

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 6276 Folio 439

Parent Title(s) CT 5383/951
Creating Dealing(s) ACT 13875033
Title Issued 11/10/2022 **Edition** 2 **Edition Issued** 24/10/2022

Estate Type

FEE SIMPLE

Registered Proprietor

STEVEN DAVID HUTCHINGS
OF UNIT 1 10 LENNARD DRIVE MOANA SA 5169

Description of Land

LOT 802 PRIMARY COMMUNITY PLAN 42786
IN THE AREA NAMED MOANA
HUNDRED OF WILLUNGA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
7196328	ENCUMBRANCE TO PARADISE PROJECTS PTY. LTD.
13899287	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
09/09/2022	13875034	BY-LAWS	FILED

Registrar-General's Notes NIL

Administrative Interests NIL

IMPORTANT INFORMATION REGARDING SEARCHES

Adelta Legal
Level 3/104 Frome St
ADELAIDE SA 5000

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 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. Electronic settlement of funds is still preferred.

Yours sincerely

City Of Onkaparinga

Telephone (08) 8384 0666

Certificate No: S71776/2025

Property Information And Particulars

In response to an enquiry pursuant to Section 7 of the

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

TO: Adelta Legal
Level 3/104 Frome St
ADELAIDE SA 5000

DETAILS OF PROPERTY REFERRED TO:

ASSESSMENT NO	:	121079
VALUER GENERAL NO	:	8652367218
VALUATION	:	\$500,000.00
OWNER	:	Mr Steven David Hutchings
PROPERTY ADDRESS	:	2/10 Lennard Drive MOANA SA 5169
VOLUME/FOLIO	:	CT-6276/439
LOT/PLAN NUMBER	:	Community Plan Parcel 802 CP 42786
WARD	:	01 South Coast 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 (repealed)

Section 42

Condition (that continues to apply) of a development authorisation NO

Planning Act 1982 (repealed)

Condition (that continues to apply) of a development authorisation YES

Application Number	860/6354/1991
Description	two dwellings
Decision	Approved
Decision Date	07 October 1991

Planning Consent Condition(s)

1. All plants, shrubs, trees and lawns shall be maintained and nurtured at all times. Any diseased or dying plants, shrubs, trees or lawns shall be replaced whenever necessary
2. The premises including all buildings and car parking areas shall be maintained and kept in a neat and tidy condition at all times
3. Storm water from all roofs, gutters, downpipes and paved areas shall be drained to the street water table by means of an effective underground drainage system

Building Act 1971 (repealed)

Condition (that continues to apply) of a development authorisation NO

Planning and Development Act 1966 (repealed)

Condition (that continues to apply) of a development authorisation NO

Planning, Development and Infrastructure Act 2016

Part 5 – Planning and Design Code

Zones

General Neighbourhood (GN)

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 - Urban Interface) (Urban Interface)

The Hazards (Bushfire - Urban Interface) Overlay seeks to ensure urban neighbourhoods adjoining bushfire risk areas allow access through to bushfire risk areas, are designed to protect life and property from the threat of bushfire and facilitate evacuation to areas safe from bushfire danger.

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 Water Resources Area

The Prescribed Water Resources Area Overlay seeks to ensure the sustainable use of water in prescribed water resource areas.

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 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 in Part 10 of the Planning and Design Code to be a significant tree or trees on the land?

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

YES

DAP Application Number	22006390
Description	1 Into 2 Community Title Division
Decision	Granted
Decision Date	20 Apr 2022
Name of relevant authority that granted authorisation:	City of Onkaparinga

CONDITIONS

Planning Consent

All development shall be completed and maintained in accordance with the plan submitted with and forming part of the development application except where varied by the following conditions.

Land Division Consent

Condition 1

The common property area(s) and relevant services including:

- electricity
- water
- drainage/stormwater
- effluent
- driveway and car parking areas
- telecommunications
- gas (if relevant)

shall be established in accordance with recognised engineering practice in accordance with the plan submitted and prior to the occupation of the relevant dwellings relying on these services. Together with the landscaping, the common property and services shall be maintained in good condition at all times. If the developer does not complete the common property, this work and expense will become the responsibility of the subsequent purchasers of the community allotments.

Conditions imposed by SPC Planning Services under Section 122 of the Act

Condition 2

Payment of \$7908.00 into the Planning and Development Fund (1 allotment/s @ \$7908.00 /allotment).

This payment will not become payable until the Certificate of Approval application under Section 138 has been

lodged. At that time the Land Division Registration fee (currently \$1048.00), will also become payable. The total of the two fees must be paid in a single payment. Payment may be made via credit card (Visa or MasterCard) online at plan.sa.gov.au, over the phone on 7109 7018, or cheques may be made payable to the State Planning Commission, marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001

Condition 3

A final plan complying with the requirements for plans set out in the Manual of Survey Practice Volume 1 (Plan

Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Commission for Land Division Certificate purposes.

Conditions imposed by South Australian Water Corporation under Section 122 of the Act

Condition 4

The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

<https://www.sawater.com.au/building,-developing-and-plumbing/new-connections-and-alterations/connectionfees>

Condition 5

SA Water's water network is available for connection in this area. An investigation will need to be undertaken to

determine infrastructure needs, appropriate fees and charges.

The financial requirements of SA Water shall be met for the provision of water supply services.

Condition 6

if a connection/s off an existing main is required, an investigation will need to be carried out to determine if the

connection/s to your development will be standard or non-standard costs.

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

Section 56

Notice to complete development

NO

Section 57

Land management agreement

NO

Section 69

Emergency order

NO

Section 71 (only)

Fire safety notice

NO

Section 84

Enforcement notice

NO

Section 85(6), 85(10) or 106

Enforcement Order

NO

Part 11 Division 2

Proceedings

NO

Fire and Emergency Services Act 2005

Section 105F (or section 56 or 83 (repealed))

Notice

NO

Section 56 (repealed)

Notice issued

NO

Food Act 2001

Section 44

Improvement notice issued against the land

NO

Section 46

Prohibition order

NO

Housing Improvement Act 1940 (repealed)

Section 23

Declaration that house is undesirable or unfit for human habitation NO

Land Acquisition Act 1969

Section 10

Notice of intention to acquire NO

Local Government Act 1934 (repealed)

Notice, order, declaration, charge, claim or demand given or made under the Act NO

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

<i>Section 198(2)</i> Agreement to vest land in a council or the Crown to be held as open space	NO
<i>Part 16 - Division 1</i> Proceedings	NO
<i>Section 213</i> Enforcement notice	NO
<i>Section 214(6), 214(10) or 222</i> Enforcement order	NO

Public and Environmental Health Act 1987 (repealed)

<i>Part 3</i> Notice	NO
<i>Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) revoked</i> Part 2 – Condition (that continues to apply) of an approval	NO
<i>Public and Environmental Health (Waste Control) Regulations 2010 revoked</i> Regulation 19 - Maintenance order (that has not been complied with)	NO

South Australian Public Health Act 2011

<i>Section 92</i> Notice	NO
<i>South Australian Public Health (Wastewater) Regulations 2013</i> Part 4 – 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
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Particulars relating to environment protection

<i>Further information held by council</i> 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 <i>Development Act 1993</i>) or the <i>Planning, Development and Infrastructure Act 2016</i> ?	NO
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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

Does a Council drainage easement exist? – 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).

Are you aware of any encroachment on the Council easement?

NO

Lease, agreement for lease, tenancy agreement or licence

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

NO

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

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 March 2025

Cherie Bonham

Team Leader for Development Support

AUTHORISED OFFICER

For your information:

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

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If lodging in person at the LTO – Please send the change of ownership advice to us via mail@onkaparinga.sa.gov.au.

Electronic settlement of funds is still preferred.

LOCAL GOVERNMENT RATES SEARCH

TO: Adelta Legal
Level 3/104 Frome St
ADELAIDE SA 5000

28 March 2025

DETAILS OF PROPERTY REFERRED TO:

Property ID : 84955
Valuer General No : 8652367218
Valuation : \$500,000.00
Owner : Mr Steven David Hutchings
Property Address : 2/10 Lennard Drive MOANA SA 5169
Volume/Folio : CT-6276/439
Lot/Plan No : Community Plan Parcel 802 CP 42786
Ward : 01 South Coast 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 balance (as of 30 Jun 2024) and/or Block Clearing Charges	\$0.00
Postponed Amount in Arrears (if applicable monthly interest of 0.58750%)	\$0.00
Fines (2%) and interest on arrears charged from previous financial year (monthly interest of 0.75416%)	\$0.00

Rates for the current 2024-2025 Financial Year applicable from 01 July 2024:

Total Rates Levied 2024-2025	\$1,740.21
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If the quarterly payments are not received by the due date, a 2% fine will be added to that amount with interest added of 0.7625% on the first working day of each month following, until the total amount overdue is paid.

Less Council Rebate. The Council Rebate ceases on sale and a pro-rata calculation will apply to the date of sale	\$0.00
Less Council Capping Rebate	\$0.00
Fines and interest charged in the current financial year (2% fine when rates first become overdue and 0.7625% interest applied per month thereafter)	\$0.00
Postponed Interest (0.59583% per month on total of postponed rates and interest)	\$0.00
Less paid current financial year	-\$1,305.21
Overpayment	\$0.00
Legal Fees (current)	\$0.00
Legal Fees (arrears)	\$0.00
Refunds, Rates Remitted, Small Balance Adjustments or Rate Capping Rebate	\$0.00
Balance - rates and other monies due and payable	\$435.00
Property Related Debts	\$0.00

BPAY Biller Code: 421503
Ref: 1038390849556

TOTAL BALANCE	\$435.00
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AUTHORISED OFFICER
Ellen Keightley

This statement is made the 28 March 2025

Property Interest Report

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

Title Reference	CT 6276/439	Reference No. 2660332
Registered Proprietors	S D*HUTCHINGS	Prepared 27/03/2025 15:46
Address of Property	Lot 802 LENNARD DRIVE, MOANA, SA 5169	
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

Prescribed encumbrance	Particulars (Particulars in bold indicates further information will be provided)
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1. General

- | | | |
|-----|--|--|
| 1.1 | Mortgage of land

<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> | Refer to the Certificate of Title |
| 1.2 | Easement
(whether over the land or annexed to the land)

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

<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> | Refer to the Certificate of Title |
| 1.3 | Restrictive covenant

<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> | Refer to the Certificate of Title for details of any restrictive covenants as an encumbrance |
| 1.4 | Lease, agreement for lease, tenancy agreement or licence
(The information does not include information about any sublease or subtenancy. That information may be sought by the purchaser from the lessee or tenant or sublessee or subtenant.)

<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> | Refer to the Certificate of Title

also

Contact the vendor for these details |
| 1.5 | Caveat | Refer to the Certificate of Title |
| 1.6 | Lien or notice of a lien | Refer to the Certificate of Title |

2. Aboriginal Heritage Act 1988

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

an area surrounding a site

- 2.3 Part 3 Division 6 - Aboriginal heritage agreement

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

also

Refer to the Certificate of Title

3. ***Burial and Cremation Act 2013***

- 3.1 section 8 - Human remains interred on land

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

also

contact the vendor for these details

4. ***Crown Rates and Taxes Recovery Act 1945***

- 4.1 section 5 - Notice requiring payment

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

5. ***Development Act 1993 (repealed)***

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

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

- 5.4 section 55 - Order to remove or perform work

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

also

Contact the Local Government Authority for other details that might apply

- 5.5 section 56 - Notice to complete development

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

also

Contact the Local Government Authority for other details that might apply

- 5.6 section 57 - Land management agreement

Refer to the Certificate of Title

- 5.7 section 60 - Notice of intention by building owner

Contact the vendor for these details

- 5.8 section 69 - Emergency order

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

also

Contact the Local Government Authority for other details that might apply

- 5.9 section 71 - Fire safety notice

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

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

6. Repealed Act conditions

6.1	Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act, 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1966</i> (repealed) <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
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7. Emergency Services Funding Act 1998

7.1	section 16 - Notice to pay levy	An Emergency Services Levy Certificate will be forwarded. If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750. Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates www.revenuesaonline.sa.gov.au
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8. Environment Protection Act 1993

8.1	section 59 - Environment performance agreement that is registered in relation to the land	EPA (SA) does not have any current Performance Agreements registered on this title
8.2	section 93 - Environment protection order that is registered in relation to the land	EPA (SA) does not have any current Environment Protection Orders registered on this title
8.3	section 93A - Environment protection order relating to cessation of activity that is registered in relation to the land	EPA (SA) does not have any current Orders registered on this title
8.4	section 99 - Clean-up order that is registered in relation to the land	EPA (SA) does not have any current Clean-up orders registered on this title
8.5	section 100 - Clean-up authorisation that is registered in relation to the land	EPA (SA) does not have any current Clean-up authorisations registered on this title
8.6	section 103H - Site contamination assessment order that is registered in relation to the land	EPA (SA) does not have any current Orders registered on this title
8.7	section 103J - Site remediation order that is registered in relation to the land	EPA (SA) does not have any current Orders registered on this title
8.8	section 103N - Notice of declaration of special management area in relation to the land (due to possible existence of site contamination)	EPA (SA) does not have any current Orders registered on this title

8.9	section 103P - Notation of site contamination audit report in relation to the land	EPA (SA) does not have any current Orders registered on this title
8.10	section 103S - Notice of prohibition or restriction on taking water affected by site contamination in relation to the land	EPA (SA) does not have any current Orders registered on this title
9.	<i>Fences Act 1975</i>	
9.1	section 5 - Notice of intention to perform fencing work	Contact the vendor for these details
10.	<i>Fire and Emergency Services Act 2005</i>	
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.	<i>Food Act 2001</i>	
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.	<i>Ground Water (Qualco-Sunlands) Control Act 2000</i>	
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.	<i>Heritage Places Act 1993</i>	
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.	<i>Highways Act 1926</i>	
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.	<i>Housing Improvement Act 1940 (repealed)</i>	
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.	<i>Housing Improvement Act 2016</i>	

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

17. *Land Acquisition Act 1969*

17.1	section 10 - Notice of intention to acquire	Refer to the Certificate of Title for any notice of intention to acquire also Contact the Local Government Authority for other details that might apply
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18. *Landscape South Australia Act 2019*

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

Act

- | | | |
|-------|--|---|
| 18.18 | section 209 - Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act | The regional landscape board has no record of any notice affecting this title |
| 18.19 | section 211 - Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act | The regional landscape board has no record of any notice affecting this title |
| 18.20 | section 215 - Orders made by ERD Court | The regional landscape board has no record of any notice affecting this title |
| 18.21 | section 219 - Management agreements | The regional landscape board has no record of any notice affecting this title |
| 18.22 | section 235 - Additional orders on conviction | The regional landscape board has no record of any notice affecting this title |

19. *Land Tax Act 1936*

- | | | |
|------|---|---|
| 19.1 | Notice, order or demand for payment of land tax | A Land Tax Certificate will be forwarded.
If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.

Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates
www.revenuesaonline.sa.gov.au |
|------|---|---|

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. <i>Native Vegetation Act 1991</i>		
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. <i>Natural Resources Management Act 2004 (repealed)</i>		
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. <i>Outback Communities (Administration and Management) Act 2009</i>		
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

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

Code Amendment

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

Code Amendment

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

Code Amendment

City of Onkaparinga Local Heritage - Proposes to update the City of Onkaparinga's local heritage list within the Planning and Design Code. The proposal seeks to expand the application of the Local Heritage Places Overlay over properties adjoining a new local heritage place, and remove the Overlay from affected properties adjacent the proposed delisted local heritage places. For more information and to view the DPA online, visit the amendment webpage on the SA Planning Portal: https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800

752 664.

29.2	section 127 - Condition (that continues to apply) of a development authorisation <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.3	section 139 - Notice of proposed work and notice may require access	Contact the vendor for these details
29.4	section 140 - Notice requesting access	Contact the vendor for these details
29.5	section 141 - Order to remove or perform work	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.6	section 142 - Notice to complete development	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.7	section 155 - Emergency order	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.8	section 157 - Fire safety notice	Building Fire Safety Committee in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.9	section 192 or 193 - Land management agreement	Refer to the Certificate of Title
29.10	section 198(1) - Requirement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.11	section 198(2) - Agreement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.12	Part 16 Division 1 - Proceedings	Contact the Local Government Authority for details relevant to this item also Contact the vendor for other details that might apply
29.13	section 213 - Enforcement notice	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.14	section 214(6), 214(10) or 222 - Enforcement	Contact the Local Government Authority for details relevant to this item

order

also

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

30. ***Plant Health Act 2009***

- 30.1 section 8 or 9 - Notice or order concerning pests

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

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

- 31.1 Part 3 - Notice

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

also

Contact the Local Government Authority for other details that might apply

- 31.2 *Public and Environmental Health (Waste Control) Regulations 2010 (or 1995)* (revoked) Part 2 - Condition (that continues to apply) of an approval

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

also

Contact the Local Government Authority for other details that might apply

- 31.3 *Public and Environmental Health (Waste Control) Regulations 2010* (revoked) regulation 19 - Maintenance order (that has not been complied with)

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

also

Contact the Local Government Authority for other details that might apply

32. ***South Australian Public Health Act 2011***

- 32.1 section 66 - Direction or requirement to avert spread of disease

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

- 32.2 section 92 - Notice

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

- 33.1 section 23 - Notice of contribution payable

DEW has no record of any notice affecting this title

34. ***Water Industry Act 2012***

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

An SA Water Certificate will be forwarded.

If you do not receive the certificate please contact the SA Water Customer Contact Centre on 1300 650 950

also

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

also

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

also

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

also

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

35. *Water Resources Act 1997 (repealed)*

- | | | |
|------|--|---|
| 35.1 | section 18 - Condition (that remains in force) of a permit | DEW has no record of any condition affecting this title |
| 35.2 | section 125 (or a corresponding previous enactment) - Notice to pay levy | DEW has no record of any notice affecting this title |

36. Other charges

- | | | |
|------|--|--|
| 36.1 | Charge of any kind affecting the land (not included in another item) | Refer to the Certificate of Title

also

Contact the vendor for these details

also

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

Other Particulars

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

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

Additional Information

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

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

Notices

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

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

Building restrictions

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

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

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

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

Statutory easements

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

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

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

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

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

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

Land Tax Act 1936 and Regulations thereunder

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

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

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

Information should be obtained from:

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

Landscape South Australia 2019

Water Resources Management - Taking of underground water

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

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

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

PREFIX

E

NO

7196328



ORIGINAL COPY ONLY

A

SERIES NO.

TO BE COMPLETED BY AGENT

NOTES

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

REGISTRAR-GENERAL'S OFFICE

SOUTH AUSTRALIA

MEMORANDUM OF ENCUMBRANCE

FORM APPROVED BY THE REGISTRAR-GENERAL

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

(SIGNED)

B J FENTON

Solicitor/Licensed Land Broker/Encumbrancee

NOV 1991	TIME	11:25
FEES		\$
R.G.O.		ST
POSTAGE		
ADVERTISING		
NEW C.T. TO ISSUE		

OFFICE NOTES:

ORIGINAL COPY ONLY

BELOW THIS LINE FOR OFFICE USE ONLY

EXAMINATION

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

REGISTERED ON 26.11.1991 AT 15:00
 BY ENTRY OF A MEMORIAL OF THIS INSTRUMENT IN THE
 REGISTER BOOK. VOL. 4313 FOLIO 159

REGISTRAR-GENERAL

ITEM(S) DELIVERED—POSTED

IN ACCORDANCE WITH DELIVERY INSTRUCTIONS

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

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

BELOW THIS LINE FOR AGENT USE ONLY

Lodged by:
Address:

DGSL

FENTON & McDONALD (BJF 1)

Correction to 37B BEACH ROAD CHRISTIES BEACH 5165

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

1.....	} Received items No. Assessor
2.....	
3.....	
4.....	
5.....	

PLEASE ISSUE NEW CERTIFICATES OF TITLE AS FOLLOWS

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

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

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

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

AGENT'S INITIALS

DATED THIS 31st DAY OF OCTOBER

1991

SIGNED by the Encumbrancer

..... K. Cam

..... A. Cam

..... R. Bird

..... [Signature]

in the presence of

..... [Signature]

EXECUTION AND
ATTESTATION
(See Note 8)SHORT FORM OF
PROOF
(See Note 9)

Appeared before me at APCLAIDE the 31st day of OCTOBER 1991
KERR- REX CAM, SUSAN JEAN CAM, RODGER STEWART BIRD & HEATHER JEAN BIRD
 the encumbrancer within described the party executing the within instrument being a person well known to me and did freely and voluntarily sign the same

(SIGNED)

..... [Signature]

Appeared before me at

the

day of

19

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

(SIGNED)

LONG FORM OF PROOF
(See Note 10)

Appeared before me at

the

day of

19

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

(SIGNED)

Appeared before me at

the

day of

19

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

(SIGNED)

MEMORANDUM OF ENCUMBRANCE

CERTIFICATES OF TITLE
BEING ENCUMBERED
(See Note 3)

The whole of the land comprised in Certificate of Title Register Book

VOLUME 4313 FOLIO 159

01341260

(hereinafter referred to as "the land")

COMMISSIONER OF STAMPS
S.A. STAMP DUTY
ADJUDGED
NOT CHARGEABLE
04/11/91 10:50

ESTATE AND INTEREST
(See Note 4)

Estate in fee simple

ENCUMBRANCES
(See Note 5)

Nil

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

KERRY REX CARN Clerk and SUSAN JEAN CARN Home Duties both of 5 Devon Street
Rickmond 5033 and RODGER STEWART BIRD Builder and HEATHER JOAN BIRD Clerk
both of 10 Bathurst Avenue Moana 5169

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

PARADISE PROJECTS PTY. LTD. A.C.N. 008 151 317 C/- P.O. Box Hackham 5163

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

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

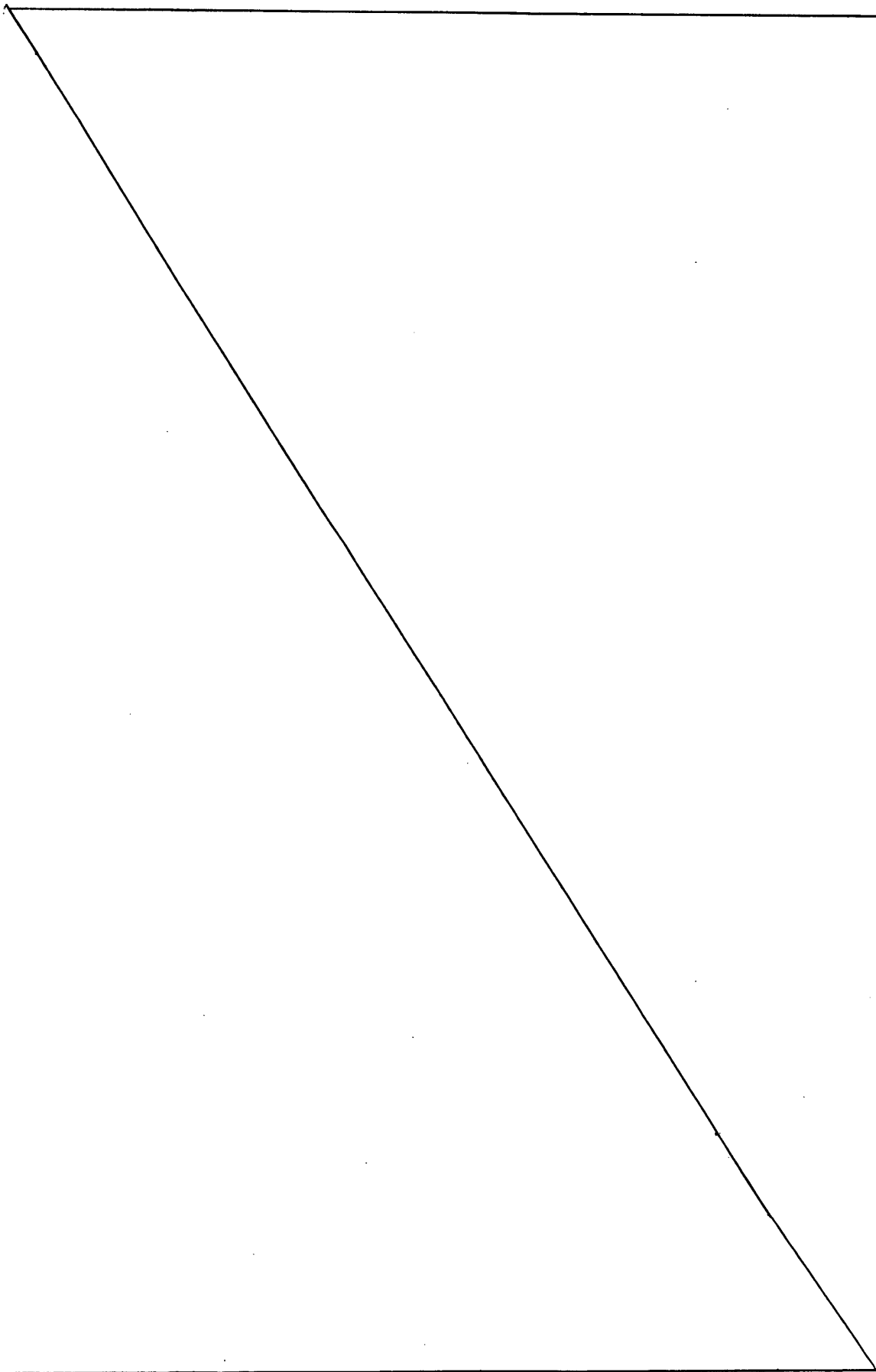
TO BE PAID TO THE ENCUMBRANCEE (a). for 3999 years

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

AT THE TIMES AND IN THE MANNER FOLLOWING (b) On the 1st day of July in each and every
year of the term (if demanded)

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

AS ANNEXED HEREIN



The Encumbrancer (as herein defined and which expression includes his her its or their (as the case may be) respective executors administrators successors and permitted assigns) hereby encumbers the estate and interest herein specified in the said land for the benefit of the Encumbrancee (as herein defined and which expression includes their respective permitted assigns) subject however to such Encumbrances liens or interests as shown hereon with an annuity of TEN (10) CENTS (hereinafter referred to as "the Rent Charge") to be paid to the Encumbrancee on the 1st day of July in each and every year commencing on the 1st day of July next after the execution hereof (if demanded by the Encumbrancee) and with the performance of all the terms covenants and conditions hereinafter on the part of the Encumbrancer contained PROVIDED THAT the Encumbrancee shall not demand payment of the Rent Charge if and so long as the Encumbrancer shall duly perform and observe all the terms covenants and conditions herein contained (and the burden of proving such performance and observance shall lie upon the Encumbrancer) but none of the provisions herein contained for or in respect of payment of the Rent Charge shall in any way affect or prejudice the rights of the Encumbrancee to an injunction to prevent or restrain any breach of the covenants and other stipulations hereinafter contained or to damages for such breach,

AND THE ENCUMBRANCER DOES HEREBY ENCUMBER the said land to the intent that it shall be binding on the Encumbrancer or Encumbrancers and on all successive owners, assignees, heirs, executors, administrators and transferees thereof AND with the performance or observance of the covenants by the Encumbrancer hereinafter contained AND the Encumbrancer HEREBY COVENANTS with the said Encumbrancee (in addition and without prejudice to the covenants on the part of the Encumbrancer and the powers rights and remedies of the Encumbrancee implied herein under and by virtue of the provisions of the Real Property Act, 1886 (as amended), and any amendments thereof for the time being in force except insofar as the same are hereby expressly or impliedly varied or

modified) in the manner following, that is to say:-

1. In this Encumbrance the following shall apply:

"the Encumbrancer" shall mean and include the said KERRY REX CARN, SUSAN JEAN CARN, RODGER STEWART BIRD and HEATHER JOAN BIRD and the heirs, executors, and transferees of the Encumbrancer and when the Encumbrancer consists of more than one person all and every two or more of such persons jointly and each of them severally and the respective heirs, executors, administrators and transferees of such persons;

"the Encumbrancee" shall mean and include PARADISE PROJECTS PTY. LTD. and their successors and assigns.

2. The Encumbrancer does hereby covenant and agree that notwithstanding anything to the contrary contained herein or elsewhere the Encumbrancee shall have the right in its absolute and unfettered discretion at any time and from time to time to modify waive or release any covenants conditions restrictions or stipulations wheresoever contained relating to the Land whether imposed or entered into before or at the same time as or after the date hereof and whether they are the same as the covenants conditions restrictions and stipulations herein set out or not and the Encumbrancer does hereby further covenant and agree that the Encumbrancee shall incur no liability whatsoever to the Encumbrancer and the Encumbrancer shall have no action cause suit claim or demand whatsoever against the Encumbrancee in respect of or arising out of or in any way connected with the exercise by the Encumbrancee of its said right to modify waive or release any of the said covenants conditions restrictions or stipulations.

3. And it is hereby agreed and declared between the Encumbrancer and the Encumbrancee that the Encumbrancer and successive assigns of the Encumbrancer shall be respectively released and discharged from payment of the Rent Charge and from the observance and performance of the several covenants conditions restrictions and stipulations herein contained forthwith upon the Encumbrancer and such successive assigns respectively ceasing to be registered as the proprietor of the land provided however that the Encumbrancer shall remain liable to use its best endeavours from time to time at the request and cost in all things of the Encumbrancee to secure compliance with the observance and performance of the covenants set forth in clauses 2 to 7 inclusive hereof by all persons hereafter acquiring an estate or interest in the land or any part thereof.

4. During the continuance of this Encumbrance the Encumbrancer shall not upon the Land in respect thereof erect or suffer to be erected or to remain thereon any building other than a ~~single detached~~ dwelling house. For the purposes of this clause ~~"dwelling house"~~ shall ~~mean a house~~ designed for use as a dwelling by one occupant or family and shall include outbuildings such as a motor car garage or garden shed which are used as ancillary to the dwelling house. Any dwelling house to be erected or to remain upon the Land or in respect thereof shall comply with the following conditions:

- 4.01 the exterior of such dwelling house shall not comprise any brightly coloured material or any unpainted sheetmetal.
- 4.02 the area of the floor plan of the proposed dwelling house incorporated under the main roof and excluding any detached garage or carport shall not be less than 120 square metres, unless the plans and specifications of the proposed dwelling

INCLUDE UP TO BUT NOT MORE THAN TWO (2) HOME UNITS EACH OF WHICH IS

house are approved in writing by the Encumbrancee.

- 4.03 in respect of allotments 263 to 271 inclusive (as laid out in Development Application No. 86:D021:87) no dwelling house or part thereof will be erected within 4 metres of the rear boundary of such allotment without the prior written approval of the Encumbrancee being first had and obtained (which approval may in the absolute discretion of the Encumbrancee be refused or given with or without conditions).

5. During the continuance of this Encumbrance the Encumbrancer shall not upon the land or in respect thereof erect, suffer to be erected or allow to remain upon the land any fence or wall (other than a retaining wall) or similar structure:-

- 5.01 which or any part of which extends beyond the front building alignment of any dwelling house or proposed dwelling house and if the land abutts more than one street then the front building alignment shall be defined as each building alignment fronting a roadway:
- 5.02 which is constructed of any material other than brush, brick, masonry or colourbond:
- 5.03 which is constructed of any secondhand timber or materials:
- 5.04 which is a height exceeding 1.8 metres above the natural ground level.

6. During the continuance of this Encumbrance the Encumbrancer shall not upon the Land or in respect thereof:

- 6.01 use suffer or permit to be used any dwelling house erected on the land (which expression includes outbuildings as are used as ancillary to the dwelling house) for any purpose other than private residential purposes.

- 6.02 erect or suffer to be erected or to remain thereon any structure which is constructed or partly constructed of reflective galvanized iron or similar material.
- 6.03 re-subdivide the land or any part thereof without the prior consent in writing of the Encumbrancee.
- 6.04 Allow the area of land between the front alignment of the dwelling house and the street footpath or other public way to remain undeveloped or unimproved for any period greater than twelve (12) months after the practical completion or occupancy of the dwelling house.
- 6.05 suffer or permit any dwelling house building fence gate or other structure or any part thereof situated thereon to fall into disrepair and or to become unsightly due to lack of painting and general maintenance.
- 6.06 allow to fall into disrepair and or to become unsightly due to a lack of general maintenance the land hereby encumbered.
7. Subject as aforesaid the Encumbrancee shall be entitled to all powers and remedies given to the Encumbrancee under the Real Property Act 1886 as amended from time to time.
8. The Encumbrancer shall pay all fees and costs of and incidental to the preparation and registration of this Encumbrance.
9. It is hereby certified by the parties hereto that the Land encumbered herein is part of a Common Building Scheme and such Scheme comprises the whole of the land originally contained in Certificate of Title Register Book VOLUME 595 FOLIO 170 but specifically excluding Allotment number 359 in Development Application No. 860/D021/87 issued pursuant to the Planning Act 1982.

PROVIDED ALWAYS that upon any breach or default of any of the above covenants by the Encumbrancer and or his successors in title, the title, the Encumbrancee shall forthwith be entitled to give the Encumbrancer and or his successors in title twenty eight (28) days notice in writing to remedy such breach or default and should the Encumbrancer and or his successors in title fail to remedy such breach or default within the said twenty eight (28) days then it shall be lawful for but not obligatory upon the Encumbrancee to do all such things and pay all such moneys necessary or expedient in the opinion of the Encumbrancee to make good or in attempting to make good any such breach or default and all moneys paid or expenses incurred by the Encumbrancee in doing so shall be a debt due to the Encumbrancee by the Encumbrancer and or his successors in title payable on demand and for the purpose of exercise in the powers of the Encumbrancee pursuant to this clause, the Encumbrancee may from time to time and with or without workmen and others enter into and upon the Land and the buildings and erections thereon to carry out any work necessary in the opinion of the Encumbrancee to remedy any such breach or default without the Encumbrancee becoming liable for any action for trespass by the Encumbrancer and or his successors in title AND it is hereby expressly agreed between the Encumbrancer and the Encumbrancee that this Encumbrance may be pleaded by the Encumbrancee by way of estoppel to any action claim or demand by the Encumbrancer and or his successors in title for damages, costs or otherwise however so arising from the entry by the Encumbrancee onto the Land in the performance by the Encumbrancee of any works thereon pursuant to the powers granted herein.

FORM 101 (Version 2)
GUIDANCE NOTES

Orig.

LF 13875034



11:20 09-Sep-2022
2 of 2

LANDS TITLES REGISTRATION OFFICE

SOUTH AUSTRALIA

LODGEMENT FOR FILING UNDER THE
COMMUNITY TITLES ACT 1996

FORM APPROVED BY THE REGISTRAR-GENERAL

SERIES NO	PREFIX
2	LF

AGENT CODE


LODGED BY: MARY MCGRATH CONV MAMC

CORRECTION TO: MARY MCGRATH CONV MAMC

SUPPORTING DOCUMENTATION LODGED WITH INSTRUMENT
(COPIES ONLY)

- 1 BY-LAWS.....
- 2 LOTTENTITLEMENT.....
- 3.....
- 4.....
- 5.....

PICK-UP NO.	
CP	

CORRECTION 27.09.2022	PASSED det
FILED 11.10.2022	
PRO REGISTRAR-GENERAL 	

PRIVACY COLLECTION STATEMENT: The information in this form is collected under statutory authority and is used for maintaining publicly searchable registers and indexes. It may also be used for authorised purposes in accordance with Government legislation and policy requirements.

TERMS OF INSTRUMENT
NOT CHECKED BY LAND
SERVICES SA

BY-LAWS
DEVELOPMENT NO: 145/C457/22/001

BY-LAWS

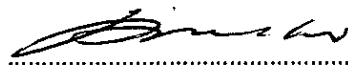
COMMUNITY CORPORATION NO 42786 INCORPORATED

10-10A LENNARD DRIVE, MOANA SA 5169

FORM 10

Section 30(1)(ia), 31(3)(ab), 34(2)(e), 39(5a), 47(2)(ka), 50(7)(a)

Certified correctly prepared in accordance with the requirements of the Community Titles Act 1996
by the person who prepared the document.

 9/9/22

Mary McGrath
Mary McGrath Conveyancing
PO Box 48
Blackwood SA 5051

INDEX

INDEX

By-Law No	Description
1	Interpretation
2	Mandatory By-Laws
3	Maintenance and Use of Lots
4	Animals
5	Prohibition of Disturbance
6	General Provisions
7	Community Corporation Recovery Rights
8	Indemnity and Release
9	Waiver
10	Notice
11	Severence

(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)

1 Interpretation

In these By-Laws:-

- 1.1 "Act" means the Community Titles Act 1996
- 1.2 "Common Property" means the common property created by Community Plan No 42786
- 1.3 "Community Corporation" means Community Corporation No 42786 constituted in accordance with Part 9 of the Act and includes an officer, agent, servant, contractor, manager or representative of the Corporation appointed in
- 1.4 "Invitees" means visitors, tradesperson, builders, contractors, agents, clients or associates of the lot holder or occupier of a lot
- 1.5 "lot" means a community lot as defined in the Act and a community lot comprised in Community Plan No 42786
- 1.6 "lot holder" means the owner of a lot; and
- 1.7 "occupier" of a lot includes, if the lot is unoccupied, the owner of the lot.
- 1.8 "Registered Encumbrance" means an encumbrance registered or entered on the Certificate of Title for the land to which it relates

IN THESE BY-LAWS UNLESS THE CONTRARY INTENTION APPEARS

- a) a reference to an instrument includes any variation or replacement of it;
- b) a reference to a statute, ordinance, code or other law includes regulations and other instruments;
- c) the singular includes the plural and vice versa;
- d) the word "person" includes a firm, a body corporate, an association or an authority;
- e) words of any gender include every gender;
- f) a reference to a person includes a reference to the person's executors, administrators, successors, substitutes and assigns; and
- g) headings are inserted for convenience and do not affect the interpretation of these By-Laws.

2 Mandatory By-Laws

2.1 Administration, Management and Control of the Common Property

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

2.2 Use and Enjoyment of the Common Property

The Common Property is, subject to the Act and these By-Laws, for the common use and enjoyment of the residents in the Community Scheme and their visitors. The lot holders, occupiers and their invitees whilst using the common property must not:-

- 2.2.1 make any undue noise, damage or interfere with any structure, shrub, plant, tree or garden, deposit any rubbish or waste material on or in the common property or in any way obstruct the lawful use of the common property;
- 2.2.2 without the prior approval in writing of the corporation, mark, paint, erect or construct any permanent structure or service infrastructure;
- 2.2.3 damage or deface any existing structure or service infrastructure that forms part of the common property;
- 2.2.5 display any advertising, sign or boarding;
- AND
- 2.2.6 must reasonably endeavour to make their invitees aware of these By-Laws or ensure that their invitees do not engage in any conduct that is in breach of these By-Laws;
- 2.2.7 must notify the corporation of any damage or defect in the common property immediately becoming aware of the damage or defect; and
- 2.2.8 must be able to have access ingress and egress by vehicle and on foot to the common property for the purpose of the use and enjoyment of the common lot.

2.3 Use and Enjoyment of Community Lots

A person must:-

- 2.3.1 use a lot solely or predominantly for residential purposes and for no other use unless that use has been first approved in writing by the corporation;
- 2.3.2 use and enjoy the lot in a manner consistent with these By-Laws;
- 2.3.3 use the lot in accordance with the ~~Development Act 1993~~; ^{Infrastructure Act 2016} *Planning, Development and*
- 2.3.4 not cause or permit on the community parcel any act or omission contrary to the intention of the By-Laws;
- 2.3.5 not create any undue noise, disturbance or undertake any activity or behaviour which is likely to interfere with the quiet enjoyment of another lot owner or occupier of the lot;
- 2.3.6 not restrict or prevent the corporation from gaining access to any common service infrastructure shared between the lots for maintenance, repair or replacement purposes only;
- 2.3.7 not alter the exterior of the improvements on a lot without the consent in writing of the corporation.

2.4 Insurance

2.4.1 Building Insurance

- 2.4.1.1 A lot holder or developer or owner of a lot will properly insure all buildings, fixtures and, improvements on each of the respective lots to the full insurable value; and
- 2.4.1.2 The owner of each lot will maintain public risk insurance of amounts of at least ten million dollars (\$10M) in respect of any one event or such higher cover as the corporation or the Act may from time to time determine or require.

2.4.2 Common Property

- 2.4.2.1 The corporation will at all times effect insurance on the common property for Public Liability cover of not less than ten million dollars (\$10M) and general damages cover of not less than twenty thousand dollars (\$20,000.00).
- 2.4.2.2 The corporation must review on an annual basis all insurances held and, the need for new or additional insurances. The corporation will ensure that sufficient funds are obtained from the contributions to the administrative fund payable by the lot holder to enable payment of the premium of the Policy of Insurance.
- 2.4.2.3 The owner or occupier of a lot must not, except with the approval of the community corporation, do anything that might void or prejudice the insurance affected by the corporation or increase any Insurance premium payable by the Corporation.

2.5 ~~Exemption of Certain Provisions~~

2
Pursuant to Section 35(2) of the Community Titles Act 1996, the community corporation may be exempt from the requirement to maintain a register of the names of the owners of the community lots.

INSERT PAGE 5A

3 Maintenance and Use of Lots

3.1 Maintenance and Repair

The owner of a lot must:-

- 3.1.1 maintain and keep in good repair buildings and structural improvements to the lot (including paintwork and external finishes); and
- 3.1.2 paint and repair external finishes as authorised and requested by the corporation from time to time in order to substantially maintain a continuity of appearance of all buildings on each community lot on the community parcel.

3.2 Occupier's Obligations to Maintain the Lot in Good Condition

- 3.2.1 The occupier of a lot must keep the lot in a clean and tidy condition.
- 3.2.2 The occupier must keep the garden of that lot maintained and clear of rubbish and shall not change the landscaping of that Lot so as to substantially alter the environment.
- 3.2.3 The occupier of the lot must:-
 - 3.2.3.1 store garbage in an appropriate container that prevents the escape of unpleasant odours;
 - 3.2.3.2 store the appropriate container in such a manner that it cannot be seen from the front of the lot; and
 - 3.2.3.3 comply with any requirements of the local Council for the disposal of garbage.

4 Animals

4.1 Subject to Section 37 of the Act a lot holder or occupier is permitted to keep a ~~small dog or desexed cat~~ ^{relevant animal} in the backyard of the lot provided that the animal:-

- 4.1.1 be under physical care and control of the lot holder and occupier of a lot at all times; and
- 4.1.2 does not injure or disturb the quiet enjoyment of other lot holders or occupiers of a lot.

4.2 The lot holder or occupier of a lot must immediately remove any deposit of waste material and repair and or replace any damage to or loss of property caused by the animal on or to the common property or another lot. ^{relevant}

2.5 By-laws may exempt corporation from certain provisions of Act

2.5.1 By-laws may exempt corporation from certain provisions of Act (1) The by-laws of a community scheme that does not include more than two community lots may exempt the community corporation from one or more of the following requirements of the Act—

- (a) the requirement to hold annual general meetings (except the first statutory general meeting);
- (b) the requirement to prepare accounting records of the corporation's receipts and expenditure and to prepare an annual statement of accounts;
- (c) the requirement to have the annual statement of accounts audited;
- (d) the requirement to establish administrative and sinking funds; (e) the requirement to maintain a register of the names of the owners of the community lots

4.3 Provided always that nothing in clause 4.1 above shall:-

4.3.1 prevent an occupier of a lot who suffers from a disability from keeping a ~~dog~~ on the lot or restrict the use of a ~~dog~~ by the occupier if the dog is trained to assist the occupier in respect of that disability (Section 37 (1) (d)) of the Act; or

relevant animal

R

4.3.2 prevent an invitee to the community parcel who suffers from using a ~~dog~~ trained to assist the invitee in respect of the disability (Section 37 (1) (e)) of the Act.

relevant animal

R

relevant animal

R

4.4 The lot holder or occupier of a lot may not keep any other animal and/or pet without the written approval of the corporation.

5 Prohibition of Disturbance

5.1 Disturbance

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

6 General Provisions

6.1 Display of Advertisements

6.1.1. A person must not, without the written approval of the corporation:

6.1.1.1 erect or display any advertising signs unless the advertising is a sign associated with the sale of a lot provided that sign used does not exceed 600 mm by 1 metre in dimension.

6.2 Offence

A person who contravenes or fails to comply with a provision of these By-Laws is guilty of an offence. Maximum penalty – The maximum prescribed under the Act.

7 Community Corporation Recovery Rights

7.1 The Corporation may recover any money owing to it under the By-Laws as a debt.

- 7.2 The lot holder or occupier of a lot must pay or reimburse on demand to the corporation costs, charges and expenses incurred in connection with the contemplated, attempted or actual enforcement or preservation of any rights under the By-Laws in relation to the lot holder or occupier.
- 7.3 The cost, charges and expenses recoverable under these By-Laws shall include without limitation those incurred in retaining any independent consultant, agent or other advisor used to evaluate any matter of concern and the Corporation's administration costs in connection with those events; and
- 7.4 The Corporation may charge interest on any overdue money owned by a lot holder or occupier of a lot at the rate of 12% per annum.

8 Indemnity and Release

A person bound by these By-Laws shall;

- 8.1 Indemnify and forever hold harmless the Corporation from and against all and any actions, claims, demands, losses, damages, costs and expenses which the Corporation shall or may become liable in respect of or arising out of any loss or injury personal or in respect of property (suffered by any person in or about the lot or common property) except and to the extent that such loss or injury was caused or contributed to by the negligence of the Corporation;
- 8.2 occupy, use and keep the lot at the risk in all things of the lot holder and the lot holder hereby releases to the full extent permitted by the law the Corporation from any and all claims, demands and damages of every kind resulting from any accident, damage or injury occurring therein except and to the extent that any such claims, demands and damages arising from or as a consequence of the negligence of the Corporation or any servant or agent of the Corporation.

9 Waiver

No waiver by the Corporation of one breach of any By-Law, obligation or provision herein contained or implied shall operate as a waiver of another breach of the same or any other By-Law, obligation or provisions herein contained or implied.

10 Notice

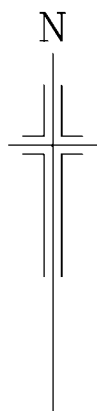
Any notice required to be served under these By-Laws shall be sufficiently served on the lot holder if left on the lot addressed to the lot holder or if addressed to the lot holder at the last known address of the lot holder and forwarded by pre-posted and if a notice is given by post it shall be deemed to be served at the time when in the ordinary course of post, it would be delivered at the address to which it was sent.

paid envelope

11 Severence

If any By-Law or any part of these By-Laws cannot be given effect or full force and effect by reason of statutory invalidity or otherwise, such By-Law or part By-Law as the case may be which cannot be given effect to its full force and effect shall be severed, ignored or read down restrictively but so as to maintain and uphold as far as possible the remaining By-Laws.

PURPOSE: PRIMARY COMMUNITY		AREA NAME: MOANA		APPROVED: 30/06/2022		<div> C42786 SHEET 1 OF 2 113609_text_01_v03_Version_3</div>			
MAP REF: 6527/25/D		COUNCIL: CITY OF ONKAPARINGA		DEPOSITED: 11/10/2022					
LAST PLAN: F36075		DEVELOPMENT NO: 145/C457/22/001/1526							
AGENT DETAILS: STATE SURVEYS PTY LTD 465B SOUTH ROAD KESWICK SA 5035 PH: 82932939 FAX: 82932949		SURVEYORS CERTIFICATION:		I Timothy David Klau , a licensed surveyor under the Survey Act 1992, certify that (a) I am uncertain about the location of that part of the service infrastructure shown between the points marked > and < on the plan; and (b) This community plan has been correctly prepared in accordance with the Community Titles Act 1996 21st day of June 2022 Timothy Klau Licensed Surveyor					
AGENT CODE: SSU9									
REFERENCE: 21108									
SUBJECT TITLE DETAILS:									
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER
CT	5383	951		ALLOTMENT(S)	1	D	22631 WILLUNGA		
OTHER TITLES AFFECTED:									
EASEMENT DETAILS:									
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF			CREATION
ANNOTATIONS: FIELD WORK WAS COMPLETED ON 17/05/2022 THE SERVICE INFRASTRUCTURE COULD NOT BE FOUND DUE TO THE AGE AND NATURE OF THE SCHEME AND THE UNAVAILABILITY OF RECORDS									

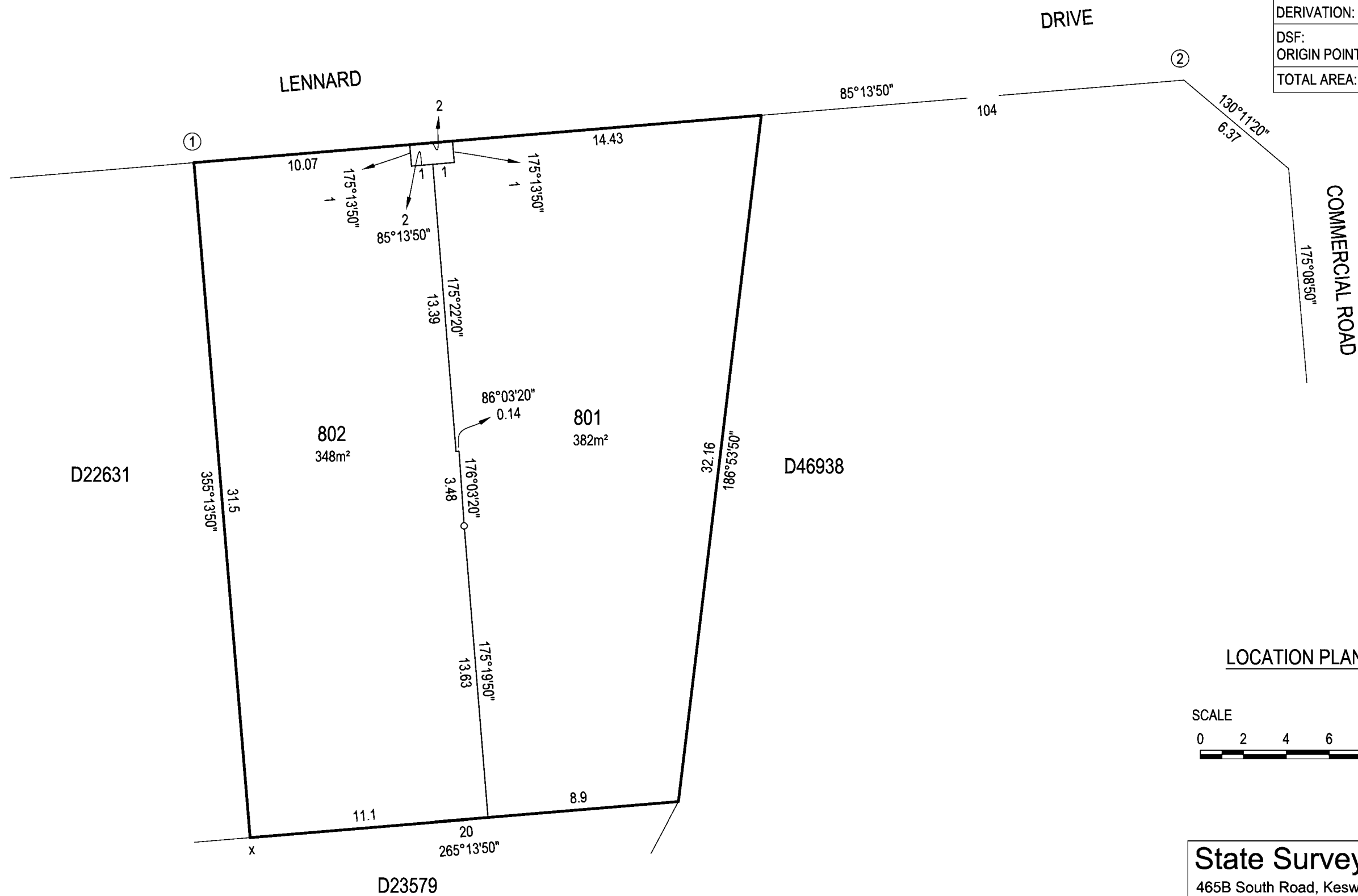


C42786

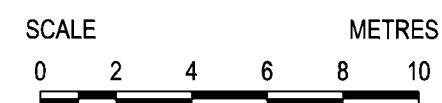
SHEET 2 OF 2

113609_pland_1_V03_Version_3

BEARING DATUM:	(1) - (2) 85°13'50"
DERIVATION:	F36075 ADOPTED
DSF:	1.0
ORIGIN POINT:	CORNER 2
TOTAL AREA:	732m²



LOCATION PLAN



State Surveys

465B South Road, Keswick SA 5035
planning@statesurveys.com.au
Tel (08) 8293 2939

Reference	21108	Version	25/05/2022
Field by	TK	Drawn by	ADL
Checked by	TK		

LOT ENTITLEMENT SHEET

COMMUNITY PLAN NUMBER

C 427~~6~~86

SHEET 1 OF 1

ACCEPTED

Jeff H. O'Neil 11-10-2022

PRO REGISTRAR-GENERAL

DEV. No. 145 : C457 : 22

SCHEDULE OF LOT ENTITLEMENTS

LOT	LOT ENTITLEMENTS	SUBDIVIDED
801	520	
802	480	
AGGREGATE	1000	

CERTIFICATE OF LAND VALUER

I ~~Mathew Flannery~~

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 16th day of August 2022

[Signature]
.....
Signature of Land Valuer

Certificate of Title

Title Reference: CT 6276/439

Status: CURRENT

Parent Title(s): CT 5383/951

Dealing(s) Creating Title: ACT 13875033

Title Issued: 11/10/2022

Edition: 2

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
19/10/2022	24/10/2022	13899287	MORTGAGE	REGISTERED	WESTPAC BANKING CORPORATION (ACN: 007 457 141)
19/10/2022	24/10/2022	13899286	DISCHARGE OF MORTGAGE	REGISTERED	13558536
29/06/2021	02/07/2021	13558536	MORTGAGE	REGISTERED	COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)
04/11/1991	27/11/1991	7196328	ENCUMBRANCE	REGISTERED	



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: 2660332

ADELTA LEGAL (SA) PTY LTD
LEVEL 3
104 FROME STREET
ADELAIDE SA 5000

DATE OF ISSUE

28/03/2025

ENQUIRIES:

Tel: (08) 8226 3750

Email: revsaesl@sa.gov.au

OWNERSHIP NUMBER

09589368

OWNERSHIP NAME

S D HUTCHINGS

PROPERTY DESCRIPTION

802 LENNARD DR / MOANA SA 5169 / FL802 C42786

ASSESSMENT NUMBER

8652367218

TITLE REF.

(A "+" indicates multiple titles)

CT 6276/439

CAPITAL VALUE

\$500,000.00

AREA / FACTOR

R4
1.000

LAND USE / FACTOR

RE
0.400

LEVY DETAILS:

FINANCIAL YEAR

2024-2025

FIXED CHARGE

+ VARIABLE CHARGE

- REMISSION

- CONCESSION

+ ARREARS / - PAYMENTS

= AMOUNT PAYABLE

\$ 50.00
\$ 188.40
\$ 116.00
\$ 0.00
\$ -122.40
\$ 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

26/06/2025



Government of
South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Emergency Services Funding Act 1998

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

Please Note:

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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




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

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

For more information:

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

PAYMENT OPTIONS FOR THIS CERTIFICATE SHOWN BELOW

 <p>Billers Code: 456285 Ref: 7000345913</p> <p>Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au <small>© Registered to BPAY Pty Ltd ABN 69 079 137 518</small></p>	 <p>To pay via the internet go to: www.revenuesaonline.sa.gov.au</p>	 <p>Send your cheque or money order, made payable to the Community Emergency Services Fund, along with this Payment Remittance Advice to:</p> <p>Revenue SA Locked Bag 555 ADELAIDE SA 5001</p>
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OFFICIAL: Sensitive

**RevenueSA**

DEPARTMENT OF TREASURY AND FINANCE

ABN 19 040 349 865
Land Tax Act 1936**CERTIFICATE OF LAND TAX PAYABLE**

This form is a statement of land tax payable pursuant to Section 23 of the *Land Tax Act 1936*. The details shown are current as at the date of issue.

PIR Reference No: 2660332

DATE OF ISSUE

28/03/2025

ADELTA LEGAL (SA) PTY LTD
LEVEL 3
104 FROME STREET
ADELAIDE SA 5000

ENQUIRIES:

Tel: (08) 8226 3750

Email: landtax@sa.gov.au

OWNERSHIP NAME

S D HUTCHINGS

FINANCIAL YEAR

2024-2025

PROPERTY DESCRIPTION

802 LENNARD DR / MOANA SA 5169 / FL802 C42786

ASSESSMENT NUMBER

8652367218

TITLE REF.

(A "+" indicates multiple titles)

CT 6276/439

TAXABLE SITE VALUE

\$265,000.00

AREA

0.0348 HA

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

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

Please Note:

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

ON OR BEFORE**26/06/2025****Government of
South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

**RevenueSA**

DEPARTMENT OF TREASURY AND FINANCE

Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE**PAYMENT REMITTANCE ADVICE****No payment is required on this Certificate**

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 OPTIONS FOR THIS CERTIFICATE SHOWN BELOW

 Billers Code: 456293 Ref: 7000345822 Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au <small>® Registered to BPAY Pty Ltd ABN 69 079 137 518</small>	 To pay via the internet go to: www.revenuesaonline.sa.gov.au	 Send your cheque or money order, made payable to the Commissioner of State Taxation , along with this Payment Remittance Advice to: Revenue SA Locked Bag 555 ADELAIDE SA 5001
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OFFICIAL: Sensitive

Account Number	L.T.O Reference	Date of issue	Agent No.	Receipt No.
86 52367 21 8	CT6276439	28/3/2025	7198	2660332

ADELTA LEGAL
LEVEL 3, 104 FROME STREET
ADELAIDE SA 5000
tbowe@adelta.com.au

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: S D HUTCHINGS
Location: LT 802 LENNARD DR MOANA LT802 C42786
Description: 3HCP Capital Value: \$ 500 000
Rating: Residential

Periodic charges

Raised in current years to 31/3/2025

			\$
	Arrears as at: 30/6/2024	:	174.96
Water main available: 1/1/2023	Water rates	:	235.80
Sewer main available: 1/1/2023	Sewer rates	:	260.85
	Water use	:	92.95
	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	:	764.56CR
	Balance outstanding	:	0.00

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

Next quarterly charges: Water supply: 78.60 Sewer: 86.95 Bill: 4/6/2025

This account has no meter of its own but is supplied from account no 86 52367 20 *.

The Water Use apportionment option is Even.

The apportionment percentage for this account is 50.00%.

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

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

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

South Australian Water Corporation

Name:
S D HUTCHINGS

Water & Sewer Account
Acct. No.: 86 52367 21 8

Amount: _____

Address:
LT 802 LENNARD DR MOANA LT802
C42786

Payment Options

EFT

EFT Payment

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	8652367218



Bill code: 8888
Ref: 8652367218

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: 8652367218



**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