

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 5222 Folio 388

Parent Title(s) CT 4353/514

Creating Dealing(s) CONVERTED TITLE

Title Issued 26/10/1994 Edition 4 Edition Issued 26/08/2022

### Estate Type

FEE SIMPLE

### Registered Proprietor

BARBARA ELIZABETH TRUEACK  
OF 5 OAKHILL CRESCENT MORPHETT VALE SA 5162

### Description of Land

ALLOTMENT 149 DEPOSITED PLAN 27344  
IN THE AREA NAMED MORPHETT VALE  
HUNDRED OF NOARLUNGA

### Easements

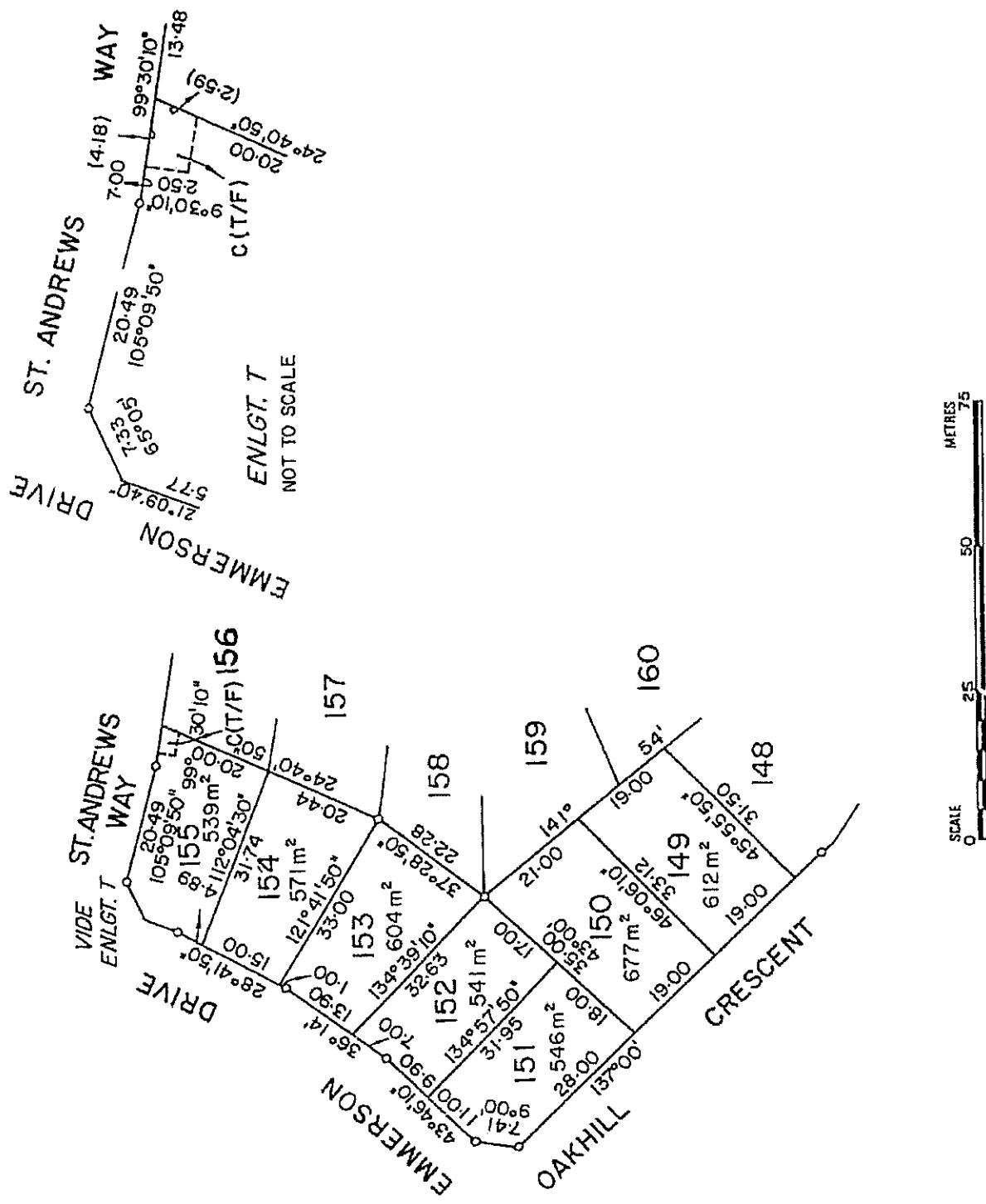
NIL

### Schedule of Dealings

Dealing Number	Description
6915197	ENCUMBRANCE TO PROPERTY-TEC PTY. LTD.

### Notations

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



# Property Interest Report

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

Title Reference	CT 5222/388	Reference No. 2438677
Registered Proprietors	B E*TRUEACK	Prepared 06/02/2023 12:05
Address of Property	5 OAKHILL CRESCENT, MORPHETT VALE, SA 5162	
Local Govt. Authority	CITY OF ONKAPARINGA	
Local Govt. Address	PO BOX 1 NOARLUNGA CENTRE SA 5168	

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

## Table of Particulars

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

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

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

### 1. General

1.1	Mortgage of land	Refer to the Certificate of Title
<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>		
1.2	Easement (whether over the land or annexed to the land)	Refer to the Certificate of Title
Note--"Easement" includes rights of way and party wall rights		
<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>		
1.3	Restrictive covenant	Refer to the Certificate of Title for details of any restrictive covenants as an encumbrance
<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>		
1.4	Lease, agreement for lease, tenancy agreement or licence (The information does not include information about any sublease or subtenancy. That information may be sought by the purchaser from the lessee or tenant or sublessee or subtenant.)	Refer to the Certificate of Title also Contact the vendor for these details
<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>		
1.5	Caveat	Refer to the Certificate of Title
1.6	Lien or notice of a lien	Refer to the Certificate of Title

### 2. 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
<b>3.</b>	<b><i>Burial and Cremation Act 2013</i></b>	
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
<b>4.</b>	<b><i>Crown Rates and Taxes Recovery Act 1945</i></b>	Crown Lands Program in DEW has no record of any notice affecting this title
<b>5.</b>	<b><i>Development Act 1993 (repealed)</i></b>	
5.1	section 42 - 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 Trade and Investment has no record of any conditions that continue to apply, affecting this title  also  Contact the Local Government Authority for other details that might apply
5.2	section 50(1) - Requirement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title  also  Contact the Local Government Authority for other details that might apply
5.3	section 50(2) - Agreement to vest land in a council or the Crown to be held as open space	State Planning Commission in the Department for Trade and Investment has no record of any conditions that continue to apply, affecting this title  also  Contact the Local Government Authority for other details that might apply
5.4	section 55 - Order to remove or perform work	State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title  also  Contact the Local Government Authority for other details that might apply
5.5	section 56 - Notice to complete development	State Planning Commission in the Department for Trade and Investment has no record of any order or notice affecting this title  also  Contact the Local Government Authority for other details that might apply
5.6	section 57 - Land management agreement	Refer to the Certificate of Title
5.7	section 60 - Notice of intention by building owner	Contact the vendor for these details
5.8	section 69 - Emergency order	State Planning Commission in the Department for Trade and Investment has no record of any order affecting this title  also  Contact the Local Government Authority for other details that might apply
5.9	section 71 - Fire safety notice	Building Fire Safety Committee in the Department for Trade and Investment has no record of any notice affecting this title

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

## 6. Repealed Act conditions

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

## 7. Emergency Services Funding Act 1998

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

16.1	Part 3 Division 1 - Assessment, improvement or demolition orders	Housing Safety Authority has no record of any notice or declaration affecting this title
16.2	section 22 - Notice to vacate premises	Housing Safety Authority has no record of any notice or declaration affecting this title
16.3	section 25 - Rent control notice	Housing Safety Authority has no record of any notice or declaration affecting this title
<b>17. <i>Land Acquisition Act 1969</i></b>		
17.1	section 10 - Notice of intention to acquire	<p>Refer to the Certificate of Title for any notice of intention to acquire</p> <p>also</p> <p>Contact the Local Government Authority for other details that might apply</p>
<b>18. <i>Landscape South Australia Act 2019</i></b>		
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	<p>The regional landscape board has no record of any notice affecting this title</p> <p>also</p> <p>DEW has no record of any notice affecting this title</p>
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	<p>The regional landscape board has no record of any permit (that remains in force) affecting this title</p> <p>also</p> <p>DEW has no record of any permit (that remains in force) affecting this title</p>
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
<b>19. Land Tax Act 1936</b>		
19.1	Notice, order or demand for payment of land tax	<p>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.</p> <p>Clients who have misplaced or not received their certificates and are RevenueSA Online users should log into RevenueSA Online and reprint their certificates <a href="http://www.revenuesaonline.sa.gov.au">www.revenuesaonline.sa.gov.au</a></p>
<b>20. Local Government Act 1934 (repealed)</b>		
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
<b>21. Local Government Act 1999</b>		
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
<b>22. Local Nuisance and Litter Control Act 2016</b>		
22.1	section 30 - Nuisance or litter abatement notice	Contact the Local Government Authority for other details that might apply
<b>23. Metropolitan Adelaide Road Widening Plan Act 1972</b>		
23.1	section 6 - Restriction on building work	Transport Assessment Section within DIT has no record of any restriction affecting this title
<b>24. Mining Act 1971</b>		
24.1	Mineral tenement (other than an exploration licence)	Mineral Tenements in the Department of Energy and Mining has no record of any proclamation affecting this title
24.2	section 9AA - Notice, agreement or order to waive exemption from authorised operations	Contact the vendor for these details
24.3	section 56T(1) - Consent to a change in authorised operations	Contact the vendor for these details
24.4	section 58(a) - Agreement authorising tenement holder to enter land	Contact the vendor for these details
24.5	section 58A - Notice of intention to commence authorised operations or apply for lease or licence	Contact the vendor for these details
24.6	section 61 - Agreement or order to pay compensation for authorised operations	Contact the vendor for these details
24.7	section 75(1) - Consent relating to extractive minerals	Contact the vendor for these details
24.8	section 82(1) - Deemed consent or agreement	Contact the vendor for these details

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

## **25. *Native Vegetation Act 1991***

25.1 Part 4 Division 1 - Heritage agreement  
DEW Native Vegetation has no record of any agreement affecting this title  
also  
Refer to the Certificate of Title

25.2 section 25C - Conditions of approval regarding achievement of environmental benefit by accredited third party provider  
DEW Native Vegetation has no record of any agreement affecting this title  
also  
Refer to the Certificate of Title

25.3 section 25D - Management agreement  
DEW Native Vegetation has no record of any agreement affecting this title  
also  
Refer to the Certificate of Title

25.4 Part 5 Division 1 - Refusal to grant consent, or condition of a consent, to clear native vegetation  
DEW Native Vegetation has no record of any refusal or condition affecting this title

## **26. *Natural Resources Management Act 2004 (repealed)***

26.1 section 97 - Notice to pay levy in respect of costs of regional NRM board  
The regional landscape board has no record of any notice affecting this title

26.2 section 123 - Notice to prepare an action plan for compliance with general statutory duty  
The regional landscape board has no record of any notice affecting this title

26.3 section 134 - Notice to remove or modify a dam, embankment, wall or other obstruction or object  
The regional landscape board has no record of any notice affecting this title

26.4 section 135 - Condition (that remains in force) of a permit  
The regional landscape board has no record of any notice affecting this title

26.5 section 181 - Notice of instruction as to keeping or management of animal or plant  
The regional landscape board has no record of any notice affecting this title

26.6 section 183 - Notice to prepare an action plan for the destruction or control of animals or plants  
The regional landscape board has no record of any notice affecting this title

26.7 section 185 - Notice to pay costs of destruction or control of animals or plants on road reserve  
The regional landscape board has no record of any notice affecting this title

26.8 section 187 - Notice requiring control or quarantine of animal or plant  
The regional landscape board has no record of any notice affecting this title

26.9 section 193 - Protection order to secure compliance with specified provisions of the Act  
The regional landscape board has no record of any order affecting this title

26.10 section 195 - Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act  
The regional landscape board has no record of any order affecting this title

26.11 section 197 - Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act  
The regional landscape board has no record of any authorisation affecting this title

## **27. *Outback Communities (Administration and Management) Act 2009***

27.1 section 21 - Notice of levy or contribution payable  
Outback Communities Authority has no record affecting this title

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

28.1 section 23(1) - Notice of contribution payable

The Phylloxera and Grape Industry Board of South Australia has no vineyard registered against this title. However all properties with greater than 0.5 hectares of planted vines are required to be registered with the board

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

29.1 Part 5 - Planning and Design Code

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

Contact the Local Government Authority for the title or other brief description of the zone or subzone in which the land is situated.

also

Heritage Branch in DEW has no record of a State Heritage Area created prior to 15 January 1994 under the former South Australian Heritage Act 1978 affecting this title

also

For details of this item, including State Heritage Areas which have been authorised or put under interim effect since 15 January 1994, contact the Local Government Authority

also

Contact the Local Government Authority for other details that might apply to a place of local heritage value

also

For details of declared significant trees affecting this title, contact the Local Government Authority

also

**Code Amendment**

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

**Code Amendment**

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

**Code Amendment**

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

**Code Amendment**

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

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

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

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

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

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

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

33.1	section 23 - Notice of contribution payable	DEW has no record of any notice affecting this title
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### **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.
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### **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

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

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

## Additional Information

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The following additional information is provided for your information only.

These items are not prescribed encumbrances or other particulars prescribed under the Act.

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

## Notices

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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).

PREFIX **E** NO

NO

6915197



ORIGINAL (DUP)

3

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.

**BELOW THIS LINE FOR OFFICE USE ONLY**

## EXAMINATION

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

105-11725-387-1001-0 9661350037

REGISTERED ON 13.7.1990 AT 15:00  
BY ENTRY OF A MEMORIAL OF THIS INSTRUMENT IN THE  
REGISTER BOOK. VOL. 1282 FOLIO 514

Burke Shaw 1968



ITEM(S) DELIVERED—POSTED

IN ACCORDANCE WITH DELIVERY INSTRUCTIONS

02646 \*FILL OUT POSTAGE DATE ONLY IF ITEMS ARE  
RETURNED BY CERTIFIED MAIL

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

AGENT'S  
INITIALS

## MEMORANDUM OF ENCUMBRANCE

CERTIFICATES OF TITLE  
BEING ENCUMBERED  
(See Note 3)

The whole of the land comprised in Certificate of Title Register Book Volume 4353 Folio 514 ("the Land").

ESTATE AND INTEREST  
(See Note 4)

In Fee Simple.

ENCUMBRANCES  
(See Note 5)

Nil

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

THOMAS TRUEACK Retired and JEAN MARY TRUEACK Retired both of  
5 Stone Road Happy Valley 5159

K. J. T. J.

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

PROPERTY-TEC PTY. LTD. of 38 Antigua Grove West Lake 5021

(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 for a period of  
TO BE PAID TO THE ENCUMBRANCEE (a). 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)

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 Land for the benefit of the Encumbrancee (as herein defined and which expression includes his her its or their (as the case may be) respective executors administrators successors and permitted assigns) subject however to the encumbrances as shown hereon with an annuity of TEN CENTS (10¢) (hereinafter referred to as "the Rent Charge") to be paid to the Encumbrancee on the 11 day of May in each and every year commencing on the 11 day of May 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

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

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 encumber the 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 manner following, that is to say:

1. During the continuance of this Encumbrance the Encumbrancer shall not upon the Land or in respect thereof:-
  - (a) erect or suffer to be erected or to remain thereon any building, fence or other structure whereby all or a portion of the building material used or contained in such building, fence or other structure is reflective galvanised iron;
  - (b) resubdivide or attempt to resubdivide the Land or any part thereof without the prior written consent of the Encumbrancee except in relation to a resubdivision for the purpose of realignment of allotment boundaries;
  - (c) Suffer allow or permit any caravan or transportable home of any type whatsoever situated on the Land to be used for residential purposes.
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 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 and 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 clause 1 hereof by all persons hereafter acquiring an estate or interest in the Land or any part thereof.
4. Subject as aforesaid the Encumbrancee shall be entitled to all powers and remedies given to an Encumbrancee by the Real Property Act 1886 as amended from time to time.
5. Certified by the parties hereto that the land encumbered herein is part of a common building scheme as more particularly described in Schedule A hereto.

Attach to inside  
left hand cornerANNEXURE to Encumbrance dated 21/5/10.  
over Certificate of Title Vol 4363 Fol. 514.  
To be completed by lodging partyNUMBER  
Office use onlySCHEDULE "A"

The common building scheme comprises the whole of the following land:

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39Certificate of TitleVolume 4326 Folio 985  
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Volume 4326 Folio 996  
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Volume 4327 Folio 1  
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Volume 4327 Folio 16  
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Volume 4327 Folio 19  
Volume 4327 Folio 20  
Volume 4327 Folio 21  
Volume 4327 Folio 22  
Volume 4327 Folio 23  
Volume 4327 Folio 24

Attach to inside  
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ANNEXURE to Encumbrance dated 21st Jan 1910  
over Certificate of Title Vol 4353 Fol. 514  
To be completed by lodging party

NUMBER  
Office use only

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Certificate of Title

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Volume 4353 Folio 474  
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Volume 4353 Folio 513  
Volume 4353 Folio 514

Attach to inside  
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over Certificate of Title Vol 4353 Fol. 514  
To be completed by lodging partyNUMBER  
Office use onlyAllotments150  
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Volume 4353 Folio 557

Attach to inside  
left hand cornerANNEXURE to Encumbrance dated 21/5/00  
over Certificate of Title Vol 4353 Fol. 51A  
To be completed by lodging partyNUMBER  
Office use onlyAllotments193  
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Volume 4327 Folio 29  
Volume 4327 Folio 30  
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Volume 4327 Folio 32  
Volume 4327 Folio 33  
Volume 4327 Folio 34

Attach to inside  
left hand cornerANNEXURE to Encumbrance dated 21/5/10.  
over Certificate of Title Vol 4327 Fol. 514  
To be completed by lodging partyNUMBER  
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Volume 4327 Folio 58  
Volume 4327 Folio 59  
Volume 4327 Folio 60  
Volume 4327 Folio 61  
Volume 4327 Folio 62  
Volume 4327 Folio 63  
Volume 4327 Folio 64

DATED THIS

12 DAY OF May

19

90

SIGNED by the said THOMAS  
TRUEACH in the presence of:

Witness

SIGNED by the said JEAN MARY  
TRUEACH in the presence of:

Witness

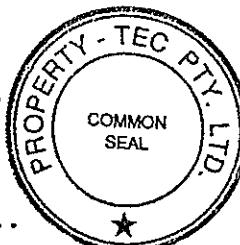
EXECUTION AND  
ATTESTATION  
(See Note 8)THE COMMON SEAL of PROPERTY-  
TEC PTY. LTD. was hereunto  
affixed by authority of the  
Board and in the presence of:

Peter J. Trueach

Director

John J. Trueach

Secretary



k/g08:4GG

SHORT FORM OF  
PROOF  
(See Note 9)

Appeared before me at

Happy Valley

the 2nd day of May 19 90

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)

Appeared before me at

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)

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



Telephone (08) 83840666

Faxsimile (08) 8382 8744

Certificate No:  
**112562**

#### **IMPORTANT INFORMATION REGARDING SEARCHES**

R J Van Der Hoek  
Rosey Batt & Associates  
336 Glen Osmond Rd  
MYRTLE BANK SA 5064

#### **Attention Conveyancers**

- **Section 187 certificate update request free of charge (One Update):**
  - Penalties and interest, property charges, payments or dishonoured payments can impact account balances on a daily basis.  
To assist with financial adjustments as close as practicable to the date of settlement, your **Section 187 certificate will now be valid for 90 days**. Within this period Council will offer one update request without charge. This update is to be obtained via the online portal.  
It is important to note all searches advise when fines/interest will be applied. When receiving your update search, should it be evident that further penalties will be applied prior to settlement, you will need to still consider these additional amounts as part of your settlement statement calculations.  
**Please Note: Section 7 certificates remain valid for a 30 day period only.**
- **BPAY biller code added to searches to enable electronic settlement of funds**
  - Our BPAY biller code is now detailed on each search, enabling settlement funds to be disbursed to Council electronically. Please note that this is Council's preferred method of payment and we request that you cease the use of cheques to affect settlement.
- **How to advise Council of change of ownership?**  
To also assist with the reduction of duplication of information being received from various agencies i.e. conveyancers and the Lands Titles Office, we are advocating that the **Purchaser's Conveyancer** to advise the change of ownership by following the below:
  - If you are using e-conveyancing to affect a sale, please **only issue advice to Council if the mail service address is different to what was lodged via the transfer at the LTO**. Council's new practice is to update ownership details including the mailing address in accordance with the advice provided by the Valuer General. Council has amended this change to align with SA Water practices and to provide an improved customer experience overall.
  - If lodging in person at Lands Title Office – Please send the change of ownership advice to Council via [mail@onkaparinga.sa.gov.au](mailto:mail@onkaparinga.sa.gov.au). Electronic settlement of funds is still preferred.

Yours sincerely

A handwritten signature in black ink.

Julie Jaussan  
**Team Leader**  
**Customer Relations**

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



Telephone (08) 83840666 Facsimile (08) 8382 8744

Certificate No:  
112562

**Property Information And Particulars**  
In response to an enquiry pursuant to Section 7 of the  
**The Land & Business (Sale & Conveyancing) Act, 1994**

**TO:** R J Van Der Hoek  
Rosey Batt & Associates  
336 Glen Osmond Rd  
MYRTLE BANK SA 5064

**DETAILS OF PROPERTY REFERRED TO:**

ASSESSMENT NO	:	68630-4
VALUER GENERAL NO	:	8684120025
VALUATION	:	\$470,000
OWNER	:	Mrs B E Trueack
PROPERTY ADDRESS	:	5 Oakhill Crescent, MORPHETT VALE SA 5162
VOLUME/FOLIO	:	CT-5222/388
LOT/PLAN NUMBER	:	Allot 149 Sec 628 DP 27344
WARD	:	03 Knox Ward

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

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

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

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

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

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

## INFORMATION NOTE

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

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

#### **Development Act 1993**

##### *Section 42*

Condition (that continues to apply) of a development authorisation

YES

Application Number: 145/1241/1998  
Description: Verandah Enclosure  
Decision: Approved  
Decision Date: 19-Jun-1998

##### Development Plan Consent Conditions

1. All development shall be completed in accordance with the plans and documentation submitted with and forming part of the Development Application.
2. The building shall not be used for any commercial purposes.
3. The building shall not be used for human habitation.

#### **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**

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 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 to be a significant tree or trees in the Planning and Design Code?

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

Open the Online Planning and Design Code to browse the full Code and Part 10 - Significant Trees for more information. <https://code.plan.sa.gov.au/>

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

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

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

**Section 127**

Condition (that continues to apply) of a development authorisation

NO

**Part 2—Items to be included if land affected****Development Act 1993 (repealed)****Section 50(1)**

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

NO

**Section 50(2)**

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

NO

**Section 55**

Order to remove or perform work

NO

**Section 56**

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

## **Local Government Act 1999**

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

NO

Refer to separate attachment for Rates and Charges

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

*Section 30*

Nuisance or litter abatement notice *issued against the land*

NO

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

*Section 139*

Notice of proposed work and notice may require access

NO

*Section 140*

Notice requesting access

NO

*Section 141*

Order to remove or perform work

NO

*Section 142*

Notice to complete development

NO

*Section 155*

Emergency order

NO

*Section 157*

Fire safety notice

NO

*Section 192 or 193*

Land Management Agreements

NO

*Section 198(1)*

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

NO

*Section 198(2)*

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

NO

*Part 16 - Division 1*

Proceedings

NO

*Section 213*

Enforcement notice

NO

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

Enforcement order

NO

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

### *Part 3*

Notice

NO

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

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

Condition (that continues to apply) of an approval

NO

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

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

NO

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

### *Section 92*

Notice

NO

*South Australian Public Health (Wastewater) Regulations 2013*

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

Condition (that continues to apply) of an approval

NO

## **Particulars of building indemnity insurance**

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

NO

## **Particulars relating to environment protection**

### *Further information held by council*

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

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

NO

### **Note –**

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

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

It should be noted that –

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

## **General**

### *Easement*

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

NO

Are you aware of any encroachment on the easement?

NO

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

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

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

NO

*Caveat*

NO

**Other**

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

NO

**PLEASE NOTE:**

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

This statement is made the 07-Feb-2023

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

**RevenueSA**

DEPARTMENT OF TREASURY AND FINANCE

ABN 19 040 349 865  
Emergency Services Funding Act 1998**CERTIFICATE OF  
EMERGENCY SERVICES LEVY PAYABLE**

The Emergency Services Levy working for all South Australians

The details shown are current as at the date of issue.

PIR Reference No: 2438677

ROSEY BATT & ASSOCIATES  
336 GLEN OSMOND RD  
MYRTLE BANK SA 5064

**DATE OF ISSUE**

07/02/2023

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

**OWNERSHIP NUMBER**

10217991 B E TRUEACK

**PROPERTY DESCRIPTION**

5 OAKHILL CRES / MORPHETT VALE SA 5162 / LT 149

**ASSESSMENT NUMBER**TITLE REF.  
(A "+" indicates multiple titles)**CAPITAL VALUE****AREA / FACTOR****LAND USE / FACTOR**

8684120025

CT 5222/388

\$470,000.00

R4

RE

1.000

0.400

**LEVY DETAILS:**

FIXED CHARGE	\$	50.00
+ VARIABLE CHARGE	\$	211.50
- REMISSION	\$	169.80
- CONCESSION	\$	46.00
+ ARREARS / - PAYMENTS	\$	-45.70
= <b>AMOUNT PAYABLE</b>	\$	0.00

**FINANCIAL YEAR**

2022-2023

**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**

08/05/2023

**Government of  
South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

**RevenueSA**

DEPARTMENT OF TREASURY AND FINANCE

Emergency Services Funding Act 1998

**CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE**

The Emergency Services Levy working for all South Australians

**PAYMENT REMITTANCE ADVICE****No payment is required on this Certificate**

**Please Note:**

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

Visit: [www.revenuesa.sa.gov.au](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:**

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

**OR**

**By Post to:**

RevenueSA  
Locked Bag 555  
ADELAIDE SA 5001



RevenueSA

GOVERNMENT OF SOUTH AUSTRALIA

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:

2438677

DATE OF ISSUE

07/02/2023

ROSEY BATT & ASSOCIATES  
336 GLEN OSMOND RD  
MYRTLE BANK SA 5064

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

OWNERSHIP NAME  
B E TRUEACK

FINANCIAL YEAR  
2022-2023

PROPERTY DESCRIPTION

5 OAKHILL CRES / MORPHETT VALE SA 5162 / LT 149

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	TAXABLE SITE VALUE	AREA
8684120025	CT 5222/388	\$197,000.00	0.0612 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			
<b>= AMOUNT PAYABLE</b>	<b>\$</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:

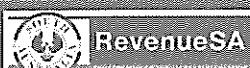
ON OR BEFORE **08/05/2023**



Government of  
South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



RevenueSA

GOVERNMENT OF SOUTH AUSTRALIA

# 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:**

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

**OR**

**By Post to:**

RevenueSA  
Locked Bag 555  
ADELAIDE SA 5001

CITY OF ONKAPARINGA

PO BOX 1

NOARLUNGA CENTRE SA 5168

Telephone (08) 8384 0666

Facsimile (08) 8382 8744

Cert No. 112562

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LOCAL GOVERNMENT RATES SEARCH

07-Feb-2023

TO: R J Van Der Hoek  
Rosey Batt & Associates  
336 Glen Osmond Rd  
MYRTLE BANK SA 5064

DETAILS OF PROPERTY REFERRED TO:

Rates Assessment No	:	68630 -4
Valuer General No	:	8684120025
Valuation	:	\$470,000
Owner :		Mrs B E Trueack
Property Address	:	5 Oakhill Crescent, MORPHETT VALE SA 5162
Volume/Folio	:	CT-5222/388
Lot/Plan Number	:	Allot 149 Sec 628 DP 27344
Ward	:	03 Knox Ward

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

Rates and Fines in Arrears (not paid 30 June 2022) and/or Block Clearing Charges	0.00
Postponed Amount in Arrears (if applicable) monthly interest of 0.31666% applies	0.00
Interest on Arrears charged in current financial year monthly interest of 0.48333% applies	0.00
<b>Rates for the current 2022-2023 Financial Year applicable from 1 July 2022:</b>	
Amount payable by 1 <sup>st</sup> September 2022	1,689.77
PLUS Current postponed amount (if applicable)	0.00
<b>Total Rates Levied 2022-2023</b>	<b>\$1,689.77</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	-1,689.77
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	0.00
Property Related Debts	0.00

BPAY Biller Code: 48470  
Ref: 686304

TOTAL BALANCE

\$0.00

**AUTHORISED OFFICER**  
Kate Vonow

This statement is made the 7 February, 2023

Account Number <b>86 84120 02 5</b>	L.T.O Reference <b>CT5222388</b>	Date of issue <b>7/2/2023</b>	Agent No. <b>7319</b>	Receipt No. <b>2438677</b>
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**ROSEY BATT & ASSOCIATES**  
 336 GLEN OSMOND RD  
 MYRTLE BANK SA 5064  
 jschubert@roseybatt.com.au

Section 7/Elec

## Certificate of Water and Sewer Charges & Encumbrance Information

### Property details:

**Customer:** B E TRUEACK  
**Location:** 5 OAKHILL CRES MORPHETT VALE LT 149  
**Description:** 5EHG ENC/V P                    **Capital Value:** \$ 470 000  
**Rating:** Residential

### Periodic charges

Raised in current years to 31/12/2022

		\$	
	Arrears as at: 30/6/2022	137.89	
Water main available:	28/7/1990	Water rates	
Sewer main available:	28/7/1990	Sewer rates	
		Water use	
		SA Govt concession	
		141.60	
		155.34	
		107.00	
		165.56CR,	
		0.00	
		0.00	
		0.00	
		0.00	
		0.00	
		376.27CR	
		0.00	
Degree of concession:	100.00%	Date granted:	2/3/2022
Recovery action taken:	FULLY PAID		
<b>Next quarterly charges:</b>	Water supply: 70.80	Sewer: 77.67	
		Bill: 8/3/2023	

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

The last Water Use Year ended on 31/05/2022.

From 1/7/2015, Save the River Murray Levy charges no longer apply.

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



Government of  
South Australia

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

1300 SA WATER  
 (1300 729 283)  
 ABN 69 326 525 019  
[sawater.com.au](http://sawater.com.au)



## South Australian Water Corporation

**Name:** B E TRUEACK **Water & Sewer Account**  
Acct. No.: 86 84120 02 5 **Amount:** \_\_\_\_\_

**Address:**  
5 OAKHILL CRES MORPHETT VALE LT  
149

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### Payment Options

#### EFT

##### EFT Payment

Bank account name: SA Water Collection Account  
BSB number: 065000  
Bank account number: 10622859  
Payment reference: 8684120025



Biller code: 8888  
Ref: 8684120025

#### 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: 8684120025



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)

