Form 1 - Vendor's statement

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

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Preliminary

To the purchaser:

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

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

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

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

Instructions to the vendor for completing this statement:

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

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

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

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

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

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

Part A - Parties and land

1 Purchaser:

Address:

Street 1
Street 2
Suburb State Postcode

2 Purchaser's registered agent: ☐

Address:

Street 1
Street 2
Suburb State Postcode

3 Vendor:

Yu Sun and Xiaoli Liu

Address:

Street 1 6A Hackett Terrace
Street 2
Suburb Marryatville State SA Postcode 5068

4 Vendor's registered agent:

Stephen Ong of Sinova Property ☑

Address:

Street 1 68 Halifax Street
Street 2
Suburb Adelaide State SA Postcode 5000

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 102 Deposited Plan 51396 In the area named Felixstow Hundred of Adelaide

Street 1 35 Briar Road
Street 2
Suburb Felixstow State SA Postcode 5070
being the *whole / ~~portion~~ of the land comprised in Certificate of Title
Volume 5651 Folio 426

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:

6A Hackett Terrace, Marryatville SA 5068

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

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

matthewsun1986@hotmail.com or 110307582@qq.com

(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:

68 Halifax Street, Adelaide SA 5000

(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, Yu Sun and Xiaoli Liu

of 6A Hackett Terrace, Marryatville SA 5068

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: 4/10/2023

Signed: DocuSigned by: Yu Sun DC566B8E58C54EF...

Date: 5/10/2023

Signed: DocuSigned by: Xiaoli Liu 50F422288AB7475...

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

☑

(section 9)

To the purchaser:

I, Qing Cao of QMR Conveyancing

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:

Date: 4/10/2023

Signed: DocuSigned by: Qing Cao 6FC58CC7DC69435...

~~*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

1.1	Mortgage of land *[**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?	YES
		Are there attachments?	YES
		If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):	
		Refer Annexure A - Certificate of Title	
		Number of mortgage (if registered):	
		14105124	
		Name of mortgagee:	
		Westpac Banking Corporation	

1.2 Easement

(whether over the land or annexed to the land)

Note - "Easement" includes rights of way and party wall rights

*[**Note -** Do not omit this item. 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):

Refer Annexure A - Certificate of Title

Description of land subject to easement:

Refer Annexure A - Certificate of Title

Nature of easement:

Refer Annexure A - Certificate of Title

Are you aware of any encroachment on the easement?

NO

If YES, give details:

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

If YES, give details:

1.3 Restrictive covenant

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

~~***Is this item applicable?***~~

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

Are there attachments?

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

Nature of restrictive covenant:

Name of person in whose favour restrictive covenant operates:

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

If NO, give details:

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

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

*[**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):

Refer Annexure B - Local Government Inquiry

Condition(s) of authorisation:

Refer Annexure B - Local Government Inquiry

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

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

5.3 section 50(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):

5.4 section 55 - 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):

5.5 section 56 - 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):

5.6 section 57 - Land management agreement

Is this item applicable? ✓

Will this be discharged or satisfied prior to or at settlement? NO

Are there attachments? YES

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

Refer Annexure D - Land Management Agreement

Date of agreement:

26/11/1998

Names of parties:

Refer Annexure D - Land Management Agreement

Terms of agreement:

Refer Annexure D - Land Management Agreement

5.7 section 60 - Notice of intention by building owner

~~***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:

Building work proposed (as stated in the notice):

Other building work as required pursuant to the Act:

5.8 section 69 - 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):

5.9 section 71 - 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):

5.10 section 84 - 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 of notice given:

5.10 section 84 - Enforcement notice (continued)

~~Name of relevant authority giving notice:~~

Nature of directions contained in notice:

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

Amount payable (if any):

5.11 section 85(6), 85(10) or 106 - 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:

5.12 Part 11 Division 2 - 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):

6. Repealed Act conditions

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

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

Is this item applicable?	
Will this be discharged or satisfied prior to or at settlement?	
Are there attachments?	

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

Nature of condition(s):

7. *Emergency Services Funding Act 1998*

7.1 section 16 - Notice to pay levy

Is this item applicable?	✓
Will this be discharged or satisfied prior to or at settlement?	YES
Are there attachments?	YES

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

Refer Annexure C - Property Interest Report
Certificate of Emergency Services Levy Payable

Date of notice:

21/09/2023

Amount of levy payable:

$75.85

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):

Refer Annexure B - Local Government Inquiry

Date of notice, order etc:

21/09/2023

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

City of Norwood Payneham & St Peters

Land subject thereto:

Refer Annexure B - Local Government Inquiry

Nature of requirements contained in notice, order etc:

To pay Council rates

Time for carrying out requirements:

Refer Annexure B - Local Government Inquiry

Amount payable (if any):

$1,644.30

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. *Planning, Development and Infrastructure Act 2016*

29.1 Part 5 - Planning and Design Code

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

Is this item applicable? ✓

Will this be discharged or satisfied prior to or at settlement? NO

Are there attachments? YES

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

Refer Annexure B - Local Government Inquiry
Refer Annexure C - Property Interest Report

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

Refer Annexure B - Local Government Inquiry
Plan SA Section 7 Report

Is there a State heritage place on the land or is the land situated in a State heritage area? NO

Is the land designated as a local heritage place? NO

Is there a tree or stand of trees declared in Part 10 of the Planning and Design Code to be a significant tree or trees on the land? NO

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

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

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:

ANNEXURES

~~* There are no documents annexed hereto~~

* The following documents are annexed hereto -

Annexure A - Certificate of Title
Annexure B - Local Government Inquiry
Annexure C - Property Interest Report
Annexure D - Land Management Agreement

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____

Signed: _____

_____

Purchaser(s)

*(*Strike out whichever is not applicable)*

DocuSign Envelope ID: F6D9C579-8145-4392-B662-63BFC7A33E0E

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?

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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.

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Form R7

Warning Notice

Financial and Investment Advice

Land and Business (Sale and Conveyancing) Act 1994 section 24B
Land and Business (Sale and Conveyancing) Regulations 2010 regulation 21

A land agent or sales representative who provides financial or investment advice to you in connection with the sale or purchase of land or a business is obliged to tell you the following —

You should assess the suitability of any purchase of the land or business in light of your own needs and circumstances by seeking independent financial and legal advice.

NOTE: For the purposes of section 24B of the Act, an agent or sales representative who provides financial or investment advice to a person in connection with the sale or purchase of land or a business must

- in the case of oral advice - immediately before giving the advice, give the person warning of the matters set out in this Form orally, prefaced by the words "**I am legally required to give you this warning**"; or
- in the case of written advice - at the same time as giving the advice or as soon as reasonably practicable after giving the advice, give the person this Form, printed or typewritten in not smaller than 12-point type.

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LAND SERVICES SA

Product	Register Search (CT 5651/426)
Date/Time	20/09/2023 03:09PM
Customer Reference	35 Briar Road
Order ID	20230920007245

REAL PROPERTY ACT, 1886
South Australia

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.

REGISTRAR-GENERAL SOUTH AUSTRALIA

Certificate of Title - Volume 5651 Folio 426

Parent Title(s) CT 5150/298

Creating Dealing(s) RTU 8623515

Title Issued 10/05/1999 **Edition** 11 **Edition Issued** 25/08/2023

Estate Type

FEE SIMPLE

Registered Proprietor

YU SUN
XIAOLI LIU
OF 35 BRIAR ROAD FELIXSTOW SA 5070
AS JOINT TENANTS

Description of Land

ALLOTMENT 102 DEPOSITED PLAN 51396
IN THE AREA NAMED FELIXSTOW
HUNDRED OF ADELAIDE

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED F FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

Schedule of Dealings

Dealing Number	Description
8623516	AGREEMENT UNDER DEVELOPMENT ACT, 1993 PURSUANT TO SECTION 57(2) FOR MANAGEMENT
14105124	MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141)

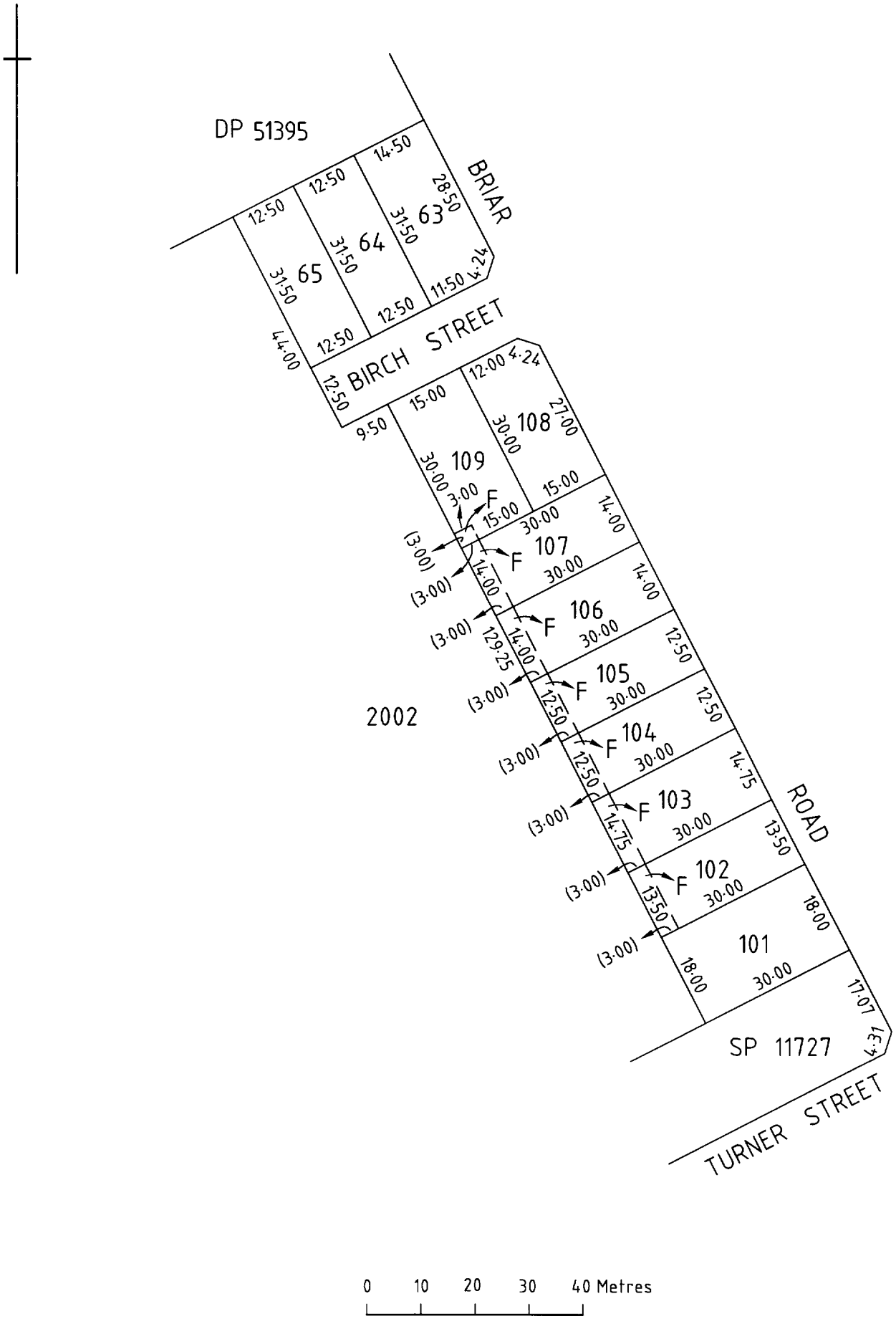
Notations

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

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LAND SERVICES SA

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CERTIFICATE OF RATES AND CHARGES

Issued under Section 187 of the Local Government Act 1999

City of Norwood Payneham & St Peters

175 The Parade
Norwood SA 5067

PO Box 204
Kent Town SA 5071

Telephone
8366 4555

Email
townhall@npsp.sa.gov.au

Website
www.npsp.sa.gov.au

To: Searchlight Technology
PO Box 232
RUNDLE MALL SA 5000

Date: 21/09/2023

Particulars of the Property:	
Assessment No	**31515**
Owner's Name	Y Sun & X Liu
Valuation No	1903785157
Property Address	35 Briar Road FELIXSTOW 5070
Property Description	Lot 102 DP 51396, Adelaide CT 5651/426

Particulars of Rates and Charges Raised 2023-2024:	
Balance b/forward 2022-2023	$0.00
2023-2024 Rates + Landscape Levy	**$1,636.12**
Plus Legal Fees	$0.00
Plus Fines & Interest	$8.18
Less Concession/Rebate	$0.00
Less Payments	$0.00
Plus Property Related Debts	
Balance Now Due and Payable	**$1,644.30**
Settlement via BPay	**Biller Code: 3251** **Reference: 0315156**

2023-2024 Rates including Landscape Levy	**$1,636.12**
2023-2024 Capital Value	**$860,000**

Please Note: The Second Quarter of Rates will be due on 8 December 2023.

Notes for your information:

- The next date for Fines and Interest to be calculated is 14 December 2023.
- If Balance Due above is *Nil*, rates have been paid to 30 June 2024.
- Upon settlement of the property, the total balance to 30 June 2024 is required to be paid to the Council. Action to recover unpaid rates will be taken against the owner of the property at the time of declaration of rates.
- A fine of 2% will be imposed on any current Rate not paid by the due date and interest at the prescribed rate will be added each month on unpaid arrears.
- This certificate relates only to the abovementioned assessment. If other assessments are included at the same address (eg: flats, shops, etc.) additional certificates will only be issued upon payment of additional fees.

Mario Barone
CHIEF EXECUTIVE OFFICER

Member League of Historical Cities

100% Australian Made Recycled Paper

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

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City of Norwood Payneham & St Peters

City of Norwood Payneham & St Peters
Head Office: **175 The Parade, Norwood**
Mailing Address: **PO Box 204, KENT TOWN SA 5071**

Telephone **(08) 8366 4555**

Property Information and Particulars

in response to an enquiry pursuant to Section 7 of the
Land & Business (Sale & Conveyancing Act 1994)

Certificate Date: 21/09/2023
Certificate No: 24597

To: Searchlight Technology
PO Box 232
RUNDLE MALL SA 5000

Details of Property Referred To:

Rates Assessment Number	:	31515 6
Valuer General Number	:	1903785157
Owner Details	:	Y Sun & X Liu
Property Address	:	35 Briar Road FELIXSTOW 5070
Property Description	:	Lot 102 DP 51396,Adelaide CT 5651/426
Hundred	:	Adelaide
Ward	:	Torrens Ward - Ward 2

Prescribed Encumbrances for 35 Briar Road FELIXSTOW 5070

Column 1 Prescribed encumbrance	Column 2 Other particulars required
Development Act 1993 (repealed)	
section 42—Condition (that continues to apply) of a development authorisation	Date of authorisation: 20 August 2001 Name of relevant authority that granted authorisation: The City of Norwood Payneham & St Peters Condition(s) of authorisation: See attached Decision Notification Form **DA 155/509/2001** Date of authorisation: 14 September 1999 Name of relevant authority that granted authorisation: The City of Norwood Payneham & St Peters Condition(s) of authorisation: See attached Decision Notification Form **DA 155/561/1999**

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Column 1 Prescribed encumbrance	Column 2 Other particulars required
Repealed Act conditions	
Condition (that continues to apply) of an approval or authorisation granted under the *Building Act 1971* (repealed), the *City of Adelaide Development Control Act 1976* (repealed), the *Planning Act 1982* (repealed) or the *Planning and Development Act 1966* (repealed)	Nature of condition(s): **N/A**
Planning, Development and Infrastructure Act 2016	
Part 5 – Planning and Design Code	Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code): **(Refer to PlanSA Section 7 extract report)** Is there a State heritage place on the land or is the land situated in a State heritage area? **NO** Is the land designated as a local heritage place? **NO** Is there a tree or stand of trees declared in Part 10 of the Planning and Design Code to be a significant tree or trees on the land? **NO** Is there a current amendment to the Planning and Design Code released for public consultation by a designated entity on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation? **YES** For information on any proposed Code Amendments which may interest you, please refer to the PlanSA Website: https://plan.sa.gov.au/have_your_say/code-amendments
Section 127 - Condition (that continues to apply) of a development authorisation	**(Refer to PlanSA Section 7 extract report)**
Development Act 1993 (repealed)	
section 50(1)—Requirement to vest land in a council or the Crown to be held as open space	**NO**
section 50(2)—Agreement to vest land in a council or the Crown to be held as open space	**NO**
section 55—Order to remove or perform work	**NO**
section 56—Notice to complete development	**NO**

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Column 1 Prescribed encumbrance	Column 2 Other particulars required
section 57—Land management agreement	**YES - Please find attached copy of LMA 8623516**
section 69—Emergency order	**NO**
section 71—Fire safety notice	**NO**
section 84—Enforcement notice	**NO**
section 85(6), 85(10) or 106—Enforcement order	**NO**
Part 11 Division 2—Proceedings	**NO**
Fire and Emergency Services Act 2005	
section 105F (or section 56 or 83 (repealed))—Notice to take action to prevent outbreak or spread of fire	**NO**
Food Act 2001	
section 44—Improvement notice	**NO**
section 46—Prohibition order	**NO**
Housing Improvement Act 1940 (repealed)	
section 23—declaration that house is undesirable or unfit for human habitation	**NO**
Part 7 (rent control for substandard houses) – Notice or declaration	**N/A**
Land Acquisition Act 1969	
Section 10 – Notice of intention to acquire	**NO**
Local Government Act 1934 (repealed)	
Notice, order, declaration, charge, claim or demand given or made under the Act	**NO**

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Column 1 Prescribed encumbrance	Column 2 Other particulars required
Local Government Act 1999	
Notice, order, declaration, charge, claim or demand given or made under the Act	**NO**
Local Nuisance and Litter Control Act 2016	
Section 30 – Nuisance or litter abatement notice	**N/A**
Planning, Development and Infrastructure Act 2016	
section 141 – Order to remove or perform work	**NO**
section 142 – Notice to complete development	**NO**
section 155 – Emergency order	**NO**
section 157 – Fire safety notice	**NO**
Section 192 or 193 – Land management agreement	**(Refer to PlanSA Section 7 extract report)**
section 198(1) – Requirement to vest land in a council or the Crown to be held as open space	**NO**
section 198(2) – Agreement to vest land in a council or the Crown to be held as open space	**NO**
Part 16 Division 1 – Proceedings	**NO**
section 213 – Enforcement notice	**NO**
section 214(6), 214(10) or 222-Enforcement order	Date order made: **N/A** Name of court that made order: Action number: Name of parties: Terms of order: Building work (if any) required to be carried out:
Public and Environmental Health Act 1987 (repealed)	
Part 3—Notice	**NO**

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Column 1 Prescribed encumbrance	Column 2 Other particulars required
Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) (revoked) Part 2—Condition (that continues to apply) of an approval	**NO**
Public and Environmental Health (Waste Control) Regulations 2010 (revoked) regulation 19—Maintenance order (that has not been complied with)	**NO**
South Australian Public Health Act 2011	
Section 92-Notice	**NO**
South Australian Public Health (Wastewater) Regulations 2013 Part 4-Condition (that continues to apply) of an approval	**NO**
Other charges	
Charge of any kind affecting the land (not included in another item)	Person or body in whose favour charge exists: **N/A** Nature of charge: Amount of charge (if known):

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Particulars of Building Indemnity Insurance

Note—Building indemnity insurance is not required for—

(a) domestic building work for which approval under the *Planning, Development and Infrastructure Act 2016,* the repealed *Development Act 1993* or the repealed *Building Act 1971* is or was not required; or

(b) minor domestic building work (see section 3 of the *Building Work Contractors Act 1995*); or

(c) domestic building work commenced before 1 May 1987; or

(d) building work in respect of which an exemption from the application of Division 3 of Part 5 of the *Building Work Contractors Act 1995* applies under the *Building Work Contractors Regulations 2011*; or

(e) building work in respect of which an exemption from the application of Division 3 of Part 5 of the *Building Work Contractors Act 1995* has been granted under section 45 of that Act.

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

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

1 Name(s) of person(s) insured:……...

2 Name of insurer:……..

3 Limitations on the liability of the insurer:……..

4 Name of builder:……...

5 Builder's licence number:……

6 Date of issue of insurance:…….

7 Description of insured building work:……

……

……...

Exemption from holding insurance:

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

N/A

If **YES**, give details:

(a) Date of the exemption:…….

(b) Name of builder granted the exemption:……..

(c) Licence number of builder granted the exemption:……

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

……

……

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

……

……

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Particulars relating to Environment Protection

Further information held by councils

Does the council hold details of any development approvals relating to—

(a) commercial or industrial activity at the land; or

(b) a change in the use of the land or part of the land (within the meaning of the *Development Act 1993*) or the *Planning, Development and Infrastructure Act 2016*?

NO

Note—

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

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

It should be noted that—

(a) the approval of development by a council does not necessarily mean that the development has taken place;

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

This statement is made the **28 September 2023**

MARIO BARONE
CHIEF EXECUTIVE OFFICER

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PlanSA

Data Extract for Section 7 search purposes

Valuation ID 1903785157

Data Extract Date: 28/09/2023

Parcel ID: D51396 A102

Certificate Title: CT5651/426

Property Address: 35 BRIAR RD FELIXSTOW SA 5070

Zones
General Neighbourhood (GN)

Subzones
No

Zoning overlays

Overlays
Airport Building Heights (Regulated) (All structures over 110 metres)

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

Affordable Housing

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

Hazards (Flooding - General)

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

Prescribed Wells Area

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

Regulated and Significant Tree

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

Stormwater Management

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

Urban Tree Canopy

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

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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)

- 8623516

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City of
Norwood
Payneham
& St Peters

DECISION NOTIFICATION FORM

South Australia - Regulations Under the Development Act, 1993 - Regulation 42

FOR DEVELOPMENT APPLICATION

NUMBER : 155/00509/01
DATED : 20/06/2001
REGISTERED ON : 21/06/2001

TO:	Certification Approvals Australia 132 Rose Terrace WAYVILLE SA 5034

LOCATION OF PROPOSED DEVELOPMENT
35 Briar Road, FELIXSTOW SA 5070

NATURE OF PROPOSED DEVELOPMENT
Verandah and pergola attached to dwelling

In respect of this proposed development you are informed that :

NATURE OF DECISION	DECISION	DATE	NO. OF CONDITIONS
PROVISIONAL DEVELOPMENT PLAN CONSENT	Granted	09/07/2001	4
PROVISIONAL BUILDING RULES CONSENT	Certified	25/07/2001	1
DEVELOPMENT APPROVAL	Granted		

Reasons for this decision, any conditions imposed and the reasons for imposing those conditions are set out in the attached sheet.

The classification assigned to this building is Class 10a, for the purposes of Section 66 and Regulation 82 of the Development Act, 1993.

Pursuant to Regulation 48 this approval is valid for twelve (12) months. Substantial commencement or a request for an extension of time shall be undertaken during this period or the approval will lapse.

Council requires 24 hours notice of commencement of this Development, please ring 8366 4531

Date of Decision: 20/08/2001
Signed:
Date: 20 August, 2001

☐ Council or Delegate
☒ Council Chief Executive Officer or Delegate
☒ Private Certifier
☒ Sheets Attached

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City of
NORWOOD
PAYNEHAM
ST PETERS

DEVELOPMENT APPLICATION NUMBER	:	155/00509/01
APPLICANT	:	Certification Approvals Australia
LOCATION	:	35 Briar Road, FELIXSTOW SA 5070
PROPOSED DEVELOPMENT	:	Verandah and pergola attached to dwelling
DECISION	:	**Development Approval Granted**
DATE OF DECISION	:	20/08/2001

REASONS FOR DECISION

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

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

PROVISIONAL DEVELOPMENT PLAN CONSENT

Conditions of Consent

1. The development shall proceed in accordance with the details of Development Application No. 155/509/2001 and the approved plans, received by Council on 20 June 2001 except when varied by the following conditions of consent.

2. The external materials and finishes of the new building work shall match those of the existing building, to the reasonable satisfaction of the Council or its delegate.

3. All stormwater from buildings and paved areas shall be disposed of in accordance with recognised engineering practices in a manner and with materials that does not result in the entry of water onto any adjoining property or any building, and does not affect the stability of any building.

4. No structures or earthworks or any other type of development is to be sited over or encroach the easement located along the rear of the site.

PROVISIONAL BUILDING RULES CONSENT

Conditions of Consent

Provisional building rules consent for this application has been granted by Private Certifier, Certification Approvals Australia, subject to the following condition:

1. The development herein granted Provisional Building Rules Consent shall be undertaken in accordance with the plans and details accompanying the application and to the South Australian Housing Code, except where varied by conditions below (if any).

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City of
NORWOOD
PAYNEHAM
ST PETERS

ADVISORY NOTE(S)

1. The pergola and verandah shall not be enclosed on any side with any solid material, roller door, or the like at any time unless the further development approval of the Council is obtained.

2. This approval does not relate to the removal of, or to any tree damaging activity to, any significant tree (as defined under the Development Act 1993) which may be located on the subject site or adjoining land. A separate Development Application is required to be lodged with respect to this.

   For your information a significant tree is any tree which has a trunk circumference of 1.5 m or more – or, in the case of trees with multiple trunks, that have trunks with a total circumference of 1.5 m or more and have an average circumference of 500 mm or more – measured at a point 1 m above natural ground level.

Andrew McKay
DEVELOPMENT OFFICER - BUILDING

20 August 2001

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City of
NORWOOD
PAYNEHAM
ST PETERS

IMPORTANT NOTICE

- **Regulation 74(1)(b)(c)(d):** One business day's notice shall be given to the Council when the following stages of building work have been reached:

  (a) at the commencement of work or after placement of steelwork in footings and before the concrete is placed. A certificate, indicating that the footings have been constructed in accordance with the requirements of the engineers report shall be submitted to Council prior to work commencing on the walls.
  (b) after the completion of the building work.

- The developer or building owner shall provide 20mm rubble on the site prior to work commencing, in areas of vehicular traffic to ensure compliance with the requirements of the **Environmental Protection Agency**. It is to be placed in such a way to minimise the amount of soil (mud and dust) transferred over public areas and into the street.

- **Allotment boundaries** will not be certified by Council staff. The onus of ensuring that buildings / structures are sited in the approved position on the correct allotment is the responsibility of the owner.

- The owner of any building to be erected or altered which is used for health care or food preparation, is obliged to obtain consent from the **Eastern Metropolitan Regional Health Authority**. (phone 8362 7655)

- This application has been assessed pursuant to the Building Rules. Your attention is drawn to the provisions of the **Disability Discrimination Act**, which prescribe your legal responsibilities to comply with that Act.

- Building work adjacent to street boundaries is required to be provided with a **hoarding** and a license for the hoarding shall be obtained from the Council. Contact 8366 4525.

- **Development Act 1993, Section 60 & Regulation 75 - Building work affecting adjoining land**
  Where any building work or excavation is deemed to affect the stability of land or premises on adjoining properties, as per schedule 15, the building owner must serve notice on the owner of the affected land or premises at least 28 days before building work is commenced.

  The building owner must take such precautions as may be prescribed to protect the affected land or premises and must, at the request of the owner of the affected land or premises carry out such other building work to protect or strengthen the foundations of any building affected by the proposed building work.

- **Section 779 of the Local Government Act** provides that, where damage to Council roads, footpaths or kerbing occurs as a result of the development, the owner / applicant shall be responsible for the cost of repairs to the damage.

- A separate application to the Council **Works and Technical Services Department** is required for any installation of or modification to stormwater drains, underground electrical services or crossovers etc beyond the property alignment. Contact 8360 9000.

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

- An **approved toilet** privy is to be sensitively located on the site prior to any building work commencing. The privy should be suitably braced against overturning. No long drop toilets shall be used on site, only chemical toilets or toilets connected to the sewer shall be used.

- A minimum standard for **refuse containers** on a building site to restrain 'blowable' materials is to be either;
  (a) a commercial type removable 'SKIP' type container (provided by a waste removal company) of adequate size for the building project (min 1.5m) with a top closable lid, or
  (b) a suitable prefabricated rectangular (or square) enclosure of robust construction (ie steel sheeting material or steel mesh F72 or better - not chicken or bird wire) and located so as not to be demolished by vehicles off loading.

- The applicant is encouraged to install and maintain a rainwater tank to the dwelling(s) hereby granted authorisation, in accordance with the brochure "**Maintenance of Rainwater Tanks**" available at the front counter of the Norwood Town Hall.

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City of
NORWOOD
PAYNEHAM
ST PETERS

DECISION NOTIFICATION FORM

South Australia - Regulations Under the Development Act, 1993 - Regulation 42

FOR DEVELOPMENT APPLICATION	**NUMBER**	:	155/00561/99
	DATED	:	02/08/1999
	REGISTERED ON	:	04/08/1999

TO:	Sterling Homes Pty Ltd 110-114 Grange Road ALLENBY GARDENS 5009

LOCATION OF PROPOSED DEVELOPMENT
35 Briar Road, FELIXSTOW SA 5070

NATURE OF PROPOSED DEVELOPMENT
Single storey detached dwelling

In respect of this proposed development you are informed that :

NATURE OF DECISION	DECISION	DATE	NO. OF CONDITIONS
PROVISIONAL DEVELOPMENT PLAN CONSENT	Granted	18/8/99	3
PROVISIONAL BUILDING RULES CONSENT	Certified	10/9/99	nil
DEVELOPMENT APPROVAL	Granted		

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

Reasons for this decision, any conditions imposed and the reasons for imposing those conditions are set out in the attached sheet.

This building had been assigned a classification 1a & 10a for the purposes of Section 82 of the Development Act.

Date of Decision: 14/09/1999

Signed:

Date: 14 September 1999

☐ **Council or Delegate**

☒ **Council Chief Executive Officer or Delegate**

☒ **Private Certifier**

☒ **Sheets Attached**

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City of
NORWOOD
PAYNEHAM
ST PETERS

DEVELOPMENT APPLICATION NUMBER	:	155/00561/99
APPLICANT	:	Sterling Homes Pty Ltd
LOCATION	:	35 Briar Road, FELIXSTOW SA 5070
PROPOSED DEVELOPMENT	:	Single storey detached dwelling
DECISION	:	**Development Approval Granted**
DATE OF DECISION	:	14/09/1999

REASONS FOR DECISION

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

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

PROVISIONAL DEVELOPMENT PLAN CONSENT

Conditions of Consent

1. The development, unless otherwise approved by the Council, shall proceed in accordance with the plans and reports submitted with the application as amended by conditions herein.

2. Stormwater from all roofs, gutters, downpipes, paved areas and garden areas be drained to an underground sump or underground sumps situated adjacent to the boundary of the subject land, thence to the street watertable through steel, concrete or class 12 PVC pipes or steel box sections located below the level of the footpath.

3. the dwelling hereby approved shall be constructed in accord with the amended plan received on 17 August 1999 which indicates a building set back of 1.0 metre to side property boundaries.

PROVISIONAL BUILDING RULES CONSENT

Conditions of Consent

The following conditions are as per the Certifiers Provisional Building Rules Consent dated 10/9/99.

Nil

CHRIS HOLLAND
DEVELOPMENT OFFICER - BUILDING

14 September 1999

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City of
NORWOOD
PAYNEHAM
ST PETERS

IMPORTANT NOTICE

- **Regulation 74(1)(b)(c)(d):** One business day's notice shall be given to the Council when the following stages of building work have been reached:

  (a) at the comencement of work or after placement of steelwork in footings and before the concrete is placed. A certificate, indicating that the footings have been constructed in accordance with the requirements of the engineers report shall be submitted to Council prior to work commencing on the walls.
  (b) after the completion of the building work.

- The developer or building owner shall provide 20mm rubble on the site prior to work commencing, in areas of vehicular traffic to ensure compliance with the requirements of the **Environmental Protection Agency.** It is to be placed in such a way to minimise the amount of soil (mud and dust) transferred over public areas and into the street.

- **Allotment boundaries** will not be certified by Council staff. The onus of ensuring that buildings / structures are sited in the approved position on the correct allotment is the responsibility of the owner.

- The owner of any building to be erected or altered which is used for health care or food preparation, is obliged to obtain consent from the **Eastern Metropolitan Regional Health Authority.** (phone 8362 7655)

- This application has been assessed pursuant to the Building Rules. Your attention is drawn to the provisions of the **Disability Discrimination Act**, which prescribe your legal responsibilities to comply with that Act.

- Building work adjacent to street boundaries is required to be provided with a **hoarding** and a license for the hoarding shall be obtained from the Council. Contact 8366 4525.

- **Development Act 1993 - Section 60 & Regulation 75**
  Where any building work or excavation is deemed to affect the stability of land or premises on adjoining properties,as per schedule 15, the building owner must serve notice on the owner of the affected land or premises at least 28 days before building work is commenced.

  The building owner must take such precautions as may be prescribed to protect the affected land or premises and must, at the request of the owner of the affected land or premises carry out such other building work to protect or strengthen the foundations of any building affected by the proposed building work.

- **Section 779 of the Local Government Act** provides that, where damage to Council roads, footpaths or kerbing occurs as a result of the development, the owner / applicant shall be responsible for the cost of repairs to the damage.

- A separate application to the Council **Works and Technical Services Department** is required for any installation of or modification to stormwater drains, underground electrical services or crossovers etc beyond the property alignment. Contact 8360 9000.

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

- An **approved toilet** privy is to be sensitively located on the site prior to any building work commencing. The privy should be suitably braced against overturning. No long drop toilets shall be used on site, only chemical toilets or toilets connected to the sewer shall be used.

- A minimum standard for **refuse containers** on a building site to restrain 'blowable' materials is to be either;
  (a) a commercial type removeable 'SKIP' type container (provided by a waste removal company) of adequate size for the building project (min 1.5m) with a top closable lid, or
  (b) a suitable prefabricated rectangular (or square) enclosure of robust construction (ie steel sheeting material or steel mesh F72 or better - not chicken or bird wire) and located so as not to be demolished by vehicles off loading.

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LANDS TITLES REGISTRATION OFFICE

SOUTH AUSTRALIA

FORM APPROVED BY THE REGISTRAR-GENERAL

CERTIFID CORRECT FOR THE PURPOSES OF THE REAL PROPERTY ACT 1886

Solicitor/Licensed Land Broker/Applicant

T 6046

BELOW THIS LINE FOR OFFICE USE ONLY

28 JAN 1999

Date 28 JAN 1999	Time 15.15
FEES	

R.G.O.	POSTAGE	ADVERT	NEW C.T.
80			

NOTES

1. This form may be used only when no panel form is suitable.

5139 Y

EXAMINATION

CORRECTION EX20 16.3.99 ~~24.2.99~~	PASSED

BELOW THIS LINE FOR OFFICE USE ONLY

Lodged by: AGENT CODE

Correction to: CARRINGTON CONVEYANCERS 64 Carr

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

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

Assessor

PLEASE ISSUE NEW CERTIFICATES OF TITLE AS FOLLOWS

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

00*00 28JAN1999 01007774PL.T.O.

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

ITEM CT/CL REF.	AGENT CODE

©

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Form B.5

Insert type of document here.... APPLICATION TO REGISTER - DEVELOPMENT ACT 1993 LAND MANAGEMENT AGREEMENT

TO THE REGISTRAR GENERAL

CITY OF NORWOOD, PAYNEHAM AND ST PETERS of 175 The Parade Norwood 5067 HEREBY APPLIES pursuant to the provisions of Section 57(5) of the Development Act, 1993 for the registration of the attached Deed dated the 26th day of NOVEMBER 1998 and made between CITY OF NORWOOD, PAYNEHAM AND ST PETERS aforesaid as the Council of the one part and FORSYTH FOUNDATION INCORPORATED of 10 Pitt Street Adelaide 5000 as the Owner of the other part as a Land Management Agreement pursuant to Section 57 (2) of the said Act. The said deed binds Allotments 101 to 109 both inclusive and 63, 64 and 65 in Development Application 190/D015/96 and Deposited Plan 51317 being PORTION OF THE LAND comprised in Certificate of Title Register Book Volume 5150 Folio 298 and operates to control the future ~~development~~ MANAGEMENT of the said land.

DATED the 26th day of Nov. 1998

THE CITY OF NORWOOD, PAYNEHAM AND ST. PETERS 1997 COMMON SEAL

The Common Seal of
CITY OF NORWOOD, PAYNEHAM AND ST PETERS
was hereunto affixed
in the presence of:

..... Chairperson

..... Chief Executive Officer

The Owners HEREBY CONSENTS to the registration of the attached Land Management Deed.

THE COMMON SEAL OF
FORSYTH FOUNDATION INCORPORATED
WAS HEREUNTO AFFIXED
IN THE PRESENCE OF:-

SEAL HOLDER:.....

SEAL HOLDER:.....

FORSYTH FOUNDATION INCORPORATED COMMON SEAL

REGISTERED ...../...../19

REGISTRAR-GENERAL

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$10.

THIS DEED is made the 20th day of November 1997

BETWEEN: CITY OF NORWOOD, PAYNEHAM AND ST PETERS of 175 The Parade Norwood 5067 in the State of South Australia (hereinafter with its successors and assigns called "the Council") of the one part

AND: FORSYTH FOUNDATION INCORPORATED of 10 Pitt Street Adelaide 5000 in the State of South Australia (hereinafter with his or its executors ~~administrators~~ successors and assigns as the case may be called "the Owner" of the other part.

COMMISSIONER OF STATE TAXATION
S.A. STAMP DUTY PAID $10.00
ADJUDGED DULY STAMPED
ORIGINAL with 0 copies
04/12/98 10:56:35 00473889.2
FEES

WHEREAS:

A. The owner is the proprietor of an estate in fee simple in Allotment 201 being the whole of the land comprised in Certificate of Title Register Book VOLUME 5150 FOLIO 298 (hereinafter called the Land")

B. By a Development Application 190/D015/96 (hereinafter called "the application") the Owner has applied for planning authorisation pursuant to the provisions of the Development Act 1993 (hereinafter called "the Act") from the Planning Authority to create thirteen (13) allotments shown on the plan annexed hereto as annexure "A".

C. Allotments numbered 101-109 (both inclusive) and 63, 64 and 65 are hereinafter called "the land".

D. Pursuant to the provisions of Section 57 of "the Act" (as amended) the Owner has agreed with the Council to enter into this Deed relating to the ~~development~~ MANAGEMENT of "the Land" subject to the terms and conditions hereinafter mentioned;

NOW THIS DEED WITNESSETH as follows:

1. Interpretation

1.1 The parties acknowledge that the matters hereinbefore recited are true and accurate and agree that they shall from a part of the terms of this Deed.

1.2 In the interpretation of this Deed unless the context shall otherwise require or admit:

(a) Words and phrases used in this Deed which are defined in the Act shall have the meanings ascribed to them by the Act;

(b) References to any statute or subordinate legislation shall include all statutes and subordinate legislation amending consolidating or replacing the statute or subordinate legislation referred to;

(c) The term "the Owner" where the Owner is a company includes its successors, assigns and transferees and where the Owner is a person, includes his heirs executors, administrators and transferees and where the Owner consists of more than one person or company the term includes each and every one or more of such persons or companies jointly and each of them severally and their

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respective successors, assigns, heirs, executors, administrators and transferees of the companies or persons being registered or entitled to be registered as the proprietor of any estate in fee simple to the Land subject however to such encumbrances, liens and interests as are registered and notified by memoranda endorsed on the Title thereof;

(d) The term "person" shall include a corporate body;

(e) The term "the Land" means the land referred to in Recital C hereof and shall include any part or parts of the Land;

(f) The term "the relevant planning authority" means the relevant planning authority as defined in the Act;

(g) The term "Building Work" means work in the nature of -

(i) the erection, construction, underpinning, alteration of, addition to of any building or structure;

(ii) the making of any excavation or filling for, or incidental to, the erection, construction, underpinning, alteration of, addition to, or demolition of any building or structure or road, street or thoroughfare;

(iii) the erection, construction or underpinning of a rainwater tank or tank or other facility for storing rainwater;

(h) The term "Outbuilding" means a building detached from and ancillary to, another building which is constructed on an allotment forming part of the Land;

(i) Words importing any gender shall include every gender;

(j) Words importing the singular number or plural number shall be deemed to include the plural number and the singular number respectively;

(k) Where two or more persons are bound hereunder to observe or perform any obligation or agreement whether express or implied then they shall be bound jointly and each of them severally;

(l) Any clause heading or marginal notes are for reference purposes only and shall not be resorted to in the interpretation of this Deed;

(m) The term "The Act" refers to the Development Act 1993 (as amended).

1.3 If any provision of this Deed shall be found by a court of competent jurisdiction to be invalid or unenforceable in law THEN and in such case the parties hereby request and direct such court to sever such provision from this Deed.

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1.4 The law governing the interpretation and implementation of the provisions of this Deed shall be the law of South Australia.

2. The Owners Obligations

2.1 Further division

The Owner shall not commence or proceed with or cause, suffer or permit to be commenced with any application pursuant to the Act, any Act passed in substitution for the Act, the Real Property Act, 1886, any act passed in substitution for the said Real Property Act, 1886, or any other relevant Acts to undertake any division of the Subject Land.

2.2 Building Work

The owner shall ensure that any Building work on any allotment forming part of the Subject Land complies with the Principles specified in the First Schedule and Second Schedule hereto (except to the extent that the Council may otherwise agree)

2.3 The Owner shall not commence or proceed with or cause, suffer or permit to be commenced or proceeded with any building work or any application to the relevant planning authority or any other relevant authority for approval of any Building Work to be undertaken upon the land values it complies with the Principles specified in the First Schedule and second Schedule hereto (except to the extent that the Council may otherwise agree).

3. Miscellaneous Provisions

3.1 Each party shall do and execute all such acts documents and things as shall be necessary to ensure that this Deed is registered and a memorial thereof entered on the muniments of title to" the Land" pursuant to the provisions of Section 57 (5) of the Act in priority to any other registrable interest in the Land save and except for the estate and interest of the Owner therein AND the parties expressly agree that this Deed shall be lodged for registration at the Lands titles Registration Office as soon as practicable after it has been full executed.

3.2 The Council and any employee or agent of the Council authorised by the Council may at any reasonable time enter the Land for the purpose of:

3.2.1 inspecting the Land and any building or structure thereupon;

3.2.2 exercising any other powers of the Council under this Deed or pursuant to law.

3.3 If the Owner is in breach of any provision of this Deed, the Council may, by notice in writing served on the Owner, specify the nature of the breach and require the Owner to remedy the notice (being not less than twenty eight (28) days from the date of service of the notice) and if the Owner fails so to remedy the breach, the Council or its servants, or agents may carry out requirement of the notice and in doing so may enter and perform any

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necessary works upon the Land and recover any costs thereby incurred from the Owner.

3.4 If in a notice referred to in Clause 3.3 hereof the Council requires the removal of Building Work or an Outbuilding from the Land the Council and its servants or agents are hereby authorised and empowered by the Owner to enter and remove the Building Work or Outbuilding from the Land and to dispose of it in any manner determined by the Council provided that if the building or structure shall have any monetary value then the Council shall use its best endeavours to realise that monetary value and shall after the disposal account to the Owner and pay to him the realised value less all expenses incurred.

3.5 The requirements of this Deed are at all times to be construed as additional to the requirements of "the Act" and any other legislation affecting the Land.

3.6 This Deed may not be varied except by a Supplementary Deed signed by the Council and the Owner.

3.7 The Council may waive compliance by the Owner with the whole or any part of the obligations on the Owner's part herein contained provided that no such waiver shall be effective unless expressed in writing and signed by the Council.

3.8 This Deed contains the whole agreement between the parties in respect of the matters referred to herein.

3.9 Notice shall for the purposes of this Deed be properly served on the owner if it is:

3.9.1 posted to the Owner's last address known to the Council; or
3.9.2 affixed in a prominent position on the Land.

3.10 The council may delegate any of its powers under this Deed to any person.

3.11 The owner hereby indemnifies the council and agrees to keep it forever indemnified in respect of the whole of its costs and expenses of and incidental to the negotiation, preparation, settling, stamping and registration of this Deed and the implementation of its terms.

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IN WITNESS WHEREOF the parties hereto have executed this Deed.

THE COMMON SEAL OF
CITY OF NORWOOD, PAYNEHAM AND ST PETERS
WAS HEREUNTO AFFIXED
IN THE PRESENCE OF:

.....
Mayor

.....
Chief Executive Officer

THE CITY OF NORWOOD PAYNEHAM AND ST PETERS 1997 COMMON SEAL

THE COMMON SEAL OF
FORSYTH FOUNDATION INCORPORATED
WAS HEREUNTO AFFIXED
IN THE PRESENCE OF:-

.....
Seal Holder

.....
Seal Holder

FORSYTH FOUNDATION INCORPORATED COMMON SEAL

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FIRST SCHEDULE - DEVELOPMENT PRINCIPLES

Any development on or use of the Land shall comply with the Principles of Aldersgate Village Urban Design Guidelines (16 pages).

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SECOND SCHEDULE - FURTHER DEVELOPMENT PRINCIPLES

Any development on or use of the Land shall:

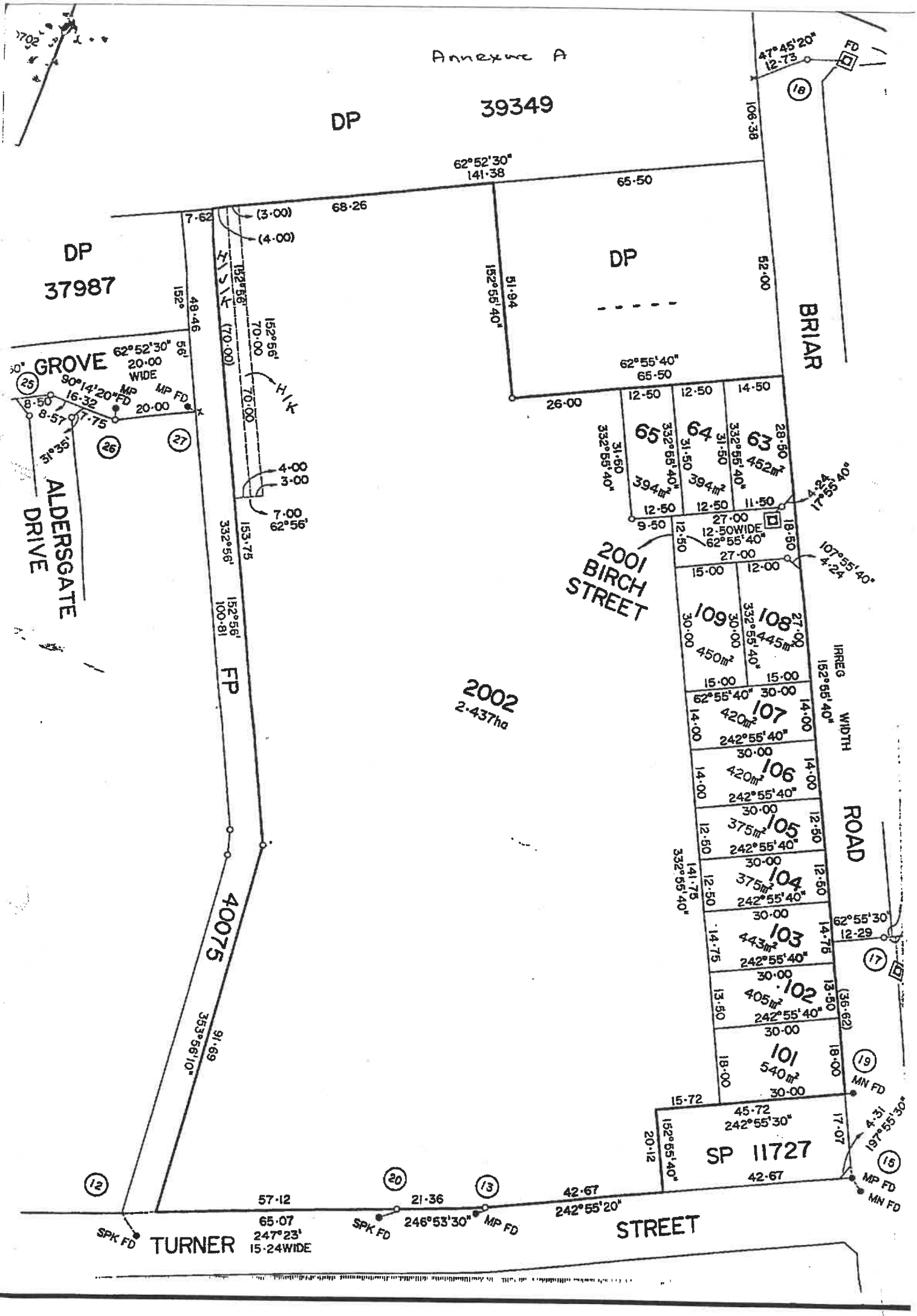
1) Not create more than one dwelling on any allotment.

2) Not apply for or effect the division of the Land.

3) Not cause, permit or suffer to be erected or remain on the Land any building or part of a building the exterior of which contains any galvanised or zincalume sheet metal or other reflective material provided that this restriction shall not apply to a pre-treated permanently coloured non-reflective material such as Colorbond or other like material.

4) Not cause, permit or suffer to be erected or remain on the Land any transportable building.

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Aldersgate Village
Urban Design Guidelines

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4	BUILDING HEIGHT	9
5	VEHICLE PARKING	10
6	PRIVATE OPEN SPACE	11
7	PRIVACY	12
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1 INTRODUCTION

The Aldersgate Village development provides an opportunity to redevelop part of inner suburban Adelaide. The density of development reflects the site's proximity to the Central Business District (CBD). The project is being undertaken by the Adelaide Central Mission and is being project managed by Connor Consulting Pty Ltd.

The Aldersgate Village is the latest of a series of developments that has transformed a part of the Felixstow suburb. This development is the second that is providing a range of allotments for residential development to the general public. The proceeds of this village development will assist in the further development of the aged accommodation and ongoing services.

In order to ensure the Aldersgate Village development is attractive, of high quality and is environmentally responsible, these Urban Design Guidelines have been prepared. Given the range of allotment sizes and housing types that will be developed, it is considered necessary to ensure that new housing conforms to a set of guidelines and standards that will protect the rights of individual residents with regard to adjoining development and therefore their investment.

Most of the guidelines relate to design factors which need to be taken into account when designing the dwelling and its siting on the allotments.

It is expected that if residents develop their properties in line with this document, the character and quality of the development will be enhanced, as will residents' enjoyment of their homes.

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2 PROCESS

When you purchase an allotment of land at Aldersgate Village, a Land Management Agreement is attached to the title which requires that prior to any development on the allotment, approval must be sought and gained from the City of Payneham or successor.

All development at Aldersgate Village must conform with the Urban Design Guidelines. This includes:

- new dwellings;
- outbuildings;
- garages and carports.

If applicants are unsure of whether or not their proposed dwelling meets the requirements of the Urban Design Guidelines, a sketch plan should be prepared and submitted to the City Planner, City of Payneham (or the successor) for preliminary discussion prior to finalising plans and specifications.

In the assessment process the assessor may agree to approve proposed developments that do not strictly meet with the Urban Design Guidelines provided the non-conformities of the proposal are minor in nature and that the quality and character of the development is not detrimentally affected.

Care should be taken to ensure that house designs are suitable for the particular orientation of the allotment. Factors to consider when matching your desired dwelling design and a potential allotment include:

- solar access to main family living areas and private garden areas;
- relationship between living spaces and private garden areas;
- position of driveways, garages and carports.

A development application pursuant to the Development Act (SA) 1993 also needs to approved by the City of Payneham or successor.

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3 ORIENTATION OF DWELLINGS AND SETBACKS

3.1 Orientation

Introduction

The guidelines contained in Section 3.1 are not mandatory, however, designs which meet the policy are preferred.

The orientation of your house on the allotment can increase the ability to heat, or cool, the dwelling with minimum use of other forms of energy.

Sunlight provides both a source of energy and amenity, contributing to an important quality of life for Adelaide residents. Sunlight to private gardens makes a variety of activities more pleasant - entertaining, leisure past times, horticulture and various hobbies. In winter, a sunlit, protected garden can make a big difference to the enjoyment that a dwelling provides.

Adopting energy efficient practices therefore benefits two groups - the householders, through reduced operating costs and higher levels of natural comfort and light; and the community, through reduced environmental impact.

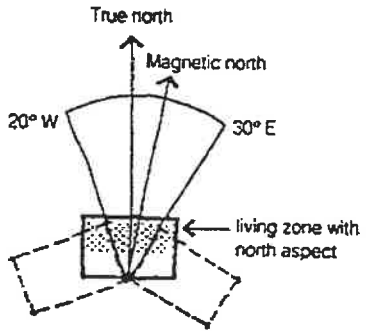
Orientation of Living Areas and Private Open Space

The preferred orientation of the living zones within houses is shown in Figure 1, that is, dwellings should have a north-facing (ie between 30° east and 20° west) room capable of being used as a living area.

Orientation of private open space is also important in terms of enjoyment of private gardens and the ability to develop attractive gardens. The main part of the private open space should preferably be capable of serving as an extension of the function of the dwelling for relaxation, dining, entertainment, recreation and children's play, and of being accessed from a main living area off the main dwelling. The prime area of open space should preferably also be generally oriented in a northerly direction.

The degree to which living areas and areas of private open space can achieve the desired orientation depends on the orientation of its allotment relative to the road layout.

Figure 1

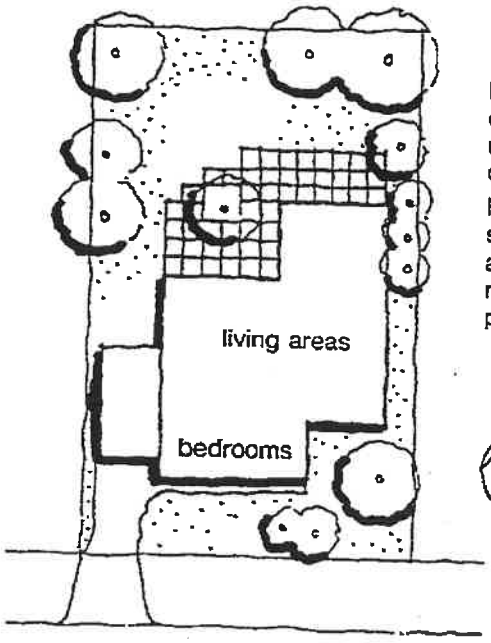


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3 ORIENTATION OF DWELLINGS AND SETBACKS (Continued)

Figures 2.1-2.4 indicate the preferred general layout for dwellings and private gardens for different orientations, highlighting how best to achieve good solar access.

Figure 2.1



Lot North

North-south orientation, northern side of street.

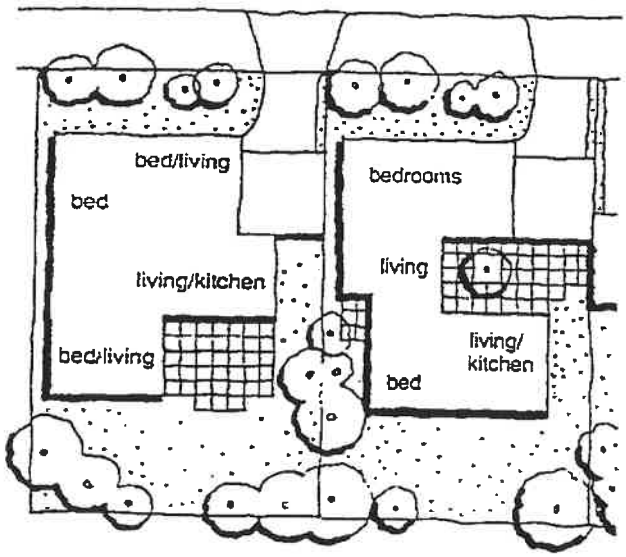
House set towards street to take full advantage of north facing private open space.

Figure 2.2

Lot South

North-south orientation, southern side of street.

Family, kitchen and/or living rooms oriented to rear private open space



Option:
House set close to street to allow sufficient space at rear for solar access semi-private front garden – no fence, or low-level fence. Courtyard allows winter sun to rear living areas.

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3 ORIENTATION OF DWELLINGS AND SETBACKS (Continued)

Figure 2.3

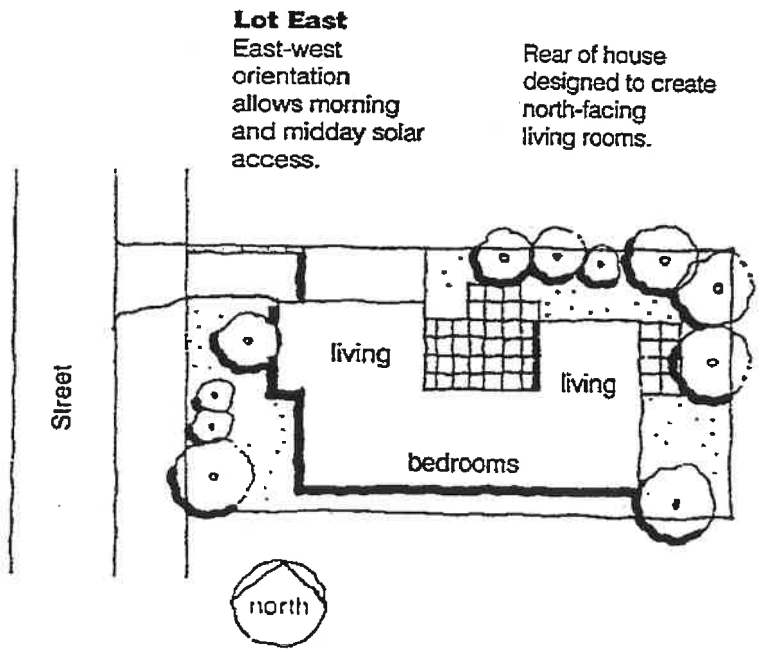
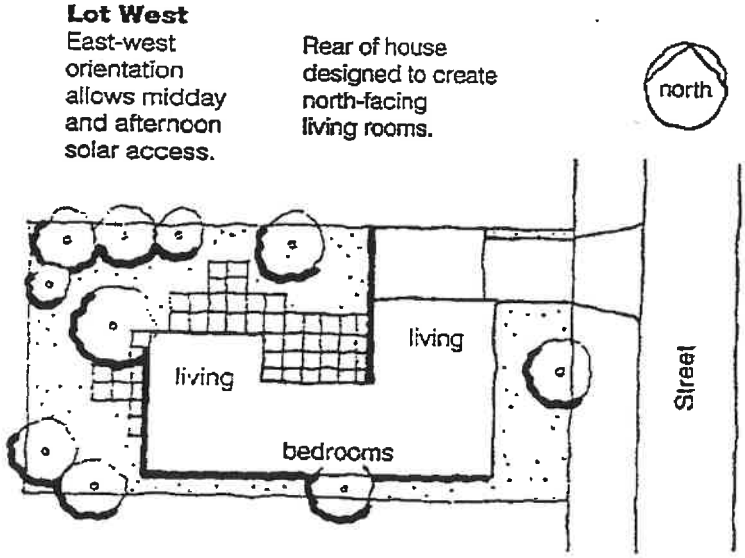


Figure 2.4



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3 ORIENTATION OF DWELLINGS AND SETBACKS (Continued)

3.2 Setbacks

3.2.1 Front Boundary Setbacks

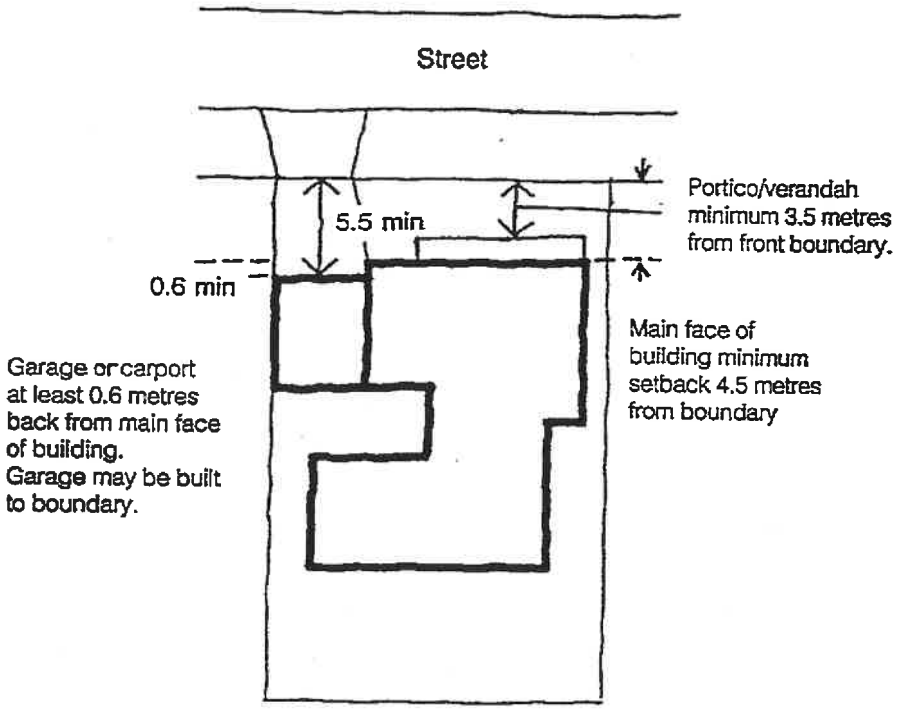
Front boundary setbacks should comply with Table A.

Table A

Part of Building	Setback (m)
Main face of dwelling	4.5 metres
Carport/garage	5.5 metres
Unenclosed verandah/portico	3.5 metres

As a general design principle, garages and carports should be setback at least 0.6 metres behind the main façade of the dwelling.

Figure 3



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3 ORIENTATION OF DWELLINGS AND SETBACKS (Continued)

3.2.2 Side Boundary Setbacks

- Dwellings must be set back a minimum of 1.0 metres from a side boundary (unless located on a corner allotment). (See Figures 4 and 5.)
- A 2.0 metre minimum setback is required for the dwelling (or part of the dwelling from a side boundary where it is a secondary road frontage).
- Garages and carports may be constructed on the side boundary (not including a road boundary).
- Dwellings must present their primary face to the front boundary not a secondary road frontage.

Figure 4

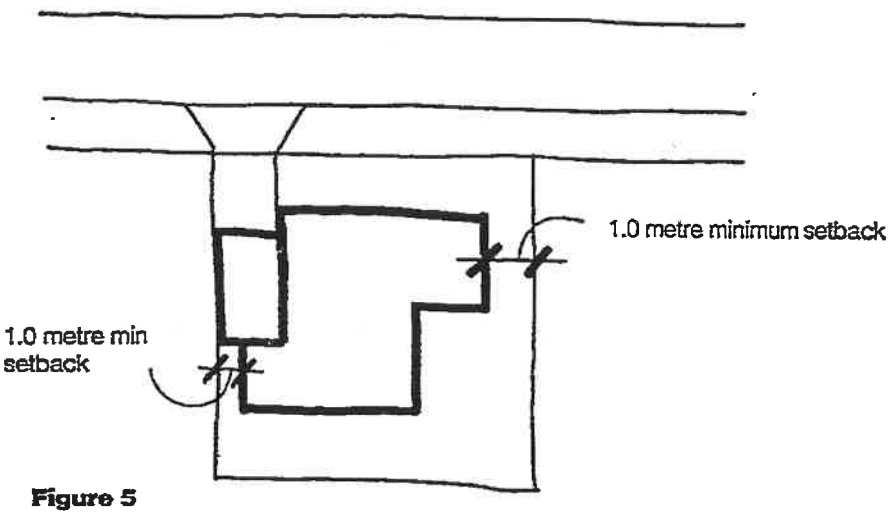
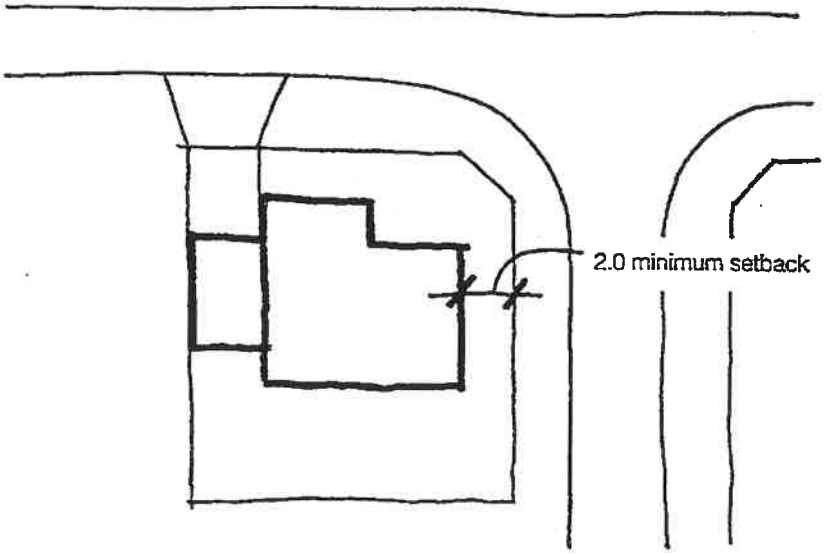


Figure 5



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3 ORIENTATION OF DWELLINGS AND SETBACKS (Continued)

3.3.3 Rear Boundary Setbacks

- Rear boundary setbacks for a single storey dwelling (building) should be at least 4 metres.
- For two storey dwellings, or a two storey component of a dwelling, the rear boundary setback should be at least 9 metres.

3.3.4 Zero Lot Line Dwellings

A dwelling (including carports and garages) may be located on one side boundary only so long as the maximum distance of buildings on the boundary does not exceed 12 metres.

3.4 Site Coverage

Site coverage of dwellings and outbuildings excluding non-roofed structures (eg pergolas) and driveways, pools, patios, spas, shall not exceed 55% of an allotment's area.

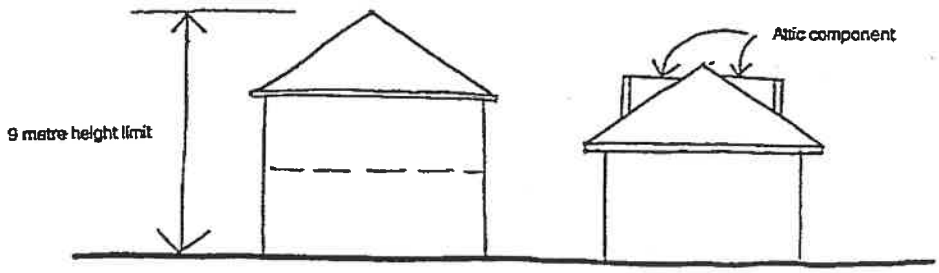
When Development Applications are made for a dwelling, the applicant must take into account the potential for future outbuildings associated with the dwelling in terms of site coverage. As such, the Development Application for a dwelling should include the size, location and materials of an outbuilding.

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4 BUILDING HEIGHT AND ROOF FORM

- Dwellings must not exceed two storeys in height.
- The ridge line of the roof of a two storey dwelling must not exceed 9 metres above finished floor level.
- An attic storey may be constructed in the roof line of a single storey dwelling providing it does not diminish the amenity of the adjoining dwellings or their private open space through overlooking.

Figure 6



- The roof form should contain articulated shapes with hips, gables or other forms being encouraged.
- Roofs shall be constructed with a minimum pitch of 25°.

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5 VEHICLE PARKING

5.1 Number of Spaces

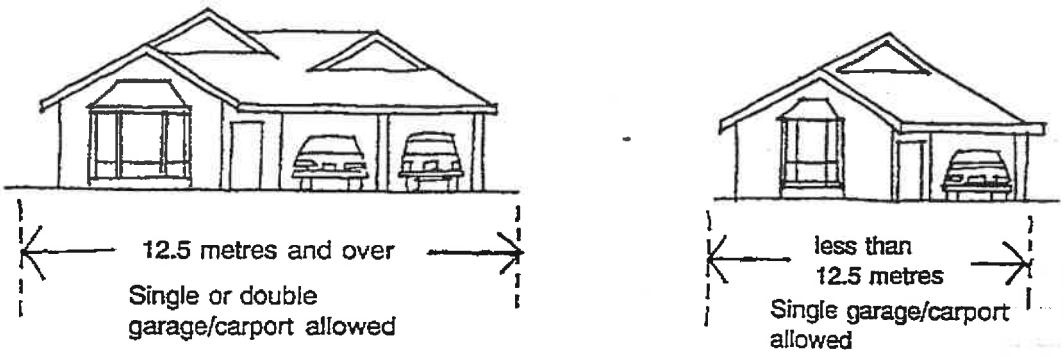
- On-site vehicular parking shall comply with the following table.

Table B

Bedrooms in Dwelling	Car Parking Spaces
1, 2, 3	2
4 or greater	3

- At least one car parking space must be covered (ie carport or garage).
- Additional car parks can be covered or uncovered, and if uncovered, spaces can be located in the driveway immediately in front of the garage or carport and within the minimum setback distance.
- Garages and carports on allotments less than 12.5 metres in width should only accommodate a single car.

Figure 9



5.2 Size Of Spaces

The minimum dimensions of a parking space are 2.5 metres x 5.4 metres.

5.3 Recreational/Commercial Vehicles

Recreational vehicles (eg caravans, boats etc) and commercial vehicles must not be parked on a regular basis on properties forward of any part of the building.

Vehicles of 3 tonnes or more are not permitted.

5.4 Design Of Garages And Carports

Garages and carports must be provided either under the main roof, or if freestanding, the roof form and materials must complement those of the associated dwelling.

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6 PRIVATE OPEN SPACE

- Dwellings must comply with Table C with regard to the provision of private open space on an allotment.

Table C

Number of Bedrooms	Area
1 – 2	50 m²
3	70 m²

- For each additional bedroom, an additional 20 m² of private open space must be provided.
- All areas of private open space must:
  - (a) have a minimum dimension of 2.0 metres;
  - (b) be directly accessible to the dwellings;
  - (c) be appropriately screened from the street or other public areas;
  - (d) one part of the total private open space area must be able to contain a rectangle measuring 6 metres x 4 metres that is directly accessible from the dwelling.

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7 PRIVACY

7.1 Explanation

The aim of this part of the guidelines is to ensure that owners of two storey dwellings are able to take advantage of views from upper storey windows and the owners of adjoining properties are able to enjoy certain levels of privacy. There are different ways of achieving privacy.

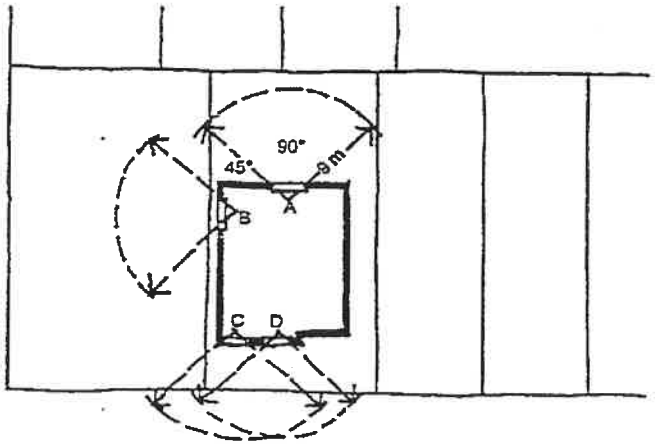
7.2 Privacy Standards

If an upper storey window is within a 9 metre arc that is 90° of an adjoining dwelling's habitable room windows or private open space, the window shall be screened as per Figure 10 below by one of the following methods:

- if no dwelling exists on an adjoining allotment, then consideration must be given to potential overlooking;
- clear windows with a sill height of at least 1.7 metres (see Figure 11 below);
- external screening must be architecturally integrated with the dwelling's design;
- fixed opaque glass to a height of 1.7 metres above the upper floor level (see Figure 12 below);
- the provision of external screening to a height of 1.7 metres above the upper floor level (see Figure 13 below);
- where side views are an overlooking problem, the use of side screens are required to a level of 1.7 metres above the upper floor level (see Figure 14).

Figure 10

- Window A does not require treatment to restrict views.
- Window B does require treatment to restrict views.
- Windows C and D do not require treatment to restrict views.
- Measurement of 9 metre view field commences at wall face.



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7 PRIVACY (Continued)

Figure 11

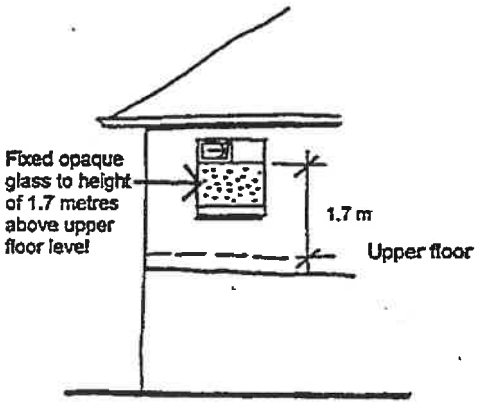


Figure 12

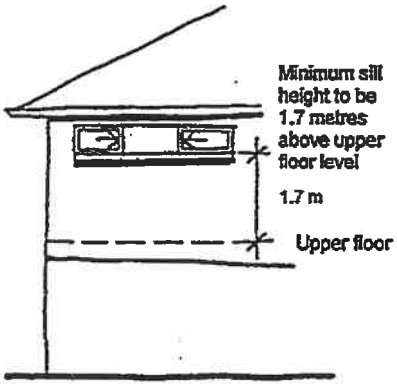


Figure 13

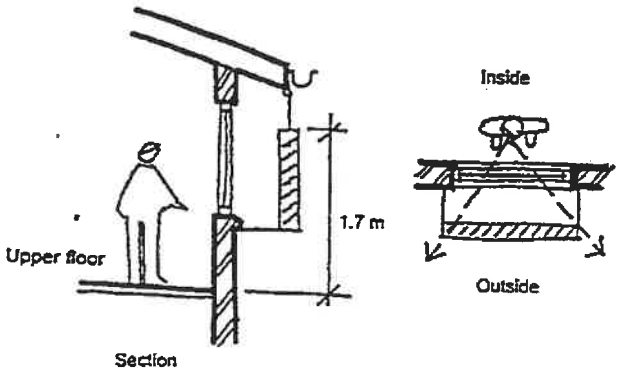
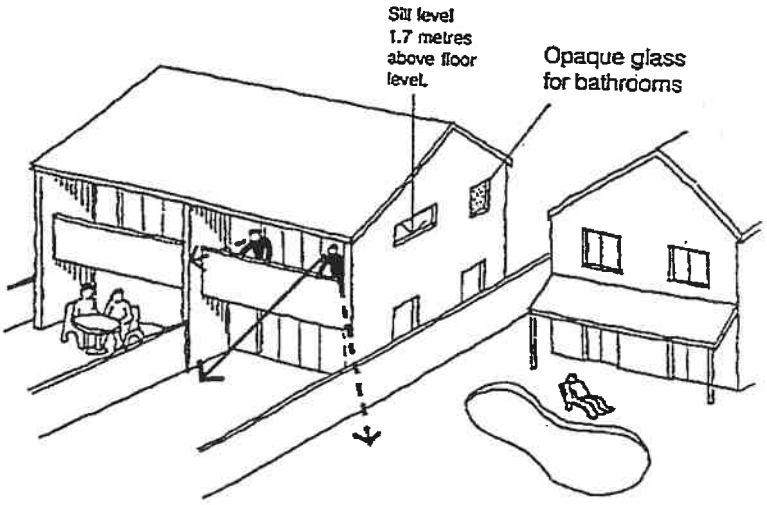


Figure 14



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8 FENCING

- No fencing is to be erected forward of the front façade of the dwelling.
- Side boundary fencing and near boundary fencing shall be no higher than 1.8 metres in height.
- The type of fencing shall be of either:
  - capped brush;
  - colorbond;
  - capped timber paling;
  - masonry;

  except for fencing on allotments numbered 118, 129-138, 72, 73, 81, 82, 90 and 91 that about Third Creek where an open style fencing (powder coated metal with a minimum of 50 mm separation between uprights) shall be used.

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9 LANDSCAPING

- Landscaping of front garden areas to the kerb line shall be established within 6 months of completion of the dwelling.
- Regular maintenance must be carried out.
- The nature strip between the front boundary and the kerb line and in the case of a corner allotment between the side boundary and the kerb line shall be topsoiled, sown with grass seed (mix to be advised by Council) or covered with fine grade mulch and low ground cover plants, irrigated and subsequently maintained and kept in a neat and tidy condition. An area at least 1 metre in width shall be available, where a footpath is not proposed, for pedestrians to traverse the verge. This area should be planted only with grass.
- A suitable selection of ground covers are:
  - Myoporum parvifolium (all forms);
  - Gazania rigens (flowering);
  - Juniperus conferta (non-flowering);
  - Grevillea thelmanniana (flowering);
  - Coprosma kirkii (non flowering);
  - Grevillea obturifolia;
  - Aptenia cordifolia;
  - Grevillea juniperina "Molongolo".

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SECOND SCHEDULE - FURTHER DEVELOPMENT PRINCIPLES

Any development on or use of the Land shall:

1) Not create more than one dwelling on any allotment.

2) Not apply for or effect the division of the Land.

3) Not cause, permit or suffer to be erected or remain on the Land any building or part of a building the exterior of which contains any galvanised or zincalume sheet metal or other reflective material provided that this restriction shall not apply to a pre-treated permanently coloured non-reflective material such as Colorbond or other like material.

4) Not cause, permit or suffer to be erected or remain on the Land any transportable building.

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Property Interest Report

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

Title Reference	CT 5651/426	**Reference No.**	2503682
Registered Proprietors	Y*SUN & ANR	**Prepared**	20/09/2023 15:09
Address of Property	35 BRIAR ROAD, FELIXSTOW, SA 5070		
Local Govt. Authority	NORWOOD PAYNEHAM & ST PETERS		
Local Govt. Address			

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

Table of Particulars

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

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

Prescribed encumbrance		Particulars (Particulars in bold indicates further information will be provided)
1.	**General**	
1.1	Mortgage of land *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	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 *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	Refer to the Certificate of Title
1.3	Restrictive covenant *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	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.) *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	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 *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
5.2	section 50(1) - Requirement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
5.3	section 50(2) - Agreement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
5.4	section 55 - Order to remove or perform work	State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
5.5	section 56 - Notice to complete development	State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
5.6	section 57 - Land management agreement	Refer to the Certificate of Title
5.7	section 60 - Notice of intention by building owner	Contact the vendor for these details
5.8	section 69 - Emergency order	State Planning Commission in the Department for Trade and Investment has no record of any order affecting this title also Contact the Local Government Authority for other details that might apply
5.9	section 71 - Fire safety notice	Building Fire Safety Committee in the Department for Trade and Investment has no record of any notice affecting this title

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

6. Repealed Act conditions

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

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

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

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

20. *Local Government Act 1934* (repealed)

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

21. *Local Government Act 1999*

21.1	Notice, order, declaration, charge, claim or demand given or made under the Act	Contact the Local Government Authority for other details that might apply

22. *Local Nuisance and Litter Control Act 2016*

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

23. *Metropolitan Adelaide Road Widening Plan Act 1972*

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

24. *Mining Act 1971*

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

24.9	Proclamation with respect to a private mine	Mineral Tenements in the Department of Energy and Mining has no record of any proclamation affecting this title

25. *Native Vegetation Act 1991*

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

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** **Residential Driveway Crossovers –draft design standard aiming to improve public safety and enhance streetscapes across SA. Minor changes to the Planning and Design Code have also been drafted to complement the design standard and support its delivery and are open for consultation as part of this process. For more information, refer to the 'Code Amendments' page on the PlanSA portal: https://plan.sa.gov.au/have_your_say/ or phone PlanSA on 1800752664.**
29.2	section 127 - Condition (that continues to apply) of a development authorisation *[**Note** - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*	State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.3	section 139 - Notice of proposed work and notice may require access	Contact the vendor for these details
29.4	section 140 - Notice requesting access	Contact the vendor for these details
29.5	section 141 - Order to remove or perform work	State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.6	section 142 - Notice to complete development	State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.7	section 155 - Emergency order	State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title also

		Contact the Local Government Authority for other details that might apply
29.8	section 157 - Fire safety notice	Building Fire Safety Committee in the Department for Trade and Investment has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.9	section 192 or 193 - Land management agreement	Refer to the Certificate of Title
29.10	section 198(1) - Requirement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.11	section 198(2) - Agreement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.12	Part 16 Division 1 - Proceedings	Contact the Local Government Authority for details relevant to this item also Contact the vendor for other details that might apply
29.13	section 213 - Enforcement notice	State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.14	section 214(6), 214(10) or 222 - Enforcement order	Contact the Local Government Authority for details relevant to this item also State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title

30. *Plant Health Act 2009*

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

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

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

32. *South Australian Public Health Act 2011*

32.1	section 66 - Direction or requirement to avert	Public Health in DHW has no record of any direction or requirement affecting this title

	spread of disease	
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 *Livestock Act, 1997*	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 *(Dog Fence Act 1946)*	The Dog Fence Board has no current interest in Dog Fence rates relating to this title.
9.	Pastoral Board *(Pastoral Land Management and Conservation Act 1989)*	The Pastoral Board has no current interest in this title
10.	Heritage Branch DEW *(Heritage Places Act 1993)*	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.

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Product	Check Search
Date/Time	20/09/2023 03:09PM
Customer Reference	35 Briar Road
Order ID	20230920007245

Certificate of Title

Title Reference: CT 5651/426

Status: CURRENT

Edition: 11

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Status
22/08/2023	25/08/2023	14105123	DISCHARGE OF MORTGAGE	REGISTERED
22/08/2023	25/08/2023	14105124	MORTGAGE	REGISTERED

Data Available - Dealings completed since 22/06/2023 and unregistered Dealings

Priority Notices

NIL

Registrar-General's Notes

No Registrar-General's Notes exist for this title

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LAND SERVICES SA

Product	Historical Search
Date/Time	20/09/2023 03:09PM
Customer Reference	35 Briar Road
Order ID	20230920007245

Certificate of Title

Title Reference: CT 5651/426

Status: CURRENT

Parent Title(s): CT 5150/298

Dealing(s) Creating Title: RTU 8623515

Title Issued: 10/05/1999

Edition: 11

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
22/08/2023	25/08/2023	14105124	MORTGAGE	REGISTERED	WESTPAC BANKING CORPORATION (ACN: 007 457 141)
22/08/2023	25/08/2023	14105123	DISCHARGE OF MORTGAGE	REGISTERED	13560317
30/06/2021	05/07/2021	13560317	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)
30/06/2021	05/07/2021	13560316	DISCHARGE OF MORTGAGE	REGISTERED	13143369
15/07/2019	24/07/2019	13143369	MORTGAGE	REGISTERED	WESTPAC BANKING CORPORATION (ACN: 007 457 141)
15/07/2019	24/07/2019	13143368	TRANSFER	REGISTERED	YU SUN, XIAOLI LIU
15/07/2019	24/07/2019	13143367	APPLICATION TO NOTE DEATH	REGISTERED	CARLENE RAE PONTIFEX (DECD), BRUCE REID PONTIFEX
07/11/2014	27/11/2014	12225711	TRANSFER	REGISTERED	BRUCE REID PONTIFEX, CARLENE RAE PONTIFEX
07/11/2014	27/11/2014	12225710	DISCHARGE OF MORTGAGE	REGISTERED	11589465
31/05/2011	09/06/2011	11589465	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.
31/05/2011	09/06/2011	11589464	TRANSFER	REGISTERED	DAMIAN PAUL SCHULTZ
31/05/2011	09/06/2011	11589463	DISCHARGE OF MORTGAGE	REGISTERED	10279388
31/05/2011	09/06/2011	11589462	DISCHARGE OF MORTGAGE	REGISTERED	10279387

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Product	Historical Search
Date/Time	20/09/2023 03:09PM
Customer Reference	35 Briar Road
Order ID	20230920007245

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
05/08/2005	05/09/2005	10279388	MORTGAGE	REGISTERED	RONALD LESLIE BECKHAM, ROBERTA ALINA BECKHAM
05/08/2005	05/09/2005	10279387	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.
05/08/2005	05/09/2005	10279386	TRANSFER	REGISTERED	DAMIAN PAUL SCHULTZ, JANE ALINA BECKHAM
05/08/2005	05/09/2005	10279385	DISCHARGE OF MORTGAGE	REGISTERED	9504431
10/01/2003	21/01/2003	9504431	MORTGAGE	REGISTERED	SUNCORP-METWAY LTD.
10/01/2003	21/01/2003	9504430	TRANSFER	REGISTERED	ANDREW PETER HURT
10/01/2003	21/01/2003	9504429	DISCHARGE OF MORTGAGE	REGISTERED	9101791
22/05/2001	06/06/2001	9101791	MORTGAGE	REGISTERED	PERMANENT CUSTODIANS LTD.
22/05/2001	06/06/2001	9101790	DISCHARGE OF MORTGAGE	REGISTERED	8677034
06/05/1999	24/05/1999	8677034	MORTGAGE	REGISTERED	ST.GEORGE BANK LTD. (ACN: 055 513 070)
06/05/1999	24/05/1999	8677033	TRANSFER	REGISTERED	IGOR ZAPOROSHENKO, ELENA ZAPOROSHENKO
28/01/1999	14/05/1999	8623516	AGREEMENT	REGISTERED	

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LAND SERVICES SA

Product	Register Search (CT 5651/426)
Date/Time	20/09/2023 03:09PM
Customer Reference	35 Briar Road
Order ID	20230920007245

REAL PROPERTY ACT, 1886
South Australia

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.

REGISTRAR-GENERAL SOUTH AUSTRALIA

Certificate of Title - Volume 5651 Folio 426

Parent Title(s) CT 5150/298

Creating Dealing(s) RTU 8623515

Title Issued 10/05/1999 **Edition** 11 **Edition Issued** 25/08/2023

Estate Type

FEE SIMPLE

Registered Proprietor

YU SUN
XIAOLI LIU
OF 35 BRIAR ROAD FELIXSTOW SA 5070
AS JOINT TENANTS

Description of Land

ALLOTMENT 102 DEPOSITED PLAN 51396
IN THE AREA NAMED FELIXSTOW
HUNDRED OF ADELAIDE

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED F FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

Schedule of Dealings

Dealing Number	Description
8623516	AGREEMENT UNDER DEVELOPMENT ACT, 1993 PURSUANT TO SECTION 57(2) FOR MANAGEMENT
14105124	MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141)

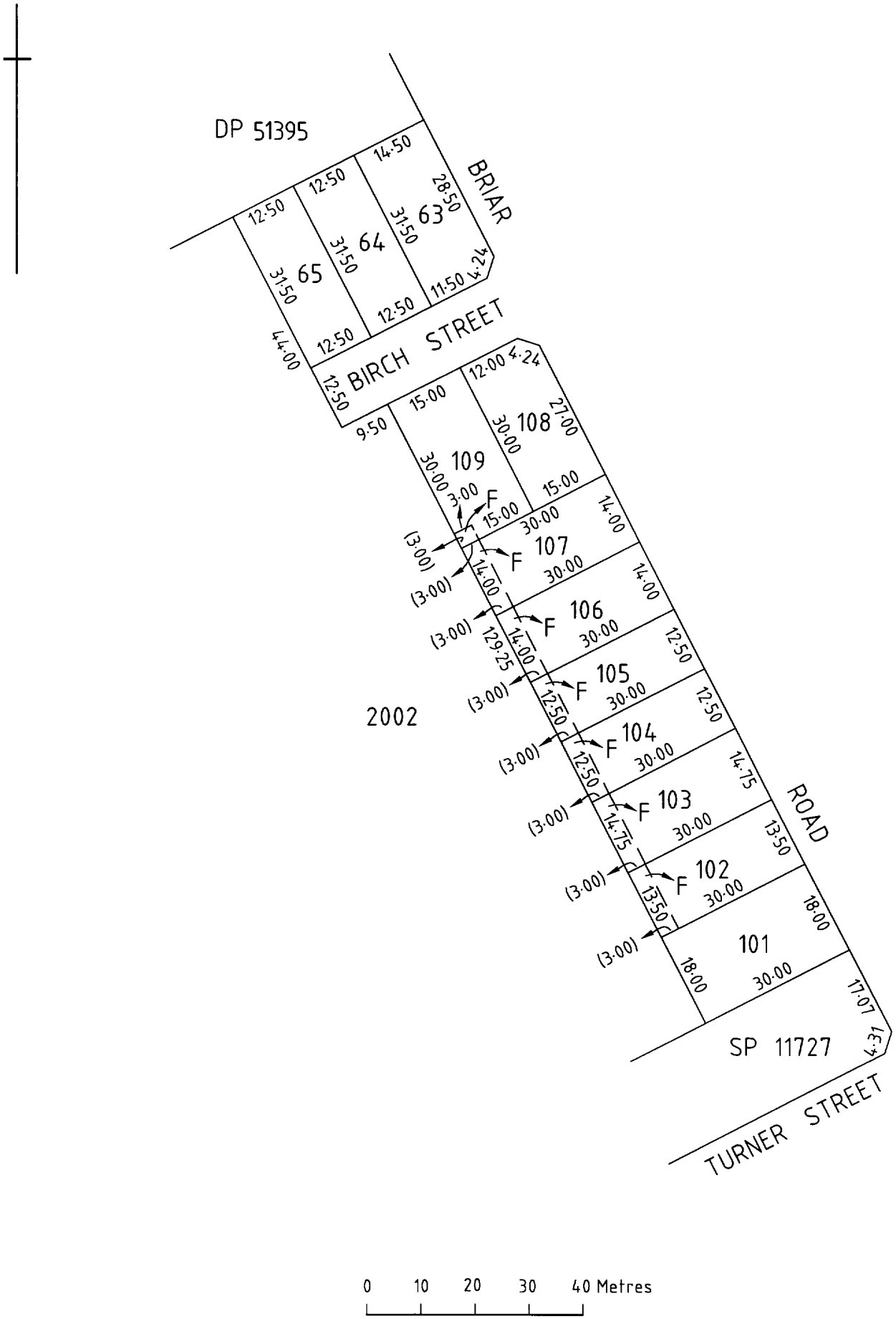
Notations

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

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Product	Register Search (CT 5651/426)
Date/Time	20/09/2023 03:09PM
Customer Reference	35 Briar Road
Order ID	20230920007245



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LAND SERVICES SA

Product	Title and Valuation Package
Date/Time	20/09/2023 03:09PM
Customer Reference	35 Briar Road
Order ID	20230920007245

Certificate of Title

Title Reference	CT 5651/426
Status	CURRENT
Easement	YES
Owner Number	18146817
Address for Notices	6A HACKETT TCE MARRYATVILLE, SA 5068
Area	405m² (CALCULATED)

Estate Type

Fee Simple

Registered Proprietor

YU SUN
XIAOLI LIU
OF 35 BRIAR ROAD FELIXSTOW SA 5070
AS JOINT TENANTS

Description of Land

ALLOTMENT 102 DEPOSITED PLAN 51396
IN THE AREA NAMED FELIXSTOW
HUNDRED OF ADELAIDE

Last Sale Details

Dealing Reference	TRANSFER (T) 13143368
Dealing Date	15/07/2019
Sale Price	$600,000
Sale Type	FULL VALUE / CONSIDERATION AND WHOLE OF LAND

Constraints

Encumbrances

Dealing Type	Dealing Number	Beneficiary
AGREEMENT	8623516	
MORTGAGE	14105124	WESTPAC BANKING CORPORATION (ACN: 007 457 141)

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
1903785157	CURRENT	35 BRIAR ROAD, FELIXSTOW, SA 5070

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Product	Title and Valuation Package
Date/Time	20/09/2023 03:09PM
Customer Reference	35 Briar Road
Order ID	20230920007245

Notations

Dealings Affecting Title

NIL

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

Valuation Record

Valuation Number	1903785157
Type	Site & Capital Value
Date of Valuation	01/01/2023
Status	CURRENT
Operative From	01/07/1999
Property Location	35 BRIAR ROAD, FELIXSTOW, SA 5070
Local Government	NORWOOD PAYNEHAM & ST PETERS
Owner Names	YU SUN XIAOLI LIU
Owner Number	18146817
Address for Notices	6A HACKETT TCE MARRYATVILLE, SA 5068
Zone / Subzone	GN - General Neighbourhood\\
Water Available	Yes
Sewer Available	Yes
Land Use	1100 - House
Description	6HDGV
Local Government Description	Residential

Parcels

Plan/Parcel	Title Reference(s)
D51396 ALLOTMENT 102	CT 5651/426

Values

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Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	$620,000	$860,000			
Previous	$500,000	$800,000			

Building Details

Valuation Number	1903785157
Building Style	Conventional
Year Built	2000
Building Condition	Very Good
Wall Construction	Rendered
Roof Construction	Tiled (Terra Cotta or Cement)
Equivalent Main Area	184 sqm
Number of Main Rooms	6

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

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RevenueSA
DEPARTMENT OF TREASURY AND FINANCE

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: 2503682

DATE OF ISSUE
21/09/2023

QMR CONVEYANCING PTY LTD
GPO BOX 2141
ADELAIDE SA 5001

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

OWNERSHIP NUMBER	OWNERSHIP NAME
18146817	Y SUN & X LIU

PROPERTY DESCRIPTION

35 BRIAR RD / FELIXSTOW SA 5070 / LT 102

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	CAPITAL VALUE	AREA / FACTOR	LAND USE / FACTOR
			R4	RE
1903785157	CT 5651/426	$860,000.00	1.000	0.400

LEVY DETAILS:

FINANCIAL YEAR
2023-2024

FIXED CHARGE	$	50.00
+ VARIABLE CHARGE	$	348.10
- REMISSION	$	276.25
- CONCESSION	$	46.00
+ ARREARS / - PAYMENTS	$	0.00
= AMOUNT PAYABLE	$	75.85

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 Certficate will be issued free of charge. **It is not the due date for payment.**

EXPIRY DATE **20/12/2023**

Government of South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

RevenueSA
DEPARTMENT OF TREASURY AND FINANCE

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

PAYMENT REMITTANCE ADVICE

OWNERSHIP NUMBER
18146817

OWNERSHIP NAME
Y SUN & X LIU

ASSESSMENT NUMBER
1903785157

AMOUNT PAYABLE
$75.85

AGENT NUMBER
100025974

AGENT NAME
QMR CONVEYANCING PTY LTD

EXPIRY DATE
20/12/2023

+80011887520022> +001571+ <0550863768> <0000007585> +444+

DocuSign Envelope ID: F6D9C579-8145-4392-B662-63BFC7A33E0E

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:

www.revenuesaonline.sa.gov.au

OR

By Post to:

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

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RevenueSA
DEPARTMENT OF TREASURY AND FINANCE
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: 2503682

DATE OF ISSUE
21/09/2023

QMR CONVEYANCING PTY LTD
GPO BOX 2141
ADELAIDE SA 5001

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

OWNERSHIP NAME
Y SUN & X LIU

FINANCIAL YEAR
2023-2024

PROPERTY DESCRIPTION
35 BRIAR RD / FELIXSTOW SA 5070 / LT 102

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	TAXABLE SITE VALUE	AREA
1903785157	CT 5651/426	$620,000.00	0.0405 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	**$**	0.00			
= AMOUNT PAYABLE	**$**	**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 **20/12/2023**

Government of South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

RevenueSA
DEPARTMENT OF TREASURY AND FINANCE
Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

DocuSign Envelope ID: F6D9C579-8145-4392-B662-63BFC7A33E0E

Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

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

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at: **OR** **By Post to:**

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

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SA Water

Account Number	L.T.O Reference	Date of issue	Agent No.	Receipt No.
19 03785 15 7	CT5651426	21/9/2023	8306	2503682

QMR CONVEYANCING PTY LTD
GPO BOX 2141
ADELAIDE SA 5001
rennie@qmrconveyancing.com.au

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: Y SUN & X LIU
Location: 35 BRIAR RD FELIXSTOW LT 102
Description: 6HDGV **Capital Value:** $ 860 000
Rating: Residential

Periodic charges

Raised in current years to 30/9/2023

				$
		Arrears as at: 30/6/2023	:	0.00
Water main available:	1/7/1999	Water rates	:	74.20
Sewer main available:	1/7/1999	Sewer rates	:	132.01
		Water use	:	198.95
		SA Govt concession	:	89.93CR
		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	:	315.23CR
		Balance outstanding	:	0.00

Degree of concession: 100.00% Date granted: 16/6/2020
Recovery action taken: FULLY PAID

Next quarterly charges: Water supply: 74.20 Sewer: 132.01 Bill: 11/10/2023

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

The last Water Use Year ended on 16/06/2023.

The property owner is currently using SA Water Corporation's direct debit system to pay water and sewer charges. Please advise the customer to make arrangements to cease the current direct debit payment method prior to property settlement.

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

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

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SA Water

South Australian Water Corporation

Name:
Y SUN & X LIU

Water & Sewer Account
Acct. No.: **19 03785 15 7**

Amount: _____

Address:
35 BRIAR RD FELIXSTOW LT 102

Payment Options

EFT

EFT Payment

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	1903785157

BPAY

Biller code: 8888
Ref: 1903785157

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: 1903785157

DocuSign Envelope ID: F6D9C579-8145-4392-B662-63BFC7A33E0E

LANDS TITLES REGISTRATION OFFICE

SOUTH AUSTRALIA

Series No.	Prefix
6	AG.

D 5139 Y

FORM APPROVED BY THE REGISTRAR-GENERAL

CERTIFID CORRECT FOR THE PURPOSES OF THE REAL PROPERTY ACT 1886

Solicitor/Licensed Land Broker/Applicant

JDOYLE

BELOW THIS LINE FOR OFFICE USE ONLY

28 JAN 1999

Date 28 JAN 1999	Time 15.15	
FEES		
R.G.O.	POSTAGE	ADVERT	NEW C.T.
80			

NOTES

1. This form may be used only when no panel form is suitable.

5139 Y

EXAMINATION

CORRECTION EXAM 16.3.99 ~~24.2.99~~	PASSED

BELOW THIS LINE FOR OFFICE USE ONLY

Lodged by: AGENT CODE

Correction to: CARRINGTON CONVEYANCERS 64 Care

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

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

Assessor

PLEASE ISSUE NEW CERTIFICATES OF TITLE AS FOLLOWS

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

00*08 "0.1 7749L 0100777 28JAN1999

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

ITEM CT/CL REF.	AGENT CODE

©

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GISTER - DEVELOPMENT ACT 1993

document here.... LAND MANAGEMENT AGREEMENT .....

TO THE REGISTRAR GENERAL

CITY OF NORWOOD, PAYNEHAM AND ST PETERS of 175 The Parade Norwood 5067 HEREBY APPLIES pursuant to the provisions of Section 57(5) of the Development Act, 1993 for the registration of the attached Deed dated the 20th day of NOVEMBER 1998 and made between CITY OF NORWOOD, PAYNEHAM AND ST PETERS aforesaid as the Council of the one part and FORSYTH FOUNDATION INCORPORATED of 10 Pitt Street Adelaide 5000 as the Owner of the other part as a Land Management Agreement pursuant to Section 57 (2) of the said Act. The said deed binds Allotments 101 to 109 both inclusive and 63, 64 and 65 in Development Application 190/D015/96 ~~and~~ Deposited Plan 51397 being PORTION OF THE LAND comprised in Certificate of Title Register Book Volume 5150 Folio 298 and operates to control the future ~~development~~ MANAGEMENT of the said land.

DATED the 20th day of NOV. 1998

The Common Seal of
CITY OF NORWOOD, PAYNEHAM AND ST PETERS
was hereunto affixed
in the presence of:

THE CITY OF NORWOOD, PAYNEHAM AND ST. PETERS 1997 COMMON SEAL

.....
Chairperson

.....
Chief Executive Officer

The Owners HEREBY CONSENTS to the registration of the attached Land Management Deed.

THE COMMON SEAL OF
FORSYTH FOUNDATION INCORPORATED
WAS HEREUNTO AFFIXED
IN THE PRESENCE OF:-

FORSYTH FOUNDATION INCORPORATED COMMON SEAL

SEAL HOLDER: .....

SEAL HOLDER: .....

REGISTERED ...../ ...../19

REGISTRAR-GENERAL

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D10.

THIS DEED is made the 26th day of November 1998

BETWEEN: CITY OF NORWOOD, PAYNEHAM AND ST PETERS of 175 The Parade Norwood 5067 in the State of South Australia (hereinafter with its successors and assigns called "the Council") of the one part

AND: FORSYTH FOUNDATION INCORPORATED of 10 Pitt Street Adelaide 5000 in the State of South Australia (hereinafter with his or its executors ~~administrators~~ successors and assigns as the case may be called "the Owner" of the other part.

COMMISSIONER OF STATE TAXATION
S.A. STAMP DUTY PAID $10.00
ADJUDGED DULY STAMPED
ORIGINAL with 0 copies
24/12/98 10:56:35 00473889.2
DEED

WHEREAS:

A. The owner is the proprietor of an estate in fee simple in Allotment 201 being the whole of the land comprised in Certificate of Title Register Book VOLUME 5150 FOLIO 298 (hereinafter called the Land")

B. By a Development Application 190/D015/96 (hereinafter called "the application") the Owner has applied for planning authorisation pursuant to the provisions of the Development Act 1993 (hereinafter called "the Act") from the Planning Authority to create thirteen (13) allotments shown on the plan annexed hereto as annexure "A".

C. Allotments numbered 101-109 (both inclusive) and 63, 64 and 65 are hereinafter called "the land".

D. Pursuant to the provisions of Section 57 of "the Act" (as amended) the Owner has agreed with the Council to enter into this Deed relating to the ~~development~~ MANAGEMENT of "the Land" subject to the terms and conditions hereinafter mentioned;

NOW THIS DEED WITNESSETH as follows:

1. Interpretation

1.1 The parties acknowledge that the matters hereinbefore recited are true and accurate and agree that they shall from a part of the terms of this Deed.

1.2 In the interpretation of this Deed unless the context shall otherwise require or admit:

(a) Words and phrases used in this Deed which are defined in the Act shall have the meanings ascribed to them by the Act;

(b) References to any statute or subordinate legislation shall include all statutes and subordinate legislation amending consolidating or replacing the statute or subordinate legislation referred to;

(c) The term "the Owner" where the Owner is a company includes its successors, assigns and transferees and where the Owner is a person, includes his heirs executors, administrators and transferees and where the Owner consists of more than one person or company the term includes each and every one or more of such persons or companies jointly and each of them severally and their

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respective successors, assigns, heirs, executors, administrators and transferees of the companies or persons being registered or entitled to be registered as the proprietor of any estate in fee simple to the Land subject however to such encumbrances, liens and interests as are registered and notified by memoranda endorsed on the Title thereof;

(d) The term "person" shall include a corporate body;

(e) The term "the Land" means the land referred to in Recital C hereof and shall include any part or parts of the Land;

(f) The term "the relevant planning authority" means the relevant planning authority as defined in the Act;

(g) The term "Building Work" means work in the nature of -

(i) the erection, construction, underpinning, alteration of, addition to of any building or structure;

(ii) the making of any excavation or filling for, or incidental to, the erection, construction, underpinning, alteration of, addition to, or demolition of any building or structure or road, street or thoroughfare;

(iii) the erection, construction or underpinning of a rainwater tank or tank or other facility for storing rainwater;

(h) The term "Outbuilding" means a building detached from and ancillary to, another building which is constructed on an allotment forming part of the Land;

(i) Words importing any gender shall include every gender;

(j) Words importing the singular number or plural number shall be deemed to include the plural number and the singular number respectively;

(k) Where two or more persons are bound hereunder to observe or perform any obligation or agreement whether express or implied then they shall be bound jointly and each of them severally;

(l) Any clause heading or marginal notes are for reference purposes only and shall not be resorted to in the interpretation of this Deed;

(m) The term "The Act" refers to the Development Act 1993 (as amended).

1.3 If any provision of this Deed shall be found by a court of competent jurisdiction to be invalid or unenforceable in law THEN and in such case the parties hereby request and direct such court to sever such provision from this Deed.

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1.4 The law governing the interpretation and implementation of the provisions of this Deed shall be the law of South Australia.

2. The Owners Obligations

2.1 Further division

The Owner shall not commence or proceed with or cause, suffer or permit to be commenced with any application pursuant to the Act, any Act passed in substitution for the Act, the Real Property Act, 1886, any act passed in substitution for the said Real Property Act, 1886, or any other relevant Acts to undertake any division of the Subject Land.

2.2 Building Work

The owner shall ensure that any Building work on any allotment forming part of the Subject Land complies with the Principles specified in the First Schedule and Second Schedule hereto (except to the extent that the Council may otherwise agree)

2.3 The Owner shall not commence or proceed with or cause, suffer or permit to be commenced or proceeded with any building work or any application to the relevant planning authority or any other relevant authority for approval of any Building Work to be undertaken upon the land values it complies with the Principles specified in the First Schedule and second Schedule hereto (except to the extent that the Council may otherwise agree).

3. Miscellaneous Provisions

3.1 Each party shall do and execute all such acts documents and things as shall be necessary to ensure that this Deed is registered and a memorial thereof entered on the muniments of title to" the Land" pursuant to the provisions of Section 57 (5) of the Act in priority to any other registrable interest in the Land save and except for the estate and interest of the Owner therein AND the parties expressly agree that this Deed shall be lodged for registration at the Lands titles Registration Office as soon as practicable after it has been full executed.

3.2 The Council and any employee or agent of the Council authorised by the Council may at any reasonable time enter the Land for the purpose of:

3.2.1 inspecting the Land and any building or structure thereupon;

3.2.2 exercising any other powers of the Council under this Deed or pursuant to law.

3.3 If the Owner is in breach of any provision of this Deed, the Council may, by notice in writing served on the Owner, specify the nature of the breach and require the Owner to remedy the notice (being not less than twenty eight (28) days from the date of service of the notice) and if the Owner fails so to remedy the breach, the Council or its servants, or agents may carry out requirement of the notice and in doing so may enter and perform any

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necessary works upon the Land and recover any costs thereby incurred from the Owner.

3.4 If in a notice referred to in Clause 3.3 hereof the Council requires the removal of Building Work or an Outbuilding from the Land the Council and its servants or agents are hereby authorised and empowered by the Owner to enter and remove the Building Work or Outbuilding from the Land and to dispose of it in any manner determined by the Council provided that if the building or structure shall have any monetary value then the Council shall use its best endeavours to realise that monetary value and shall after the disposal account to the Owner and pay to him the realised value less all expenses incurred.

3.5 The requirements of this Deed are at all times to be construed as additional to the requirements of "the Act" and any other legislation affecting the Land.

3.6 This Deed may not be varied except by a Supplementary Deed signed by the Council and the Owner.

3.7 The Council may waive compliance by the Owner with the whole or any part of the obligations on the Owner's part herein contained provided that no such waiver shall be effective unless expressed in writing and signed by the Council.

3.8 This Deed contains the whole agreement between the parties in respect of the matters referred to herein.

3.9 Notice shall for the purposes of this Deed be properly served on the owner if it is:

3.9.1 posted to the Owner's last address known to the Council; or
3.9.2 affixed in a prominent position on the Land.

3.10 The council may delegate any of its powers under this Deed to any person.

3.11 The owner hereby indemnifies the council and agrees to keep it forever indemnified in respect of the whole of its costs and expenses of and incidental to the negotiation, preparation, settling, stamping and registration of this Deed and the implementation of its terms.

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IN WITNESS WHEREOF the parties hereto have executed this Deed.

THE COMMON SEAL OF
CITY OF NORWOOD, PAYNEHAM AND ST PETERS
WAS HEREUNTO AFFIXED
IN THE PRESENCE OF:

.....
Mayor

.....
Chief Executive Officer

THE CITY OF NORWOOD, PAYNEHAM AND ST. PETERS 1997 COMMON SEAL

THE COMMON SEAL OF
FORSYTH FOUNDATION INCORPORATED
WAS HEREUNTO AFFIXED
IN THE PRESENCE OF:-

.....
Seal Holder

.....
Seal Holder

FORSYTH FOUNDATION INCORPORATED COMMON SEAL

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FIRST SCHEDULE - DEVELOPMENT PRINCIPLES

Any development on or use of the Land shall comply with the Principles of Aldersgate Village Urban Design Guidelines (16 pages).

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SECOND SCHEDULE - FURTHER DEVELOPMENT PRINCIPLES

Any development on or use of the Land shall:

1) Not create more than one dwelling on any allotment.

2) Not apply for or effect the division of the Land.

3) Not cause, permit or suffer to be erected or remain on the Land any building or part of a building the exterior of which contains any galvanised or zincalume sheet metal or other reflective material provided that this restriction shall not apply to a pre-treated permanently coloured non-reflective material such as Colorbond or other like material.

4) Not cause, permit or suffer to be erected or remain on the Land any transportable building.

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1 INTRODUCTION

The Aldersgate Village development provides an opportunity to redevelop part of inner suburban Adelaide. The density of development reflects the site's proximity to the Central Business District (CBD). The project is being undertaken by the Adelaide Central Mission and is being project managed by Connor Consulting Pty Ltd.

The Aldersgate Village is the latest of a series of developments that has transformed a part of the Felixstow suburb. This development is the second that is providing a range of allotments for residential development to the general public. The proceeds of this village development will assist in the further development of the aged accommodation and ongoing services.

In order to ensure the Aldersgate Village development is attractive, of high quality and is environmentally responsible, these Urban Design Guidelines have been prepared. Given the range of allotment sizes and housing types that will be developed, it is considered necessary to ensure that new housing conforms to a set of guidelines and standards that will protect the rights of individual residents with regard to adjoining development and therefore their investment.

Most of the guidelines relate to design factors which need to be taken into account when designing the dwelling and its siting on the allotments.

It is expected that if residents develop their properties in line with this document, the character and quality of the development will be enhanced, as will residents' enjoyment of their homes.

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2 PROCESS

When you purchase an allotment of land at Aldersgate Village, a Land Management Agreement is attached to the title which requires that prior to any development on the allotment, approval must be sought and gained from the City of Payneham or successor.

All development at Aldersgate Village must conform with the Urban Design Guidelines. This includes:

- new dwellings;
- outbuildings;
- garages and carports.

If applicants are unsure of whether or not their proposed dwelling meets the requirements of the Urban Design Guidelines, a sketch plan should be prepared and submitted to the City Planner, City of Payneham (or the successor) for preliminary discussion prior to finalising plans and specifications.

In the assessment process the assessor may agree to approve proposed developments that do not strictly meet with the Urban Design Guidelines provided the non-conformities of the proposal are minor in nature and that the quality and character of the development is not detrimentally affected.

Care should be taken to ensure that house designs are suitable for the particular orientation of the allotment. Factors to consider when matching your desired dwelling design and a potential allotment include:

- solar access to main family living areas and private garden areas;
- relationship between living spaces and private garden areas;
- position of driveways, garages and carports.

A development application pursuant to the Development Act (SA) 1993 also needs to approved by the City of Payneham or successor.

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3 ORIENTATION OF DWELLINGS AND SETBACKS

3.1 Orientation

Introduction

The guidelines contained in Section 3.1 are not mandatory, however, designs which meet the policy are preferred.

The orientation of your house on the allotment can increase the ability to heat, or cool, the dwelling with minimum use of other forms of energy.

Sunlight provides both a source of energy and amenity, contributing to an important quality of life for Adelaide residents. Sunlight to private gardens makes a variety of activities more pleasant - entertaining, leisure past times, horticulture and various hobbies. In winter, a sunlit, protected garden can make a big difference to the enjoyment that a dwelling provides.

Adopting energy efficient practices therefore benefits two groups - the householders, through reduced operating costs and higher levels of natural comfort and light; and the community, through reduced environmental impact.

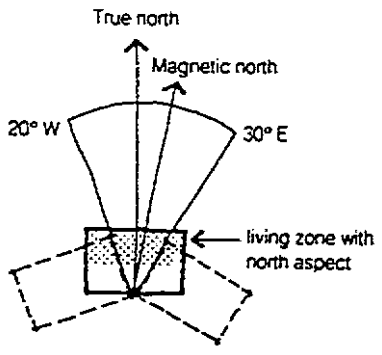
Orientation of Living Areas and Private Open Space

The preferred orientation of the living zones within houses is shown in Figure 1, that is, dwellings should have a north-facing (ie between 30° east and 20° west) room capable of being used as a living area.

Orientation of private open space is also important in terms of enjoyment of private gardens and the ability to develop attractive gardens. The main part of the private open space should preferably be capable of serving as an extension of the function of the dwelling for relaxation, dining, entertainment, recreation and children's play, and of being accessed from a main living area off the main dwelling. The prime area of open space should preferably also be generally oriented in a northerly direction.

The degree to which living areas and areas of private open space can achieve the desired orientation depends on the orientation of its allotment relative to the road layout.

Figure 1

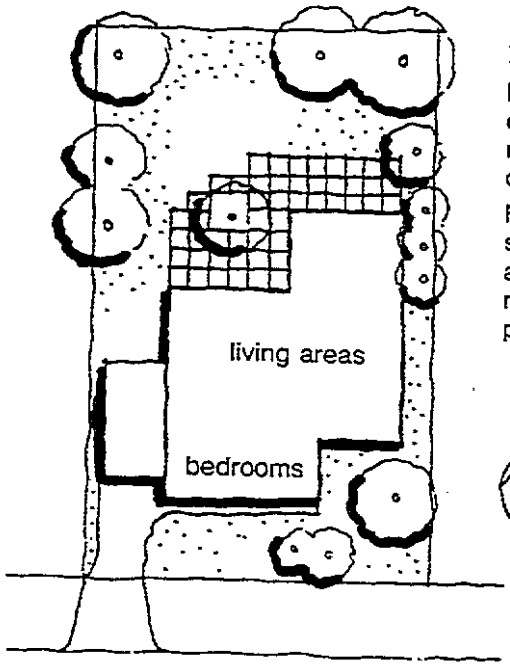


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3 ORIENTATION OF DWELLINGS AND SETBACKS (Continued)

Figures 2.1-2.4 indicate the preferred general layout for dwellings and private gardens for different orientations, highlighting how best to achieve good solar access.

Figure 2.1

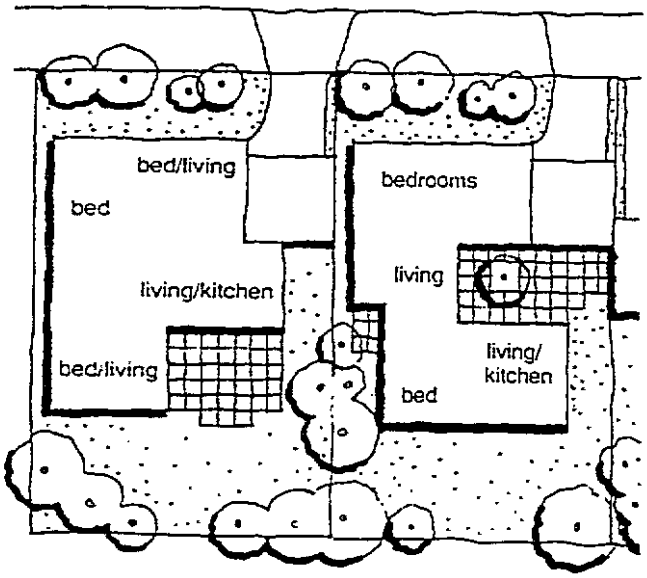


Lot North

North-south orientation, northern side of street.

House set towards street to take full advantage of north facing private open space.

Figure 2.2



Lot South

North-south orientation, southern side of street.

Family, kitchen and/or living rooms oriented to rear private open space

Option:
House set close to street to allow sufficient space at rear for solar access semi-private front garden – no fence, or low-level fence. Courtyard allows winter sun to rear living areas.

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3 ORIENTATION OF DWELLINGS AND SETBACKS (Continued)

Figure 2.3

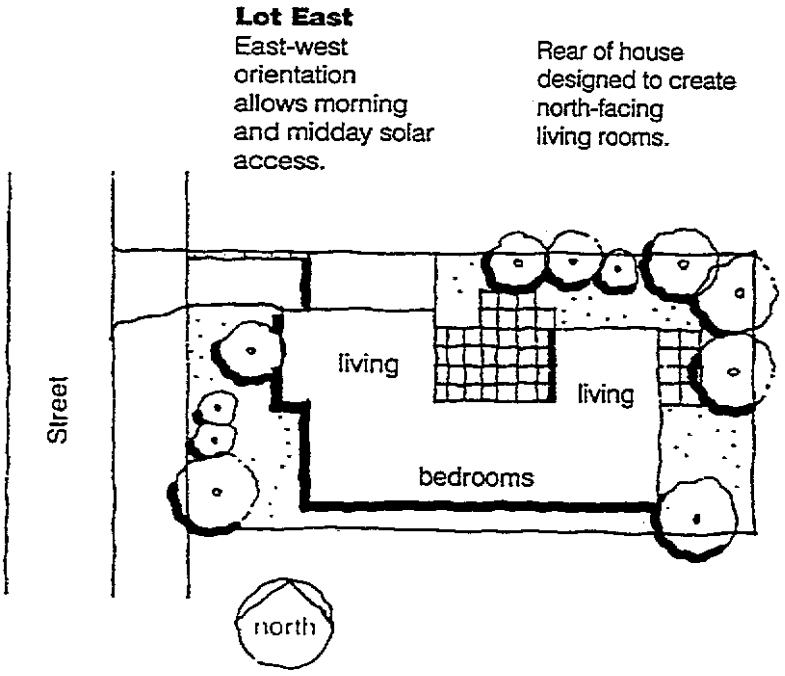
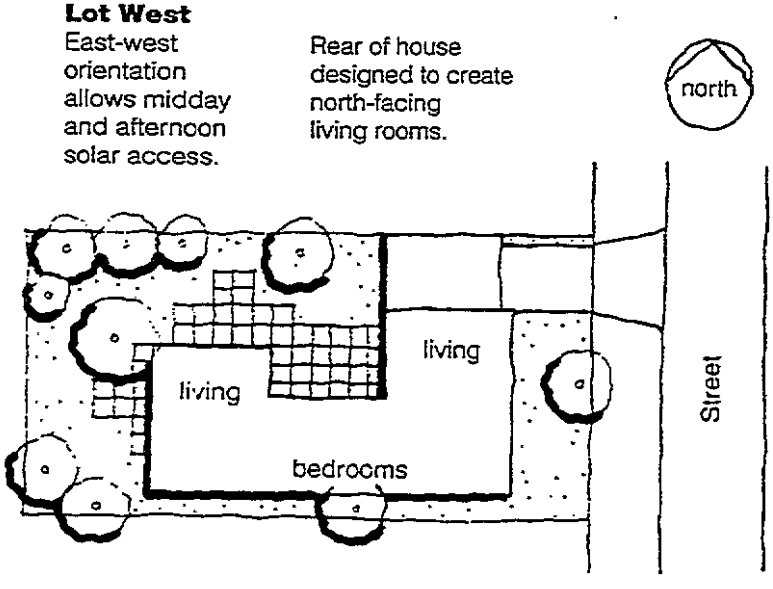


Figure 2.4



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3 ORIENTATION OF DWELLINGS AND SETBACKS (Continued)

3.2 Setbacks

3.2.1 Front Boundary Setbacks

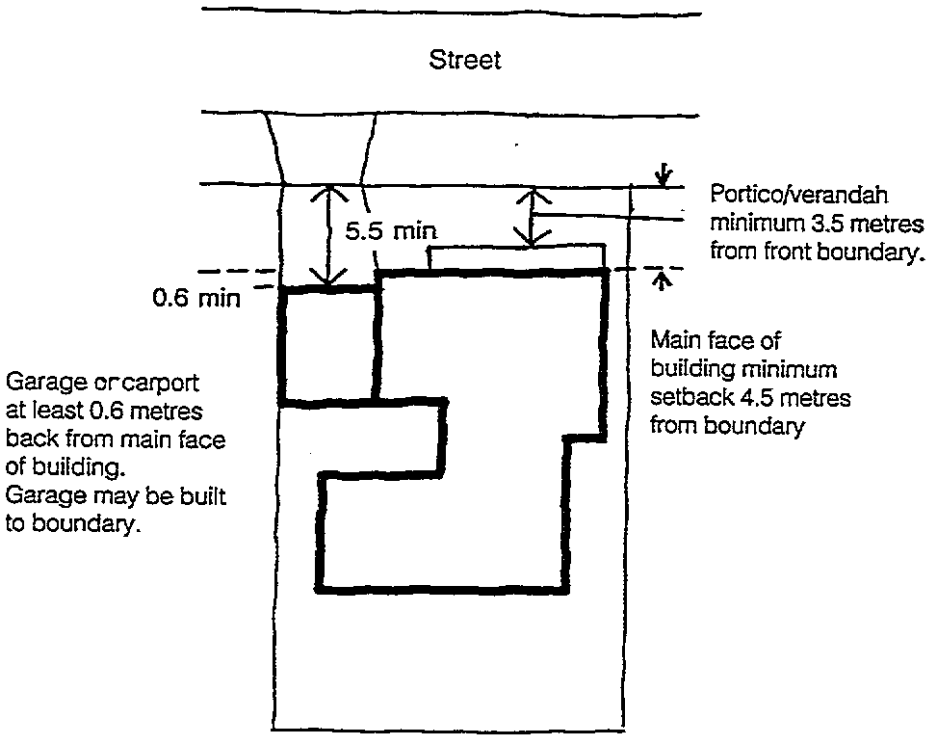
Front boundary setbacks should comply with Table A.

Table A

Part of Building	Setback (m)
Main face of dwelling	4.5 metres
Carport/garage	5.5 metres
Unenclosed verandah/portico	3.5 metres

As a general design principle, garages and carports should be setback at least 0.6 metres behind the main façade of the dwelling.

Figure 3



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3 ORIENTATION OF DWELLINGS AND SETBACKS (Continued)

3.2.2 Side Boundary Setbacks

- Dwellings must be set back a minimum of 1.0 metres from a side boundary (unless located on a corner allotment). (See Figures 4 and 5.)
- A 2.0 metre minimum setback is required for the dwelling (or part of the dwelling from a side boundary where it is a secondary road frontage).
- Garages and carports may be constructed on the side boundary (not including a road boundary).
- Dwellings must present their primary face to the front boundary not a secondary road frontage.

Figure 4

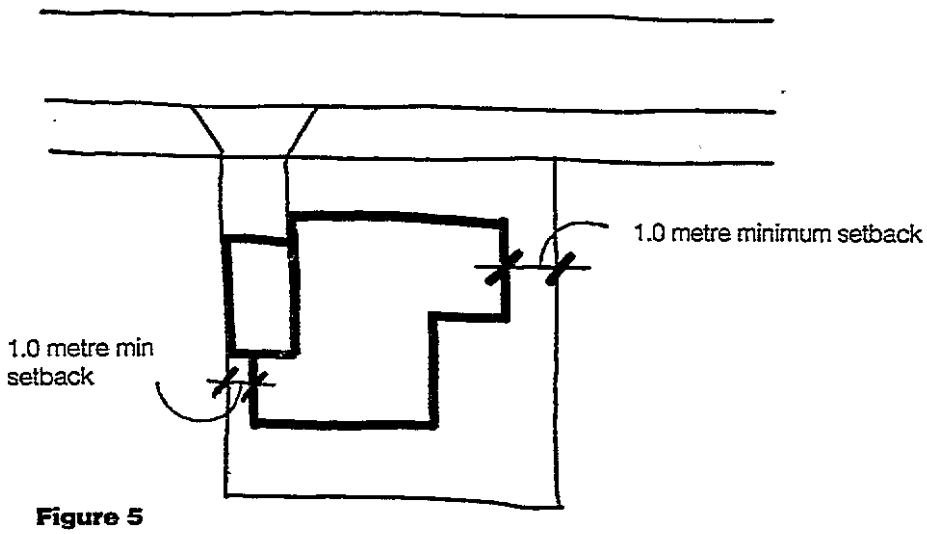
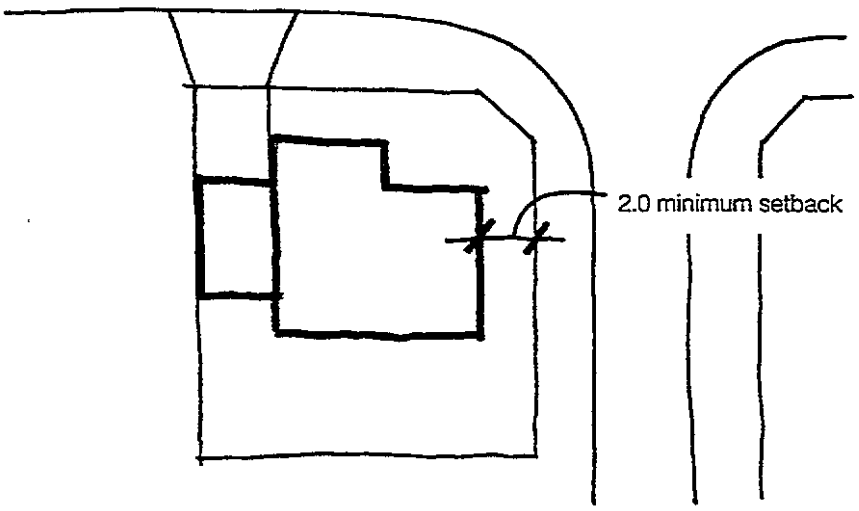


Figure 5



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3 ORIENTATION OF DWELLINGS AND SETBACKS (Continued)

3.3.3 Rear Boundary Setbacks

- Rear boundary setbacks for a single storey dwelling (building) should be at least 4 metres.
- For two storey dwellings, or a two storey component of a dwelling, the rear boundary setback should be at least 9 metres.

3.3.4 Zero Lot Line Dwellings

A dwelling (including carports and garages) may be located on one side boundary only so long as the maximum distance of buildings on the boundary does not exceed 12 metres.

3.4 Site Coverage

Site coverage of dwellings and outbuildings excluding non-roofed structures (eg pergolas) and driveways, pools, patios, spas, shall not exceed 55% of an allotment's area.

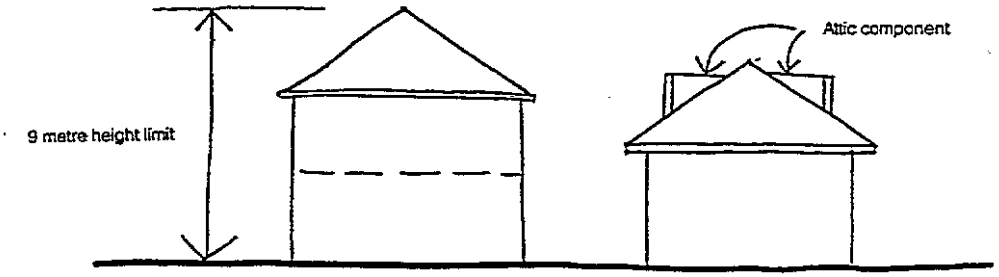
When Development Applications are made for a dwelling, the applicant must take into account the potential for future outbuildings associated with the dwelling in terms of site coverage. As such, the Development Application for a dwelling should include the size, location and materials of an outbuilding.

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4 BUILDING HEIGHT AND ROOF FORM

- Dwellings must not exceed two storeys in height.
- The ridge line of the roof of a two storey dwelling must not exceed 9 metres above finished floor level.
- An attic storey may be constructed in the roof line of a single storey dwelling providing it does not diminish the amenity of the adjoining dwellings or their private open space through overlooking.

Figure 6



- The roof form should contain articulated shapes with hips, gables or other forms being encouraged.
- Roofs shall be constructed with a minimum pitch of 25°.

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5 VEHICLE PARKING

5.1 Number of Spaces

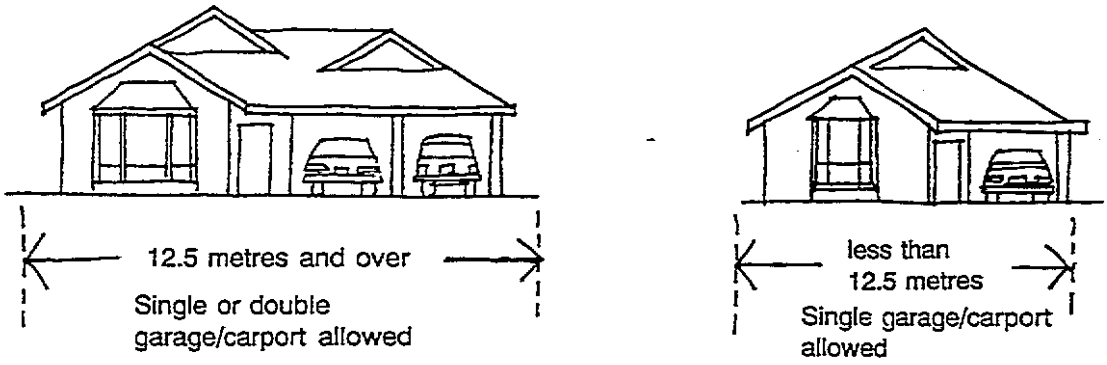
- On-site vehicular parking shall comply with the following table.

Table B

Bedrooms in Dwelling	Car Parking Spaces
1, 2, 3	2
4 or greater	3

- At least one car parking space must be covered (ie carport or garage).
- Additional car parks can be covered or uncovered, and if uncovered, spaces can be located in the driveway immediately in front of the garage or carport and within the minimum setback distance.
- Garages and carports on allotments less than 12.5 metres in width should only accommodate a single car.

Figure 9



5.2 Size Of Spaces

The minimum dimensions of a parking space are 2.5 metres x 5.4 metres.

5.3 Recreational/Commercial Vehicles

Recreational vehicles (eg caravans, boats etc) and commercial vehicles must not be parked on a regular basis on properties forward of any part of the building.

Vehicles of 3 tonnes or more are not permitted.

5.4 Design Of Garages And Carports

Garages and carports must be provided either under the main roof, or if freestanding, the roof form and materials must complement those of the associated dwelling.

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6 PRIVATE OPEN SPACE

- Dwellings must comply with Table C with regard to the provision of private open space on an allotment.

Table C

Number of Bedrooms	Area
1 – 2	50 m^2
3	70 m^2

- For each additional bedroom, an additional 20 m^2 of private open space must be provided.
- All areas of private open space must:
  - (a) have a minimum dimension of 2.0 metres;
  - (b) be directly accessible to the dwellings;
  - (c) be appropriately screened from the street or other public areas;
  - (d) one part of the total private open space area must be able to contain a rectangle measuring 6 metres x 4 metres that is directly accessible from the dwelling.

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7 PRIVACY

7.1 Explanation

The aim of this part of the guidelines is to ensure that owners of two storey dwellings are able to take advantage of views from upper storey windows and the owners of adjoining properties are able to enjoy certain levels of privacy. There are different ways of achieving privacy.

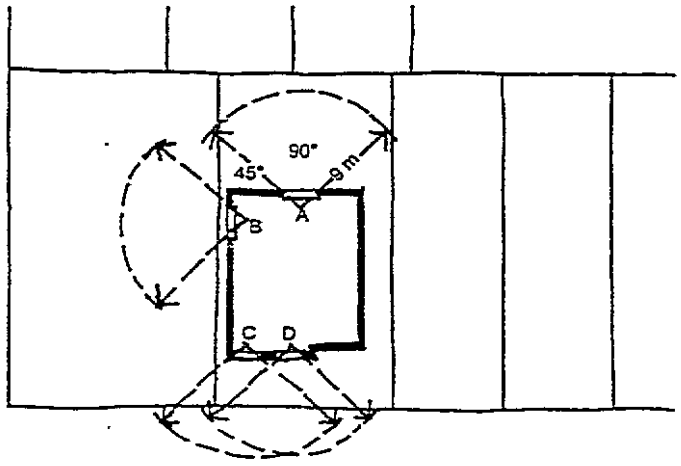
7.2 Privacy Standards

If an upper storey window is within a 9 metre arc that is 90° of an adjoining dwelling's habitable room windows or private open space, the window shall be screened as per Figure 10 below by one of the following methods:

- if no dwelling exists on an adjoining allotment, then consideration must be given to potential overlooking;
- clear windows with a sill height of at least 1.7 metres (see Figure 11 below);
- external screening must be architecturally integrated with the dwelling's design;
- fixed opaque glass to a height of 1.7 metres above the upper floor level (see Figure 12 below);
- the provision of external screening to a height of 1.7 metres above the upper floor level (see Figure 13 below);
- where side views are an overlooking problem, the use of side screens are required to a level of 1.7 metres above the upper floor level (see Figure 14).

Figure 10

- Window A does not require treatment to restrict views.
- Window B does require treatment to restrict views.
- Windows C and D do not require treatment to restrict views.
- Measurement of 9 metre view field commences at wall face.



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7 PRIVACY (Continued)

Figure 11

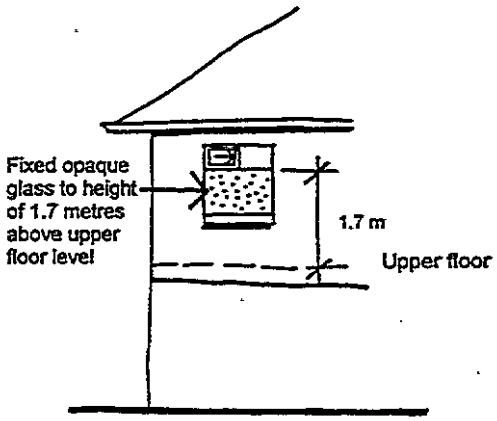


Figure 12

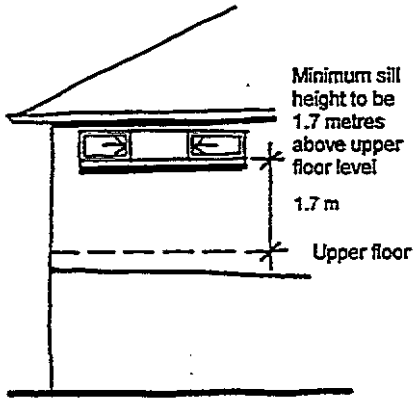


Figure 13

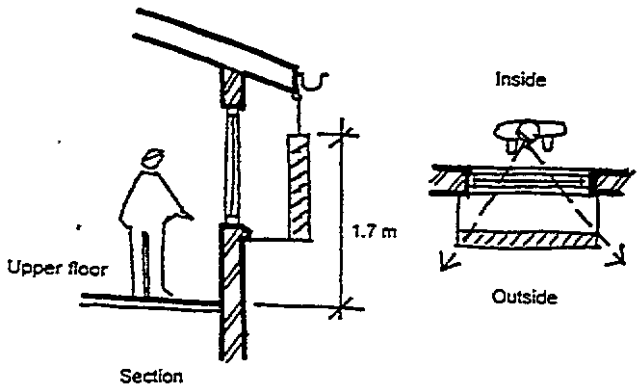
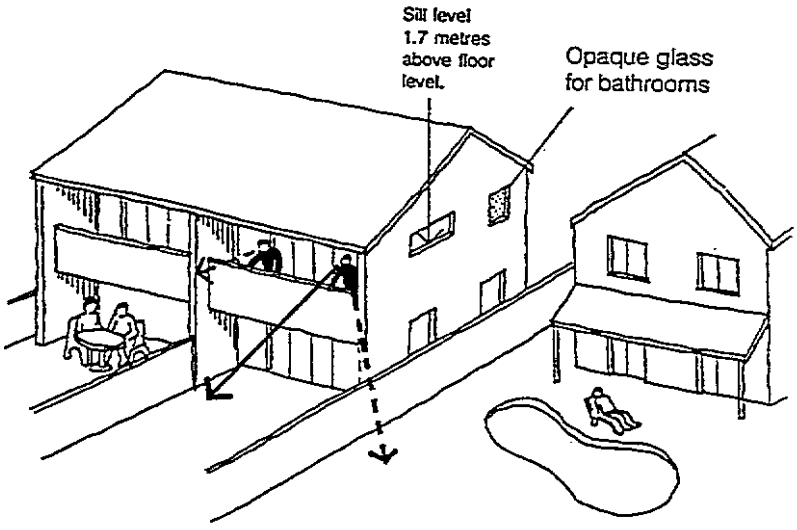


Figure 14



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8 FENCING

- No fencing is to be erected forward of the front façade of the dwelling.
- Side boundary fencing and near boundary fencing shall be no higher than 1.8 metres in height.
- The type of fencing shall be of either:
  - capped brush;
  - colorbond;
  - capped timber paling;
  - masonry;

  except for fencing on allotments numbered 118, 129-138, 72, 73, 81, 82, 90 and 91 that about Third Creek where an open style fencing (powder coated metal with a minimum of 50 mm separation between uprights) shall be used.

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9 LANDSCAPING

- Landscaping of front garden areas to the kerb line shall be established within 6 months of completion of the dwelling.
- Regular maintenance must be carried out.
- The nature strip between the front boundary and the kerb line and in the case of a corner allotment between the side boundary and the kerb line shall be topsoiled, sown with grass seed (mix to be advised by Council) or covered with fine grade mulch and low ground cover plants, irrigated and subsequently maintained and kept in a neat and tidy condition. An area at least 1 metre in width shall be available, where a footpath is not proposed, for pedestrians to traverse the verge. This area should be planted only with grass.
- A suitable selection of ground covers are:
  - Myoporum parvifolium (all forms);
  - Gazania rigens (flowering);
  - Juniperus conferta (non-flowering);
  - Grevillea thelmanniana (flowering);
  - Coprosma kirkii (non flowering);
  - Grevillea obturifolia;
  - Aptenia cordifolia;
  - Grevillea juniperina "Molongolo".

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SECOND SCHEDULE - FURTHER DEVELOPMENT PRINCIPLES

Any development on or use of the Land shall:

1) Not create more than one dwelling on any allotment.

2) Not apply for or effect the division of the Land.

3) Not cause, permit or suffer to be erected or remain on the Land any building or part of a building the exterior of which contains any galvanised or zincalume sheet metal or other reflective material provided that this restriction shall not apply to a pre-treated permanently coloured non-reflective material such as Colorbond or other like material.

4) Not cause, permit or suffer to be erected or remain on the Land any transportable building.

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Annexure A

