. JONES being  
a land valuer within the meaning of the Land Valuers Act 1994  
certify that this schedule is correct for the purposes of the  
Community Titles Act 1996

Dated the 3rd day of MARCH 2005.

Peter J. Jones  
Signature of Land Valuer

# Property Interest Report

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

|                        |   |                           |
|------------------------|---|---------------------------|
| Title Reference        | CT 5941/199                                 | Reference No. 2411220     |
| Registered Proprietors | R S*MADDEN                                  | Prepared 18/10/2022 16:23 |
| Address of Property    | 116B PORTRUSH ROAD, PAYNEHAM SOUTH, SA 5070 |                           |
| Local Govt. Authority  | NORWOOD PAYNEHAM & ST PETERS                |                           |
| Local Govt. Address    |   |                           |

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](http://www.cbs.sa.gov.au)

|                               |   |
|-------------------------------|---|
| <u>Prescribed encumbrance</u> | <u>Particulars</u> (Particulars in bold indicates further information will be provided) |
|-------------------------------|---|

### 1. General

- |     |  |  |
|-----|--|--|
| 1.1 | Mortgage of land<br><br><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<br>(whether over the land or annexed to the land)<br><br>Note--"Easement" includes rights of way and party wall rights<br><br><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<br><br><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<br>(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.)<br><br><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<br><br>also<br><br>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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment has no record of any notice affecting this title

- |      |  |   |
|------|--|---|
| 5.10 | section 84 - Enforcement notice                  | State Planning Commission in the Department for Trade and Investment 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 Trade and Investment 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

- |     |   |   |
|-----|---|---|
| 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 Trade and Investment 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

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

## 8. Environment Protection Act 1993

- |     |   |   |
|-----|---|---|
| 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. ***Fences Act 1975***

- |     |   |                                      |
|-----|---|--------------------------------------|
| 9.1 | section 5 - Notice of intention to perform fencing work | Contact the vendor for these details |
|-----|---|--------------------------------------|

## 10. ***Fire and Emergency Services Act 2005***

- |      |   |   |
|------|---|---|
| 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<br>Where the land is outside a council area, contact the vendor |
|------|---|---|

## 11. ***Food Act 2001***

- |      |                                 |   |
|------|---------------------------------|---|
| 11.1 | section 44 - Improvement notice | Public Health in DHW has no record of any notice or direction affecting this title<br>also<br>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<br>also<br>Contact the Local Government Authority for other details that might apply |

## 12. ***Ground Water (Qualco-Sunlands) Control Act 2000***

- |      |   |   |
|------|---|---|
| 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. ***Heritage Places Act 1993***

- |      |   |   |
|------|---|---|
| 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<br>also<br>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. ***Highways Act 1926***

- |      |  |  |
|------|--|--|
| 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. ***Housing Improvement Act 1940 (repealed)***

- |      |  |  |
|------|--|--|
| 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. ***Housing Improvement Act 2016***

- |      |  |  |
|------|--|--|
| 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***

- |      |   |   |
|------|---|---|
| 17.1 | section 10 - Notice of intention to acquire | Refer to the Certificate of Title for any notice of intention to acquire<br>also<br>Contact the Local Government Authority for other details that might apply |
|------|---|---|

## **18. *Landscape South Australia Act 2019***

- |       |   |   |
|-------|---|---|
| 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<br>also<br>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<br>also<br>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

- |       |  |   |
|-------|--|---|
| 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**

- |      |   |  |
|------|---|--|
| 19.1 | Notice, order or demand for payment of land tax | <p><b>A Land Tax Certificate will be forwarded.</b><br/> <b>If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.</b></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<br/> <a href="http://www.revenuesaonline.sa.gov.au">www.revenuesaonline.sa.gov.au</a></p> |
|------|---|--|

**20. Local Government Act 1934 (repealed)**

- |      |   |   |
|------|---|---|
| 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 |
|------|---|---|

**21. Local Government Act 1999**

- |      |   |   |
|------|---|---|
| 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 |
|------|---|---|

**22. Local Nuisance and Litter Control Act 2016**

- |      |  |   |
|------|--|---|
| 22.1 | section 30 - Nuisance or litter abatement notice | Contact the Local Government Authority for other details that might apply |
|------|--|---|

**23. Metropolitan Adelaide Road Widening Plan Act 1972**

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

**24. Mining Act 1971**

- |      |   |   |
|------|---|---|
| 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  |

- |      |   |   |
|------|---|---|
| 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 |
|------|---|---|

## **25. *Native Vegetation Act 1991***

- |      |  |  |
|------|--|--|
| 25.1 | Part 4 Division 1 - Heritage agreement   | DEW Native Vegetation has no record of any agreement affecting this title<br>also<br>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<br>also<br>Refer to the Certificate of Title |
| 25.3 | section 25D - Management agreement   | DEW Native Vegetation has no record of any agreement affecting this title<br>also<br>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)***

- |       |  |  |
|-------|--|--|
| 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***

- |      |   |  |
|------|---|--|
| 27.1 | section 21 - Notice of levy or contribution payable | Outback Communities Authority has no record affecting this title |
|------|---|--|

**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**

**Miscellaneous Technical Enhancement - proposes a series of technical amendments which aim to enhance the general performance & operation of the Planning & Design Code (the Code). It is primarily focused on addressing technical & operational elements within the Code, as opposed to changing policy intent or outcomes. For more information, refer to the 'Code Amendments' page on PlanSA portal: [https://plan.sa.gov.au/have\\_your\\_say/](https://plan.sa.gov.au/have_your_say/) or phone 1800752664.**

- 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.]*      State Planning Commission in the Department for Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 Trade and Investment 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 *Public and Environmental Health (Waste Control) Regulations 2010 (or 1995)* (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 *Public and Environmental Health (Waste Control) Regulations 2010* (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<br><br>also<br><br>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<br><br>also<br><br>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><b>An SA Water Certificate will be forwarded.</b><br/> <b>If you do not receive the certificate please contact the SA Water Customer Contact Centre on 1300 650 950</b></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) | <p>Refer to the Certificate of Title</p> <p>also</p> <p>Contact the vendor for these details</p> <p>also</p> <p>Contact the Local Government Authority for other details that might apply</p> |
|------|--|---|

## 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<br>also<br>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<br>also<br>EPA (SA) has no record of any particulars relating to items 3, 4 or 5 affecting this title<br>also<br>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

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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](mailto:DEWwaterlicensing@sa.gov.au).



Product

Date/Time

Customer Reference

Order ID

Title and Valuation Package

18/10/2022 04:23PM

F2721

20221018009603

## Certificate of Title

**Title Reference** CT 5941/199

**Status** CURRENT

**Easement** NO

**Owner Number** 1636946\*

**Address for Notices** 37 YELTANA AV WATTLE PARK, SA 5066

**Area** 222m<sup>2</sup> (CALCULATED)

## Estate Type

Fee Simple

## Registered Proprietor

RYAN SCOTT MADDEN  
OF 116B PORTRUSH ROAD PAYNEHAM SOUTH SA 5070

## Description of Land

LOT 704 PRIMARY COMMUNITY PLAN 22823  
IN THE AREA NAMED PAYNEHAM SOUTH  
HUNDRED OF ADELAIDE

## Last Sale Details

**Dealing Reference** TRANSFER (T) 12092893

**Dealing Date** 28/02/2014

**Sale Price** \$460,000

**Sale Type** TRANSFER FOR FULL MONETARY CONSIDERATION

## Constraints

### Encumbrances

| Dealing Type | Dealing Number | Beneficiary                 |
|--------------|----------------|-----------------------------|
| MORTGAGE     | 12092894       | WESTPAC BANKING CORPORATION |

### Stoppers

NIL

## Valuation Numbers

| Valuation Number | Status  | Property Location Address                      |
|------------------|---------|--|
| 1901681151       | CURRENT | 116B PORTRUSH ROAD,<br>PAYNEHAM SOUTH, SA 5070 |

## Notations

### Dealings Affecting Title



**Product**  
**Date/Time**  
**Customer Reference**  
**Order ID**

Title and Valuation Package  
18/10/2022 04:23PM  
F2721  
20221018009603

NIL

## Notations on Plan

| Lodgement Date   | Dealing Number | Descriptions | Status |
|------------------|----------------|--------------|--------|
| 22/04/2005 12:31 | 10210630       | BY-LAWS      | FILED  |

## Registrar-General's Notes

NIL

## Administrative Interests

NIL

## Valuation Record

|                                     |   |
|-------------------------------------|---|
| <b>Valuation Number</b>             | 1901681151                                  |
| <b>Type</b>                         | Site & Capital Value                        |
| <b>Date of Valuation</b>            | 01/01/2022                                  |
| <b>Status</b>                       | CURRENT                                     |
| <b>Operative From</b>               | 01/07/2005                                  |
| <b>Property Location</b>            | 116B PORTRUSH ROAD, PAYNEHAM SOUTH, SA 5070 |
| <b>Local Government</b>             | NORWOOD PAYNEHAM & ST PETERS                |
| <b>Owner Names</b>                  | RYAN SCOTT MADDEN                           |
| <b>Owner Number</b>                 | 1636946*                                    |
| <b>Address for Notices</b>          | 37 YELTANA AV WATTLE PARK, SA 5066          |
| <b>Zone / Subzone</b>               | GN - General Neighbourhood\\                |
| <b>Water Available</b>              | Yes   |
| <b>Sewer Available</b>              | Yes   |
| <b>Land Use</b>                     | 1310 - Ground Floor Home Unit Only          |
| <b>Description</b>                  | H G   |
| <b>Local Government Description</b> | Residential                                 |

## Parcels

| Plan/Parcel    | Title Reference(s) |
|----------------|--------------------|
| C22823 LOT 704 | CT 5941/199        |

## Values

| Financial Year | Site Value | Capital Value | Notional Site Value | Notional Capital Value | Notional Type |
|----------------|------------|---------------|---------------------|------------------------|---------------|
| Current        | \$235,000  | \$660,000     |                     |                        |               |
| Previous       | \$215,000  | \$590,000     |                     |                        |               |



**Product**  
**Date/Time**  
**Customer Reference**  
**Order ID**

Title and Valuation Package  
18/10/2022 04:23PM  
F2721  
20221018009603

---

## Building Details

|                             |                               |
|-----------------------------|-------------------------------|
| <b>Valuation Number</b>     | 1901681151                    |
| <b>Building Style</b>       | Conventional                  |
| <b>Year Built</b>           | 2006                          |
| <b>Building Condition</b>   | Very Good                     |
| <b>Wall Construction</b>    | Brick                         |
| <b>Roof Construction</b>    | Tiled (Terra Cotta or Cement) |
| <b>Equivalent Main Area</b> | Not Available                 |
| <b>Number of Main Rooms</b> | Not Available                 |

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



**Product**  
**Date/Time**  
**Customer Reference**  
**Order ID**

Check Search  
18/10/2022 04:23PM  
F2721  
20221018009603

## Certificate of Title

**Title Reference:** CT 5941/199  
**Status:** CURRENT  
**Edition:** 8

## Dealings

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

## Priority Notices

NIL

## Notations on Plan

| Lodgement Date | Completion Date | Dealing Number | Description | Status | Plan   |
|----------------|-----------------|----------------|-------------|--------|--------|
| 22/04/2005     | 13/05/2005      | 10210630       | BY-LAWS     | FILED  | C22823 |

## Registrar-General's Notes

No Registrar-General's Notes exist for this title



# CERTIFICATE OF RATES AND CHARGES

Issued under Section 187 of the Local Government Act 1999



City of  
**Norwood  
Payneham  
& St Peters**

**To:** First Paige Form 1  
PO Box 2209  
SOUTH PLYMPTON SA 5038

**Date:** 19/10/2022

| Particulars of the Property: |  |
|------------------------------|--|
| Assessment No                | 112576                                 |
| Owner's Name                 | Mr RS Madden                           |
| Valuation No                 | 1901681151                             |
| Property Address             | 116B Portrush Road PAYNEHAM SOUTH 5070 |
| Property Description         | Lot 704 CP 22823, Adelaide CT 5941/199 |

175 The Parade  
Norwood SA 5067

PO Box 204  
Kent Town SA 5071

Telephone  
8366 4555

Email  
townhall@npsp.sa.gov.au

Website  
www.npsp.sa.gov.au

| Particulars of Rates and Charges Raised 2022-2023: |   |
|--|---|
| Balance b/forward 2021-2022                        | \$0.00  |
| <b>2022-2023 Rates + Landscape Levy</b>            | <b>\$1,322.77</b>                             |
| Plus Legal Fees                                    | \$0.00  |
| Plus Fines & Interest                              | \$0.00  |
| Less Concession/Rebate                             | \$0.00  |
| Less Payments                                      | -\$332.77                                     |
| Plus Property Related Debts                        |   |
| <b>Balance Now Due and Payable</b>                 | <b>\$990.00</b>                               |
| <b>Settlement via BPay</b>                         | <b>Bill Code: 3251<br/>Reference: 1125760</b> |



100% Australian Made  
Recycled Paper

|   |                   |
|---|-------------------|
| <b>2022-2023 Rates including Landscape Levy</b> | <b>\$1,322.77</b> |
| <b>2022-2023 Capital Value</b>                  | <b>\$660,000</b>  |

**Please Note: The next quarter of rates is due on 6 December 2022.**

## Notes for your information:

- The next date for Fines and Interest to be calculated is 10 November 2022.
- If Balance Due above is *Nil*, rates have been paid to 30 June 2023.
- Upon settlement of the property, the total balance of rates to 30 June 2023 is required to be paid to the Council. Action to recover unpaid rates will be taken against the owner of the property at the time of declaration of rates.
- A fine of 2% will be imposed on any current Rate not paid by the due date and interest at the prescribed rate will be added each month on unpaid arrears.
- This certificate relates only to the abovementioned assessment. If other assessments are included at the same address (eg: flats, shops, etc.) additional certificates will only be issued upon payment of additional fees.

Mario Barone  
**CHIEF EXECUTIVE OFFICER**

Community  
Well-being is...  
Social Equity  
Cultural Vitality  
Economic Prosperity  
Environmental  
Sustainability



City of  
Norwood  
Payneham  
& St Peters

## City of Norwood Payneham & St Peters

Head Office: 175 The Parade, Norwood  
Mailing Address: PO Box 204, KENT TOWN SA 5071

Telephone (08) 8366 4555

### Property Information and Particulars in response to an enquiry pursuant to Section 7 of the Land & Business (Sale & Conveyancing Act 1994)

To: First Paige Form 1  
PO Box 2209  
SOUTH PLYMPTON SA 5038

Certificate Date: 19/10/2022  
Certificate No: 23510

#### Details of Property Referred To:

Rates Assessment Number : 112576 0  
Valuer General Number : 1901681151  
Owner Details : Mr RS Madden  
Property Address : 116B Portrush Road PAYNEHAM SOUTH 5070  
Property Description : Lot 704 CP 22823, Adelaide CT 5941/199  
Hundred : Adelaide  
Ward : Payneham Ward - Ward 3

#### Prescribed Encumbrances for 116B Portrush Road PAYNEHAM SOUTH 5070

| Column 1<br>Prescribed encumbrance   | Column 2<br>Other particulars required   |
|--|--|
| <b>Development Act 1993 (repealed)</b>   |  |
| section 42—Condition (that continues to apply) of a development authorisation  | <p>Date of authorisation: <b>1 March 2006</b></p> <p>Name of relevant authority that granted authorisation:<br/>The City of Norwood Payneham &amp; St Peters</p> <p>Condition(s) of authorisation:<br/>See attached Decision Notification Form <b>155/233/04</b></p> |
| <b>Repealed Act conditions</b>   |  |
| 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) | Nature of condition(s): <b>N/A</b>   |
| <b>Planning, Development and Infrastructure Act 2016</b>   |  |

| Column 1<br>Prescribed encumbrance  | Column 2<br>Other particulars required   |
|---|--|
| Part 5 – Planning and Design Code   | <p>Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code):</p> <p><b>(Refer to PlanSA Section 7 extract report)</b></p> <p>Is there a State heritage place on the land or is the land situated in a State heritage area? <b>NO</b></p> <p>Is the land designated as a local heritage place? <b>NO</b></p> <p>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? <b>NO</b></p> <p>Is there a current amendment to the Planning and Design Code released for public consultation by a designated entity on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?<br/><b>YES</b></p> <p>For information on any proposed Code Amendments which may interest you, please refer to the PlanSA Website:<br/><a href="https://plan.sa.gov.au/have_your_say/code_amendments">https://plan.sa.gov.au/have_your_say/code_amendments</a></p> |
| Section 127 - Condition (that continues to apply) of a development authorisation          | <b>(Refer to PlanSA Section 7 extract report)</b>  |
| <b><i>Development Act 1993 (repealed)</i></b>   |  |
| section 50(1)—Requirement to vest land in a council or the Crown to be held as open space | <b>NO</b>  |
| section 50(2)—Agreement to vest land in a council or the Crown to be held as open space   | <b>NO</b>  |
| section 55—Order to remove or perform work  | <b>NO</b>  |
| section 56—Notice to complete development   | <b>NO</b>  |
| section 57—Land management agreement  | <b>NO</b>  |
| section 69—Emergency order  | <b>NO</b>  |
| section 71—Fire safety notice   | <b>NO</b>  |
| section 84—Enforcement notice   | <b>NO</b>  |

| <b>Column 1</b><br><b>Prescribed encumbrance</b>  | <b>Column 2</b><br><b>Other particulars required</b> |
|---|--|
| section 85(6), 85(10) or 106—<br>Enforcement order  | <b>NO</b>  |
| Part 11 Division 2—Proceedings  | <b>NO</b>  |
| <b><i>Fire and Emergency Services Act 2005</i></b>  |  |
| section 105F (or section 56 or 83<br>(repealed))—Notice to take action to<br>prevent outbreak or spread of fire | <b>NO</b>  |
| <b><i>Food Act 2001</i></b>   |  |
| section 44—Improvement notice   | <b>NO</b>  |
| section 46—Prohibition order  | <b>NO</b>  |
| <b><i>Housing Improvement Act 1940 (repealed)</i></b>   |  |
| section 23—declaration that house is<br>undesirable or unfit for human<br>habitation                            | <b>NO</b>  |
| Part 7 (rent control for substandard<br>houses) – Notice or declaration   | <b>N/A</b>   |
| <b><i>Land Acquisition Act 1969</i></b>   |  |
| Section 10 – Notice of intention to<br>acquire  | <b>NO</b>  |
| <b><i>Local Government Act 1934 (repealed)</i></b>  |  |
| Notice, order, declaration, charge,<br>claim or demand given or made under<br>the Act                           | <b>NO</b>  |
| <b><i>Local Government Act 1999</i></b>   |  |
| Notice, order, declaration, charge,<br>claim or demand given or made under<br>the Act                           | <b>NO</b>  |
| <b><i>Local Nuisance and Litter Control Act 2016</i></b>  |  |

| <b>Column 1</b><br><b>Prescribed encumbrance</b>   | <b>Column 2</b><br><b>Other particulars required</b>   |
|--|--|
| Section 30 – Nuisance or litter abatement notice   | <b>N/A</b>   |
| <b><i>Planning, Development and Infrastructure Act 2016</i></b>  |  |
| section 141 – Order to remove or perform work  | <b>NO</b>  |
| section 142 – Notice to complete development   | <b>NO</b>  |
| section 155 – Emergency order  | <b>NO</b>  |
| section 157 – Fire safety notice   | <b>NO</b>  |
| Section 192 or 193 – Land management agreement   | <b>(Refer to PlanSA Section 7 extract report)</b>  |
| section 198(1) – Requirement to vest land in a council or the Crown to be held as open space   | <b>NO</b>  |
| section 198(2) – Agreement to vest land in a council or the Crown to be held as open space   | <b>NO</b>  |
| Part 16<br>Division 1 – Proceedings  | <b>NO</b>  |
| section 213 – Enforcement notice   | <b>NO</b>  |
| Section 214(6), 214(10) or 222-<br>Enforcement order   | Date order made: <b>N/A</b><br>Name of court that made order: Action number:<br>Name of parties: Terms of order:<br>Building work (if any) required to be carried out: |
| <b><i>Public and Environmental Health Act 1987 (repealed)</i></b>  |  |
| Part 3—Notice  | <b>NO</b>  |
| Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) (revoked) Part 2—Condition (that continues to apply) of an approval | <b>NO</b>  |

| <b>Column 1</b><br><b>Prescribed encumbrance</b>   | <b>Column 2</b><br><b>Other particulars required</b>  |
|--|---|
| Public and Environmental Health (Waste Control) Regulations 2010 (revoked) regulation 19—Maintenance order (that has not been complied with) | <b>NO</b>   |
| <b>South Australian Public Health Act 2011</b>   |   |
| Section 92-Notice  | <b>NO</b>   |
| South Australian Public Health (Wastewater) Regulations 2013 Part 4-Condition (that continues to apply) of an approval                       | <b>NO</b>   |
| <b>Other charges</b>   |   |
| Charge of any kind affecting the land (not included in another item)   | Person or body in whose favour charge exists: <b>N/A</b><br>Nature of charge:<br>Amount of charge (if known): |

Particulars of Building Indemnity Insurance

Note—Building indemnity insurance is not required for—

- (a) domestic building work for which approval under the *Planning, Development and Infrastructure Act 2016*, the repealed *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:

Building Indemnity Insurance is required.... NO (refer above note):

- 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?

N/A

If YES, give details:

- (a) Date of the exemption:.....
- (b) Name of builder granted the exemption:.....
- (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: .....  
.....  
.....

## ***Particulars relating to Environment Protection***

### **Further information held by councils**

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**

**Note—**

The question relates to information that the council for the area in which the land is situated may hold. If the council answers "YES" to the question, it will provide a description of the nature of each development approved in respect of the land. The purchaser may then obtain further details from the council (on payment of any fee fixed by the council). However, it is expected that the ability to supply further details will vary considerably between councils.

A "YES" answer to paragraph (a) of the question may indicate that a ***potentially contaminating activity*** has taken place at the land (see sections 103C and 103H of the *Environment Protection Act 1993*) and that assessments or remediation of the land may be required at some future time.

It should be noted that—

- (a) the approval of development by a council does not necessarily mean that the development has taken place;
- (b) the council will not necessarily be able to provide a complete history of all such development that has taken place at the land.

This statement is made the **20 October 2022**

MARIO BARONE  
**CHIEF EXECUTIVE OFFICER**

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## Data Extract for Section 7 search purposes

Valuation ID 1901681151

**Parcel ID:** C22823 F704

**Certificate Title:** CT5941/199

**Property Address:** 116B PORTRUSH RD PAYNEHAM SOUTH SA 5070

### Zones

General Neighbourhood (GN)

### Subzones

No

### Zoning overlays

#### Overlays

#### **Airport Building Heights (Regulated) (All structures over 45 metres)**

The Airport Building Heights (Regulated) Overlay seeks to ensure building height does not pose a hazard to the operation and safety requirements of commercial and military airfields.

#### **Affordable Housing**

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

#### **Major Urban Transport Routes**

The Major Urban Transport Routes Overlay seeks to ensure safe and efficient vehicle movement and access along major urban transport routes.

#### **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.

#### **Traffic Generating Development**

The Traffic Generating Development Overlay aims to ensure safe and efficient vehicle movement and access along urban transport routes and major urban transport routes.

#### **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 to be a significant tree or trees in the Planning and Design Code

No

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 Building Indemnity Insurance

No

### Associated DA Conditions

No

### Associated DA Info

No

### GIS Dataset

**LMAS**

No



# DECISION NOTIFICATION FORM

**FOR DEVELOPMENT APPLICATION**

|                      |   |              |
|----------------------|---|--------------|
| <b>NUMBER</b>        | : | 155/ 0233/04 |
| <b>DATED</b>         | : | 26/03/2004   |
| <b>REGISTERED ON</b> | : | 26/03/2004   |

|     |  |
|-----|--|
| TO: | AM Salzano & F Anabittista<br>4 McCormack Avenue<br>PAYNEHAM SOUTH SA 5070 |
|-----|--|


| LOCATION OF PROPOSED DEVELOPMENT  |
|---|
| 114 Portrush Road PAYNEHAM SOUTH 5070 Lot 1 FP 100603, Adelaide CT 5172/508 |

| NATURE OF PROPOSED DEVELOPMENT  |  |
|---|--|
| Alterations to two (2) single storey detached dwellings and construction of two (2) two |  |

| NATURE OF DECISION                   | DECISION  | DATE       | NO. OF CONDITIONS |
|--------------------------------------|-----------|------------|-------------------|
| PROVISIONAL DEVELOPMENT PLAN CONSENT | Granted   | 12/07/2004 | 9                 |
| PROVISIONAL BUILDING RULES CONSENT   | Certified | 23/02/2006 | 1                 |
| DEVELOPMENT APPROVAL                 | Approved  |            |                   |

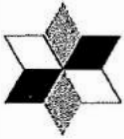
**Pursuant to Regulation 48 this approval is valid for twelve (12) months. Substantial commencement or a request for an extension of time shall be undertaken during this period or the approval will lapse. Council requires 24 hours notice of commencement of this Development, please ring 8366 4531**

**Date of Decision:** 1 March 2006 ☐ Council or Delegate

**Signed:**  ☒ Council Chief Executive Officer or Delegate

**Date:** 1 March 2006 ☐ Private Certifier

☒ Sheets Attached



City of  
Norwood  
Payneham  
& St Peters

**DEVELOPMENT APPLICATION NUMBER** : 155/ 0233 /04  
**APPLICANT** : AM Salzano & F Anabittista  
**LOCATION** : 114 Portrush Road PAYNEHAM SOUTH 5070  
**PROPOSED DEVELOPMENT** : Alterations to two (2) single storey detached dwellings and construction of two (2) two  
**DECISION** : Development Approval Granted  
**DATE OF DECISION** :

### REASONS FOR DECISION

Consent is granted, since the proposed development is not considered to be at serious variance with the provisions of the Development Plan.

The following conditions have been imposed to reasonably ensure that the development will not impair the orderly and proper planning of the locality or detrimentally affect the amenity of the locality, having particular regard to the Principles of Development Control applicable to such a use in the locality.

### PROVISIONAL DEVELOPMENT PLAN CONSENT

#### Conditions of Consent

1. The development shall proceed in accordance with the details of Development Application No. 155/233/04 and the approved plans, prepared by Carlo Dottore and Partners Architects and received by Council on 25 March and 28 June 2004 except when varied by the following conditions of consent.
2. All stormwater from buildings and paved areas shall be disposed of in accordance with recognised engineering practices in a manner and with materials that does not result in the entry of water onto any adjoining property or any building, and does not affect the stability of any building.
3. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council or its delegate.
4. All plants existing and/or within the proposed landscaped areas shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council or its delegate.
5. All plants shall be watered through the installation of a suitable irrigation system which shall be maintained to the reasonable satisfaction of the Council or its delegate.
6. All landscaped areas shall be separated from adjacent driveways and parking areas by a suitable kerb or non-mountable device to prevent vehicle movement thereon (incorporating ramps or crossovers where appropriate to facilitate the movement of disabled persons).
7. All of the car parking, driveways and vehicle manoeuvring areas shall be constructed of concrete or paving bricks and drained in accordance with recognised engineering practices prior to occupation of the premises.
8. All car parking spaces, driveways, and vehicle manoeuvring areas shall be maintained in a good condition at all times to the reasonable satisfaction of the Council or its delegate.



City of  
Norwood  
Payneham  
& St Peters

9. That each dwelling shall be provided with a rainwater tank with a minimum capacity of 450 litres which is connected to the roof drainage system, which shall be implemented prior to the occupation of the dwelling(s).

## **PROVISIONAL BUILDING RULES CONSENT**

### **Conditions of Consent**

See attached conditions and notes per the Certifiers Provisional Building Rules Consent dated 23/2/2006 .

### **PLANNING ADVISORY NOTE(S)**

1. The granting of this consent does not remove the need for the applicant to obtain all other consents which may be required by any other legislation or regulation.

The Applicant's attention is particularly drawn to the need to consult all relevant Electricity suppliers with respect to high voltage power lines.

2. The applicant's attention is drawn to the EPA Guidelines IS NO 7 "Construction Noise." These guidelines provide recommended hours of operation outside which noisy activities should not occur. Further information is available by phoning 8204 2004.
3. The applicant is advised that any works undertaken on Council owned land (including but not limited to works relating to crossovers, driveways, footpaths, street trees and stormwater connections) will require the approval of the Council's Urban Services Department, prior to any works being undertaken. Further information may be obtained by phoning 8360 9000. All works on Council owned land required as part of this development are likely to be at the applicant's cost.
4. The Council has not surveyed the subject land and has, for the purpose of its assessment, assumed that all dimensions and other details provided by the applicant are accurate.
5. This Provisional Development Plan Consent will lapse within 12 months of the date of this notice unless full development approval has been obtained.

Matt Atkinson  
**URBAN PLANNER**

1 March 2006



City of  
Norwood  
Payneham  
& St Peters

## IMPORTANT NOTICE

- **Regulation 74(1)(b)(c)(d):** Pursuant to the provisions of regulation 74 of the Development Regulations 1993 the Council requires that the person proposing to undertake the building work must give the Council:
  - (a) one business day's notice of commencement of building works on the site; and
  - (b) one business day's notice of completion of structural steel reinforcement for concrete footings or other floors; and
  - (c) one business day's notice of intended completion of floor, walls and roof framing prior to installation of linings; and
  - (d) one business day's notice of completion of any fire walls, fire rated separation or smoke barriers, prior to the installation of linings or other building components rendering inspection not possible; and
  - (e) one business day's notice of completion of the building work.

The applicant is advised to ensure that those notifications are given.

Penalty: Division 6 fine

When the applicant provides notice of commencement of building work, the applicant must also provide to the Council, the name, address and telephone number of the persons who are proposed to sign parts A and B of the Statement of Compliance under Regulation 83AB.

- The developer or building owner shall provide 20mm rubble on the site prior to work commencing, in areas of vehicular traffic to ensure compliance with the requirements of the Environmental Protection Agency. It is to be placed in such a way to minimise the amount of soil (mud and dust) transferred over public areas and into the street.
- **Boundary survey prior to commencing construction**  
The person proposing to undertake the work shall ensure that no part of the proposed building work is to overhand the boundary of the site. It is strongly recommended that a Licensed Surveyor be engaged to undertake a survey before work commences to establish the location of the boundary.
- The owner of any building to be erected or altered which is used for health care or food preparation, is obliged to obtain consent from the Eastern Metropolitan Regional Health Authority. (phone 8362 7655)
- **Important:** This approval does not imply compliance with the Electricity Act, 1996 (in relation to minimum clearance distances of power lines adjacent to buildings), the (State) Equal Opportunity Act, 1995, the Occupational Health, Safety and Welfare Act 1991, or with Commonwealth Disability Discrimination Act, 1993 or with any regulations under those Acts. It is the responsibility of the owner and the person erecting the building to ensure compliance with same.
- Building work adjacent to street boundaries is required to be provided with a hoarding and a license for the hoarding shall be obtained from the Council. Contact 8366 4525.

Your attention is drawn to the provisions of Section 60 of the Development Act 1993 which provide that:

Pursuant to Section 60 of the Development Act 1993, work that affects stability:

1. Where a building owner proposes to carry out building work of a prescribed nature that is, in accordance with the regulations to be treated for the purposes of this section as building work that affects the stability of other land or premises ("the affected land or premises") the following provisions apply:
  - (a) The building owner must, at least 28 days before the building work is commenced, cause to be served on the owner of the affected land or premises a notice of intention to perform the building work and the nature of the work; and
  - (b) The building owner must (in addition to complying with any condition imposed by a relevant authority at the time of approval) take such precautions as may be prescribed to protect the affected land or premises, carry out such other building work in relation to that land or premises as that adjoining owner is authorised by the regulations to require; and
  - (c) Nothing in this section relieves the building owner from liability for injury resulting from the performance of any building work.
2. A building owner who fails to comply with a provision under subsection (1) IS GUILTY OF AN OFFENCE.

Penalty: \$4,000 (maximum penalty)

A building owner may apply to the Court for a determination of what proportion (if any) of the expense incurred by the building owner in the performance of the building work requested by the owner of affected land or premises under subsection (1) should be borne by the owner of that and or premises, and the building owner may recover an amount determined by the Court from the owner of the affect land or premises as a debt.

Your attention is drawn to the provisions of Regulation 75 of the Development Regulations 1993 which provides that in respect of building work affecting other land

It must be assumed in designing, and assessing the design of a building that it is possible that an excavation which intersects (but does not extend beyond) a notional plane extending downwards from the boundary at the site at a slope of 1 vertical to 2 horizontal from a point 600 millimetres below natural ground level at the boundary could be undertaken on an adjoining site.



City of  
Norwood  
Payneham  
& St Peters

Regulation 75(2) provides that, work of the following nature is prescribed as building work which is to be treated for the purposes of that section as building work that affects the stability of other land or premises, namely:

- an excavation which intersects a notional plane extending downwards at a slope of 1 vertical to 2 horizontal from a point 600 millimetres below natural ground level at a boundary with an adjoining site (as depicted by the example shown as figure 1 in schedule 15); or
- an excavation which intersects any notional plane extending downwards at a slope of 1 vertical to 2 horizontal from a point 600 millimetres below natural ground level at a boundary with an adjoining site (as depicted by the example shown as figure 2 in schedule 15); or
- any fill which is within 600 millimetres of an adjoining site, other than where the fill is not greater than 200 millimetres in depth (or height) and is for landscaping, gardening or other similar purposes.

For the purposes of section 60 (1) (b) of the Act, the owner of the affected land or premises may require the building owner to shore up any excavation or to underpin, stabilise or otherwise strengthen the foundations of any building to the extent specified by a professional engineer engaged by the owner of the affected land or premises.

The building owner must pay the reasonable costs of obtaining a report and plans and specifications from a professional engineer for the purposes of sub-regulation (3).

In sub regulations (3) and (4):

'professional engineer' means a person who is:

- (a) a corporate member of the Institution of Engineers, Australia who has appropriate experience and competence in the field of civil and geotechnical engineering; or a person who is registered on the National Professional Engineers Register administered by the institution of Engineers, Australia and who has appropriate experience and competence in the field of civil and geotechnical engineering.

- Section 779 of the Local Government Act provides that, where damage to Council roads, footpaths or kerbing occurs as a result of the development, the owner / applicant shall be responsible for the cost of repairs to the damage.
- A separate application to the Council Works and Technical Services Department is required for any installation of or modification to stormwater drains, underground electrical services or crossovers etc beyond the property alignment. Contact 8360 9000.

The applicant shall at his/her own expense in all things carry out all alterations to existing inverts, watertables, footpaths pavements or other works in the public roads adjacent to the subject land necessary to give effect to the demolition of buildings or structures, siteworks and the construction of the buildings or structures and other works forming part of the development approval to the reasonable satisfaction of the Council and shall at his /her own expense in all things repair and make good any damage to any such inverts, kerbs, watertables, footpaths, pavements, or other such works to the reasonable satisfaction of the Council.

- An approved toilet privy is to be sensitively located on the site prior to any building work commencing. The privy should be suitably braced against overturning. No long drop toilets shall be used on site, only chemical toilets or toilets connected to the sewer shall be used.
- A minimum standard for refuse containers on a building site to restrain 'blowable' materials is to be either;
  - (a) a commercial type removable 'SKIP' type container (provided by a waste removal company) of adequate size for the building project (min 1.5m) with a top closable lid, or
  - (b) a suitable prefabricated rectangular (or square) enclosure of robust construction (ie steel sheeting material or steel mesh F72 or better - not chicken or bird wire) and located so as not to be demolished by vehicles off loading.
- The applicant is encouraged to install and maintain a rainwater tank to the dwelling(s) hereby granted authorisation.

**DEVELOPMENT ACT 1993  
DECISION NOTIFICATION FORM**

Our Ref.: 05/0054.2  
DA No.: 155/00036/04

23 February, 2006

**PROVISIONAL BUILDING RULES CONSENT**

L.M. Salzano, F. Anabatista, L & L Stabolidis  
4 McCormack Ave  
PAYNEHAM SOUTH SA 5070

|  |  |
|--|--|
| <b>Location of proposed development:</b> | <b>114 &amp; 116 Portrush Road, Payneham South</b> |
|--|--|

|  |  |
|--|--|
| <b>Nature of proposed development:</b> | <b>4 New two storey dwellings &amp; alterations to 2 existing dwellings<br/>Stage 2: Roof Construction</b> |
|--|--|

In respect of this development you are informed that provisional building rules consent has been granted on 23 February, 2006 and is subject to one condition and one alternative solution.

The buildings has been assigned the following classification(s) 1a (Dwellings) & 10a (Outbuildings)

The details granted provisional building rules consent in respect of this development are listed below:-

- Architectural drawings numbered 03/23 sheets W2 & W5 by Carlo Dottore and Partners Architects
- Roof truss design numbered 11048301 by Footers Pty Ltd.

**No work can commence on this site unless a Development Approval has been obtained.**

A handwritten signature in black ink, appearing to read "KYM ROWLAND", is written over a horizontal line.

**KYM ROWLAND**  
Private Certifier (SA Reg. No.: 038)





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: 2411220

FIRST PAIGE FORM 1  
80 WATERHOUSE ROAD  
SOUTH PLYMPTON SA 5038

DATE OF ISSUE

19/10/2022

**ENQUIRIES:**

Tel: (08) 8226 3750

Email: revsaesl@sa.gov.au

**OWNERSHIP NUMBER**

1636946\*

**OWNERSHIP NAME**

R S MADDEN

**PROPERTY DESCRIPTION**

116B PORTRUSH RD / PAYNEHAM SOUTH SA 5070 / LT 704 C22823

**ASSESSMENT NUMBER**

1901681151

**TITLE REF.**

(A "+" indicates multiple titles)

CT 5941/199

**CAPITAL VALUE**

\$660,000.00

**AREA / FACTOR**

R4  
1.000

**LAND USE / FACTOR**

RE  
0.400

**LEVY DETAILS:**

**FINANCIAL YEAR**

2022-2023

**FIXED CHARGE**

**+ VARIABLE CHARGE**

**- REMISSION**

**- CONCESSION**

**+ ARREARS / - PAYMENTS**

**= AMOUNT PAYABLE**

\$ 50.00  
\$ 297.00  
\$ 193.25  
\$ 0.00  
\$ 171.44  
\$ 325.19

**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**

17/01/2023



**Government of  
South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



## CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

### PAYMENT REMITTANCE ADVICE

**OWNERSHIP NUMBER**

1636946\*

**OWNERSHIP NAME**

R S MADDEN

**ASSESSMENT NUMBER**

1901681151

**AMOUNT PAYABLE**

\$325.19

**AGENT NUMBER**

100028796

**AGENT NAME**

FIRST PAIGE FORM 1

**EXPIRY DATE**

17/01/2023

+80010581050022> +001571+ <0550587516> <0000032519> +444+

**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](http://www.revenuesa.sa.gov.au)  
Email: [revsupport@sa.gov.au](mailto: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](http://www.revenuesaonline.sa.gov.au)**

RevenueSA  
Locked Bag 555  
ADELAIDE SA 5001



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: 2411220

FIRST PAIGE FORM 1  
80 WATERHOUSE ROAD  
SOUTH PLYMPTON SA 5038

## DATE OF ISSUE

19/10/2022

## ENQUIRIES:

Tel: (08) 8226 3750

Email: landtax@sa.gov.au

### OWNERSHIP NAME

R S MADDEN

### FINANCIAL YEAR

2022-2023

### PROPERTY DESCRIPTION

116B PORTRUSH RD / PAYNEHAM SOUTH SA 5070 / LT 704 C22823

### ASSESSMENT NUMBER

1901681151

### TITLE REF.

(A "+" indicates multiple titles)

CT 5941/199

### TAXABLE SITE VALUE

\$235,000.00

### AREA

0.0222 HA

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

|                         |    |        |                |    |      |
|-------------------------|----|--------|----------------|----|------|
| CURRENT TAX             | \$ | 522.51 | SINGLE HOLDING | \$ | 0.00 |
| - DEDUCTIONS            | \$ | 0.00   |                |    |      |
| + ARREARS               | \$ | 0.00   |                |    |      |
| - PAYMENTS              | \$ | 0.00   |                |    |      |
| = <u>AMOUNT PAYABLE</u> | \$ | 522.51 |                |    |      |

### 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 **17/01/2023**

See overleaf for further information



Government of  
South Australia

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Land Tax Act 1936

# CERTIFICATE OF LAND TAX PAYABLE

## PAYMENT REMITTANCE ADVICE

### OWNERSHIP NUMBER

1636946\*

### OWNERSHIP NAME

R S MADDEN

### ASSESSMENT NUMBER

1901681151

### AMOUNT PAYABLE

\$522.51

### AGENT NUMBER

100028796

### AGENT NAME

FIRST PAIGE FORM 1

### PAYABLE ON OR BEFORE

17/01/2023

+80010581040012> +000927+ <0550587516> <0000052251> +444+

**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](http://www.revenuesa.sa.gov.au)  
Email: [revsupport@sa.gov.au](mailto: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](http://www.revenuesaonline.sa.gov.au)**

RevenueSA  
Locked Bag 555  
ADELAIDE SA 5001



|  |                              |                             |                   |                        |
|--|------------------------------|-----------------------------|-------------------|------------------------|
| Account Number<br><b>19 01681 15 1</b> | L.T.O Reference<br>CT5941199 | Date of issue<br>19/10/2022 | Agent No.<br>8396 | Receipt No.<br>2411220 |
|--|------------------------------|-----------------------------|-------------------|------------------------|

FIRST PAIGE FORM 1  
PO BOX 2209  
SOUTH PLYMPTON SA 5038  
admin@firstpaigeform1.com

Section 7/Elec

## Certificate of Water and Sewer Charges & Encumbrance Information

### Property details:

**Customer:** RS MADDEN  
**Location:** 116B PORTRUSH RD PAYNEHAM SOUTH LT 704 C22823  
**Description:** H G **Capital Value:** \$ 660 000  
**Rating:** Residential

### Periodic charges

Raised in current years to 31/12/2022

|                       |          |                            |   |               |
|-----------------------|----------|----------------------------|---|---------------|
|                       |          |                            |   | \$            |
|                       |          | Arrears as at: 30/6/2022   | : | 0.00          |
| Water main available: | 1/7/2005 | Water rates                | : | 141.60        |
| Sewer main available: | 1/7/2005 | Sewer rates                | : | 218.14        |
|                       |          | Water use                  | : | 75.83         |
|                       |          | 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                | : | 219.19CR      |
|                       |          | <b>Balance outstanding</b> | : | <b>216.38</b> |

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

**Next quarterly charges:** Water supply: 70.80 Sewer: 109.07 Bill: 11/1/2023

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

The last Water Use Year ended on 30/06/2022.

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



## South Australian Water Corporation

**Name:**

RS MADDEN

**Water & Sewer Account**Acct. No.: **19 01681 15 1****Amount:** \_\_\_\_\_**Address:**116B PORTRUSH RD PAYNEHAM  
SOUTH LT 704 C22823

### Payment Options

**EFT****EFT Payment**

|                      |                             |
|----------------------|-----------------------------|
| Bank account name:   | SA Water Collection Account |
| BSB number:          | 065000                      |
| Bank account number: | 10622859                    |
| Payment reference:   | 1901681151                  |

**Biller code: 8888**  
**Ref: 1901681151**

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](http://bpay.com.au)**Paying online**Pay online at [www.sawater.com.au/paynow](http://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: 1901681151

**Government of  
South Australia****South Australian Water Corporation**  
250 Victoria Square/Tarntanyangga  
Adelaide SA 5000  
GPO Box 1751 Adelaide SA 50011300 SA WATER  
(1300 729 283)  
ABN 69 336 525 019  
[sawater.com.au](http://sawater.com.au)



# Application/Statement

Strata Titles Act 1988 (Section 41)

Community Titles Act 1996 (Sections 11, 44, 51, 139)

From: First Paige Form 1

Phone (08) 8297 3801

Fax

(insufficient details will cause delays).

To: The Secretary/Body Corporate Manager: Self Managed

Address of Secretary/Manager: 116B Portrush Road Payneham South SA 5070

\*Strata/\*Community Corporation No. 22823

Incorporated

on behalf of the: ~~owner~~ / ~~mortgagee~~ / \*prospective purchaser / ~~\*prospective mortgagee~~ in regard to:

\*Unit/Lot No 704 in the above Corporation which is situated at:

Street: 116B Portrush Road

Suburb: Payneham South

State: SA

Postcode: 5070

and owned by Ryan Madden

(must be filled in for cross checking to ensure correct unit/lot)

**I/We request that you provide the following information within 5 business days after the making of the application as required by the Act:**

## PART 1 FINANCIAL DETAILS

1.1 Unit/Lot Entitlement 2600 Total of all Unit/Lot Entitlements 10000

1.2 (a) Maintenance Contributions

Amount Payable \$ Nil per paid to / /

(b) Levies Payable (Description, Amount, Due Date)

(1) Nil

(2)

Contributions \$ Levies \$ Interest \$

As at / /

Total Arrears \$

N.B. Interest accrues daily at % per annum

(c) Water charges to be paid by \*Corporation / Owner

1.3 Liabilities of the Corporation

(a) Current liabilities incurred by the Corporation to which the unit/lot holder must or is likely to be required to contribute: (excluding 1.2)

(1) Nil \$

(2) \$

(b) Future liabilities resolved to be incurred by the Corporation to which the unit/lot holder must or is likely to be required to contribute: (excluding 1.2)

(1) \$

(2) \$

1.4 Assets of the Corporation

Name of Fund: Nil

Where held:

(a) Sum standing to credit of fund \$

(b) Amount budgeted for known expenses \$ (see budget)

(c) Amount in Sinking Fund \$

Purpose

(d) Particulars of other assets: (common property improvements that do not appear on the strata plans)



# Application/Statement

Strata Titles Act 1988 (Section 41)

Community Titles Act 1996 (Sections 11, 44, 51, 139)

## PART 2 INSURANCE DETAILS

Insurer:

Finance and Insurance (Brokers) Australia Pty Ltd

Property Cover \$ 121,605.00

Expiry Date 01 / 05 / 2023

Policy No ST500884

Public Liability \$ 20,000,000.00

Expiry Date 01 / 05 / 2023

Policy No ST500884

Other Cover (e.g. Voluntary Workers, Fidelity Guarantee, Machinery Breakdown, Flood)

(1) Voluntary Workers

\$ 200,000/ \$2,000

Expiry Date 01 / 05 / 2023

Policy No ST500884

(2) Fidelity Guarantee

\$ 100,000.00

Expiry Date 01 / 05 / 2023

Policy No ST500884

(3) Government Audit Costs

\$ 25,000.00

Expiry Date 01 / 05 / 2023

Policy No ST500884

## PART 3 Please supply a copy of each of the following: (Applicant to delete if not required)

3.1 ~~(a) Minutes of general meetings of the Corporation for the last two (2) years.~~

~~(b) Minutes of management committee meetings of the Corporation for the last two (2) years.~~

~~(c) Details of any "special resolution" or "unanimous resolution" affecting the unit/lot or common property passed during the last five (5) years (including those contained in (a) above).~~

~~Refer relevant minutes or summary sheet attached~~

~~3.2 Statement of Accounts of the Corporation last prepared.~~

~~3.3 The Articles (for Strata) / The By-Laws (for Community Scheme)~~

~~3.4 Certificate of Currency of Insurance.~~

~~3.5 Insurance Policy(ies) currently in force by the Corporation.~~

~~3.6 The Development Contract [Section 54] and Particulars of the owners obligations (Community Title)~~

~~3.7 The Scheme Description [Section 14] (Community Title).~~

## PART 4 Please complete the following:

The Corporation's records are available for inspection at N/A

on any working day between the hours of am and pm. Contact phone

(A fee of \$8.00 will be charged)

## PART 5 Fees Payable (which must accompany this application - delete any item that does not apply)

5.1

~~\*(a) For supplying Part 1 \$10.00~~

~~\*(b) For completing and supplying items 3.1 to 3.4 inclusive \$10.00~~

~~\*(c) For supplying item 3.5 \$16.00~~

~~\*(d) For supplying item 3.6 (Community Title only) \$25.00~~

~~\*(e) For supplying item 3.7 (Community Title only) \$25.00~~

Total fees payable on this application \$ 0

(plus GST if body corporate or manager collect GST)

5.2 Date of Application: / / 20 Signed for/on behalf of the Applicant

DocuSigned by:

Karen Bowers

506474092A6B4D0...

19-Oct-22

Date of Statement: / / 20 Signed for/on behalf of the Corporation

DocuSigned by:

62A73B425684A8...

20-Oct-22

### Applicant - Please Note:-

1. This statement does not take into account any decisions or transactions of the Corporation at or subsequent to the issue thereof.
2. Applicants are invited to check the current status prior to settlement.
3. Please advise the Corporation the name and address of the new owner when settlement has been effected.
4. For Strata Title, this Application can also be made to any member of the Management Committee.
5. REISA recommends that a copy of the current policies of insurance taken out by the Strata Corporation is requested (refer 3.5)
6. Community By-laws (3.3), plans of division and development contract (3.6) are also available from the Registrar-General.



Orig. LF 10210630



12:31 22-Apr-2005

3 of 3

Fees: \$0.00

| SERIES NO. | PREFIX |
|------------|--------|
| 3          | LF     |

**BELOW THIS LINE FOR OFFICE USE ONLY**

|        |         |
|--------|---------|
| Date:  | Time:   |
| FEES   |         |
| R.G.O. | POSTAGE |
|        |         |

**LANDS TITLES REGISTRATION  
OFFICE  
SOUTH AUSTRALIA**

**LODGEMENT FOR FILING UNDER THE  
COMMUNITY TITLES ACT 1996**

FORM APPROVED BY THE REGISTRAR-GENERAL

**BELOW THIS LINE FOR AGENT USE ONLY**AGENT CODE

Lodged by:

INDEPENDENT CONVEYANCERS (ICON)

Correction to:

INDEPENDENT CONVEYANCERS (ICON)

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

- 1.....
- 2.....
- 3.....
- 4.....
- 5.....

Assessor

|             |  |
|-------------|--|
| PICK-UP NO. |  |
| CP          |  |
| DEV. NO.    |  |

CORRECTION

PASSED

  
N.S.

FILED 12-5-05

  
pro REGISTRAR-GENERAL

**DELIVERY INSTRUCTIONS (Agent to complete)**  
PLEASE DELIVER THE FOLLOWING ITEM(S) TO THE  
UNDERMENTIONED AGENT(S)

| ITEM | AGENT CODE |
|------|------------|
|      |            |
|      |            |
|      |            |
|      |            |

**TERMS OF INSTRUMENT NOT  
CHECKED BY LANDS TITLES OFFICE**

**BY-LAWS  
Development No. 155/C037/04**

# **BY-LAWS**

**COMMUNITY PLAN NO. 22823**

## **ADDRESS**

**116 PORTRUSH ROAD**

**PAYNEHAM SOUTH 5070**

**TERMS OF INSTRUMENT NOT  
CHECKED BY LANDS TITLES OFFICE**

**BY-LAWS  
Development No. 155/C037/04**

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**TERMS OF INSTRUMENT NOT  
CHECKED BY LANDS TITLES OFFICE**

**BY-LAWS  
Development No. 155/C037/04**

# **COMMUNITY TITLES ACT, 1996**

## **MANAGEMENT BY-LAWS**

### **WARNING**

**The terms of these By-laws are binding on:**

- **the Community Corporation,**
- **the owners and occupiers of the Community Lots and the Development lot or lots (if there are any) comprising the scheme and**
- **persons entering the community parcel.**

**These By-Laws relate to the control and preservation of the essence or theme of the Community Corporation and as such may only be amended or revoked by special resolution of the Community Corporation in accordance with section 39 of the Community Titles Act 1996 .**

**TERMS OF INSTRUMENT NOT  
CHECKED BY LANDS TITLES OFFICE**

**BY-LAWS  
Development No. 155/C037/04**

## **PART 1 PERMITTED USE**

1. No dwelling shall be used or occupied except as a residence. ✓
2. Alterations to the exterior of the buildings must be harmonious and sympathetic to the design and concept of the development as a whole.

## **PART 2 RESTRICTED COMMON PROPERTY**

That portion of the common property located between the front boundaries of lots 702 and 703 is restricted for the exclusive use of the owners or occupiers of lots 702 and 703 as a walkway to their respective lots.

## **PART 3 MANDATORY MATTERS**

### **BY-LAW 1 - COMMON PROPERTY**

1. The Common Property is as shown on sheet 1 of the Primary plan of the scheme and comprises the common driveway. ✓
2. The Community Corporation is responsible for the control, management, use and use and maintenance of the Common Property including landscaping, ✓ and any gates that may be installed on the Common Property.
3. Other than the restricted common property, the Common Property is available to the proprietors and occupiers of all lots and persons authorised by them to pass and re-pass at all times with or without passenger vehicles to and from their respective lots. No trucks, other vehicles or heavy machinery with a carrying capacity of over 1 tonne nor any skateboards, roller skates or other ✓ similar conveyances are to be used on any part of the common property – including the restricted common property - unless prior written consent is obtained from the Community Corporation.

This consent will usually only be given for the use of trucks when lot owners or occupiers are moving into, or out of the residence on their lot.

**TERMS OF INSTRUMENT NOT  
CHECKED BY LANDS TITLES OFFICE**

**BY-LAWS  
Development No. 155/C037/04**

4. A proprietor or occupier of a lot, or a person who is upon the Common Property by their authority, must not park, repair or **for any reason leave**, any motor vehicle or other vehicle upon the Common Property **except** in the case of an emergency - and then only to the extent necessary to remove the vehicle from the Common Property.
5. The Proprietor or Occupier of a lot must give notice to the Community Corporation of any damage to, or defect in, the Common Property immediately they become aware of the damage or defect.

**BY-LAW 2 - INTERNAL FENCING**

1. The Fences Act 1975 (As amended) applies as between the owners of adjoining Community lots.

**BY-LAW 3 - GARBAGE**

1. The Occupiers of a Community lot must provide a garbage bin for the storage of garbage upon their respective lots and are to ensure that arrangements are made for the collection of the garbage by the Local Council or it's Contractor in accordance with that Council's By-Laws and garbage collection arrangements from time to time.

**BY-LAW 4 - STATUTORY SERVICES**

1. The Community Corporation shall be responsible for the maintenance, repair and replacement of those services within the Common Property.

**TERMS OF INSTRUMENT NOT  
CHECKED BY LANDS TITLES OFFICE**

**BY-LAWS  
Development No. 155/C037/04**

**BY-LAW 5 - INSURANCE**

1. The Community Corporation must review, on an annual basis, all Insurance effected by it and also the need for any new Insurance.
2. Notice of an Annual General Meeting of the Community Corporation must include a form of motion to decide whether Insurance effected by the Community Corporation should be confirmed, varied or extended **and**
3. The Community Corporation must immediately effect new Insurances or vary or extend existing Insurances if there is an increased risk or a new risk.
4. A Proprietor or Occupier of a Community lot must not, except with the approval of the Community Corporation, do anything that might:-
  - (a) void or prejudice Insurance effected by the Community Corporation **and/or**
  - (b) increase any premium payable by the Community Corporation on any Insurance policy held by it.
5. Each Proprietor of a lot shall insure all buildings and other improvements on the lot. The Insurance must be against all risks that a normally prudent person would insure against **and**
  - (a) must be for the full costs of replacing the building or improvements with new materials; **and**
  - (b) must cover incidentals such as demolition, site clearance and architects fees.
6. The Proprietor of each lot must provide the Community Corporation, upon it's request from time to time, evidence of a current Insurance policy in terms of this By-Law.

**TERMS OF INSTRUMENT NOT  
CHECKED BY LANDS TITLES OFFICE**

**BY-LAWS  
Development No. 155/C037/04**

**BY-LAW 6 - MAINTENANCE OF A BUILDING ON A LOT**

The Proprietor or Occupier of a lot must

1. keep that lot, including - without limitation - the exterior of the building on that lot, clean and tidy and in good repair and condition.
2. carry out all maintenance and repairs to the exterior of the buildings on the lot in a proper and professional manner and to the reasonable satisfaction of the Community Corporation.
3. not overload any electrical wiring or use the sewer and water or gas pipes for any purpose except for which they were intended.

**BY-LAW 7 - KEEPING OF PETS.**

1. The Proprietor or Occupier of a lot must not keep any pet **other than** a dog or cat weighing 10 Kilograms or less on the lot or on any other part of the Community Parcel or on the Common Property unless prior approval is obtained from the Community Corporation.
2. Notwithstanding By-Law 1 above an Occupier of a lot or a visitor to the Community Parcel who suffers from a disability may keep or use a dog that is trained to assist in respect of that disability.
3. Where a Proprietor or Occupier of a lot, or any other person who is on the Community Property with the express or implied consent of a Proprietor or Occupier of a lot, brings or keeps a pet on the lot or on any other part of the Community Property that Proprietor or Occupier is:-
  - (a) Liable to the Proprietors or Occupiers of their respective lots and all other persons lawfully on the Community Property for any noise which is disturbing to an extent which is unreasonable and for damage to or loss of property or injury to any person caused by the pet **and**
  - (b) responsible for cleaning up after the pet has used any part of another lot or any part of the Community Property.



**TERMS OF INSTRUMENT NOT  
CHECKED BY LANDS TITLES OFFICE**

**BY-LAWS  
Development No. 155/C037/04**

**BY-LAW 8 -LANDSCAPING.**

1. Each Proprietor or Occupier of a lot shall establish a garden on that lot and will keep the garden of that lot maintained and clear of rubbish and shall not, without the prior written approval of the Community Corporation change the landscaping of that lot so as to substantially alter the environment .

**BY-LAW 9 - PEACEFUL ENJOYMENT.**

1. A Proprietor or Occupier of a lot shall not interfere with the quiet enjoyment of another lot or the Community Property.
2. A Proprietor or Occupier of a lot shall not, upon that parcel, create any noise or undertake any activity which is likely to interfere with the peaceful enjoyment of another lot or of any person lawfully using the Community Property.

**BY-LAW 10**

**MONEYS PAYABLE BY PROPRIETORS OR OCCUPIERS OF LOTS**

Each Proprietor or Occupier of a lot will be liable for payment of:-

- (a) all costs incurred by them for their lot including, but not restricted to, electricity, gas, telephone and rates & taxes **and**
- (b) a contribution towards all of the costs incurred by the Community Corporation including, but not limited to, water use on the Community Property, maintenance of the common driveway, Insurance for the Common Property and other assets of the Community Corporation and all other legitimate costs incurred by the Community Corporation. The rate of contribution by the Proprietor or Occupier of a lot is to be determined in accordance with the following:-
  - (i) The owners or occupiers of lots 702 and 703 will be responsible in equal shares for costs with regard to the restricted common property and;
  - (ii) the owners of all lots will be responsible for payments of costs on the balance of the common property determined in accordance with the lot entitlement of their respective lots

**TERMS OF INSTRUMENT NOT  
CHECKED BY LANDS TITLES OFFICE**

**BY-LAWS**

**Development No. 155/C037/04**

**BY-LAW 11**

**COMMUNITY CORPORATION'S RIGHT TO RECOVER MONEY.**

1. The Community Corporation may recover, as a debt, any money owing to it under the By-Laws.
2. A Proprietor or Occupier of a lot must pay or reimburse the Community Corporation on demand for the costs, charges and expenses of the Community Corporation in connection with contemplated or actual enforcement or preservation of any rights under the By-Laws in relation to the Proprietor or Occupier.
3. The costs, charges and expenses recoverable by the Community Corporation shall include, without limitation, those expenses incurred in retaining any independent consultant or other person to evaluate any matter of concern and its administration costs in connection with those events.
4. The Community Corporation may charge interest on any overdue moneys owed to it by a Proprietor or Occupier of a lot at a rate of interest of two percentum per annum (2.00% p.a.) above the rate quoted by the Community Corporation's Bankers on overdraft facility of less than \$100,000.00 at that time **PROVIDED THAT** the rate charged will not in any instance be higher than the maximum rate prescribed by regulation 20 of the Community Titles Act. The interest will be payable for the period from when the moneys become due and payable to the day on which payment is made.

**Finance and Insurance (Brokers) Australia Pty Ltd**

ABN 35 007 946 401

AFS License No:237842

E: [enquire@fiabrokers.com.au](mailto:enquire@fiabrokers.com.au)Level 2/208 Greenhill Road  
EASTWOOD SA 5063

T: (08) 8267 6365

Page 1 of 3

On your behalf, we have renewed your policy for the period shown below.  
For your continued protection payment is required before the due date and  
via the options shown on the tear off slip at the bottom of this invoice.

RYAN MADDEN  
EMAIL TO [Rmadden@amtaa.com.au](mailto:Rmadden@amtaa.com.au)**TAX INVOICE**This document will be a tax invoice  
for GST when you make payment

Invoice Date: 4/05/2022

Invoice No: 278391

Our Reference: MADDEN R

Should you have any queries in relation to this account,  
please contact your Account Manager  
**FRANCA ANABATTISTA**

**Class of Policy:** COMMUNITY TITLE INSURANCE  
**Insurer:** QBE INSURANCE (AUSTRALIA) LTD  
LEVEL 16 / 45 PIRIE STREET ADELAIDE SA 5000  
ABN: 78 003 191 035  
**The Insured:** COMMUNITY CORPORATION NO 22823 INC

**RENEWAL**

Policy No: ST500884

Period of Cover:

From **1/05/2022**  
to **1/05/2023** at 4:00 pm**Details:** See attached schedule for a description of the risk(s) insured**Your Premium:**

| Premium  | UW Levy | Fire Levy | GST     | Stamp Duty | Broker Fee |
|----------|---------|-----------|---------|------------|------------|
| \$173.06 | \$22.50 | \$0.00    | \$19.56 | \$20.94    | \$0.00     |

**TOTAL \$236.06**

(A processing fee applies for Credit Card payments)



Please turn over for further payment methods and instructions



Biller Code: 20362

Ref: 40249581911327450

Pay by credit card (Visa, Mastercard, Amex or Diners)  
at [www.deft.com.au](http://www.deft.com.au) or  
Call 1300 78 11 45. A surcharge may apply.  
**DEFT Reference Number: 40249581911327450**

\*498 402495 81911327450

Finance and Insurance Brokers Australia Pty Ltd

Our Reference: MADDEN R

Invoice No: 278391

Due Date: 1/05/2022

|               |          |
|---------------|----------|
| Premium       | \$173.06 |
| U'writer Levy | \$22.50  |
| Fire Levy     | \$0.00   |
| GST           | \$19.56  |
| Stamp Duty    | \$20.94  |
| Broker Fee    | \$0.00   |

**AMOUNT DUE****\$236.06**

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Schedule of Insurance

|                         |                                    |                    |          |
|-------------------------|------------------------------------|--------------------|----------|
| <b>Class of Policy:</b> | COMMUNITY TITLE INSURANCE          | <b>Policy No:</b>  | ST500884 |
| <b>The Insured:</b>     | COMMUNITY CORPORATION NO 22823 INC | <b>Invoice No:</b> | 278391   |
|                         |                                    | <b>Our Ref:</b>    | CP 22823 |

to or less than \$50,000,000, General exclusion Terrorism is hereby deleted and replaced with 'any Act of Terrorism where such act is directly or indirectly caused by, contributed to by, resulting from, arising out of or in connection with biological, chemical, or nuclear weapons, pollution or contamination.'

WHAT ADVICE IS BEING PROVIDED?

General Advice is advice that has been prepared without considering your current objectives, financial situation or needs. Therefore, before acting on this advice, you should consider whether it is suitable for your current objectives, financial situation or needs.

Please check the Renewal Schedule carefully to ensure that the sum insured is adequate and that the cover is appropriate. You may also wish to refer to the Product Disclosure Statement or Policy Wording for more information about the policy.