



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 5391 Folio 321

**Parent Title(s)** CT 4078/326

**Creating Dealing(s)** CONVERTED TITLE

**Title Issued** 14/01/1997      **Edition** 5      **Edition Issued** 06/01/2017

### Estate Type

FEE SIMPLE

### Registered Proprietor

LEONARD JAMES FATCHEN  
 ANDREA LYNNE FATCHEN  
 OF 2 ALPINE ROAD HAPPY VALLEY SA 5159  
 AS JOINT TENANTS

### Description of Land

ALLOTMENT 264 DEPOSITED PLAN 10288  
 IN THE AREA NAMED HAPPY VALLEY  
 HUNDRED OF NOARLUNGA

### Easements

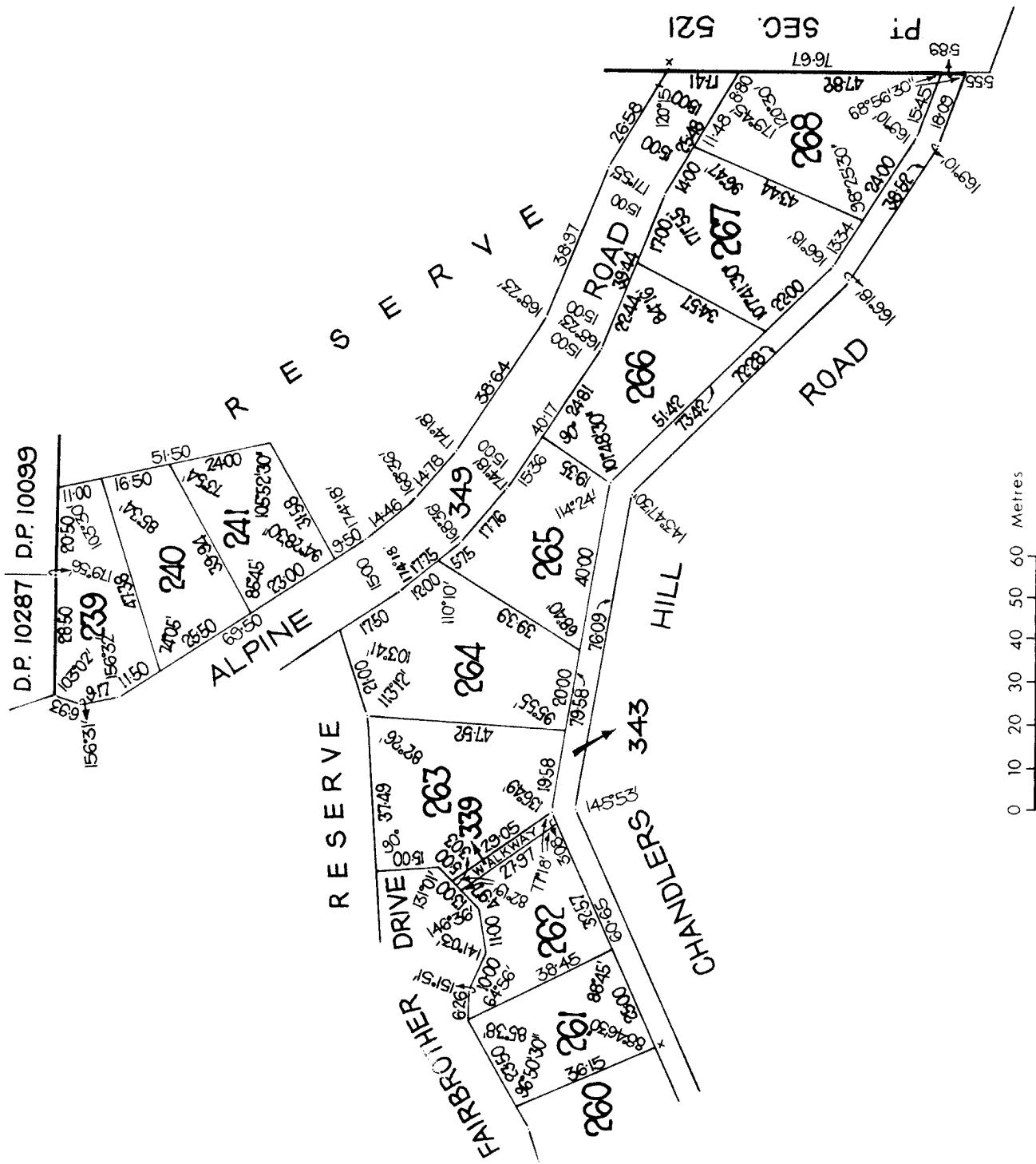
NIL

### Schedule of Dealings

Dealing Number	Description
4369612	ENCUMBRANCE TO SOUTH AUSTRALIAN URBAN PROJECTS AUTHORITY (SINGLE COPY ONLY)
10618236	MORTGAGE TO WESTPAC BANKING CORPORATION (SINGLE COPY ONLY)

### Notations

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



# Property Interest Report

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

Title Reference	CT 5391/321	Reference No. 2452743
Registered Proprietors	L J & A L*FATCEN	Prepared 28/03/2023 14:52
Address of Property	2 ALPINE ROAD, HAPPY VALLEY, SA 5159	
Local Govt. Authority	CITY OF ONKAPARINGA	
Local Govt. Address	PO BOX 1 NOARLUNGA CENTRE SA 5168	

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

## Table of Particulars

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

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

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	<b>An Emergency Services Levy Certificate will be forwarded.</b> 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 <a href="http://www.revenuesaonline.sa.gov.au">www.revenuesaonline.sa.gov.au</a>
-----	---------------------------------	---

## 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
<b>9. Fences Act 1975</b>		
9.1	section 5 - Notice of intention to perform fencing work	Contact the vendor for these details
<b>10. Fire and Emergency Services Act 2005</b>		
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
<b>11. Food Act 2001</b>		
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
<b>12. Ground Water (Qualco-Sunlands) Control Act 2000</b>		
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
<b>13. Heritage Places Act 1993</b>		
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
<b>14. Highways Act 1926</b>		
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
<b>15. Housing Improvement Act 1940 (repealed)</b>		
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
<b>16. Housing Improvement Act 2016</b>		

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

## **17. *Land Acquisition Act 1969***

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

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

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

Act

18.18 section 209 - Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act  
The regional landscape board has no record of any notice affecting this title

18.19 section 211 - Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act  
The regional landscape board has no record of any notice affecting this title

18.20 section 215 - Orders made by ERD Court  
The regional landscape board has no record of any notice affecting this title

18.21 section 219 - Management agreements  
The regional landscape board has no record of any notice affecting this title

18.22 section 235 - Additional orders on conviction  
The regional landscape board has no record of any notice affecting this title

## **19. *Land Tax Act 1936***

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

O'Sullivan Beach - proposed amendment seeks to rezone two vacant allotments of approximately 6 hectares, from Strategic Employment Zone to General Neighbourhood Zone, to allow for low to medium density residential development. For more information please refer to the 'Code Amendments' page on the PlanSA portal: or contact the City of Onkaparinga Council.

**Code Amendment**

Hackham Code Amendment - seeks to rezone approx. 235 hectares of largely rural land in Hackham and Old Noarlunga as Master Planned Neighbourhood Zone. The affected land is located along Hegenstal Rd, Gates Rd, River Heights Rise, Church Hill Rd, Patapinda Rd, Piggott Range Rd & Main South Rd. Please refer to the 'Code Amendments' page on PlanSA portal: or contact the City of Onkaparinga.

**Code Amendment**

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

**Code Amendment**

Thaxted Park Golf Course - proposes to rezone two areas of the existing Thaxted Park Golf Course land from the 'Recreation Zone' to the 'General Neighbourhood Zone', to support low-rise (one and two storey) residential development. For more information, refer to the 'Code Amendments' page on PlanSA portal: [https://plan.sa.gov.au/have\\_your\\_say](https://plan.sa.gov.au/have_your_say) or phone 1800752664.

29.2 section 127 - Condition (that continues to apply) of a development authorisation  
*[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*

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

also

Contact the Local Government Authority for other details that might apply

29.3	section 139 - Notice of proposed work and notice may require access	Contact the vendor for these details
29.4	section 140 - Notice requesting access	Contact the vendor for these details
29.5	section 141 - Order to remove or perform work	State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.6	section 142 - Notice to complete development	State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.7	section 155 - Emergency order	State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.8	section 157 - Fire safety notice	Building Fire Safety Committee in the Department for Trade and Investment has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.9	section 192 or 193 - Land management agreement	Refer to the Certificate of Title
29.10	section 198(1) - Requirement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.11	section 198(2) - Agreement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.12	Part 16 Division 1 - Proceedings	Contact the Local Government Authority for details relevant to this item also Contact the vendor for other details that might apply
29.13	section 213 - Enforcement notice	State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.14	section 214(6), 214(10) or 222 - Enforcement order	Contact the Local Government Authority for details relevant to this item also State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title

### 30. *Plant Health Act 2009*

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

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

	Part 3 - Notice	Public Health in DHW has no record of any notice or direction affecting this title
31.1		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) (revoked) Part 2 - 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
31.3	<i>Public and Environmental Health (Waste Control) Regulations 2010 (revoked) regulation 19 - Maintenance order (that has not been complied with)</i>	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	<b>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</b>
		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](mailto:DEWwaterlicensing@sa.gov.au).

## MEMORANDUM OF ENCUMBRANCE

SINGLE COPY  
ONLY

(single copy only)

Memorandum: A Memorial of the within Instrument

No. was entered in the Register  
 Book, Vol. 4078 Folio 326  
 the 24 day of 5 1979  
 at 11 o'clock.

*D. J. Randall*

Certificate of Registrar-General, Justice of the Peace, etc., before whom instrument may have been executed by the parties thereto.

Appeared before me at *St Marys*  
 the *Second* day of *April*  
 one thousand nine hundred and seventy-nine  
 Leonard James Fatchen and Margaret  
 Florence Fatchen within described  
 the part/ies executing the within instrument, being  
 person well known to me and did freely and voluntarily sign  
 the same.

(Signed) *R. J. Fatchen*  
 A Justice of the Peace in and for the  
 State of South Australia

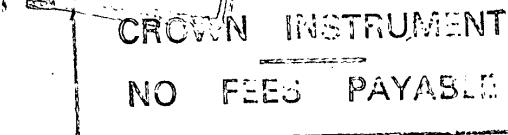
Certificate of Registrar-General, Justice of the Peace, etc.  
 taking declaration of attesting witness.

Appeared before me at  
 the day of  
 one thousand nine hundred and

(hereinafter called "the Witness") a person known to me and of good repute, attesting witness to this instrument, and acknowledge the signature of the Witness to the same; and did further declare that

within described  
 (hereinafter called "the Signatory") the party executing the same is personally known to the Witness that the signature to the said instrument is in the handwriting of the Signatory and that the Signatory did freely and voluntarily sign the same in the presence of the Witness and the Signatory was at that time of sound mind.

(Signed) *R. J. Fatchen*  
 A Justice of the Peace in and for the  
 State of South Australia

*Colin D. Fox*

Licensed Land Broker,

Adelaide

FEES PAID	
27 APR 1979	Time 12.05
NFP	
L.T.O. Fees.	
Noting .....	
Advertising .....	

Ledged by .....	State Crown Law Office
Correction to .....	Adelaide
Delivery of C.T. to .....	
Delivery of .....	

Crown Law Department,

Adelaide

(2) If there shall be more than one person responsible hereunder as the Encumbrancer or as a successor in title to the Encumbrancer the liability of all such persons shall be both joint and several.

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

DATED the ..... 2nd ..... day of April ..... 19 79

SIGNED by the said LEONARD JAMES  
FATCHEN and MARGARET FLORENCE  
FATCHEN this ..... Second ..... day of  
..... April ..... 19 79

in the presence of

L.J. Fatchen J.P.

L.J. Fatchen  
M.J. Fatchen

(b) failing to substantially commence the erection of a dwelling house upon the said land in accordance with the restrictions and stipulations herein contained and to have completed the building works in respect of the said dwelling house to the stage when the same may be made secure by locking up before the expiration of 84 calendar months from the date hereof or such further time as the Commission may in its absolute discretion agree with the encumbrancer (hereinafter referred to as "the building period"); or

(c) desiring to transfer or otherwise cease to be the registered proprietor of the said land as vacant land and giving notice in writing to the Commission of such desire.

The Commission may by written notice given to the encumbrancer within two calendar months after the expiration of the approval period or the expiration of the building period or the receipt by the Commission of the said notice of desire to transfer (as the case may be) (hereinafter referred to as "the relevant date") request the encumbrancer to transfer to the Commission or its nominee an estate in fee simple in the said land subject only to this encumbrance for a consideration *being the lower of:*

(a) the market value of the said land at the relevant date or

(b) the total purchase price for which the encumbrancer purchased the said land from the Commission;

provided that in the event of the encumbrancer having substantially commenced the erection of the said dwelling house but having failed to complete the building works to the stage when the same may be made secure by locking up the consideration hereinbefore provided shall be increased by an amount equal to the value of the works completed in respect of the said dwelling house at the relevant date whereupon the encumbrancer will execute a Memorandum of Transfer of the said land in a form registrable under the Real Property Act, 1886 as amended and deliver the same to the Commission together with the duplicate certificate of title for the said land. Rates and Taxes and all other outgoings in respect of the said land will be adjusted to the date of the said transfer and all costs associated with the said transfer and registration thereof shall be borne by the Commission or its nominee. The said consideration shall be payable to the encumbrancer upon delivery of the said transfer and duplicate certificate of title.

PROVIDED THAT (1) in the event of the encumbrancer being in default under the terms of any mortgage granted over the said land nothing in this encumbrance shall be construed as in any way affecting the rights of the mortgagee to exercise the power of sale contained in the said mortgage if the mortgagee in the exercise of its said power of sale gives the first option to purchase the said land to the Commission or its nominee for a price which subject to the mortgagee's obligations both at law and in equity in exercising its power of sale shall not exceed the consideration payable by the Commission to the encumbrancer in the event of the Commission repurchasing the said land pursuant to paragraph 6 hereof.

(2) any transfer of the said land from the Encumbrancer to the Commission pursuant to paragraph 6 hereof shall be subject to any mortgage granted over the said land and not fully discharged either before or upon the payment of the consideration in respect of such transfer.

- B. It is covenanted agreed and declared between the encumbrancer and the Commission that the encumbrancer will within 12 calendar months after the completion of the erection of a dwelling house upon the said land prepare develop and thereafter maintain the said land between the front alignment of the said dwelling house and the footpath alignment or pedestrian walkway fronting or bordering the said land in good order and condition.
- C. It is further covenanted agreed and declared between the encumbrancer his successors in title and the Commission that the commission may from time to time and at any time modify waive or release any of the covenants and other stipulations herein contained or implied.
- D. The encumbrancer and his successors in title shall be successively released and discharged from the payment of the said rent charge and from the observance and performance of the covenants and other stipulations herein contained and implied forthwith upon ceasing to be registered as the proprietor of the said land to the intent that the said rent charge and covenants and other stipulations shall be binding only upon the registered proprietor for the time being of the said land.

IN this instrument:

- (1) Unless repugnant to the context words importing any particular gender shall include all other genders and words importing the singular shall include the plural and vice versa;



## MEMORANDUM OF ENCUMBRANCE

LEONARD JAMES FATCHEN Plumber and MARGARET FLORENCE FATCHEN Home Duties  
both of 33 Southern Avenue St. Marys 5042

(hereinafter called "the encumbrancer") being registered as the proprietor of an estate in fee simple subject however to such encumbrances liens and interests as are notified by memorandum underwritten or endorsed hereon in ~~the whole of the land comprised in Certificate of Title Register Book Volume 4078 Folio 326~~

(hereinafter called "the said land") IN CONSIDERATION of the transfer of the said land to the encumbrancer by SOUTH AUSTRALIAN LAND COMMISSION a body corporate pursuant to the Land Commission Act 1973 and whose office is situated at 55 Gawler Place Adelaide 5000 in the said State (hereinafter with its successors and assigns called "the Commission") AND DESIRING to render the same available for the purposes of securing to and for the benefit of the Commission the rent charge hereinafter mentioned and the performance and observance of the covenants on the part of the encumbrancer hereinafter contained DO HEREBY ENCUMBER the said land for the benefit of the Commission with the payment of the annual sum or yearly rent charge of ten cents (10c) payable to the Commission (if demanded by the Commission) on the 30th day of June in each and every year commencing on the 30th day of June next after the execution hereof to the intent that the Commission shall hold the said rent charge in fee simple and with the performance and observance of the covenants on the part of the encumbrancer hereinafter contained PROVIDED THAT the Commission shall not demand payment of the said rent charge if and so long as the encumbrancer and his successors in title shall duly perform and observe all the covenants hereinafter contained (the burden of proving the performance and observance of which shall be borne by the encumbrancer), but so as none of the foregoing provisions for or in respect of payment of the said rent charge shall in any way affect or prejudice the rights of the Commission to an injunction to prevent or restrain any breach of the covenants and other stipulations hereinafter contained or to damages for any such breach.

A. The encumbrancer for himself and his successors in title HEREBY COVENANTS with the Commission and all other persons claiming under the Commission as purchasers of any part or parts of the land more particularly delineated in the plan deposited in the Lands Titles Registration Office, numbered 10288 (to the intent that the benefit of such covenants shall be annexed to each and every part of the land so delineated other than the land hereby encumbered) as follows:

1. To pay to the Commission the said annual sum of ten cents at the times and in the manner hereinbefore provided.
2. During the continuance of this encumbrance the encumbrancer shall not use or permit the said land or any part thereof to be used for any purpose other than as a private residence and in that regard shall not erect or permit to be erected or to remain upon the said land more than one dwelling house.
3. The encumbrancer will not resubdivide the said land or any part thereof.
4. Subject as herein otherwise provided the encumbrancer will not transfer the said land or otherwise howsoever cease to be the registered proprietor of the said land until a dwelling house shall have been erected upon the said land in accordance with the restrictions and stipulations herein contained.
5. In the event of the encumbrancer—
  - (a) failing to apply in writing to the Council pursuant to the provisions of the Building Act, 1970-1971 before the expiration of 72 calendar months from the date hereof or such further time as the Commission may in its absolute discretion allow (hereinafter referred to as the "approval period") for approval of the building work (namely the erection of a dwelling house) upon the said land; or

### **IMPORTANT INFORMATION REGARDING SEARCHES**

Duncan Sande & Associates  
PO Box 3033  
NORWOOD SA 5067

#### **Attention Conveyancers**

- **Section 187 certificate update request free of charge (One Update):**

- Penalties and interest, property charges, payments or dishonoured payments can impact account balances on a daily basis.

To assist with financial adjustments as close as practicable to the date of settlement, your **Section 187 certificate will now be valid for 90 days**. Within this period Council will offer one update request without charge. This update is to be obtained via the online portal.

It is important to note all searches advise when fines/interest will be applied. When receiving your update search, should it be evident that further penalties will be applied prior to settlement, you will need to still consider these additional amounts as part of your settlement statement calculations.

**Please Note: Section 7 certificates remain valid for a 30 day period only.**

- **BPAY biller code added to searches to enable electronic settlement of funds**

- Our BPAY biller code is now detailed on each search, enabling settlement funds to be disbursed to Council electronically. Please note that this is Council's preferred method of payment and we request that you cease the use of cheques to affect settlement.

- **How to advise Council of change of ownership?**

To also assist with the reduction of duplication of information being received from various agencies i.e. conveyancers and the Lands Titles Office, we are advocating that the **Purchaser's Conveyancer** to advise the change of ownership by following the below:

- If you are using e-conveyancing to affect a sale, please **only issue advice to Council if the mail service address is different to what was lodged via the transfer at the LTO**. Council's new practice is to update ownership details including the mailing address in accordance with the advice provided by the Valuer General. Council has amended this change to align with SA Water practices and to provide an improved customer experience overall.
  - If lodging in person at Lands Title Office – Please send the change of ownership advice to Council via [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au). Electronic settlement of funds is still preferred.

Yours sincerely



Julie Jansson  
**Team Leader**  
**Customer Relations**

**City Of Onkaparinga  
PO Box 1  
Noarlunga Centre SA 5168**



Telephone (08) 83840666 Facsimile (08) 8382 8744

**Certificate No:  
113163**

**Property Information And Particulars**

In response to an enquiry pursuant to Section 7 of the

**The Land & Business (Sale & Conveyancing) Act, 1994**

---

**TO:** Duncan Sande & Associates  
PO Box 3033  
NORWOOD SA 5067

**DETAILS OF PROPERTY REFERRED TO:**

ASSESSMENT NO	:	10092-6
VALUER GENERAL NO	:	1462308004
VALUATION	:	\$610,000
OWNER	:	Mrs A L Fatchen and Mr L J Fatchen
PROPERTY ADDRESS	:	2 Alpine Road, HAPPY VALLEY SA 5159
VOLUME/FOLIO	:	CT-5391/321
LOT/PLAN NUMBER	:	Allot 264 Sec 521 DP 10288
WARD	:	04 Pimpala Ward

---

Listed hereafter are the *MORTGAGES, CHARGES AND PRESCRIBED ENCUMBRANCES* in alphabetical order of *SCHEDULE 2*, Division 1 to which Council must respond according to *TABLE 1* of the *REGULATIONS UNDER THE LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994*.

In addition, Building Indemnity Insurance details are given, if applicable, pursuant to *SCHEDULE 2*, Division 2 to which Council must respond according to *TABLE 2* of the *REGULATIONS UNDER THE LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994*.

The information provided indicates whether any prescribed encumbrances exist on the land, which has been placed/imposed by, or is for the benefit of Council.

All of the prescribed encumbrances listed herein are answered solely in respect to a statutory function or registered interest of the Council, and do not infer any response to an enquiry on behalf of other persons or authorities.

Where a prescribed encumbrance requires a dual response, as described by *TABLE 1*, of *SCHEDULE 2*, of the *REGULATIONS UNDER THE LAND AND BUSINESS (SALE AND CONVEYANCING) ACT, 1994*, the enquirer should also refer a like enquiry to the Department for Transport Energy and Infrastructure.

Pursuant to the provisions of the *REGULATIONS UNDER THE LAND AND BUSINESS (SALES AND CONVEYANCING) ACT, 1994*, Council hereby provides the following information in response to your enquiries:

## INFORMATION NOTE

### CHANGES TO PLANNING POLICY AFFECTING LAND IN COUNCIL'S AREA

*The information provided in this note is additional to, and not in substitution of, any information provided in response to your request for statutory search information. The response to your request, provided with this note, does not reference changes to planning policy affecting all South Australian Councils.*

## Development Act 1993

### Section 42

Condition (that continues to apply) of a development authorisation

YES

Application Number: 145/3854/2001  
Description: Carport  
Decision: Approved  
Decision Date: 23-Nov-2001

#### Development Plan Consent Conditions

1. All development shall be completed in accordance with the plan(s) and documents submitted with and forming part of the development application except where varied by the following condition(s).
2. All stormwater drainage shall discharge so that it does not flow or discharge onto land of adjoining owners or in the opinion of Council detrimentally affect structures on this site or any adjoining land.
3. The garage shall be colour coated or painted a suitable low reflective earthy colour within 6 months of erection.
4. The colours and finishes of all external building materials shall match or complement those of the principal building(s).
5. The carport shall not be enclosed, have the walls clad or fitted with a roller door without the prior approval of Council.

Application Number: 145/3373/2000  
Description: Covered Pergola  
Decision: Approved  
Decision Date: 05-Dec-2000

#### Building Rules Consent Conditions

1. Stormwater shall be diverted away from the building and shall not pond against or near the footings and shall not be discharged onto adjoining land. Where drainage is directed to the street water table, this shall be by way of a Council approved storm water drainage system.

Application Number: 145/3854/2001  
Description: Carport  
Decision: Approved  
Decision Date: 23-Nov-2001

#### Building Rules Consent Conditions

1. Stormwater shall be diverted away from the building and shall not pond against or near the footings and shall not be discharged onto adjoining land. Where drainage is directed to the street water table, this shall be by way of a Council approved storm water drainage system.
2. The structure shall be constructed on the boundary as surveyed with no part of the structure encroaching beyond the boundary.
3. The proposed structure shall not be enclosed at any time without the prior consent of Council.

## Planning Act 1982 (repealed)

Condition (that continues to apply) of a development authorisation

YES

Application Number: 140/819/1987  
Description: Garage

Decision: Approved  
Decision Date: 26-Aug-1987

#### Development Plan Consent Conditions

1. That the proposed garage be painted, colorbonded or superbonded in a colour sympathetic to the natural features of the surrounding landscape within 12 months of the date of this approval to the satisfaction of the City Planner.
2. That the proposed garage be used for purposes accessory to the main use of the existing dwelling and not used for any business, commercial or industrial purposes.

### **Building Act 1971 (repealed)**

Condition (that continues to apply) of an approval or authorisation granted under the repealed authorisation

YES

Application Number: 140/780/1983  
Description: Pergola  
Decision: Approved  
Decision Date: 14-Dec-1983

#### Building Conditions

1. At no stage shall roofing material be placed upon or fixed to the proposed pergola without prior approval of council

Application Number: 140/819/1987  
Description: Garage  
Decision: Approved  
Decision Date: 26-Aug-1987

#### Building Conditions

1. The proposed garage shall be provided with a complete roof stormwater disposal system in accordance with Regulation 44.1a of the Building Act.

### **Planning and Development Act 1966 (repealed)**

Condition (that continues to apply) of a development authorisation

YES

## **Planning, Development and Infrastructure Act 2016**

### *Part 5 – Planning and Design Code*

#### **Zones**

Hills Neighbourhood (HN)

#### **Subzones**

NO

## **Zoning overlays**

#### **Overlays**

#### **Affordable Housing**

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

#### **Hazards (Bushfire - High Risk) (High)**

The Hazards (Bushfire - High Risk) Overlay seeks to ensure development responds to the high level of bushfire risk by siting and designing buildings to mitigate threat and impact of bushfires on life and property, facilitating access for emergency service vehicles and situating activities that increase the number of people living and working in the area away from areas of unacceptable bushfire risk.

#### **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.

#### **Native Vegetation**

The Native Vegetation Overlay seeks to protect, retain and restore areas of native vegetation.

#### **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.

#### **Water Resources**

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

Is the land situated in a designated State Heritage Place/Area?

NO

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?

*Council does not have trees listed in Part 10 - Significant Trees of the Planning and Design Code. However, there may be regulated or significant tree(s) on the site as defined by the Planning and Code that would require approval for maintenance pruning or removal.*

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/>

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?

*The Property Interest Report available through [Land Services SA](#) provides information necessary for Conveyancers to complete the Vendor's Statement.*

Note - For further information about the Planning and Design Code visit <https://code.plan.sa.gov.au>

#### *Section 127*

Condition (that continues to apply) of a development authorisation

NO

## **Part 2—Items to be included if land affected**

### **Development Act 1993 (repealed)**

#### *Section 50(1)*

Requirement to vest land in council to be held as open space

NO

#### *Section 50(2)*

Agreement to vest land in council to be held as open space

NO

#### *Section 55*

Order to remove or perform work	NO
<i>Section 56</i> Notice to complete development	NO
<i>Section 57</i> Land management agreement	NO
<i>Section 69</i> Emergency order	NO
<i>Section 71 (only)</i> Fire safety notice	NO

<i>Section 84</i> Enforcement notice	NO
<i>Section 85(6), 85(10) or 106</i> Enforcement order	NO
<i>Part 11 Division 2</i> Proceedings	NO

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

<i>Section 105F (or section 56 or 83 (repealed)</i> Notice	NO
---	----

<i>Section 56 (repealed)</i> Notice issued	NO
---	----

## **Food Act 2001**

<i>Section 44</i> Improvement notice <u>issued against the land</u>	NO
<b>There are no current Section 44 Notices of the Food Act 2001 issued under Standard 3.2.3 Food Premises and Equipment</b>	NO

<i>Section 46</i> Prohibition order	NO
--	----

## **Housing Improvement Act 1940 (repealed)**

<i>Section 23</i> Declaration that house is undesirable or unfit for human habitation	NO
--	----

## **Land Acquisition Act 1969**

<i>Section 10</i> Notice of intention to acquire	NO
---	----

## **Local Government Act 1934 (repealed)**

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

NO

## **Local Government Act 1999**

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

NO

Refer to separate attachment for Rates and Charges

## **Local Nuisance and Litter Control Act 2016**

### *Section 30*

Nuisance or litter abatement notice issued against the land

NO

## **Planning, Development and Infrastructure Act 2016**

### *Section 139*

Notice of proposed work and notice may require access

NO

### *Section 140*

Notice requesting access

NO

### *Section 141*

Order to remove or perform work

NO

### *Section 142*

Notice to complete development

NO

### *Section 155*

Emergency order

NO

### *Section 157*

Fire safety notice

NO

### *Section 192 or 193*

Land Management Agreements

NO

### *Section 198(1)*

Requirement to vest land in a council or the Crown to be held as open space

NO

### *Section 198(2)*

Agreement to vest land in a council or the Crown to be held as open space

NO

### *Part 16 - Division 1*

Proceedings

NO

### *Section 213*

Enforcement notice

NO

### *Section 214(6), 214(10) or 222*

Enforcement order

NO

## **Public and Environmental Health Act 1987 (repealed)**

### *Part 3*

Notice

NO

*Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) revoked*

Part 2 – Condition (that continues to apply) of an approval

Condition (that continues to apply) of an approval

NO

*Public and Environmental Health (Waste Control) Regulations 2010 revoked*

Regulation 19 - Maintenance order (that has not been complied with)

NO

## **South Australian Public Health Act 2011**

### *Section 92*

Notice

NO

*South Australian Public Health (Wastewater) Regulations 2013*

Part 4 – Condition (that continues to apply) of an approval

Condition (that continues to apply) of an approval

NO

## **Particulars of building indemnity insurance**

Details of Building Indemnity Insurance still in existence for building work on the land

NO

## **Particulars relating to environment protection**

### *Further information held by council*

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

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

NO

### **Note –**

The question relates to information that the council for the area in which the land is situated may hold. If the council answers “YES” to the question, it will provide a description of the nature of each development approved in respect of the land. The purchaser may then obtain further details from 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.

## **General**

### *Easement*

No easement exists for drainage purposes – Refer to Certificate of Title of subdivision plans (ie Deposited Plans, Community Plans, File Plans etc) for details of easements in the interests of other State Departments or Agencies).

NO

Are you aware of any encroachment on the easement?

NO

*Lease, agreement for lease, tenancy agreement or licence*

(The information does not include the information about sublease or subtenancy.

The purchaser may seek that information from the lessee or tenant or sublessee or subtenant.)

NO

*Caveat*

NO

**Other**

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

NO

**PLEASE NOTE:**

*The information provided is as required by The Land and Business (Sale and Conveyancing) Act 1994. The information should not be taken as a representation as to whether or not any other charges or encumbrances affect the subject land.*

This statement is made the 28-Mar-2023



Cherie Bonham  
Team Leader for Development Support

**AUTHORISED OFFICER**



# 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:

2452743

DUNCAN SANDE & ASSOCIATES  
POST OFFICE BOX 3033  
NORWOOD SA 5067

**DATE OF ISSUE**

29/03/2023

**ENQUIRIES:**

Tel: (08) 8226 3750

Email: revsaesl@sa.gov.au

OWNERSHIP NUMBER	OWNERSHIP NAME			
05590652	L J & A L FATCHEN			
<b>PROPERTY DESCRIPTION</b>				
2 ALPINE RD / HAPPY VALLEY SA 5159 / LT 264				
ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	CAPITAL VALUE	AREA / FACTOR	LAND USE / FACTOR
1462308004	CT 5391/321	\$610,000.00	R4 1.000	RE 0.400
<b>LEVY DETAILS:</b>				
<b>FINANCIAL YEAR</b>				
2022-2023				
	<b>FIXED CHARGE</b>	\$ 50.00		
	<b>+ VARIABLE CHARGE</b>	\$ 274.50		
	<b>- REMISSION</b>	\$ 178.65		
	<b>- CONCESSION</b>	\$ 0.00		
	<b>+ ARREARS / - PAYMENTS</b>	\$ -145.85		
	<b>= AMOUNT PAYABLE</b>	\$ 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**

27/06/2023



**Government of  
South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



# CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

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](http://www.revenuesa.sa.gov.au)  
Email: [revsupport@sa.gov.au](mailto:revsupport@sa.gov.au)  
Phone: (08) 8226 3750

**PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE**

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

**www.revenuesaonline.sa.gov.au**

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:

2452743

DUNCAN SANDE & ASSOCIATES  
POST OFFICE BOX 3033  
NORWOOD SA 5067

DATE OF ISSUE

29/03/2023

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

**OWNERSHIP NAME**  
L J & A L FATCHEN

**FINANCIAL YEAR**  
2022-2023

**PROPERTY DESCRIPTION**

2 ALPINE RD / HAPPY VALLEY SA 5159 / LT 264

<b>ASSESSMENT NUMBER</b>	<b>TITLE REF.</b> (A "+" indicates multiple titles)	<b>TAXABLE SITE VALUE</b>	<b>AREA</b>
1462308004	CT 5391/321	\$370,000.00	0.1572 HA

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

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

**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** 27/06/2023



**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](http://www.revenuesa.sa.gov.au)  
Email: [revsupport@sa.gov.au](mailto:revsupport@sa.gov.au)  
Phone: (08) 8226 3750

**PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE**

**Online at:**

**OR**

**By Post to:**

**[www.revenuesaonline.sa.gov.au](http://www.revenuesaonline.sa.gov.au)**

RevenueSA  
Locked Bag 555  
ADELAIDE SA 5001

---

**LOCAL GOVERNMENT RATES SEARCH**

28-Mar-2023

**TO:** Duncan Sande & Associates  
PO Box 3033  
NORWOOD SA 5067

**DETAILS OF PROPERTY REFERRED TO:**

Rates Assessment No	:	10092 -6
Valuer General No	:	1462308004
Valuation	:	\$610,000
Owner :		Mrs A L Fatchen and Mr L J Fatchen
Property Address	:	2 Alpine Road, HAPPY VALLEY SA 5159
Volume/Folio	:	CT-5391/321
Lot/Plan Number	:	Allot 264 Sec 521 DP 10288
Ward	:	04 Pimpala Ward

Pursuant to Section 187 of the Local Government Act 1999, I certify that the following amounts are due and payable in respect of, and are a charge against the above property.

Rates and Fines in Arrears (not paid 30 June 2022) and/or Block Clearing Charges	0.00
Postponed Amount in Arrears (if applicable) monthly interest of 0.31666% applies	0.00
Interest on Arrears charged in current financial year monthly interest of 0.48333% applies	0.00
<b>Rates for the current 2022-2023 Financial Year applicable from 1 July 2022:</b>	
Amount payable by 1 <sup>st</sup> September 2022	1,975.66
PLUS Current postponed amount (if applicable)	0.00
<b>Total Rates Levied 2022-2023</b>	<b>\$1,975.66</b>

**PLEASE NOTE:** If the quarterly payments are not received by the due date, a 2% fine will be added to that amount with interest added on the first working day of each month following, until the total amount overdue is paid

Less Council Rebate.	0.00
Less Council Capping Rebate	0.00
Less Council CWMS Rebate	0.00
Fines and interest for the current financial year (2% fine when rates first become overdue and 0.48333% interest applied per month thereafter)	9.86
Postponed Interest (0.31666% per month on total of postponed rates and interest)	0.00
Less paid current financial year	-1,492.52
Overpayment	0.00
Legal Fees and / or Bank Charges (current)	0.00
Legal Fees and / or Bank Charges (arrears)	0.00
Refunds, Rates Remitted or Small Balance Adjustments	0.00
Balance - rates and other monies due and payable	493.00
Property Related Debts	0.00
<b>BPAY Biller Code: 48470</b>	<b>TOTAL BALANCE</b>
<b>Ref: 100926</b>	<b>\$493.00</b>

Account Number **14 62308 00 4** L.T.O Reference **CT5391321** Date of issue **29/3/2023** Agent No. **198** Receipt No. **2452743**

DUNCAN SANDE & ASSOC  
PO BOX 3033  
NORWOOD SA 5067  
office@duncansande.com.au

Section 7/Elec

## Certificate of Water and Sewer Charges & Encumbrance Information

### Property details:

**Customer:** L J & A L FATCHEN  
**Location:** 2 ALPINE RD HAPPY VALLEY LT 264  
**Description:** 8H DCP V DIG      **Capital Value:** \$ 610 000  
**Rating:** Residential

### Periodic charges

Raised in current years to 31/3/2023

		\$
	Arrears as at: 30/6/2022	0.00
Water main available:	1/10/1977	Water rates
Sewer main available:	1/10/1977	Sewer rates
		Water use
		SA Govt concession
		Recycled Water Use
		Service Rent
		Recycled Service Rent
		Other charges
		Goods and Services Tax
		Amount paid
		<b>Balance outstanding</b>

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

**Next quarterly charges:** Water supply: **70.80**      Sewer: **100.80**      Bill: **12/4/2023**

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

The last Water Use Year ended on **20/06/2022**.

MAINS WATER USE CHARGE of **\$152.71** should be added to the Balance Outstanding above.

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

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



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

## South Australian Water Corporation

**Name:**  
L J & A L FATCHEN

**Water & Sewer Account**  
Acct. No.: 14 62308 00 4

**Amount:** \_\_\_\_\_

**Address:**  
2 ALPINE RD HAPPY VALLEY LT 264

---

### Payment Options

#### **EFT**

#### **EFT Payment**

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	1462308004



**Biller code: 8888**  
**Ref: 1462308004**

#### **Telephone and Internet Banking — BPAY®**

Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More information at [bpay.com.au](http://bpay.com.au)



#### **Paying online**

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



#### **Paying by phone**

Call 1300 650 870 and pay by phone using your Visa/Mastercard 24/7.  
SA Water account number: 1462308004



**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](http://sawater.com.au)