

REAL PROPERTY ACT, 1886



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



Certificate of Title - Volume 5998 Folio 970

Parent Title(s) CT 5991/83

Creating Dealing(s) ACT 10842147

Title Issued 04/12/2007 **Edition** 5 **Edition Issued** 23/11/2022

Estate Type

FEE SIMPLE

Registered Proprietor

LISA MAREE KEATLEY
OF UNIT 2 39 THIRZA AVENUE MITCHELL PARK SA 5043

Description of Land

LOT 2 PRIMARY COMMUNITY PLAN 24383
IN THE AREA NAMED MITCHELL PARK
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

| Dealing Number | Description |
|-----------------------|--|
| 13919668 | MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141) |

Notations

Dealings Affecting Title NIL

Priority Notices NIL

Notations on Plan

| Lodgement Date | Dealing Number | Description | Status |
|-----------------------|-----------------------|----------------------|---------------|
| 21/11/2007 | 10842148 | SCHEME DESCRIPTION | FILED |
| 21/11/2007 | 10842149 | BY-LAWS | FILED |
| 21/11/2007 | 10842150 | DEVELOPMENT CONTRACT | FILED |

Registrar-General's Notes NIL

Administrative Interests NIL

CP 24383

PLAN TYPE PRIMARY

THIS IS SHEET 1 OF 2 SHEETS

DEPOSITED 26/11/2007 PRO REGISTRAR-GENERAL

CLOSURE CHECKED PLAN EXAMINED PLAN APPROVED P.M.S. APPROVED
CS JG *Stuckler* 21-11-2007.

TITLE REFERENCE CT 5991/83

LAND DESCRIPTION
ALLOTMENT 100 IN DP 74058IRRIGATION AREA DIVISION
HUNDRED ADELAIDE
AREA MITCHELL PARK
COUNCIL CITY OF MARION

MAP REF. 6628-50-p

O.B. DP 74058 TOTAL AREA 2498m²

DEV. No. 100/C110/07

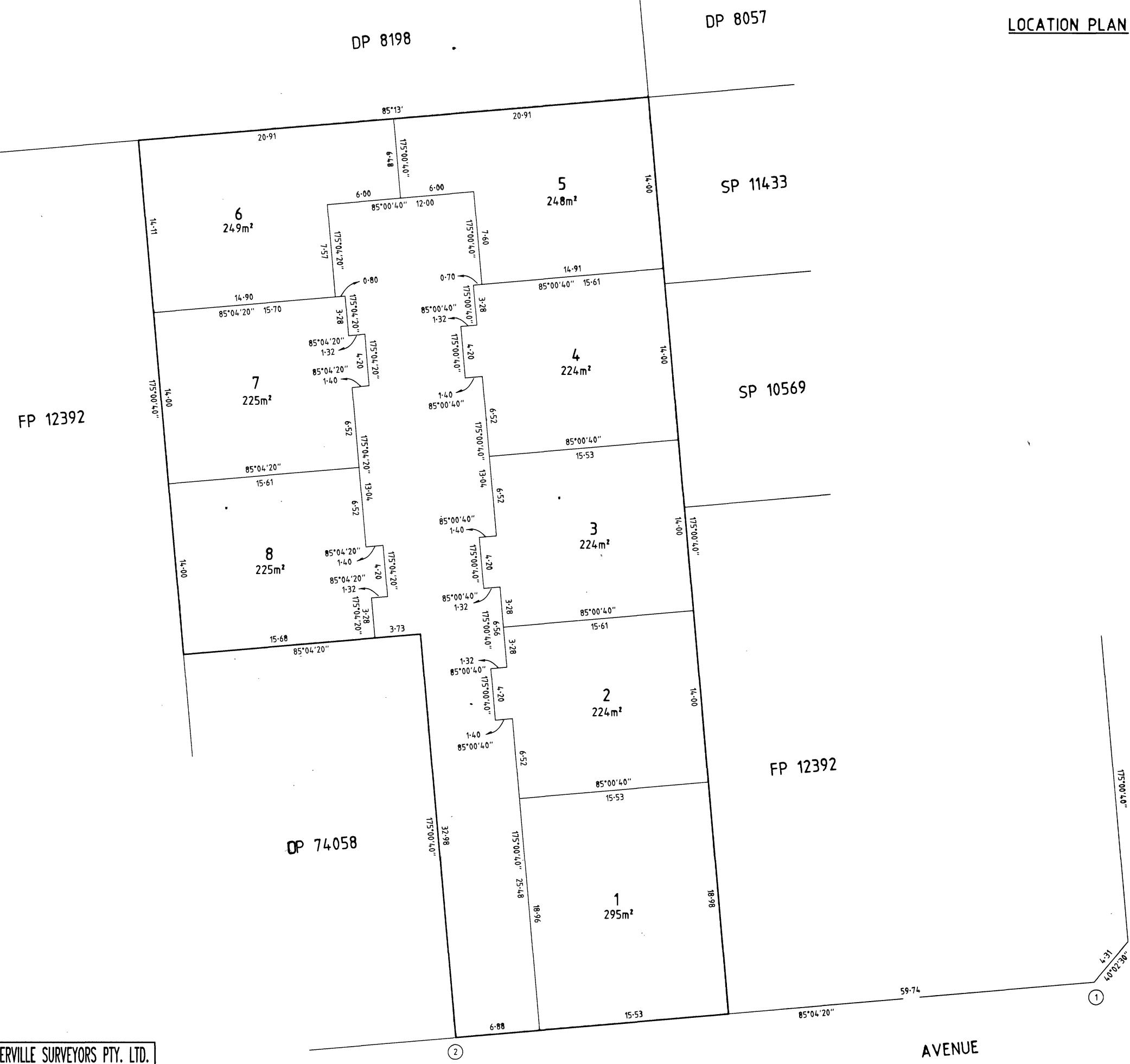
SCALE 0 4 8 12 16 METRES

ANNOTATIONS
THE SERVICE INFRASTRUCTURE WAS NOT IN PLACE AT THE DATE OF FIELD SURVEYALL DISTANCES ARE GROUND DISTANCES
COMBINED SCALE FACTOR ZONE MGA
BEARING DATUM (1) - (2) 265°04'20" DISTANCE
DERIVED FROM DP 74058 (ADQPTED)

CERTIFICATE OF LICENSED SURVEYOR

I, PETER IAN JEANES, a licensed Surveyor under the Survey Act 1992, certify that this Community plan has been correctly prepared in accordance with the Community Titles Act 1998 to a scale prescribed by regulation,

ACN 064 690 660

77 O'SULLIVAN BEACH ROAD ZONE MGA
LONSDALE S.A. 5160 BEARING DATUM (1) - (2) 265°04'20" DISTANCE
P.O. BOX 215 LONSDALE SA 5160 DERIVED FROM DP 74058 (ADQPTED)Shop 1/10 DAWSON STREET (20-32)
STRATHALBYN 5255 PART DISTANCES (20-32)
REF: 3252 C V01 160807 CALCULATED DATA 20-85 CALC.
PHONE: (08) 8326 3588 COPIED DATA 100-85
FAX: (08) 8326 4882
PHONE: (08) 8536 3073
Shop 1/10 DAWSON STREET
STRATHALBYN 5255
REF: 3252 C V01 160807

LOT ENTITLEMENT SHEET

COMMUNITY PLAN NUMBER

CP 24383

THIS IS SHEET 2 OF 2 SHEETS

APPROVED
Bacholom
21-11-2007

DEPOSITED
26/11/2007

[Signature]
PRO REGISTRAR-GENERAL

APPLICATION 10842147

| SCHEDULE OF LOT ENTITLEMENTS | | |
|------------------------------|-----------------|------------|
| LOT | LOT ENTITLEMENT | SUBDIVIDED |
| 1 | 1400 | |
| 2 | 1200 | |
| 3 | 1200 | |
| 4 | 1200 | |
| 5 | 1285 | |
| 6 | 1285 | |
| 7 | 1215 | |
| 8 | 1215 | |
| AGGREGATE | 10000 | |

CERTIFICATE OF LAND VALUER

I.....*Fred Taormina*.....being
a Land Valuer within the meaning of the Land Valuers Act
1994 certify that this schedule is correct for the purposes
of the Community Titles Act 1996

Dated the.....11th.....day of.....September, 2007

[Signature]
Signature of Land Valuer

Property Interest Report

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

| | | |
|------------------------|--|---------------------------|
| Title Reference | CT 5998/970 | Reference No. 2422843 |
| Registered Proprietors | L M*KEATLEY | Prepared 28/11/2022 16:52 |
| Address of Property | Unit 2, 39 THIRZA AVENUE, MITCHELL PARK, SA 5043 | |
| Local Govt. Authority | THE CORPORATION OF THE CITY OF MARION | |
| Local Govt. Address | PO BOX 21 OAKLANDS PARK SA 5046 | |

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 | Refer to the Certificate of Title <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> |
| 1.2 | Easement (whether over the land or annexed to the land) | Refer to the Certificate of Title Note--"Easement" includes rights of way and party wall rights <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> |
| 1.3 | Restrictive covenant | Refer to the Certificate of Title for details of any restrictive covenants as an encumbrance <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> |
| 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.) | Refer to the Certificate of Title also Contact the vendor for these details <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> |
| 1.5 | Caveat | Refer to the Certificate of Title |
| 1.6 | Lien or notice of a lien | Refer to the Certificate of Title |
| 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 <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act, 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1966</i> (repealed) | State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply |
|-----|---|--|

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

7. Emergency Services Funding Act 1998

| | | |
|-----|---------------------------------|--|
| 7.1 | section 16 - Notice to pay levy | 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. <i>Land Acquisition Act 1969</i> | | |
| 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. <i>Landscape South Australia Act 2019</i> | | |
| 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

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

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

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

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

also

Contact the Local Government Authority for other details that might apply

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

Contact the vendor for these details

29.4 section 140 - Notice requesting access

Contact the vendor for these details

29.5 section 141 - Order to remove or perform work

State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.6 section 142 - Notice to complete development

State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.7 section 155 - Emergency order

State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title

also

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

30. *Plant Health Act 2009*

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

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

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

32. *South Australian Public Health Act 2011*

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



ADMINISTRATION CENTRE:
245 STURT ROAD
STURT S.A. 5047

POSTAL ADDRESS
P.O. BOX 21
OAKLANDS PARK S.A. 5046

OFFICE HOURS:
MONDAY TO FRIDAY
8.30A.M. TO 5.00P.M.
TELEPHONE (08) 8375 6600
FACSIMILE (08) 8375 6699
EMAIL council@marion.sa.gov.au
www.marion.sa.gov.au

DECISION NOTIFICATION FORM

DEVELOPMENT ACT 1993

TO: Mandell Development Company
C/- 51A Hughes Street
Unley SA 5061

LOCATION OF PROPOSED DEVELOPMENT

37-39 Thirza Avenue Mitchell Park 5043

Lot: 61 FP: 12392 CT: 5967/905 Lot: 60 FP: 12392 CT: 5967/904

DESCRIPTION OF PROPOSED DEVELOPMENT

8 Group Dwellings Single Storey

In respect of this proposed development you are informed that:

| NATURE OF DECISION | DECISION | DATE OF DECISION | NUMBER OF CONDITIONS |
|--------------------------------------|-----------------------------------|------------------|----------------------|
| Provisional Development Plan Consent | Granted | 10/10/2006 | 15 |
| Provisional Building Rules Consent | Granted (by Private Certifier) | 07/05/2007 | 0 |
| DEVELOPMENT APPROVAL | Granted | 10/05/2007 | 15 |

The building classification under the Building Code is Class 1A and 10A.

Conditions imposed on this consent and the reasons for imposing those conditions are set out in the attached sheet(s). Important information that may affect this consent can also be found under 'NOTES' and on the back of this page.



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www.marion.sa.gov.au

DEVELOPMENT APPLICATION NUMBER: 100/1936/2006
APPLICANT: Mandell Development Company
LOCATION: 37-39 Thirza Avenue Mitchell Park 5043
DESCRIPTION OF DEVELOPMENT: Lot: 61 FP: 12392 CT: 5967/905
DECISION: Lot: 60 FP: 12392 CT: 5967/904
DATE OF DECISION: 8 Group Dwellings Single Storey
Development Approval Granted
10/05/2007

PROVISIONAL DEVELOPMENT PLAN CONSENT

GRANTED

Reasons For Decision:

Consent is granted as the proposed development is considered to accord sufficiently 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 Objectives and Principles of Development Control applicable to such a use in the locality.

Conditions of Consent:

- (1) The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No.100/1936/2006 being job number MC-LF 01 and documentation titled "Site Works Plan" received by Council on 06/10/2006) except when varied by the following conditions of consent.
- (2) All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.
- (3) All existing vegetation nominated to be retained and all new vegetation to be planted shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.
- (4) All car parking, driveways and vehicle manoeuvring areas shall be constructed of concrete or paving bricks and drained in accordance with recognised engineering practices prior to occupation of the premises.

- (5) All car parking spaces, driveways, and vehicle manoeuvring areas shall be maintained in a good condition at all times to the reasonable satisfaction of the Council.
- (6) Designated accessible car parking spaces shall be designed and provided in accordance with the provisions contained in Australian Standard AS1428 - 2003.
- (7) The site shall be maintained and operated in a serviceable condition and in an orderly and tidy manner at all times to the reasonable satisfaction of the Council.
- (8) A continuous path of at least 900mm width shall be maintained on one side of the dwelling (i.e. a 900mm wide path that is unobstructed by any equipment or mechanical plant such as water heaters, air conditioners, stormwater detention tanks, rainwater tanks or similar must be maintained) in order to provide access from the front of the property to the rear, to the reasonable satisfaction of the Council.
- (9) Stormwater from the structure approved herein shall be collected and directed into a detention tank (or tanks) which are sized and installed in accordance with the specifications contained in Council's Information Sheet "Stormwater Detention" to the reasonable satisfaction of the Council (copies of relevant documents are attached).
- (10) All stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details prior to the occupation of the premises to the reasonable satisfaction of the Council.
- (11) The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.
- (12) Dust emissions from the site during construction shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of the Council.
- (13) All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed through a temporary sediment trap or silt fence, prior to discharge to the stormwater system, to the reasonable satisfaction of the Council. (Acceptable ways of controlling silt and runoff during construction can be found in the Stormwater Pollution Prevention Code of Practice issued by the Environment Protection Authority).
- (14) Measures to prevent silt and mud from vehicle tyres and machinery being transported onto the road shall be installed and maintained at all times during the construction phase of the development, to the reasonable satisfaction of the Council. (A suggested measure is to install a gravelled construction exit with wash down facilities).
- (15) The finished floor levels of the proposed building is to be set between 250mm and 350mm above the highest point of the road side kerb immediately adjacent to the building site.



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PROVISIONAL BUILDING RULES CONSENT

GRANTED

Conditions of Consent:

Please refer to the attached copy of your Private Certifier's Provisional Building Rules Consent for Conditions of Consent (if applicable).

NOTES:

General:

- (1) Before commencing any site works, a temporary vehicular access to the property for machinery, delivery of building materials and general vehicles should be provided. In the case where no driveway invert exists, the kerb can be saw cut and removed at the intended location for the new driveway invert to provide the necessary temporary access. In addition, if a paved Council footpath exists, this should also be removed in alignment with the removed section of kerb. The applicant should also take note of other information provided regarding use of, damage to and construction on Council owned land.
- (2) In assessing your application it has been determined that it is likely that you will be undertaking work that may affect the stability of adjoining land. Section 60 of the Development Act 1993 and Regulation 75 of the Development Regulations 1993, prescribe that your neighbour has a right to be notified by you 28 days prior to you undertaking that work. This is to enable your neighbour to obtain a report for which you are obliged to pay, that specifies any work that is required to be undertaken to ensure the stability of your neighbour's property is maintained during and following the undertaking of the work you propose. You should make yourself aware of these requirements before proceeding.
- (3) Council requires at least one business days notice of the following stages of building work:
 - a) prior to the placement of any concrete for footings or other structural purposes (Note - Where an engineer carries out an inspection, Council will also require a copy of the inspection certificate); and
 - b) at the completion of wall and roof frames prior to the fixing of any internal linings.
- (4) On completion of building work, the Development Act requires that a signed Statement of Compliance from the licensed builder be provided to the relevant authority declaring that the building work carried out is in accordance with the relevant approvals (pursuant to Regulation 83AB of the Development Regulations 1993).
- (5) Council wishes to advise that during the construction of any party wall/common wall the applicant should ensure that a suitably qualified person is present to inspect the works to ensure that all party walls/common walls associated with the development are fire rated in accordance with the Building Code of Australia. Statements regarding the adequacy of party walls/common walls may be requested as part of any future land division.



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Appeal Rights:

(1) If you are not satisfied with this decision, there may be a right of appeal to you. Applicants have the right to appeal against a refusal or the imposition of any conditions or requirements on any consent issued, unless the application was for a non-complying kind of development. An appeal by an applicant must be lodged within two (2) months of receiving notice of the decision. Where Category Three public notification was involved, persons who lodged written representations during the formal consultation period, have the right to appeal against any decision made on that application. An appeal by a third party must be lodged within fifteen (15) business days of the date of the decision. All appeals are lodged with the Environment, Resources and Development Court, Sir Samuel Way Building, Victoria Square, Adelaide, telephone: 8204 0300.

Approval Timeframes:

(1) The proposed development must:

- be substantially commenced within twelve months from the date full Development Approval is granted; and
- be completed within three years of full Development Approval being granted

noting that the operative date of any consent or approval, is subject to any appeal where applicable being finally determined.

| | |
|---------|---|
| Signed: |  Alex Wilkinson Authorised Officer |
| Date: | 10/05/2007 |

DECISION NOTIFICATION FORM



For Development Application

Dated

Development No: 100/1936/2006

Registered On

To: WEEKS & MACKLIN HOMES
40 BARFIELD CRESCENT
ELIZABETH WEST SA 5113

LOCATION OF PROPOSED DEVELOPMENT:

House No: 391 Lot No: Street: THIRZA AVENUE Suburb: MITCHELL PARK
Section No: Hundred: Volume: Folio:

NATURE OF PROPOSED DEVELOPMENT:

EIGHT (8) GROUP DWELLINGS AND ASSOCIATED GARAGES

In respect of this proposed development you are informed that:

| NATURE OF CONSENT | CONSENT GRANTED | NUMBER OF CONDITIONS | CONSENT REFUSED |
|--------------------------------------|-----------------|----------------------|-----------------|
| PROVISIONAL DEVELOPMENT PLAN CONSENT | ----- | ----- | ----- |
| PROVISIONAL BUILDING RULES CONSENT | 7/5/07 | NIL | ----- |
| LAND DIVISION (TORRENS / STRATA) | ----- | ----- | ----- |
| PUBLIC SPACE | N/A | ----- | ----- |
| OTHER | N/A | ----- | ----- |
| DEVELOPMENT APPROVAL | ----- | * See notes | ----- |

If applicable, the details of the building classification and the approved number of occupants under the Building Code are attached.

If there were third party representations, any consent/approval or consent/approval with conditions does not operate until the periods specified in the Act have expired. Reasons for this decision, any conditions imposed and the reasons for imposing those conditions are set out on the attached sheet.

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 land until you have also received notification of a Development Approval.

Signed:

Development Assessment Commission or Delegate
 Council Chief Executive Officer or Delegate
 Private Certifier (FA)
 Sheets Attached

Date: 7 May, 2007

CITY OF MATTICK
DEVELOPMENT SERVICE

01/05/2007

RECEIVED
Only
Endorsed
Company
EG 222 111 100

IAN DODD

Director

PETER HARMER

Director

VIC BARONE

Associate

20 Greenhill Road
Wayville SA 5034
Postal PO Box 109
Goodwood SA 5034

Telephone 08 8273 0888
Facsimile 08 8273 0800
admin@katnichdodd.com.au
www.katnichdodd.com.au



DEVELOPMENT ACT, 1993
CONDITIONS OF PROVISIONAL BUILDING RULES CONSENT

BUILDING WORK: EIGHT (8) GROUP DWELLINGS AND ASSOCIATED GARAGES
SITE ADDRESS: 39 THIRZA AVENUE, MITCHELL PARK
APPLICANT: WEEKS GROUP
OWNER: MANDELL PTY LTD
CLASSIFICATION: 1a & 10a

DEVELOPMENT NO: 100/1936/2006

UNCONDITIONAL CONSENT

Notes

The Certificates from Ginos & Associates (Job No's. 7906 - 7913; Ref No. 18422-1 to 18422-8; Dated 27/4/2006) certifying that the "Steel Building Systems International" materials and form of construction will comply with the provisions of Building Code of Australia P2.1/Part 3. has been accepted and relied upon pursuant to Regulations 85 & 88.

This consent is issued on the understanding that the proprietary type materials and products as specified either on the architectural plans or specification are to be selected and installed in accordance with the manufacturers recommendations and relevant standards

Set-off dimensions shall be from the allotment boundaries and not necessarily the fence lines.

No portion of the building or structure (including footings and drainage) shall extend over the property boundary (unless a suitable agreement has been obtained from the adjoining property owner). A boundary survey by a licensed land surveyor is recommended in most cases where a building is close to the boundary.

The owner of the site is advised that a retaining wall will be required to retain any cut or fill.

A retaining wall less than 1000 mm high on the site boundary is pursuant to Schedule 3 deemed *not to be development* however under the provisions of Section 60 and Regulation 75 the associated excavation/ filling is deemed to be building work which affects the stability of the adjoining land and requires notice to be served on the adjoining owner.

For building work prescribed in regulation 75, the building owner, must, at least 28 days before the building work is commenced cause to be served on the owner of the affected land or premises a notice of intention to perform the building work and the nature of that work, as required by Section 60.

If sleepers are used in the construction of the retaining walls they shall be:

- If timber; designed in accordance with AS 1720, of the correct durability class for timber in contact with the ground and resistant to termite attack, and
- If concrete, designed and detailed in accordance with AS 3600 Concrete Structure Code.

The person proposing to undertake building work on land (or who is in charge of such work) is warned of their obligation to give the Council notice at stages prescribed in Regulation 74.

A person must not occupy a Class 1a building under the Building Code (or an addition to a Class 1a building) that has been completed in accordance with the development authorisation insofar as it relates to the performance of building work unless it complies with the requirements prescribed in Regulation 83A.

Regulation 83AB requires a *Statement of Compliance* for Class 1a buildings to be provided upon completion to the relevant authority by

- the licensed building work contractor who has carried out the relevant work, or who was in charge of carrying out the relevant work, to which the statement relates, or
- if there is no such licensed building work contractor- a registered building work supervisor or private certifier.

The location, design and capacity of the stormwater discharge at the property alignment should be approved by council prior to siteworks commencing. The drainage system should be completed by the finish of construction of the building. (Clause 5.5.3 of AS 2870)

The method of stormwater disposal must not result in the entry of water into any building or on to the land of any adjoining owner without their consent.

A sealed stormwater system will require inspection points at strategic locations to allow for ease of ongoing maintenance. The location and design of the points should be discussed with the design engineer to ensure maximum efficiency.

Any box gutter, rainhead and overflow shall be constructed in accordance with AS/NZS 3500.3.2 – Stormwater drainage. The hydraulic capacity of the overflow device shall be not less than the design flow of the associated gutter outlet.

AS3660.1- 'Termite Management - New Building Work', sets out methods for minimising the risk to new buildings from damage to their structural members by subterranean termites by deterring concealed entry by termites from the soil to the building. A termite barrier system constructed in accordance with this standard can not prevent termite attack, as barriers may be bridged or breached. Where termites bridge barriers the evidence may be detected during inspections which need to be carried out at intervals not exceeding 12 months to reduce the risk of termite damage. A durable notice shall be permanently fixed to the building in a prominent location such as a meter box or the like indicating the method of protection; and the date of installation of the system; and where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and the need to maintain and inspect the system on a regular basis.

Building work adjacent to a property boundary and/or existing structure is proposed and this may compromise the effectiveness of the termite barrier. Documentation on the limitations of the termite barrier installed in this regard should be provided to the building owner.

The footings have not been designed to take into account the effect of trees located within a distance less than their zone of influence from the building whether they are on or outside of the allotment. If clarification is required, refer to the footing construction report or seek advice from the engineer.

The footings have only been checked for compliance with the minimum allowable requirements prescribed in AS2870. The owner is advised to refer to the footing construction report or seek advice from the engineer in this matter.

The owners attention should be drawn to Appendix B of AS 2870 'Performance Requirements and Foundation Maintenance'

Particular care should be exercised to ensure that the plumbing and perimeter paving is installed in accordance with the requirements of AS 2870 and engineers details.

The articulation or control joints in the masonry walls shall be installed in accordance with the Site Investigation and Footing Construction Report.

Wet area details including floor grades, set-downs and impervious surfaces shall comply with Minister's Specification SA F1.7; including provision of drainage flanges.

All glazing shall be glazed in accordance with AS1288- 1994, including safety glass for full height windows, glazed doors, side panels and windows located over or adjacent to a bath/shower.

Flexible ductwork used for the transfer of products initiating from a heat source that contains a flame must comply with the fire hazard properties set out in AS4254.

A gas hot water heater is required to have an energy rating label of 2.5 stars or better, and comply with AS4552 – 2000.

The hot water system/heated water service must be designed and installed in accordance with the Waterworks Act 1932, the Waterworks Regulations 1996 and Directions issued by SA Water Corp. If reticulated gas is available this requires a solar water heater or heat pump water heater that achieves 22 Renewable Energy Certificates (in Zone 3) where more than 3 bedrooms or 14 Renewable Energy Certificates (in Zone 3) where less than 3 bedrooms or a gas water heater complying with AS4552 with an energy rating label of 2.5 stars or better

The required rainwater tanks to be plumbed into the dwelling must be provided with mosquito proof, non-degradable screens (min 3.15mm diam wire and 6x7 openings/cm²) to the inlet and overflow and an overflow device connected into the stormwater disposal system. Any supporting structures must either be a proprietary product and / or comply with relevant Australian Standards

This report does not imply compliance with the Electricity Act, 1996 as amended or the regulations thereunder (including Regulations prescribed for purposes of Section 86). It is the responsibility of the applicant, owner and the person erecting the building to ensure compliance with same.

Katnich/Dodd
Building Surveyors

Peter Harmer
7 May, 2007

P (08) 8375 6600
F (08) 8375 6699
E council@marion.sa.gov.au
www.marion.sa.gov.au

Administration Centre 245 Sturt Road, Sturt SA 5047
Office Hours Monday to Friday – 8.30am to 5.00pm
Postal Address PO Box 21, Oaklands Park 5046



DECISION NOTIFICATION FORM DEVELOPMENT ACT 1993

TO:

Pergolas of Distinction
C/- BDC
9 Kalka Crescent
PASADENA SA 5042

DEVELOPMENT APPLICATION **NUMBER:** 100/1128/2016
DATED: 23/06/2016
REGISTERED ON: 13/07/2016

LOCATION OF PROPOSED DEVELOPMENT

2/39 Thirza Avenue MITCHELL PARK 5043
Lot: 2 CP: 24383 CT: 5998/970

DESCRIPTION OF PROPOSED DEVELOPMENT

Dwelling Addition - Verandah at rear of Dwelling

In respect of this proposed development you are informed that:

| NATURE OF DECISION | DECISION | DATE OF DECISION | NUMBER OF CONDITIONS |
|-----------------------------|-----------------------------------|-------------------------|-----------------------------|
| Development Plan Consent | Granted | 01/07/2016 | 2 |
| Building Rules Consent | Granted (by Private Certifier) | 07/07/2016 | 1 |
| DEVELOPMENT APPROVAL | Granted | 13/07/2016 | 3 |

The building classification under the Building Code is Class 10A

Conditions imposed on this consent and the reasons for imposing those conditions are set out in the attached sheet(s). Important information that may affect this consent can also be found under 'NOTES' and on the back of this page.

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DEVELOPMENT APPLICATION NUMBER: 100/1128/2016
APPLICANT: Pergolas of Distinction
LOCATION: 2/39 Thirza Avenue MITCHELL PARK 5043
DESCRIPTION OF DEVELOPMENT: Lot: 2 CP: 24383 CT: 5998/970
Dwelling Addition - Verandah at rear of
Dwelling
DECISION: Development Approval Granted
DATE OF DECISION: 13/07/2016

DEVELOPMENT PLAN CONSENT

GRANTED

Reasons For Decision:

Consent is granted as the proposed development is considered to accord sufficiently 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 Objectives and Principles of Development Control applicable to such a use in the locality.

Conditions of Consent:

- (1) The development shall be constructed and maintained in accordance with the plans and details submitted with and forming part of Development Application No.100/1128/2016 except when varied by the following conditions of consent.
- (2) The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.

BUILDING RULES CONSENT

GRANTED

Conditions of Consent:

Please refer to the attached copy of your Private Certifier's Building Rules Consent for Conditions of Consent (if applicable).

NOTES:

General:

- (1) Before commencing any site works, a temporary vehicular access to the property for machinery, delivery of building materials and general vehicles should be provided. In the case where no driveway invert exists, the kerb can be saw cut and removed at the intended location for the new driveway invert to provide the necessary temporary access. In addition, if a paved Council footpath exists, this should also be removed in alignment with the removed section of kerb. The applicant should also take note of other information provided regarding use of, damage to and construction on Council owned land.
- (2) The proposed development may affect the stability of adjoining land. Section 60 of the Development Act 1993 and Regulation 75 of the Development Regulations 2008 prescribe that your neighbour has a right to be notified by you 28 days prior to you undertaking the development. This is to enable your neighbour to obtain a report for which you are obliged to pay, that specifies any work that is required to be undertaken to ensure the stability of your neighbour's property is maintained during and following the undertaking of the work you propose. You should make yourself aware of these requirements before proceeding.

Mandatory Notifications

Regulation 74 of the Development Regulations 2008 requires the licensed building work contractor or the owner builder responsible for the work to notify Council prior to the commencement or completion of mandatory stages of construction (a notice specifying the mandatory notification stages is attached herein). Further to the requirement to notify, the licensed building work contractor or the owner builder must, no later than 1 business day after the completion of the roof framing, provide the completed Minister's Roof Framing Checklist to Council*. The Minister's Roof Framing Checklist must be completed and signed by a registered building work supervisor who has received specialised training. Failure to comply with the requirements to notify and/or provide the Minister's Roof Framing Checklist could result in a fine of \$500.00 or prosecution.

**(a copy of the Minister's Roof Framing Checklist can be found on the City of Marion website www.marion.sa.gov.au).*

P (08) 8375 6600
F (08) 8375 6699
E council@marion.sa.gov.au
www.marion.sa.gov.au

Administration Centre 245 Sturt Road, Sturt SA 5047
Office Hours Monday to Friday – 8.30am to 5.00pm
Postal Address PO Box 21, Oaklands Park 5046



Appeal Rights:

(1) If you are not satisfied with this decision, there may be a right of appeal to you. Applicants have the right to appeal against a refusal or the imposition of any conditions or requirements on any consent issued, unless the application was for a non-complying kind of development. An appeal by an applicant must be lodged within two (2) months of receiving notice of the decision. Where Category Three public notification was involved, persons who lodged written representations during the formal consultation period, have the right to appeal against any decision made on that application. An appeal by a third party must be lodged within fifteen (15) business days of the date of the decision. All appeals are lodged with the Environment, Resources and Development Court, Sir Samuel Way Building, Victoria Square, Adelaide, telephone: 8204 0300.

Approval Timeframes:

(1) The proposed development must:

- be substantially commenced within twelve (12) months from the date full Development Approval is granted; and
- be completed within three (3) years of full Development Approval being granted, noting that the operative date of any consent or approval is subject to any appeal (where applicable) being finally determined.

| | |
|---------|--|
| Signed: |  Henry Beesley Delegate |
| Date: | 13 / 07 / 2016 |

Cc:

Ms Lisa Maree Keatley
2/39 Thirza Avenue
MITCHELL PARK SA 5043



Development Approval – MANDATORY Notifications to Council

This mandatory notice must be submitted to Council at each stage

Development Application Number:

2016/1128

Description of Proposed Development:

Dwelling Addition - Verandah at rear
of Dwelling

Location of Proposed Development:

2/39 Thirza Avenue MITCHELL PARK
5043

Section 59 of the Development Act, 1993 requires the following mandatory notifications to be submitted to Council 24 hours prior to the commencement of each stage.

Builders Name _____

Licence No. _____ Phone: _____

1. The following mandatory notifications are required for the Class 10 Building referred to above: (please tick the relevant notification)

| | | | |
|---|------|---|---|
| <input type="checkbox"/> Commencement of building works on site: | Date | / | / |
| <input type="checkbox"/> Completion of rafter brackets | Date | / | / |
| <input type="checkbox"/> Completion of roof framing | Date | / | / |
| <input type="checkbox"/> Completion of supervisors checklist: (please attach) | Date | / | / |
| <input type="checkbox"/> Completion of building work: | Date | / | / |

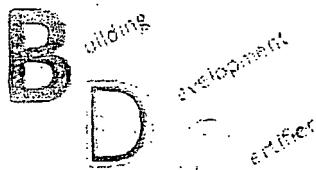
To lodge mandatory notifications you can:

FAX this notification form to: (08) 8375 6899

EMAIL: mandatorynotifications@marion.sa.gov.au

Or

LODGE ONLINE: www.marion.sa.gov.au



Betty Douflias
9 Kalka Crescent
Pasadena SA 5042
bdouflias@bigpond.com

Mobile 0427 980036 or
Telephone 817 70036

DECISION NOTIFICATION

| | |
|--|---|
| TO: Pergolas of Distinction 22 Delray Avenue Holden Hill SA 5088 | Development Number: 100/1128/16 Reference: PD16/86 |
| Location of Proposed Development: | U 2 39 Thriza Ave Mitchell Park |
| Applicant | Pergolas of Distinction |
| Nature of Proposed Development | Verandah |
| Classification | 10A |

In respect of this proposed development you are informed that:

| NATURE OF DECISION | CONSENT GRANTED | NUMBER OF CONDITIONS |
|-----------------------------|-----------------|----------------------|
| Development Plan Consent | 1/7/16 | 2 |
| Building Rules Consent | 7/7/16 | 1 |
| Other | | |
| DEVELOPMENT APPROVAL | | |

*NOTE: No development can be undertaken unless the development is an approved development pursuant to Section 32 of the Development Act. A development is an approved development only if the relevant authority has assessed the development against and granted consent in respect of each of the matters prescribed in Section 33(1) of the Development Act.

Date of Decision: 7/7/16

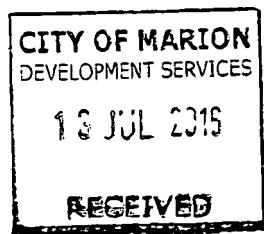
Signed:

Private Certifier

Betty Douflias

Reg. Number

70



SECTION 42, DEVELOPMENT ACT 1993
CONDITIONS OF PROVISIONAL BUILDING RULES CONSENT

BUILDING RULES CONSENT in respect of the proposed development is **GRANTED** subject to the following conditions:

1. Structure

The structure and any stiffening brackets shall be installed in accordance with Manufacturer's Specifications.

PROVISIONAL BUILDING RULES CONSENT
NOTES

This consent does not include any existing structures. Separate professional advice may be required to ensure that the existing structures are safe and structurally adequate.

Frame Inspection

Provide name and number of building supervisor who has undertaken the roofing training in accordance with Development Act and Regulations.

Construction work on or near property boundary.

Section 60 & Regulation 75 of the Development Act requires the building owner to notify the adjoining land owner within 28 days of commencing any building work to a site that may affect the stability of adjoining land or premises. The building owner must take such precautions as may be prescribed to protect the affected land or premises.

Stormwater

The method of stormwater disposal must be disposed of in a manner not to cause any damage to the building and not cause damage or nuisance to any other property of building. The discharge of stormwater along council land requires the consent of the council prior to the commencement of site works (seek advice from Council's Engineering Department). The roof & surface stormwater drainage system must be constructed in accordance with AS3500.3.2. The hydraulic capacity of the overflow device shall be not less than the design flow of the associated gutter outlet. The required rainwater tanks to be plumbed into the dwelling in accordance with AS3500 must be provided with an overflow device connected into the stormwater disposal system and mosquito proof, non-degradable screens on the inlet and overflow. Supporting structures must be a proprietary product and/or comply with relevant Australian Standards.

Structural Timber

Structural timber members that are not protected from weather must be of a suitable durability class or preservative treated to hazard level H3 in accordance with AS1604.

Footing system & movement

The footing system has not been designed for tree effects whether they are on or outside of the allotment. Future planting may have an impact on the performance of the footing system. For further information, refer to the Footing Construction Report or seek advice from the design engineer. The footings have only been checked for compliance with the minimum allowable requirements prescribed in AS2870. The owner is advised to refer to the footing construction report or seek advice from the engineer. The owner's attention should be drawn to Appendix B of AS2870 "Performance Requirement and Foundation Maintenance".



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:

2422843

BISHOP CONVEYANCING PTY LTD
POST OFFICE BOX 218
PARK HOLME SA 5043

DATE OF ISSUE

02/12/2022

ENQUIRIES:

Tel: (08) 8226 3750

Email: revsaesl@sa.gov.au

| OWNERSHIP NUMBER | OWNERSHIP NAME | | | |
|---|---|---------------|---------------|-------------------|
| 14940183 | L M KEATLEY | | | |
| PROPERTY DESCRIPTION | | | | |
| 2 / 39 THIRZA AVE / MITCHELL PARK SA 5043 / LT 2 C24383 | | | | |
| ASSESSMENT NUMBER | TITLE REF. (A "+" indicates multiple titles) | CAPITAL VALUE | AREA / FACTOR | LAND USE / FACTOR |
| 1006037159 | CT 5998/970 | \$475,000.00 | R4 1.000 | RE 0.400 |
| LEVY DETAILS: | | | | |
| FINANCIAL YEAR | | | | |
| 2022-2023 | | | | |
| | FIXED CHARGE | \$ 50.00 | | |
| | + VARIABLE CHARGE | \$ 213.75 | | |
| | - REMISSION | \$ 139.10 | | |
| | - CONCESSION | \$ 0.00 | | |
| | + ARREARS / - PAYMENTS | \$ -124.65 | | |
| | = AMOUNT PAYABLE | \$ 0.00 | | |

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

EXPIRY DATE

27/02/2023



**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

Emergency Services Funding Act 1998

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

Please Note:

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

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

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

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

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001



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:

24222843

BISHOP CONVEYANCING PTY LTD
POST OFFICE BOX 218
PARK HOLME SA 5043

DATE OF ISSUE

29/11/2022

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

OWNERSHIP NAME
L M KEATLEY

FINANCIAL YEAR
2022-2023

PROPERTY DESCRIPTION

2 / 39 THIRZA AVE / MITCHELL PARK SA 5043 / LT 2 C24383

| ASSESSMENT NUMBER | TITLE REF. (A "+" indicates multiple titles) | TAXABLE SITE VALUE | AREA |
|--------------------------|--|---------------------------|-------------|
| 1006037159 | CT 5998/970 | \$275,000.00 | 0.0224 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 27/02/2023



**Government of
South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



CERTIFICATE OF LAND TAX PAYABLE

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

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

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at:

OR

By Post to:

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

LOCAL GOVERNMENT INQUIRY CERTIFICATE

Section 7 of Land and Business (Sale and Conveyancing) Regulations



Certificate No: **100136**

Date: **29/11/2022**

Receipt No:

Reference No:

Fax No: **08 8277 4558**

PO Box 21, Oaklands Park
South Australia 5046

245 Sturt Road, Sturt
South Australia 5047

T (08) 8375 6600
F (08) 8375 6699
E council@marion.sa.gov.au

Bishop Conveyancing
PO Box 218
PARK HOLME SA 5043

CERTIFICATE

Section 187 of the Local Government Act

Assessment Number: **509455**

Valuer General No.: **1006037159**

Property Description: **Lot: 2 CP: 24383 CT: 5998/970**

Property Address: **2/39 Thirza Avenue MITCHELL PARK 5043**

Owner: **Ms L M Keatley**

Additional Information:

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

| Rates/Natural Resources Levy: | Total |
|---|--|
| Rates for the current year (includes Natural Resources Levy) | \$1,331.99 |
| Overdue/Arrears | \$0.00 |
| Interest | \$0.00 |
| Adjustments | -\$0.04 |
| Legal Fees | \$0.00 |
| Less Payments Received | -\$332.95 |
| Less Capping Rebate (if applicable) | \$0.00 |
| Less Council Rebate | \$0.00 |
| Debtor: Monies outstanding (which are a charge on the land) in addition to Rates due | |
| | Total Outstanding \$999.00 |

Please be advised: The first instalment is due **1st September 2022** with four quarterly instalments falling due on 01/09/2022, 01/12/2022, 01/03/2023 and 01/06/2023. Fines will be added to any current amount not paid by the due date (at the rate prescribed in the Local Government Act 1999).

Please phone the Rates Dept on 8375 6600 prior to settlement to ascertain the exact balance of rates payable including fines if applicable.

BPAY Details for Council Rates:

Biller Code: 9613

Reference Number: Assessment Number as above

CERTIFICATE

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



Bishop Conveyancing
PO Box 218
PARK HOLME SA 5043

Assessment No: 509455
Certificate of Title: Lot: 2 CP: 24383 CT: 5998/970
Property Address: 2/39 Thirza Avenue MITCHELL PARK 5043
Owner: Ms L M Keatley

Prescribed information statement in accordance with Section 7 of the Land and Business (Sale and Conveyancing) Act 1994:

| Development Act 1993 (repealed) | |
|---|--------------------------------|
| section 42—Condition (that continues to apply) of a development authorisation? | 100/2006/1936 100/2016/1128 |
| section 50(1)—Requirement to vest land in a council or the Crown to be held as open space | Nil |
| section 50(2)—Agreement to vest land in a council or the Crown to be held as open space | Nil |
| section 55—Order to remove or perform work | Nil |
| section 56—Notice to complete development | Nil |
| section 57—Land management agreement | Nil |
| section 69—Emergency order | Nil |
| section 71—Fire safety notice | Nil |
| section 84—Enforcement notice | Nil |
| section 85(6), 85(10) or 106—Enforcement order | Nil |
| Part 11 Division 2—Proceedings | Nil |

| Planning, Development and Infrastructure Act 2016 | |
|--|---|
| Part 5 – Planning and Design Code | 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. Miscellaneous Technical Enhancement Code Amendment Code Amendments PlanSA |
| | Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code) |
| | Is there a State heritage place on the land or is the land situated in a State heritage area? |
| | Is the land designated as a local heritage place? |
| | 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? |
| section 127—Condition (that continues to apply) of a development authorisation | |
| section 192 or 193—Land management agreement | |
| section 141—Order to remove or perform work | Nil |
| section 142—Notice to complete development | Nil |
| section 155—Emergency order | Nil |
| section 157—Fire safety notice | Nil |
| section 198(1)—Requirement to vest land in a council or the Crown to be held as open space | Nil |
| section 198(2)—Agreement to vest land in a council or the Crown to be held as open space | Nil |
| Part 16 Division 1—Proceedings | Nil |
| section 213—Enforcement notice | Nil |
| section 214(6), 214(10) or 222—Enforcement order | Nil |
| Repealed Act conditions | |

| | |
|--|--------------|
| Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1966</i> (repealed) | Nil |
| 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 | Nil |
| Food Act 2001 | |
| section 44—Improvement notice | Nil |
| section 46—Prohibition order | Nil |
| Housing Improvement Act 1940 (repealed) | |
| section 23—Declaration that house is undesirable or unfit for human habitation | Nil |
| Local Government Act 1934 (repealed) | |
| Notice, order, declaration, charge, claim or demand given or made under the Act | Nil |
| Local Government Act 1999 | |
| Notice, order, declaration, charge, claim or demand given or made under the Act | Nil |
| Local Nuisance and Litter Control Act 2016 | |
| section 30—Nuisance or litter abatement notice | Nil |
| Land Acquisition Act 1969 | |
| section 10—Notice of intention to acquire | Nil |
| Public and Environmental Health Act 1987 (repealed) | |
| Part 3—Notice | Nil |
| <i>Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) (revoked) Part 2—</i> Condition (that continues to apply) of an approval | Nil |
| <i>Public and Environmental Health (Waste Control) Regulations 2010 (revoked) regulation 19—</i> Maintenance order (that has not been complied with) | Nil |
| South Australian Public Health Act 2011 | |
| section 92—Notice | Nil |
| <i>South Australian Public Health (Wastewater) Regulations 2013 Part 4—</i> Condition (that continues to apply) of an approval | Nil |
| Particulars of building indemnity insurance | See attached |

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

- commercial or industrial activity at the land; or
- a change in the use of the land or part of the land (within the meaning of the repealed Development Act 1993 or the Planning, Development and Infrastructure Act 2016)?

No

Description of the nature of the development(s) approved:

Note—

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

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

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



The information herein is provided pursuant to the Council's obligations under Section 7 of the Land Business (Sales Conveyancing) Act 1994.

Only that information which is required to be provided has been given and that information should not be taken as a representation as to whether or not any other charges or encumbrances affect the subject land.

I, Jay Bentley, Administration Officer of the City of Marion certify that the information provided in these responses is correct.

A handwritten signature in black ink, appearing to read 'Jay Bentley'.

Sign:

Date: 29/11/2022

Data Extract for Section 7 search purposes

Valuation ID 1006037159

Data Extract Date: 29/11/2022

Parcel ID: C24383 F2

Certificate Title: CT5998/970

Property Address: UNIT 2 39 THIRZA AV MITCHELL PARK SA 5043

Zones

General Neighbourhood (GN)

Subzones

No

Zoning overlays

Overlays

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

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

Affordable Housing

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

Building Near Airfields

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

Hazards (Flooding - Evidence Required)

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

Prescribed Wells Area

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

Regulated and Significant Tree

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

Stormwater Management

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

Traffic Generating Development

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

Urban Tree Canopy

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

Is the land situated in a State Heritage Place/Area

No

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

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

Is the land designated as a Local Heritage Place

No

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

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

Is there a tree or stand of trees declared to be a significant tree or trees in the Planning and Design Code

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

GIS Dataset

LMAS

No

| | | | | |
|--|------------------------------|-----------------------------|------------------|------------------------|
| Account Number 10 06037 15 9 | L.T.O Reference CT5998970 | Date of issue 29/11/2022 | Agent No. 121 | Receipt No. 2422843 |
|--|------------------------------|-----------------------------|------------------|------------------------|

BISHOP CONVEYANCING
PO BOX 218
PARK HOLME SA 5043
michele@bishopconveyancing.com.au

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: MISS LM KEATLY
Location: U2 39 THIRZA AVE MITCHELL PARK LT 2 C24383
Description: 5H G **Capital Value:** \$ 475 000
Rating: Residential

Periodic charges

Raised in current years to 31/12/2022

| | | | |
|-----------------------|----------|----------------------------|------------|
| | | Arrears as at: 30/6/2022 | :\$ 0.00 |
| Water main available: | 1/7/2008 | Water rates | : 141.60 |
| Sewer main available: | 1/7/2008 | Sewer rates | : 156.98 |
| | | Water use | : 225.82 |
| | | SA Govt concession | : 0.00 |
| | | Recycled Water Use | : 0.00 |
| | | Service Rent | : 0.00 |
| | | Recycled Service Rent | : 0.00 |
| | | Other charges | : 0.00 |
| | | Goods and Services Tax | : 0.00 |
| | | Amount paid | : 524.40CR |
| | | Balance outstanding | : 0.00 |

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

Next quarterly charges: Water supply: 70.80 Sewer: 78.49 Bill: 8/2/2023

This Account is billed four times yearly for water use charges

The last Water Use Year ended on 05/05/2022

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

South Australian Water Corporation

Name:
MISS LM KEATLY

Water & Sewer Account
Acct. No.: **10 06037 15 9**

Amount: _____

Address:
U2 39 THIRZA AVE MITCHELL PARK LT
2 C24383

Payment Options

EFT

EFT Payment

| | |
|----------------------|-----------------------------|
| Bank account name: | SA Water Collection Account |
| BSB number: | 065000 |
| Bank account number: | 10622859 |
| Payment reference: | 1006037159 |



Biller code: 8888
Ref: 1006037159

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: 1006037159



**Government of
South Australia**

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

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

BODY CORPORATE SEARCH STATEMENT

Note: This facsimile and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom it is addressed. If you have received this facsimile in error please notify the sender.

THIS SEARCH DOCUMENT IS ONLY VALID FOR DATE OF ISSUE. A FREE UPDATE IS AVAILABLE IF REQUESTED WITHIN 3 MONTHS OF THE PAYMENT FOR THE ORIGINAL SEARCH - ONLY FOR PAYING APPLICANT

SEARCH DOCUMENT FOR A STRATA/COMMUNITY UNIT

Requested by: Name BISHOP CONVEYANCING

Address/Fax admin@bishopconveyancing.com.au

Re: COMMUNITY CORPORATION 24383 INC. UNIT/LOT: 2 CORP' ABN 81730141678

Unit/Lot No & Street Address: 2/37-39 THIRZA AVENUE, MITCHELL PARK 5043

Owner(s): LISA KEATLEY

PART 1: FINANCIAL DETAILS

1.1 UNIT/LOT ENTITLEMENT:

Unit/Lot Entitlement: 1200 Total of all Unit/Lot Entitlements: 10,000

1.2 MAINTENANCE CONTRIBUTIONS:

| Levies Payable | Amount | Paid To | Frequency |
|----------------|----------|------------|-----------|
| Admin' Levy: | \$195.00 | 31/12/2022 | Quarterly |
| Sinking Levy: | | | Quarterly |

1.3 ARREARS AT 02/12/2022 :

TOTAL OUTSTANDING TO DATE : *** \$.00 ****

Admin' Levy \$.00, Sinking Levy \$.00

Other Overdue Levies - amount due \$.00

Interest \$.00

[NB: Interest accrues daily at 12.00% per annum]

1.4 EXPENDITURE BY THE CORPORATION:

(a) Incurred by the Corporation to which the unit/lot holder must or is likely to be required to contribute:

Quarterly levies & refer minutes for maintenance

(b) Resolved by the Corporation to incur, to which the unit/lot holder must, or is likely to be required to contribute:

Common property maintenance \$. . .

1.5 ASSETS AND LIABILITIES OF THE CORPORATION:

(a) Fund Name: UNITCARE SERVICES TRUST ACCOUNT

(b) Held at: BANK SA, 245 MAIN ROAD, BLACKWOOD 5051

(c) Sum standing to the credit of fund \$11,461.05

(d) Amount committed to expenses \$. . . incurred for SEE BUDGET

(e) Amount earmarked for future expenses \$8,543.65 purpose SEE BUDGET

(f) Particulars of other assets: All those defined as common property upon the land: _____

(g) Amount held in external account

(h) Liabilities (excluding those above and as described in 1.2 herein)

None shown

NOTE: Water billing arrangements: EACH UNIT HAS A SEPARATE METER

PART 2: INSURANCES

Insurer: CHUUA/QBE

Property Cover: SEE INSURANCE CERT ATTACHED OR CALL FOR DETAILS
Expiry Date: 14/12/2022
Policy No: ST501291

Public Liability: \$20,000,000.00
Expiry Date: 14/12/2022
Policy No: ST501291

Other Covers:

| | |
|--------------------------------|--------------|
| COMMON PROPERTY | \$206,000.00 |
| COMMUNITY INCOME | \$30,900.00 |
| VOLUNTARY WORKERS PERS ACCID | \$200,000.00 |
| FIDELITY GUARANTEE | \$100,000.00 |
| OFFICE BEARERS LIABILITY | \$250,000.00 |
| LEGAL DEFENCE EXPENSES / AUDIT | \$50,000.00 |
| FLOOD | \$.00 |

PART 3: DOCUMENTS SUPPLIED

(deleted if not required)

- (a) Minutes of General & Committee meetings of the Corporation for the last two (2) years.
- (b) Details of any special or unanimous resolutions affecting the unit/lot or common property passed in the last five (5) years (excluding those contained in (a) above)
- (c) Statement of Accounts of the Corporation last prepared
- (d) The Articles/By Laws now in force
- (e) All current policies of insurance taken out by the Corporation
- (F) ~~Scheme Description if a Community Title and applicable to the development~~

PART 4: DOCUMENT INSPECTION

The Corporation's records are available for inspection at
UNITCARE SERVICES WWW.UNITCARE.COM.AU,
on any working day between 10:00am and 4:00pm. **Phone 08 8333 5200** to
make an appointment. (NB:A fee of \$5.00 may be charged for an inspection)

Statement dated: 02/12/2022

Signed for and on behalf of COMMUNITY CORPORATION 24383 INC

By: Alison Wells Position: Corporation Manager
ALISON WELLS Phone **08 8333 5200**

Note: Conveyancer's attention is drawn to the following:

1. The Strata & Community Titles Acts require that:

A unit/lot holder must immediately notify the Body Corporate of:

- (a) any change in the ownership of the unit, or change in the address of the owner.
- (b) any change in the occupancy of the unit." (eg: Tenants)

ie: Let us know ASAP who the new owners name and address on the attached form.

2. The Body Corporate may recover an unpaid contribution (and any interest on any such contribution), as a debt from the unit/lot holder of the unit in respect of which the contribution is payable (whether or not that person was the unit holder when the liability arose)" ie: The new owner will have to pay any outstandings if you do not adjust them at settlement.

3. This statement is issued on the basis that any payment by the unit/lot holder by cheque or by other instrument will be honoured at the first presentation. ie: if the cheque bounces the owner's financial details in 1.2/1.3 on page 1 will be wrong. This statement does not take into account any decisions or transactions of the Corporation at or subsequent to the issue of this statement. (check with us at settlement for up to date information)

**PLEASE COMPLETE AND RETURN (fax no below) WHEN SETTLEMENT IS FINALISED **

ANY OUTSTANDING ACCOUNTS MUST BE FINALISED AT SETTLEMENT

To UNITCARE SERVICES WWW.UNITCARE.COM.AU
P O BOX 4040
NORWOOD SOUTH 5067

Fax No: 08 8333 5210
Phone 08 8333 5200

UNIT OWNER UPDATE - PLEASE COMPLETE & RETURN WHEN SETTLEMENT IS FINALISED

COMMUNITY CORPORATION 24383 INC
37 - 39 THIRZA AVENUE, MITCHELL PARK 5043,

RE: UNIT/LOT 2

SETTLEMENT DATE: / /20

UNIT/LOT OWNER/S NAME: _____

UNIT/LOT OWNER/S ADDRESS: _____

CONTACT DETAILS: HOME _____ WORK _____
MOB _____ EMAIL _____

CORRESPONDENCE TO OWNER/AGENT ACCOUNTS TO OWNER / AGENT (please circle)

Will this unit be rented Y / N if Yes then please complete details below

* * * *

RENTAL MANAGER/AGENTS: _____
(if applicable) _____

ADDRESS: _____

CONTACT PERSON: _____ PHONE _____

TENANT/S NAMES: _____

TELEPHONE NUMBERS: HOME _____ WORK _____

CONVEYANCER ACTING FOR VENDOR: _____

CONVEYANCER ACTING FOR PURCHASER: _____

Thank you for your assistance in keeping our records up-to-date.
Dated 02 DEC 2022

FINANCIAL STATEMENT FOR COMMUNITY CORPORATION 24383 INC (Man 1/8)
ADDRESS 37 - 39 THIRZA AVENUE MITCHELL PARK 5043
BETWEEN 01 JAN 2022 AND 02 DEC 2022
PAGE 1, PRINTED 02/12/2022

| | ADMIN | SINKING | TOTAL |
|--|----------------|----------------|-----------------|
| INCOME | | | |
| ACCOUNT FEE CHARGED ON OVERDUE ACCOUNT | 48.00 | .00 | |
| INTEREST PAID BY BANK | 103.73 | .00 | |
| ADMIN FUND LEVY | 5111.50 | .00 | |
| TOTAL INCOME | 5263.23 | .00 | 5263.23 |
| OUTGOINGS | | | |
| ACCOUNT FEE CHARGED ON OVERDUE ACCOUNT | 48.00 | .00 | |
| BANK CHARGES | 44.71 | .00 | |
| INCOME TAX / PUBLIC OFFICER FUNCTIONS | 207.00 | .00 | |
| MEETING FEES | 195.00 | .00 | |
| MANAGEMENT FEES | 1894.02 | .00 | |
| POSTAGE & PETTIES | 124.08 | .00 | |
| GROUNDS MAINTENANCE | 528.00 | .00 | |
| PLUMBING MAINTENANCE | 1441.00 | .00 | |
| AUDIT, RECONCILIATION & ARCHIVING | 192.00 | .00 | |
| ELECTRICITY CHARGES | 377.15 | .00 | |
| TOTAL OUTGOINGS | 5050.96 | .00 | 5050.96 |
| OPENING BALANCE | 2705.13 | 8543.65 | 11248.78 |
| TOTAL INCOME | 5263.23 | .00 | 5263.23 |
| TOTAL OUTGOINGS | 5050.96 | .00 | 5050.96 |
| CLOSING BALANCE | 2917.40 | 8543.65 | 11461.05 |

U413

UNITCARE SERVICES WWW.UNITCARE.COM.AU
FINANCIAL STATEMENT FOR COMMUNITY CORPORATION 24383 INC (Man 1/8)
ADDRESS 37 - 39 THIRZA AVENUE MITCHELL PARK 5043
BETWEEN 01 JAN 2022 AND 02 DEC 2022 ABN 81730141678
PAGE 2, PRINTED 02/12/22

BALANCE SHEET

ASSETS

| | |
|--------------|----------|
| CASH AT BANK | 11461.05 |
|--------------|----------|

| | |
|-------------------|--------|
| LEVIES IN ARREARS | |
| UNIT/LOT NO. | AMOUNT |

| | |
|-------------------------|-----|
| TOTAL LEVIES IN ARREARS | .00 |
|-------------------------|-----|

LIABILITIES

| | |
|--------------------------------|--------|
| LEVIES PAID IN FULL IN ADVANCE | |
| UNIT/LOT NO. | AMOUNT |

| | |
|---|-----|
| TOTAL FULLY PAID LEVIES PAID IN ADVANCE | .00 |
|---|-----|

| | |
|----------------|----------|
| BALANCE | 11461.05 |
|----------------|----------|

CP 24383

LOCATION PLAN

0051

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Curves [1] and

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ALL INFORMATION CONTAINED

卷之三

PERCY AVENUE

216

1974

11. **THE SOUTHERN STATES & SOUTHERN CANADA.** 17. **THE WESTERN STATES & CANADA.**

LOT ENTITLEMENT SHEET

COMMUNITY PLAN NUMBER

CP 24383

THIS IS SHEET 2 OF 2 SHEETS

| APPROVED | DEPOSITED | PRO REGISTRAR-GENERAL |
|-------------------------------|-------------------|-----------------------|
| <i>John Doe</i> 21-11-2007 | <i>26-11-2007</i> | |
| | | APPLICATION /084247 |

SCHEDULE OF LOT ENTITLEMENTS

| LOT | LOT ENTITLEMENT | SUBDIVIDED |
|-----------|-----------------|------------|
| 1 | 1400 | |
| 2 | 1200 | |
| 3 | 1200 | |
| 4 | 1200 | |
| 5 | 1285 | |
| 6 | 1285 | |
| 7 | 1215 | |
| 8 | 1215 | |
| AGGREGATE | 10000 | |

CERTIFICATE OF LAND VALUER

I, Fred Taomina, being
a Land Valuer within the meaning of the Land Valuers Act
1994 certify that this schedule is correct for the purposes
of the Community Titles Act 1996

Dated the 11th day of September, 2007

Signature of Land Valuer
Signature of Land Valuer

**COMMUNITY CORPORATION 24383 INC
at 37-39 THIRZA AVENUE, MITCHELL PARK**

The following is a summary of policy decisions, special and unanimous resolutions passed by the Corporation along with the current set of articles/by-laws

The relevant minutes should be consulted for the precise wording of the resolutions.

POLICIES & APPROVALS

AGM 2022

OVERDUE CONTRIBUTIONS INTEREST & FEES: That all related costs associated with the recovery of any outstanding monies will be recovered from the relevant unit owner as debt against the unit.

Owners and their Agents must ensure their tenants abide by the rules at the complex;

PARKING - 1 car in garage and 1 car out front of garage. Visitors park on the street.

BINS – are to be stored near the front door of each unit, or around the back.

DRAINS – careful what is put down the drains.

Policy – Meeting Non-Attendance: It was resolved that in the absence of a quorum, any lot holder not attending any AGM or EGM, in person or by proxy or who does not tender an apology shall be deemed to be "absent & silent" and shall have a non attendance levy charged to their respective lot, due & payable with the next quarterly contribution following the meeting. The levy amount will correspond to the full cost of the required Reconvened Meeting divided equally between those deemed absent and silent.

FUNDS TRANSFER: UnitCare Services are to transfer funds from Sinking to Admin if insufficient funding.

AGM 2021

Policy - Overdue Contributions Interest & Fees: That the payment of the Corporation Account Notice is the responsibility of each lot holder and accounts must be paid within twenty-eight (28) days of the due date for payment. If any account is not paid within 28 days of the due date lot owners are required to pay interest on the overdue amount at the rate of twelve (12%) per annum calculated from the due date until payment, and to pay all expenses incurred in pursuing recovery of overdue amounts including (but not limited to) legal fees, administrative costs, location and service fees and any commission payable to debt recovery consultants or solicitors. If the account is not paid by the due date a reminder notice will be sent with a late payment charge as per the contracted fee.

AGM 2020

OVERDUE CONTRIBUTIONS INTEREST and FEES: That the payment of the Corporation Account Notice is the responsibility of each unit holder and accounts must be paid within twenty eight (28) days of the due date for payment. If any account is not paid within 28 days of the due date unit owners are required to pay interest on the overdue amount at the rate of twelve (12%) per annum calculated from the due date until payment, and to pay all expenses incurred in pursuing recovery of overdue amounts including (but not limited to) legal fees, administrative costs, location and service fees and any commission payable to debt recovery consultants or solicitors. If the account is not paid by the due date a reminder notice will be sent with a late payment charge of **\$12.00** including GST.

AGM 2019

Solar Panels: Unit holders may install solar panels to the roof of their unit provided they are fitted by a qualified tradesperson and installed, if possible, at the rear of the unit, below the ridgeline.

Air Conditioner – Unit 1: Retrospective approval is given for the air conditioning unit to be moved to the roof.

AGM 2012

Meeting Non-Attendance: It was resolved that in the absence of a quorum, any lot holder not attending any AGM or EGM, in person or by proxy or who does not tender an apology shall be deemed to be "absent & silent" and shall have a non-attendance levy charged to their respective lot, due & payable with the next quarterly contribution following the meeting. The levy amount will correspond to the full cost of the required Reconvened Meeting divided equally between those deemed absent and silent.

Insurance Excess Payments: It was resolved that any insurance claim that is to do with the property of the owners, the owner will pay the insurance excess. Any claim related to the common property, the Corporation will pay the excess.

The lot owner has a right of written appeal to the Management Committee.

Carparking: Units 5 and 6 have double garage for parking. Parking for the other units is 1 car under the garage and the other car adjacent to the front door.

Visitors: Visitors are asked to park out on the road, as there is no parking available on the grounds.

AGM 2010

OVERDUE CONTRIBUTIONS INTEREST & FEES: That the payment of the Corporation Account Notice is the responsibility of each lot holder and accounts must be paid within twenty-eight (28) days of the due date for payment. If any account is not paid within 28 days of the due date lot owners are required to pay interest on the overdue amount at the rate of twelve (12%) per annum calculated from the due date until payment, and to pay all expenses incurred in pursuing recovery of overdue amounts including (but not limited to) legal fees, administrative costs, location and service fees and any commission payable to debt recovery consultants or solicitors. If the account is not paid by the due date a reminder notice will be sent with a late payment charge of \$11 including GST.

AWNING/BLINDS: Lot holders may install external awnings / blinds on windows provided they are similar in colour and design to those installed at Lots 1,3,4,5.

PAY SATELLITE TV: Lot holders may connect to pay TV via satellite dish on the gutter fascia/roof above their lot subject to the dish being installed below the ridgeline at the rear of the lot.

TV ANTENNA: Roof Mounted: Lot holders may install one roof mounted television antenna for each lot subject to all wiring being hidden.

APPROVALS: In accordance with the provisions of the Community Titles Act, 1996 and pursuant to the Notices of Motion included in the "Notice of Meeting", it was resolved by Special Resolution that the Corporation grant consent for the following standard approvals, subject to the lot holder and their successors in title agreeing without any further notice that the costs of and incidental to installation, maintenance, repairs and replacement shall be at all times at the expense of that lot holder from time to time.

IGM 2009

Corporation's Right to Recover Money: The Corporation may recover any money owing to it under the Community Titles Act SI 14 (7) (8) or By-laws as a debt. An owner of a Community Lot must pay or reimburse the Corporation on demand the costs, charges and expenses of the Corporation in connection with contemplated or actual enforcement, or preservation of any rights under the by-laws in relation to the owner or occupier. The Corporation further empowers Strata Data to act on its behalf in the recovery of monies owed to it and to take the necessary steps to ensure that this motion is compiled with.

BY LAWS

The terms of these By-laws are binding on the Community Corporation, the owners and occupiers of the community lots comprising the scheme and persons entering the community parcel. These By-laws may only

be amended or revoked by special resolution of the Community Corporation in accordance with Section 39 of the Community Titles Act and Regulations]

1. Administration, Management and Control of Common Property

The Community Corporation is responsible for the administration, management and control of the common property.

2. Use and Enjoyment of the Common Property

2.1 The common property is, subject to the Act and these By-laws, for the common use, access and enjoyment of residents in the Community Scheme.

2.2 A person must not, without the authorisation of the Community Corporation, damage or interfere with a building, structure, tree or garden on the Common Property.

2.3 A person must not without the authorisation of the Community Corporation, deposit any object or material on the Common Property if it is likely to be hazardous or offensive to other persons using or adjacent to the Common Property.

2.4 The speed on the Common Property driveway is limited to 10 kilometres per hour.

3. Use and Enjoyment of Community Lots

No building erected on a Community Lot shall be used or occupied otherwise than as a residence unless such other use has been approved by the Community Corporation.

4. Maintenance and Repair of Buildings

4.1 The owner of a community lot must maintain and keep in good repair buildings and structural improvements to the lot (including paintwork and external finishes).

4.2 The external finish is to be consistent with the original decor and agreed to by the Community Corporation.

5. Maintenance of Community Lot

5.1 The owner of a community lot must keep the lot in a clean and tidy condition.

5.2 The owner of a community lot must properly maintain lawns and gardens on the community lot.

5.3 The owner of a community lot must:

5.3.1 Store garbage in an appropriate container that prevents the escape of unpleasant odours and

5.3.2 comply with any requirements of the Council for the disposal of garbage.

5.4 Planting of any trees is subject to the consent of the Community Corporation.

6. Disturbance

6.1 The owner of a community lot must not engage in conduct that unreasonably disturbs the occupier of another community lot or others who are lawfully on a community lot or the Common Property.

6.2 The owner of a community lot must ensure, as far as practicable, that persons who are brought or allowed onto the community lot or the common property by the owner do not engage in conduct that unreasonably disturbs the occupier of another community lot or others who are lawfully on a community lot or the Common Property.

7. Insurance by Community Corporation

7.1 The Community Corporation shall effect such insurance as is required by Sections 103 and 104 of the Act.

7.2 An owner or occupier of a community lot must not, except with the approval of the Community Corporation, do anything that might:

7.2.1 void or prejudice insurance effected by the Community Corporation; or

7.2.2 increase any insurance premium payable by the Community Corporation.

8. Building Insurance

The owner of each community lot shall insure all buildings and other improvements on the lot in accordance with their own requirements and the Community Corporation shall have no responsibility in respect thereof. The owners shall provide annually, a copy of the Certificate of

Currency of the building insurance to the Community Corporation.

9. **Public Liability Insurance**

The owner of each Community Lot shall effect and keep current in respect of their Community Lot a Public Risk Policy in sum of not less than \$10 million and must provide the Community Corporation as requested by the Community Corporation from time to time, evidence of a current policy of insurance effected by the proprietor in terms of this By-Law.

10. **Pets**

10.1 An owner of a community lot is entitled:

10.1.1 to keep a maximum of one cat and/or dog on a community Lot and

10.1.2 if the occupier is a person who suffers from a disability — to keep a dog trained to assist the occupier in respect of that disability.

10.2 An owner of a community lot must not keep an animal on a community lot except as authorised by this section or the Corporation.

11. **Internal Fencing**

The provisions of The Fences Act 1975 (as amended) shall apply as between the owners of adjoining community lots.

12. **Offence**

A person who contravenes or fails to comply with a provision of these By-laws is guilty of an offence - Maximum Penalty: \$500.00

13. **Community Corporation's Right to Recover Money**

13.1 The Community Corporation may recover any money owing to it under the By-laws as a debt.

13.2 An owner of a community lot must pay or reimburse the Community Corporation on demand for the costs, charges and expenses of the Community Corporation in connection with contemplated or actual enforcement, or preservation of any rights under the By-laws in relation to the proprietor or occupier.

13.3 The costs, charges and expenses recoverable by the Community Corporation shall include without limitation, those expenses incurred in retaining any independent consultant or other person to evaluate any matter of concern and its administration costs in connection with those events.

13.4 The Community Corporation may charge interest on any overdue monies owed by a proprietor or occupier of a lot to the Community Corporation at the rate of TWO PER CENT (2%) per annum above the rate quoted by the Community Corporation's Bankers on overdraft accommodation less than \$100,000.00, calculated on daily balances commencing from the day that the money becomes due for payment provided any interest charged is in accordance with Regulation 20 of the Act.

14. **Interpretation In these By-laws**

14.1 "Act" means the Community Titles Act 1996 as amended.

14.2 "Community Corporation" means the Community Corporation created by the Deposit of the Plan of Community Division in respect of which these By-Laws are lodged.

14.3 "Community Lot" means a community lot created by Plan of Community Division referred to above.

14.4 "Community parcel" means the whole of the land comprised in Plan of Community Division referred to above excluding any land thereby vested in a Council, the Crown or a prescribed authority.

14.5 "occupier" of a community lot includes, if the lot is unoccupied, the owner of the lot.

14.6 Except where otherwise appears words shall have the same meaning as are set out in the Act.



208 Greenhill Road
Eastwood SA 5063

Certificate of Currency

CHU Community Association Insurance Plan

| | |
|----------------------------|---|
| Policy No | ST501291 |
| Policy Wording | CHU COMMUNITY ASSOCIATION INSURANCE PLAN |
| Period of Insurance | 14/12/2021 to 14/12/2022 at 4:00pm |
| The Insured | COMMUNITY CORPORATION NO 24383 INC |
| Situation | 39 THIRZA AVENUE MITCHELL PARK SA 5043 |

Policies Selected

Policy 1 – Community Property

Community property: \$206,000

Community income: \$30,900

Common area contents: \$0

Policy 2 – Liability to Others

Limit of liability: \$20,000,000

Policy 3 – Voluntary Workers

Death: \$200,000

Total Disablement: \$2,000 per week

Policy 4 – Workers Compensation

Not Available

Policy 5 – Fidelity Guarantee

Sum Insured: \$100,000

Policy 6 – Office Bearers' Legal Liability

Limit of liability: \$250,000

Policy 7 – Machinery Breakdown

Not Selected

Policy 8 – Catastrophe Insurance

Not Selected

Policy 9 – Government Audit Costs and Legal Expenses



Part A: Government Audit Costs: \$25,000

Part B: Appeal expenses – common property health & safety breaches: \$100,000

Part C: Legal Defence Expenses: \$50,000

Flood Cover is included.

Flood Cover Endorsement

Flood cover is included.

The following terms and conditions of Your Policy is hereby amended by this endorsement and should be read in conjunction with, and as forming part of Community Association Insurance Plan.

Policy 1, Exclusion 4 'We will not pay for Damage caused by Flood' is hereby removed.

Other than as set out above, the terms, conditions, exclusions and limitations contained in Your Policy remain unaltered.

Date Printed

03/12/2021

This certificate confirms this policy is in force for the Period of Insurance shown, subject to the policy terms, conditions and exclusions. It is a summary of cover only (for full details refer to the current policy wording and schedule). It does not alter, amend or extend the policy. This information is current only at the date of printing.

Community Corporation No 24383 Incorporated

Minutes of the Annual General Meeting of the Corporation

Held at 37-39 Thirza Ave Mitchell Park

On 1st March, 2022 commencing at 5.45pm

PROCEEDINGS

| PRESENT: (in person or by proxy) | LOT |
|--|-----|
| Sally Ann Ralph | 1 |
| Lisa Keatley | 2 |
| Ming Yen Tong (proxy to UnitCare) | 3 |
| Michael & Joseph Carnevale (proxy to UnitCare) | 6 |
| Maggie Murray (proxy to UnitCare) | 7 |
| Neil Petherbridge & Colleen Bindloss | 8 |

Guests: Carina Petheridge who resides in unit 8 and Alison Wells of UnitCare Services

CHAIR:

The Manager welcomed those present & opened the meeting and agreed to assist the Presiding Officer in the conduct of the meeting and the Secretary in recording the minutes.

QUORUM:

A quorum was declared with 6 of the 8 lots represented in person or by proxy.

Policy – Meeting Non-Attendance:

It was resolved that in the absence of a quorum, any lot holder not attending any AGM or EGM, in person or by proxy or who does not tender an apology shall be deemed to be "absent & silent" and shall have a non attendance levy charged to their respective lot, due & payable with the next quarterly contribution following the meeting. The levy amount will correspond to the full cost of the required Reconvened Meeting divided equally between those deemed absent and silent.

All agreed.

CORPORATION MEMBERS REGISTER:

The Manager asked the owners to keep the members' register/lot holder list updated if there are any changes to email address or contact details.

MINUTES:

It was resolved that the minutes of the previous Annual General Meeting held 23/3/21 be taken as read & accepted as a correct record.

Business arising: Any matters that need to be readdressed will be discussed & recorded under common property maintenance, under another relevant agenda item or under other business.

All agreed.

FINANCIAL STATEMENT:

The Corporation's financial statement of accounts for the current period as circulated to all members was tabled and reviewed. It was resolved that the financial statement of accounts be received.

All agreed.

The correspondence and activity report for the year will continue to be sent to the Treasurer, along with the ledger, and arrears report (if any).

Interest, Tax & Audits: Legislation requires that monies held in Trust Accounts are to earn interest and as a result an annual tax return is required. Interest is credited monthly based on the Corporation's minimum monthly balance. The legislation also requires an annual (to 30 June each year) audit of the UnitCare Services Trust Account by a registered company auditor. The report is made available to the Corporation Treasurer around September each year.

APPOINTMENT OF MANAGERS: PrimeCare Service:

That UnitCare Services, and/or their nominee, is appointed by the terms of the PrimeCare Management option to assist the Corporation by undertaking all those functions, powers & duties as contained in the Community Titles Act 1996 at an annual primary remuneration of \$1,904 including GST.

Additional recoverable charges may be made for meeting fees and audit, government fees including GST, bank fees, stamp duty, postage and photocopying charges will be debited to the Corporation as actually expended.

Duties of the appointed Managers:

General: To provide so far as is reasonably necessary general advice and assistance to the Corporation and its officers and to assist them in the performance of their responsibilities under the Act.

Meetings: Arrange the General and Management Committee meetings, prepare and distribute notices, including agenda of meetings. Attend General (and Management Committee meetings if needed) and assist the Presiding Officer in the conduct of meetings. Assist the Secretary in the recording & preparation of minutes of meetings and distribute such minutes.

Maintenance: Advise upon and arrange for the maintenance, repair and replacement of the common property in accordance with the Corporation's instructions. Organise emergency maintenance works.

Insurance: Place and renew insurances in accordance with the Corporations instructions and have any claim promptly processed.

Accounting: Collect, bank and account for maintenance contributions, levies, interest accruing or other amounts due to the Corporation. Send notices levying maintenance or other contributions and pay accounts and outgoings. Prepare annual financial statements of accounts of the Corporation and arrange an annual tax return & GST/BAS returns as required by law.

Secretarial: Promptly deal with the Corporation correspondence and requests for Searches (section 139). Ensure that all appropriate and proper records of the Corporation are maintained and keep secure and confidential all books, records, certificates of title, Community plans, specifications, reports, schedules and the like.

Public Officer: (Gordon Russell) to act as the Corporation's Public Officer for the purpose of signing Tax Returns and other such matters as required by statute.

Commissions: UnitCare Services may receive a commission for placing the Corporation's insurance.

Note: A management agreement will be posted to the group's Presiding Officer for signing.

All agreed.

ELECTION OF OFFICE BEARERS: [Section 76]

Upon receipt of nominations, the following appointments were made:

Presiding Officer: Sally Ann Ralph

Secretary: Maggie Murray

Treasurer: Maggie Murray

All agreed.

MANAGEMENT COMMITTEE: [Section 90]

It was resolved that the Management Committee shall consist of the appointed officers along with Lisa Keatley, Neil Petheridge and Colleen Bindloss.

All agreed.

Note: Management Committee's need to keep minutes of their meetings. Minutes need to be forwarded to the Manager promptly in order that the Corporation's wishes can be enacted.

INSURANCE:

The Manager advised that Section 103 of the Community Titles Act 1996 imposes a duty on the Corporation to insure all building and building improvements on the common/community property for their full replacement value, including all costs incidental to and associated with their replacement.

General Advice Warning: Any advice given by the manager is general advice. Owners can inform themselves through reading the Product Disclosure Statement. These are available from the office of UnitCare Services for group's insured through CHU/QBE or SCI/Allianz.

The Corporation is further required to keep itself insured against liability for negligence/bodily injury (\$10,000,000 minimum) and against any other liabilities [eg: flood, office bearer liability, catastrophe] determined by a special resolution of the Corporation.

The Corporation's current policy details are as follows:

Underwriter CHUUA/QBE

| | |
|---------------------------------------|---------------------------------------|
| Renewal Date | 14/12/2022 |
| Common Property | \$206,000.00 Excess \$1,000.00 |
| Community Income | \$30,900.00 |
| Public Liability | \$20,000,000.00 |
| Voluntary Workers Pers Accid | \$200,000.00 |
| Fidelity Guarantee | \$100,000.00 |
| Office Bearers Liability | \$250,000.00 |
| Legal Defence Expenses / Audit | \$50,000.00 |
| Flood selected | Excess \$500.00 |

It was agreed that the insurance renewal be forwarded to the Management Committee for consideration and that UnitCare Services act as insurance agent for the Corporation. If no decision is forthcoming the Manager will renew the existing policy for the suggested cover.

Policy - Insurance Excess Payments: It was resolved that any insurance claim that is to do with the property of the owners, the owner will pay the insurance excess. Any claim related to the common property, the Corporation will pay the excess. The unit owner has a right of written appeal to the Management Committee.

The Manager suggested the excess be reviewed and will make contact with the Insurers if the policy excess can be reduced back to \$500.

All agreed.

Insurance Valuation:

It was noted that the most recent valuation was on 27/2/19 (\$200,000).

It was resolved to engage the services of a certified practicing valuer to prepare an insurance valuation report (replacement value) at the next AGM.

Summary: If the group is insured with QBE Insurance (Australia) Ltd via CHU Underwriting Agencies P/L or SCI/Allianz, the Manager is to supply a summary of the insurance cover if requested.

Commissions: It was noted that UnitCare Services receive a commission if the Corporation's insurance is placed direct with CHU/QBE or SCI/Allianz.

Home/Contents Insurance: It was noted that it is necessary for lot owners to arrange individually for adequate insurance for any buildings erected upon respective lots, home public liability insurance, as well as the contents of their homes inclusive of carpets, drapes, light fittings, etc., whether or not the home is occupied by the lot owner or a tenant, as such items are not included in the Corporation's insurance policy. It is recommended that owners seek independent advice from a suitably qualified insurance broker regarding any additional insurance required for their individual circumstances.

MAINTENANCE:

Owners agreed they are all responsible to maintain their own Lots.

Grounds Care: Owners agreed to continue with the services of Express, who attends quarterly to maintain hedging, weed control etc.

Termite Responsibility: For Community Titles any termite damages within a lot would be the lot holder's responsibility. It was also noted that damage caused by termites was not an insured event in terms of the building insurance policy. The Manager recommended that termite inspections should occur annually.

Termite Inspections: Owner of unit 2 has an inspection scheduled annually and due to the recent construction nearby, owners agreed for the Corporation to carry out the inspection as a group. Lisa Keatley will advise UnitCare who they use and what date the inspection is due.

Pumps x 2 : Owners agreed for Pump X to attend to pump service every 6 months. Due again end of March 2022.

SA Water: Lisa Keatley advised the hole has been left at the front where the water meters were leaking which were fixed, but they have not been back to fill in the hole. The Manager was asked to contact SA Water to remedy.

BUDGET:

It was resolved following discussion that the following Budget Estimates be adopted. Manager agreed to take out the wording 'Emergency Maintenance' and code under either plumbing, electrical etc.

All agreed.

| No Units | 8 | DESCRIPTION | ESTIMATES |
|------------------------------------|---|-----------------------------|----------------|
| COMMON PROPERTY MAINTENANCE | | | |
| | | Maintenance | \$2,000 |
| | | Pump Maintenance | \$620 |
| | | Grounds Care | \$720 |
| RECURRENT EXPENDITURE | | | |
| | | Management Fees (primecare) | \$1,904 |
| | | Meeting Fee (1st 1.5 hrs) | \$195 |
| | | Bank Charges | \$50 |
| | | Postage & Copying | \$150 |
| | | Insurance (due 14/12/22) | \$2,650 |
| | | Electricity | \$450 |
| | | Audit Fee | \$192 |
| | | Income Tax Payment | \$4 |
| | | Income Tax Return | \$207 |
| TOTAL ESTIMATED COSTS | | | \$9,142 |

| ADMINISTRATION FUND INCOME | |
|---|------------------|
| Annual Maintenance Fund contributions | \$6,500 |
| Plus Bank Interest | \$70 |
| Plus Arrears for Units | \$0 |
| Minus Advances for Units | (\$1,397) |
| Plus Other Income | \$0 |
| Total Income = | \$5,173 |
| Plus last years balance brought forward | \$2,705 |
| Minus Total Estimated Costs | \$9,142 |
| Transfers to (+) or from (-) Sinking Fund | \$0 |
| Maintenance Fund Closing Balance = | (\$1,264) |

CONTRIBUTIONS:

Administration Fund: In accordance with this resolution, the total quarterly contribution to the Administration Fund will remain at \$1,625.

Sinking/Reserve Fund: In accordance with this resolution, the total quarterly contribution to the Sinking/Reserve Fund will remain at \$0.

Contributions are divisible by lot entitlement as defined upon the deposited plan.

OVERDUE CONTRIBUTIONS INTEREST & FEES:

That all related costs associated with the recovery of any outstanding monies will be recovered from the relevant unit owner as debt against the unit.

All agreed.

FUNDS TRANSFER:

UnitCare Services are to transfer funds from Sinking to Admin if insufficient funding.

All agreed.

OTHER BUSINESS:

Owners requested a letter be sent to the new tenants at unit 3 as a welcome, but also, so they understand the rules at the complex;

IE. PARKING - 1 car in garage and 1 car out front of garage. Visitors park on the street.

BINS – are to be stored near the front door of each unit, or around the back.

DRAINS – careful what is put down the drains.

The meeting was closed at 6.15 pm with a note of appreciation to those who participated.

Community Corporation No 24383 Incorporated

Amended Minutes of the Annual General Meeting of the Corporation

Held at UnitCare House, by phone or proxy

On 23/3/2021 commencing at 6.00pm

PROCEEDINGS

| PRESENT: (by phone or proxy) | LOT |
|--|-----|
| Sally Ann Ralph (via tele-conference) | 1 |
| Ming Yen Tong (proxy to UnitCare) | 3 |
| Karen Luckett (proxy to UnitCare) | 4 |
| Simon & Nicole Collard (proxy to UnitCare) | 5 |
| Michael & Joseph Carnevale (proxy to UnitCare) | 6 |
| Ian & Maggie Murray (via tele-conference) | 7 |
| Neil Petherbridge & Colleen Bindloss (via tele-conference) | 8 |

Guests: Alison Wells of UnitCare Services

APOLOGIES:

| | |
|--------------|---|
| Lisa Keatley | 2 |
|--------------|---|

CHAIR:

The Manager chaired the meeting and recorded the minutes.

QUORUM:

A quorum was declared with 6 of the 8 lots represented in person or by proxy.

MINUTES:

It was resolved that the minutes of the previous Annual General Meeting held 4/3/20 be taken as read & accepted as a correct record.

Business arising: Any matters that need to be readdressed will be discussed & recorded under common property maintenance, under another relevant agenda item or under other business.

All agreed.

CORRESPONDENCE/ACTIVITY REPORT:

The correspondence and activity report for the year will continue to be sent to the Treasurer, along with the ledger, and arrears report (if any).

FINANCIAL STATEMENT:

The Corporation's financial statement of accounts for the current period as circulated to all members was tabled and reviewed. It was resolved that the financial statement of accounts be received.

All agreed.

Interest, Tax & Audits: Legislation now requires that monies held in Trust Accounts are to earn interest and as a result an annual tax return is required. Interest is credited monthly based on the Corporation's minimum monthly balance. The legislation also requires an annual (to 30 June each year) audit of the UnitCare Services Trust Account by a registered company auditor. The report is posted to the Corporation Treasurer around September each year.

APPOINTMENT OF MANAGERS: PrimeCare Service:

That UnitCare Services, and/or their nominee, is appointed by the terms of the PrimeCare Management option to assist the Corporation by undertaking all those functions, powers & duties as contained in the Community Titles Act 1996 at an annual primary remuneration of \$1,864 including GST.

Additional recoverable charges may be made for meeting fees and audit, government fees including GST, bank fees, stamp duty, postage and photocopying charges will be debited to the Corporation as actually expended.

Duties of the appointed Managers:

General: To provide so far as is reasonably necessary general advice and assistance to the Corporation and its officers and to assist them in the performance of their responsibilities under the Act.

Meetings: Arrange the General and Management Committee meetings, prepare and distribute notices, including agenda of meetings. Attend General (and Management Committee meetings if needed) and assist the Presiding Officer in the conduct of meetings. Assist the Secretary in the recording & preparation of minutes of meetings and distribute such minutes.

Maintenance: Advise upon and arrange for the maintenance, repair and replacement of the common property in accordance with the Corporation's instructions. Organise emergency maintenance works.

Insurance: Place and renew insurances in accordance with the Corporations instructions and have any claim promptly processed.

Accounting: Collect, bank and account for maintenance contributions, levies, interest accruing or other amounts due to the Corporation. Send notices levying maintenance or other contributions and pay accounts and outgoings. Prepare annual financial statements of accounts of the Corporation and arrange an annual tax return & GST/BAS returns as required by law.

Secretarial: Promptly deal with the Corporation correspondence and requests for Searches (section 139). Ensure that all appropriate and proper records of the Corporation are maintained and keep secure and confidential all books, records, certificates of title, Community plans, specifications, reports, schedules and the like.

Public Officer: (Gordon Russell) to act as the Corporation's Public Officer for the purpose of signing Tax Returns and other such matters as required by statute.

Commissions: UnitCare Services may receive a commission for placing the Corporation's insurance.

Note: A management agreement will be posted to the group's Presiding Officer for signing.

All agreed.

ELECTION OF OFFICE BEARERS: [Section 76]

Following discussion over the various duties of officer bearers the following appointments were made:

Presiding Officer: Sally Ann Ralph

Secretary: Maggie Murray

Treasurer: Maggie Murray

All agreed.

Appointed Officers can access online, by logging into UnitCare Services' website. Enter in to Officer Login on left side and put in the Username as your BPAY No (shown on your account notices), then enter the Password as 24383 and you can change the password once you have access.

MANAGEMENT COMMITTEE: [Section 90]

It was resolved that the Management Committee shall consist of the appointed officers along with Lisa Keatley and Colleen Bindloss.

All agreed.

Note: Management Committee's need to keep minutes of their meetings. Minutes need to be forwarded to the Manager promptly in order that the Corporation's wishes can be enacted.

INSURANCE:

The Manager advised that Section 103 of the Community Titles Act 1996 imposes a duty on the Corporation to insure all building and building improvements on the common/community property for their full replacement value, including all costs incidental to and associated with their replacement.

The Manager advised it is the responsibility for the owners to insure their own unit and provide a copy of the Certificate of Currency for validation.

General Advice Warning: Any advice given by the Manager is general advice. Owners can inform themselves through reading the Product Disclosure Statement. These are available from the office of UnitCare Services for group's insured through CHU/QBE, SUU/CGU, SCI/Allianz and Expert/Chubb.

The Corporation is further required to keep itself insured against liability for negligence/bodily injury (\$10,000,000 minimum) and against any other liabilities [eg: flood, office bearer liability, catastrophe] determined by a special resolution of the Corporation.

The Corporation's current policy details are as follows:

Underwriter CHUUA/QBE

| | |
|---------------------------------------|-------------------------------------|
| Renewal Date | 14/12/2021 |
| Common Property | \$200,000.00 Excess \$500.00 |
| Community Income | \$30,000.00 |
| Public Liability | \$20,000,000.00 |
| Voluntary Workers Pers Accid | \$200,000.00 |
| Fidelity Guarantee | \$100,000.00 |
| Office Bearers Liability | \$250,000.00 |
| Legal Defence Expenses / Audit | \$50,000.00 |
| Flood selected | Excess \$500.00 |

It was agreed that the insurance renewal be forwarded to the Management Committee for consideration and that UnitCare Services act as insurance agent for the Corporation. If no decision is forthcoming the Manager will renew the existing policy for the suggested cover.

All agreed.

Insurance Valuation:

It was noted that the most recent valuation was on 19/3/19 (\$200,000).

It was agreed to defer engaging the services of a certified practicing valuer until next year.

Policy - Insurance Excess Payments: It was resolved that any insurance claim that is to do with the property of the owners, the owner will pay the insurance excess. Any claim related to the common property, the Corporation will pay the excess.

The unit owner has a right of written appeal to the Management Committee.

All agreed.

The Manager was asked whether the Corporation should have 'Machinery Breakdown' cover for the 2 sump pumps on the property and was told by the Insurers that if the pumps are worth over \$5,000, then 'Machinery Breakdown' cover is suggested, but if not, the current policy will cover 'Fusion'.

The Manager was requested to find out the value of these pumps and advise the Committee.

Summary: If the group is insured with QBE Insurance (Australia) Ltd via CHU Underwriting Agencies P/L, SUU/CGU, SCI/Allianz, or Expert/Chubb, the Manager is to supply a summary of the insurance cover if requested.

Commissions: It was noted that UnitCare Services receive a commission if the Corporation's insurance is placed with CHU/QBE, SUU/CGU, SCI/Allianz, or Expert/Chubb.

Home/Contents Insurance: It was noted that it is necessary for lot owners to arrange individually for adequate insurance for any buildings erected upon respective lots, home public liability insurance, as well as the contents of their homes inclusive of carpets, drapes, light fittings, etc., whether or not the home is occupied by the lot owner or a tenant, as such items are not included in the Corporation's insurance policy. It is recommended that owners seek independent advice from a suitably qualified insurance broker regarding any additional insurance required for their individual circumstances.

MAINTENANCE:

Owners agreed that each Lot owner maintains their own property with painting, gutter clean etc.

Grounds Care:

Owners agreed to continue with the services of Garden Guise.

A quote of \$350 was discussed to remove and dispose of yukkas within the common property in front of unit 8 and it was agreed that Maggie and Sally Anne would meet on site to ascertain which trees need removal from common property and then arrange a quote for same.

Termite Responsibility: The Manager advised that for Strata Community Titles any termite damages within a lot would be a community responsibility unless the entry of termites had resulted from negligence on the part of an owner, agent or their tenant. For ordinary Community Titles any termite damages within a lot would be the lot holder's responsibility. It was also noted that damage caused by termites was not an insured event in terms of the building insurance policy. The Manager recommended that termite inspections should occur annually.

Termite Inspections: Owners agreed not to have the units inspected for termite activity this year, but to defer until 2022, expecting a more stable time by then.

Rubbish Collection: Owners requested the Manager send a letter to all residents as a reminder, not to leave their bins out the front of units and overflowing. They are to be kept at the back of the units, out of sight.

Pump Maintenance: Owners agreed to have a more scheduled service on the 2 sump pumps, rather than wait and react to blockages as they occur.

The Manager suggested a call to Pump X who attended last, to provide their recommendations as to how often the pumps should be serviced.

Neil suggested to gauge the regularity on the last blockage and then arrange a service 6 months from then, or if still experiencing problems, do every 4 months.

It was resolved that once the price is known to the Committee, they can decide and advise the Manager.

The owners can compare the cleaning cost over scheduled servicing next year.

It was agreed to increase the estimate for emergency maintenance to \$1,600 to cover pump servicing.

BUDGET:

The Manager circulated and presented the budget estimates proposal and pointed out that there were various philosophies that could be adopted to establish a budget.

1. A balanced budget which does not accrue any funds for future known or unknown however predictable expenditures; or
2. An accrued budget which sets aside a proportion of regular contributions for the specific purpose of providing for future expenditure eg. driveway maintenance, fencing etc (known as a Reserve Fund or Sinking Fund).

It was resolved following discussion that the following recommended Budget Estimates be adopted.

All agreed.

| DESCRIPTION | ESTIMATES |
|------------------------------------|----------------|
| COMMON PROPERTY MAINTENANCE | |
| Emergency Maintenance | \$1,600 |
| Grounds Care | \$650 |
| RECURRENT EXPENDITURE | |
| Management Fees (primecare) | \$1,864 |
| Meeting Fee (1st 1.5 hrs) | \$195 |
| Venue Hire | \$0 |
| Bank Charges | \$35 |
| Postage & Copying | \$150 |
| Insurance (due 14/12/20) | \$2,500 |
| Insurance Excess | \$1,000 |
| Electricity | \$450 |
| Audit Fee | \$192 |
| Income Tax Payment | \$35 |
| Income Tax Return | \$207 |
| TOTAL ESTIMATED COSTS | \$8,878 |

| | |
|---|----------------|
| ADMINISTRATION FUND INCOME | |
| Annual Maintenance Fund contributions | \$6,500 |
| Plus Bank Interest | \$120 |
| Plus Arrears for Units | \$0 |
| Minus Advances for Units | (\$991) |
| Plus Other Income | \$0 |
| Total Income = | \$5,629 |
| Plus last years balance brought forward | \$4,482 |
| Minus Total Estimated Costs | \$8,878 |
| Transfers to (+) or from (-) Sinking Fund | \$0 |
| Maintenance Fund Closing Balance | \$1,233 |

| | |
|---|----------------|
| SINKING FUND INCOME | |
| Annual Sinking Fund contributions | |
| Transfers from Administration Fund | \$0 |
| Plus Special Levies | \$0 |
| Total Income = | \$0 |
| Plus last years balance brought forward | \$8,543 |
| Less Painting | \$0 |
| Sinking Fund Closing Balance = | \$8,543 |

CONTRIBUTIONS:

Administration Fund: In accordance with this resolution, the total quarterly contribution to the Administration Fund will remain at \$1,625.

Sinking/Reserve Fund: In accordance with this resolution, the total quarterly contribution to the Sinking/Reserve Fund will remain at \$0 .

Contributions are divisible by lot entitlement as defined upon the deposited plan.

The Manager asked is there was any reason they have stopped contributing to their sinking fund and was advised

they previously decided to stop contributing, as they had sufficient funds available for now and all agreed to keep levies the same.

Unit 8 owner advised his frustration over gas pipes having to be re-laid which was identified as a construction problem and not funded from the sinking fund, which owners agreed, has been a common occurrence with Lot Holders bearing the cost.

OVERDUE CONTRIBUTIONS INTEREST & FEES:

Policy - Overdue Contributions Interest & Fees: That the payment of the Corporation Account Notice is the responsibility of each lot holder and accounts must be paid within twenty-eight (28) days of the due date for payment. If any account is not paid within 28 days of the due date lot owners are required to pay interest on the overdue amount at the rate of twelve (12%) per annum calculated from the due date until payment, and to pay all expenses incurred in pursuing recovery of overdue amounts including (but not limited to) legal fees, administrative costs, location and service fees and any commission payable to debt recovery consultants or solicitors. If the account is not paid by the due date a reminder notice will be sent with a late payment charge as per the contracted fee.

All agreed.

POLICIES & APPROVALS:

There were no matters raised for consideration.

OTHER BUSINESS:

There were no further items of other business raised.

The meeting was closed at 6.38 pm with a note of appreciation to those who participated.

*** TAX INVOICE INCLUDING GST ***

For supply of Search Documents by Meriso Pty Ltd t/a UnitCare Services
ABN 31 065 153 880 t/a UnitCare Services on
behalf of **COMMUNITY CORPORATION 24383 INC / UNIT NO: 2**

Name of requestee: BISHOP CONVEYANCING

Fax Number: admin@bishopconveyancing.com.au

This is a valid tax invoice and includes GST.

PAID

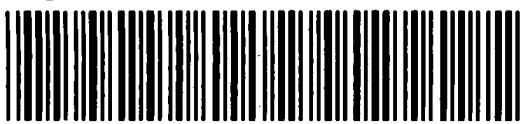
Total of the invoice = \$66.00 inc GST

THANK YOU FOR YOUR FULL PAYMENT OF THIS INVOICE

Gordon Russell cpm
Managing Director


Manager ALISON WELLS

Orig. LF 10842148



15:43 21-Nov-2007

2 of 4

Fees: \$0.00

| |
|------------|
| Prefix |
| LF |
| Series No. |
| 2 |

LANDS TITLES REGISTRATION

OFFICE

SOUTH AUSTRALIA

LODGEMENT FOR FILING UNDER
THE COMMUNITY TITLES ACT 1996

FORM APPROVED BY THE REGISTRAR-GENERAL

**BELOW THIS LINE FOR OFFICE &
STAMP DUTY PURPOSES ONLY**Lands Titl 08:30 23/11/07 i94300
REGISTRATION FEE \$108.00 ✓**BELOW THIS LINE FOR AGENT USE ONLY**AGENT CODE

Lodged by:

Correction to: R. B. WOODWARD (RBW2)TITLES, CROWN LEASES, DECLARATIONS ETC. LODGED WITH
INSTRUMENT (TO BE FILLED IN BY PERSON LODGING)

1.
2.
3.
4.

| | |
|-------------|----------|
| PICK-UP NO. | |
| CP | CP 24383 |

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

| ITEM(S) | AGENT CODE |
|---------|------------|
| | |
| | |
| | |
| | |
| | |

| | |
|-------------------|--------|
| CORRECTION | PASSED |
| FILED 26-11-07 | |
| REGISTRAR-GENERAL | |

MANDELL GROUP P/L
(A.C.N. 119 098 583)

COMMUNITY SCHEME DESCRIPTION

PLAN NO. 24383

**39 THIRZA AVENUE
MITCHELL PARK**

MANDELL GROUP PTY LTD (A.C.N.119 098 583)

COMMUNITY SCHEME DESCRIPTION

PLAN NO. 24383....

39 THIRZA AVENUE MITCHELL PARK

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1. IDENTIFICATION OF THE COMMUNITY PARCEL, LOTS AND COMMON PROPERTY

- 1.1 The community parcel, the lots and common property into which the parcel is to be divided, are identified in community plan number
- 1.2 The community plan is a primary plan comprising eight community lots and common property.
- 1.3 There are no development lots.
- 1.4 The community plan is part of a residential land and building development in which the purchasers of the lots from the original lot owner (being MANDELL GROUP PTY LTD) or the original lot owner will be required to complete the construction of a dwelling and associated landscaping on each community lot.

2 PURPOSES FOR WHICH THE LOTS AND COMMON PROPERTY MAY BE USED

- 2.1 The community lots will be used only for residential purposes.
- 2.2 Not more than one dwelling may be erected on each community lot.
- 2.3 The common property shall consist of a driveway to enable access to the community lots by the lot owners and their invitees and for the installation and placement of common service infrastructure to and from the community lots.

3. STANDARD OF BUILDINGS AND OTHER IMPROVEMENTS

- 3.1 For the standard of buildings and other improvements to be erected or made by the purchaser of the lot from the original lot owner (which purchaser of the community lot is for the purpose of this Scheme Description called "the Purchaser") or the original Lot owner refer to paragraphs 5 and 6 of this Scheme Description.
- 3.2 Any additional buildings or improvements, or alterations or additions to existing buildings or improvements, or replacement of existing buildings or improvements, whether on a community lot or common property, shall be located, designed and constructed in a manner consistent with the Development Plan of the Council (which Council for the purpose of this Scheme Description is the "City of Marion").

4. OBLIGATIONS TO DEVELOP COMMUNITY LOTS

- 4.1 Each Purchaser or the original Lot owner will construct a dwelling and undertake associated development and landscaping on their community lot in accordance with approval granted by the Council under the Development Act 1993.
- 4.2 Building Construction of a residential dwelling (which for the purpose of the Scheme Description is called the "lot construction") on each community lot by the Purchaser or the original Lot Owner will commence within Twelve (12) months of the date of settlement of that community lot by the Purchaser or the date hereof by the original Lot owner and will be completed within twelve (12) months of commencement of the lot construction.

5. ORIGINAL LOT OWNERS OBLIGATIONS TO IMPROVE OR DEVELOP THE COMMON PROPERTY

- 5.1 The original lot owner will complete construction on the common property of the driveway, landscaping and service infrastructure in accordance with development approval (which for the purpose of this Scheme Description are called the "Development Works").
- 5.2 The standard of the Development Works to be performed by the original lot owner and the materials to be used on the community lots will be a fair average standard or such higher standard as the original lot owner in its absolute discretion may determine and in a manner consistent with the Development Plan of the Council.
- 5.3 The driveway will be constructed of interlocking concrete paving.
- 5.4 The original lot owner will commence the construction of the Development Works within three (3) months of the Council approval of this Scheme Description and complete the Development Works not later than six (6) months from the commencement of construction of the Development Works.

6. DEVELOPMENT CONDITIONS PURSUANT TO THE DEVELOPMENT ACT 1993

The division of the Community Parcel into the Community lots and Common property and any lot construction or Development Works upon the Common Property shall be:

- 6.1 Designed and constructed in a manner consistent with the Development Plan of the Council; and
- 6.2 Completed in accordance with the conditions of the Development Approval of the Council attached hereto marked Annexure I.

7. OTHER IMPORTANT FEATURES OF THE SCHEME

- 7.1 There shall be no division of a community lot by a secondary plan.
- 7.2 There shall be no development lot.

8. OTHER INFORMATION REQUIRED BY THE REGULATIONS

No other information is required by the regulations.

9. DEFINITIONS AND INTERPRETATIONS

The definitions and interpretations set out herein and set out in Section 3 of the Community Titles Act 1996 shall apply to this Scheme Description and unless the context otherwise requires, the expressions:-

- 9.1 "the Act" means the Community Titles Act 1996, as amended;

9.2 "Common Property" means the common property designated in the plan of Community Division"

9.3 "Community Lot" means a lot created by division under the act;

9.4 "Community Parcel" means the land divided by a plan of community division but does not include a street, road, thoroughfare, reserve or other similar open space vested in a council or prescribed authority or that has reverted to the Crown;

9.5 "Community Plan" means a plan that divides land into lots and common property;

9.6 "Development Plan" means the Development Plan of the Council;

9.7 "Development Approval" means the approval granted under the Development Act 1993 dated _____ and bearing development no. 100/c110/07 annexed to this Scheme Description as Annexure I;

9.8 "Development Lot" that meaning defined is Section 8 of the Act; and

9.9 "Secondary Plan" means a plan community division that divides land comprising a primary lot.

11. ENDORSEMENT BY DEVELOPMENT AUTHORITY

The City of Marion hereby endorses this Scheme Description pursuant to Section 14 (4) (d) of the Community Titles Act 1996.

1. All the consents or approvals required under the Development Act 1993 in relation to the division of the land (and a change in the use of the land) in accordance with this Scheme Description and the relevant Plan of Community Division under the Community Titles Act 1996 have been granted.
2. This endorsement does not limit a relevant authority's right to refuse or to place conditions on development authorisation under the Development Act 1993 in relation to any other development envisaged by this Scheme Description.

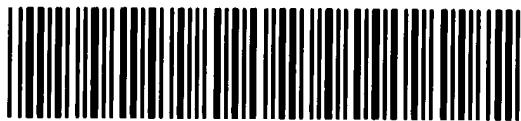
This Scheme Description is endorsed by the City of Marion as the relevant planning authority.

Dated this 15 day of November 2007

Signed: *Marie May Benson*
Name and office of signatory

Witness: *Dylan O'Brien*

Orig. LF 10842149



15:43 21-Nov-2007

3 of 4

Fees: \$0.00

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| Prefix |
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LANDS TITLES REGISTRATION

OFFICE

SOUTH AUSTRALIA

LODGEMENT FOR FILING UNDER
THE COMMUNITY TITLES ACT 1996

FORM APPROVED BY THE REGISTRAR-GENERAL

**BELOW THIS LINE FOR OFFICE &
STAMP DUTY PURPOSES ONLY**Lands Titl 08:30 23/11/07 194300
REGISTRATION FEE \$108.00**BELOW THIS LINE FOR AGENT USE ONLY**AGENT CODE

Lodged by:

Correction to: R. B. Woodward (RBW2)TITLES, CROWN LEASES, DECLARATIONS ETC. LODGED WITH
INSTRUMENT (TO BE FILLED IN BY PERSON LODGING)

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| PICK-UP NO. | |
| CP | 24383 |

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

| ITEM(S) | AGENT CODE |
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BY – LAWS

COMMUNITY PLAN NO. 24383

39 THIRZA AVENUE

MITCHELL PARK

INDEX

| BY-LAW NO | DESCRIPTION |
|-----------|-------------|
|-----------|-------------|

1. *Administration, Management and Control of Common Property*
2. *Use and Enjoyment of the Common Property*
3. *Use and Enjoyment of Community Lots*
4. *Maintenance and Repair of Buildings*
5. *Maintenance of Community Lot*
6. *Disturbance*
7. *Insurance of Community Corporation*
8. *Building Insurance*
9. *Public Liability Insurance*
10. *Pets*
11. *Internal Fencing*
12. *Offence*
13. *Community Corporation's Right to Recover Money*
14. *Interpretation*

COMMUNITY TITLES ACT, 1996
BY-LAWS OF COMMUNITY SCHEME

[The terms of these By-laws are binding on the Community Corporation, the owners and occupiers of the community lots comprising the scheme and persons entering the community parcel. These By-laws may only be amended or revoked by special resolution of the Community Corporation in accordance with Section 39 of the Community Titles Act and Regulations]

1. Administration, Management and Control of Common Property

The Community Corporation is responsible for the administration, management and control of the common property.

2. Use and Enjoyment of the Common Property

- 2.1 The common property is, subject to the Act and these By-laws, for the common use, access and enjoyment of residents in the Community Scheme.
- 2.2 A person must not, without the authorisation of the Community Corporation, damage or interfere with a building, structure, tree or garden on the Common Property.
- 2.3 A person must not without the authorisation of the Community Corporation, deposit any object or material on the Common Property if it is likely to be hazardous or offensive to other persons using or adjacent to the Common Property.
- 2.4 The speed on the Common Property driveway is limited to 10 kilometers per hour.

3. Use and Enjoyment of Community Lots

No building erected on a Community Lot shall be used or occupied otherwise than as a residence unless such other use has been approved by the Community Corporation.

4. Maintenance and Repair of Buildings

- 4.1 The owner of a community lot must maintain and keep in good repair buildings and structural improvements to the lot (including paintwork and external finishes).
- 4.2 The external finish is to be consistent with the original décor and agreed to by the Community Corporation.

5. Maintenance of Community Lot

- 5.1 The owner of a community lot must keep the lot in a clean and tidy condition.
- 5.2 The owner of a community lot must properly maintain lawns and gardens on the community lot.

- 5.3 The owner of a community lot must:-
 - 5.3.1 store garbage in an appropriate container that prevents the escape of unpleasant odors and
 - 5.3.2 comply with any requirements of the Council for the disposal of garbage.
- 5.4 Planting of any trees is subject to the consent of the Community Corporation.

6. Disturbance

- 6.1 The owner of a community lot must not engage in conduct that unreasonably disturbs the occupier of another community lot or others who are lawfully on a community lot or the Common Property.
- 6.2 The owner of a community lot must ensure, as far as practicable, that persons who are brought or allowed onto the community lot or the common property by the owner do not engage in conduct that unreasonably disturbs the occupier of another community lot or others who are lawfully on a community lot or the Common Property.

7. Insurance by Community Corporation

- 7.1 The Community Corporation shall effect such insurance as is required by Sections 103 and 104 of the Act.
- 7.2 An owner or occupier of a community lot must not, except with the approval of the Community Corporation, do anything that might:-
 - 7.2.1 void or prejudice insurance effected by the Community Corporation; or
 - 7.2.2 increase any insurance premium payable by the Community Corporation.

8. Building Insurance

The owner of each community lot shall insure all buildings and other improvements on the lot in accordance with their own requirements and the Community Corporation shall have no responsibility in respect thereof. The owners shall provide annually, a copy of the Certificate of Currency of the building insurance to the Community Corporation.

9. Public Liability Insurance

The owner of each Community Lot shall effect and keep current in respect of their Community Lot a Public Risk Policy in sum of not less than \$10 million and must provide the Community Corporation as requested by the Community Corporation from time to time, evidence of a current policy of insurance effected by the proprietor in terms of this By-Law.

10. Pets

10.1 An owner of a community lot is entitled:-

- 10.1.1 to keep a maximum of one cat and/or dog on a community Lot and
- 10.1.2 if the occupier is a person who suffers from a disability – to keep a dog trained to assist the occupier in respect of that disability.

10.2 An owner of a community lot must not keep an animal on a community lot except as authorised by this section or the corporation.

11. Internal Fencing

The provisions of *The Fences Act 1975* (as amended) shall apply as between the owners of adjoining community lots.

12. Offence

A person who contravenes or fails to comply with a provision of these By-laws is guilty of an offence

Maximum Penalty: \$500.00

13. Community Corporation's Right to Recover Money

- 13.1 The Community Corporation may recover any money owing to it under the By-laws as a debt.
- 13.2 An owner of a community lot must pay or reimburse the Community Corporation on demand for the costs, charges and expenses of the Community Corporation in connection with contemplated or actual enforcement, or preservation of any rights under the By-laws in relation to the proprietor or occupier.
- 13.3 The costs, charges and expenses recoverable by the Community Corporation shall include without limitation, those expenses incurred in retaining any independent consultant or other person to evaluate any matter of concern and its administration costs in connection with those events.
- 13.4 The Community Corporation may charge interest on any overdue monies owed by a proprietor or occupier of a lot to the Community Corporation at the rate of TWO PER CENT (2%) per annum above the rate quoted by the Community Corporation's Bankers on overdraft accommodation less than \$100,000.00, calculated on daily balances commencing from the day that the money becomes due for payment provided any interest charged is in accordance with Regulation 20 of the Act.

14. Interpretation

In these By-laws

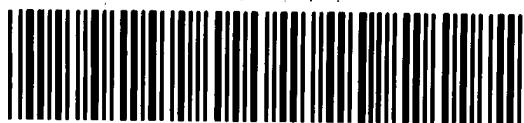
- 14.1 **"Act"** means the *Community Titles Act 1996* as amended.
- 14.2 **"Community Corporation"** means the Community Corporation created by the Deposit of the Plan of Community Division in respect of which these By-Laws are lodged.
- 14.3 **"Community Lot"** means a community lot created by Plan of Community Division referred to above.
- 14.4 **"Community parcel"** means the whole of the land comprised in Plan of Community Division referred to above excluding any land thereby vested in a Council, the Crown or a prescribed authority.
- 14.5 **"occupier"** of a community lot includes, if the lot is unoccupied, the owner of the lot.
- 14.6 Except where otherwise appears words shall have the same meaning as are set out in the Act.

SIGNED by the APPLICANT
MANDELL GROUP PTY LTD
(A.C.N. 119 098 583)

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.....
By authority of the Director
who executes in his capacity as director
of the company

.....
By authority of the Director/Secretary
who executes in his capacity as director/
secretary of the company/

Orig. **LF 10842150**

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4 of 4

Fees: \$0.00

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LANDS TITLES REGISTRATION

OFFICE

SOUTH AUSTRALIA

**LODGEMENT FOR FILING UNDER
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FORM APPROVED BY THE REGISTRAR-GENERAL

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TERMS OF INSTRUMENT NOT
CHECKED BY LANDS TITLES OFFICE

Development Contract
Development No. 100/C110/07

COMMUNITY TITLES ACT 1996

DEVELOPMENT CONTRACT

COMMUNITY CORPORATION NO. 24383 INC

39 THIRZA AVENUE, MITCHELL PARK

COMMUNITY TITLES ACT 1996
DEVELOPMENT CONTRACT
COMMUNITY PLAN NO. 24383

INDEX

1. Interpretation
2. Important Notice
3. Description of Development
4. Common Property
5. Developers Authorisation
6. Developers Undertakings
7. Features of Development
8. Internal Fencing
9. Services
10. Completion of Works

**COMMUNITY TITLES ACT 1996
DEVELOPMENT CONTRACT
COMMUNITY PLAN NO. 24383**

1. INTERPRETATION

In this Development Contract:

'Act' means the Community Titles Act 1996.

'By-Laws' means By-Laws filed with this Development Contract.

'Common Property' means the Common Property defined in the Plan of Community Division.

'Community Parcel' means the land situated at 39 Thirza Avenue Mitchell Park 5043 the State of South Australia being Allotment 100 in DP 74058 being the whole of The Land Comprised in Certificate of Title Register Book Volume 5991 Folio 83.

'Corporation' means the Community Corporation established when the Plan of Community Division is deposited by the Registrar General in the Lands Titles Registration Office.

'Council' means the City of Whyalla.

'Developer' means Mandell Group Pty Ltd (ACN 119 098 583) and any other owner of the Community Parcel prior to deposit of the Plan of Community Division and after the deposit of the Plan of Community Division.

'Development Consent' means the development authorisation under the Development Act 1993 approved by the council as amended or modified from time to time.

'Plan of Community Division' means the community plan deposited with this Development Contract.

'Scheme Description' means the Scheme Description filed with this Development Contract.

2 IMPORTANT NOTICE

2.1 The Development Contract contains details of a community scheme which is proposed to be developed on the Community Parcel.

Interested parties are advised that the obligation contained in this Development Contract may only be varied or terminated in accordance with the provisions of Sections 50, 69 (8) or 70 (8) of the Act.

2.2 This contract should not be considered alone, but in conjunction with the results of searches and enquires made in respect of the community scheme concerned. Attention is drawn in particular to the Scheme Description and By-Laws which set out the management rules governing this community scheme and which provide details of the rights and obligations of lot owners under this community scheme and the manner in which the community scheme will be developed by the developer.

2.3 Further particulars about details of the scheme are available at:

2.3.1 The council

2.3.2 The Development Assessment Commission (see approval No. 100/C110/07)

2.4 The terms of this Development Contract are binding on the Developer and any subsequent purchaser of Lots 1 to Lot 8 both inclusive. In addition the Developer covenants with the owners and subsequent owners and each of them severally to develop Lots 1 to 8 both inclusive in accordance with the Development Consent.

3. DESCRIPTION OF DEVELOPMENT

The property known as 39 Thirza Avenue Mitchell Park 5043 in the State of South Australia being Allotment 100 in DP 74058 being the whole of The Land Comprised in Certificate of Title Register Book Volume 5991 Folio 83.

The land is to be developed into 8 Community Lots for residential dwellings and Common Property.

4. COMMON PROPERTY

The developer will construct a paved driveway and shall install the service infrastructure in accordance with the planning approval conditions in the Planning Decision Notification issued for development numbers 100/C110/07.

5. DEVELOPER'S AUTHORISATION

The obligations of the Developer under this Development Contract are expressly subject to such planning authorisation being obtained.

| | |
|---|---|
| Terms of Instrument Not Checked By Lands Titles Office | Development Contract Development No: 100/C110/07 |
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6. DEVELOPER'S UNDERTAKINGS

- 6.1 The Developer undertakes to the owners and occupiers from time to time of the Community Lots and to the Corporation that in carrying out the proposed development he will interfere as little as is reasonably practicable with the use and enjoyment by the owners and occupiers of the Community Lots and the Common Property.
- 6.2 The Developer undertakes to the owners and occupiers from time to time to the Community Lots and the Corporation that he will pay the costs of repairing any damage caused by the developer to a Community Lot or to the Common Property or to any building or other property on any Community Lot or the Common Property.

7. FEATURES OF DEVELOPMENT

The Developer shall develop the 8 lots and other associated facilities in accordance with the Development Consent. The standard of work to be performed and the materials to be used shall be fair average standard or such higher standard as the developer in his absolute discretion may determine.

8. INTERNAL FENCING

Fencing of the lots shall be restricted to a division fence between and to the dwellings to be constructed on the Community Lots.

The provisions of the Fences Act 1975 (as amended) shall apply as between the owners of adjoining community lots.

9. SERVICES

9.1 Electricity, Telephone

- 9.1.1 The Electrical wiring and telephone wiring are to be provided and installed by the Developer so that each Community Lot can be connected to electricity and telephone.
- 9.1.2 The electrical wiring and telephone wiring are to be constructed underground within the Common Property.
- 9.1.3 Separate electricity meter boxes for each Community Lot shall be installed by the Developer.
- 9.1.3 Lighting shall be provided and installed by the Developer along the driveway constructed on the Common Property in order to properly light that area.

9.2 Water and Sewerage

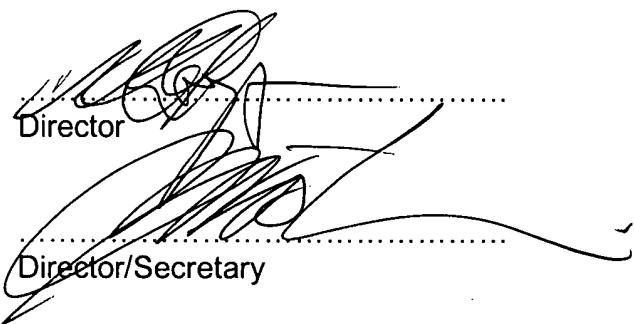
- 9.2.1 The Developer shall provide and install sewage services and all connections.
- 9.2.2 Water, sewerage and storm water services will be constructed by the Developer underground within the Common Property.

10. COMPLETION OF WORKS

- 10.1 The Developer undertakes to have the works set out in this development contract completed by 31st December 2008.

Executed by the Applicants

Executed by Mandell Group Pty Ltd
ACN 119 098 583
By the Authority of the Directors



Director

Director/Secretary



Insurance services

YOUR INSURANCE PARTNER

PC33417

verow
warranty

Certificate of Insurance

Weeks Peacock Quality Homes Pty Ltd
40 Barfield Crescent
ELIZABETH WEST SOUTH AUSTRALIA 5113

RECEIVED
10 APR 2007

Division III
Part V
Building Work Contractors Act 1995

CERTIFICATE IN RESPECT OF INSURANCE

Local Authority's Copy

Issue Date: 30/03/2007

Certificate No: RCW72838946

Contract Of Insurance Complies With: Division III of Part V
Of The: Building Work Contractors Act 1995

Issued By: Vero Insurance Limited
ABN 48 005 297 807

Building Contract Details

Contract Date: November 30, 2006

Declared Building Contract Value: \$125,969.00

(Refer policy for Indemnity limit)

Carried Out By: Weeks Peacock Quality Homes Pty Ltd

ABN: 97008087278

Licence No: BLD10238

In Favour Of: Mandell Pty Ltd

In Respect Of: Single Dwelling

At: Unit 2
Lot No. 100
Thirza Avenue
MITCHELL PARK SOUTH AUSTRALIA 5043

Permit Authority: City of Marion

Subject to the Act and the conditions of the insurance contract, cover will be provided to a beneficiary described in the contract and successors in the title to the beneficiary. This certificate is to be read in conjunction with the policy wording.

N AH5W33QR8MH1 Printed 30/03/2007

Signed for and on behalf of the insurer:

CITY OF MARION
DEVELOPMENT SERVICES

9 APR 2007

RECEIVED

Insurer: Vero Insurance Limited ABN 48 005 297 807