

REAL PROPERTY ACT, 1986



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 6253 Folio 785

Parent Title(s) CT 6229/624
Creating Dealing(s) RTC 13510512
Title Issued 29/04/2021 **Edition** 2 **Edition Issued** 04/08/2021

Estate Type

FEE SIMPLE

Registered Proprietor

ZAK ALEXANDER KENDALL
TARA ELEANOR ELIZABETH KENDALL
OF 23 PINKGUM AVENUE ALDINGA BEACH SA 5173
AS JOINT TENANTS

Description of Land

ALLOTMENT 62 DEPOSITED PLAN 126888
IN THE AREA NAMED MOUNT COMPASS
HUNDRED OF NANGKITA

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED C ON D126888 FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

Schedule of Dealings

Dealing Number	Description
13580493	ENCUMBRANCE TO CAPITOLINE PROPERTY PTY. LTD. (ACN: 125 228 266)
13580494	MORTGAGE TO HOMESTART FINANCE

Notations

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

ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

**Certificate of
LOCAL GOVERNMENT CHARGES
Pursuant to the Local Government Act, 1999**

Search No: 41179	Assessment No: A26250
Bpay Biller Code: 36012	
Reference: 1000262508	Valuation No: 4551843555
Property Described as: 5 WATSON DRIVE MOUNT COMPASS SA 5210	
Owners Name: ZA & TEE KENDALL	
<u>Section</u>	<u>Allotment</u>
	62
<u>Plan</u>	<u>Certificate of Title</u>
DP126888	6253/785

RATES/CHARGESPeriod ending **30/06/25** - declared date: **24/06/24** - First Due Date **01/09/24**

Rates and fines in arrears b/fwd 1st July	-6.85
Rates for current Financial year	2,283.00
Service Charges	725.00
<i>CWMS Occupied</i>	
Less Pensioner Concessions - Not applicable	0.00
Interest/Legal fees to date	0.00
Fines to date	0.00
Sundry Debtors	0.00
Hills & Fleurieu Regional Landscape Levy	57.00
Less payments made	0.00
TOTAL OUTSTANDING AT DATE OF THIS CERTIFICATE	3,058.15

Rates not paid on or before the **DUE DATE** are subject to a **FINE** of 2.00% with further **INTEREST CHARGES** of 0.7625% being added to **ARREARS** each month following.

Miscellaneous: NEXT QUARTERLY PAYMENT OF \$759.40 IS DUE BY 01/09/2024.

Authorised Officer: Bryan Francis

Date : 05/08/2024

ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

Search No: 41179
Assessment No: A26250

Development Act 1993 Repealed

Section 42 - Condition (that continues to apply) of a development authorisation	Attached
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Repealed Act conditions

Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1966</i> (repealed)	Nil
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Planning, Development and Infrastructure Act 2016

Part 5 - Planning and Design Code - Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code):	Refer to Attached Plan SA Report
Is there a State heritage place on the land or is the land situated in a State heritage area?	No
Is the land designated as a local heritage place?	No
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?	No
Is there a current amendment to the Planning and Design Code released for public consultation by a designated entity on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation?	Yes
Section 127 - Condition (that continues to apply) of a development authorisation	Refer to Attached Plan SA Report

Development Act 1993 (repealed)

Section 50(1) - Requirement to vest land in a council or the Crown to be held as open space	Nil
Section 50(2) - Agreement to vest land in a council or the Crown to be held as open space	Nil
Section 55 - Order to remove or perform work	Nil
Section 56 - Notice to complete development	Nil

ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

Search No: 41179
Assessment No: A26250

Section 57 - Land management agreement	No
Section 69 - Emergency order	Nil
Section 71 - Fire safety notice	Nil
Section 84 - Enforcement notice	Nil

Section 85(6), 85(10) or 106 - Enforcement order	Nil
Part 11 Division 2 - Proceedings	Nil

Fire and Emergency Services Act 2005

Section 105F (or Section 56 or 83 (repealed)) - Notice to take action to prevent outbreak or spread of fire	Nil
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Food Act 2001

Section 44 - Improvement Notice	Nil
Section 46 - Prohibition Order	Nil

Housing Improvement Act 1940 (repealed)

Section 23 - Declaration that house is undesirable or unfit for human habitation	Nil
Part 7 (rent control for substandard houses) - Notice or declaration	Nil

Land Acquisition Act 1969

Section 10 - Notice of intention to acquire	Nil
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Local Government Act 1934 (repealed)

Notice, order, declaration, charge, claim or demand given or made under the Act	Nil
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Local Government Act 1999

Notice, order, declaration, charge, claim or demand given or made under the Act	Nil
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ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

Search No: 41179
Assessment No: A26250

Local Nuisance and Litter Control Act 2016

Section 30 - Nuisance or litter abatement notice	Nil
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Planning, Development and Infrastructure Act 2016

Section 141 - Order to remove or perform work	Nil
Section 142 - Notice to complete development	Nil
Section 155 - Emergency order	Nil
Section 157 - Fire safety notice	Nil
Section 192 or 193 - Land management agreement	No
Section 198(1) - Requirement to vest land in a council or the Crown to be held as open space	Nil
Section 198(2) - Agreement to vest land in a council or the Crown to be held as open space	Nil
Part 16 Division 1 - Proceedings	Nil
Section 213 - Enforcement notice	Nil
Section 214(6), 214(10) or 222 - Enforcement order	Nil

ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

Search No: 41179
Assessment No: A26250

Public and Environmental Health Act 1987 (repealed)

Part 3 - Notice	Nil
<i>Public and Environmental Health (Waste Control) 2010 (or 1995) (revoked)</i> Part 2 - Condition (that continues to apply) of an approval	Nil
<i>Public and Environmental Health (Waste Control) Regulations 2010 (revoked)</i> Regulation 19- Maintenance order (that has not been complied with)	Nil

South Australian Public Health Act 2011

Section 92 - Notice	Nil
<i>South Australian Public Health (Wastewater) Regulations 2013</i> Part4-Condition (that continues to apply) of an approval.	Attached

Other Charges

Charges of any kind affecting the land (not included in another item)	Nil
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ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

Search No: 41179
Assessment No: A26250

Particulars of Building indemnity insurance

Note: Building indemnity insurance is not required for -

- (a) domestic building work for which approval under the *Planning, Development and Infrastructure Act 2016*, the repealed *Development Act 1993* or the repealed *Building Act 1971* is or was not required; or
- (b) minor domestic building work (see section 3 of the *Building Work Contractors Act 1995*); or
- (c) domestic building work commenced before 1 May 1987; or
- (d) building work in respect of which an exemption from the application of Division 3 of Part 5 of the *Building Work Contractors Act 1995* applies under the *Building Work Contractors Regulations 2011*; or
- (e) building work in respect of which an exemption from the application of Division 3 of Part 5 of the *Building Work Contractors Act 1995* has been granted under section 45 of that Act.

Details of Building Indemnity Insurance still in existence for Building Work on the Land

Building indemnity insurance required	Yes
<p>Name(s) of person(s) insured: ZAC ALEXANDER KENDALL & TARA E</p> <p>Name of insurer: QBE INSURANCE (AUSTRALIA) LTD</p> <p>Limitations on the liability of the insurer: VALUE \$273479.00</p> <p>Name of the Builder: AUSTRALIAN BUILDING COMPANY P/</p> <p>Builders Licence Number: RBLD296885</p> <p>Date of issue of Insurance: 18/12/20</p> <p>Description of insured building work: NEW SINGLE DWELLING CONSTRUCT</p>	

ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

Search No: 41179

Assessment No: A26250

Exemption from holding insurance

If particulars of insurance are not given, has an exemption been granted under section 45 of the *Building Work Contractors Act 1995* from the requirement to hold an insurance policy in accordance with Division 3 of Part 5 of that Act?

No

If Yes, give details:

a) Date of the exemption:

b) Name of builder granted the exemption:

c) Licence number of Builder granted the exemption:

d) Details of building work for which the exemption applies:

e) Details of conditions (if any) to which the exemption is subject:

ALEXANDRINA COUNCIL PRESCRIBED INFORMATION

Search No: 41179
Assessment No: A26250

Particulars Relating to Environment Protection

Further information held by councils

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 the council (on payment of any fee fixed by the council). However, it is expected that the ability to supply further details will vary considerably between councils.

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

It should be noted that-

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

CONFIRMED BY

ENVIRONMENTAL HEALTH OFFICER

Tony Pearson

BUILDING OFFICER

Andreas Karaiskos

PLANNING &

Cameron Gibbons

DATE & TIME

5/08/2024

12:06:02PM

DECISION NOTIFICATION FORM

For Development Application:

Dated: 30.09.15

Registered: 01.10.15



TO CAPITOLINE PROPERTY PTY LTD
C/- ALEXANDER SYMONDS PTY LTD
PO BOX 1000
KENT TOWN SA 5071

Application No: 455/D042/15
Assessment: A23586

LOCATION OF PROPOSED DEVELOPMENT: LOT: 51 GEORGE FRANCIS DRIVE MOUNT COMPASS

NATURE OF PROPOSED DEVELOPMENT: LAND DIVISION CREATING FORTY (40) ADDITIONAL
ALLOTMENTS (NON-COMPLYING)

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT (A = Approved; R = Refused; N = Not Applicable)	DATE	NO OF CONDITIONS
Development Plan Consent	Approved	17/04/2019	16
Land Division	Approved	17/04/2019	1
Land Division (Community Title)	Not Applicable		
Building Rules Consent	Not Applicable		
Other	Not Applicable		
DEVELOPMENT APPROVAL	Approved	17/04/2019	17

NOTE: No work can commence on this development unless a **DEVELOPMENT APPROVAL** has been obtained.
(i.e. consent granted by date for a Development Approval in the shaded box)

Details of the building classification and the approved number of occupants under the Building Code are attached.

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

SIGNED: _____

DATE: 17/04/2019

Matt Atkinson
Authorised Officer

NOTES FOR APPLICANT

1. You may have the right of appeal if this Decision Notification is:

- * A refusal; or
- * A consent or approval with conditions

Your appeal must be lodged with the Environment, Resources and Development Court, together with the designated fee, within two months of you receiving notice of the decision.

A copy of your receipted appeal notice must be also served on the authority which issued the Decision Notification Form within the same two month period.

Please contact the Environment, Resources and Development Court if you wish to appeal. Ph. (08) 8204 0300

2. If your application was the subject of third party representations, any consent or approval, whether subject to conditions or not, shall not operate until the determination of any appeal. A representor has 15 business days from the date of the Decision Notification to lodge an appeal. Please contact the Environment, Resources and Development Court to see if an appeal has been lodged.

3. If this is a Development Approval:

- * the development approval must be substantially commenced;
- * for land division, you must apply to the Development Assessment Commission for a certificate.

within 12 months of the date of this Decision Notification (or alternatively the date of the determination of any appeal) unless this period has been extended by the relevant authority.

And

Any act or work authorised or required by this Decision Notification must be substantially or fully completed within 3 years of the date of this Notification or a longer time as allowed by the relevant authority.

PLEASE NOTE:

If an application for Clearance under Section 51 of the Development Act 1993 has not been lodged with the Development Assessment Commission within 12 months of the date of this consent the application will lapse in accordance with Regulation 48 (1) of the Development Regulations 2008. Where this occurs you will be required to obtain a new Development Approval before commencing or continuing the development.

Unless otherwise stated within this approval the attached consent is limited to works within the boundaries of the allotment. Any works external to the allotment boundaries including but not limited to, driveway crossovers and/or tree removals or proposed tree relocations require a separate permit under the Local Government Act 1999. Please contact Council's Engineering Department on 8555 7000 for further information regarding a permit.

DECISION NOTIFICATION – CONDITIONS OF APPROVAL

APPLICANT NAME: CAPITOLINE PROPERTY PTY L

CONDITIONS OF COUNCIL LAND DIVISION CONSENT: - 16

- 1 Prior to the issuing of land division clearance pursuant to section 51 of the Development Act 1993 for any stage of the development, approval from Council will be required for any portion of the development that is located within the Council drainage easement marked 'H' on Certificate of Title: Volume 6085 / Folio 450, including but not limited to the water storage lagoon, a section of the road and any landscape buffer.

Reason: To ensure the development can proceed as proposed given that Council has a vested interest in a portion of the subject land

- 2 That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall proceed in strict accordance with the details and plans prepared by Alexander Symonds P/L, dated 15/11/17 and marked reference number A089815 0001 and the Statement of Effect prepared by Future Urban Group dated 13 July 2017 and subsequent correspondence, as submitted in development application number 455/D042/15

Reason To ensure the proposal is established in accordance with the approved plans.

- 3 The existing water storage lagoon within the Council drainage easement marked 'H' on Certificate of Title: Volume 6085 / Folio 450 shall only be decommissioned following approval from the Council

Reason: Council's Engineers have advised that the existing water storage lagoon remains required infrastructure and a suitable alternative will need to be agreed with Council prior to the proposed decommissioning

4. The developer shall pay \$88,735.36 into the Council's Planning and Open Space Fund, prior to the issuing of land division clearance pursuant to section 51 of the Development Act 1993.

Reason This figure has been calculated based on a combination of the area to be vested as a reserve compared to the relevant area pursuant to Section 50 of the Development Act 1993 and the rate of contribution prescribed in Regulation 56 of the Development Regulations 2008.

- 5 Vegetation buffers shall be provided along the western boundary of the subject land, with a minimum width of 15 metres except for the portion of land located adjacent to proposed allotment 72 and the cul-de-sac head, which shall have a minimum width of 8 metres. A landscaping plan, including list of species and planting timeframes shall be provided to the satisfaction of Council, prior to the issuing of land division clearance pursuant to section 51 of the Development Act 1993

Reason: To provide a vegetated buffer prior to the creation of the allotments to soften the visual outlook and mitigate potential dust and/or noise from the adjacent sand mine

- 6 Prior to the practical completion of infrastructure, the Developer shall provide a landscaping plan indicating the location and species of street trees, reserve plantings and other details relating to the stabilisation of the 'Reserve'

- 7 The Applicant shall be responsible for the provision of all necessary engineering infrastructure and other assets, in accordance with Council's 'Design Guidelines for the Provision of Infrastructure and Other Assets' (the 'Design Guidelines'), a copy of this is available at www.alexandrina.sa.gov.au

- 8 A paved footpath, 1.5m wide shall be constructed adjacent to the frontages of lots 45 to 50 inclusive and the western lot boundaries of lots 39 and 50
- 9 Easements for drainage purposes shall be vested in Council over all stormwater drains and structures not within public land. The minimum width of a drainage easement containing one service shall be 3 m and 4 m should the easement contain more than one service.
10. The agreement between the Council and the land owner relating to the discharge of stormwater onto adjoining land in their ownership shall be amended to include any new discharge points as a result of this land division, prior to the issuing of land division clearance pursuant to section 51 of the Development Act 1993
- 11 Each allotment shall be provided with a connection point to Council's existing CWMS, in accordance with Council's 'Community Wastewater Management System (CWMS) Standards', available at www.alexandrina.sa.gov.au
- 12 Prior to commencement of sewer drainage pipework, a full drainage design including all long sections of the sewerage pipework must be provided to the Council for approval. The design shall also include anticipated flow rates for the development at full capacity. Please note that wastewater drainage must be via gravity only. No pumping systems will be permitted. In the event the existing pumping station is unable to service the flow rates resulting from the development, the developer (at their cost) shall upgrade the wastewater infrastructure including the existing pumping station to ensure there is adequate capacity to accommodate the development.
- 13 Surveyed 'as constructed' drawings illustrating technical detail including drain lengths, location and the like shall be provided to the Council prior to the issuing of land division clearance pursuant to section 51 of the Development Act 1993
- 14 The developer shall pay a CWMS headworks charge of \$204,000 (comprising \$5,100 per allotment) prior to the installation of the connection points for each allotment
- 15 All plumbing work is to be inspected prior to the back filling of trenches. Please contact Council's CWMS Assets Coordinator on 8555 7000 to book an inspection giving at least two working days notice
- 16 The existing suction line infrastructure that services Fleurieu Golf Course within the area affected by the land division is to be redirected at developer's expense

NOTES:

- 1 If there is an intention to clear native vegetation on the land at any time, the applicant should consult the Native Vegetation Council to determine relevant requirements under the Native Vegetation Act 1991 and its Regulations. Note that 'clearance' means any activity that could cause any substantial damage to native plants, including cutting down and removing plants, burning, poisoning, slashing of understorey, removal or trimming of branches, severing roots, drainage and reclamation of wetlands, and in some circumstances grazing by animals

For further information contact the Native Vegetation Council on telephone 8303 9741 or visit <http://www.nvc.sa.gov.au>

CONDITIONS OF SCAP LAND DIVISION CONSENT: - 1

- 1 A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

NOTE: Please notify Council in writing when all conditions have been met, to request Council's clearance under Section 51 of the Development Act.

NOTES TO APPLICANT/OWNER REGARDING LAND DIVISION CONSENT

Notwithstanding the approval of this application, the land division, must comply with all the requirements of the Development Act and Regulations and Council By-Laws Sec. 45(2).

Approval is valid for one (1) year only and should an application for a certificate not be lodged within that period a new application must be submitted. If an application for a certificate is lodged within that first year, or the development is substantially commenced, then the applicant has three (3) years to complete the development Reg 48(1)

ELECTRICITY SUPPLY

1. The developer shall grant any easements required by the ETSA Corporation, for transformers and reticulation.
2. The developer must make all necessary arrangements with ETSA Power to service the allotments if the developer is to provide ETSA services to each allotment.
3. ETSA Power will service each allotment from the existing overhead mains where the allotments will only be via underground cable.
4. The developer must make all necessary financial and other arrangements with ETSA Power for the relocation of any existing poles that are located off boundary. If the developer does not contact ETSA Power and make these arrangements, ETSA Power will consider the existing poles to be on their standard alignment.

WATER SUPPLY

1. Water reticulation mains are to be located in road pavements, clear of footpaths.
2. The Water supply system shall generally be designed and constructed in accordance with the SA Water "Standard Specification for the Construction of Water Reticulation Systems in Land Divisions", 1996.
3. The mains shall be adequate to deliver fire fighting flows to the furthest allotments.
4. Details of the water supply scheme are to be approved by Council prior to construction.
5. If a private water supply source (ie. non-mains) is proposed, approval is sought from Council. Full chemical analysis and microbiological test reports will be required by Council prior to connection. Similarly, regular testing to monitor quality will be necessary.

DRAINAGE RESERVES, EASEMENTS FOR DRAINAGE AND ELECTRICITY SUPPLY

1. The requirements of the ETSA Corporation with respect to the provision of easements are to be met.

TELSTRA PLANT

The developer is advised that if any existing Telstra plant is required to be relocated the cost is the responsibility of the developer. It should not be assumed that Telstra will re-locate plant but will be performed at Telstra's discretion. Any information required regarding the location of Telstra cables can be obtained by calling Telstra's Free Plan service on 1100.

Data Extract for Section 7 search purposes

Valuation ID 4551843555

Data Extract Date: 30/07/2024

Parcel ID: D126888 A62

Certificate Title: CT6253/785

Property Address: 5 WATSON DR MOUNT COMPASS SA 5210

Zones

Golf Course Estate (GCE)

Subzones

No

Zoning overlays

Overlays

Affordable Housing

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

Hazards (Bushfire - High Risk) (High)

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

Hazards (Flooding - Evidence Required)

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

Murray-Darling Basin

The Murray-Darling Basin Overlay seeks to ensure sustainable water use in the Murray-Darling Basin area.

Native Vegetation

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

Prescribed Water Resources Area

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

River Murray Tributaries Protection Area

The River Murray Tributaries Protection Area Overlay seeks to ensure sustainable water use and conservation of riverine environments within the River Murray Tributaries Area.

Water Protection Area

The Water Protection Area Overlay seeks to safeguard South Australia's public water supplies by protecting regionally and locally significant surface and underground water resources from pollution.

Is the land situated in a State Heritage Place/Area

No

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

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

Is the land designated as a Local Heritage Place

No

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

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

Is there a tree or stand of trees declared in Part 10 of the Planning and Design Code (the Code) to be a significant tree or trees on the land? (Note: there may be regulated and/or significant trees on the land that are not listed in the Code - see below).

No

Under the Planning, Development and Infrastructure Act 2016 (the Act), a tree may be declared as a significant tree in the Code, or it may be declared as a significant or regulated tree by the Planning, Development and Infrastructure (General) Regulations 2017. Under the Act, protections exist for trees declared to be significant and/or regulated trees. Further information regarding protected trees can be found on the PlanSA website: <https://plan.sa.gov.au/>

Open the Online Planning and Design Code to browse the full Code and Part 10 - Significant Trees for more information.

<https://code.plan.sa.gov.au/>

Associated Development Authorisation Information

A Development Application cannot be enacted unless the Development Authorisation for Development Approval has been granted.

Application ID: 21020708

Development Description: Construction of a single storey detached dwelling including associated earthworks and retaining walls

Site Address: 5 WATSON DR MOUNT COMPASS SA 5210

Development Authorisation: Planning Consent

Date of authorisation: 23 July 2021

Name of relevant authority that granted authorisation: Alexandrina Council

Condition 1

Please see DNF for existing Development Application Number 455/163/21

Development Authorisation: Building Consent

Date of authorisation: 27 July 2021

Name of relevant authority that granted authorisation: Tecon Australia Pty Ltd

Associated Building Indemnity Insurance

Building Work: Single storey dwelling, retaining walls

Not Applicable

Development Authorisation: Development Approval: Planning Consent and Building Consent

Date of authorisation: 29 July 2021

Name of relevant authority that granted authorisation: Alexandrina Council

Land Management Agreement (LMA)

No

Swimming Pool Safety



REQUIREMENTS ON SALE OF PROPERTY

Pools approved, constructed or installed before 1st July 1993;

Safety barriers must be brought into line with the requirements of Ministerial Building Standard – MBS 004 - Swimming Pool Safety – designated safety features for pools built before 1 July 1993

Pools approved, constructed or installed from 1st July 1993 to the present;

Safety barriers must comply with the rules in place when the pool was approved;

- From 1st July 1993 to 1st December 2010 child resistant doorsets were permitted
 - doors opening into a pool enclosure were required to be self-closing and self-latching with the latch at least 1500mm above the floor
 - windows opening into a pool enclosure were required to be protected by a security screen or the opening width restricted to a maximum of 100mm
- From 2nd December 2010 child resistant door sets were not permitted
 - a fence was required between any doorway from the house and the pool
 - windows opening into a pool enclosure were required to be protected by a security screen or the opening width restricted to a maximum of 100mm

Safety Fence Inspections

If you have a property for sale that has a swimming pool, it is your responsibility to ensure the pool safety barrier is compliant with Ministerial Building Standard-MBS 004 and the legislation at the time of approval. It is recommended that you should have the pool safety barrier checked by a consultant specializing in pool fencing well before the property transfer is settled. This will allow time to upgrade anything that is deficient or not complying before the settlement date. Please Note: Alexandrina Council does not undertake such inspections.

For further details log onto the State Government website <https://www.sa.gov.au/topics/housing-property-and-land/building-and-development/residential-building-regulations/safety-regulations-around-the-home/pool-and-spa-safety> or contact the Building Team of Council on 8555 7000

DECISION NOTIFICATION FORM

Section 126(1) of the Planning, Development and Infrastructure Act 2016

TO THE APPLICANT(S):

Name: Australian Building Company Pty Ltd
Postal address: 162 Greenhill Road Parkside SA 5063
Email: sapermits@metricon.com.au

IN REGARD TO:

Development application no.: 21020708	Lodged on: 23 Jul 2021
Nature of proposed development: Construction of a single storey detached dwelling including associated earthworks and retaining walls	

LOCATION OF PROPOSED DEVELOPMENT:

Location reference: 5 WATSON DR MOUNT COMPASS SA 5210		
Title ref.: CT 6253/785	Plan Parcel: D126888 AL62	Council: ALEXANDRINA COUNCIL

DECISION:

Decision type	Decision (granted/refused)	Decision date	No. of conditions	No. of reserved matters	Entity responsible for decision (relevant authority)
Planning Consent	Granted	14 Jul 2021	1	0	Alexandrina Council
Building Consent	Granted	27 Jul 2021	0	0	Troy Olds - Tecon Australia Pty Ltd - Building Level 1
Development Approval - Planning Consent; Building Consent	Granted	29 Jul 2021	1	0	Alexandrina Council

FROM THE RELEVANT AUTHORITY: Troy Olds - Tecon Australia Pty Ltd - Building Level 1

Date: 8 Oct 2021

MINOR VARIATION TO PREVIOUS AUTHORISATION

Consent affected	Description of minor variation	Date minor variation endorsed*	Entity responsible for decision
Building Consent; Development Approval For: Planning Consent Building Consent	Amended truss details	29 Sep 2021	Tecon Australia Pty Ltd; Alexandrina Council

** Date minor variation endorsed does not affect operative date of original consent.*

CONDITIONS

Planning Consent

Please see DNF for existing Development Application Number 455/163/21

Building Consent

None

ADVISORY NOTES

General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
 - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
 - b. if an appeal is commenced—
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

Planning Consent

Please see DNF for existing Development Application Number 455/163/21

Building Consent

Tecon Australia have assessed and issued the Building Rules Consent for the above development, please refer to **Tecon reference: 210857** please contact Tecon Australia on (08) 8228 1600 to discuss this approval.

Performance solutions for the following items have been accepted by this office:-

- Energy efficiency requirements
- Rainwater tank capacity

Pursuant to Regulation 93 of the Planning, Development and Infrastructure (General) Regulations 2017 the applicant or builder proposing to undertake the development is advised of their obligation to give the Council 1 days notice of the commencement and completion of the development and at the stages notified by council with the Development Approval.

This office has formed the opinion that the building is not unsafe, structurally unsound and that access for people with disabilities has been considered as required by Section 134 of the Planning, Development & Infrastructure Act 2016.

The stormwater disposal system must not allow the entry of water into any building or on to the land of any adjoining owner without their prior consent.

The footing design does not take into consideration the effect of adjacent trees.

The owners should be made aware of the general requirements for maintenance of the footings and site management set out in appendix B of AS2870 Residential Slabs and Footings and the information available in the CSIRO pamphlet 10-91.

This report based on the building rules assessment only and does not suggest or infer compliance with any other legislation.

This site is located in a Bush Fire Prone Area, the building shall be constructed in accordance with the details required for BAL 12.5 construction detailed in AS3959 and BCA Part 3.10.5 relevant for this category of bushfire attack.

The Applicant/Owner or person with the benefit of this consent shall ensure they obtain permission from the parties over which the easement is held. This consent does not infer that this permission has been granted.

The methods of protection against termite attack listed in AS3660.1 - "Termite Management - New Building Work" rely on regular inspection and maintenance to remain effective. The construction of the building on or adjacent to a property boundary, another structure, tank, gas bottle, water heater or other equipment may impede the inspection process and reduce the effectiveness of the termite barrier.

A durable notice must be placed in a prominent location, such as the meter box or the like in accordance with Appendix A of AS3660.1.

CONTACT DETAILS OF CONSENT AUTHORITIES

Name: Alexandrina Council	Type of consent: Planning
Telephone: 08 8555 7000	Email: envirocso@alexandrina.sa.gov.au
Postal address: PO BOX 21, Goolwa SA 5214	

Name: Tecon Australia Pty Ltd	Type of consent: Building
Telephone: 82281600	Email: admin@teconaust.com.au
Postal address: 5 / 126 Carrington Street, Adelaide SA 5000	

Name: Please see DNF for existing Development Application Number 455/163/21	Type of consent:
Telephone:	Email:
Postal address:	

BUILDING CLASSIFICATION/S

Essential safety provisions apply: No

Building work Single storey dwelling, retaining walls

Building Classification	Approved number of occupants
1A - Detached house/ Fire separated attached dwelling	N/A
10A - Open or private garage,shed etc	N/A
10B - Fence, mast, Antenna, swimming pool	N/A

CERTIFICATE OF HOME OWNERS WARRANTY

Domestic building work must not commence before a copy of the certificate of Home Owners Warranty has been lodged with the relevant authority. If not already lodged, you must lodge the required certificate of insurance before notice is given of intended commencement of building work (regulation 36).

Building work Single storey dwelling, retaining walls

Certificate of Home Owners Warranty received: Yes

REQUIRED NOTIFICATIONS

You are advised that notice and/or documentation must be provided to council when the following stages of building work are reached (regulation 93):

Building work Single storey dwelling, retaining walls

- Commencement of Building work (1 business day's notice)
- Commencement of Installation of a designated building product on a designated building (1 business day's notice)
- Commencement of Provision of a completed supervisor's checklist relating to the installation of the designated building product (1 business day's notice)
- Completion of Framing Work (1 business day's notice)
- Completion of Building work (1 business day's notice)
- Completion of Statement of Compliance and other documents required to be provided at the completion of building work (1 business day's notice)

Note regulation 57(7) allows the relevant authority issuing the notice to specify any additional stage of building work for which notice must be given to the council under regulation 93.

Where a building certifier is issuing the building consent the use of this regulation is to inform the council of stages of work when a notification should be provided and an inspection may occur at the council's discretion. If applicable, notifications specified under 57(7) are therefore intended to be in addition to mandatory notifications and any notifications specified by council under 93(1)(b) or (c) when issuing the final Development Approval.

*To submit the requested notifications, log in to the SA planning portal and select **Submit mandatory building notifications**.*

STATEMENT OF COMPLIANCE

A Statement of Compliance is required at the completion of all building work, except in respect of a Class 10 building other than a swimming pool or private bushfire shelter.

Building Work Single storey dwelling, retaining walls

The following certificates, reports or other documents must be provided to the building certifier or council (as relevant) with the completed Statement of Compliance under regulation 57(8)(c).

- NIL

A blank copy of the Statement of Compliance is available on the SA planning portal. The Statement of Compliance and other required documents may be uploaded to the SA planning portal on completion.

BUILDING OCCUPATION/COMPLETION

Building work Single storey dwelling, retaining walls

Building classification 1A - Detached house/ Fire separated attached dwelling

A Certificate of Occupancy issued under section 152 is required for this building before it can be occupied: Yes
The Certificate of Occupancy will be issued by: The council

Building classification 10A - Open or private garage, shed etc

A Certificate of Occupancy issued under section 152 is required for this building before it can be occupied: No

Building classification 10B - Fence, mast, Antenna, swimming pool

A Certificate of Occupancy issued under section 152 is required for this building before it can be occupied: No

Note section 152 of the Act and regulation 103, requires a Certificate of Occupancy to be issued before a building can be occupied, except in respect of a Class 10 building under the Building Code (regulation 103(1)).

Section 152(2) of the Act states that 'A certificate of occupancy will be issued by council', noting that section 154 allows a building certifier to exercise this power should they elect to, where either: the building is owned occupied by the Crown or an agency or instrumentality of the Crown; or if they issued the building rules consent for that building.

The authority above – either building certifier or council – will therefore be responsible for issuing this Certificate following receipt of the Statement of Compliance and other documentation as required to provide assurance that the building is suitable for occupation.

Note the default authority for issuing this Certificate remains the council, should there be no building certifier or if the certifier elects not to issue this Certificate, noting that a council may still elect not to issue a certificate, if the council is not satisfied the building is suitable for occupation under section 152(6) of the Act.

Contact details for the purposes of this notification

Name Alexandrina Council

Email envirocso@alexandrina.sa.gov.au

Phone 08 8555 7000

Notifications may also be provided via the SA planning portal.

File: 455/163/21
A26250
CAS

14 July 2021

**Zak & Tara Kendall
19 Emerald Boulevard
ALDINGA BEACH SA 5173**

Dear Sir/Madam

WASTEWATER WORKS APPROVAL FOR: Lot 62 (5) Watson Drive Mount Compass

I refer to your application for wastewater works approval at the above site.

I advise that, pursuant to the South Australian Public Health (Wastewater) Regulations 2013 (the Regulations) your application has been approved subject to the following conditions.

Please note that penalties can apply for non-compliance with approval conditions.

1. The approved wastewater works incorporates:
 - 1.1. Sanitary plumbing and drainage in compliance with AS/NZS 3500
 - 1.2. Connection to gravity sewer. **See note 1.**
2. The system is to be installed, commissioned, operated and maintained in accordance with:
 - 2.1. The plans and specifications submitted including any amendments made/required with this approval
 - 2.2. Manufacturers, installers and equipment suppliers' instructions and recommendations
 - 2.3. In the case of any wastewater products to be installed, the relevant product approval conditions
 - 2.4. Australia/New Zealand Standard for Sanitary Plumbing and Drainage (AS/NZS 3500.2)
 - 2.5. The Onsite Wastewater Systems Code
 - 2.6. All other relevant standards and codes
 - 2.7. Conditions of this approval
3. In accordance with the Regulations, wastewater works must be carried out by a suitably qualified person. Additionally, the required signed Certificates of Compliance and "as constructed" drawings must be submitted to the relevant authority and the owner or occupier of the land on which the work was undertaken within 28 days.
4. In regards to inspection and commissioning;
 - 4.1. The relevant authority reserves the right to inspect during construction, or upon completion, or not to inspect the installation.

4.2. Persons undertaking wastewater works are required to give Council at least one business days notice at the following stages:

- a) Underfloor plumbing completed (with work under water test)
- b) Drains, other approved ancillary equipment and connection to sewer (drains to be under water test)
- c) Final inspection on completion of the whole system prior to occupation

Please contact the Planning and Development Customer Service Officer on (08) 8555 7000 to arrange for these inspections.

- 5. A durable notice is to be permanently located in a prominent position (such as a power box) on the property showing;
 - 5.1. Type of system installed
 - 5.2. Date of system installed
 - 5.3. Servicing / desludging frequency
 - 5.4. Prohibited discharges
 - 5.5. Relevant Authority / Manufacturer details
- 6. The operator of the wastewater system must ensure that the lids and access openings are to be fitted so as to be childproof.
- 7. The operator of a wastewater system must ensure that the system is operated, maintained and serviced in accordance with :
 - 7.1. The conditions of this approval
 - 7.2. The prescribed codes to the extent which they are applicable.
- 8. The operator of a wastewater system must ensure that wastewater from the system is reused or disposed of in accordance with:
 - 8.1. These approval conditions
 - 8.2. All relevant standards and Codes to the extent which they are applicable.
- 9. Where installed, any pumps and rising mains required must be suitable for their intended loads and operating environment.
- 10. This approval will expire if the works are not commenced, or are commenced but not substantially completed within 24 months after the date of approval.
- 11. Pursuant to the Regulations, the relevant authority may, on its own initiative, by written notice to the operator of a wastewater system to which a wastewater works approval applies, vary or revoke a condition of the approval or impose a further condition, but in that case, the variation, revocation or imposition may not take effect until at least 6 months after the giving of the notice unless-
 - 11.1. The operator consents or-
 - 11.2. The relevant authority states in the notice that, in its opinion, the variation revocation or imposition is necessary in order to prevent or mitigate significant harm to public or environmental health or the risk of such harm.

Approved by:



Cassie O'Connor (Team Leader Environmental Health) Date: 14 July 2021

- Note 1:** Before commencing work, the depth and location of the connection point must be checked.
- Note 2:** The approval does not abrogate responsibilities under other Acts or Regulations to obtain the necessary approvals, permits or licences from other agencies.
- Note 3:** Sludge from the system (where applicable) is to be taken away by an EPA licensed operator to an approved site in accordance with the SA Biosolids Guidelines.
- Note 4:** Any alterations/upgrades/modifications to this system will be subject to separate application(s) and approval from the relevant authority.

cc for info:

Australian Building Company
86 Fullarton Road
NORWOOD SA 5067

Property Interest Report

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

Title Reference	CT 6253/785	Reference No. 2590965
Registered Proprietors	Z A & T E*KENDALL	Prepared 25/07/2024 17:04
Address of Property	5 WATSON DRIVE, MOUNT COMPASS, SA 5210	
Local Govt. Authority	ALEXANDRINA COUNCIL	
Local Govt. Address	PO BOX 21 GOOLWA SA 5214	

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

Table of Particulars

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

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

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

1. General

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

2. Aboriginal Heritage Act 1988

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

an area surrounding a site

- 2.3 Part 3 Division 6 - Aboriginal heritage agreement

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

also

Refer to the Certificate of Title

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

- 3.1 section 8 - Human remains interred on land

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

also

contact the vendor for these details

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

- 4.1 section 5 - Notice requiring payment

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

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

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

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

- 5.4 section 55 - Order to remove or perform work

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

also

Contact the Local Government Authority for other details that might apply

- 5.5 section 56 - Notice to complete development

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

also

Contact the Local Government Authority for other details that might apply

- 5.6 section 57 - Land management agreement

Refer to the Certificate of Title

- 5.7 section 60 - Notice of intention by building owner

Contact the vendor for these details

- 5.8 section 69 - Emergency order

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

also

Contact the Local Government Authority for other details that might apply

- 5.9 section 71 - Fire safety notice

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

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

6. Repealed Act conditions

- | | | |
|-----|---|--|
| 6.1 | Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act, 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1966</i> (repealed) | State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title |
| | | also |
| | | Contact the Local Government Authority for other details that might apply |
- [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 | <p>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.</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
 www.revenuesaonline.sa.gov.au</p> |
|-----|---------------------------------|--|

8. Environment Protection Act 1993

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

8.9	section 103P - Notation of site contamination audit report in relation to the land	EPA (SA) does not have any current Orders registered on this title
8.10	section 103S - Notice of prohibition or restriction on taking water affected by site contamination in relation to the land	EPA (SA) does not have any current Orders registered on this title
9.	<i>Fences Act 1975</i>	
9.1	section 5 - Notice of intention to perform fencing work	Contact the vendor for these details
10.	<i>Fire and Emergency Services Act 2005</i>	
10.1	section 105F - (or section 56 or 83 (repealed)) - Notice to take action to prevent outbreak or spread of fire	Contact the Local Government Authority for other details that might apply Where the land is outside a council area, contact the vendor
11.	<i>Food Act 2001</i>	
11.1	section 44 - Improvement notice	Public Health in DHW has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply
11.2	section 46 - Prohibition order	Public Health in DHW has no record of any notice or direction affecting this title also Contact the Local Government Authority for other details that might apply
12.	<i>Ground Water (Qualco-Sunlands) Control Act 2000</i>	
12.1	Part 6 - risk management allocation	Qualco Sunlands Ground Water Control Trust has no record of any allocation affecting this title
12.2	section 56 - Notice to pay share of Trust costs, or for unauthorised use of water, in respect of irrigated property	DEW Water Licensing has no record of any notice affecting this title
13.	<i>Heritage Places Act 1993</i>	
13.1	section 14(2)(b) - Registration of an object of heritage significance	Heritage Branch in DEW has no record of any registration affecting this title
13.2	section 17 or 18 - Provisional registration or registration	Heritage Branch in DEW has no record of any registration affecting this title
13.3	section 30 - Stop order	Heritage Branch in DEW has no record of any stop order affecting this title
13.4	Part 6 - Heritage agreement	Heritage Branch in DEW has no record of any agreement affecting this title also Refer to the Certificate of Title
13.5	section 38 - "No development" order	Heritage Branch in DEW has no record of any "No development" order affecting this title
14.	<i>Highways Act 1926</i>	
14.1	Part 2A - Establishment of control of access from any road abutting the land	Transport Assessment Section within DIT has no record of any registration affecting this title
15.	<i>Housing Improvement Act 1940 (repealed)</i>	
15.1	section 23 - Declaration that house is undesirable or unfit for human habitation	Contact the Local Government Authority for other details that might apply
15.2	Part 7 (rent control for substandard houses) - notice or declaration	Housing Safety Authority has no record of any notice or declaration affecting this title
16.	<i>Housing Improvement Act 2016</i>	

16.1	Part 3 Division 1 - Assessment, improvement or demolition orders	Housing Safety Authority has no record of any notice or declaration affecting this title
16.2	section 22 - Notice to vacate premises	Housing Safety Authority has no record of any notice or declaration affecting this title
16.3	section 25 - Rent control notice	Housing Safety Authority has no record of any notice or declaration affecting this title
17. <i>Land Acquisition Act 1969</i>		
17.1	section 10 - Notice of intention to acquire	Refer to the Certificate of Title for any notice of intention to acquire also Contact the Local Government Authority for other details that might apply
18. <i>Landscape South Australia Act 2019</i>		
18.1	section 72 - Notice to pay levy in respect of costs of regional landscape board	The regional landscape board has no record of any notice affecting this title
18.2	section 78 - Notice to pay levy in respect of right to take water or taking of water	DEW will respond with details relevant to this item
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 will respond with details relevant to this item
18.11	section 142 - Site use approval	DEW will respond with details relevant to this item
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 | <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
 www.revenuesaonline.sa.gov.au</p> |
|------|---|--|

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
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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
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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**
- Residential Driveway Crossovers** –draft design standard aiming to improve public safety and enhance streetscapes across SA. Minor changes to the Planning and Design Code have also been drafted to complement the design standard and support its delivery and are open for consultation as part of this process. For more information, refer to the 'Code Amendments' page on the PlanSA portal:
https://plan.sa.gov.au/have_your_say/ or phone PlanSA on 1800752664.
- Code Amendment**
- Goolwa North** - The Designated Entity, Ambo Pty Ltd, is proposing to rezone approx. 241 hectares of land between Alexandrina Rd and Byrnes Rd, Goolwa (the Affected Area) to accommodate a low density and low scale residential community. For more information, refer to the 'Code Amendments' page on the PlanSA portal:
https://plan.sa.gov.au/have_your_say/ or phone PlanSA on 1800752664.
- Code Amendment**
- Statewide Bushfire Hazards Overlay** - aims to review the current policy framework (spatial layers and policy content) of the six Hazard (Bushfire Risk) Overlays as well as explore other planning instruments and mechanisms to assist in mitigating bushfire hazard impacts. Please note that this Code Amendment only applies to a portion of some council areas. To understand if your property is affected, please check the bushfire hazard map at <https://plus.geodata.sa.gov.au/bushfire/index.html>. For more information, please visit https://plan.sa.gov.au/have_your_say/ or contact PlanSA via email (PlanSA@sa.gov.au) or telephone (1800 752 664).
- Code Amendment**
- Old Bull Creek Road, Strathalbyn** - Nevarc Developments Pty Ltd proposes to rezone approximately 19.9 hectares of land located approx. 1km from the town's main street. The Affected Area is zoned 'Deferred Urban' and 'Neighbourhood' and is identified within The 30-Year Plan for Greater Adelaide as 'planned urban lands to 2045'. For more information and to view the DPA online, visit the amendment webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664.

Code Amendment

Ancillary Accommodation and Student Accommodation Definitions Review Code

Amendment - The Chief Executive of the Department for Trade and Investment has initiated the Ancillary Accommodation and Student Accommodation Definitions Review Code Amendment to review the definitions for 'ancillary accommodation' and 'student accommodation'. For more information and to view the DPA online, visit the amendment webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664.

Code Amendment

Milang Local Heritage - proposal from Alexandrina council to provide appropriate recognition and protection of local heritage assets. For more information, visit the Code Amendments webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664.

Code Amendment

Lakeside Goolwa - Goolwa Tourist Resort Pty Ltd are proposing to rezone land located to the north and east of the existing Lakeside Goolwa Residential Park to facilitate future expansion. For more information, visit the Code Amendments webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664.

Code Amendment

Lot 485 Randell Road Hindmarsh Island - seeks to rezone approximately 9.4 hectares of land from the Rural Living Zone to the Rural Neighbourhood Zone to facilitate very low-density residential development outcomes. For more information, visit the Code Amendments webpage on the SA Planning Portal https://plan.sa.gov.au/have_your_say/general_consultations or phone PlanSA on 1800752664.

29.2	section 127 - Condition (that continues to apply) of a development authorisation <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i>	State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title also Contact the Local Government Authority for other details that might apply
29.3	section 139 - Notice of proposed work and notice may require access	Contact the vendor for these details
29.4	section 140 - Notice requesting access	Contact the vendor for these details
29.5	section 141 - Order to remove or perform work	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.6	section 142 - Notice to complete development	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.7	section 155 - Emergency order	State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply
29.8	section 157 - Fire safety notice	Building Fire Safety Committee in the Department for Housing and Urban Development has no record of any order or notice affecting this title also Contact the Local Government Authority for other details that might apply

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

30. *Plant Health Act 2009*

30.1	section 8 or 9 - Notice or order concerning pests	Plant Health in PIRSA has no record of any notice or order affecting this title
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31. *Public and Environmental Health Act 1987 (repealed)*

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

32. *South Australian Public Health Act 2011*

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

continues to apply) of an approval

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 will respond with details relevant to this item.

also

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

35. Water Resources Act 1997 (repealed)

35.1 section 18 - Condition (that remains in force) of a permit

DEW has no record of any condition affecting this title

35.2 section 125 (or a corresponding previous enactment) - Notice to pay levy

DEW has no record of any notice affecting this title

36. Other charges

36.1 Charge of any kind affecting the land (not included in another item)

Refer to the Certificate of Title

also

Contact the vendor for these details

also

Contact the Local Government Authority for other details that might apply

Other Particulars

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

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

Additional Information

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

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

Notices

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

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

Building restrictions

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

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

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

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

Statutory easements

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

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

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

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

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

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

Land Tax Act 1936 and Regulations thereunder

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

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

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

Information should be obtained from:

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

Landscape South Australia 2019

Water Resources Management - Taking of underground water

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

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

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

E 13580493

Lodged: 30 July 2021 12:36:05 PM

3 OF 4

Form M2

Version 40.2

LANDS TITLES REGISTRATION OFFICE
SOUTH AUSTRALIA

Registered: 04 August 2021 12:38:06 PM



ENCUMBRANCE

Responsible Subscriber: HOMESTART FINANCE (EL - PEXA) (E151709)
Reference: MB200499 Lot 62

ELN Lodgement Case ID: 206311770
ELN Workspace ID: 4976473

PRIVACY COLLECTION STATEMENT: The information in this form is collected under statutory authority and is used for the purpose of maintaining publicly searchable registers and indexes.

ESTATE AND/OR INTEREST BEING ENCUMBERED

FEE SIMPLE

LAND DESCRIPTION

THE WHOLE OF THE LAND IN CT VOLUME 6253 FOLIO 785

ENCUMBRANCER (Full name and address)

ZAK ALEXANDER KENDALL OF 23 PINKGUM AV ALDINGA BEACH SA 5173

TARA ELEANOR ELIZABETH KENDALL OF 23 PINKGUM AV ALDINGA BEACH SA 5173

ENCUMBRANCEE (Full name, address and mode of holding)

CAPITOLINE PROPERTY PTY LTD ACN 125228266 OF PO BOX 258 MOUNT COMPASS 5210 SA

THE ENCUMBRANCER ENCUMBERS THE ESTATE AND INTEREST IN THE LAND DESCRIBED FOR THE BENEFIT OF THE ENCUMBRANCEE WITH AN ANNUITY OR RENT CHARGE OF TEN CENTS (\$0.10) IF DEMANDED TO BE PAID TO THE ENCUMBRANCEE ANNUALLY AT THE TIMES AND IN THE MANNER FOLLOWING COMMENCING 01 JANUARY 2022 FOR A PERIOD OF 99 YEARS

IT IS COVENANTED BETWEEN THE ENCUMBRANCER AND ENCUMBRANCEE in accordance with those terms and conditions expressed below

TERMS AND CONDITIONS OF THIS ENCUMBRANCE

(a) Document Reference

(b) Additional terms and conditions

Refer to Covenants

DATED 30 JULY 2021

CERTIFICATION

Encumbrancer

The Certifier has taken reasonable steps to verify the identity of the encumbrancer or his, her or its administrator or attorney.

The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.

The Certifier has retained the evidence supporting this Registry Instrument or Document.

The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Melinda Ann Harris

Practitioner Certifier

For: ASPECT CONVEYANCING

On behalf of: ZAK ALEXANDER KENDALL, TARA ELEANOR ELIZABETH KENDALL

Encumbrancee

The Certifier has taken reasonable steps to verify the identity of the encumbrancee or his, her or its administrator or attorney.

The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.

The Certifier has retained the evidence supporting this Registry Instrument or Document.

The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Mark Bruce Berry

Practitioner Certifier

For: FOUR POINTS CONVEYANCING

On behalf of: CAPITOLINE PROPERTY PTY LTD

This is a representation of an instrument that was electronically lodged

COVENANTS

The purpose of this Encumbrance

- 1 The Encumbrancer on page 1 ('Owner') grants this Encumbrance:
 - 1.1 For the benefit of the Encumbrancee on page 1 ('Encumbrancee');
 - 1.2 To charge the land identified in the 'Certificate(s) of Title being Encumbered' panel on page 1 ('Land') with the payment of the annuity on page 1 ('Rent Charge');
 - 1.3 For the purpose of a common building scheme for the Development Zone and the Owner acknowledges that the covenants of this Encumbrance are for the benefit of both the Encumbrancee and for the benefit of all other persons claiming under the Encumbrancee as purchasers of any allotment within the Development Zone;
 - 1.4 With the intent that its covenants run with the Land and be binding also on anyone who becomes the owner of the Land after the Owner.

Interpreting this Encumbrance

- 2 In this Encumbrance, unless the contrary intention appears:
 - 2.1 'Adjoining Owner' means the owner of adjoining land which shares a common boundary with the Land, who is entitled to claim under the Encumbrancee as a purchaser of land in the Development Zone;
 - 2.2 'Design Guidelines' means the 'Mount Compass Golf Estate Design Guidelines' attached hereto as Annexure 'B';
 - 2.3 'Development Zone' means Allotments 49 to 72 inclusive in Deposited Plan 'D126888' a copy of which is attached hereto as Annexure 'A';
 - 2.4 'Development' means work of any kind, including but not limited to:
 - 2.4.1 'building work' as defined in the Building Works Contractors Act 1995 (SA);
 - 2.4.2 The construction or alteration of any permanent or temporary structure;
 - 2.4.3 Repairs, painting or improvements of any kind.
 - 2.5 'Encumbrance Manager' means such person(s) appointed by the Encumbrancee from time to time during the term of this Encumbrance to review the Owner's plans and specifications for the Owner's proposed development of the Land against the requirements of this encumbrance, for the purposes of determining whether to approve the Owner's plans and specifications, which is a requirement of Clause 11 of this Encumbrance;
 - 2.6 'Encumbrancee' means the person described in the panel entitled 'Encumbrancee' on page 1 of this encumbrance and its successor and assigns;
 - 2.7 'Land' means all the land and any rights and easements described in the 'Certificates of Title Being Encumbered' panel on page 1;
 - 2.8 'Owner' means the person described in the panel entitled 'Encumbrancer' on the front page of this Encumbrance and includes that person's successors, heirs and assigns;
 - 2.9 'substantial commencement' means that development of the Land has reached the point where the construction of all foundations and footings necessary to support the dwelling approved pursuant to this encumbrance (and for which the Owner has obtained all required development authorisations), have been completed in accordance with those required approvals;
 - 2.10 Reference to giving access to the Encumbrancee includes giving access to the Encumbrancee's employees agents and contractors;
 - 2.11 Reference to a party includes the party's successors and transferees (and also the party's personal representatives if the party is a natural person);
 - 2.12 Reference to any statute includes statutes which change or replace it; and

2.13 Any word indicating the singular includes the plural and vice versa.

3 If there is more than one Owner then:

3.1 The Encumbrancee only has to give notices to one person; and

3.2 All the obligations on the Owner set out in this Encumbrance are joint and several.

Rent Charge

4 Subject to Clause 5 the Owner must pay the rent charge to the Encumbrancee:

4.1 During the term of this Encumbrance; and

4.2 On 1 January immediately succeeding the grant of this Encumbrance and on each succeeding 1 January.

5 The Owner must only pay the rent charge if payment is demanded by the Encumbrancee and the Encumbrancee will not demand payment of the rent charge so long as the Owner duly observes all the covenants in this encumbrance.

6 The provisions of Clause 5 do not in any way affect or prejudice the Encumbrancee's rights to:

6.1 An injunction preventing or restraining any breach of the covenants in this Encumbrance; or

6.2 Damages for any such breach.

Subdivision

7 The Owner must not divide the Land except with the prior written approval of the Encumbrancee.

Planning and Zoning Laws

8 The Land must not be used or developed except in accordance with:

8.1 Any laws relating to planning or zoning from time to time in force; and

8.2 The conditions of any relevant consent or approval given by the relevant planning authority in which the Land is located ('relevant planning authority').

9 Any approval granted by the Encumbrancee does not constitute an agreement or representation as to the adequacy, suitability or fitness of the proposal, plans or specifications so approved, nor that the relevant planning authority will grant its approval. The Owner acknowledges that it will not place any reliance on the approval of the Encumbrancee, whether for the purposes of planning or zoning laws or otherwise.

Restrictions on Works

10 The Owner must not carry out any development on the Land other than in accordance with the 'Mount Compass Golf Estate Design Guidelines' attached as Annexure B of this Encumbrance ('Design Guidelines').

11 The Owner must not do (or cause, suffer or permit to be done) any of the following on the Land except in strict accordance with plans and specifications that have received the prior written approval of the Encumbrance Manager:

11.1 Erect a dwelling or any other structure;

11.2 Carry out any siteworks;

11.3 Erect a fence or wall;

11.4 Erect any external sign or hoarding, either freestanding or fixed to any other building or structure.

- 12 The Owner must not submit any plans of building works to the relevant planning authority for its approval until it has obtained the approval of the Encumbrance Manager and attaches a copy of the approval issued by the Encumbrance Manager to the development application.
- 13 The Encumbrancee will procure the Encumbrance Manager to not unreasonably delay its consideration of any plans and specifications submitted by the Owner for approval, in respect of which:
- 13.1 The Encumbrancee will use all reasonable endeavours to ensure that the Encumbrance Manager does not act unreasonably in refusing any approval or imposing any condition of approval under Clauses 11 and/or 12, however, the Owner acknowledges that any refusal or condition imposed by the Encumbrance Manager cannot be deemed to be unreasonable if the Owner's plans and specifications as submitted:
- 13.1.1 Are contrary to any provision of the Design Guidelines or this encumbrance; or
- 13.1.2 Do not achieve the streetscape required by the Encumbrancee in the general locality in which the Land is situated. An example of this is where the plans and specifications will result in the same or a similar façade treatment to multiple dwellings located in close proximity to one another.
- 13.2 The Encumbrancee will arrange for the Encumbrance Manager to provide the Owner with written notification of its decision in respect of the Owner's submitted plans and specifications promptly after the Encumbrance Manager has made a decision in respect of the Owner's submitted plans and specifications (which notification will incorporate any condition of approval issued by the Encumbrance Manager).
- 14 Without limiting the obligations on the Owner under Clauses 7 - 13 (inclusive) of this Encumbrance, the Owner must not:
- 14.1 Permit to be located on the Land any transportable building, caravan, tent or other similar shelter that is visible from the street or any other public place;
- 14.2 Permit the Land to be resold or advertised for sale unless a residential dwelling has been constructed on the Land (in accordance with the provisions of this Encumbrance) or unless the Encumbrancee has consented in writing to such resale and/or advertising.
- 14.3 Remove or disturb any survey pegs delineating the Land boundaries and where survey pegs are removed or disturbed the Owner will be responsible for the cost of any repegging that may in the discretion of the Encumbrancee be necessary.
- 14.4 Require the Encumbrancee while the Encumbrancee remains the registered proprietor of any land adjoining the Land (notwithstanding the provisions of the Fences Act 1975) to construct or erect any fence on the boundary of any land adjoining the Land and the land and should an adjoining owner construct or wish to construct any fence on any such boundary then (notwithstanding the provisions of the Fences Act 1975) the Owner and not the Encumbrancee will contribute financially to the construction of any such fence.

Right of Access for Adjoining Owner

- 15 The Owner must not restrict the Encumbrancee and/or an Adjoining Owner including its employees, contractors and agents (together with any plant, equipment and machinery) from accessing the Land in order to complete construction of a dwelling or dwellings and any improvements on the Adjoining Owner's land in accordance with the Design Guidelines provided that:
- 15.1 The Encumbrancee and/or the Adjoining Owner (as the case may be) has made a written request to the Owner; and
- 15.2 If the Adjoining Owner wishes to have access pursuant to this Clause 15, the Adjoining Owner:

- 15.2.1 Agrees to comply with the reasonable directions of the Owner and cause minimal disturbance to the Owner when accessing the Land; and
- 15.2.2 Provides a written undertaking in favour of the Owner to repair and make good (at the Adjoining Owner's sole cost) any damage caused to the Land during such construction provided that the Encumbrancee will be under no obligation whatsoever to enforce such undertaking on the Owner's behalf and in this regard, the Owner hereby releases and indemnifies the Encumbrancee from any and all Loss suffered or incurred by the Owner. For the avoidance of doubt, the right of access contemplated by this Clause 15.2:
- 15.2.2.1 Will only apply to the initial construction of a dwelling or dwellings and any improvements on the Adjoining Owner's land (such that the Adjoining Owner's land is no longer vacant land) and will not extend to undertaking any renovations or maintenance of the same; and
- 15.2.2.2 Will be temporary such that it will expire when access for construction is no longer required and includes (but is not limited to) accessing the roof of any dwelling on the Land in cases where such dwelling is positioned on a common boundary.

Breach

- 16 If the Owner is in default in complying with its obligations under any of Clauses 7 to 16 (inclusive) and the Encumbrancee serves a written notice on the Owner requiring the Owner to remedy that default within the period specified in the written notice (which rectification period will be not less than thirty (30) days from the date of the notice), and the Owner fails to remedy that default within the period specified in the notice, the Encumbrancee will have the right to repurchase the Land from the Owner (including any development that has been undertaken on the Land as at that time), and the Owner must transfer its interest in the Land to the Encumbrancee (or its nominee) if the Encumbrancee gives a written notice exercising this repurchase right at any time within twelve (12) months of the Encumbrancee becoming entitled to exercise its repurchase right (and at the time of the Encumbrancee giving written notice exercising this repurchase right the Owner has not fully remedied the default specified in the Encumbrancee's initial default notice to the Owner), in respect of which the following provisions will apply to such transfer of the Land to the Encumbrancee (or to its nominee):
- 16.1 The purchase price will be the aggregate of:
- 16.1.1 The price paid for the Land by the original Owner of the Land to the Encumbrancee (as expressed on the Memorandum of Transfer under which the original Owner purchased the Land from the Encumbrancee);
- 16.1.2 The market value (if any) of the improvements existing on the Land as at the date that the Encumbrancee exercises its repurchase right, which is to be determined as follows :
- 16.1.2.1 The market value will be determined by a valuer nominated by the Encumbrancee (whose costs will be borne by the Owner) which valuer will at law act as an expert and not an arbitrator;
- 16.1.2.2 Such valuer must take into account, in determining the market value of the improvements (if any) the cost to complete any additional, remedial or required works which are required by the Encumbrancee in order for the works to comply with the approvals and development authorisations applicable to the Owner's development and where completion is commercially impractical then the cost of demolition and removal of debris;
- 16.1.2.3 All such costs as determined by the valuer will be payable by the Owner and will be set off against the purchase price payable by the Encumbrancee for the purchase of the Land and the improvements; and
- 16.1.2.4 such determination is final and binding upon both parties.

- 16.2 The transfer will be subject only to this Encumbrance;
- 16.3 Settlement of the transfer will take place within ninety (90) days after the determination of the purchase price and adjustments by the valuer, in exchange for a proper registrable transfer of the Land (subject only to this Encumbrance);
- 16.4 The Encumbrancee must pay the adjusted purchase price on settlement of the transfer of the Land;
- 16.5 The Owner must pay all of the Encumbrancee's costs or estimated costs incurred or to be incurred in relation to its default and the exercise of the Encumbrancee's repurchase right (which will be set off against the adjusted purchase price));
- 16.6 In addition the Owner will pay the stamp duty, Lands Titles Registration Office registration fees and all other transaction costs associated with this transfer which will also be set off against the adjusted purchase price;
- 16.7 In the event that the total of the costs and other amounts payable by the Owner pursuant to this Clause 16 exceeds the total of the price paid by the Owner for the Land and the market value (if any) of the improvements then the Owner at settlement will be liable to the Encumbrancee for payment of any such excess and where that amount is not paid at settlement then such amount will be recoverable from the Owner as a debt and the Owner will be liable to the Encumbrancee for interest on that amount (or the balance due and owing from time to time) calculated at the rate of 10% per annum from the date of settlement until paid in full;
- 16.8 The transfer will otherwise be on the terms and conditions contained in the then current Law Society of South Australia Inc. Contract for Sale and Purchase of land.
- 17 The Encumbrancee (or its employees, agents or contractors) has the right to enter the Land at any time (after giving at least 48 hours notice to the Owner), for the purpose of inspecting the Land to determine whether any of the Owner's obligations under this Encumbrance have been breached. The Owner must not do (nor cause nor permit the doing of) anything to obstruct or hinder such entry or inspection.

Owner's Obligations on Transferring the Land

- 18 The Owner must not sell or transfer or otherwise dispose (or grant any legal or equitable interest in) the Land except subject to this Encumbrance and procuring a replacement Encumbrance from the incoming purchaser to the Encumbrancee, which is to be on the same terms as this Encumbrance, which replacement Encumbrance must be registered on the title for the Land immediately after the transfer of the Land from the Owner to the incoming purchaser, and before any other interest in the Land is created. All costs including Land Services Registration fees, Electronic Lodgement Network operator fees and Fees associated with the preparation of the Replacement Encumbrance shall be at the cost of the incoming purchaser and any costs including Land Services Registration and Electronic Lodgment Network operator fees and fees associated with the preparation of a Discharge of any existing Encumbrance shall be at the owners cost.

Waiver

- 19 The Encumbrancee may, in its absolute discretion, waive compliance with any of the requirements in the Design Guidelines.
- 20 The Encumbrancee may modify, waive or release any of the covenants in this Encumbrance.
- 21 A party's action or lack of it, on any breach of this Encumbrance by the other does not affect the party's rights if the other repeats or continues the breach.
- 22 No waiver by the Encumbrancee is effective unless it is in writing and is signed by the Encumbrancee.
- 23 The Encumbrancee may, from time to time, in its absolute discretion, lessen, waive or release any of the covenants and other obligations expressed or implied in any Encumbrance document relating to other land within the Development Zone, whether such Encumbrance was entered into before, at the same time or after the date of this Encumbrance, and any such waiver on our part

does not release the Owner (or its successors in title) from the obligations expressed or implied in this Encumbrance.

Severance of Invalid Clauses

- 24 If any Clause of this Encumbrance is void or unenforceable then it must be read down so that it is not void or unenforceable.
- 25 If it cannot be read down, it must be severed (that is, treated as if cut out).
- 26 The rest of this Encumbrance is not affected if any Clauses are read down or severed.

Payment of Costs

- 27 The costs incidental to the preparation of this encumbrance, and the stamp duty and registration fee on it, must be paid by the Owner.
- 28 The Owner must also pay the Encumbrancee any costs it incurs as a result of any breach of this encumbrance by the Owner or its employees, agents, contractors or invitees.

How Notices may be Given

- 29 All notices including approvals or demands:
 - 29.1 Must be in writing;
 - 29.2 Must be given to the other party;
 - 29.3 Can be given in person;
 - 29.4 Can be left at the other party's address on page 1 or at the other party's last known address;
 - 29.5 Can be sent there by post but they must be correctly addressed and posted;
 - 29.6 Can be given to the Owner by being left at or sent by post to the Land;
 - 29.7 Are, if posted, treated as given the next business day after posting;
 - 29.8 May, if the party has a facsimile number, be sent by facsimile transmission to that facsimile number. In that case, the notice is treated as having been given when the sender's facsimile machine confirms that the transmission has been successfully completed; and
 - 29.9 May be signed by a party or any person that party authorises to sign it.

Release on Transfer

- 30 The Owner and its successors in title will be successively released and discharged from the payment of the Rent Charge and from the observance of the covenants and other stipulations contained and implied in this Encumbrance upon ceasing to be registered owner of the Land to the intent that the Rent Charge and covenants and other stipulations will be binding only upon the registered proprietor for the time being of the Land.

Sunset Clause

- 31 For the avoidance of doubt it is expressly stated that the rights and obligations of the owners from time to time of any land in the Development Zone arising under the building scheme created by this Encumbrance will be continuing.
- 32 The Owner acknowledges that the Encumbrancee may in its absolute discretion, at any time after completion of an approved building on the last remaining vacant allotment in the Development Zone (excluding any allotment on which no dwelling is permitted to be constructed), discharge all

Encumbrances throughout the Development Zone, without the Encumbrancee having to give any notice to the Owner.

Other Remedies

- 33 In addition to all the rights and powers as set out in this Encumbrance, the Encumbrancee is entitled to all the powers, rights and remedies given to Encumbrancees by the Real Property Act 1886.

Miscellaneous Obligations

- 34 Costs associated with the relocation, removal or establishment of any infrastructure, services, utilities, street trees, landscaping, footpaths, kerbing, fencing, retaining walls, driveways or similar infrastructure items (which similar infrastructure items include but is not limited to installation of water, sewer and power infrastructure within the Land to the point of connection provided) that are required to carry out the development must be done at the cost in all things of the Owner.

ANNEXURE 'A'
DEVELOPMENT ZONE

ANNEXURE 'B'
DESIGN GUIDELINES



1. MOUNT COMPASS GOLF COURSE ESTATE

- 1.1 Mount Compass Golf Course Estate is a master planned community development at Mount Compass.
- 1.2 A key goal of Mount Compass Golf Course Estate is the promotion of a design philosophy built on:
- Project vision, design and presentation excellence;
 - Innovation in dwelling and land product;
 - Providing greater housing choice with a broad price range, including both traditional detached housing and a range of new affordable housing products;
 - Sensitive environmental management;
 - Responsible management of stormwater;
 - Responsible management of water consumption;
 - Awareness of authorised land uses in the area (i.e. sand mine and golf course).
- 1.3 To achieve these aims a level of development guidance is required in the form of Development Guidelines.

2. DEVELOPMENT GUIDELINES

- 2.1 The purpose of the Mount Compass Golf Course Estate Development Guidelines is to ensure that the physical arrangement of buildings and their relationship to each other and the surrounding environment reflects the vision for the development.
- 2.2 The Mount Compass Golf Course Estate Development Guidelines address the quality of the built form and landscape both in terms of appearance and the achievement of sustainability initiatives.
- 2.3 The Mount Compass Golf Course Estate Development Guidelines are provided to assist purchasers, designers and builders. They aim to create high quality built form outcomes that enhance the community lifestyle over time. They provide certainty about the quality of dwellings and gardens, and how they interact with neighbouring public open spaces and dwellings.



- 2.4 The Mount Compass Golf Course Estate Development Guidelines should be used in conjunction with the relevant Council Development Plan as it provides a full range of development controls for residential development in this area as well as the Development Act and Development Regulations (including the Residential Code).
- 2.5 These guidelines form part of an Encumbrance that is attached to the Certificate of Title of all allotments within the Mount Compass Golf Course Estate development. Thus, purchasers are protected and contractually obligated to comply with the Mount Compass Golf Course Estate Development Guidelines (unless a variation is agreed to by the Encumbrance Manager).
- 2.6 The Mount Compass Golf Course Estate Development Guidelines have been formulated to allow a sufficient level of flexibility that can cater for individuality and personal choice of purchasers and designers.

3. DEVELOPMENT APPROVAL PROCESS

- 3.1 When you purchase an allotment within Mount Compass Golf Course Estate, you will note that an Encumbrance including the Mount Compass Golf Course Estate Development Guidelines has been registered on the Certificate of Title.

These documents require that prior to commencement of any development on your allotment, approval must be obtained from the Encumbrance Manager (in addition to normal Council approvals) on behalf of the Encumbrancee.

- 3.2 If it is uncertain whether or not a proposed development adheres to the requirements of the Mount Compass Golf Course Estate Development Guidelines, a sketch or concept plan should be provided to and assessed by the Encumbrance Manager before drawings are finalised for formal submission. This will ensure the process is streamlined to avoid additional costly redesign work.

- 3.3 The Encumbrancee reserves the right to appoint an alternative Encumbrance Manager from time to time.

All development applications are to be lodged directly with the Encumbrance Manager.

- 3.4 In assessing applications relative to the Mount Compass Golf Course Estate Development Guidelines, the Encumbrance Manager may agree to approve proposals that do not conform with the Compass Spring Development Guidelines, at its complete discretion in all things.



- 3.5 Applications for Mount Compass Golf Course Estate Development Guidelines Approval should be forwarded by post to:

Encumbrance Manager - Mount Compass Golf Course Estate
PO Box 258
Mount Compass SA 5210

A fee is payable to the Encumbrance Manager for assessing the application.

- 3.6 The Mount Compass Golf Course Estate Development Guidelines Approval process is broadly summarised below:

- **Check the Mount Compass Golf Course Estate Development Guidelines and Council Development Plan:** to see if there are any conditions or prerequisites for your site;
- **Preliminary Design:** prepare plans for your site. This can be in the form of a simple sketch of the dwelling you plan to put on your site. Discuss early design with the Encumbrance Manager to better finalise the design if you have concerns or queries;
- **Design:** at this stage adjustments should be made to the preliminary design in preparation to submit a formal application;
- **Application:** together with your dwelling and landscape plans, prepare and submit a Mount Compass Golf Course Estate Development Guidelines Application Form.
You must also submit a completed Development Application for Council's planning and building approval and provide the required Development application fee to the Encumbrance Manager;
- **Encumbrance Approval:** once the application has been approved by the Encumbrance Manager, the plans will be stamped and forwarded to the applicant and/or Owner and Council and Council's Development Assessment Officer for assessment;
- **Council Approval:** at this stage your stamped plans will be processed in accordance with the Development Act and Regulations and assessed against the Council's Development Plan. Building Code of Australia compliance certification will also be required. Once Development Approval has been obtained from the Council, construction of your dwelling can commence;
- **Construction:** your dwelling must be fully constructed within the prescribed approval timeframes;



- **Inspection:** Once the construction of your dwelling has been completed the Encumbrance Manager may examine the works to ensure there is compliance with the approved plans.

A fee of \$150.00 plus GST is required to administer this Encumbrance process. This fee may be varied by the Encumbrance Manager from time to time at its complete discretion.

Fees should be made payable to Capitoline Property Pty Ltd. These fees are in addition to the statutory fees associated with Development Approval process required by Council.

4. DESIGNING & SITING A DWELLING

4.1 Land Use

Consideration is given to land use to ensure the development is consistent with the overall vision for the Mount Compass Golf Course Estate development.

4.2 Set-Backs

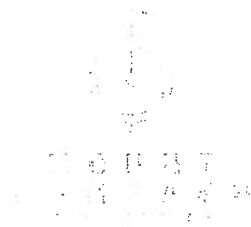
Your plans must ensure the proposed dwelling design complies with:

- The minimum setback from each boundary for one and two storey developments;
- Appropriate locations and set-backs for any buildings relative to the boundaries of the allotment being 6.0m from the street frontage boundary, 8.0m from the golf course and 0.9m from at least one side boundary;
- Appropriate locations and set-backs for garages / carports;
- Appropriate locations of driveways.

4.3 Site Coverage

The proposed development should be sited to allow for enough coverage to cater for appropriate dimensions, based on allotment size, of both private open space and landscaping space on the site.

The maximum site coverage permitted is 60% (including verandahs but excluding driveways) of the area of the allotment.



4.4 Private Open Space (POS)

The intent of the Mount Compass Golf Course Estate Development Guidelines is to ensure a pleasant environment when outdoor and indoor elements of the dwelling are linked.

Good dwelling siting and design can help protect your privacy as well as your neighbours, thus private open space areas must comply with the following requirements, in accordance with the Residential Code of the Development Regulations (2008):

- If the allotment size is greater than 600m² it must have a minimum POS area of 80m² with a minimum dimension of 4.0m;
- If the allotment size is between 400 - 600m² it must have a minimum POS area of 60m² with a minimum dimension of 4.0m;
- If the allotment size is less than 400m² it must have a minimum POS area of 30m² with a minimum dimension of 4.0m.

When calculating your POS:

- Any area at ground level at the front of the dwelling is not to be included;
- Each area at ground level must have a width of at least 2.5m; and
- The development will not result in the dwelling not having a setback of at least 0.9m on at least one side boundary.

4.5 Building Design Principles

The Mount Compass Golf Course Estate Development Guidelines encourage the design of a dwelling to be based on the orientation or location of the site. The use of different levels (i.e. split level dwelling designs on sloping sites), articulation, placement of windows and spaces and indoor-outdoor living spaces etc can all be advantageously implemented to improve the purchaser's quality of life through views, allowing for maximum natural light and minimising cut and fill.

Through responsive design the purchaser also has the opportunity to reflect their surrounding environment, while maintaining a high level of individuality, through a variety of material, colour and finish choices.



4.6 Built Form Façades

In order to create an attractive streetscape it is important to avoid unsightly blank walls and reducing the bulk of the dwelling so it does not appear physically overwhelming next to neighbouring structures, disrupting the continuity of the estate. This can be achieved by incorporating some or all of the following design elements:

- Vary the built form setbacks of facades (excluding garages or carports) or have protruding or recessed features on facades to create more visual interest;
- Incorporate one of the following building elements: verandah, balcony, deck, terrace, porch, portico, sculptures or patterns;
- Architectural features for roof forms (attic windows, gables etc.);
- Architectural design elements for windows.

Dwellings on corner allotments should be designed to address both street frontages. Additional design guidelines for corner allotments are discussed later in this document.

Dwellings with frontage to the golf course should be “double fronted” so they present an attractive façade to the golf course as well as the street frontage.

4.7 Transportable and Manufactured Homes

Transportable or manufactured homes shall not be placed on the land.

4.8 Height & Scale

To limit overshadowing and infringement on the privacy of neighbours it is necessary that the heights of dwellings be guided by the following maximum heights:

- Single Storey: 3.0m wall height and 6.0m to the roof ridgeline;
- Two Storeys: 6.0m wall height and 9.0m to the roof ridgeline.

4.9 Materials, Finishes and Colours

This is an important part of achieving an individual feel to your dwelling as well as improving the amenity of the area. Dwelling plans need to identify proposed materials, colours and textures.

The portion of dwellings, buildings and structures that front a street or adjoin a public reserve, should incorporate a mix of at least two of the following different materials:



- Contemporary face brick or bagged brick;
- Cement rendered concrete, brick or rendered lightweight materials such as rendered Hebel, render or texture-coated fibre cement or render panel;
- Stone or stone render;
- Timber panelling;
- Feature sections of coloured metal sheeting (excluding the roof);
- Contemporary style planking.

The following materials are NOT permitted for dwelling facades:

- Colorbond sheeting (except as a roofing material or used as discrete highlights in the building facade);
- Unpainted or un-rendered cement sheeting or similar;
- Galvanised steel;
- Used or second-hand materials, asbestos cement, fibreglass, plastic or rubber or any material of a like nature.

4.10 Roof Colour and Materials

With respect to roof materials:

- Roof tiles and sheets colour must complement the dwelling's style;
- Tiles and colour coated metal materials are permitted;
- Uncoloured Zinalume is not permitted.

4.11 Colours

With respect to the dwelling's colour:

- At least two complementary colours applied in an appropriate scheme should be used on the facade (including gutters);
- Bright and highly contrasting colours should not be used. Colours should complement the character of the estate.

4.12 Roof Design

With respect to roof design:



- Articulated roof forms are encouraged in order to create visual interest. The implementation of hips, gables or other decorative architectural elements is also encouraged to add further interest;
- All roofs for single storey dwelling must have a pitch not less than 25 degrees.

4.13 Corner Buildings

The following requirements apply to dwellings that are constructed on corner allotments or where the allotment adjoins a public reserve:

- The design treatments used on the front street facade must follow onto the secondary street (or reserve) facades (at least for a depth of 1.5m from the corner of the dwelling) at the same quality of detail and articulation;
- Blank walls on secondary street or reserve facades will not be permitted within the 1.5m zone (measured from the corner of the dwelling).

Design treatments to address secondary facades could include following:

- Large windows;
- Wrap around verandahs;
- Balconies.

4.14 Car Parking, Garages & Driveways

These are important considerations when designing the dwelling as they impact on the appearance and quality of the streetscape.

Every dwelling should provide for a minimum of one off street car park under cover and one off street visitor car park.

Driveways should:

- Be appropriately located relative to the dwelling and the dwelling entry;
- Be constructed prior to occupation of the dwelling; and
- Conclude at the kerb alignment at the front of the allotment.

Garages and Carports:

- Must have a minimum set back of 5.5m from the front allotment boundary;



- Must have a door opening not exceeding 50% of the allotment frontage;
- In respect to carports, are required to have corner pillars that must match the style of the dwelling in terms of material and colour.

4.15 Outbuildings

Outbuilding must be constructed of and finished with materials, textures and colours consistent with the dwelling on the land.

4.16 Clothes Lines

Should be concealed in the rear or side yards of properties so they are not visible from the street alignment.

Where properties have frontage to the golf course, clothes lines should also be screened so they are not visible from the golf course frontage.

4.17 TV Antenna, Satellite Dishes

Should not be visible from the street frontage or golf course where a property has frontage to the golf course.

4.18 Roof Mounted Air-conditioning Equipment

Should not be visible from the street frontage or golf course where a property has frontage to the golf course.

4.19 Solar Panels

Should be sited carefully to minimise visual intrusion where possible.

4.20 Signage

Is not permitted apart from a street number on the dwelling and/or letter boxes.

5. FENCING PRINCIPLES

The edges of your allotment represent an extension of the design of your dwelling thus, fences and retaining walls are an integral part of the design and their appearance.



If not designed in a coordinated manner fencing can undermine the quality and appearance of your property.

5.1 Front Fencing

No fencing located on the dwelling's street property boundary is permitted.

5.2 Side and Rear Fencing

Side and shared rear boundary fences should have a maximum height of 1.8m and be one of the following types:

- "Good Neighbour Modular" style constructed with the "Colorbond Surfmist" or "Woodland Grey" colour - on both sides. Other colours may be considered by application;
- Brush fencing with a roll top brush capping;
- Stone;
- Masonry;
- Timber slat, picket or panel fencing with timber post and rail supports.

Boundary fencing abutting the golf course should be 1.0m in height and of open style wire, tubular or similar material to permit visual access to / from the golf course.

5.3 Fences on Corner Allotments and Adjoining Reserves

Dwellings located on corner allotments or that adjoin a public reserve should ensure the fence fronting the secondary road boundary or the public reserve is setback at least 1.5m behind the front façade of the dwelling.

5.4 Fencing Maintenance and Repair

You shall be responsible for all ongoing maintenance and repair of fencing on your land. You will not seek any financial contribution from the Encumbrancee for the erection, repair or maintenance of any fence on the land.

5.5 Fencing and Landscaping on Sand Mine Common Boundary

Owners of allotments sharing a common boundary with the adjacent Sand Mine (to the north) are required to maintain a 1.0m deep landscape buffer strip adjacent the common boundary with the adjacent Sand Mine. The landscaping planted therein is designed to minimise the possibility of dust and noise traversing across the residential precinct.



Owners of allotments that share a northern boundary with the adjacent Sand Mine are required to maintain a solid 2.0m high Colorbond fence set back 1.0m from the common boundary to assist in minimising the possibility of dust and noise traversing across the residential precinct.

6. LANDSCAPE DESIGN PRINCIPLES

The design can consist of a mixture of native and exotic plants.

There should be a sense of coordination and integration regarding the style of landscape design which should be evident throughout the property.

Landscaping should be designed with the following criteria:

- Landscaping of the front garden (eg between the front dwelling facade and the front allotment boundary) is to be completed within 6 months of Practical Completion of the dwelling;
- Utilise the landscape practice of 'hydrozoning' by grouping plants with similar watering requirements;
- Minimise the use of turf / lawn;
- Consider permeable pavements wherever possible;
- Utilise small retention areas, rain gardens etc to collect and slow water runoff;
- Landscape treatments should be kept within the scale of your dwelling;
- The use of drip irrigation systems is encouraged.
- The driveway must be constructed from the same materials and colours that will be used for the crossover (eg area between the gutter and the driveway to the front allotment boundary);
- Driveways and crossovers must be completed prior to occupation of the dwelling;
- Driveways must be aligned with existing crossovers, unless rollover kerbs are considered;
- Only one driveway / cross over is permitted per allotment;
- Rollover kerbs are not allowed on the collector roads as well as on properties fronting reserves and adjacent to roundabouts.



- Until completion of the construction of any dwelling on the land, the purchaser shall regularly cut down all weeds and clear any rubbish from the site to ensure it is maintained in good, neat and tidy condition;
- Purchasers shall at all times thereafter maintain, keep tidy and care for the front and rear yard landscape and garden visible to the street or golf course, including regular watering of trees and shrubs, irrigation of lawns, mowing of lawns, weeding and general maintenance of the landscaped areas;
- Purchasers must act in good faith in determining the standard acceptable for the purposes of maintaining the front and rear yard landscape;
- Purchasers shall not at any time plant, cultivate, grow or permit or allow to be planted, cultivated or grown any species of kikuya. In the event that you or others become aware that such grass is growing on the land you shall immediately take all reasonable steps to remove the same.

7. SUSTAINABILITY PRINCIPLES

Outlined below are ways of making a difference and improving the sustainability and comfort of your dwelling, from passive building design techniques, water conservation, sustainable landscaping to the adoption of renewable energy.

7.1 Building Orientation and Winter Solar Gain

Correctly orientating your dwelling to harvest the sun's warmth in winter and maximise your dwelling's ability to capture cooling breezes in summer will help maintain a natural comfortable temperature within your dwelling through every season with minimal assistance from heating and cooling.

All daytime living spaces including living, kitchen, dining, family, study areas and outdoor spaces / courtyards should be orientated to the north and face private open space areas in order to have access to daylight and maximise solar access gain all year.

7.2 Windows / Glazing

Windows (and doors) provide the important benefits of access to light, heat, air and views.

Maximising benefit depends on orientation, shading, size, quality, and the area of glass relative to both the floor area and solid wall area. Walls that do not have exposure to winter sun should have less glazing.



The use of double glazing (particularly for windows to living areas and bedrooms) or comfort glass or a similar product that achieves a higher level of thermal performance than standard glass is recommended.

High thermal performance window (and door) framing options include the following:

- Timber or uPVC;
- Aluminium, thermally improved (thermal break).

7.3 Shading

Internal comfort during warmer months requires that windows facing north, east and west are effectively shaded.

Consider appropriate design techniques to avoid heat gain whilst maintaining your views. Techniques include eaves, verandahs, balconies, window shades, double glazing windows, blinds and vegetation around the home.

Eaves with a minimum width of 0.9m to the north, west and east sides of the home are most effective.

Use of retractable shading/shelter of external living areas will encourage outdoor living all year.

7.4 Ventilation, Sealing and Zoning

Zoning of living areas by incorporating doors between internal 'zones' to separate living, sleeping and utility areas provides improved efficiency of heating and cooling systems.

The home design should encourage a layout and external opening that provide for cross ventilation and provide low and high level openings to provide for vertical ventilation. In summary, cooler air enters through the low openings and pushes the warmer air out through the higher openings.

Installing windows and doors with high quality fully sealing devices will also improve thermal performance and general comfort.

7.5 Insulation

Insulation in walls of R2.0 and in ceilings R3.5 will help improve thermal performance.



This is a very cost effective option to make your home more comfortable and energy efficient. Types of wall insulation available include rockwool, glasswool, sheeps wool, cellulose fibre, reflective foil sheets, sisalation and aircell.

Insulated roofs fitted with reflective foils and with bulk or proven similarly acting insulation products will reduce the impact of high levels of solar radiation and other heat gain and loss.

7.6 Drinking Water

All homes in Mount Compass Golf Course Estate will be connected to a water reticulation system which provides potable drinking water. This water is sourced from nearby bores / springs.

Pursuant to the Water Industry Act, each owner will on settlement of the purchase of an allotment, automatically become a party to and will be at law bound by the provisions of the standard published Water Supply Agreement with Robusto Investments Pty Ltd (trading as Compass Springs) as approved by the Essential Services Commission of South Australia (ESCOSA) in regard to this development.

7.7 Rainwater Tanks and Detention Tanks

Rainwater and detention tanks may be installed and connected to the house, or used for external watering or fire-fighting purposes. Tanks should be located underground on smaller lots however where it can be demonstrated that private open space criteria can be achieved, tanks can be located above ground. Where tanks are located above ground on either small or large lots, the finish and/or colour should be consistent with those used for the associated dwelling.

Use of stormwater / rainwater for irrigation of garden areas and within the dwelling is strongly encouraged. If stormwater is not contained and used within the boundaries of the property it must be directed to the street kerb / water table / drainage system at the cost of the purchaser.

Drainage and soakage pits may be used in conjunction with rainwater storage and detention tanks if volume capacity can be demonstrated.

Stormwater should not discharge directly to the golf course where properties have direct frontage to the golf course.



7.8 Fixtures and Appliances

The use of water efficient fixtures and appliances can save considerable quantities of water.

Each dwelling should consider the use of 4 star toilets, 3 star showerheads, and 4 star dishwashers where possible. For star ratings indicating water efficiency please refer to the Water Efficiency Labelling and Standards (WELS) rating scheme.

7.9 Bores

Bores are not permitted on the property.

8. BUILDING ON YOUR SITE

8.1 Solid Wastes

All building materials and wastes associated with on-site construction must be contained and stored within the subject area until proper disposal procedures can be utilised. Light wastes (plaster and cement bags, plastics, wrappings etc) should be disposed of in covered waste bins on-site.

8.2 Dust Emissions

The emissions of dust should be minimised as it is a major pollutant to stormwater and a significant nuisance to neighbouring residents.

Steps that can be taken to lessen the spread of dust include:

- Regularly coating roadways, entrances and main traffic areas with dust suppressants. Watering regularly can also minimise dust;
- Large construction sites must have a water supply and applicator on-site to ensure dust suppression;
- When dust emissions present are deemed hazardous in nature, provisions must be taken to ensure the dust is contained, collected and disposed of aptly to prevent release into the air or stormwater.



8.3 Disposal of Excavated Material

Spoil that has been excavated during construction of footings or landscaping must not be placed or stored on adjoining properties unless written approval has been given by the property owner.

Spoil must be removed immediately if possible.

The spoil collected and stockpiled must be covered or watered to prevent dust from spreading into adjoining allotments. Spoil must not be stockpiled within 1.0m of a street tree or associated landscape.

Spoil that is stockpiled on vacant land must be scraped clean to its original state with all traces of spoil removed once completion of the property has been achieved. Failure to remove spoil upon the completion of the property, Council will arrange for removal and charge the property owner for removal of the spoil.

8.4 Damage to Footpaths, Driveways, Crossovers and Streetscape Planting

It is the owner's responsibility to rectify to the satisfaction of Council any public footpaths, driveway crossovers and streetscape planting if damaged during the construction of the dwelling.


8.5 Incurred Costs

Costs associated with the relocation, removal or establishment of any infrastructure services, utilities, street trees, landscaping, footpaths, kerbing, fencing, retaining walls, driveways etc that are required due to the design and siting of the dwelling must be paid for by the purchaser.

Purchasers must install water, sewer and power infrastructure within the allotment to the point of connection provided.

If no connection point is provided (stormwater only), purchasers should install rainwater collection and detention tanks as required to facilitate use of the water within the boundaries of their allotment (gardens or re-use in toilets or similar.)

Any purchaser / owner works as per above must satisfy the overall vision of the site, thus construction must match existing infrastructure in terms of colour and material choices as well as location etc.

PURPOSE:		DIVISION AND REDESIGNATION OF PARCELS		AREA NAME:		MOUNT COMPASS		RE-APPROVED: 28/04/2021		 D126888													
MAP REF: 6627/39/A		COUNCIL: ALEXANDRINA COUNCIL						DEPOSITED: 28/04/2021															
LAST PLAN: D121598		DEVELOPMENT NO.: 455/D04/21/5/002/62102								SHEET 1 OF 7 105917_text_01_v06_Version_6													
AGENT DETAILS: ALEXANDER & SYMONDS PTY LTD 1ST FLOOR 11 KING WILLIAM ST KENT TOWN SA 5067 PH: 81301666 FAX: 83620099												SURVEYORS I MARK ANTONY PETER WILLIAMS , a licensed surveyor do hereby certify - (1) That this plan has been made from surveys carried out by me and correctly prepared in accordance with the Survey Act 1982. (2) That the field work was completed on the 8th day of July 2020											
AGENT CODE: ALSY																							
REFERENCE: 20A1486LTO2A(B)																							
SUBJECT TITLE DETAILS:																							
PREFIX		VOLUME		FOLIO		OTHER		PARCEL		NUMBER		PLAN		NUMBER		HUNDRED / IA / DIVISION		TOWN		REFERENCE NUMBER			
CT	6229	6229	623						ALLOTMENT(S)	2001	D	121598								SECTION 210			
																				SECTION 206			
																				SECTION 449			
CT	6229	6224							ALLOTMENT(S)	2002	D	121598								SECTION 210			
OTHER TITLES AFFECTED:																							
EASEMENT DETAILS:																							
STATUS		LAND BURDENED		FORM		CATEGORY		IDENTIFIER		PURPOSE		IN FAVOUR OF		CREATION									
EXTINGUISH				SHORT		EASEMENT(S)		F		FOR WATER SUPPLY PURPOSES		45-50 57-64 2005		RTC 10424510									
EXTINGUISH				SHORT		EASEMENT(S)		M		FOR WATER SUPPLY PURPOSES		45-50 57-64 2005		RTC 11605990									
EXISTING				LONG		RIGHT(S) OF WAY		A				2003		RTC 12819900									
EXISTING				SHORT		EASEMENT(S)		B		FOR WATER SUPPLY PURPOSES		2004 (MARKED W)		RTC 8993774									
EXISTING		2003.2004		SERVICE		EASEMENT(S)		D		FOR DRAINAGE PURPOSES		THE COUNCIL FOR THE AREA		223LG RPA									
EXISTING				SHORT		EASEMENT(S)		F		FOR WATER SUPPLY PURPOSES		2003.2004		RTC 10424510									
EXISTING		2003		SHORT		EASEMENT(S)		J		FOR DRAINAGE PURPOSES				RTC 11605990									
EXISTING		2003		SERVICE		EASEMENT(S)		L		FOR DRAINAGE PURPOSES		THE COUNCIL FOR THE AREA		223LG RPA									
EXISTING				SHORT		EASEMENT(S)		M		FOR WATER SUPPLY PURPOSES		2003.2004		RTC 11605990									



D126888

SHEET 2 OF 7

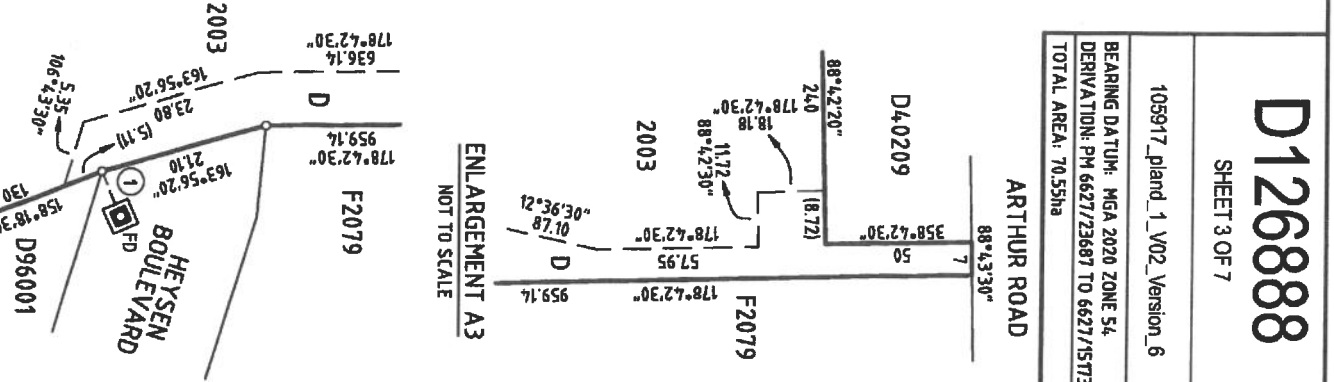
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EASEMENT DETAILS:

STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
NEW	57-64.2003.2005	SERVICE	EASEMENT(S)	C	FOR DRAINAGE PURPOSES	THE COUNCIL FOR THE AREA	223LG RPA
NEW	45	SHORT	EASEMENT(S)	E	FOR THE TRANSMISSION OF ELECTRICITY BY UNDERGROUND CABLE	2004 (MARKED W)	
NEW	45	SHORT	EASEMENT(S)	K	FOR WATER SUPPLY PURPOSES	2004 (MARKED W)	

ANNOTATIONS:

ALLOTMENT(S) 2003 (CT 6229 / 623) NOT PART OF THIS DIVISION
REMOVAL OF EASEMENT E AND K IN ALLOTMENT 2004 VIDE PR 13513995 PRO R.G. 29/4/2021



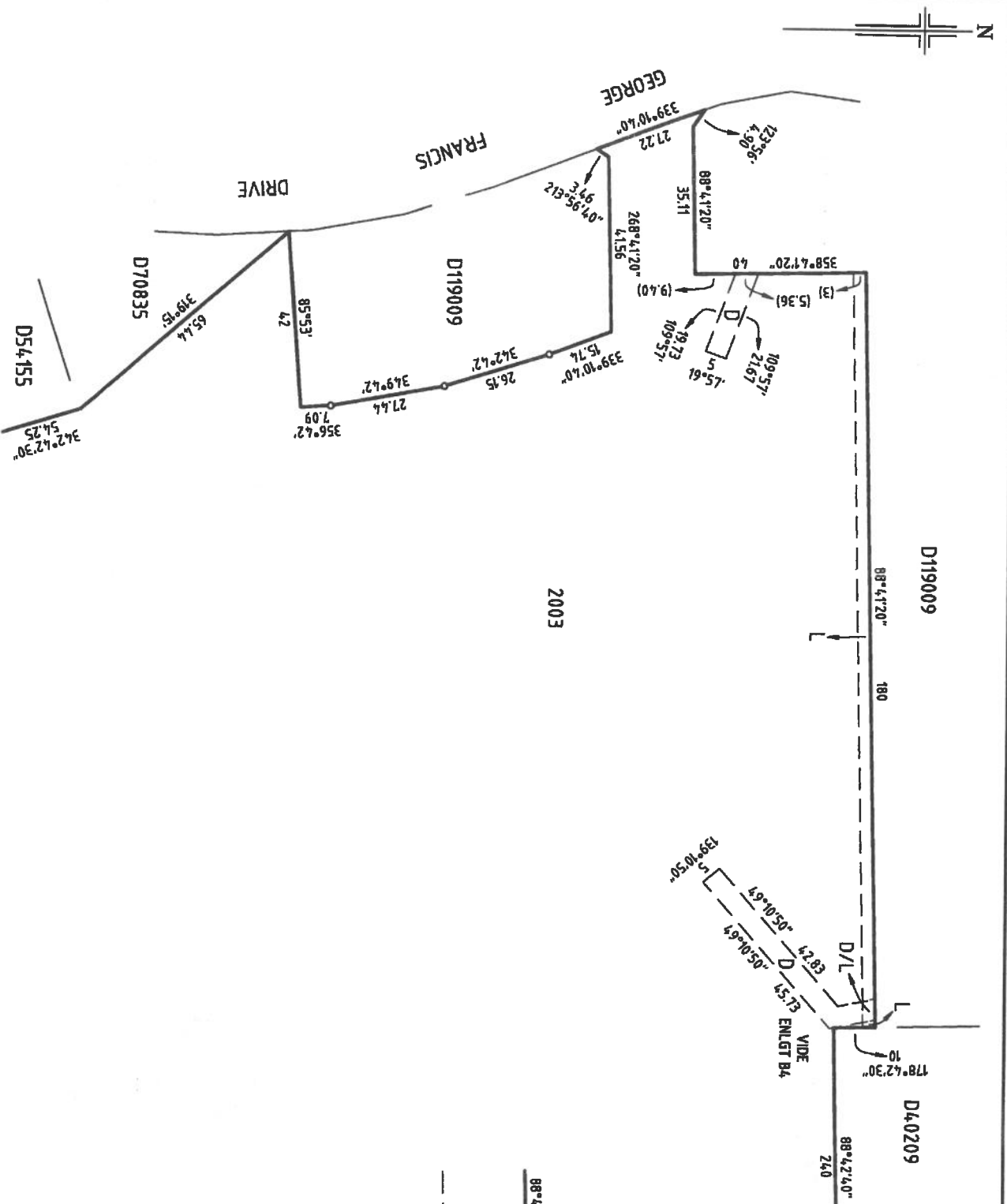
DMM 2020/2021 MAPW



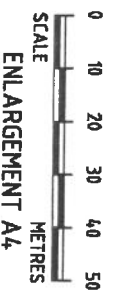
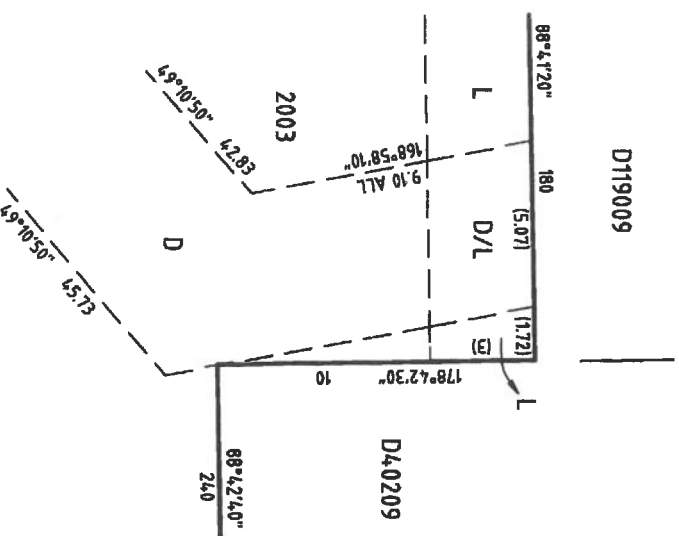
D126888

SHEET 4 OF 7

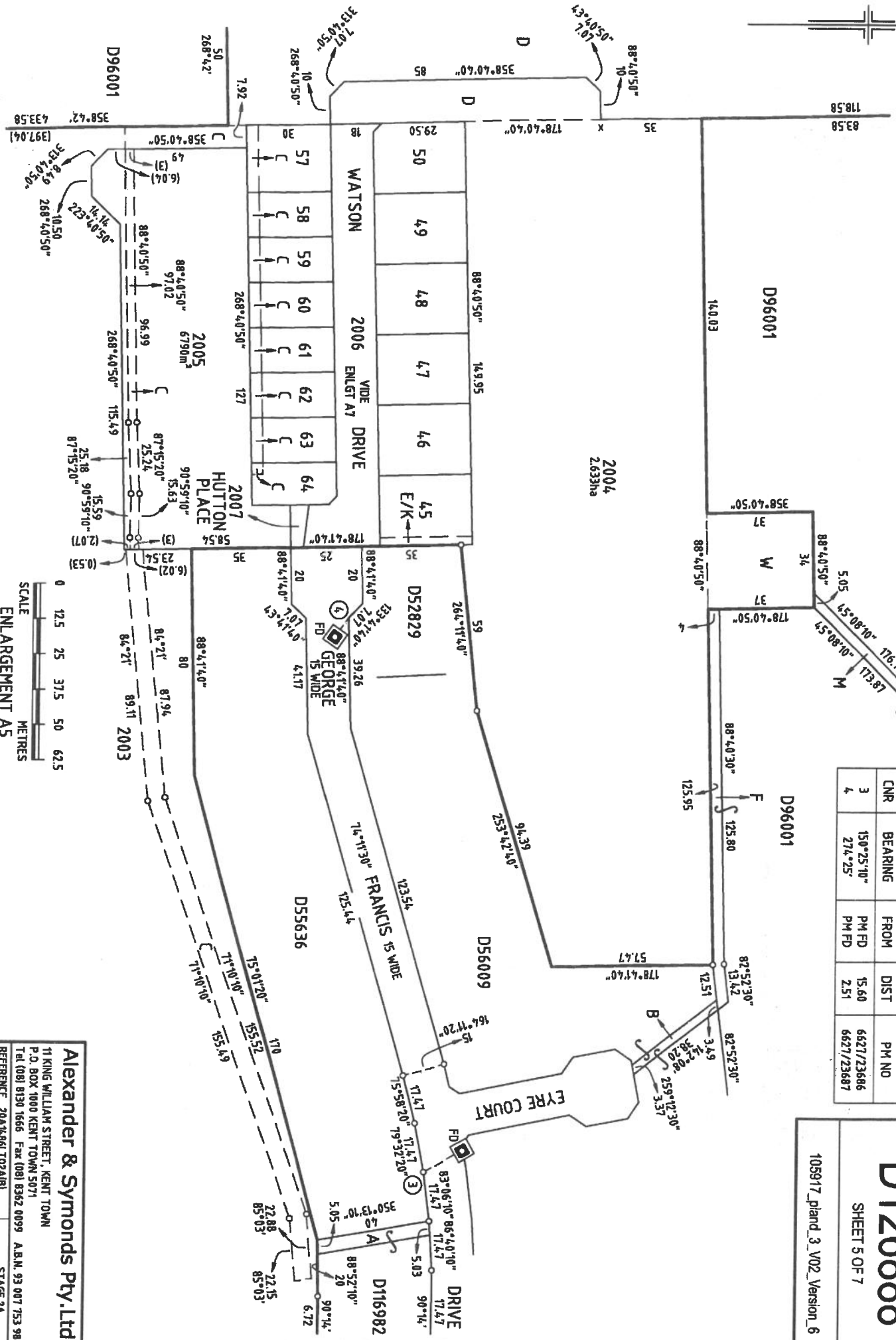
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ENLARGEMENT B4
NOT TO SCALE



Alexander & Symonds Pty. Ltd.
11 KING WILLIAM STREET, KENT TOWN
P.O. BOX 1000 KENT TOWN 5071
Tel (08) 8130 1666 Fax (08) 8362 0099 A.B.N. 93 007 753 988
REFERENCE 2004/4861 (TOZABD) STAGE 2A
DMM 20/04/2021 MAPW



CNR	BEARING	FROM	DIST	PM NO
3	150°25'10"	PM FD	15.60	6627/23686
4	274°25'	PM FD	2.51	6627/23687

D126888

SHEET 5 OF 7

105917_pland_3_V02_Version_6

Alexander & Symonds Pty. Ltd.

11 KING WILLIAM STREET, KENT TOWN P.O. BOX 1000 KENT TOWN 5071 Tel (08) 8130 1666 Fax (08) 8362 0099 REFERENCE 20A196(LT02A1B)	A.B.N. 93 007 753 9888
DMH 20/04/2021	MAPW
	STAGE 2A

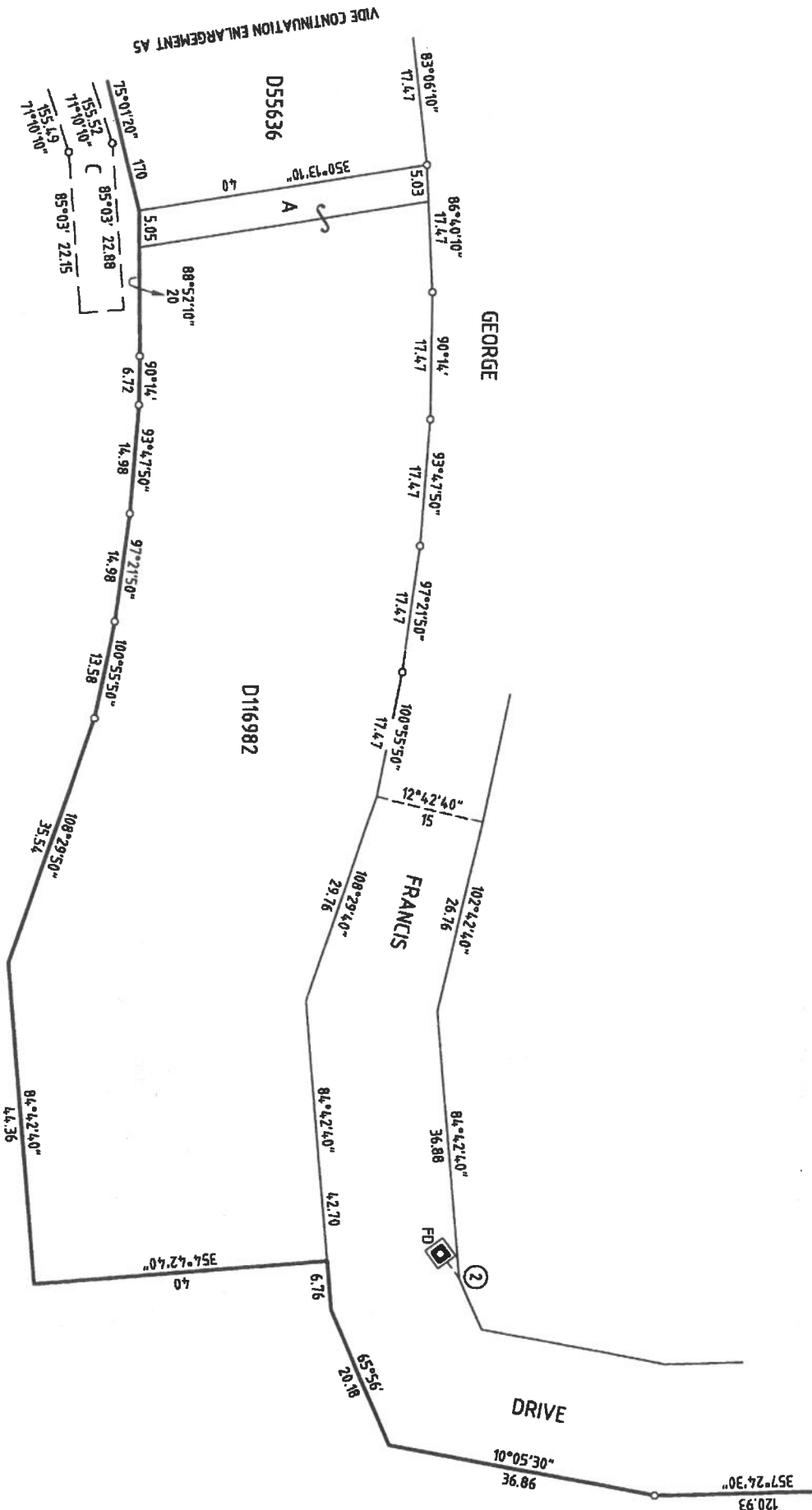


REFERENCE MARKS				
CNR	BEARING	FROM	DIST	PM NO
2	79°00'	PM FD	2.51	6627/23685

D126888

SHEET 6 OF 7

105917_pland_4_V01_Version_6



Alexander & Symonds Pty.Ltd.

11 KING WILLIAM STREET, KENT TOWN
P.O. BOX 1000 KENT TOWN 5071
Tel (08) 8130 1666 Fax (08) 8362 0099 A.B.N. 93 007 753 988
REFERENCE 20A1486L102A1B1
DMM 2006/2021

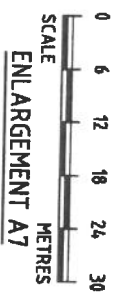
MAPV

STAGE 2A



Alexander & Symonds Pty.Ltd.

11 KING WILLIAM STREET, KENT TOWN P.O. BOX 1000 KENT TOWN 5071 Tel (08) 8130 1656 Fax (08) 8362 0099 REFERENCE 20A1486L TO2A1B)	A.B.N. 93 007 753 988
DMH 2004/2021	MAPW
	STAGE 2A



REFERENCE MARKS				
CNR	BEARING	FROM	DIST	PM NO
4	271°25'	PM FD	2.51	6627/23687

Certificate of Title

Title Reference: CT 6253/785

Status: CURRENT

Edition: 2

Dealings

No Unregistered Dealings and no Dealings completed in the last 90 days for this title

Priority Notices

NIL

Registrar-General's Notes

No Registrar-General's Notes exist for this title

Certificate of Title

Title Reference: CT 6253/785

Status: CURRENT

Parent Title(s): CT 6229/624

Dealing(s) Creating Title: RTC 13510512

Title Issued: 29/04/2021

Edition: 2

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
30/07/2021	04/08/2021	13580494	MORTGAGE	REGISTERED	HOMESTART FINANCE
30/07/2021	04/08/2021	13580493	ENCUMBRANCE	REGISTERED	CAPITOLINE PROPERTY PTY. LTD. (ACN: 125 228 266)
30/07/2021	04/08/2021	13580492	TRANSFER	REGISTERED	ZAK ALEXANDER KENDALL, TARA ELEANOR ELIZABETH KENDALL
30/07/2021	04/08/2021	13580491	DISCHARGE OF MORTGAGE	REGISTERED	13457737
02/02/2021	05/02/2021	13457737	MORTGAGE	REGISTERED	MAXWELL TERRACE PTY. LTD. (ACN: 109 689 590), PJ SMITH SUPERFUND PTY. LTD. (ACN: 646 324 978), JOLASH PTY. LTD. (ACN: 134 732 184)



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: 2590965

R J COLE & PARTNERS P
POST OFFICE BOX 7
CHRISTIES BEACH SA 5165

DATE OF ISSUE

26/07/2024

ENQUIRIES:

Tel: (08) 8226 3750

Email: revsaesl@sa.gov.au

OWNERSHIP NUMBER

18930230

OWNERSHIP NAME

Z A & T E KENDALL

PROPERTY DESCRIPTION

5 WATSON DR / MOUNT COMPASS SA 5210 / LT 62 D126888

ASSESSMENT NUMBER

4551843555

TITLE REF.

(A "+" indicates multiple titles)

CT 6253/785

CAPITAL VALUE

\$570,000.00

AREA / FACTOR

R2
0.500

LAND USE / FACTOR

RE
0.400

LEVY DETAILS:

FINANCIAL YEAR

2024-2025

FIXED CHARGE

+ VARIABLE CHARGE

- REMISSION

- CONCESSION

+ ARREARS / - PAYMENTS

= AMOUNT PAYABLE

\$ 50.00
\$ 107.35
\$ 66.10
\$ 0.00
\$ 0.00
\$ 91.25

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

24/10/2024



**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

18930230

OWNERSHIP NAME

Z A & T E KENDALL

ASSESSMENT NUMBER

4551843555

AMOUNT PAYABLE

\$91.25

AGENT NUMBER

100019240

AGENT NAME

R J COLE & PARTNERS P/L

EXPIRY DATE

24/10/2024

+80013145070022> +001571+ <0550987927> <0000009125> +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
Email: revsupport@sa.gov.au
Phone: (08) 8226 3750

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at:

OR

By Post to:

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

**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:

2590965

R J COLE & PARTNERS P
POST OFFICE BOX 7
CHRISTIES BEACH SA 5165

DATE OF ISSUE

26/07/2024

ENQUIRIES:

Tel: (08) 8226 3750

Email: landtax@sa.gov.au

OWNERSHIP NAME

Z A & T E KENDALL

FINANCIAL YEAR

2024-2025

PROPERTY DESCRIPTION

5 WATSON DR / MOUNT COMPASS SA 5210 / LT 62 D126888

ASSESSMENT NUMBER

4551843555

TITLE REF.

(A "+" indicates multiple titles)

CT 6253/785

TAXABLE SITE VALUE

\$151,000.00

AREA

0.0480 HA

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

CURRENT TAX	\$	0.00	SINGLE HOLDING	\$	0.00
- DEDUCTIONS	\$	0.00			
+ ARREARS	\$	0.00			
- PAYMENTS	\$	0.00			
= AMOUNT PAYABLE	\$	0.00			

Please Note:

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

ON OR BEFORE**24/10/2024****Government of
South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

**RevenueSA**

DEPARTMENT OF TREASURY AND FINANCE

Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

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

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at:

OR

By Post to:

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

Account Number	L.T.O Reference	Date of issue	Agent No.	Receipt No.
45 51843 55 5	CT6253785	29/7/2024	6971	2590965

RJ COLE & PARTNER
PO BOX 7
CHRISTIES BEACH SA 5165
lawyers@rjcole.com

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: Z A & T E KENDALL
Location: 5 WATSON DR MOUNT COMPASS
Description: 5HDG **Capital Value:** \$ 570 000
Rating: Residential

Periodic charges

Raised in current years to 30/6/2024

			\$
	Arrears as at: 30/6/2024	:	0.00
Water main available:	Water rates	:	0.00
Sewer main available:	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	:	0.00
	Balance outstanding	:	0.00

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

Next quarterly charges: Water supply: 0.00 Sewer: 0.00 Bill: 14/8/2024

This account is not rateable for water or sewer.

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



**Government of
South Australia**

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

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

South Australian Water Corporation

Name:

Z A & T E KENDALL

Water & Sewer AccountAcct. No.: **45 51843 55 5****Amount:** _____**Address:**

5 WATSON DR MOUNT COMPASS

Payment Options

EFT**EFT Payment**

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	4551843555

**Bill code: 8888**
Ref: 4551843555

Telephone and Internet Banking — BPAY®

Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More information at bpay.com.au

**Paying online**

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

**Paying by phone**

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

SA Water account number: 4551843555

**Government of
South Australia****South Australian Water Corporation**
250 Victoria Square/Tarntanyangga
Adelaide SA 5000
GPO Box 1751 Adelaide SA 50011300 SA WATER
(1300 729 283)
ABN 69 336 525 019
sawater.com.au