

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 6028 Folio 703

**Parent Title(s)** CT 5500/524  
**Creating Dealing(s)** ACT 11081619  
**Title Issued** 30/01/2009      **Edition** 4      **Edition Issued** 11/03/2020

## Estate Type

FEE SIMPLE

## Registered Proprietor

JESSICA AMBER ATKIN  
BRADLEY JAMES DE MAID  
OF 69 ADAMS ROAD SHEIDOW PARK SA 5158  
AS JOINT TENANTS

## Description of Land

LOT 101 PRIMARY COMMUNITY PLAN 24994  
IN THE AREA NAMED HACKHAM WEST  
HUNDRED OF NOARLUNGA

## Easements

NIL

## Schedule of Dealings

Dealing Number	Description
13264990	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

## Notations

**Dealings Affecting Title** NIL

**Priority Notices** NIL

### Notations on Plan

Lodgement Date	Dealing Number	Description	Status
05/12/2008	11081620	BY-LAWS	FILED

**Registrar-General's Notes** NIL

**Administrative Interests** NIL

PURPOSE: PRIMARY COMMUNITY		AREA NAME: HACKHAM WEST		APPROVED: PETER LAWSON 10/10/2008		<div></div> <div>C24994</div> <div>SHEET 1 OF 2</div> <div>12723_text_01_v03_Version_3</div>			
MAP REF: 6627/11/R		COUNCIL: CITY OF ONKAPARINGA		DEPOSITED: PAUL GRAHAM 28/01/2009					
LAST PLAN: F50645		DEVELOPMENT NO: 145/C223/07/001/17536							
AGENT DETAILS: JEANES & SOMMERVILLE 4/77 O'SULLIVAN BEACH ROAD LONSDALE SA 5160 PH: (08) 83263588 FAX: (08) 83264882		SURVEYORS CERTIFICATION:		I PETER THOMAS SOMMERVILLE , 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 to a scale prescribed by regulation 12th day of August 2008 Peter Sommersville Licensed Surveyor					
AGENT CODE: JESO									
REFERENCE: 3580_CP_V05									
SUBJECT TITLE DETAILS:									
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER
CT	5500	524		ALLOTMENT(S)	444	D	10680 NOARLUNGA		
OTHER TITLES AFFECTED:									
EASEMENT DETAILS:									
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF			CREATION
ANNOTATIONS: THE SERVICE INFRASTRUCTURE COULD NOT BE FOUND DUE TO THE AGE AND NATURE OF THE SCHEME AND THE UNAVAILABILITY OF RECORDS									

LOCATION PLAN



# LOT ENTITLEMENT SHEET

SCHEDULE OF LOT ENTITLEMENTS		
LOT	LOT ENTITLEMENT	SUBDIVIDED
100	2750	
101	2250	
AGGREGATE	5000	

COMMUNITY PLAN NUMBER

CP 24994

THIS IS SHEET 3 OF SHEETS

APPROVED



DEPOSITED 28-1-2009

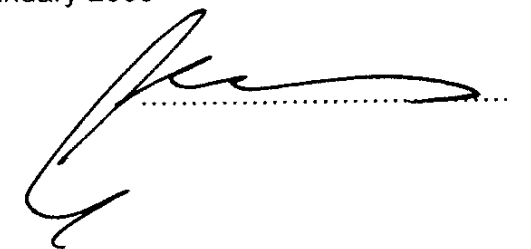
Paul B. Graham  
PRO REGISTRAR GENERAL

APPLICATION 11081619

## CERTIFICATE OF LAND VALUER

I, Robin Hugh Simmons 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 this 12th January 2009



# Property Interest Report

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

Title Reference	CT 6028/703	Reference No. 2482181
Registered Proprietors	B J*DE MAID & ANR	Prepared 07/07/2023 08:45
Address of Property	3 OSLO CRESCENT, HACKHAM WEST, SA 5163	
Local Govt. Authority	CITY OF ONKAPARINGA	
Local Govt. Address	PO BOX 1 NOARLUNGA CENTRE SA 5168	

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

## Table of Particulars

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

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

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

### 1. General

- |     |  |  |
|-----|--|--|
| 1.1 | Mortgage of land<br><br><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<br>(whether over the land or annexed to the land)<br><br>Note--"Easement" includes rights of way and party wall rights<br><br><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<br><br><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<br>(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.)<br><br><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<br><br>also<br><br>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 Trade and Investment 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 Trade and Investment has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

5.4 section 55 - Order to remove or perform work

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

also

Contact the Local Government Authority for other details that might apply

5.5 section 56 - Notice to complete development

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

also

Contact the Local Government Authority for other details that might apply

5.6 section 57 - Land management agreement

Refer to the Certificate of Title

5.7 section 60 - Notice of intention by building owner

Contact the vendor for these details

5.8 section 69 - Emergency order

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

also

Contact the Local Government Authority for other details that might apply

5.9 section 71 - Fire safety notice

Building Fire Safety Committee in the Department for Trade and Investment has no record of any notice affecting this title

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

## 6. Repealed Act conditions

6.1	Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act, 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1966</i> (repealed)  <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 Trade and Investment has no record of any conditions that continue to apply, affecting this title  also  Contact the Local Government Authority for other details that might apply
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## 7. Emergency Services Funding Act 1998

7.1	section 16 - Notice to pay levy	<b>An Emergency Services Levy Certificate will be forwarded.</b> <b>If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.</b>  <b>Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates</b> <b><a href="http://www.revenuesaonline.sa.gov.au">www.revenuesaonline.sa.gov.au</a></b>
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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
<b>9.</b>	<b><i>Fences Act 1975</i></b>	
9.1	section 5 - Notice of intention to perform fencing work	Contact the vendor for these details
<b>10.</b>	<b><i>Fire and Emergency Services Act 2005</i></b>	
10.1	section 105F - (or section 56 or 83 (repealed)) - Notice to take action to prevent outbreak or spread of fire	Contact the Local Government Authority for other details that might apply Where the land is outside a council area, contact the vendor
<b>11.</b>	<b><i>Food Act 2001</i></b>	
11.1	section 44 - Improvement notice	Public Health in DHW has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply
11.2	section 46 - Prohibition order	Public Health in DHW has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply
<b>12.</b>	<b><i>Ground Water (Qualco-Sunlands) Control Act 2000</i></b>	
12.1	Part 6 - risk management allocation	Qualco Sunlands Ground Water Control Trust has no record of any allocation affecting this title
12.2	section 56 - Notice to pay share of Trust costs, or for unauthorised use of water, in respect of irrigated property	DEW Water Licensing has no record of any notice affecting this title
<b>13.</b>	<b><i>Heritage Places Act 1993</i></b>	
13.1	section 14(2)(b) - Registration of an object of heritage significance	Heritage Branch in DEW has no record of any registration affecting this title
13.2	section 17 or 18 - Provisional registration or registration	Heritage Branch in DEW has no record of any registration affecting this title
13.3	section 30 - Stop order	Heritage Branch in DEW has no record of any stop order affecting this title
13.4	Part 6 - Heritage agreement	Heritage Branch in DEW has no record of any agreement affecting this title also Refer to the Certificate of Title
13.5	section 38 - "No development" order	Heritage Branch in DEW has no record of any "No development" order affecting this title
<b>14.</b>	<b><i>Highways Act 1926</i></b>	
14.1	Part 2A - Establishment of control of access from any road abutting the land	Transport Assessment Section within DIT has no record of any registration affecting this title
<b>15.</b>	<b><i>Housing Improvement Act 1940 (repealed)</i></b>	
15.1	section 23 - Declaration that house is undesirable or unfit for human habitation	Contact the Local Government Authority for other details that might apply
15.2	Part 7 (rent control for substandard houses) - notice or declaration	Housing Safety Authority has no record of any notice or declaration affecting this title
<b>16.</b>	<b><i>Housing Improvement Act 2016</i></b>	



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

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

17.1	section 10 - Notice of intention to acquire	Refer to the Certificate of Title for any notice of intention to acquire also Contact the Local Government Authority for other details that might apply
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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 | <b>A Land Tax Certificate will be forwarded.</b><br><b>If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.</b><br><br><b>Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates</b><br><b><a href="http://www.revenuesaonline.sa.gov.au">www.revenuesaonline.sa.gov.au</a></b> |
|------|---|---|

## **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
<b>25. <i>Native Vegetation Act 1991</i></b>		
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
<b>26. <i>Natural Resources Management Act 2004 (repealed)</i></b>		
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
<b>27. <i>Outback Communities (Administration and Management) Act 2009</i></b>		
27.1	section 21 - Notice of levy or contribution payable	Outback Communities Authority has no record affecting this title

## 28. ***Phylloxera and Grape Industry Act 1995***

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

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

- 29.1 Part 5 - Planning and Design Code  
*[ Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*
- Contact the Local Government Authority for the title or other brief description of the zone or subzone in which the land is situated.
- also
- Heritage Branch in DEW has no record of a State Heritage Area created prior to 15 January 1994 under the former South Australian Heritage Act 1978 affecting this title
- also
- For details of this item, including State Heritage Areas which have been authorised or put under interim effect since 15 January 1994, contact the Local Government Authority
- also
- Contact the Local Government Authority for other details that might apply to a place of local heritage value
- also
- For details of declared significant trees affecting this title, contact the Local Government Authority
- also
- Code Amendment**
- O'Sullivan Beach - proposed amendment seeks to rezone two vacant allotments of approximately 6 hectares, from Strategic Employment Zone to General Neighbourhood Zone, to allow for low to medium density residential development. For more information please refer to the 'Code Amendments' page on the PlanSA portal: or contact the City of Onkaparinga Council.
- Code Amendment**
- Flooding Hazards Mapping Update - seeks to update the extent of the Hazard (Flooding – Evidence Required) Overlay in the Planning and Design Code in 13 local government areas and several Outback Areas of the State, based on more recent flood hazard mapping. For more information, refer to the 'Code Amendments' page on the PlanSA portal: [https://plan.sa.gov.au/have\\_your\\_say/](https://plan.sa.gov.au/have_your_say/) or phone PlanSA on 1800752664.
- 29.2 section 127 - Condition (that continues to apply) of a development authorisation  
*[ Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*
- State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title
- also
- Contact the Local Government Authority for other details that might apply
- 29.3 section 139 - Notice of proposed work and notice may require access
- Contact the vendor for these details
- 29.4 section 140 - Notice requesting access
- Contact the vendor for these details
- 29.5 section 141 - Order to remove or perform work
- State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title
- also
- Contact the Local Government Authority for other details that might apply
- 29.6 section 142 - Notice to complete development
- State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.7 section 155 - Emergency order

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

also

Contact the Local Government Authority for other details that might apply

29.8 section 157 - Fire safety notice

Building Fire Safety Committee in the Department for Trade and Investment has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.9 section 192 or 193 - Land management agreement

Refer to the Certificate of Title

29.10 section 198(1) - Requirement to vest land in a council or the Crown to be held as open space

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

also

Contact the Local Government Authority for other details that might apply

29.11 section 198(2) - Agreement to vest land in a council or the Crown to be held as open space

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

also

Contact the Local Government Authority for other details that might apply

29.12 Part 16 Division 1 - Proceedings

Contact the Local Government Authority for details relevant to this item

also

Contact the vendor for other details that might apply

29.13 section 213 - Enforcement notice

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

also

Contact the Local Government Authority for other details that might apply

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

Contact the Local Government Authority for details relevant to this item

also

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

## 30. *Plant Health Act 2009*

30.1 section 8 or 9 - Notice or order concerning pests

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

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

31.1 Part 3 - Notice

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

31.3 *Public and Environmental Health (Waste*

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

*Control) Regulations 2010 (revoked)*  
regulation 19 - Maintenance order (that has not been complied with)

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<br>also<br>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<br>also<br>EPA (SA) has no record of any particulars relating to items 3, 4 or 5 affecting this title<br>also<br>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

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

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

#### Building restrictions

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

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

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

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

#### Statutory easements

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

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

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

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

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

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

#### ***Land Tax Act 1936 and Regulations thereunder***

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

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

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

Information should be obtained from:

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

#### ***Landscape South Australia 2019***

Water Resources Management - Taking of underground water

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



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

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

## Notice to tenant of lease extension

(Do not use this form for periodic or short fixed term tenancies)

To: Debbie Saunders  
(name of tenant/s)

Address of rented premises: 3 Oslo Cres, Hackham West SA 5163

I give you notice that your current lease expires on 21 / 03 / 2023  
(date)

I wish to offer you an extension of your lease for a further 12 months.  
(term of extension eg - 6 or 12)

The lease extension will expire on 21 / 03 / 2024 The rent will / ~~will not~~ be increased  
(date) (circle applicable)

The new rent will be \$ 340 per week with the first payment due on 06 / 04 / 2023  
(amount) (rental period eg - fortnight) (date)

If you accept, complete and return the bottom portion to your landlord/agent by 20 / 02 / 2023  
(must be more than 28 days before the lease ends)

### IMPORTANT INFORMATION:

- If you want to vacate at the end of the fixed term you must give your landlord at least 28 days written notice (Form 4B) to end the agreement.
- If you do not return this form, the landlord may give at least 28 days written notice (Form 2A) to end the agreement.
- If the lease is not extended and at least 28 days written notice is not given by either party the agreement will continue as periodic.

Signature of landlord/agent: [Signature] Date: 22 / 01 / 2023

Address of landlord/agent: 69 Adams Rd, Sheidow Park SA 5158

Phone: 0426 268 582

X.....

**NOTE:** If you **accept** this offer, return this section to your landlord/agent. If you **do not accept** this offer you must give your landlord/agent at least 28 days written notice (Form 4B) to end the agreement.

I, We DEBBIE SAUNDERS  
(name of tenant/s)

wish to accept the offered lease extension for 3 OSLO CRESCENT

HACKHAM WEST SA 5163  
(address of rental property)

I acknowledge that the lease extension expires on 21 / 03 / 24  
(date)

I also understand that the new rent of \$ 340 per week will start on 06 / 04 / 2023  
(delete if not applicable) (amount) (rental period) (date)

Signatures of tenant/s: [Signature] Date: 03 / 02 / 23

For further information contact Consumer and Business services on 131 882, or visit [www.sa.gov.au/tenancy/renters](http://www.sa.gov.au/tenancy/renters)



**IMPORTANT INFORMATION REGARDING SEARCHES**

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Howitt-Smith Conveyancing  
PO Box 331  
BLACKWOOD SA 5051

**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](mailto:mail@onkaparinga.sa.gov.au). Electronic settlement of funds is still preferred.

Yours sincerely



Julie Janssan  
**Team Leader**  
**Customer Relations**

**Property Information And Particulars**

In response to an enquiry pursuant to Section 7 of the

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

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**TO:** Howitt-Smith Conveyancing  
PO Box 331  
BLACKWOOD SA 5051

**DETAILS OF PROPERTY REFERRED TO:**

ASSESSMENT NO	:	104268-9
VALUER GENERAL NO	:	8626872309
VALUATION	:	\$370,000
OWNER	:	Mr B J De Maid and Ms J A Atkin
PROPERTY ADDRESS	:	3 Oslo Crescent, HACKHAM WEST SA 5163
VOLUME/FOLIO	:	CT-6028/703
LOT/PLAN NUMBER	:	Lot 101 CP 24994
WARD	:	06 Southern Vales Ward

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

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

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

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

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

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

## INFORMATION NOTE

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

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

## Development Act 1993

### Section 42

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

Application Number: 145/2409/2009  
Description: Single storey detached dwelling with double garage and retaining walls up to 1.2 metres  
Decision: Approved  
Decision Date: 28-Sep-2009

#### Development Plan Consent Conditions

1. All development shall be completed in accordance with the plan(s) and documents submitted with and forming part of the development application except where varied by the following condition(s).
2. The dwelling shall not be occupied until all necessary infrastructure has been provided to the site of the dwelling, including but not limited to a formed and sealed road and watertable, water supply and sewerage services, drainage/stormwater disposal and electricity services.
3. The front setback area (between the front property boundary and front of the dwelling) shall be landscaped with suitable trees, shrubs, lawn, and/or ground cover, and may include some paving, retaining and the like. Such landscaping shall be completed within 2 years of completion of the dwelling and maintained in good condition at all times. In the period until the landscaping is completed, the front setback area shall be maintained in a neat and tidy appearance to the reasonable satisfaction of Council.
4. During construction and at all times thereafter, stormwater generated from the development shall be diverted away from all buildings, shall not pond against or near the footings and shall not be discharged onto adjoining land. Where drainage is directed to the street water table, this shall be by way of a council approved stormwater drainage system.
5. That effective measures be implemented during the construction of the development and on-going use of the land in accordance with this consent to:
  - prevent silt run-off from the land to adjoining properties, roads and drains
  - control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land
  - ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site
  - ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure
  - ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land.

## Planning Act 1982 (repealed)

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

## Building Act 1971 (repealed)

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

Housing Diversity Neighbourhood (HDN)

## 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 (Flooding - Evidence Required)

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

#### Native Vegetation

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

#### Prescribed Wells Area

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

#### Regulated and Significant Tree

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

#### Stormwater Management

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

#### Traffic Generating Development

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

#### Urban Tree Canopy

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

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>



<i>Section 127</i> Condition (that continues to apply) of a development authorisation	NO
<b>Part 2—Items to be included if land affected</b>	
<b>Development Act 1993 (repealed)</b>	
<i>Section 50(1)</i> Requirement to vest land in council to be held as open space	NO
<i>Section 50(2)</i> Agreement to vest land in council to be held as open space	NO
<i>Section 55</i> Order to remove or perform work	NO
<i>Section 56</i> Notice to complete development	NO
<i>Section 57</i> Land management agreement	NO
<i>Section 69</i> Emergency order	NO
<i>Section 71 (only)</i> Fire safety notice	NO
<i>Section 84</i> Enforcement notice	NO
<i>Section 85(6), 85(10) or 106</i> Enforcement order	NO
<i>Part 11 Division 2</i> Proceedings	NO
<b>Fire and Emergency Services Act 2005</b>	
<i>Section 105F (or section 56 or 83 (repealed))</i> Notice	NO
<i>Section 56 (repealed)</i> Notice issued	NO
<b>Food Act 2001</b>	
<i>Section 44</i> Improvement notice <u>issued against the land</u>	NO
<b>There are no current Section 44 Notices of the Food Act 2001 issued under Standard 3.2.3 Food Premises and Equipment</b>	
<i>Section 46</i>	

Prohibition order	NO
<b>Housing Improvement Act 1940 (repealed)</b>	
<i>Section 23</i> Declaration that house is undesirable or unfit for human habitation	NO
<b>Land Acquisition Act 1969</b>	
<i>Section 10</i> Notice of intention to acquire	NO
<b>Local Government Act 1934 (repealed)</b>	
<i>Notice, order, declaration, charge, claim or demand given or made under the Act</i>	NO
<b>Local Government Act 1999</b>	
<i>Notice, order, declaration, charge, claim or demand given or made under the Act</i>	NO
Refer to separate attachment for Rates and Charges	
<b>Local Nuisance and Litter Control Act 2016</b>	
<i>Section 30</i> Nuisance or litter abatement notice <u>issued against the land</u>	NO
<b>Planning, Development and Infrastructure Act 2016</b>	
<i>Section 139</i> Notice of proposed work and notice may require access	NO
<i>Section 140</i> Notice requesting access	NO
<i>Section 141</i> Order to remove or perform work	NO
<i>Section 142</i> Notice to complete development	NO
<i>Section 155</i> Emergency order	NO
<i>Section 157</i> Fire safety notice	NO
<i>Section 192 or 193</i> Land Management Agreements	NO
<i>Section 198(1)</i> 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



*Part 16 - Division 1*

Proceedings

NO

*Section 213*

Enforcement notice

NO

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

Enforcement order

NO

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

*Part 3*

Notice

NO

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

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

Condition (that continues to apply) of an approval

NO

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

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

NO

**South Australian Public Health Act 2011**

*Section 92*

Notice

NO

*South Australian Public Health (Wastewater) Regulations 2013*

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

Condition (that continues to apply) of an approval

NO

**Particulars of building indemnity insurance**

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

NO

**Particulars relating to environment protection**

*Further information held by council*

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

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

NO

**Note –**

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

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

It should be noted that –

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

## General

### *Easement*

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

Are you aware of any encroachment on the easement? NO

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

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

The purchaser may seek that information from the lessee or tenant or sublessee or subtenant.) NO

*Caveat* NO

## Other

*Charge for any kind affecting the land (not included in another item)* NO

### **PLEASE NOTE:**

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

This statement is made the 07-Jul-2023



Cherie Bonham  
Team Leader for Development Support  
**AUTHORISED OFFICER**



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: 2482181

IAN HOWITT-SMITH  
11 DUNSFORD STREET  
CRAIGBURN FARM SA 5051

DATE OF ISSUE

07/07/2023

ENQUIRIES:

Tel: (08) 8226 3750

Email: revsaesl@sa.gov.au

OWNERSHIP NUMBER

18128424

OWNERSHIP NAME

B DE MAID & J ATKIN

PROPERTY DESCRIPTION

3 OSLO CR / HACKHAM WEST SA 5163 / LT 101 C24994

ASSESSMENT NUMBER

8626872309

TITLE REF.

(A "+" indicates multiple titles)

CT 6028/703

CAPITAL VALUE

\$370,000.00

AREA / FACTOR

R4  
1.000

LAND USE / FACTOR

RE  
0.400

LEVY DETAILS:

FINANCIAL YEAR

2023-2024

FIXED CHARGE

+ VARIABLE CHARGE

- REMISSION

- CONCESSION

+ ARREARS / - PAYMENTS

= AMOUNT PAYABLE

\$ 50.00  
\$ 149.75  
\$ 93.85  
\$ 0.00  
\$ 0.00  
\$ 105.90

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

05/10/2023



Government of  
South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



## CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

### PAYMENT REMITTANCE ADVICE

OWNERSHIP NUMBER

18128424

OWNERSHIP NAME

B DE MAID & J ATKIN

ASSESSMENT NUMBER

8626872309

AMOUNT PAYABLE

\$105.90

AGENT NUMBER

100019265

AGENT NAME

IAN HOWITT-SMITH

EXPIRY DATE

05/10/2023

+80011517200022> +001571+ <0550861531> <0000010590> +444+

**Please Note:**

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

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

**PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE****Online at:****OR****By Post to:****[www.revenuesaonline.sa.gov.au](http://www.revenuesaonline.sa.gov.au)****RevenueSA  
Locked Bag 555  
ADELAIDE SA 5001**

**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: 2482181

**DATE OF ISSUE**

07/07/2023

IAN HOWITT-SMITH  
11 DUNSFORD STREET  
CRAIGBURN FARM SA 5051

**ENQUIRIES:**

Tel: (08) 8226 3750

Email: landtax@sa.gov.au

**OWNERSHIP NAME**

B DE MAID &amp; J ATKIN

**FINANCIAL YEAR**

2023-2024

**PROPERTY DESCRIPTION**

3 OSLO CR / HACKHAM WEST SA 5163 / LT 101 C24994

**ASSESSMENT NUMBER**

8626872309

**TITLE REF.**

(A "+" indicates multiple titles)

CT 6028/703

**TAXABLE SITE VALUE**

\$114,000.00

**AREA**

0.0310 HA

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

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

**Please Note:**

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

**ON OR BEFORE** **05/10/2023**

See overleaf for further information

**Government of  
South Australia**

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

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

**Online at:**

**OR**

**By Post to:**

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

RevenueSA  
Locked Bag 555  
ADELAIDE SA 5001

LOCAL GOVERNMENT RATES SEARCH

07-Jul-2023

TO: Howitt-Smith Conveyancing  
PO Box 331  
BLACKWOOD SA 5051

DETAILS OF PROPERTY REFERRED TO:

Rates Assessment No	:	104268 -9
Valuer General No	:	8626872309
Valuation	:	\$370,000
Owner :		Mr B J De Maid and Ms J A Atkin
Property Address	:	3 Oslo Crescent, HACKHAM WEST SA 5163
Volume/Folio	:	CT-6028/703
Lot/Plan Number	:	Lot 101 CP 24994
Ward	:	06 Southern Vales Ward

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

Rates and Fines in Arrears (not paid 30 June 2023) and/or Block Clearing Charges	0.00
Postponed Amount in Arrears (if applicable) monthly interest of 0.31666% applies	0.00
Interest on Arrears charged in current financial year monthly interest of 0.48333% applies	0.00
<b>Rates for the current 2023-2024 Financial Year applicable from 1 July 2023:</b>	
Amount payable by 1 <sup>st</sup> September 2023	1,456.81
PLUS Current postponed amount (if applicable)	0.00
<b>Total Rates Levied 2023-2024</b>	<b>\$1,456.81</b>

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

Less Council Rebate.	0.00
Less Council Capping Rebate	0.00
Less Council CWMS Rebate	0.00
Fines and interest for the current financial year (2% fine when rates first become overdue and 0.48333% interest applied per month thereafter)	0.00
Postponed Interest (0.31666% per month on total of postponed rates and interest)	0.00
Less paid current financial year	0.00
Overpayment	0.00
Legal Fees and / or Bank Charges (current)	0.00
Legal Fees and / or Bank Charges (arrears)	0.00
Refunds, Rates Remitted or Small Balance Adjustments	0.00
Balance - rates and other monies due and payable	1,456.81
Property Related Debts	0.00

**BPAY Biller Code:** 48470  
**Ref:** 1042689

**TOTAL BALANCE**

**\$1,456.81**

Account Number <b>86 26872 30 9</b>	L.T.O Reference CT6028703	Date of issue 7/7/2023	Agent No. 7175	Receipt No. 2482181
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HOWITT-SMITH CONVEYANCING  
11 DUNSFORD ST  
CRAIGBURN FARM SA 5051  
howitt.smith@gmail.com

Section 7/Elec

## Certificate of Water and Sewer Charges & Encumbrance Information

### Property details:

**Customer:** B J DE MAID & J A ATKIN  
**Location:** 3 OSLO CR HACKHAM WEST LT101 C24994  
**Description:** HDG **Capital Value:** \$ 370 000  
**Rating:** Residential

### Periodic charges

Raised in current years to 30/6/2023

			\$
Arrears as at: 30/6/2023			168.97
Water main available:	1/7/2009	Water rates	0.00
Sewer main available:	1/7/2009	Sewer rates	0.00
		Water use	0.00
		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	168.97CR
		<b>Balance outstanding</b>	0.00

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

**Next quarterly charges:** Water supply: 74.20 Sewer: 79.50 Bill: 6/9/2023

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

The last Water Use Year ended on 25/05/2023.

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

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



## South Australian Water Corporation

**Name:**

B J DE MAID &amp; J A ATKIN

**Water & Sewer Account**Acct. No.: **86 26872 30 9****Amount:** \_\_\_\_\_**Address:**3 OSLO CR HACKHAM WEST LT101  
C24994

### Payment Options

**EFT****EFT Payment**

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	8626872309

**Bill code: 8888**  
**Ref: 8626872309****Telephone and Internet Banking — BPAY®**

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

**Paying online**

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

**Paying by phone**

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

SA Water account number: 8626872309

**Government of  
South Australia**

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

1300 SA WATER  
(1300 729 283)  
ABN 69 336 525 019  
[sawater.com.au](http://sawater.com.au)

Orig. LF 11081620



12:07 5-Dec-2008

2 of 2

Fees: \$0.00

LANDS TITLES REGISTRATION  
OFFICE  
SOUTH AUSTRALIA

**LODGEMENT FOR FILING UNDER  
THE COMMUNITY TITLES ACT 1996**

FORM APPROVED BY THE REGISTRAR-GENERAL

**BELOW THIS LINE FOR OFFICE &  
STAMP DUTY PURPOSES ONLY**

Prefix
<b>LF</b>
Series No.
<b>2</b>

\$112-

**BELOW THIS LINE FOR AGENT USE ONLY**

AGENT CODE

Lodged by:

FENTONS CONVEYANCING (BJF1)

Correction to:

FENTONS CONVEYANCING (BJF1)


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

- 1
- 2
- 3
- 4

PICK-UP NO.	
CP	

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

ITEM(S)	AGENT CODE

CORRECTION	PASSED <i>BJ</i>
FILED 28.1.2009 <i>Paul Bullock</i> Pro  REGISTRAR-GENERAL	

R-G 010107

TERMS OF INSTRUMENT

BY-LAWS

NOT CHECKED BY LANDS TITLES OFFICE

DEVELOPMENT NO 145/C167/07

4. The Community Corporation may charge interest on any overdue Monies owed by a proprietor or occupier of a Community Lot to the Community Corporation at the rate of 2% per annum higher than the rate charged by the Community Corporation's Bankers on financial accommodation on overdrafts exceeding \$100,000.00 on a daily basis from the date the amount became due and owing until the date of actual payment.

**By-Law 12 – Exemption from certain requirements of the Act**

If each owner so agrees in writing the following requirements of the Community Titles Act 1996 are waived:-

1. To hold Annual General Meetings with the exception of an Inaugural Meeting.
2. To establish an Administrative and Sinking Fund.
3. To maintain a register of the names of the owners of the Community Lots.
4. To prepare accounting records of the Corporation's Receipts and Expenditure.
5. To prepare an Annual Statement of Account.
6. To have the Annual Statement of Account audited

TERMS OF INSTRUMENT

BY-LAWS

NOT CHECKED BY LANDS TITLES OFFICE

DEVELOPMENT NO 145/C167/07

# BY-LAWS

COMMUNITY PLAN No. 24994

94 Esplanade  
Port Noarlunga SA 5167

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TERMS OF INSTRUMENT

BY-LAWS

NOT CHECKED BY LANDS TITLES OFFICE

DEVELOPMENT NO 145/C167/07

**COMMUNITY TITLES ACT, 1996****MANAGEMENT BY-LAWS****WARNING**

The terms of these By-Laws are binding on the Community Corporation, the owners and occupiers of these community lots and the development lot or lots (if any) comprising the scheme and persons entering the community parcel.

These By-Laws relate to the control and preservation of the essence or theme of the Community Corporation and as such may only be amended or revoked by special resolution in accordance with Section 39 of the Community Titles Act.

**Part 1****PERMITTED USE**

1. No dwelling shall be used or occupied otherwise than as a residence.
2. Alterations to the exterior of the buildings on Community Lots must be completed in accordance with these By-Laws and harmonious and sympathetic to the style design and concept of the development as a whole.

**Part 2****RESTRICTED COMMON PROPERTY**

There is no restricted Common Property within the Community Corporation.

**Part 3****MANDATORY MATTERS****By-Law 1 - Common Property**

1. The Common Property is shown on Page 1 of the Primary Plan of the scheme.
2. The Community Corporation is responsible for the control, management, administration, use and maintenance of the Common Property.
3. The Common Property is subject to the Act and these by-laws, for the common use and enjoyment of residents in the community scheme and their visitors.

TERMS OF INSTRUMENT

BY-LAWS

NOT CHECKED BY LANDS TITLES OFFICE

DEVELOPMENT NO 145/C167/07

4. A person must not, without the authorization of the corporation, deposit any object or material on the Common property if it is likely -
  - a) to be hazardous or offensive to other persons using the Common property.
5. The proprietor or occupier of a Community Lot must give notice to the Community Corporation of any damage to or defect in the Common Property immediately they become aware of the damage or defect.

#### **By-Law 2 - Internal Fencing**

1. The Fences Act 1975, as amended, applies as between owners of adjoining Community Lots.

#### **By-Law 3 - Garbage**

1. The occupiers of a Community Lot must provide a garbage bin for the storage of garbage upon their respective Lots and to ensure that arrangements are made for the collection of garbage by the Local Council or its Contractor in accordance with that Council's By-Laws and garbage collection arrangements from time to time.
2. The occupiers of a Community Lot must ensure that no garbage bin, garbage, bottles or other refuse are left forward of the front building alignment of any dwelling erected on the respective Community Lot other than in a place and at a time suitable for collection in accordance with usual collection arrangements and that such garbage bins are returned to their respective Community Lot within 24 hours of the collection of such garbage or refuse.

#### **By-Law 4 - Statutory Services**

1. The Community Corporation shall be responsible for the maintenance, repair and replacement of water, sewerage, stormwater, electricity, gas and telephone services within the Common Property.

#### **By-Law 5 - Insurance**

1. The Community Corporation must review on an annual basis all insurances effected by it and the need for new varied amended or increased insurance.
2. Notice of an Annual General Meeting of a Community Corporation must include a form of motion to decide whether insurances effected by the Community Corporation should be confirmed, varied or extended.
3. The Community Corporation must immediately effect new insurances or vary or extend existing insurances if there is an increased risk or a new risk.
4. A proprietor or occupier of a Community Lot must not, except with the approval of the Community Corporation, do anything that might:-

TERMS OF INSTRUMENT	BY-LAWS
NOT CHECKED BY LANDS TITLES OFFICE	DEVELOPMENT NO 145/C167/07

- a) void or prejudice insurance effected by the Community Corporation; or
  - b) increase any insurance premium payable by the Community Corporation.
5. Each proprietor of a Lot shall insure all buildings and other improvements on the Lot. The insurance must be against risks that a normally prudent person would insure against; and;
- a) must be for the full cost of replacing the buildings or improvements with new materials: and,
  - b) must cover incidental costs such as demolition, site clearance and architect's fees, engineer's fees and other associated fees and charges.
6. The proprietor of each Lot must provide the Community Corporation, as requested by the Community Corporation from time to time, evidence of a current policy of insurance effected by the proprietor in terms of this By-Law.

#### **By-Law 6 - Maintenance of a building on a Lot**

- 1. The proprietor or occupier of a Community Lot must keep the Community Lot including, without limitation, the exterior of the building of the Community Lot, clean and tidy and in good repair and condition.
- 2. The proprietor or occupier of a Community Lot must carry out all maintenance and repairs to the exterior of the building on the Community Lot in a proper and workmanlike manner
- 3. The proprietor or occupier of a Community Lot must not, without the Community Corporations approval:
  - a) erect any further buildings or structural improvements on a Community Lot; or
  - b) substantially change the colours of the external finishes of buildings on a Community Lot.

#### **By-Law 7 - Keeping of Pets**

- 1. The proprietor or occupier of a Lot must not except with the approval of the Community Corporation keep a pet weighing more than 10 kilograms on the Community Lot or part of the Common Property.
- 2. Notwithstanding clause 1 of By-Law 7 above, an occupier of a Community Lot or a visitor to the Community Parcel who suffers from a disability, may keep or use a dog that is trained to assist in respect of that disability.
- 3. Where a proprietor or occupier of a Community Lot or any other person who is on the Common Property with a proprietor or occupier of a Community Lot's consent (express or implied) brings or keeps a pet or pets on the Lot or any other part of the Common Property,



TERMS OF INSTRUMENT

BY-LAWS

NOT CHECKED BY LANDS TITLES OFFICE

DEVELOPMENT NO 145/C167/07

that Proprietor or Occupier is:

- a) Liable to the proprietor or occupier of their Community Lots and all other persons lawfully on the Common Property for any noise which is disturbing to an extent which is unreasonable and for damage to or loss of property or injury to any person caused by the pet: and
- b) Responsible for the cleaning up after the pet has used any part of another Community Lot or any part of the Common Property.

#### **By-Law 8 - Landscaping**

- 1. Each proprietor or occupier of a Community Lot shall keep the garden of that Community Lot maintained, appropriately irrigated and clear of rubbish and weeds and shall not change the landscaping so as to substantially alter the environment as viewed from the street or common property without prior written approval of the Community Corporation.

#### **By-Law 9 - Signage**

- 1. No proprietor or occupier shall without the consent of the Community Corporation allow any sign to be erected upon a Lot or upon the Common Property except a sign placed temporarily for the purpose of denoting the sale or lease of a Community Lot within the Community Parcel where such sign placed for such purpose does not exceed the dimensions of 1000mm x 2000 mm and is placed to cause the least possible interference or disturbance to any other proprietor or occupier of any other Community Lot.

#### **By-Law 10 - Peaceful Enjoyment**

- 1. A proprietor or occupier of a Community Lot shall not interfere with the quiet enjoyment of another Community Lot or the Common Property.
- 2. A proprietor or occupier of a Community Lot shall not upon that parcel create any undue noise or undertake any activity which is likely to interfere with the peaceful enjoyment of another Community Lot or of any other person lawfully using the Common Property.

#### **By-Law 11 - Community Corporation's Right to Recover Money**

- 1. The Community Corporation may recover any money owing to it under the By-Laws as a debt.
- 2. Where a proprietor or an occupier of a Community Lot has breached these By-Laws the proprietor or occupier of a Community Lot must pay or reimburse the Community Corporation on demand for the reasonable costs, charges and expenses of the Community Corporation in connection with the enforcement or preservation of any rights under the By-Laws in relation to the proprietor or occupier.
- 3. The costs, charges and expenses recoverable by the Community Corporation shall include without limitation those expenses incurred in retaining any independent consultant or other person to investigate any matter of concern.