

Form 1 - Vendor's statement

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

Contents

Preliminary

Part A - Parties and land

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

Part C - Statement with respect to required particulars

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

Schedule



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 parentheses below or to the side of the question).

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

SA FORM 1

S.A. Form1's Pty Ltd - ABN : 26 168 075 778
proudly associated with *Critchley & Associates Conveyancers*

1283 North East Road, Tea Tree Gully SA 5091
Tel: 8397 4000 | admin@saform1.com.au

Part A—Parties and land

1. Purchaser:

Address:

Street 1:

Suburb: State: Postcode:

2. Purchaser's registered agent:

Address:

Street 1:

Suburb: State: Postcode:

3. Vendor:

DWAYNE ANDREW BURGESS

Address:

Street 1: PO BOX 632

Suburb: VIRGINIA State: SA Postcode: 5120

4. Vendor's registered agent:

eXp AUSTRALIA PTY LTD T/A eXp AUSTRALIA

Address:

Street 1: LEVEL 3, 169 FULLARTON ROAD

Suburb: DULWICH State: SA Postcode: 5065

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

6. Description of the land: *(Identify the land including any certificate of title reference)*

ALLOTMENT 29 IN DEPOSITED PLAN 32230

Street 1: 320 PENFIELD ROAD

Suburb: VIRGINIA State: SA Postcode: 5120

being the *whole / ~~portion~~ of the land comprised in Certificate of Title

VOLUME 5075 FOLIO 280

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:
PO BOX 632, VIRGINIA, SA 5120
(being the vendor's last known address); or
- (c) transmitted by fax or email to the following fax number or email address:
enquiries@expaustralia.com.au; chris.janzon@expaustralia.com.au
(being a number or address provided to you by the vendor for the purpose of service of the notice); or
- (d) left for the vendor's agent (with a person apparently responsible to the agent) at, or posted by registered post to the agent at, the following address:
LEVEL 3, 169 FULLARTON ROAD, DULWICH SA 5065
(being ~~*the agent's address for service under the *Land Agents Act 1994* / an address nominated by the agent to you for the purpose of service of the notice~~).

Note:

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

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

5. Effect of service

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

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

Proceeding with the purchase

If you wish to proceed with the purchase:

- (a) it is strongly recommended that you take steps to make sure your interest in the property is adequately insured against loss or damage; 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~~, DWAYNE ANDREW BURGESS

of PO BOX 632, VIRGINIA, SA 5120

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: 12/03/2025

Signed:

DWAYNE ANDREW BURGESS

Date:

Signed:

Date:

Signed:

Date:

Signed:

Part D—Certificate with respect to prescribed inquiries by registered agent



(section 9)

To the purchaser:

I, CLAYTON BARBER OF S.A. FORM 1's PTY LTD

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: NIL

Date: 12/03/2025

Signed:

Clayton Barber

~~*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

(If an item is applicable, ensure that the box for the item is ticked and complete the item.)

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

(a) the heading "1. General" and items 1.1, 1.2, 1.3 and 1.4; and

(b) the heading "5. Development Act 1993 (repealed)" and item 5.1; and

(c) the heading "6. Repealed Act conditions" and item 6.1; and

(d) the heading "29. Planning, Development and Infrastructure Act 2016" and items 29.1 and 29.2,

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

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

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

(If requested particulars are set out in the item and then continued on an attachment due to insufficient space, identify the attachment in the place provided in column 2. If all of the requested particulars are contained in an attachment (instead of in the item) in accordance with the Note preceding this table, identify the attachment in the place provided in column 2 and (if required by the Note) identify the parts of the attachment that contain the particulars.)

1. General

1.1Mortgage of land (Note: Do not omit this item. The item and its heading must be included in the statement even if not applicable.)	Is this item applicable? Will this be discharged or satisfied prior to or at settlement? Are there attachments? If YES, identify the attachment(s): (and, if applicable, the part(s) containing the particulars) CERTIFICATE OF TITLE Number of mortgage: (if registered) 14404095 Name of mortgagee: AFSH NOMINEES PTY. LTD. (ACN: 143 937 437)	☒ YES YES
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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?

NO

Are there attachments?

YES

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

PROPERTY INTEREST REPORT

Description of land subject to easement:

THE WHOLE OF THE LAND COMPRISED IN
CERTIFICATE OF TITLE - VOLUME 5075 FOLIO 280

Nature of easement:

THERE MAY EXIST STATUTORY EASEMENT(S) THAT ARE NOT REGISTERED OR DEFINED ON THE TITLE FOR THE LAND, FOR PURPOSES SUCH AS (WITHOUT LIMITATION) ELECTRICITY INFRASTRUCTURE, GAS SUPPLY, WATER SUPPLY, SEWERAGE AND TELECOMMUNICATIONS TO, FROM AND THROUGH THE LAND

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?

NO

Are there attachments?

YES

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

MEMORANDUM OF ENCUMBRANCE

Nature of restrictive covenant:

REFER TO MEMORANDUM OF ENCUMBRANCE

Name of person in whose favour restrictive covenant operates:

ROMAN ROLF BIEDRZYCKI AND HELEN JANIC BIEDRZYCKI

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

YES

If NO, give details:

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

NO

1.4 Lease, agreement for lease, tenancy agreement or licence

(The information does not include information about any sublease or subtenancy. That information may be sought by the purchaser from the lessee or tenant or sublessee or subtenant.)

(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	Is this item applicable?	☒
		Will this be discharged or satisfied prior to or at settlement?	NO
		Are there attachments?	YES
		If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): CITY OF PLAYFORD COUNCIL SEARCH	
		Condition(s) of authorisation: REFER TO CITY OF PLAYFORD COUNCIL SEARCH	

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)	<i>Is this item applicable?</i>	☒
		<i>Will this be discharged or satisfied prior to or at settlement?</i>	NO
		<i>Are there attachments?</i>	YES
		<i>If YES, identify the attachment(s): (and, if applicable, the part(s) containing the particulars)</i>	
		CITY OF PLAYFORD COUNCIL SEARCH	
		Nature of condition(s):	
		REFER TO CITY OF PLAYFORD COUNCIL SEARCH	

(**Note** - Do not omit this item. This 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	<i>Is this item applicable?</i>	☒
		<i>Will this be discharged or satisfied prior to or at settlement?</i>	YES
		<i>Are there attachments?</i>	YES
		<i>If YES, identify the attachment(s): (and, if applicable, the part(s) containing the particulars)</i>	
		CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE	
		Date of notice:	
		14 JANUARY 2025	
		Amount of levy payable:	
		Refer to Certificate of ESL Payable	

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?	YES
		Are there attachments?	YES
		If YES, identify the attachment(s): (and, if applicable, the part(s) containing the particulars)	
		CITY OF PLAYFORD COUNCIL SEARCH	
		Date of notice, order etc: 13/01/2025	
		Name of council by which, or person by whom, notice, order etc is given or made: CITY OF PLAYFORD COUNCIL	
		Land subject thereto: THE WHOLE OF THE LAND COMPRISED IN CERTIFICATE OF TITLE VOLUME 5075 FOLIO 280	
		Nature of requirements contained in notice, order etc: PAYMENT OF COUNCIL RATES	
		Time for carrying out requirements: TO BE PAID ON OR PRIOR TO SETTLEMENT	
		Amount payable (if any): \$1,138.00	

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)

Does the restriction apply to all of the land?

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

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)

29.14 section 214(6), 214(10) or
222 - Enforcement 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 order made:

Name of court that made order:

Action number:

Names of parties:

Terms of order:

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

Schedule - Division 2 - Other particulars (section 7(1)(b))



Particulars of transactions in last 12 months



If the vendor, within 12 months before the date of the contract of sale-

- (a) obtained title to the land; or
- (b) obtained an option to purchase the land; or
- (c) entered into a contract to purchase the land (whether on the vendor's own behalf or on behalf of another),

the vendor must provide the following particulars of all transactions relating to the acquisition of the interest that occurred within that 12 month period:

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

TRANSFEROR: DWAYNE ANDREW BURGESS OF 320 PENFIELD ROAD VIRGINIA SA 5120 REGISTERED AS DWAYNE ANDREW ELLIOT BURGESS AS A CONSEQUENCE OF ERROR IN REGISTER AND KELLY RHIANNA BANKS OF 320 PENFIELD ROAD VIRGINIA SA 5120

TRANSFeree: DWAYNE ANDREW BURGESS OF 320 PENFIELD ROAD VIRGINIA SA 5120

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

TRANSFER NO. 14404094 DATED 15/11/2024 AND REGISTERED ON THE 20/11/2024

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

PURSUANT TO SECTION 71CA OF THE STAMP DUTIES ACT 1923 AND PURSUANT TO COURT ORDER NO. (P)ADC4644/2024

The above particulars must be provided for each transaction.

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
- MEMORANDUM OF ENCUMBRANCE
- PROPERTY INTEREST REPORT
- CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE
- CERTIFICATE OF LAND TAX PAYABLE
- SA WATER CERTIFICATE OF CHARGES
- CITY OF PLAYFORD COUNCIL SEARCH
- PLANS - REGULATED AND SIGNIFICANT TREE REFORMS

ACKNOWLEDGEMENT OF RECEIPT

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

Dated this _____ Day of _____ 20 _____

Signature of purchaser(s)

	Signature		Signature
	Date		Date
	Signature		Signature
	Date		Date

(*Strike out whichever is not applicable)



S.A. Form1's Pty Ltd - ABN : 26 168 075 778

proudly associated with Critchley & Associates Conveyancers

1283 North East Road, Tea Tree Gully SA 5091

Tel: 8397 4000 | admin@saform1.com.au

FORM R3 – BUYERS INFORMATION NOTICE

Annexure to Form 1 – Vendor's Statement

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

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

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.



S.A. Form1's Pty Ltd - ABN : 26 168 075 778

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1283 North East Road, Tea Tree Gully SA 5091

Tel: 8397 4000 | admin@saform1.com.au

COPY OF CERTIFICATE(S) OF TITLE TO THE LAND

Annexure to Form 1 – Vendor's Statement



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 5075 Folio 280

Parent Title(s)	CT 4387/559		
Creating Dealing(s)	CONVERTED TITLE		
Title Issued	15/06/1992	Edition 7	Edition Issued 20/11/2024

Estate Type

FEE SIMPLE

Registered Proprietor

DWAYNE ANDREW BURGESS
OF 320 PENFIELD ROAD VIRGINIA SA 5120

Description of Land

ALLOTMENT 29 DEPOSITED PLAN 32230
IN THE AREA NAMED VIRGINIA
HUNDRED OF MUNNO PARA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
7165863	ENCUMBRANCE TO ROMAN ROLF BIEDRZYCKI AND HELEN JANIC BIEDRZYCKI (SINGLE COPY ONLY)
14404095	MORTGAGE TO AFSH NOMINEES PTY. LTD. (ACN: 143 937 437)

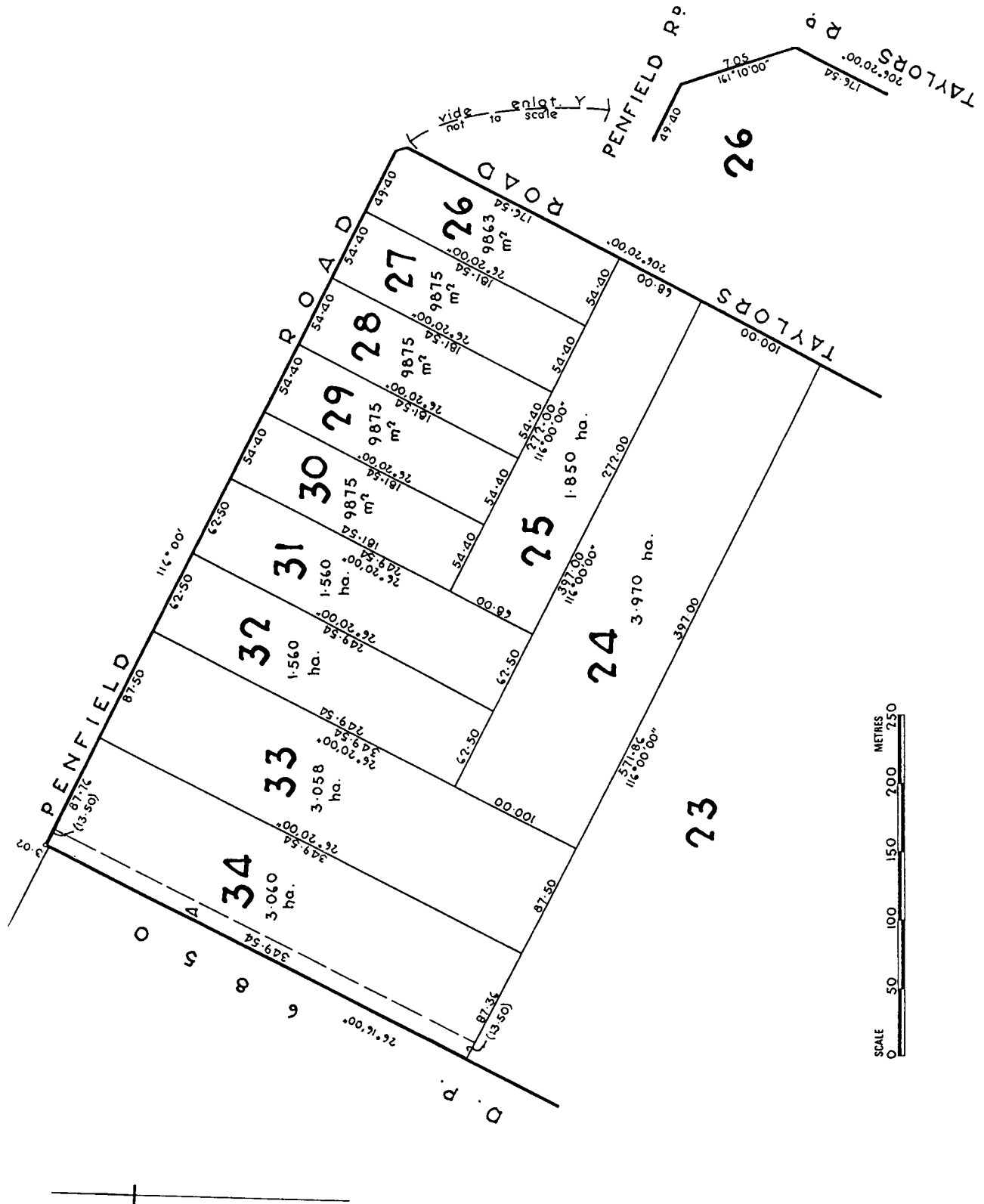
Notations

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



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5075/280)
13/01/2025 03:36PM
25034
20250113008137





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MEMORANDUM OF ENCUMBRANCE

Annexure to Form 1 – Vendor's Statement

PREFIX **E** NO.

7165863



SINGLE COPY ONLY

SERIES NO. **76**
TO BE COMPLETED BY AGENT

NOTES

1. This form is designed to suit the simplest type of encumbrance. Lending institutions which prefer to have encumbrance forms printed privately may do so, but proposed forms must be submitted to the Registrar-General and will not be acceptable for registration unless the format is approved.
2. All panels to be completed. If insufficient space use Annexure Form B.1. This panel should then only contain the words "see Annexure A" (or as the case may be).
3. State whether the whole or portion only of the land comprised in the Certificate of Title. If portion only describe precisely.
4. Insert "estate in fee simple", "estate as Crown lessee", "estate as lessee" or "estate as mortgagee" (as the case may be). If lease or mortgage state registered number.
5. List encumbrances which affect the estate being encumbered.
6. If address and/or occupation has changed identify as "formerly
7. If tenants in common in unequal shares specify shares.
8. If an executing party is a natural person execution should read "SIGNED by the encumbrancer in the presence of". The witness must be a disinterested party. If an executing party is a body corporate execution must conform to any prescribed formalities relating to the affixing of the common seal.
9. The short form of proof is applicable where the witness is an authorised functionary.
10. The long form of proof is to be used where the witness is not an authorised functionary. The address and occupation of the witness must be stated.

REGISTRAR-GENERAL'S OFFICE

SOUTH AUSTRALIA

MEMORANDUM OF ENCUMBRANCE

FORM APPROVED BY THE REGISTRAR-GENERAL

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

(SIGNED)

ALLAN DAVIES

Solicitor/Licensed Land Broker/Encumbrancer

- 3 SEP 1991

TIME

14.45

FEES

\$

R.G.O.

SS

POSTAGE

ADVERTISING

NEW C.T. TO ISSUE

OFFICE NOTES:

BELOW THIS LINE FOR OFFICE USE ONLY

EXAMINATION

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

03SEP1991 010024421L.T.O.

21/11

REGISTERED ON **8.11.1991** AT **1100**
BY ENTRY OF A MEMORIAL OF THIS INSTRUMENT IN THE
REGISTER BOOK. VOL. **4387** FOLIO **559**

DE Schuyt pro



BELOW THIS LINE FOR AGENT USE ONLY

Lodged by:
Address: **COMMONWEALTH SAVINGS BANK OF AUST. CSBA**
96 KING WILLIAM STREET ADELAIDE S.A. 5000
COMMONWEALTH SAVINGS BANK OF AUST CSBA

Correction to **ALLAN DAVIES** **AMDA**

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

1..... } Receive
2..... } items
3..... } No.
4..... }
5..... } Assessor:

PLEASE ISSUE NEW CERTIFICATES OF TITLE AS FOLLOWS

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

ITEM(S) DELIVERED—POSTED

IN ACCORDANCE WITH DELIVERY INSTRUCTIONS

ITEM	AGENT/RGO BOX No.	DELIVERY DATE	*POSTAGE DATE	INITIALS
1				
2				
3				
4				
5				

DELIVERY INSTRUCTIONS: PLEASE DELIVER THE FOLLOWING ITEM(S)
TO THE UNDERMENTIONED AGENT(S)

ITEM: CT/CL REF.	AGENT'S NAME	AGENT/RGO BOX No.	POSTAL ADDRESS

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

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

AGENT'S INITIALS

DATED THIS 3rd DAY OF September 1991

SIGNED by the ENCUMBRANCER)

in the presence of:-

..... Gottfredsson

..... [Signature]

EXECUTION AND
ATTESTATION
(See Note 8)

SHORT FORM OF
PROOF
(See Note 9)

Appeared before me at _____ the _____ day of _____ 19

the encumbrancer, within described the party executing the within instrument being a person well known to me and did freely and voluntarily sign the same.

(SIGNED)

Appeared before me at _____ the _____ day of _____ 19

the encumbrancer, within described the party executing the within instrument being a person well known to me and did freely and voluntarily sign the same.

(SIGNED)

LONG FORM OF PROOF
(See Note 10)

Appeared before me at _____ the _____ day of _____ 19

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

(SIGNED)

Appeared before me at SALISBURY the 3rd day of September 1991
AKI AARNO OLAVI HONEN OF 38 COMMERCIAL RD
SALISBURY 5108 LIC. LANDBROKER

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

(SIGNED)

..... [Signature]

IT IS COVENANTED BETWEEN THE ENCUMBRANCER AND ENCUMBRANCEE as follows:—

1. That as regards the constructions or erections of any improvements on the said land
 - 1.1. All buildings to be set back by a minimum of twenty (20) metres from the frontage alignment to the land.
 - 1.2. Materials used for any dwelling shall be new material, and for outbuildings and fencing, colour bond or painted galvanised iron in a colour environmentally suited to the locality.

AND IT IS FURTHER COVENANTED:—

1. That if there shall be more than one person named as the "Encumbrancer" herein all the covenants and obligations herein contained on the part of the Encumbrancer shall bind all the Encumbrancers jointly and each of them severally and their and each of their respective executors administrators and successors in title.
2. That the provisions hereinbefore contained for the payment of the sum abovementioned shall not in any way prejudice the right of the Encumbrancee to pursue any remedy the Encumbrancee may have by way of injunction to prevent any breach of the said covenants or for damages for any breach of the said covenants or for damages for any breach of them or otherwise.
3. That the Encumbrancee has the right to modify waive or release any covenants conditions restrictions or stipulations relating to the Land adjoining or neighbouring land whether imposed or entered into before or at the same time as or after the date hereof and whether they are the same as the covenants conditions restrictions and stipulations hereinbefore set out or not and notwithstanding that such neighbouring or adjoining land forms part of the same subdivision including any covenants conditions restrictions and stipulations which may become binding on the Encumbrancer or the Encumbrancee by virtue of this Memorandum of Encumbrance including without limiting the generality of the foregoing the right to permit a mortgage or mortgages to be registered in priority to any Memorandum of Encumbrance over any such neighbouring or adjoining land.
4. That the Encumbrancer and the successive assigns of the Encumbrancer shall be respectively released and discharged from the payment of the said rent charge and from the observance and performance of the covenants conditions restrictions and stipulations hereinbefore contained forthwith upon the Encumbrancer and such respective assigns respectively ceasing to be registered as the proprietors of the land to the intent that the said rent charge and covenants conditions restrictions and stipulations shall be binding upon the registered proprietor or proprietors for the time being of the land or any part thereof, and subject as aforesaid the Encumbrancee shall be entitled to all the powers and remedies given to Encumbrancees by the Real Property Act 1886-1975 as amended.
5. Except to the extent that the following interpretation shall be excluded by or be repugnant to the context words importing persons shall include a corporation; words importing the singular number or plural number shall be deemed to include the plural and singular number respectively and words importing the masculine gender only shall include the female and neuter genders; "the Encumbrancer" and the "Encumbrancee" shall mean the persons whose names are set out opposite the words "Encumbrancer" and "Encumbrancee" respectively on page 1 hereof and their respective executors administrators successors and assigns.

MEMORANDUM OF ENCUMBRANCE

CERTIFICATES OF TITLE
BEING ENCUMBERED
(See Note 3)

The whole of Lot 29 in DP 32230 being portion of the land comprised in
Certificates of Title Register Book

VOLUME 4363 FOLIOS 677, 678 and 690

VOLUME 4379 Folio 531

Now whole CT 4387/559

ESTATE AND INTEREST
(See Note 4)

Estate in fee simple

ENCUMBRANCES
(See Note 5)

Nil

ENCUMBRANCER
(Full name, address and
occupation.)
(See Note 6)

SCOTT ANDREW GIADRESKO Labourer of Lot 29 Penfield Road Virginia 5120

ENCUMBRANCEE
(Full name, address and
occupation.)
(See Note 7)

ROMAN ROLF BIEDRZYCKI and HELEN JANICE BIEDRZYCKI both of 15 Brandreth
Street Tusmore 5065 Property Developers

(a) State the term of the
annuity. If for life use
the words "during his
lifetime".

THE ENCUMBRANCER ENCUMBERS THE ESTATE AND INTEREST IN THE LAND ABOVE DESCRIBED FOR THE BENEFIT OF THE ENCUMBRANCEE
SUBJECT TO THE ENCUMBRANCES AND OTHER INTERESTS AS SHOWN HEREON WITH AN ANNUITY OF Ten cents (10¢)

TO BE PAID TO THE ENCUMBRANCEE (a).
for a period of 999 years

(b) State the times
appointed for payment
of the annuity and any
special covenants.

AT THE TIMES AND IN THE MANNER FOLLOWING (b)
annually in advance from the date of this Encumbrance



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PROPERTY INTEREST REPORT

Annexure to Form 1 – Vendor's Statement

Property Interest Report

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

Title Reference	CT 5075/280	Reference No. 2639347
Registered Proprietors	D A*BURGESS	Prepared 13/01/2025 15:36
Address of Property	320 PENFIELD ROAD, VIRGINIA, SA 5120	
Local Govt. Authority	CITY OF PLAYFORD	
Local Govt. Address	10 PLAYFORD BOULEVARD ELIZABETH SA 5112	

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

Table of Particulars

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

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

Prescribed encumbrance	Particulars (Particulars in bold indicates further information will be provided)
------------------------	--

1. General

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

2. Aboriginal Heritage Act 1988

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

an area surrounding a site

- 2.3 Part 3 Division 6 - Aboriginal heritage agreement

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

also

Refer to the Certificate of Title

3. Burial and Cremation Act 2013

- 3.1 section 8 - Human remains interred on land

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

also

contact the vendor for these details

4. Crown Rates and Taxes Recovery Act 1945

- 4.1 section 5 - Notice requiring payment

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

5. Development Act 1993 (repealed)

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

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

- 5.4 section 55 - Order to remove or perform work

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

also

Contact the Local Government Authority for other details that might apply

- 5.5 section 56 - Notice to complete development

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

also

Contact the Local Government Authority for other details that might apply

- 5.6 section 57 - Land management agreement

Refer to the Certificate of Title

- 5.7 section 60 - Notice of intention by building owner

Contact the vendor for these details

- 5.8 section 69 - Emergency order

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

also

Contact the Local Government Authority for other details that might apply

- 5.9 section 71 - Fire safety notice

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

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

6. Repealed Act conditions

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

7. Emergency Services Funding Act 1998

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

 also

 Contact the Local Government Authority for other details that might apply
- 11.2

section 46 - Prohibition order

Public Health in DHW has no record of any notice or direction affecting this title

 also

 Contact the Local Government Authority for other details that might apply

12. **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

 also

 Refer to the Certificate of Title
- 13.5

section 38 - "No development" order

Heritage Branch in DEW has no record of any "No development" order affecting this title

14. **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 also Contact the Local Government Authority for other details that might apply
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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 also DEW has no record of any notice affecting this title
18.5	section 108 - Notice to maintain watercourse or lake in good condition	The regional landscape board has no record of any notice affecting this title
18.6	section 109 - Notice restricting the taking of water or directing action in relation to the taking of water	DEW has no record of any notice affecting this title
18.7	section 111 - Notice to remove or modify a dam, embankment, wall or other obstruction or object	The regional landscape board has no record of any notice affecting this title
18.8	section 112 - Permit (or condition of a permit) that remains in force	The regional landscape board has no record of any permit (that remains in force) affecting this title also DEW has no record of any permit (that remains in force) affecting this title
18.9	section 120 - Notice to take remedial or other action in relation to a well	DEW has no record of any notice affecting this title
18.10	section 135 - Water resource works approval	DEW has no record of a water resource works approval affecting this title
18.11	section 142 - Site use approval	DEW has no record of a site use approval affecting this title
18.12	section 166 - Forest water licence	DEW has no record of a forest water licence affecting this title
18.13	section 191 - Notice of instruction as to keeping or management of animal or plant	The regional landscape board has no record of any notice affecting this title
18.14	section 193 - Notice to comply with action order for the destruction or control of animals or plants	The regional landscape board has no record of any notice affecting this title
18.15	section 194 - Notice to pay costs of destruction or control of animals or plants on road reserve	The regional landscape board has no record of any notice affecting this title
18.16	section 196 - Notice requiring control or quarantine of animal or plant	The regional landscape board has no record of any notice affecting this title
18.17	section 207 - Protection order to secure compliance with specified provisions of the	The regional landscape board has no record of any notice affecting this title

Act

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	A Land Tax Certificate will be forwarded. If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750. Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates www.revenuesaonline.sa.gov.au
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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
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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
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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
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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
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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
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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 also Refer to the Certificate of Title
25.2	section 25C - Conditions of approval regarding achievement of environmental benefit by accredited third party provider	DEW Native Vegetation has no record of any agreement affecting this title also Refer to the Certificate of Title
25.3	section 25D - Management agreement	DEW Native Vegetation has no record of any agreement affecting this title also Refer to the Certificate of Title
25.4	Part 5 Division 1 - Refusal to grant consent, or condition of a consent, to clear native vegetation	DEW Native Vegetation has no record of any refusal or condition affecting this title

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

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
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28. *Phylloxera and Grape Industry Act 1995*

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

29. *Planning, Development and Infrastructure Act 2016*

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

Code Amendment

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

Code Amendment

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

Code Amendment

John Rice Avenue Elizabeth South Residential - The Chief Executive, Department for Housing and Urban Development is proposing to rezone vacant land to facilitate medium density residential development. The Affected Area is currently zoned Employment and General Neighbourhood and includes open space areas to the east of the primary site that is owned by the City of Playford. For more information and to view the DPA online, visit the amendment webpage on the SA Planning Portal: https://plan.sa.gov.au/have_your_say/general_consultations for further information or phone PlanSA 1800 752 664.

Code Amendment

Accommodation Diversity - The State Planning Commission is proposing refinements to policy to provide more flexibility in housing design to encourage housing choices to meet the needs of South Australians. For more information and to view the DPA online, visit the amendment webpage on the SA Planning Portal: https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800 752 664.

Code Amendment

Assessment Improvements - proposes a series of technical amendments to the Code informed through the experience of planning practitioners and other users to improve assessment outcomes. The Code Amendment forms part of the Government of South Australia's response to the Planning System Implementation Review; it will implement some of the recommendations of the Expert Panel that were supported by the Government. For more information and to view the DPA online, visit the amendment webpage on the SA Planning Portal: https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800 752 664.

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

Contact the vendor for other details that might apply

29.13 section 213 - Enforcement notice

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

also

Contact the Local Government Authority for other details that might apply

29.14 section 214(6), 214(10) or 222 - Enforcement order

Contact the Local Government Authority for details relevant to this item

also

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

30. *Plant Health Act 2009*

30.1 section 8 or 9 - Notice or order concerning pests

Plant Health in PIRSA has no record of any notice or order affecting this title

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

31.1 Part 3 - Notice

Public Health in DHW has no record of any notice or direction affecting this title

also

Contact the Local Government Authority for other details that might apply

31.2 *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

also

Contact the Local Government Authority for other details that might apply

32.3 *South Australian Public Health (Wastewater) Regulations 2013* Part 4 - Condition (that continues to apply) of an approval

Public Health in DHW has no record of any condition affecting this title

also

Contact the Local Government Authority for other details that might apply

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

33.1 section 23 - Notice of contribution payable

DEW has no record of any notice affecting this title

34. *Water Industry Act 2012*

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

An SA Water Certificate will be forwarded.
If you do not receive the certificate please contact the SA Water Customer Contact Centre on 1300 650 950

also

The Office of the Technical Regulator in DEM has no record of any notice or order affecting this title

also

Lightsview Re-Water Supply Co Pty Ltd has no record of any notice or order affecting this title.

also

Robusto Investments Pty. Ltd. trading as Compass Springs has no current record of any notice or order affecting this title.

also

Alano Utilities Pty. Ltd. has no record of any notice or order affecting this title.

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

- 35.1

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

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

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

DEW has no record of any notice affecting this title

36. **Other charges**

- 36.1

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

Refer to the Certificate of Title

also

Contact the vendor for these details

also

Contact the Local Government Authority for other details that might apply

Other Particulars

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

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

Additional Information

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

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

Notices

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

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

Building restrictions

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

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

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

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

Statutory easements

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

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

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

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

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

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

Land Tax Act 1936 and Regulations thereunder

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

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

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

Information should be obtained from:

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

Landscape South Australia 2019

Water Resources Management - Taking of underground water

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

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

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



Certificate of Title

Title Reference:CT 5075/280

Status:CURRENT

Edition:7

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Status
15/11/2024	20/11/2024	14404092	DISCHARGE OF MORTGAGE	REGISTERED
15/11/2024	20/11/2024	14404093	CHANGE OF NAME	REGISTERED
15/11/2024	20/11/2024	14404094	TRANSFER	REGISTERED
15/11/2024	20/11/2024	14404095	MORTGAGE	REGISTERED

Data Available - Dealings completed since 15/10/2024 and unregistered Dealings

Priority Notices

NIL

Registrar-General's Notes

No Registrar-General's Notes exist for this title



Certificate of Title

Title Reference	CT 5075/280
Status	CURRENT
Easement	NO
Owner Number	1420811*
Address for Notices	320 PENFIELD RD VIRGINIA, SA 5120
Area	9875m ² (CALCULATED)

Estate Type

Fee Simple

Registered Proprietor

DWAYNE ANDREW BURGESS
OF 320 PENFIELD ROAD VIRGINIA SA 5120

Description of Land

ALLOTMENT 29 DEPOSITED PLAN 32230
IN THE AREA NAMED VIRGINIA
HUNDRED OF MUNNO PARA

Last Sale Details

Dealing Reference	TRANSFER (T) 14404094
Dealing Date	15/11/2024
Sale Price	\$0
Sale Type	NO MONETARY CONSIDERATION

Constraints

Encumbrances

Dealing Type	Dealing Number	Beneficiary
ENCUMBRANCE	7165863	HELEN JANIC BIEDRZYCKI ROMAN ROLF BIEDRZYCKI
MORTGAGE	14404095	AFSH NOMINEES PTY. LTD. (ACN: 143 937 437)

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
2902255802	CURRENT	320 PENFIELD ROAD, VIRGINIA, SA 5120

Notations



Dealings Affecting Title

NIL

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

Valuation Record

Valuation Number	2902255802
Type	Site & Capital Value
Date of Valuation	01/01/2024
Status	CURRENT
Operative From	01/07/1992
Property Location	320 PENFIELD ROAD, VIRGINIA, SA 5120
Local Government	PLAYFORD
Owner Names	DWAYNE ANDREW BURGESS
Owner Number	1420811*
Address for Notices	320 PENFIELD RD VIRGINIA, SA 5120
Zone / Subzone	RuH - Rural Horticulture
Water Available	Yes
Sewer Available	No
Land Use	1912 - Rural Residential House (House Without Primary Production)
Description	6H RM SHD
Local Government Description	Residential

Parcels

Plan/Parcel	Title Reference(s)
D32230 ALLOTMENT 29	CT 5075/280

Values

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$440,000	\$810,000			
Previous	\$315,000	\$520,000			



Building Details

Valuation Number	2902255802
Building Style	High Quality Conventional
Year Built	1993
Building Condition	Very Good
Wall Construction	Brick
Roof Construction	Tiled (Terra Cotta or Cement)
Equivalent Main Area	173 sqm
Number of Main Rooms	6

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



Certificate of Title

Title Reference:

CT 5075/280

Status:

CURRENT

Parent Title(s):

CT 4387/559

Dealing(s) Creating Title:

CONVERTED TITLE

Title Issued:

15/06/1992

Edition:

7

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
15/11/2024	20/11/2024	14404095	MORTGAGE	REGISTERED	AFSH NOMINEES PTY. LTD. (ACN: 143 937 437)
15/11/2024	20/11/2024	14404094	TRANSFER	REGISTERED	DWAYNE ANDREW BURGESS
15/11/2024	20/11/2024	14404093	CHANGE OF NAME	REGISTERED	DWAYNE ANDREW BURGESS
15/11/2024	20/11/2024	14404092	DISCHARGE OF MORTGAGE	REGISTERED	12574019
28/07/2016	01/09/2016	12574019	MORTGAGE	REGISTERED	ING BANK (AUSTRALIA) LTD. (ACN: 000 893 292)
28/07/2016	01/09/2016	12574018	TRANSFER	REGISTERED	DWAYNE ANDREW ELLIOT BURGESS, KELLY RHIANNA BANKS
28/07/2016	01/09/2016	12574017	DISCHARGE OF MORTGAGE	REGISTERED	9612069
13/06/2003	30/06/2003	9612069	MORTGAGE	REGISTERED	ING BANK (AUSTRALIA) LTD.
13/06/2003	30/06/2003	9612068	DISCHARGE OF MORTGAGE	REGISTERED	8343982
11/08/1997	18/08/1997	8343982	MORTGAGE	REGISTERED	ST.GEORGE BANK LTD. (ACN: 055 513 070)
11/08/1997	18/08/1997	8343981	TRANSFER	REGISTERED	PAUL MARK HAMER
11/08/1997	18/08/1997	8343980	DISCHARGE OF MORTGAGE	REGISTERED	7299145
20/05/1992	02/07/1992	7299145	MORTGAGE	REGISTERED	STATE BANK OF SOUTH AUSTRALIA
20/05/1992	02/07/1992	7299144	TRANSFER	REGISTERED	PAUL MARK HAMER, HEATHER HAMER
20/05/1992	02/07/1992	7299143	DISCHARGE	REGISTERED	7165864



Product

Date/Time

Customer Reference

Order ID

Historical Search

13/01/2025 03:36PM

25034

20250113008137

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
			OF MORTGAGE	D	
03/09/1991	29/11/1991	7165864	MORTGAGE	REGISTERED	
03/09/1991	29/11/1991	7165863	ENCUMBRANCE	REGISTERED	



S.A. Form1's Pty Ltd - ABN : 26 168 075 778
proudly associated with Critchley & Associates Conveyancers

1283 North East Road, Tea Tree Gully SA 5091
Tel: 8397 4000 | admin@saform1.com.au

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

Annexure to Form 1 – Vendor's Statement



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: 2639347

DATE OF ISSUE

14/01/2025

CRITCHLEY & ASSOCIATES CONVEYANCERS
M H CRITCHLEY
POST OFFICE BOX 221
ST AGNES SA 5097

ENQUIRIES:

Tel: (08) 8226 3750

Email: revsaesl@sa.gov.au

OWNERSHIP NUMBER

17157784

OWNERSHIP NAME

D BURGESS & K BANKS

PROPERTY DESCRIPTION

320 PENFIELD RD / VIRGINIA SA 5120 / LT 29

ASSESSMENT NUMBER

2902255802

TITLE REF.

(A "+" indicates multiple titles)

CT 5075/280

CAPITAL VALUE

\$810,000.00

AREA / FACTOR

R4
1.000

LAND USE / FACTOR

RE
0.400

LEVY DETAILS:

FINANCIAL YEAR

2024-2025

FIXED CHARGE

+ VARIABLE CHARGE

- REMISSION

- CONCESSION

+ ARREARS / - PAYMENTS

= AMOUNT PAYABLE

\$ 50.00
\$ 305.20
\$ 187.95
\$ 0.00
\$ -167.25
\$ 0.00

Please Note:

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

EXPIRY DATE

14/04/2025



**Government of
South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Emergency Services Funding Act 1998

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

Please Note:

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

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

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at:

OR

By Post to:

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001



S.A. Form1's Pty Ltd - ABN : 26 168 075 778

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1283 North East Road, Tea Tree Gully SA 5091

Tel: 8397 4000 | admin@saform1.com.au

CERTIFICATE OF LAND TAX PAYABLE

Annexure to Form 1 – Vendor's Statement



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: 2639347

DATE OF ISSUE

14/01/2025

CRITCHLEY & ASSOCIATES CONVEYANCERS
M H CRITCHLEY
POST OFFICE BOX 221
ST AGNES SA 5097

ENQUIRIES:

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

OWNERSHIP NAME

D BURGESS & K BANKS

FINANCIAL YEAR

2024-2025

PROPERTY DESCRIPTION

320 PENFIELD RD / VIRGINIA SA 5120 / LT 29

ASSESSMENT NUMBER

2902255802

TITLE REF.

(A "+" indicates multiple titles)

CT 5075/280

TAXABLE SITE VALUE

\$440,000.00

AREA

0.9875 HA

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

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

Please Note:

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

ON OR BEFORE 14/04/2025

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

No payment is required on this Certificate

Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

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

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at:

OR

By Post to:

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
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Tel: 8397 4000 | admin@saform1.com.au

SA WATER CERTIFICATE OF CHARGES

Annexure to Form 1 – Vendor's Statement

Account Number
29 02255 80 2

L.T.O Reference
CT5075280

Date of issue
14/ 1/ 2025

Agent No.
167

Receipt No.
2639347

CRITCHLEY & ASSOCIATES
PO BOX 221
STAGNES SA 5097
admin@mhcritchley.com.au

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: D A BURGESS

Location: 320 PENFIELD RD VIRGINIA LT29

Description: 6H RM SHD

Capital Value: \$ 810 000

Rating: Residential

Periodic charges			
Raised in current years to 31/12/2024			
			\$
Arrears as at: 30/6/2024			: 152.66CR
Water main available: 1/7/1992	Water rates	:	157.20
Sewer main available:	Sewer rates	:	0.00
	Water use	:	90.54
	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	:	560.00CR
	Balance outstanding	:	464.92CR

Degree of concession: 00.00%
Recovery action taken: FULLY PAID

Next quarterly charges: Water supply: 78.60 Sewer: 0.00 Bill: 29/ 1/ 2025

A sewer main is not available to this property.

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

The last Water Use Year ended on 14/05/2024.

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



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

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

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:

D A BURGESS

Water & Sewer Account

Acct. No.: **29 02255 80 2**

Amount: _____

Address:

320 PENFIELD RD VIRGINIA LT29

Payment Options

EFT**EFT Payment**

Bank account name: SA Water Collection Account
BSB number: 065000
Bank account number: 10622859
Payment reference: 2902255802



Bill code: 8888
Ref: 2902255802

Telephone and Internet Banking — BPAY®

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

**Paying online**

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

**Paying by phone**

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

SA Water account number: 2902255802



**Government of
South Australia**

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

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



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Tel: 8397 4000 | admin@saform1.com.au

CITY OF PLAYFORD COUNCIL SEARCH

Annexure to Form 1 – Vendor's Statement



13 January 2025

SEARCH NO: 74572

Searchlight Technology
16 Birdwood Street
NETHERBY SA 5062

ALLOTMENT /	LOT 29 SEC 3053 DP 32230 HD OF MUNNO PARA,
PROPERTY ADDRESS:	320 PENFIELD ROAD, VIRGINIA SA 5120
TITLE:	CT-5075/280
VALUATION NO:	2902255802
ASSESSMENT NO:	226050
OWNER:	MR D A BURGESS

In response to your enquiry, I supply the following information:

PARTICULARS OF COUNCIL RATES & OTHER LAWFUL CHARGES
Rates Declared 25 June 2024

Current rates	\$2,473.50	Quarter 1 due 02/09/24
Rebate/Remissions	\$-247.35	
Current fines	\$11.30	
Arrears	\$0.05	Monthly fines to be applied on arrears
Legal Fees	\$0.00	
Property related debts	\$0.00	
Regional Landscape Levy	\$50.15	
Payments/Adjustment	\$-1,149.65	
Overpayments	\$0.00	
TOTAL OUTSTANDING	\$1,138.00	Please check the balance before settlement

*****When notifying the City of Playford regarding the change of ownership please include the mobile phone number and email address of new Ratepayers to enable future SMS and email contact*****

Please ensure your Vendor cancels any existing Direct Debit, Centrepay or Bpay payment deductions and Bpayview for this property.

City of Playford

Call — 08 8256 0333
playford@playford.sa.gov.au
playford.sa.gov.au

Post

12 Bishopstone Road
Davoren Park SA 5113

Visit

Playford Civic Centre
10 Playford Boulevard
Elizabeth SA 5112

Stretton Centre
307 Peachey Road
Munno Para SA 5115

Payment of rates balance at settlement can be made by:

EFT: City of Playford BSB 065 137 Account Number 1039 5805

Reference must include Rates Assessment number and Remittance details emailed to

Revenue@playford.sa.gov.au

Bpay: Biller Code: 303206 Biller reference: Refer Rates Assessment number

Credit Card: pay by credit card on our website www.playford.sa.gov.au

**OTHER MATTERS PURSUANT TO SECTION 187 (4) OF THE LOCAL GOVERNMENT ACT
CERTIFICATES ARE ONLY VALID AS AT THE DATE OF ISSUE.**

Legal action taken	NO
Notice issued under the Local Government Act 1999	YES RATES
Easement, Right of Way, Restricted covenant, Lien or caveat in which council has an interest	REFER TO TITLE

Please note: The above information is supplied for the purposes of Section 7 of the Land & Business
(Sale and Conveyancing) Act 1994 and relates only to matters in which council has an interest.

For Chief Executive Officer

Rates Administration Officer
Rates Officer

320 Penfield Road
VIRGINIA SA 5120

Planning, Development & Infrastructure Act 2016		
29.1	Planning and Design Code Zone / Subzone / Overlay	See Below
	Is the land situated in a State Heritage place	NO
	Is the land designated as a place of local heritage value	NO
	Is there a tree declared to be a significant tree or a stand of trees declared to be significant trees on the land	Unknown
	Is there a current amendment to the Planning and Design Code released for public consultation by the State Planning Commission on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation	Yes See Below
29.2	Section 127 – Condition (that continues to apply) of a development authorisation under the Planning, Development and Infrastructure Act	NO
29.3 29.4 29.5 29.6 29.7 29.8 29.13 29.14	Planning, Development and Infrastructure Act Notices / Orders / Requirements	NO
29.9	Land Management Agreement (Section 192 or 193)	SEE CERTIFICATE OF TITLE
29.10 29.11	Requirement or Agreement to vest land in Council or Crown to be held as open space	NO
29.12	General rights of review and appeal (Part 16 Division 1 Proceedings).	NO
Development Act 1993		
5.1	Development Plan Zone / Policy Area	NA

	Is the land situated in a designated State Heritage Area	Development Act now repealed – refer to 29.1
	Is the land designated as a place of local heritage value	Development Act now repealed – refer to 29.1
	Is there a current Development Plan Amendment released for public consultation by the Minister on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation	NO
	Subject to a Development Consent / Conditions (under the Development Act 1993) which continue to apply	YES SEE ATTACHED
	Is there a current Development Plan Amendment released for public consultation by the council on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	Development Act now repealed
	Is there a current Development Plan Amendment released for public consultation by the Minister on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	Development Act now repealed
5.2	Requirement or Agreement to vest land in Council or Crown to be held as open space	NO
5.3		
5.4	Development Act Notices / Orders / Requirements	NO
5.5		
5.6		
5.7		
5.8		
5.9		
5.10		
5.11		
5.12		
5.6	Land Management Agreement (Section 57)	SEE CERTIFICATE OF TITLE
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</i>	YES SEE ATTACHED

	<i>Adelaide Development Control Act 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1966</i> (repealed)	
	Notices	
	Development Act / Public & Environmental Health Act Notices	NO
Fire and Emergency Services Act 2005		
10.1	Fire & Emergency Services Act 2005 Notice (Section 105F)	NO
Public Health Act 2011		
32.3	Condition (that continues to apply) of an approval under the South Australian Public Health (Wastewater) Regulations 2013 or Public and Environmental Health (Waste Control) Regulations 2010 (revoked)	SEE BELOW IF APPLICABLE
Further Information Held by Council		
36.1	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)?	NO
	Proclamations / Agreements	SEE CERTIFICATE OF TITLE

For Chief Executive Officer



Development Approvals

537/1992/MB – GARAGE

Date of Decision 8/7/1992 Authority: Council

Continuing Condition (s)

- NIL

292/354/1992 – GARAGE

Date of Decision 6/7/1992 Authority: Council

Continuing Condition (s)

- The building shall not be used for human habitation.

282/1993/BA – DWELLING

Date of Decision 2/4/1993 Authority: Council

Continuing Condition (s)

- NIL

292/249/1993 – DWELLING

Date of Decision 22/3/1993 Authority: Council

Continuing Condition (s)

- NIL

292/781/2009 – Verandah

Date of Decision 26/5/2009 Authority: Council

Continuing Condition (s)

- The verandah shall not be enclosed without the prior written consent of Council.
- Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans submitted in this development application.

Planning & Design Code Amendments

The Planning and Design Code must be read in conjunction with any amendments published in the online Planning and Design Code, on the SA Planning portal.

The following amendments are currently on consultation, under consideration or still to come into operation

[Code Amendments | PlanSA](#)

Development Plan Amendments (DPA)

The Playford Council Development Plan must be read in conjunction with any amendments published in the Government Gazette, but not yet consolidated in the plan.

The following amendments are currently on consultation, under consideration or still to be consolidated into the Playford Development Plan:

- NIL

Important Information

Please note: Where Section 34 of the Building Work Contractors Act 1995 requires that building indemnity insurance be taken out in respect of certain types of domestic building work commenced after 1st May 1987, intending purchasers of this property should contact the Council's Building Section for information on whether an insurance policy exists in respect of any building erected on this land.

Particulars Relating to Environment Protection - Further information held by councils

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—*

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

PLEASE TAKE NOTE: Various areas within the Council are at risk of flooding. The Council is not required by Section 7 of the *Land and Business (Sale and Conveyancing) Act 1994* to provide information in relation to whether this property is within a flood risk area or the possible extent of any flood risk as part of this Statement. Nevertheless, the Council can inform you that it has received a report by the Department for Transport, Energy & Infrastructure containing new hydrological data for the Gawler River Flood Plain area which may result in the boundaries of the flood risk area being amended. Flood mapping and modelling has been undertaken using this new hydrological data. The Floodplain Mapping Report is available at the following website:

[Gawler River Floodplain Management Authority | Town of Gawler Council](#)

Swimming Pool Legislation

On 1st October 2008, new provisions for swimming pool safety took effect in South Australia. A new clause 71AA has been inserted under the Development Act 1993. The effect of the legislative changes is that all swimming pools approved, constructed or installed prior to 1st July 1993 must be upgraded to the current standard required by the Development Act 1993 on or before the date of transfer of the title of the land where the swimming pool is situated.

The onus is on the owner of the land to ensure the swimming pool safety features are upgraded prior to settlement being effected upon sale of the land.



Data Extract for Section 7 search purposes

VALUATION ID 2902255802

Data Extract Date: 14/01/2025

Parcel ID: D32230 AL29

Certificate Title: CT5075/280

Property Address: 320 PENFIELD RD VIRGINIA SA 5120

Zones

Rural Horticulture (RuH)

Subzones

No

Zoning overlays

Overlays

Building Near Airfields

The Building Near Airfields Overlay seeks to ensure development does not pose a hazard to the operational and safety requirements of commercial and military airfields.

Defence Aviation Area (All structures over 45 metres)

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

Environment and Food Production Area

The Environment and Food Production Area Overlay is an area of rural, landscape, environmental or food production significance within Greater Adelaide that is protected from urban encroachment

Hazards (Bushfire - General) (General)

The Hazards (Bushfire - General) Overlay seeks to ensure development responds to the general level of bushfire risk by siting and designed buildings to mitigate threat and impact of bushfires on life and property and facilitate access for emergency service vehicles.

Hazards (Flooding - General)

The Hazards (Flooding - General) Overlay seeks to minimise impacts of general flood risk through appropriate siting and design of development.

Limited Dwelling

The Limited Dwelling Overlay seeks to limit the establishment of additional dwellings to avoid undermining primary production.

Limited Land Division

The Limited Land Division Overlay seeks to limit fragmentation of land to avoid undermining primary production.

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.

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 Transport Routes

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

Water Resources

The Water Resources Overlay seeks to protect the quality of surface waters in South Australia.

Is the land situated in a State Heritage Place/Area

No

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

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

Is the land designated as a Local Heritage Place

No

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

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

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

NO

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

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

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

Associated Development Authorisation Information

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

No

Land Management Agreement (LMA)

No



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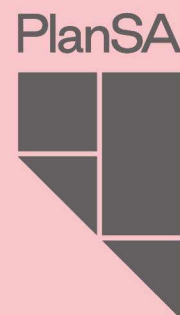
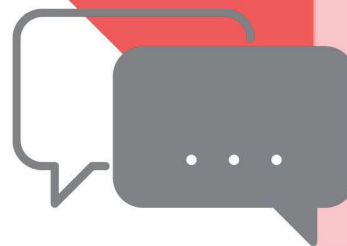
1283 North East Road, Tea Tree Gully SA 5091

Tel: 8397 4000 | admin@saform1.com.au

PLANSA - REGULATED AND SIGNIFICANT TREE REFORMS

Annexure to Form 1 – Vendor's Statement

Frequently Asked Questions



Regulated and Significant Tree Reforms

Q – How have the rules changed for regulated and significant trees?

A – The table below summarises the previous rules for regulated and significant trees and what has changed. These changes are effective on and from 16 May 2024:

	What it was	What it is now
Trunk size – (circumference)		
Regulated trees	2.0 metres	1.0 metres
Significant trees	3.0 metres	2.0 metres
Exemption distance (from dwelling or pool)		
Dwelling	10.0 metres	3.0 metres
Swimming pool	10.0 metres	3.0 metres
Canopy pruning		
Regulated trees	<30% (no time limit)	<30% (every 5 years)
Significant trees	<30% (no time limit)	<30% (every 5 years)
Fees for tree removal or offset (as at May 2024)		
Regulated trees	\$326	\$1,000
Significant trees	\$489	\$1,500

Q – I have an existing development application or development authorisation. Will these changes apply to me?

A – An exemption to the new rules is available for relevant development applications lodged before 16 May 2024 or relevant development authorisations granted before 16 May 2024.

A relevant development application is one that has been formally lodged prior to 16 May 2024, either in the Development Assessment Portal (DAP) System or in person with the relevant authority and uploaded to the DAP system within 5 business days.

A relevant development authorisation (being either planning consent, building consent or land division consent) is one that has been issued by a relevant authority before 16 May 2024. In this case, a Decision Notification Form (DNF) would have been issued, noting the development authorisation(s) has been granted. All required consents and final development approval must still be issued before the approved development may proceed.

The exemption will apply for a period of 12 months, ending 16 May 2025. This means the exemption may expire before your development authorisation expires. The period of the exemption is not linked to or dependant on the operative date of a relevant development authorisation. An application to extend the operative date of your development authorisation will not also extend the exemption to the new tree rules.

Q – I have an existing development application or development authorisation, and I would like to remove a tree that is now regulated or significant. Will these changes apply to me?

A – If the exemption applies to an existing development application or authorisation (see above) and the tree damaging activity is carried out for the purposes of that development, the regulated and significant tree rules in place before 16 May 2024 will apply.

The activity should be reasonably required for the purpose of the relevant development. For example, if newly protected trees are located where building works are proposed to occur, these will be exempt under a development application lodged or development authorisation granted prior to 16 May 2024.

If removal or damage to the tree is not required for the purpose of the relevant development application or authorisation, then further approval will be required under the new tree rules for any tree damaging activity to a regulated or significant tree.

For relevant development applications, the exemption for removing a tree can only be relied on after a development authorisation has been granted for the proposed development. Removal or damage to a tree that would be regulated or significant under the new tree rules should not occur until a development authorisation is granted.

Q – If I apply to vary my existing development authorisation, will the 12 month exemption still apply?

A – Where a variation to an existing development authorisation can be considered “minor in nature” for the purposes of Regulation 65 of the *Planning, Development and Infrastructure (General) Regulations 2017*, a new application is not required for the variation. In this case, the exemption to the new tree rules will still apply to any further development the subject of the variation.

Where the variation cannot be considered minor (and a new application is required), then the exemption will not apply to any tree-damaging activity required because of the variation. The relevant authority who assesses the variation application will determine whether the variation is “minor in nature” under Regulation 65.

Q – Are certain tree species still exempt from protections?

A – Yes, the list of exempt tree species has been relocated from the *Planning, Development and Infrastructure (General) Regulations 2017* to a [Ministerial Notice](#) published on the PlanSA portal.

Q – How will these changes be enforced?

A – Where tree-damaging activity to a regulated or significant tree occurs without development approval, this is an offence enforceable under the *Planning, Development and Infrastructure Act 2016* (the Act). The same enforcement powers apply under the Act as they did prior to 16 May 2024 regulated and significant tree reforms.

Enforcement will generally be undertaken by local councils, and may include a range of different enforcement actions or powers, including:

- civil enforcement proceedings to remedy any breach of the Act – these proceedings can be brought by any person (meaning use of this enforcement tool is not limited to planning authorities)
- an enforcement notice directing a person to take or refrain from certain action in order to remedy a breach of the Act
- a civil penalty applied as an alternative to criminal proceedings against a person who has or is alleged to have committed an offence under the Act
- a written undertaking by the person who has or is alleged to have committed an offence under the Act.

Q – What other changes are occurring to protect more urban trees?

A – In addition to the changes to regulated and significant trees protections:

- Fees payable under the Urban Tree Canopy Offset Scheme will also increase, consistent with regulated and significant tree replacement fees. These fee increases will be:

	What it is now	What it will be
Fee for removal of regulated or significant tree (section 127(6))		
Regulated trees	\$326	\$1,000
Significant trees	\$489	\$1,500
Urban tree canopy offset fee (section 197)		
Small tree	\$300	\$500
Medium tree	\$600	\$1,000
Large tree	\$1,200	\$1,500

- In addition to these immediate changes, the Minister for Planning has also requested the State Planning Commission to undertake the following further work on urban tree policy:
 - prepare a design standard to provide minimum urban tree planting and maintenance requirements for public areas in greenfield developments
 - amend planning rules to also consider a tree’s urban canopy contribution as part of assessing whether it can be removed
 - strengthen planning rules to support design innovation and flexibility to retain large trees
 - investigate ways to fast-track approvals for tree removal within 3 metres of a dwelling or swimming pool where offset fees are paid
 - extend urban tree canopy protections to greenfield developments in ‘Master Planned Neighbourhood Zones’ and townships
 - extend regulated and significant tree protections to townships, capturing urban areas beyond metropolitan Adelaide.
- Finally, the Government is investigating amendments to the *Local Government Act 1999* to insert new offence provisions for damaging trees in local parks and reserves.



Q – What is the difference between regulated and significant tree controls and requirements under the Urban Tree Canopy Overlay?

A – The Urban Tree Canopy Overlay in the Planning and Design Code applies across most residential areas in Metropolitan Adelaide and requires planting trees as part of a new dwelling's approval. The Urban Tree Canopy Offset Scheme then applies in specific zones and areas where tree planting may not be feasible. In these locations only, the Scheme enables contribution into the Urban Tree Canopy Offset Fund instead of tree planting. Money received into the Fund can then be used to plant trees elsewhere.

Further information regarding the Urban Tree Canopy Offset Scheme can be found here:

plan.sa.gov.au/our_planning_system/schemes/urban_tree_canopy_off-set_scheme

In comparison, the regulated and significant tree provisions operate to protect existing large trees. These protections apply where the Regulated and Significant Tree Overlay applies in the Code, which includes most of Metropolitan Adelaide.

Development approval is required before any tree-damaging activity can occur to a regulated or significant tree. If granted, any development approval to remove the tree must be subject to a condition requiring replacement trees to be planted. Alternatively, a relevant authority may allow payment into either a Council Tree Fund or the Planning and Development Fund (if no Council Tree Fund exists) instead of replacement planting.

Further information regarding regulated and significant tree protections can be found here:

plan.sa.gov.au/our_planning_system/programs_and_initiatives/significant_and_regulated_trees