

REAL PROPERTY ACT, 1986



South Australia

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 6103 Folio 724

Parent Title(s) CT 6100/934
Creating Dealing(s) ACT 11847020
Title Issued 03/12/2012 **Edition** 4 **Edition Issued** 28/09/2022

Estate Type

FEE SIMPLE

Registered Proprietor

JENNIFER MARIE ENGLAND
OF 10 BASTIAN COURT WILLUNGA SA 5172

Description of Land

LOT 21 PRIMARY COMMUNITY STRATA PLAN 27500
IN THE AREA NAMED CHRISTIE DOWNS
HUNDRED OF NOARLUNGA

Easements

NIL

Schedule of Dealings

| Dealing Number | Description |
|----------------|---|
| 13881978 | MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124) |

Notations

Dealings Affecting Title NIL

Priority Notices NIL

Notations on Plan

| Lodgement Date | Dealing Number | Description | Status |
|----------------|----------------|--------------------|--------|
| 09/11/2012 | 11847021 | BY-LAWS | FILED |
| 09/11/2012 | 11847022 | SCHEME DESCRIPTION | FILED |

Registrar-General's Notes NIL

Administrative Interests NIL

Form R3

(2 pages)

Buyers information notice

Land and Business (Sale and Conveyancing) Act 1994 section 13A

Land and Business (Sale and Conveyancing) Regulations 1995 regulation 15A

Before you buy a home there are a number of things that you should investigate and consider. Though it may not be obvious at the time, there could be matters that may affect your enjoyment of the property, the safety of people on the property or the value of the property.

The following questions may help you to identify if a property is appropriate to purchase. In many cases the questions relate to a variety of laws and standards. These laws and standards change over time, so it is important to seek the most up to date information.

Various government agencies can provide up to date and relevant information on many of these questions. To find out more the Office of Consumer and Business Affairs recommends that you check the website: www.ocba.sa.gov.au/Realestate/

Consider having a professional building inspection done before proceeding with a purchase. A building inspection will help you answer some of the questions below.

The questions have been categorised under the headings **Safety, Enjoyment and Value**, but all of the issues are relevant to each heading.

Safety

- Is there **asbestos** in any of the buildings or elsewhere on the property e.g. sheds and fences?
- Does the property have any significant **defects** e.g. **cracking or salt damp**? Have the wet areas been waterproofed?
- Is the property in a **bushfire** prone area?
- Are the **electrical wiring, gas installation, plumbing and appliances** in good working order and in good condition? Is a **safety switch (RCD)** installed? Is it working?
- Are there any prohibited **gas appliances** in bedrooms or bathrooms?
- Are **smoke alarms** installed in the house? If so, are they hardwired? Are they in good working order and in good condition? Are they compliant?
- Is there a **swimming pool and/or spa pool** installed on the property? Are there any safety barriers or fences in place? Do they conform to current standards?
- Does the property have any **termite** or other pest infestations? Is there a current preventative termite treatment program in place? Was the property treated at some stage with persistent organochlorines (now banned) or other **toxic termiticides** as fill been used on the site? Is the soil contaminated by **chemical residues** or waste?
- Does the property use **cooling towers** or manufactured warm water systems? If so, what are the maintenance requirements?

Enjoyment

- Does the property have any **stormwater** problems?
- Is the property in a **flood prone** area? Is the property prone to coastal flooding?
- Does the property have an on-site **wastewater treatment facility** such as a septic tank installed? If so, what are the maintenance requirements? Is it compliant?
- Is a **sewer mains connection** available?
- Are all gutters, downpipes and stormwater systems in good working order and in good condition?
- Is the property near **power lines**? Are there any trees on the property near power lines? Are you considering planting any trees? Do all structures and trees maintain the required clearance from any power lines?
- Are there any significant trees on the property?
- Is this property a unit on **strata or community title**? What could this mean for you? Do you understand the restrictions of use and the financial obligations of ownership? Will you have to pay a previous owner's debt or the cost of planned improvements?
- Is the property close to a hotel, restaurant or other venue with entertainment consent for live music? Is the property close to any industrial or commercial activity, a busy road or airport, etc that may result in the generation of noise or the **emission of materials or odours** into the air?
- What appliances, equipment and fittings are included in the sale of the property?
- Is there sufficient car parking space available to the property?

Value

- Are there any **illegal or unapproved additions**, extensions or alterations to the buildings on the property?
- How **energy efficient** is the home, including appliances and lighting?
- What **energy sources** (e.g. electricity, gas) are available?
- Is the property connected to SA Water operated and maintained **mains water**? Is a mains water connection available? Does the property have a **recycled water** connection? What sort of water meter is located on the property (a **direct or indirect meter** – an indirect meter can be located some distance from the property)? Is the property connected to a water meter that is also serving another property?
- Are there water taps outside the building? Is there a watering system installed? Are they in good working order and in good condition?
- Does the property have **alternative sources of water** other than mains water supply (including **bore or rainwater**)? If so, are there any special maintenance requirements?

For more information on these matters visit:

www.ocba.sa.gov.au/consumeradvice/realestate

Disclaimer: There may be other issues relevant to the purchase of real estate. If you are unable to ascertain enough information about the questions raised in this form and any other concerns you may have we strongly recommend you obtain independent advice through a building inspection, a lawyer, and a financial adviser.

Form R7

Warning Notice

Financial and Investment Advice

Land and Business Sale and Conveyancing) Act 1994 section 24B

Land and Business Sale and Conveyancing) Regulations 2010 regulation 21

A land agent or sales representative who provides financial or investment advice to you in connection with the sale or purchase of land or a business is obliged to tell you that—

You should assess the suitability of any purchase of the land or business in light of your own needs and circumstances by seeking independent financial and legal advice.

An agent must also tell you about any other benefit that any other person (including the agent) will receive in connection with the sale or purchase, unless it is*:

- a benefit that has been disclosed in a sales agency agreement
- a benefit that you provide the agent
- a benefit received by the vendor or purchaser
- a benefit related to a service for which you have not or will not be charged
- a benefit of which the agent remains unaware.

**Refer to section 24C of the Land and Business Sale and Conveyancing) Act 1994*

OFFICIAL

ANNEXURE A



STATE
PLANNING
COMMISSION

Level 10
83 Pirie Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

1800 752 664
saplanningcommission@sa.gov.au

| | |
|---------|---------------------------------|
| Contact | Planning Services |
| Email | Dhud.planningservices@sa.gov.au |
| Phone: | 7133 3030 |

11 November 2024

Joshua Taylor
59 Devereux Road
LINDEN PARK SA 5065

Dear Sir/Madam

**Re: *Land and Business (Sale and Conveyancing) Act 1994 - Section 7 Enquiry*
Property at Unit 21 L3, Horizon Apartments, 2 Ochre Place, Christie Downs
Registered Proprietor(s): J England**

I refer to your enquiry to the Department for Housing and Urban Development (DHUD) concerning the parcel of land comprised in Certificate of Title Volume 6103 Folio 724 and the subsequent Property Interest Report (PIR) issued. (Reference No. 2621168 dated 5/11/24).

The land is the subject of an application for development which was granted approval, subject to certain conditions by the Development Assessment Commission pursuant to the *Development Act 1993 (repealed)*. A copy of the Planning Decision Notification is attached (refer item 5.1 of PIR).

There is no record of any condition that continues to apply under either of the repealed Acts referred to in item 6.1 of the PIR.

There is also no record of any condition that continues to apply under the *Planning, Development and Infrastructure Act 2016* (refer item 29.2 of the PIR).

Yours faithfully

Planning Services Unit
on behalf of
STATE PLANNING COMMISSION

South Australia - Regulation under the Development Act, 1993 Regulation 42

DECISION NOTIFICATION FORM

Development Number

145/N017/11

FOR DEVELOPMENT APPLICATION

REGISTERED ON: 6 August 2011

Mr Patrick Mitchell
 Urban Strategy and Asset Investment
 Housing SA DFC
 Level 5 Riverside Centre
 ADELAIDE SA 5000

LOCATION OF PROPOSED DEVELOPMENT:

| Lot No | Section | Street | Suburb | Hundred | Title Reference |
|-------------|---------|-----------------|------------------|-----------|-------------------------|
| A1 DP 81091 | | Grey Box Avenue | Noarlunga Centre | Noarlunga | CT 6038/807 6078-384 |

NATURE OF PROPOSED DEVELOPMENT: 12 Townhouses and 4 Studios, Staged Approval - Stage 1 Site Works and Footings (Only)

From: **DEVELOPMENT ASSESSMENT COMMISSION**

In respect of this proposed development you are informed that:

| NATURE OF DECISION | GRANTED | CONDITIONS |
|----------------------|---------|------------|
| DEVELOPMENT APPROVAL | ✓ | ONE (1) |

Condition of Approval

- That except where minor amendments may be required by other relevant Acts, or by conditions imposed by the building rules consent, the development shall be established in strict accordance with the details and plans submitted under the Commonwealth Nation Building Program and endorsed by the Office of the Coordinator General.

Advisory Note

- Pursuant to Regulation 92(2b)(a) of the *Development Regulations 2008*, where any development approved under the Commonwealth Nation Building Program for compliance with the building rules, one copy of the certified plans must be provided to the local Council.

Phil Turvey
 Assessment Coordinator
as delegate of the
DEVELOPMENT ASSESSMENT COMMISSION
Date of Decision:

cc: (City of Onkaparinga)

ANNEXURE B



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: 2621168

TAYLOR WRIGHT LAWYERS PTY LTD
UNIT 3
59 DEVEREUX ROAD
LINDEN PARK SA 5065

DATE OF ISSUE
05/11/2024

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

| | | | | |
|-------------------------------------|---|-------------------------------|----------------------|--------------------------|
| OWNERSHIP NUMBER | | OWNERSHIP NAME | | |
| 19422369 | | J M ENGLAND | | |
| PROPERTY DESCRIPTION | | | | |
| 2 OCHRE PL / CHRISTIE DOWNS SA 5164 | | | | |
| ASSESSMENT NUMBER | TITLE REF. <small>(A "+" indicates multiple titles)</small> | CAPITAL VALUE | AREA / FACTOR | LAND USE / FACTOR |
| 8631213711 | CT 6103/724 | \$390,000.00 | R4 1.000 | RE 0.400 |
| LEVY DETAILS: | | | | |
| | | FIXED CHARGE | \$ | 50.00 |
| | | + VARIABLE CHARGE | \$ | 146.95 |
| FINANCIAL YEAR | | - REMISSION | \$ | 90.50 |
| 2024-2025 | | - CONCESSION | \$ | 0.00 |
| | | + ARREARS / - PAYMENTS | \$ | -106.45 |
| | | = AMOUNT PAYABLE | \$ | 0.00 |

Please Note: If a concession amount is shown, the validity of the concession should be checked prior to payment of any outstanding levy amount. The expiry date displayed on this Certificate is the last day an update of this Certificate will be issued free of charge. **It is not the due date for payment.**

EXPIRY DATE 03/02/2025



See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Emergency Services Funding Act 1998

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate



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: 2621168

TAYLOR WRIGHT LAWYERS PTY LTD
UNIT 3
59 DEVEREUX ROAD
LINDEN PARK SA 5065

DATE OF ISSUE
05/11/2024

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

| | | | |
|--|---|---------------------------|-------------|
| OWNERSHIP NAME | | FINANCIAL YEAR | |
| J M ENGLAND | | 2024-2025 | |
| PROPERTY DESCRIPTION | | | |
| 2 OCHRE PL / CHRISTIE DOWNS SA 5164 | | | |
| ASSESSMENT NUMBER | TITLE REF. <small>(A "+" indicates multiple titles)</small> | TAXABLE SITE VALUE | AREA |
| 8631213711 | CT 6103/724 | \$21,000.00 | 0.0000 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 03/02/2025

See overleaf for further information



Government of South Australia

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

| | | | | |
|--|------------------------------|----------------------------|-------------------|------------------------|
| Account Number 86 31213 71 1 | L.T.O Reference CT6103724 | Date of issue 6/11/2024 | Agent No. 9235 | Receipt No. 2621168 |
|--|------------------------------|----------------------------|-------------------|------------------------|

TAYLOR WRIGHT LAWYERS PTY LTD
59 DEVEREUX ROAD
LINDEN PARK SA 5065
josh@rwc.net.au

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: J M ENGLAND
Location: U21 2 OCHRE PL CHRISTIE DOWNS LT21 C27500
Description: 3APT CP **Capital Value:** \$ 390 000
Rating: Residential

Periodic charges

Raised in current years to 30/9/2024

| | | \$ |
|--------------------------------|----------------------------|-------------|
| | Arrears as at: 30/6/2024 | 153.70 |
| Water main available: 1/7/2013 | Water rates | 78.60 |
| Sewer main available: 1/7/2013 | Sewer rates | 86.95 |
| | 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 | 319.25CR |
| | Balance outstanding | 0.00 |

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

Next quarterly charges: Water supply: 78.60 Sewer: 86.95 Bill: 4/12/2024

This account has no meter of its own but is supplied from account no 86 31213 29 5.

The Water Use apportionment option is Nil.

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

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

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



**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:

J M ENGLAND

Water & Sewer AccountAcct. No.: **86 31213 71 1****Amount:** _____**Address:**U21 2 OCHRE PL CHRISTIE DOWNS LT21
C27500

Payment Options

EFT**EFT Payment**

Bank account name: SA Water Collection Account
BSB number: 065000
Bank account number: 10622859
Payment reference: 8631213711



Biller code: 8888
Ref: 8631213711

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: 8631213711



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

ANNEXURE C



Certificate No: S74382/2024

LOCAL GOVERNMENT RATES SEARCH

TO: Robyn White Conveyancing
PO Box 6254
LINDEN PARK SA 5065

06 November 2024

DETAILS OF PROPERTY REFERRED TO:

Property ID : 74642
Valuer General No : 8631213711
Valuation : \$390,000.00
Owner : Ms Jennifer Marie England
Property Address : 21/2 Ochre Place CHRISTIE DOWNS SA 5164
Volume/Folio : CT-6103/724
Lot/Plan No : Community Plan Parcel 21 CP 27500
Ward : 02 Mid Coast Ward

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

Rates balance (as of 30 Jun 2024) and/or Block Clearing Charges \$0.00

Postponed Amount in Arrears (if applicable monthly interest of 0.58750%) \$0.00

Fines (2%) and interest on arrears charged from previous financial year (monthly interest of 0.75416%) \$0.00

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

Total Rates Levied 2024-2025 \$1,524.56

If the quarterly payments are not received by the due date, a 2% fine will be added to that amount with interest added of 0.7625% on the first working day of each month following, until the total amount overdue is paid.

Less Council Rebate. The Council Rebate ceases on sale and a pro-rata calculation will apply to the date of sale \$0.00

Less Council Capping Rebate \$0.00

Fines and interest charged in the current financial year (2% fine when rates first become overdue and 0.7625% interest applied per month thereafter) \$0.00

Postponed Interest (0.59583% per month on total of postponed rates and interest) \$0.00

Less paid current financial year -\$381.56

Overpayment \$0.00

Legal Fees (current) \$0.00

Legal Fees (arrears) \$0.00

Refunds, Rates Remitted, Small Balance Adjustments or Rate Capping Rebate \$0.00

Balance - rates and other monies due and payable \$1,143.00

Property Related Debts \$0.00

BPAY Biller Code: 421503

TOTAL BALANCE

\$1,143.00

Ref: 1572570746427

AUTHORISED OFFICER

Jay Moyle

This statement is made the 06 November 2024

IMPORTANT INFORMATION REGARDING SEARCHES

Robyn White Conveyancing
PO Box 6254
LINDEN PARK SA 5065

Attention Conveyancers

- **Section 187 certificate update request free of charge (One Update):**
 - Penalties and interest, property charges, payments or dishonoured payments can impact account balances on a daily basis.
To assist with financial adjustments as close as practicable to the date of settlement, your **Section 187 certificate will now be valid for 90 days**. Within this period Council will offer one update request without charge. This update is to be obtained via the online portal.
It is important to note all searches advise when fines/interest will be applied. When receiving your update search, should it be evident that further penalties will be applied prior to settlement, you will need to still consider these additional amounts as part of your settlement statement calculations.
Please Note: Section 7 certificates remain valid for a 30 day period only.
- **BPAY biller code added to searches to enable electronic settlement of funds**
 - Our BPAY biller code is now detailed on each search, enabling settlement funds to be disbursed to Council electronically. Please note that this is Council's preferred method payment and we request that you cease the use of cheques to affect settlement.
- **How to advise Council of change of ownership?**

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

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

Yours sincerely

City Of Onkaparinga

Telephone (08) 8384 0666

Certificate No: S74382/2024

Property Information And Particulars

In response to an enquiry pursuant to Section 7 of the

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

TO: Robyn White Conveyancing
PO Box 6254
LINDEN PARK SA 5065

DETAILS OF PROPERTY REFERRED TO:

| | | |
|-------------------|---|---|
| ASSESSMENT NO | : | 109180 |
| VALUER GENERAL NO | : | 8631213711 |
| VALUATION | : | \$390,000.00 |
| OWNER | : | Ms Jennifer Marie England |
| PROPERTY ADDRESS | : | 21/2 Ochre Place CHRISTIE DOWNS SA 5164 |
| VOLUME/FOLIO | : | CT-6103/724 |
| LOT/PLAN NUMBER | : | Community Plan Parcel 21 CP 27500 |
| WARD | : | 02 Mid Coast Ward |

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

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

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

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

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

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

INFORMATION NOTE

CHANGES TO PLANNING POLICY AFFECTING LAND IN COUNCIL'S AREA

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

Development Act 1993 (repealed)

Section 42

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

Planning Act 1982 (repealed)

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

Building Act 1971 (repealed)

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

Planning and Development Act 1966 (repealed)

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

Planning, Development and Infrastructure Act 2016

Part 5 – Planning and Design Code

Zones

Housing Diversity Neighbourhood (HDN)

Subzones

NO

Zoning overlays

Overlays

Affordable Housing

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

Hazards (Flooding - Evidence Required)

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

Major Urban Transport Routes

The Major Urban Transport Routes Overlay seeks to ensure safe and efficient vehicle movement and access along major urban transport routes.

Native Vegetation

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

Prescribed Wells Area

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

Regulated and Significant Tree

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

Stormwater Management

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

Traffic Generating Development

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

Urban Tree Canopy

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

Is the land situated in a designated State Heritage Place/Area? NO

Is the land designated as a Local Heritage Place? NO

Open the SA Heritage Places Database Search tool to find the locations' Heritage Place Details.
<http://maps.sa.gov.au/heritagesearch/HeritageSearchLocation.aspx>

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

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

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

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

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

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

Section 127

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

Part 2—Items to be included if land affected

Development Act 1993 (repealed)

Section 50(1)

Requirement to vest land in council to be held as open space NO

Section 50(2)

Agreement to vest land in council to be held as open space NO

Section 55

Order to remove or perform work NO

| | |
|--|----|
| <i>Section 56</i> Notice to complete development | NO |
| <i>Section 57</i> Land management agreement | NO |
| <i>Section 69</i> Emergency order | NO |
| <i>Section 71 (only)</i> Fire safety notice | NO |
| <i>Section 84</i> Enforcement notice | NO |
| <i>Section 85(6), 85(10) or 106</i> Enforcement Order | NO |
| <i>Part 11 Division 2</i> Proceedings | NO |
| Fire and Emergency Services Act 2005 | |
| <i>Section 105F (or section 56 or 83 (repealed))</i> Notice | NO |
| <i>Section 56 (repealed)</i> Notice issued | NO |
| Food Act 2001 | |
| <i>Section 44</i> Improvement notice <u>issued against the land</u> | NO |
| <i>Section 46</i> Prohibition order | NO |
| Housing Improvement Act 1940 (repealed) | |
| <i>Section 23</i> Declaration that house is undesirable or unfit for human habitation | NO |
| Land Acquisition Act 1969 | |
| <i>Section 10</i> Notice of intention to acquire | NO |
| Local Government Act 1934 (repealed) | |
| <i>Notice, order, declaration, charge, claim or demand given or made under the Act</i> | NO |

Local Government Act 1999

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

Refer to separate attachment for Rates and Charges

Local Nuisance and Litter Control Act 2016

Section 30

Nuisance or litter abatement notice issued against the land NO

Planning, Development and Infrastructure Act 2016

Section 139

Notice of proposed work and notice may require access NO

Section 140

Notice requesting access NO

Section 141

Order to remove or perform work NO

Section 142

Notice to complete development NO

Section 155

Emergency order NO

Section 157

Fire safety notice NO

Section 192 or 193

Land Management Agreements NO

Section 198(1)

Requirement to vest land in a council or the Crown to be held as open space NO

Section 198(2)

Agreement to vest land in a council or the Crown to be held as open space NO

Part 16 - Division 1

Proceedings NO

Section 213

Enforcement notice NO

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

Enforcement order NO

Public and Environmental Health Act 1987 (repealed)

Part 3

Notice NO
Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) revoked
Part 2 – Condition (that continues to apply) of an approval

NO
Public and Environmental Health (Waste Control) Regulations 2010 revoked
Regulation 19 - Maintenance order (that has not been complied with) NO

South Australian Public Health Act 2011

Section 92
Notice NO

South Australian Public Health (Wastewater) Regulations 2013
Part 4 – Condition (that continues to apply) of an approval NO

Particulars of building indemnity insurance NO
Details of Building Indemnity Insurance still in existence for building work on the land

Particulars relating to environment protection

Further information held by council
Does the council hold details of any development approvals relating to: NO
(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*?

Note –

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

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

It should be noted that –

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

General

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

Are you aware of any encroachment on the easement? NO

Lease, agreement for lease, tenancy agreement or licence
(The information does not include the information about sublease or subtenancy.
The purchaser may seek that information from the lessee or tenant or sublessee or
subtenant.) NO

Caveat NO

Other

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

PLEASE NOTE:

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

This statement is made the 05 November 2024



Cherie Bonham
Team Leader for Development Support

AUTHORISED OFFICER

ANNEXURE D

Property Interest Report

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

| | | |
|------------------------|---|---------------------------|
| Title Reference | CT 6103/724 | Reference No. 2621168 |
| Registered Proprietors | J M*ENGLAND | Prepared 05/11/2024 11:01 |
| Address of Property | Unit 21 L 3, HORIZON APARTMENTS, 2 OCHRE PLACE, CHRISTIE DOWNS, SA 5164 | |
| Local Govt. Authority | CITY OF ONKAPARINGA | |
| Local Govt. Address | PO BOX 1 NOARLUNGA CENTRE SA 5168 | |

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

Table of Particulars

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

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

| <u>Prescribed encumbrance</u> | <u>Particulars</u> (Particulars in bold indicates further information will be provided) |
|-------------------------------|---|
|-------------------------------|---|

1. General

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

2. Aboriginal Heritage Act 1988

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

an area surrounding a site

- 2.3 Part 3 Division 6 - Aboriginal heritage agreement
Aboriginal Affairs and Reconciliation in AGD has no record of any agreement affecting this title
also
Refer to the Certificate of Title

3. **Burial and Cremation Act 2013**

- 3.1 section 8 - Human remains interred on land
Births, Deaths and Marriages in AGD has no record of any gravesites relating to this title
also
contact the vendor for these details

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

- 4.1 section 5 - Notice requiring payment
Crown Lands Program in DEW has no record of any notice affecting this title

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

- 5.1 section 42 - Condition (that continues to apply) of a development authorisation
State Planning Commission in the Department for Housing and Urban Development will respond with details relevant to this item
[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 *Building Act 1971* (repealed), the *City of Adelaide Development Control Act, 1976* (repealed), the *Planning Act 1982* (repealed) or the *Planning and Development Act 1966* (repealed)

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

State Planning Commission in the Department for Housing and Urban Development will respond with details relevant to this item

also
Contact the Local Government Authority for other details that might apply

7. Emergency Services Funding Act 1998

- 7.1 section 16 - Notice to pay levy

An Emergency Services Levy Certificate will be forwarded.
If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.

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

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. Fences Act 1975**
- 9.1 section 5 - Notice of intention to perform fencing work Contact the vendor for these details
- 10. Fire and Emergency Services Act 2005**
- 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. Food Act 2001**
- 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. Ground Water (Qualco-Sunlands) Control Act 2000**
- 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. Heritage Places Act 1993**
- 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. Highways Act 1926**
- 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. Housing Improvement Act 1940 (repealed)**
- 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. Housing Improvement Act 2016**

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

17. Land Acquisition Act 1969

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

18. Landscape South Australia Act 2019

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

Act

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

19. **Land Tax Act 1936**

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

20. **Local Government Act 1934 (repealed)**

- | | | |
|------|---|---|
| 20.1 | Notice, order, declaration, charge, claim or demand given or made under the Act | Contact the Local Government Authority for other details that might apply |
|------|---|---|

21. **Local Government Act 1999**

- | | | |
|------|---|---|
| 21.1 | Notice, order, declaration, charge, claim or demand given or made under the Act | Contact the Local Government Authority for other details that might apply |
|------|---|---|

22. **Local Nuisance and Litter Control Act 2016**

- | | | |
|------|--|---|
| 22.1 | section 30 - Nuisance or litter abatement notice | Contact the Local Government Authority for other details that might apply |
|------|--|---|

23. **Metropolitan Adelaide Road Widening Plan Act 1972**

- | | | |
|------|--|---|
| 23.1 | section 6 - Restriction on building work | Transport Assessment Section within DIT has no record of any restriction affecting this title |
|------|--|---|

24. **Mining Act 1971**

- | | | |
|------|---|---|
| 24.1 | Mineral tenement (other than an exploration licence) | Mineral Tenements in the Department of Energy and Mining has no record of any proclamation affecting this title |
| 24.2 | section 9AA - Notice, agreement or order to waive exemption from authorised operations | Contact the vendor for these details |
| 24.3 | section 56T(1) - Consent to a change in authorised operations | Contact the vendor for these details |
| 24.4 | section 58(a) - Agreement authorising tenement holder to enter land | Contact the vendor for these details |
| 24.5 | section 58A - Notice of intention to commence authorised operations or apply for lease or licence | Contact the vendor for these details |
| 24.6 | section 61 - Agreement or order to pay compensation for authorised operations | Contact the vendor for these details |
| 24.7 | section 75(1) - Consent relating to extractive minerals | Contact the vendor for these details |
| 24.8 | section 82(1) - Deemed consent or agreement | Contact the vendor for these details |

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

25. Native Vegetation Act 1991

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

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

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

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

26. Natural Resources Management Act 2004 (repealed)

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

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

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

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

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

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

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

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

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

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

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

27. Outback Communities (Administration and Management) Act 2009

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

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

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

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

- 29.1 Part 5 - Planning and Design Code
[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]
- Contact the Local Government Authority for the title or other brief description of the zone or subzone in which the land is situated.
- also
- Heritage Branch in DEW has no record of a State Heritage Area created prior to 15 January 1994 under the former South Australian Heritage Act 1978 affecting this title
- also
- For details of this item, including State Heritage Areas which have been authorised or put under interim effect since 15 January 1994, contact the Local Government Authority
- also
- Contact the Local Government Authority for other details that might apply to a place of local heritage value
- also
- For details of declared significant trees affecting this title, contact the Local Government Authority
- also
- Code Amendment**
- 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**
- 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.
- 29.2 section 127 - Condition (that continues to apply) of a development authorisation
[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]
- State Planning Commission in the Department for Housing and Urban Development will respond with details relevant to this item**
- 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

- 29.6 section 142 - Notice to complete development
 Contact the Local Government Authority for other details that might apply
 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

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

- 31.1 Part 3 - Notice
 Public Health in DHW has no record of any notice or direction affecting this title
 also
 Contact the Local Government Authority for other details that might apply
- 31.2 *Public and Environmental Health (Waste Control) Regulations 2010 (or 1995)*
 Public Health in DHW has no record of any condition affecting this title

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

32. *South Australian Public Health Act 2011*

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

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

- 32.2 section 92 - Notice

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

- 33.1 section 23 - Notice of contribution payable

DEW has no record of any notice affecting this title

34. *Water Industry Act 2012*

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

An SA Water Certificate will be forwarded. If you do not receive the certificate please contact the SA Water Customer Contact Centre on 1300 650 950

also

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

also

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

also

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

also

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

35. *Water Resources Act 1997 (repealed)*

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

DEW has no record of any condition affecting this title

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

DEW has no record of any notice affecting this title

36. *Other charges*

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

Refer to the Certificate of Title

also

Contact the vendor for these details

also

Contact the Local Government Authority for other details that might apply

Other Particulars

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

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

Additional Information

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

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

Notices

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

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

Building restrictions

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

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

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

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

Statutory easements

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

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

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

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

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

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

Land Tax Act 1936 and Regulations thereunder

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

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

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

Information should be obtained from:

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

Landscape South Australia 2019

Water Resources Management - Taking of underground water

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

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

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

Certificate of Title

Title Reference: CT 6103/724
Status: CURRENT
Edition: 4

Dealings

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

Priority Notices

NIL

Notations on Plan

| Lodgement Date | Completion Date | Dealing Number | Description | Status | Plan |
|----------------|-----------------|----------------|--------------------|--------|--------|
| 09/11/2012 | 23/11/2012 | 11847021 | BY-LAWS | FILED | C27500 |
| 09/11/2012 | 23/11/2012 | 11847022 | SCHEME DESCRIPTION | FILED | C27500 |

Registrar-General's Notes

No Registrar-General's Notes exist for this title

Certificate of Title

Title Reference: CT 6103/724
Status: CURRENT
Parent Title(s): CT 6100/934
Dealing(s) Creating Title: ACT 11847020
Title Issued: 03/12/2012
Edition: 4

Dealings

| Lodgement Date | Completion Date | Dealing Number | Dealing Type | Dealing Status | Details |
|----------------|-----------------|----------------|-----------------------|----------------|---|
| 23/09/2022 | 28/09/2022 | 13881978 | MORTGAGE | REGISTERED | COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124) |
| 23/09/2022 | 28/09/2022 | 13881977 | TRANSFER | REGISTERED | JENNIFER MARIE ENGLAND |
| 23/09/2022 | 28/09/2022 | 13881976 | DISCHARGE OF MORTGAGE | REGISTERED | 13311929 |
| 04/06/2020 | 10/06/2020 | 13311929 | MORTGAGE | REGISTERED | COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124) |
| 04/06/2020 | 10/06/2020 | 13311928 | DISCHARGE OF MORTGAGE | REGISTERED | 11935348 |
| 10/05/2013 | 27/05/2013 | 11935348 | MORTGAGE | REGISTERED | BENDIGO & ADELAIDE BANK LTD. (ACN: 068 049 178) |
| 10/05/2013 | 27/05/2013 | 11935347 | TRANSFER | REGISTERED | SUNISA DAMKAEW |

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 6103 Folio 724

Parent Title(s) CT 6100/934
Creating Dealing(s) ACT 11847020
Title Issued 03/12/2012 **Edition** 4 **Edition Issued** 28/09/2022

Estate Type

FEE SIMPLE

Registered Proprietor

JENNIFER MARIE ENGLAND
OF 10 BASTIAN COURT WILLUNGA SA 5172

Description of Land

LOT 21 PRIMARY COMMUNITY STRATA PLAN 27500
IN THE AREA NAMED CHRISTIE DOWNS
HUNDRED OF NOARLUNGA

Easements

NIL

Schedule of Dealings

| Dealing Number | Description |
|----------------|---|
| 13881978 | MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124) |

Notations

Dealings Affecting Title NIL**Priority Notices** NIL

Notations on Plan

| Lodgement Date | Dealing Number | Description | Status |
|----------------|----------------|--------------------|--------|
| 09/11/2012 | 11847021 | BY-LAWS | FILED |
| 09/11/2012 | 11847022 | SCHEME DESCRIPTION | FILED |

Registrar-General's Notes NIL**Administrative Interests** NIL

Certificate of Title

Title Reference CT 6103/724
Status CURRENT
Easement NO
Owner Number 19422369
Address for Notices 10 BASTIAN CT WILLUNGA, SA 5172
Area NOT AVAILABLE

Estate Type

Fee Simple

Registered Proprietor

JENNIFER MARIE ENGLAND
OF 10 BASTIAN COURT WILLUNGA SA 5172

Description of Land

LOT 21 PRIMARY COMMUNITY STRATA PLAN 27500
IN THE AREA NAMED CHRISTIE DOWNS
HUNDRED OF NOARLUNGA

Last Sale Details

Dealing Reference TRANSFER (T) 13881977
Dealing Date 23/09/2022
Sale Price \$325,500
Sale Type FULL VALUE / CONSIDERATION AND WHOLE OF LAND

Constraints

Encumbrances

| Dealing Type | Dealing Number | Beneficiary |
|--------------|----------------|---|
| MORTGAGE | 13881978 | COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124) |

Stoppers

NIL

Valuation Numbers

| Valuation Number | Status | Property Location Address |
|------------------|---------|---|
| 8631213711 | CURRENT | Unit 21 L 3, HORIZON APARTMENTS, 2 OCHRE PLACE, CHRISTIE DOWNS, SA 5164 |

Notations

Dealings Affecting Title

NIL

Notations on Plan

| Lodgement Date | Dealing Number | Descriptions | Status |
|------------------|----------------|--------------------|--------|
| 09/11/2012 12:05 | 11847021 | BY-LAWS | FILED |
| 09/11/2012 12:05 | 11847022 | SCHEME DESCRIPTION | FILED |

Registrar-General's Notes

NIL

Administrative Interests

NIL

Valuation Record

| | |
|-------------------------------------|---|
| Valuation Number | 8631213711 |
| Type | Site & Capital Value |
| Date of Valuation | 01/01/2024 |
| Status | CURRENT |
| Operative From | 01/07/2013 |
| Property Location | Unit 21 L 3, HORIZON APARTMENTS, 2 OCHRE PLACE, CHRISTIE DOWNS, SA 5164 |
| Local Government | ONKAPARINGA |
| Owner Names | JENNIFER MARIE ENGLAND |
| Owner Number | 19422369 |
| Address for Notices | 10 BASTIAN CT WILLUNGA, SA 5172 |
| Zone / Subzone | HDN - Housing Diversity Neighbourhood |
| Water Available | Yes |
| Sewer Available | Yes |
| Land Use | 1324 - Fourth Floor Home Unit |
| Description | 3APT CP |
| Local Government Description | Residential |

Parcels

| Plan/Parcel | Title Reference(s) |
|---------------|--------------------|
| C27500 LOT 21 | CT 6103/724 |

Values

| Financial Year | Site Value | Capital Value | Notional Site Value | Notional Capital Value | Notional Type |
|----------------|------------|---------------|---------------------|------------------------|---------------|
| Current | \$21,000 | \$390,000 | | | |

| Financial Year | Site Value | Capital Value | Notional Site Value | Notional Capital Value | Notional Type |
|----------------|------------|---------------|---------------------|------------------------|---------------|
| Previous | \$20,000 | \$350,000 | | | |

Building Details

| | |
|-----------------------------|-----------------|
| Valuation Number | 8631213711 |
| Building Style | Conventional |
| Year Built | 2012 |
| Building Condition | Very Good |
| Wall Construction | Rendered |
| Roof Construction | Galvanised Iron |
| Equivalent Main Area | Not Available |
| Number of Main Rooms | 3 |

Note – this information is not guaranteed by the Government of South Australia

ANNEXURE E

STATEMENT PURSUANT TO SECTION 139 OF THE *COMMUNITY TITLES ACT 1996*

Date of Statement: 5 November 2024

Community Lot in respect of which the Statement is issued: Lot 21 in **Community Plan No. 27500 at Horizon Apartments, 2 Ochre Place, CHRISTIE DOWNS SA 5164**

Person requesting certificate:

Name: Robyn White,

Address: 59 Devereux Road, Linden Pk SA 5065

The Community corporation certifies the following with respect to the Lot being the subject of this Statement:

1. Administrative fund – contributions payable by regular periodic instalments or lump sum

Total amount last determined with respect to the lot

| Amount | Period | |
|--|----------------------------|---|
| \$3,296.00 | 01 Sep 2024 to 31 Aug 2025 | |
| Number of instalments payable (if contributions payable by instalments) | | 4 |
| Amount of each instalment, period to which instalment relates and date due | | |

| Amount | Period | Date due |
|----------|----------------------------|-------------|
| \$824.00 | 13 Sep 2024 to 12 Dec 2024 | 13 Sep 2024 |
| \$824.00 | 01 Dec 2024 to 28 Feb 2025 | 01 Dec 2024 |
| \$824.00 | 01 Mar 2025 to 31 May 2025 | 01 Mar 2025 |
| \$824.00 | 01 Jun 2025 to 31 Aug 2025 | 01 Jun 2025 |

Amount owing \$0.00

Interest due on unpaid levies \$0.00

Amount in credit for prepaid levies \$0.00

2. Sinking fund – contributions payable by regular periodic instalments or lump sum (section 76(1) of the Act)

Total amount last determined with respect to the lot

| Amount | Period | |
|--|----------------------------|---|
| \$1,148.00 | 01 Sep 2024 to 31 Aug 2025 | |
| Number of instalments payable (if contributions payable by instalments) | | 4 |
| Amount of each instalment, period to which instalment relates and date due | | |

| Amount | Period | Date due |
|----------|----------------------------|-------------|
| \$287.00 | 13 Sep 2024 to 12 Dec 2024 | 13 Sep 2024 |
| \$287.00 | 01 Dec 2024 to 28 Feb 2025 | 01 Dec 2024 |
| \$287.00 | 01 Mar 2025 to 31 May 2025 | 01 Mar 2025 |
| \$287.00 | 01 Jun 2025 to 31 Aug 2025 | 01 Jun 2025 |

Amount owing \$0.00

Interest due on unpaid levies \$0.00

Amount in credit for prepaid levies \$0.00

3. Special contributions

None

4. Particulars of Assets and Liabilities of the Corporation

A copy of the Balance Sheet at the date of this Statement is attached.

5. Particulars of any Expenditure

(a) Incurred by the Corporation

Please refer AGM 2024

(b) Resolved to be incurred to which the unit holder must, or is likely to be required to, contribute

6. Insurance policies

Particulars of all insurance policies that the community corporation has taken out.

Policy No. HU000608298 CHU Insurance
1

Type: Strata Broker:

Premium: \$14,743.37 Paid on: 14/03/2024 Policy start date: 30/04/2024 Next due: 30/04/2025

| Cover | Sum insured | Excess |
|--------------------------------------|-------------------|------------|
| Building | \$11,700,000.00 | \$2,000.00 |
| Loss of Rent/Temporary Accommodation | \$1,755,000.00 | \$0.00 |
| Catastrophe | \$1,755,000.00 | \$0.00 |
| Public Liability | \$30,000,000.00 | \$0.00 |
| Fidelity Guarantee | \$250,000.00 | \$0.00 |
| Office Bearers Liability | \$1,000,000.00 | \$0.00 |
| Voluntary Workers | \$200,000/\$2,000 | \$0.00 |
| Lot Owners' Fixtures & Improvements | \$250,000.00 | \$0.00 |
| Excess | | \$2,000.00 |
| Common Area Contents | \$117,000.00 | \$0.00 |

7. Documents Supplied

- (i) Minutes of general meetings of the corporation and meetings of the management committee for the last two years
- (ii) Statement of Accounts of the corporation last prepared by the corporation
- (iii) The current policies of insurance taken out by the corporation

8. Payments – Settlement fees can be paid using the following details:

Billers Code: 96503
Ref: 293524831 59034 (take out the space)

The information provided is accurate as at the date of this Statement and is not intended to be relied upon by any party other than the person who requested this Statement under Section 139 of the Act.

Conveyancers are urged to contact us on 8444 6444 to confirm these details are correct immediately prior to settlement as this information may have changed since the time the Section Statement was requested.

Conveyancers are also requested to send us in writing, Change of Ownership details as soon as possible upon settlement.

NOTE:

An inspection of the accounting records, minute books of the corporation and any other prescribed documentary material may be arranged by application to the Agent at the address listed below:

This Statement was prepared on behalf of Community Corporation 27500 Inc. by

Debbie McDonald on behalf of

Tanya Kelly
J E Whites Pty Ltd
55 Woodville Road
Woodville SA 5011

Balance Sheet

As at 05/11/2024

Community Corporation 27500 Inc.

Horizon Apartments, 2 Ochre Place, CHRISTIE
DOWNS SA 5164

| | Current period |
|--------------------------------------|--------------------|
| Owners' funds | |
| Administrative Fund | |
| Surplus / Deficit for Year--Admin | (14,281.82) |
| Opening Balance--Admin | 13,723.96 |
| | (557.86) |
| Sinking Fund | |
| Surplus / Deficit for Year--Sinking | 6,962.14 |
| Opening Balance--Sinking | 80,036.52 |
| | 86,998.66 |
| Net owners' funds | \$86,440.80 |
| Represented by: | |
| Assets | |
| Administrative Fund | |
| Cash at Bank--Admin | 3,717.93 |
| Levies owed by Unit Holders--Admin | 493.08 |
| | 4,211.01 |
| Sinking Fund | |
| Cash at Bank--Sinking | 35,001.37 |
| Investments--Sinking | 52,820.82 |
| Levies owed by Unit Holders--Sinking | 171.59 |
| | 87,993.78 |
| Unallocated Money | |
| Cash at Bank--Unallocated | 2,966.00 |
| | 2,966.00 |
| <i>Total assets</i> | 95,170.79 |
| Less liabilities | |
| Administrative Fund | |
| Creditors--Other--Admin | 1,908.50 |
| Prepaid Levies--Admin | 2,860.37 |
| | 4,768.87 |
| Sinking Fund | |
| Prepaid Levies--Sinking | 995.12 |
| | 995.12 |
| Unallocated Money | |
| Prepaid Levies--Unallocated | 2,966.00 |
| | 2,966.00 |
| <i>Total liabilities</i> | 8,729.99 |
| Net assets | \$86,440.80 |

Proposed Budget to apply from 01/07/2024

Community Corporation 27500 Inc.

Horizon Apartments, 2 Ochre Place, Christie Downs
SA 5164

Administrative Fund

Proposed
budget

Revenue

| | |
|----------------------|-----------|
| Levies Due--Admin | 74,010.00 |
| <i>Total revenue</i> | 74,010.00 |

Less expenses

| | |
|---|-----------|
| Admin--Audit/Tax & Public Officer | 485.10 |
| Admin--Management Fees--Standard | 5,592.00 |
| Admin--Meeting Fees | 99.00 |
| Admin--Technology/Communications/Compliance | 1,128.00 |
| Bank Management Charges | 112.32 |
| Insurance--Building Premium Basic | 18,000.00 |
| Maint Bldg--Cleaning | 11,000.00 |
| Maint Bldg--Common Property | 2,000.00 |
| Maint Bldg--Electrical | 1,750.00 |
| Maint Bldg--Fire Protection--Maintenance | 3,000.00 |
| Maint Bldg--Fire Protection--Telephone | 1,600.00 |
| Maint Bldg--Lift--Maintenance Contract | 3,800.00 |
| Maint Bldg--Lift--Telephone | 700.00 |
| Maint Bldg--Pest/Vermin Control | 500.00 |
| Maint Bldg--Plumbing | 1,000.00 |
| Maint Bldg--Security/CCTV Monitoring | 500.00 |
| Maint Grounds--Graffiti Removal | 540.00 |
| Maint Grounds--Lawns, Grounds & Gardening Maint. | 2,500.00 |
| Utility--Electricity | 6,000.00 |
| Utility--Gas | 10,000.00 |
| Utility--Water & Sewerage | 2,500.00 |
| <i>Total expenses</i> | 72,806.42 |

| | |
|------------------------|----------|
| Surplus/Deficit | 1,203.58 |
|------------------------|----------|

| | |
|-----------------|-----------|
| Opening balance | 13,723.96 |
|-----------------|-----------|

| | |
|------------------------|-------------|
| Closing balance | \$14,927.54 |
|------------------------|-------------|

| | |
|--|--------|
| Total units of entitlement | 10000 |
| Levy contribution per unit entitlement | \$7.40 |

Sinking Fund

**Proposed
budget**

Revenue

| | |
|----------------------|------------------|
| Levies Due--Sinking | 25,740.00 |
| <i>Total revenue</i> | <u>25,740.00</u> |

Surplus/Deficit

25,740.00

| | |
|-----------------|-----------|
| Opening balance | 80,036.52 |
|-----------------|-----------|

Closing balance

\$105,776.52

| | |
|--|--------|
| Total units of entitlement | 10000 |
| Levy contribution per unit entitlement | \$2.57 |

Proposed Levy Schedule to apply from 01/07/2024

Community Corporation 27500 Inc.

Horizon Apartments, 2 Ochre Place, Christie Downs
SA 5164

Quarterly levy instalments that would apply to each lot if proposed budgets are accepted by the general meeting:

| Lot | Unit | Unit Entitlement | Admin Fund | Sinking Fund | Quarterly Total | Annual Total |
|-----|------|------------------|-------------|--------------|-----------------|--------------|
| 1 | 1 | 390.00 | 722.00 | 251.00 | 973.00 | 3,892.00 |
| 2 | 2 | 365.00 | 676.00 | 235.00 | 911.00 | 3,644.00 |
| 3 | 3 | 365.00 | 676.00 | 235.00 | 911.00 | 3,644.00 |
| 4 | 4 | 395.00 | 731.00 | 255.00 | 986.00 | 3,944.00 |
| 5 | 5 | 365.00 | 676.00 | 235.00 | 911.00 | 3,644.00 |
| 6 | 6 | 395.00 | 731.00 | 255.00 | 986.00 | 3,944.00 |
| 7 | 7 | 405.00 | 750.00 | 261.00 | 1,011.00 | 4,044.00 |
| 8 | 8 | 390.00 | 722.00 | 251.00 | 973.00 | 3,892.00 |
| 9 | 9 | 405.00 | 750.00 | 261.00 | 1,011.00 | 4,044.00 |
| 10 | 10 | 415.00 | 768.00 | 268.00 | 1,036.00 | 4,144.00 |
| 11 | 11 | 395.00 | 731.00 | 255.00 | 986.00 | 3,944.00 |
| 12 | 12 | 415.00 | 768.00 | 268.00 | 1,036.00 | 4,144.00 |
| 13 | 13 | 435.00 | 805.00 | 280.00 | 1,085.00 | 4,340.00 |
| 14 | 14 | 425.00 | 787.00 | 274.00 | 1,061.00 | 4,244.00 |
| 15 | 15 | 435.00 | 805.00 | 280.00 | 1,085.00 | 4,340.00 |
| 16 | 16 | 445.00 | 824.00 | 287.00 | 1,111.00 | 4,444.00 |
| 17 | 17 | 435.00 | 805.00 | 280.00 | 1,085.00 | 4,340.00 |
| 18 | 18 | 445.00 | 824.00 | 287.00 | 1,111.00 | 4,444.00 |
| 19 | 19 | 445.00 | 824.00 | 287.00 | 1,111.00 | 4,444.00 |
| 20 | 20 | 435.00 | 805.00 | 280.00 | 1,085.00 | 4,340.00 |
| 21 | 21 | 445.00 | 824.00 | 287.00 | 1,111.00 | 4,444.00 |
| 22 | 22 | 455.00 | 842.00 | 293.00 | 1,135.00 | 4,540.00 |
| 23 | 23 | 445.00 | 824.00 | 287.00 | 1,111.00 | 4,444.00 |
| 24 | 24 | 455.00 | 842.00 | 293.00 | 1,135.00 | 4,540.00 |
| | | 10,000.00 | \$18,512.00 | \$6,445.00 | \$24,957.00 | \$99,828.00 |

Balance Sheet

As at 30/06/2024

Community Corporation 27500 Inc.

Horizon Apartments, 2 Ochre Place, Christie Downs
SA 5164

| | Current period |
|--|--------------------|
| Owners' funds | |
| Administrative Fund | |
| Surplus / Deficit for Year--Admin | (5,487.20) |
| Opening Balance--Admin | 19,211.16 |
| | 13,723.96 |
| Sinking Fund | |
| Surplus / Deficit for Year--Sinking | 26,193.89 |
| Opening Balance--Sinking | 53,842.63 |
| | 80,036.52 |
| Net owners' funds | \$93,760.48 |
| Represented by: | |
| Assets | |
| Administrative Fund | |
| Cash at Bank--Admin | 11,915.59 |
| Levies owed by Unit Holders--Admin | 1,143.37 |
| Receivable-(to be paid)--Owners--Admin | 665.00 |
| | 13,723.96 |
| Sinking Fund | |
| Cash at Bank--Sinking | 27,346.12 |
| Investments--Sinking | 52,307.77 |
| Levies owed by Unit Holders--Sinking | 382.63 |
| | 80,036.52 |
| Unallocated Money | |
| Cash at Bank--Unallocated | 5,303.49 |
| | 5,303.49 |
| <i>Total assets</i> | 99,063.97 |
| Less liabilities | |
| Administrative Fund | |
| | 0.00 |
| Sinking Fund | |
| | 0.00 |
| Unallocated Money | |
| Prepaid Levies--Unallocated | 5,303.49 |
| | 5,303.49 |
| <i>Total liabilities</i> | 5,303.49 |
| Net assets | \$93,760.48 |

Income & Expenditure for the financial year to 30/06/2024

Community Corporation 27500 Inc.

Horizon Apartments, 2 Ochre Place, Christie Downs
SA 5164

Administrative Fund

Current period **Annual budget**
01/07/2023-30/06/2024 01/07/2023-30/06/2024

Revenue

| | | |
|----------------------------|-----------|-----------|
| Interest on Arrears--Admin | 18.86 | 0.00 |
| Levies Due--Admin | 74,048.00 | 74,010.00 |
| Recoveries--General | 2,530.55 | 0.00 |
| Recovery--Other | 1,930.00 | 0.00 |
| <i>Total revenue</i> | 78,527.41 | 74,010.00 |

Less expenses

| | | |
|---|-----------|-----------|
| Admin--Audit/Tax & Public Officer | 462.00 | 485.10 |
| Admin--Management Fees--Standard | 5,287.40 | 5,329.68 |
| Admin--Meeting Fees | 99.00 | 99.00 |
| Admin--Technology/Communications/Compliance | 1,050.00 | 1,058.40 |
| Bank Management Charges | 112.32 | 0.00 |
| Insurance--Building Premium Basic | 16,747.24 | 15,000.00 |
| Insurance--Valuation | 880.00 | 0.00 |
| Maint Bldg--Cleaning | 9,152.00 | 15,000.00 |
| Maint Bldg--Common Property | 0.00 | 2,000.00 |
| Maint Bldg--Electrical | 2,841.58 | 1,750.00 |
| Maint Bldg--Fire Alarms--False Alarm Callout | 4,825.00 | 0.00 |
| Maint Bldg--Fire Protection--Contract Monthly Fee | 1,194.60 | 0.00 |
| Maint Bldg--Fire Protection--Maintenance | 2,990.00 | 3,000.00 |
| Maint Bldg--Fire Protection--Telephone | 1,510.98 | 1,600.00 |
| Maint Bldg--Lift Emergency Callout Fee | 631.00 | 0.00 |
| Maint Bldg--Lift--Maintenance Contract | 4,374.00 | 3,800.00 |
| Maint Bldg--Lift--Telephone | 613.80 | 700.00 |
| Maint Bldg--Locks, Keys & Card Keys | 1,237.50 | 0.00 |
| Maint Bldg--Pest/Vermin Control | 0.00 | 500.00 |
| Maint Bldg--Plumbing | 4,768.23 | 1,000.00 |
| Maint Bldg--Sanitary Services | 1,188.00 | 0.00 |
| Maint Bldg--Security/CCTV Monitoring | 468.00 | 500.00 |
| Maint Grounds--Graffiti Removal | 0.00 | 540.00 |
| Maint Grounds--Lawns, Grounds & Gardening Maint. | 792.00 | 2,500.00 |
| Utility--Electricity | 6,931.83 | 6,000.00 |
| Utility--Gas | 13,327.16 | 10,000.00 |
| Utility--Water & Sewerage | 2,530.97 | 2,500.00 |
| <i>Total expenses</i> | 84,014.61 | 73,362.18 |

Administrative Fund

| | Current period | Annual budget |
|------------------------|-----------------------|-----------------------|
| | 01/07/2023-30/06/2024 | 01/07/2023-30/06/2024 |
| Surplus/Deficit | (5,487.20) | 647.82 |
| Opening balance | 19,211.16 | 19,211.16 |
| Closing balance | \$13,723.96 | \$19,858.98 |

Sinking Fund**Current period** **Annual budget**
01/07/2023-30/06/2024 01/07/2023-30/06/2024**Revenue**

| | | |
|----------------------------------|------------------|------------------|
| Interest on Arrears--Sinking | 6.33 | 0.00 |
| Interest on Investments--Sinking | 1,387.56 | 0.00 |
| Levies Due--Sinking | 24,800.00 | 24,750.00 |
| <i>Total revenue</i> | <u>26,193.89</u> | <u>24,750.00</u> |

Less expenses

| | | |
|-----------------------|-------------|-------------|
| <i>Total expenses</i> | <u>0.00</u> | <u>0.00</u> |
|-----------------------|-------------|-------------|

Surplus/Deficit

| | | |
|--|------------------|------------------|
| | <u>26,193.89</u> | <u>24,750.00</u> |
|--|------------------|------------------|

| | | |
|-----------------|-----------|-----------|
| Opening balance | 53,842.63 | 53,842.63 |
|-----------------|-----------|-----------|

Closing balance

| | | |
|--|---------------------------|---------------------------|
| | <u><u>\$80,036.52</u></u> | <u><u>\$78,592.63</u></u> |
|--|---------------------------|---------------------------|

COMMUNITY CORPORATION NO 27500 INC.
Horizon Apartments, 2 Ochre Place, Christie Downs SA 5164

Minutes of the Annual General Meeting held at JE Whites - 55 Woodville, Woodville
on Wednesday, 21 August 2024, commencing at 03:00 PM

1 ATTENDANCE, PROXIES, QUORUM & CHAIRPERSON

Present:

Units 2, 3, 5, 8, 9, 12, 13 and 15 - SA Housing Trust represented by Kat & Marlon
Unit 14 - Ms C Bateman
Unit 17 - Ms S Dalton
Unit 19 - Mr D Hector and guest, Tori

Proxies:

Unit 1 - Ms Y Jiao to Mr Jackson Sutcliffe of JE Whites
Unit 6 - Mr C Nitschke to Mr Jackson Sutcliffe of JE Whites
Unit 7 - Mr D Harris & Ms K Saxon to Mr Jackson Sutcliffe of JE Whites
Unit 10 - Mr I & Mrs L Beckwith to Mr Jackson Sutcliffe of JE Whites
Unit 11 - Miss A Carver to Mr Jackson Sutcliffe of JE Whites
Unit 21 - Ms J England to Mr Jackson Sutcliffe of JE Whites
Unit 22 - Mr N McKenzie to Mr Jackson Sutcliffe of JE Whites
Unit 23 - Mr C Bevans to Mr Jackson Sutcliffe of JE Whites

Apologies:

Nil

Presiding Officer: SA Housing Trust

PROCEEDINGS

Quorum:

Mr Jackson Sutcliffe of JE Whites welcomed members present and declared a quorum in attendance.

Declaration of interest

All Members (or Nominee) must declare any interest that they may have in relation to any matters being discussed or determined at this meeting. These interests may be either direct or indirect in nature.

Members Advice

Members will find in the documentation of the Minutes several sections that are recorded at each meeting. As they are repeated from year to year, they may not be discussed in the same extent as actually recorded, but appear for the benefit of newcomers to the Corporation.

Members will find additional information attached to the final page of the minutes. This information is pertinent to the continued management of your Corporation, and is for the benefit of all Corporation Members.

ELECTION OF CHAIRPERSON

It was agreed by those Corporation members present that Mr Jackson Sutcliffe assist the Corporation in chairing the meeting.

2 CONFIRMATION OF MINUTES

The Body Corporate Manager advises the minutes of the 2023 AGM incorrectly recorded "*The Members unanimously agreed that an insurance valuation be done which the Body Corporate Managers to arrange.*" The approval was not unanimous, the majority agreed to the valuation. This has been amended to "*Owners agreed to have an insurance valuation undertaken which the Body Corporate Managers to arrange.*"

Noting this amendment, the Minutes of the previous meeting dated 23/08/2023 were accepted as a true and correct account with no business arising. The Chairperson moved that the Minutes be accepted. Motion carried.

3 FINANCIALS

The financial statement dated 30/06/2024 showed a balance of \$11,915.59 Administrative Fund and \$79,653.89 Sinking Fund currently held in the Macquarie Bank, Sydney. The Chairperson tabled the statement and invited owners to comment. The financial statement was accepted. Motion carried.

Tax and Audits

Legislation requires each Corporation to lodge an annual tax return; legislation further requires that the Corporation's trust account is audited annually by an accredited auditor. The audit for 2024 was undertaken by Perks Accountants & Wealth Advisers of 8/81 Flinders St, Adelaide, and a copy of the report is available to all members and can be viewed at the JE Whites office.

DEBT COLLECTION

That, in accordance with previous instructions JE Whites is authorised to take all necessary action, without the need for further authority, including instructing a debt recovery company to initiate legal proceedings against Owners on behalf of the Corporation when they are in arrears.

4 APPOINTMENT OF OFFICE BEARERS

SA Housing Trust was thanked for being the Presiding Officer and Treasurer and Miss Debra Cowell was thanked for being the Secretary for the past year.

It was resolved that SA Housing Trust be elected for the roles of Presiding Officer and Treasurer and Miss Debra Cowell elected as Secretary for the upcoming year.

5 APPOINTMENT OF MANAGEMENT/WORKS COMMITTEE

The Corporation agreed to form a Management Committee consisting of SA Housing Trust and Debra Cowell.

The meeting agrees the Management Committee has authority to approve quotes and instruct the Body Corporate Manager to issue work orders in all maintenance issues that arise from this meeting or throughout the year.

6 APPOINTMENT OF BODY CORPORATE MANAGERS

It was resolved that JE Whites be reappointed to assist the Corporation with management services as defined in the Community Titles Act 1996 at an annual primary remuneration of \$5,592.00 inclusive of GST.

JE Whites' appointment will be for a period of 12 months from the date of this meeting and that upon expiry, management will continue on a month by month basis until the next meeting or the delegation of powers is revoked.

Any elected Office Bearer is authorised to sign the Management Agreement on behalf of the Community Corporation. JE Whites explained that should the Management Agreement not be returned signed within 21 days of receipt, then the Manager will stamp the Community Corporation's common seal on the Agreement on behalf of the Corporation, deeming the Agreement to be signed.

7 CORPORATION PUBLIC OFFICER

It was resolved that Mr Bryan Sutcliffe of JE Whites be empowered to act as the Public Officer of the Corporation as defined under the Income Tax Assessment Act 1936.

8 TAXATION AUTHORITY

JE Whites are authorised to represent the Corporation in all aspects of dealings with the Australian Taxation Office. The nominated representatives from JE Whites are Wendy Sly and Joanne Pearce.

9 INSURANCE REVIEW

The Chairperson advised Members present that it is a requirement of the Community Titles Act for the Corporation to insure the common property for full replacement value or reinstatement value. In the event the Corporation is insured collectively, JE Whites suggest regular insurance valuations to ensure compliance and adequate insurance cover.

Insurance renewal

The Corporation's insurance details are as follows:-

Policy No.HU0006082981
CHU Insurance
Type : Strata

Premium : \$14,743.37 Paid on : 14/03/2024 Start : 30/04/2024 Next due : 30/04/2025

| Cover | Sum Insured | Excess |
|-------------------------------------|-------------------|------------|
| Building | \$11,700,000.00 | \$2,000.00 |
| Loss of Rent/Temporary Accom | \$1,755,000.00 | |
| Common Area Contents | \$117,000.00 | |
| Catastrophe | \$1,755,000.00 | |
| Public Liability | \$30,000,000.00 | |
| Fidelity Guarantee | \$250,000.00 | |
| Office Bearers Liability | \$1,000,000.00 | |
| Voluntary Workers | \$200,000/\$2,000 | |
| Lot Owners' Fixtures & Improvements | \$250,000.00 | |
| Excess | | \$2,000.00 |

The Members determined that the insurance as presented by the Body Corporate Managers is adequate for the upcoming year.

9.1 Special resolution - Insurance excess; that the Corporation agrees the excess payable on all future insurance claims for property, other than common property, will be the responsibility of the individual unit owner.

Members present discussed the resolution at length and agreed to abstain from resolving during the AGM. It was agreed that because the Corporation had not lodged a claim in recent years, that there was sufficient time to consult Owners once again throughout the year at a Special General Meeting for their vote on this matter. The Body Corporate Manager is to arrange this under instruction from the Management Committee.

Contents & Landlord Insurance

JE Whites advise all Members that the Corporation's building insurance policy contains neither contents nor landlord insurance protection. It is noted that the Corporation's legal liability cover applies primarily to common property and that Members should be separately insured for cover in relation to their own premises.

Disclosure

JE Whites is an authorised representative of CHU Underwriting Agencies for QBE Insurance, Flex Insurance for QBE Insurance and authorised distributor for SCI Insurance for Alliance Australia Insurance and receives a commission of 20% of the base premium only. JE Whites is an authorised distributor of Lync Insurance Brokers Pty Ltd, and receive a commission of 15% of the base premium only.

Members can view copies of quotes, renewals, renewal schedules, and certificates of currency (received from the provider after 1 July 2024) pertaining to their Corporation at any time on the JE Whites Owner's Portal. If you require assistance accessing your Owner Portal, please contact your JE Whites Body Corporate Manager.

JE Whites act on behalf of the Corporation for a host of insurance related matters. For a full list of the insurance-related services JE Whites provide your Corporation, please refer to the additional information attached to the final page of the minutes.

General Advice Warning

Any advice provided by JE Whites is general advice only. Before acting on any advice Members should consider its appropriateness having regard to your objectives, financial situation and needs. You should obtain and consider the relevant Product Disclosure Statement and Policy Wording for a financial product before making any decision about whether to acquire or hold that product.

Insurance Valuation

Section 103 (2) of the Act imposes a duty on the Corporation to insure all building and building improvements on the common property for their full replacement value, including all costs incidental to and associated with the replacement. The Corporation is further required to keep itself insured against liability for negligence. JE Whites advise that their advice is of a general nature and not personal advice. Members are encouraged to seek independent advice, which would include a licensed valuers' opinion where applicable.

10 MAINTENANCE OF BUILDINGS AND COMMON PROPERTY

The following items were discussed :-

Window Leaks

Given the extended period that the windows have not been addressed, it was agreed for the Body Corporate Manager to manage the project going forwards. It was agreed that quotes for an engineers' report be sourced and sent to the Management Committee for approval. It was noted that the funds are available for repairs to begin, with the Management Committee authorised to approved repairs as presented.

Ground Maintenance

The Meeting agreed that the Body Corporate Manager should arrange for alternative quotes for gardening, along with the reinstatement of irrigation on site. It was noted that the common grounds are of a low standard currently, and irrigation could greatly benefit the longevity of the grounds. It was further noted that there is a large gum tree on the northern aspect of the Corporation which requires trimming due to the increased risk of dropping limbs. The Body Corporate Manager to arrange for quotes for trimming to be confirmed by the Management Committee.

Security Fobs

The Meeting requested that the security key contractor attend to quote on the addition of fob access and egress from the common car parking area. While on site, it was requested for the contractor to investigate and rectify the building entrance receivers which are currently inoperable.

Unit 13 - Air Conditioner Repairs

The Meeting agreed that Stark Plumbing reattend to fix the leaking air conditioner at Unit 13, as the leak is still occurring. It was further agreed that if there is a leak occurring from Unit 19 as well, that this should be attended to at the same time, as to solve this problem in its entirety.

Cleaning Schedule

The Meeting agreed that the Body Corporate Manager reinstate the cleaners' previous twice-weekly scheduled attendance, as the common hallways and foyer areas require further attention than they are currently receiving.

Box Gutter - Unit 19

Mr Hector of Unit 19 requested that the Body Corporate Manager arrange for an inspection of the gutter above his Unit, noting that during downpour, there is significant leakage at the seals of the gutters. It was suggested that silicon may fix the issue, however, the extent of the repairs could not be determined from initial inspection. The Meeting agreed for this matter to be rectified.

Owners are reminded that maintenance items pertaining to the Community Corporation do not need to wait until the Annual General Meeting to be discussed. All Owners are encouraged to contact JE Whites throughout the course of the year if they have identified maintenance items in need of addressing. Your Manager will liaise with the Presiding Officer and/or Management Committee to seek both approval, and a timely resolution to your maintenance concern. Your JE Whites Manager also proactively makes contact with your Corporation's Presiding Officer and/or Management Committee periodically throughout the year to ensure any maintenance matters are identified and resolved.

11 APPROVALS FOR INSTALLATIONS & ADDITIONS

All approvals proposed are to be voted on in accordance with current legislative requirements. These applications must be recorded on the Agenda for the meeting.

Members are advised that a complete list of the Corporation's approvals can be obtained by contacting the Body Corporate Manager.

12 LEVY & BUDGET

Administrative Fund of \$ 74,010.00 and Sinking Fund \$ 25,740.00

The proposed 2024 - 2025 budget was presented by the Chairperson. It was resolved that the proposed budget be accepted with contributions being set annually at \$99,750.00.

This will be raised on unit entitlement between all owners.

If the costs met by the Corporation in this period is less than the projected budget, the surplus funds will be carried over for future maintenance costs.

Levies due: Levies will fall due on the following dates - 1 March, 1 June, 1 September, 1 December.

Special levy authority in the event of shortfall of funds

Where the Corporation has insufficient funds to meet its recurrent expenditure, the Manager is authorised to raise a special levy necessary to raise the sufficient funds to cover the shortfall in expenditure. The Manager will consult with the Corporation's Presiding Officer and/or Management Committee before raising such a levy.

13 OTHER BUSINESS

Articles & Resolutions

The Chairperson advised Members present that following the meeting, the Body Corporate Manager will proactively provide each registered property management agency with copies of the Corporation's articles & resolutions, and request that these documents are provided to all existing, and future tenants residing at the Corporation. This is done to ensure that all residents are aware of, and respect the rules put in place by the Corporation Members.

Owners who manage their investment properties privately are encouraged to contact the Body Corporate Manager for an up-to-date copy of these documents, which should then be provide to their tenants.

Agenda items

Members are reminded that they are welcome, and encouraged to contact the Body Corporate Manager at any time during the year if they wish to add items to the Agenda for the next Annual General Meeting.

Important Disclosure

JE Whites wish to disclose the following:

No common shareholders with third party agencies

JE Whites has no common shareholders with insurance broking agencies, debt collection agencies, or maintenance companies.

No commissions on maintenance

JE Whites does not receive any commission or financial benefit from maintenance work carried out at your Corporation.

The remuneration paid directly from the Corporation to JE Whites is disclosed within this document, as well as the Corporation's Management Agreement.

14 CLOSURE OF MEETING

The Chairperson closed the meeting at 4:20pm and thanked all for their attendance or proxy submission. The next AGM for the Corporation is scheduled to be tentatively held on or around the same time, date and location in 2025.

ADDITIONAL INFORMATION

After-hours emergency maintenance: JE Whites offer a 24/7 after-hours emergency maintenance phone line to all its clients, at no extra cost. The phone line is operated by a member of the JE Whites staff with access to your Corporation's file, maintenance history, and preferred contractors. In the event of an emergency maintenance matter, simply contact the JE Whites office to be directed to the out of office hours emergency maintenance line.

Maintenance: Owners are reminded that maintenance items pertaining to the Community Corporation *do not* need to wait until the Annual General Meeting to be discussed. All Owners are encouraged to contact JE Whites throughout the course of the year if they have identified maintenance items in need of addressing. Your Manager will liaise with the Presiding Officer and/or Management Committee to seek both approval, and a timely resolution to your maintenance concern. Your JE Whites Manager also proactively makes contact with your Corporation's Presiding Officer and/or Management Committee periodically throughout the year to ensure any maintenance matters are identified and resolved.

Articles & Resolutions: JE Whites proactively provide each registered residential property management agency with copies of your Corporation's articles & resolutions, and request that these documents are referred to throughout their management of the residential property. This is done to ensure that all residents are both aware of, and respecting the rules put in place by the Corporation Members.

Duties of the appointed Body Corporate Manager:

General: To provide so far as is reasonably necessary general advice and assistance to the Corporation and its officers and to assist them in the performance of their responsibilities under the Act.

Meetings: Arrange the General and Committee meetings, prepare and distribute notices, including notices of meetings.

Attend General Meetings if needed and assist the Presiding Officer in the conduct of meetings. Assist the Secretary in the preparation of minutes of meetings and distribute such minutes.

Maintenance: Advise upon and arrange for the maintenance, repair and replacement of the common property in accordance with the Corporation's instructions. Organise emergency maintenance works.

Insurance:

- Quotation procurement, placement, and renewal services
- Obtaining and distributing insurance valuations
- Insurance claim management
- Lodging claims
- Ongoing insurance claim management
- Loss minimisation
- Liaising with loss adjusters and contractors
- Procuring and forwarding quotes to the insurer or broker
- Instructing trades to undertake approved indemnified

- Receiving and forwarding contractor invoices for approved works to the insurer or broker
- Receiving and receipting indemnification payment from the insurer and paying contractors
- Maintaining insurance records and insurance claim register
- Providing general advice
- Insurer negotiation and liaison services
- Making contest representation to the insurer if insurance claim is denied
- Providing documents required for non-property insurance claims (e.g. public liability) against the client where the insurer provides indemnity for legal costs
- Liaising with legal practitioners for non-property insurance claims
- Arranging insurance premium finance (loan/funding) if required

Accounting: Collect, bank and account for maintenance contributions, levies, interest accruing or other amounts due to the Corporation. Send notices levying maintenance or other contributions and pay accounts and outgoings. Prepare annual statements of accounts of the Corporation and arrange an annual audit of the books as required.

Secretarial: Promptly deal with the Corporation correspondence and requests for Search documents (section 139 search). Ensure that all appropriate and proper records of the Corporation are maintained and keep secure and confidential all books, records, Certificates of Title, Community Plans, Schedules and the like.

Public Officer: Act as the Corporation's Public Officer for the purpose of tax returns & other matters as required by statute.

Office Bearers

At all times a Community Corporation must have a presiding officer, a secretary and a treasurer who are appointed at the general meeting. These officers must be unit owners but one person may hold two or more of these positions. A Body Corporate Manager can assist in running the affairs of the corporation.

Presiding Officer

The Presiding Officer of the Corporation has the following functions:

- Primary contact between the Manager and the Committee
- Attend meetings as required
- Chair all general meetings and committee meetings which they attend or, delegate this responsibility to the Body Corporate Manager

Secretary

The Secretary of the Corporation has the following functions:

- Prepare and distribute minutes of meetings of the corporation (currently delegated to JE Whites)
- Submit a motion for confirmation of the minutes of any meeting of the corporation at the next meeting of the corporation (currently delegated to JE Whites)

- Give the notices required to be given under the Act by the members of the corporation and the management committee (currently delegated to JE Whites)
- Answer communications addressed to the Corporation (currently delegated to JE Whites)
- Deal with administrative and secretarial matters for the corporation and the Management Committee (currently delegated to JE Whites)

Treasurer

The Treasurer of the Corporation has the following functions:

- Notify unit owners of any contributions to be raised from them in accordance with the Act (currently delegated to JE Whites)
- Receive, acknowledge, bank and account for any money paid to the corporation (currently delegated to JE Whites)
- Keep accounting records and prepare financial statements (currently delegated to JE Whites)

Please Note: Officers of the Corporation do not have the powers to:

- Authorise any dealing with or any variation of the common property or to grant exclusive rights in respect of the enjoyment and use of any part thereof
- Authorise any decision that requires special resolution or unanimous resolution
- Authorise any capital improvements to the common property
- Authorise installations or additions to lots or common property

COMMUNITY CORPORATION NO 27500 INC.
Horizon Apartments, 2 Ochre Place, Christie Downs SA 5164

Amended Minutes of the Annual General Meeting held at
JE Whites - 55 Woodville Road, Woodville
on Wednesday, 23 August 2023, commencing at 3:00 PM

1 ATTENDANCE, PROXIES, QUORUM & CHAIRPERSON

Present:

Unit 4 - Miss D Cowell
Unit 7 - Ms K Saxon
Unit 10 - Ms L Beckwith
Unit 14 - Ms C Bateman

Proxies:

Units 2, 3, 5, 8, 9, 12, 13 and 15 - SA Housing Trust to Mr Jackson Sutcliffe of JE Whites
Unit 6 - Mr C Nitschke to Mr Jackson Sutcliffe of JE Whites
Unit 11 - Miss A Carver to Mr Jackson Sutcliffe of JE Whites
Unit 17 - Ms S Dalton to Mr Jackson Sutcliffe of JE Whites
Unit 19 - Mr D Hector to Miss D Cowell
Unit 20 - Ms M Kolarik to Mr Jackson Sutcliffe of JE Whites
Unit 21 - Ms J England to Mr Jackson Sutcliffe of JE Whites
Unit 22 - Mr N McKenzie to Mr Jackson Sutcliffe of JE Whites
Unit 23 - Mr C Bevans to Mr Jackson Sutcliffe of JE Whites

Apologies:

Nil

Presiding Officer : South Australian Housing Trust

Quorum:

Mr Jackson Sutcliffe of JE Whites welcomed members present and declared a quorum in attendance.

Members Advice

Members will find in the documentation of the Minutes several sections that are recorded at each meeting. As they are repeated from year to year, they may not be discussed in the same extent as actually recorded, but appear for the benefit of newcomers to the Corporation.

ELECTION OF CHAIRPERSON

It was agreed by those Corporation members present that Mr Jackson Sutcliffe assist the Corporation in chairing the meeting.

2 CONFIRMATION OF MINUTES

The Minutes of the previous meeting dated 24/08/2022 were accepted as a true and correct account with no business arising. The Chairperson moved that the Minutes be accepted and with all in favour, the motion was carried.

3 FINANCIALS

The financial statement dated 30/06/23 showed a balance of \$18,386.20 Administrative Fund and \$53,570.43 Sinking Fund currently held in the Macquarie Bank, Sydney. The Chairperson tabled the statement and invited owners to comment. The financial statement was unanimously accepted.

Tax and Audits

Legislation requires each Corporation to lodge an annual tax return; legislation further requires that our trust accounts be audited annually by an accredited auditor. The audit for 2023 was undertaken by Perks Accountants & Wealth Advisers of 8/81 Flinders St, Adelaide, a copy of the report is available to all members and can be viewed at our office.

DEBT COLLECTION

That, in accordance with previous instructions J E White's Pty Ltd is authorised to take all necessary action, without the need for further authority, including instructing a debt recovery company to initiate legal proceedings against Owners on behalf of the Corporation when they are in arrears.

4 APPOINTMENT OF OFFICE BEARERS

SA Housing Trust was thanked for being the Presiding Officer & Treasurer and Miss Debra Cowell, Secretary, for the past year.

It was resolved that SA Housing Trust be elected for the roles of Presiding Officer & Treasurer and Miss Debra Cowell, Secretary, for the upcoming year.

5 APPOINTMENT OF MANAGEMENT/WORKS COMMITTEE

A Management Committee consisting of the Office Bearers was appointed.

The meeting agrees the Management Committee has authority to approve quotes and instruct the Body Corporate Manager to issue work orders in all maintenance issues that arise from this meeting or throughout the year.

6 APPOINTMENT OF BODY CORPORATE MANAGERS

JE White's Pty Ltd were unanimously reappointed as Body Corporate Managers for the coming year at \$5,329.68 inc GST per annum.

Any elected Office Bearer is authorised to sign the Management Agreement on behalf of the body corporate. JE Whites explained that should the management agreement not be returned, signed, within 21 days of receipt, then the agreement will be deemed as signed. JE Whites will stamp the agreement with the Body Corporate's common seal and place on file.

7 CORPORATION PUBLIC OFFICER

It was resolved that Mr Bryan Sutcliffe of JE White's be empowered to act as the Public Officer of the Corporation as defined under the Income Tax Assessment Act 1936.

8 TAXATION AUTHORITY

J E White's Pty Ltd are authorised to represent the Corporation in all aspects of dealings with the Australian Taxation Office. The nominated representatives from J E White's Pty Ltd are Wendy Sly, Joanne Pearce and Carolyn Walker.

**9 INSURANCE REVIEW
9.1 INSURANCE RENEWAL**

The Corporation's current insurance details are as follows:

Policy No. HU0006082981
CHU Insurance
Type : Strata

Premium : \$10,190.04 Paid on : 11/04/23 Start : 30/04/23 Next due : 30/04/24

| Cover | Sum Insured | Excess |
|-------------------------------------|-------------------|------------|
| Building | \$8,110,000.00 | \$1,000.00 |
| Loss of Rent | \$1,216,500.00 | |
| Common Area Contents | \$81,100.00 | |
| Catastrophe | \$1,216,500.00 | |
| Public Liability | \$30,000,000.00 | |
| Fidelity Guarantee | \$100,000.00 | |
| Office Bearers Liability | \$1,000,000.00 | |
| Voluntary Workers | \$200,000/\$2,000 | |
| Workplace, Health & Safety Breaches | \$100,000.00 | |
| Lot Owners' Fixtures & Improvements | \$250,000.00 | |
| Excess | | \$1,000.00 |

Owners agreed to have an insurance valuation undertaken which the Body Corporate Managers to arrange. The insurance will be adjusted accordingly. If the Corporation is underinsured the resulting increase may result in a special levy being raised.

Contents & Landlord Insurance

The Body Corporate Manager drew the members attention to the necessity for them to arrange individually for adequate insurance for the contents of their lots, inclusive of carpets, drapes, light fitting, floating floors etc, whether or not the lot is occupied by the lot holder or a tenant, and it was noted that the Corporation's Legal Liability cover applied primarily to common property and that lot owners should be separately insured for cover in relation to their own premises.

Disclosure

JE White's Pty Ltd are an authorised representative of CHU Underwriting Agencies for QBE Insurance, Flex Insurance for QBE Insurance and authorised distributor for SCI Insurance for Alliance Australia Insurance and receives a commission on the base premium. The Commission received from the insurer is retained by JE Whites and is retained as a fee for service to act on behalf of the corporation to ensure insurance is current, seek quotes at renewal and request valuations. JE Whites then assists in the claims process by lodging claims, seeking quotes for various works associated with claims, liaising with the insurer and contractors to carry out works, facilitating payments to contractors and excess recoveries from owners if required. All documentation regarding the claim is filed and stored by JE Whites for future reference.

General Advice Warning

Any advice provided by JE White's is General Advice only. Before acting on any advice you should consider its appropriateness having regard to your objectives, financial situation and needs. You should obtain and consider the relevant Product Disclosure Statement and Policy Wording for a financial product before making any decision about whether to acquire or hold that product.

9.2 INSURANCE VALUATION

Sections 103 & 104 of the Act imposes a duty on the Corporation to insure all building and building improvements for their full replacement value, including all costs incidental to and associated with the replace. The Corporation is further required to keep itself insured against liability for negligence; at this date \$10,000,000.00. JE White's advise that their advice is of a general nature and not personal advice. Members are encouraged to seek independent advice, which would include a licensed valuers' opinion where applicable. The Corporation Members should read the Product Disclosure Statement before making a decision to purchase insurance.

10 MAINTENANCE OF BUILDINGS AND COMMON PROPERTY

The following items were discussed :-

Carpark Access

The Meeting noted that the carpark is not secure, given that the pedestrian gate can be opened from the inside without a key or a fob. Theft and attempted has occurred previously, and may be considered unsecure by vehicle insurers. The Body Corporate Manager is to source a quote for the installation of a key lock on the inside of the pedestrian gate. The Management Committee to approve.

Abandoned Cars

The Meeting discussed cars that have been abandoned, with two being of particular concern. The Meeting noted that the cars have been unregistered for quite some time and requested the Body Corporate Manager assist in identifying the responsible parties or assisting in removing them from site.

Repainting Carpark Numbers

The Meeting requested the Body Corporate Manager source a quote for the repainting of carpark numbers. The Management Committee is authorised to approve quotes.

Sensor Light in Stairwell

The Body Corporate Manager is to arrange an electrician to attend the Corporation and replace stairwell lights that have blown.

Air Conditioner Leak - Lot 13

The Body Corporate Manager is requested to continue liaising with the Owner of Lot 13 to rectify the air conditioner leak on the balcony of Lot 13.



Carpark Bird Lines

The Meeting discussed a recent quote from Rentokil for the replacement of bird repellent lines in the carpark and agreed to proceed. The Body Corporate Manager is to confirm the pricing with the contractor and issue a work order in accordance with the scope.

Hot Water Unit Replacement

The Meeting discussed recent outages to the hot water services for the Corporation. The Chairman noted that contractors that have attended to rectify outages have indicated the units may need replacement in the near future. The Meeting agreed that the Body Corporate Manager should liaise with a contractor to manage the hot water units through maintenance for the next 12 months, while the Corporation raise funds for their eventual replacement.

11 LEVY & BUDGET

Administrative Fund of \$ 74,010.00 and Sinking Fund \$ 24,750.00

The proposed 2023 - 2024 budget was presented to all members present and was accepted.

This will be raised on unit entitlement between all owners.

APPROVALS FOR INSTALLATIONS & ADDITIONS

Members are advised that a complete list of the Corporation's approvals can be obtained from the Body Corporate Managers.

12 OTHER BUSINESS

12.1 - Special Resolution - Air Conditioner Installation;

that the Corporation grants blanket approval to all owners to install an air conditioner at their lot. The external unit may be sited in the courtyard or balcony subsidiary of the lot, all costs associated with the installation and ongoing maintenance remain with the lot owner.

Motion Passed.

Emailing Correspondence

The Corporation discussed emailing all meeting minutes, quarterly levies and appropriate correspondence to the members who have an email address in our system. Should any members wish to change this process for their unit, they are encouraged to reply to our emails requesting documentation via post. Unanimously approved.

Agenda Items

Members are advised that to add items to the agenda of our Annual General Meeting, you can do this at any time during the year by contacting your body Corporate Manager.

CLOSURE OF MEETING

The Chairperson closed the meeting at 4:00pm and thanked all for their attendance or proxy submission. The Corporation members present agreed next year's meeting will be held on or about the same time, date and place.



Level 13, 431 King William Street
Adelaide SA 5000

Certificate of Currency

CHU Residential Strata Insurance Plan

| | |
|----------------------------|---------------------------------------|
| Policy No | HU0006082981 |
| Policy Wording | CHU RESIDENTIAL STRATA INSURANCE PLAN |
| Period of Insurance | 30/04/2024 to 30/04/2025 at 4:00pm |
| The Insured | COMMUNITY CORPORATION NO. 27500 INC. |
| Situation | 2 OCHRE PLACE CHRISTIE DOWNS SA 5164 |

Policies Selected

Policy 1 – Insured Property

Building: \$11,700,000

Common Area Contents: \$117,000

Loss of Rent & Temporary Accommodation (total payable): \$1,755,000

Policy 2 – Liability to Others

Sum Insured: \$30,000,000

Policy 3 – Voluntary Workers

Death: \$200,000

Total Disablement: \$2,000 per week

Policy 4 – Fidelity Guarantee

Sum Insured: \$250,000

Policy 5 – Office Bearers' Legal Liability

Sum Insured: \$1,000,000

Policy 6 – Machinery Breakdown

Not Selected

Policy 7 – Catastrophe Insurance

Sum Insured: \$1,755,000

Extended Cover - Loss of Rent & Temporary Accommodation: \$263,250

Escalation in Cost of Temporary Accommodation: \$87,750

Cost of Removal, Storage and Evacuation: \$87,750

Policy 8 – Government Audit Costs and Legal Expenses

Government Audit Costs: \$25,000

Appeal expenses – common property health & safety breaches: \$100,000

Legal Defence Expenses: \$50,000

The contract of insurance is arranged by CHU Underwriting Agencies Pty Ltd (ABN 18 001 580 070, AFSL 243261) on behalf of the insurer: QBE Insurance (Australia) Limited (ABN 78 003 191 035, AFSL 239545).



Policy 9 – Lot owners' fixtures and improvements (per lot)
Sum Insured: \$250,000

Flood Cover is included.

Date Printed

15/03/2024

This certificate confirms this policy is in force for the Period of Insurance shown, subject to the policy terms, conditions and exclusions. It is a summary of cover only (for full details refer to the current policy wording QM562-1023 and schedule). It does not alter, amend or extend the policy. This information is current only at the date of printing.

ANNEXURE F

Form LF1

| |
|---|
| Orig. LF 11847021 |
|  |
| 12:05 9-Nov-2012 2 of 3 Fees: 50.00 |

| |
|------------|
| Prefix |
| LF |
| Series No. |
| 2 |

LANDS TITLES REGISTRATION
OFFICE
SOUTH AUSTRALIA

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

FORM APPROVED BY THE REGISTRAR-GENERAL

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

12:11 14/11/2012 02-013642
REGISTRATION FEE \$129.00
TRANSACTION FEE \$15.00

BELOW THIS LINE FOR AGENT USE ONLY

| | |
|--------------------------------|-------------------|
| Lodged by: | <u>AGENT CODE</u> |
| South Australian Housing Trust | SAHT |
| Correction to: | |
| South Australian Housing Trust | SAHT |

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

1 By Laws

- 2
- 3
- 4

| | |
|-------------|-------|
| PICK-UP NO. | |
| CP | 27500 |

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

| ITEM(S) | AGENT CODE |
|---------|------------|
| | |
| | |
| | |
| | |

| | |
|-----------------------------|--|
| CORRECTION | PASSED <i>Dmv</i> |
| FILED <i>[Signature]</i> | 2 1 NOV 2012  REGISTRAR-GENERAL |

R-G 010107

Primary By-Laws

Community Plan No. 27500

2 Ochre Place, Christie Downs

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Community Corporation Number 27500 Incorporated

Important Notice

These by-laws bind the Corporation, the Lotholders and any persons entering the Community Parcel.

These by-laws relate to the control and management of the Common Property and the Lots and as such may only be amended or revoked by special resolution by the Corporation in accordance with Section 39 of the Act and Regulations.

Part 1 - Definitions

1. Definitions

The definitions and interpretations set out herein and set out in Section 3 of the Act shall apply to these by-laws and unless the context otherwise requires, the expressions:

Act means the *Community Titles Act 1996* (SA) as amended;

Approved Documents means the plans, drawings, specifications and other documents lodged as part of *Development Application No 145/N007/11*;

Building means the four-storey lifted apartment building comprising 24 apartments (with 21 apartments containing 2 bedrooms and 3 apartments containing 1 bedroom) with associated balconies, courtyards and common property and 24 secure car ports;

Common Property means the Common Property created by the Community Strata Plan;

Corporation means Community Corporation No. 27500 Inc. constituted in accordance with Part 9 of the Act and includes an officer, agent, servant, contractor or representative of the Corporation appointed in writing;

Community Parcel means the whole of the land comprised in the Community Strata Plan;

Community Strata Plan means Community Corporation Plan No. 27500;

Developer means the South Australian Housing Trust;

Local Authority means the *City of Onkaparinga*

Lot means a Strata Lot comprised in the Community Strata Plan;

Lotholder means the owner of a Lot;

Management Agreement means any agreement appointing the Managing Agent pursuant to Section 75(5) of the Act and Regulation 15 to the Regulations;

Managing Agent means the company for the time being appointed by the Corporation as its Managing Agent and a reference in these by-laws to the Corporation shall, where there is such a Managing Agent, be construed as a reference to that Managing Agent unless the context otherwise requires;

Management Committee means a management committee established to carry out the functions and perform the duties of the Corporation, as contemplated by Part 9, Division 3 of the Act;

Occupier means an occupier of a Lot and includes, if a Lot is unoccupied, the Lotholder of the Lot;

Permit means the consent of the Corporation granted in accordance with by-law 34.

Regulations means the *Community Titles Regulations 1996* (SA) as amended;

rules means the rules made by the Corporation pursuant to the powers contained in these by-laws;

Scheme Description means the scheme description filed with these by-laws in relation to the Community Strata Plan; and

Security Key means a key, magnetic card or other device used to open and close doors, gates or locks in respect of a Lot or the Common Property.

1.1 Unless the contrary intention appears the following applies:

- (a) A reference to an instrument includes any variation or replacement of it.
- (b) A reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.
- (c) The singular includes the plural and vice versa.
- (d) The word "person" includes a firm, a body corporate, an association or an authority.
- (e) Words of any gender include every gender.
- (f) A reference to a person includes a reference to a person's executors, administrators, successors, substitutes (including, without limitation persons taking by notation) and assignees.
- (g) A reference to a day is a reference to the period of time commencing at midnight and ending 24 hours later.
- (h) Headings are inserted for convenience and do not affect the interpretation of these by-laws.
- (i) The obligations and restrictions in these by-laws shall be read subject to the rights, grants or privileges that may be given to any person or persons by the Corporation from time to time and to the extent of any inconsistency, any such rights, grants or privileges, prevail over these by-laws in respect of the person or persons to whom they are given.
- (j) The meaning of general words is not limited to or by specific examples introduced by the words "including", "for example" or other similar expressions.

If the whole or any part of a provision of these by-laws is invalid, unenforceable or illegal, it is severed. The remainder of these by-laws will have full force and effect.

Part 2 - Mandatory By-Laws

2. Administration, Management and Control of Common Property

- (a) The Corporation is responsible for the administration, management and control of the Common Property.
- (b) The Corporation may appoint a Management Committee which shall be responsible to the Corporation for the administration, management and control of the Common Property except with respect to matters concerning:
 - (i) the appointment of a Managing Agent pursuant to by-law 2(c);
 - (ii) maintenance, upgrading or improvements to the Common Property where the item to be considered exceeds \$10,000.00; and
 - (iii) the Corporation's obligations regarding insurance under the Act.
- (c) The Corporation may appoint a Managing Agent to carry out, on behalf of the Corporation, the function of administering, managing and controlling the Common Property on such terms and conditions as it considers reasonably appropriate.

- (d) The Corporation may grant or create easements, easements of support, rights of way, encumbrances or the like in respect of any portion of the Common Property, acting reasonably.

3. Use and Enjoyment of the Common Property

The Common Property is, subject to the Act and these by-laws, for the common use and enjoyment of Lotholders, Occupiers and their invitees.

Part 3 - Community Parcel

4. Prohibited Activities

A person bound by these by-laws must not on the Community Parcel:

- (a) except in a designated area, hang any laundry or other items out to dry or air in public view on or about any part of or in the Community Parcel and must not install or use a clothes line, except in an area designated by the Corporation (if any). An occupier shall not be prevented from using a clothes horse within a balcony or courtyard area;
- (b) make or allow their visitors to make undue noise in or about the Community Parcel;
- (c) unreasonably interfere or allow their visitors to interfere with others' use or enjoyment of their rights in relation to the Community Parcel;
- (d) use any language or behave in a manner likely to cause offence or embarrassment to persons in other Lots or on Common Property when on the Community Parcel;
- (e) damage or deface any building or sign or structure on the Community Parcel;
- (f) disobey reasonable directions or requests from an officer of the Corporation;
- (g) unless the Scheme Description or these by-laws prescribes such use, use any portion of the Community Parcel as a restaurant, cafe or a business premises at which goods are sold to the public by retail or at which services are provided to the public or to which the public is invited to negotiate for the sale of services without the prior written consent of the Corporation;
- (h) obstruct any persons' lawful access to any Lot or to the Common Property;
- (i) park or stand a motor vehicle, or permit an invitee or guest to park or stand a motor vehicle in a parking space or elsewhere allocated for others or on a part of the Community Parcel on which the parking or standing of motor vehicles is not authorised by the Corporation (except in the case of emergency service vehicles);
- (j) park or stand a motor vehicle, or permit an invitee or guest to park or stand a motor vehicle in any area that may block or prevent access to any car parks on the Community Parcel;
- (k) restore or undertake exclusive repair of vehicles or equipment except for the periodic maintenance of a vehicle or equipment properly associated with a resident, such work only being undertaken within the curtilage of the associated car port space and having due consideration for all other occupants in regards to noise, nuisance and pollution;
- (l) permit any motorised scooter to be brought into and remain on a Lot or the foyer, corridor, stairwells, lifts, hallways, balconies or other parts of the Common Property except in the lot holder or Occupier's allocated parking space; as may be designated by the Corporation or the Managing Agent from time to time;
- (m) erect or fix any sign or notice to any part of the Common Property or a Lot where it can be seen from any exterior position or erect a sandwich board, except as required by law;

- (n) paint, finish or otherwise alter the external facade of any building or improvement forming part of the Common Property or a Lot;
- (o) store, place, display or hang any chattel or item (including without limitation any item of clothing) on or from a balcony or terrace forming part of the Common Property or a Lot without the consent of the Corporation except for pot plants and barbeques, outdoor chairs and tables;
- (p) install any equipment or apparatus of any kind (including, but not limited to an air conditioning unit, antenna or satellite dish) which:
 - (i) extends outside the boundaries of a Lot; or
 - (ii) protrudes from any building or balcony forming part of a Lot,
- (q) with exception of an air-conditioning unit at the pre-provisioned location in the private open space of each lot as defined on the Approved Documents without first obtaining the prior written consent of the Corporation; without limiting by-law 4(p); affix a satellite dish to any part of the Common Property; or
- (r) use or interfere with any fire safety equipment except in the case of an emergency and must not obstruct any fire stairs or fire escape, or fire safety equipment including, but not limited to, fire extinguishers, manual call points and fire indicator panels.

5. Storage of Flammable Liquids

A Lotholder or Occupier of a Lot must not:

- (a) except with the prior written consent of the Corporation, use or store on a Lot or Common Property any flammable chemical, liquid, gas or other flammable material other than:
 - (i) chemicals, liquids, gases or other material intended to be used for domestic purposes; or
 - (ii) fuel stored in the fuel tank of a motor vehicle; or
- (b) do or permit anything which may invalidate or suspend any insurance policy effected by the Corporation or cause any premium to be increased without the prior written consent of the Corporation;

6. Disposal of Garbage

- (a) A person bound by these by-laws must not on the Community Parcel dispose of any rubbish or other material except by depositing the same in the green waste, recycle and general waste bins specifically provided.
- (b) A person bound by these by-laws shall dispose of any rubbish or other material on the Community Parcel in accordance with the rubbish disposal policies passed from time to time by the Corporation.

7. Support and Provision of Services

Except for the purposes of maintenance and renewal and with the prior written consent of the Corporation, a Lotholder or Occupier of a Lot must not do anything or permit anything to be done on or in relation to that Lot or the Common Property so that:

- (a) any support or shelter provided by that Lot or the Common Property for any other Lot or the Common Property is interfered with;
- (b) the structural and functional integrity of any part of the Common Property is impaired; or
- (c) the passage or provision of services through the Lot or the Common Property is interfered with.

Part 4 - Common Property

8. Corporation to Keep Common Property in Good Repair

- (a) The Corporation must keep the Common Property tidy and free of graffiti and in a state of good and serviceable repair and shall always properly maintain all chattels, fixtures and fittings (including walkways, stairways, lifts, hand rails and intercoms) held by the Corporation or used or intended, adapted or designed for use in connection with the Common Property or the enjoyment thereof by the Lotholders or Occupiers or by their families or visitors and for this purpose may enter into an appropriate contract with a third party for such party to provide such services for the benefit of Lotholders on behalf of the Corporation.
- (b) The Corporation shall maintain the landscaping of the Common Property to a reasonable standard at all times and if any plants, trees or shrubs shall become dead or diseased they shall be replaced by the Corporation in a timely manner.

9. Prohibited Activities

A person shall not undertake any of the following activities or do any of the following things on the Common Property:

- (a) camp or sleep overnight;
- (b) recreational activities which interfere with the safety or comfort of any other person;
- (c) carry, use, discharge or expose any firearm, explosive fireworks, airgun or other weapon;
- (d) obstruct any corridor, hallway, passage or other access way;
- (e) obstruct the lawful use of the Common Property by any person;
- (f) use the Common Property in a manner that unreasonably interferes with the use and enjoyment of the Common Property by the other members of the Corporation, their customers, clients or visitors;
- (g) smoke nor allow persons under his or her control to smoke in those parts of the Common Property that the Corporation or the Managing Agent may designate as non-smoking areas from time to time;
- (h) mark, paint, drive nails or screws or the like into, or otherwise damage or deface any structure that forms part of the Common Property without the prior written consent of the Corporation;
- (i) consume nor permit persons under his or her control to consume alcohol or take glassware onto the Common Property without the prior written consent of the Corporation or the Managing Agent. Written consent shall be deemed to only include an email, fax transmission or letter;
- (j) throw, roll or discharge any stone, substance or missile to the danger of any person or animal on the Common Property;
- (k) damage any landscaping or structure or improvement forming part of or being situated on Common Property;
- (l) use any garden forming part of the Common Property for his or her own purposes (except with the consent of the Corporation);
- (m) deposit or throw on the Common Property any rubbish, dirt, dust or other material likely to interfere with the peaceful enjoyment of a Lotholder, Occupier or any other person lawfully using the Common Property; or
- (n) dig up, remove, or replace any materials used in the construction of the Common Property without the prior consent of the Corporation.

10. Security of Common Property

A Lotholder or Occupier of a Lot must not do anything which may prejudice the security or safety of the Common Property.

11. Notification of Defects

A Lotholder or Occupier of a Lot must promptly notify the Corporation or the Managing Agent on becoming aware of any damage to or defect in the Common Property.

12. Compensation to Corporation

A Lotholder or Occupier of a Lot will compensate the Corporation for any damage to the Common Property or personal property vested in the Corporation caused by that Lotholder or Occupier or their respective tenants, licensees or invitees.

13. Restricted Use of Common Property

The Corporation may take measures to ensure the security, and to preserve the safety of the Common Property and the Lots from fire or other hazards and without limitation may:

- (a) close off any part of the Common Property not required for access to a Lot on either a temporary or permanent basis or otherwise restrict the access to or use by Lotholders or Occupiers of any part of the Common Property;
- (b) permit to the exclusion of Lotholders and Occupiers, any designated part of the Common Property to be used by any security person as a means of monitoring security and general safety of the Lots, either solely or in conjunction with other Lots; and
- (c) restrict by means of a Security Key the access of Lotholders or Occupiers of one level or areas or Lots on the Community Parcel to any other level, area or Lots in the Community Parcel.

Part 5 - Use Of Community Strata Lots

14. Good Repair

A Lotholder must:

- (a) maintain the Lot in good repair;
- (b) carry out any work ordered by a council or other public authority in respect of the Lot;
- (c) carry out work required by the Corporation in respect of the Lot;
- (d) maintain and repair the air-conditioning unit in their Lot; and
- (e) maintain and repair any tiling grouting and associated sealant in the private open space, the Lot balcony, in the bathroom or in the kitchen.

15. Use of Lot

A person bound by these by-laws:

- (a) must not use the Lot, or permit the Lot to be used, for any unlawful purpose;

- (b) must not do or permit or cause permit or suffer to be done or permitted on or about the Lot, any act, matter or thing whatsoever which is or may be an offence under any Act of South Australia or the Commonwealth of Australia or regulation or by-law thereunder for the time being in force;
- (c) must allow the Corporation reasonable access to the Lot for the purpose of carrying out maintenance and except in the case of an emergency the Corporation must give reasonable notice to the Occupier (not less than 48 hours) of its required access to the Lot;
- (d) must pay all rates, taxes, charges, outgoings and assessments in respect of their Lot as they become due and payable;
- (e) must subject to the Act and these by-laws notify the Corporation of any repairs and maintenance required to their Lot;
- (f) must ensure that the interior of windows in the Lot and the exterior of windows leading on to the balcony are kept clean and free of stickers, transfers and similar items which are visible from the exterior of the Lot;
- (g) must not change the use or alter the character of the Lot or make or permit to be made any additions or alterations of any kind in or to the Lot unless the said person has complied with the provisions of by-law 16;
- (h) must not do or omit or suffer to be done or omitted any act, matter or thing which may interfere with or impede any fire, security or other safety doors in any way and without limiting the generality of the foregoing the Lotholder or Occupier of the Lot shall ensure that all fire and security doors are kept locked or secure in an operational state (as the case may be) when not in immediate use;
- (i) must take every reasonable precaution when watering plants on any balcony or flower box of the Lot to prevent water overflowing upon any other Lot or Lot subsidiary or the Common Property;
- (j) must surrender all Security Keys belonging to the Lot or the Building to the Corporation on the sale of the Lot and secure the same undertaking from any tenant on the termination of any tenancy;
- (k) must not use a hose or high pressured water spraying device to clean the balcony of the Lot;
- (l) must take every reasonable precaution to prevent items from blowing or dropping off the balcony of the Lot;
- (m) must ensure compliance with fire laws in respect of the Lot; and
- (n) must not breach the fire regulations by installing unapproved dead locks or peep holes that would void the Corporation's insurance policy; and
- (o) must use a Lot solely or predominantly for residential purposes

16. Renovation and Refurbishment of Lots

- (a) A Lotholder or Occupier shall not perform or carry out any prescribed work to or upon the Lot unless:
 - (i) such person has submitted a proposal for such refurbishment, renovation, alterations or additions to the Corporation for its consideration which proposal may be approved or refused by the Corporation at its discretion;
 - (ii) where required by the Corporation such person has consulted with the architect appointed by the Corporation to advise it in respect of such refurbishment, renovation, alteration or addition and paid to the Corporation the cost incurred by the Corporation of engaging such architect;
 - (iii) such person has obtained all necessary consents or approvals from any government or statutory authority pertaining to such alterations or additions and shall upon request from the Corporation provide the Corporation with a copy of any such consents or approvals;

- (iv) such person obtains the prior written consent of the Corporation by special resolution at least fourteen (14) days before the commencement of such prescribed work; and
 - (v) such person has made prior arrangements with the Corporation in relation to permitting persons such as workers in to their Lot and the Common Property and make sure that such workers have appropriate current public liability insurance cover.
- (b) The Lotholder shall ensure that:
- (i) workers are only permitted to enter a Lot in the presence of the Lotholder or the Occupier commissioning the work to be undertaken or the Corporation;
 - (ii) all work is carried out strictly in accordance with the provisions of the prior written consents granted by the Corporation and any government or statutory authority;
 - (iii) all work is undertaken by qualified tradespeople in a proper and workmanlike manner;
 - (iv) all work is undertaken only between the hours of 8am and 5.30 pm on Mondays to Saturdays other than public holidays;
 - (v) adequate precautions have been taken to ensure that all Common Property is fully protected against damage;
 - (vi) any damage caused to the Common Property is rectified to the satisfaction of the Corporation and at the cost of the Lotholder;
 - (vii) all Common Property areas are left in a clean and tidy condition, safe and secure on the completion of works each day;
 - (viii) all work is undertaken in such a way so as to cause minimum disturbance or inconvenience to the Lotholders or Occupiers of any other Lots;
 - (ix) all appropriate insurance cover in an amount nominated by the Corporation against damage to persons and property which may be caused or may arise out of such prescribed works is affected and shall ensure that upon request from the Corporation the Corporation is provided with a copy of such insurance policy or policies;
 - (x) the Corporation is able to inspect the work being undertaken from time to time until such work is complete upon reasonable notice of such intended inspections;
 - (xi) all rubble or refuse arising from the performance of such prescribed works must not be disposed of in domestic garbage bins but must be disposed of as directed by the Corporation; and
 - (xii) where such person proposes to remove and replace the floor covering to the floor of any part of a Lot and where such person proposes to replace an existing soft floor covering with a hard floor covering, then except where such person has obtained the consent of the Corporation, the person must insert an acoustic underlay, which has been approved by the Corporation between the floor and the hard floor covering.
- (c) For the purpose of this by-law, "prescribed work" in relation to a Lot means:
- (i) the erection, alteration, demolition or removal of a building or structure;
 - (ii) the alteration of the external appearance of a building or structure;
 - (iii) the removal of or addition to any structural or Common Property brick or concrete wall or slab construction;
 - (iv) the installation, removal or replacement of any tiling to any part of the Lot;
 - (v) the installation, removal or replacement of any flooring to any part of the Lot;

- (vi) alterations to any plumbing, electrical, audio system, television, intercom or other service which involves the drilling, cutting or chasing of holes in the walls, floor or ceilings of any part of the Lot.
- (vii) installation, repair or replacement of a split system air conditioner to that position in each Lot specifically set aside for each equipment.

17. Moving Articles To and From Lots

The Lotholder or Occupier shall comply with and observe the following conditions and restrictions as to delivery or movement of goods or furniture to and from a Lot:

- (a) goods or furniture may be delivered to and from a Lot only through such entrances at such times and in such manner as will ensure minimum interference with persons using the entrances or Common Property;
- (b) goods or furniture shall not be left on the Common Property at any time and if so left may be removed by the Corporation at the expense and risk of the Lotholder; and
- (c) damage incurred during this process will be at the expense of the Lotholder.

18. Pets and Animals

A Lotholder or Occupier may only keep a pet or any animal within the Lot:

- (a) as permitted by the local authority; and
- (b) such animals must be registered with the local authority where such registration is required by law.

Nothing in this by-law shall prevent an Occupier or visitor to the Common Property who suffers from a disability from keeping or using an appropriately trained animal to assist the person in respect of that disability.

19. Leasing

- (a) A Lotholder who proposes to lease (including the granting of a right of occupation) of a carport to a person other than an existing Lotholder or occupier of a Lot, must lease (or grant a right of occupation) for the entirety of the Lot (including the carport) to that third person.
- (b) Where a Lotholder leases a Lot the Lotholder must:
 - (i) if requested by the Corporation, inform the Corporation of the identity of the lessee and the essential terms and conditions of the lease; and
 - (ii) provide a copy of these by-laws to the intended lessee and ensure that the intended lessee is aware of the terms of these by-laws and bound, via the terms of the lease, to comply with these by-laws.
- (c) The Corporation must keep confidential at all times any information it receives pursuant to this by-law 19 about any lessee or Occupier of a Lot, including the terms of any lease between a Lotholder and any intended lessee or Occupier.

20. Change in Ownership

A Lotholder must immediately notify the Corporation of any change in ownership of the Lot, or any change in address of a Lotholder.

21. Sale of Lot

A person bound by these by-laws:

- (a) shall ensure that in the event that a Lot is to be sold by auction, that the auction not cause a disturbance to other persons on the Community Parcel;
- (b) must not cause, suffer or permit any signs advertising the sale of the Lot to be placed on or in the Community Parcel (with the exception of initial sales of Lots on behalf of South Australian Housing Trust); and
- (c) must not interfere with or compromise the security system of the Building when conducting an open inspection of the Lot.

22. Right to Enter Lot

The Corporation shall be permitted by each Lotholder or Occupier and shall have the right at all reasonable times and on giving the Lotholder or the Occupier reasonable notice (except in cases of emergency when no such notice shall be required), to enter upon a Lot for the purpose of or in the course of carrying out the functions or duties of the Corporation or exercising its powers which, without limiting the generality of the foregoing, shall be deemed to include the power;

- (a) to inspect a Lot;
- (b) to carry out maintenance, repairs or work; and
- (c) to enter upon and inspect any part of a Lot for the purpose of ensuring that the Act and these by-laws are being observed.

23. Observance of By-laws

- (a) Where these by-laws restrict the behaviour or activity of a Lotholder or Occupier of a Lot there shall also be imposed upon that Lotholder or Occupier an obligation not to permit that behaviour or activity by any other person.
- (b) A Lotholder or Occupier of a Lot shall take all reasonable steps to ensure that their visitors or invitees comply with the provisions of these by-laws and in the event of their inability for any reason to ensure such compliance by any such visitor or invitee, they shall thereupon ensure that such visitor or invitee leaves the Community Parcel.

24. Indemnity and Release

A person bound by these by-laws shall:

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

25. Corporation May Make Rules

- (a) The Corporation or the Managing Agent may make rules relating to the Common Property not inconsistent with these by-laws and they shall be observed by Occupiers, the Lotholders and their tenants, servants, agents, guests, employees, invitees or licensees.
- (b) The rules may only be revoked or varied by a majority resolution at a general meeting of the Corporation.

26. Private Open Space, including Balcony Lots and courtyards

The Lotholder or Occupier of any Lot that has a balcony or courtyard is prohibited from using the balcony or courtyard for:

- (a) flying flags or banners, erecting or locating other forms of advertising or promotional material;
- (b) deliberate throwing or dropping material or objects from the balcony, and must take every reasonable precaution to prevent items from blowing from the balcony or from a courtyard or dropping off a balcony; and
- (c) emitting amplified music or other broadcasting so as to cause a nuisance or interference with the reasonable peace, comfort or privacy of any person who resides in the immediate vicinity.
- (d) Storage of rubbish bins outside of those areas specifically designated from time to time by the Corporation; and
- (e) Washing down, sweeping or cleaning balconies, or watering plants on balconies which result in surplus water, dust, debris, running or falling from the edge of the balcony.

27. Car Parking

- (a) The Corporation may establish additional car parking spaces on the Common Property which carparks shall be specifically allocated for use only by the Occupier of a lot who may suffer a disability.
- (b) The Corporation may require the Occupier of the Lot for whose benefit the carpark space is created to pay a fee being the costs of establishment of the car parking space and may require payment of an additional periodic fee for the use of the car parking space.

Part 6 – General

28. Insurance

- (a) The Corporation shall ensure that there is one (1) policy of insurance for all Common Property and the Building within the Community Parcel covering:
 - (i) building insurance for the Building for its full reinstatement value (to be determined by the Corporation);
 - (ii) public risk insurance in respect of the Common Property for \$20,000,000 (or such other amount determined by the Corporation) in respect of any one accident or event; and
 - (iii) the buildings and other improvements (if any) on the Common Property for their full reinstatement value (to be determined by the Corporation).
- (b) The Corporation will ensure that sufficient funds are obtained for contributions to the administrative fund payable by the Lotholders to enable payment of the premium for the policy of insurance together with contributions for excesses payable for claims.

29. Corporation's Rights and Powers - Unpaid Levies

- (a) A Lotholder (which includes a corporation and a mortgagee in possession) must pay on demand:
 - (i) the whole of the Corporation's costs and expenses (including solicitor's and own client costs) incurred in recovering levies or money levied upon that Lotholder's Lot by the Corporation pursuant to the Act or pursuant to the by-laws, and
 - (ii) any costs that are ordered to be paid by the Lotholder to the Corporation by any Court Tribunal or body with authority to order the payment of costs.
- (b) If the Lotholder does not pay such costs and expenses after demand is made for them, the Corporation may take action to recover them in any Court of competent jurisdiction provided that, in respect of the Corporation's party and party costs, the Corporation complies with any procedure for the taxation and recovery of costs provided for in the rules of the Court, Tribunal or other body which orders payment of costs in favour of the Corporation. The Corporation may also enter any costs payable to it as referred to in by-law 29(a) against the levy account of the Lotholder's Lot and note the amount of such costs on any certificate issued in respect of the Lot pursuant to the *Real Property Act*.
- (c) If a contribution levied under the Act is unpaid 30 days after it falls due for payment, the amount of the unpaid contribution will bear interest at a rate of 2% above the 90 day bank bill rate charged by the Corporation's bank, unless otherwise determined by ordinary resolution at a general meeting. At the discretion of the Corporation, any Managing Agent has discretion to write off interest to a limit to be determined by the Corporation from time to time.
- (d) If when a person becomes the Lotholder of a Lot, another person is liable in respect of the Lot to pay interest on a contribution, the Lotholder is jointly and severally liable with the other person for the payment of the interest.
- (e) The amount of any interest is recoverable by the Corporation as a liquidated debt.
- (f) If the Corporation spends money to make good damage caused by a breach of the Act, or of these by-laws by any Lotholder or the tenants, occupiers, guests, servants, employees, children, invitees or licensees of the Lotholder the Corporation may recover the amount spent as a debt in an action in any Court of competent jurisdiction from the Lotholder of the Lot at the time when the breach occurred.

30. Services

Notwithstanding any implication or rule of law to the contrary, the Corporation shall not in any circumstances be liable to the Lotholder for any loss or damage suffered by the Lotholder for any malfunction, failure to function or interruption of or to the water, gas, electricity, power, telephone or other services to the Lot or for the blockage of any sewers, wastes, drains, gutters, downpipes or stormwater drains from any cause whatsoever.

31. Sinking Fund

- (a) The Corporation must establish a Sinking Fund to fund the provision of major items of repair or maintenance to the Community Parcel.
- (b) The Corporation must advise the Lotholders in writing of the establishment of any such Sinking Fund and of the contribution to be made by the Lotholder.
- (c) The following provision shall apply to any Sinking Fund established under this by-law:
 - (i) the Corporation will establish a separate fund for such monies and all monies paid by the Lotholder in this regard will be paid into that fund;

- (ii) that fund or so much of the balance standing to the credit of that fund as remains unexpended from time to time for a purpose for which the fund was established will be held by the Corporation in a separate interest bearing account; and
- (iii) any amounts paid by the Corporation to the credit of that fund, and the net interest earned by the Corporation on that fund, will not be applied by the Corporation for any purpose other than payment of outgoings for which the fund was established.

32. Complaints and Applications

- (a) Any complaint or application to the Corporation must be addressed in writing to the Managing Agent, or where there is no Managing Agent, the secretary of the Corporation; and
- (b) The complainant or Lotholder making application shall be responsible for the reasonable costs of formalising such complaints or applications.

33. Security Keys

- (a) The Corporation shall provide each Lotholder with two Security Keys per Lot.
- (b) The Corporation may charge a reasonable fee for any additional Security Key required by a Lotholder.
- (c) A Lotholder must exercise a high degree of caution and responsibility in making a Security Key available for use by any Occupier of a Lot and must use all reasonable endeavours including without limitation an appropriate stipulation in any lease or licence of a Lot to the Occupier to ensure the return of the Security Key to the Lotholder or the Corporation.
- (d) A Lotholder or Occupier of a Lot in possession of a Security Key must not without the Corporation's written consent, duplicate the Security Key or permit it to be duplicated and must take all reasonable precautions to ensure that the Security Key is not lost and is not to dispose of it otherwise than by returning it to the Corporation.
- (e) A Lotholder or Occupier of a Lot must promptly notify the Corporation if a Security Key issued is lost or destroyed.

34. Permits

- (a) In any by-law of the Corporation, unless the contrary intention is clearly indicated, the words "the consent of the Corporation" means the permission of the Corporation given in the form of a written permit.
- (b) The Corporation shall have the power to grant permits to any Lotholder, Occupier or any other person in respect of any activity in or on the Community Parcel.
- (c) The Corporation may attach such conditions to a permit as it thinks fit and may vary or revoke such conditions or impose new conditions by notice in writing to the permit holder.
- (d) The Corporation may grant a permit either for a term of up to twelve (12) months or for an identified activity or schedule of activities as it thinks appropriate.
- (e) A permit holder shall comply with each and every condition of the permit. Each event which is a breach of the permit shall constitute a separate offence under these by-laws.
- (f) A permit holder shall pay to the Corporation in advance, such fee as may be determined by the Corporation for the Corporation issuing the permit to the permit holder.
- (g) Subject to the terms of the permit, the Corporation may cancel, suspend or revoke the permit at any time by notice in writing to the permit holder.

35. Failure to comply with by-law

A person who contravenes or fails to comply with a provision of these by-laws is liable to pay a penalty to the Corporation, which penalty (if any) shall be determined by the Corporation.

Maximum penalty: \$500 (for any 1 contravention)

36. Breach

Where a person bound by these by-laws has acted in breach thereof and the Corporation has incurred expense in remedying such breach, the Corporation shall be entitled to recover such expense from such person.

37. Waiver

No waiver by the Corporation of one breach of any rule, covenant, obligation or provision herein contained or implied shall operate as a waiver of another breach of the same or any other rules, covenants, obligations or provisions herein contained or implied.

38. Notice

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

39. Apportionment of Contributions

Corporation costs attributable to or in respect of facilities, services or parts of the Common Property that are used or for the benefit exclusively by the Lotholders and Occupiers of one or some Lots but not used or for the benefit exclusively of all Lots shall not be imposed or levied upon any Lotholder or Occupier of a Lot that does not have the exclusive benefit of or use of that particular facility, service or part of the Common Property.

40. General

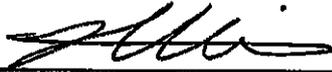
The Corporation will co-ordinate the security and maintenance of the Community Parcel and the effective operation of the Common Property and for this purpose may enter into appropriate contracts with third parties for the provision of plant, equipment, goods and services for the benefit of Lotholders and Occupiers.

Form 10

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

Certificate as to preparation of scheme description, By-Laws or development contracts

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



Minter Ellison
Level 10, 25 Grenfell Street
Adelaide SA 5000

JEREMY HILL
23/10/2012

ANNEXURE G

Form LF1

LANDS TITLES REGISTRATION
OFFICE
SOUTH AUSTRALIA

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

FORM APPROVED BY THE REGISTRAR-GENERAL

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

| |
|---|
| Orig. LF 11847022 |
|  |
| 12:05 9-Nov-2012 3 of 3! Fees: \$0.00 |

| |
|------------|
| Prefix |
| LF |
| Series No. |
| 3 |

12:11 14/11/2012 02-013642
REGISTRATION FEE \$129.00
TRANSACTION FEE \$15.00

BELOW THIS LINE FOR AGENT USE ONLY

| | |
|--------------------------------|-------------------|
| Lodged by: | <u>AGENT CODE</u> |
| South Australian Housing Trust | SAHT |
| Correction to: | |
| South Australian Housing Trust | SAHT |

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

- 1 Scheme Description
2
3
4

| | |
|-------------|-------|
| PICK-UP NO. | |
| CP | 27500 |

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

| ITEM(S) | AGENT CODE |
|---------|------------|
| | |
| | |
| | |
| | |

| | |
|-----------------------------|---|
| CORRECTION | PASSED <i>Dmnd</i> |
| FILED <i>[Signature]</i> | 21 NOV 2012  pro REGISTRAR-GENERAL |

R-G 010107

Scheme Description

Community Strata Plan No. 27500

2 Ochre Place, Christie Downs

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| 3. Purposes for which the Lots may be used | 4 |
| 4. Standard of buildings and other improvements | 4 |
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Community Corporation Number 27500 Incorporated

This Scheme Description may only be amended by unanimous resolution of the Corporation in accordance with section 31 of the Act and Regulations.

1. Definitions

The definitions and interpretations set out herein and set out in Section 3 of the Act shall apply to this Scheme Description and unless the context otherwise requires, the expressions:

Act means the *Community Titles Act 1996 (SA)* as amended;

Building means the four storey lifted apartment building comprising 24 apartments (with 21 apartments containing 2 bedrooms and 3 apartments containing 1 bedroom) with associated balconies, courtyards and common property and 24 secure car ports;

Common Property means the Common Property created by the Community Strata Plan;

Corporation means Community Corporation No. 27500 Inc. constituted in accordance with Part 9 of the Act and includes an officer, agent, servant, contractor or representative of the Corporation appointed in writing;

Community Parcel means the whole of the land comprised in the Community Strata Plan;

Community Strata Plan means Community Plan No. 27500;

Council means the City of Onkaparinga;

Developer means the South Australian Housing Trust;

Lot means a Strata Lot comprised in the Community Strata Plan;

Lotholder means the registered proprietor or proprietors of a Lot and where the context allows includes the Occupier of a Lot;

Regulations means the Community Titles Regulations 1996 (SA) as amended;

Relevant Development Authority means the Development Assessment Commission.

1.1 Unless the contrary intention appears the following applies:

- (a) A reference to an instrument includes any variation or replacement of it.
- (b) A reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.
- (c) The singular includes the plural and vice versa.
- (d) The word "person" includes a firm, a body corporate, an association or an authority.
- (e) Words of any gender include every gender.
- (f) A reference to a person includes a reference to a person's executors, administrators, successors, substitutes (including, without limitation persons taking by notation) and assignees.
- (g) A reference to a day is a reference to the period of time commencing at midnight and ending 24 hours later.
- (h) Headings are inserted for convenience and do not affect the interpretation of these by-laws.
- (i) The obligations and restrictions in these by-laws shall be read subject to the rights, grants or privileges that may be given to any person or persons by the Corporation from time to time and to the extent of any

inconsistency, any such rights, grants or privileges, prevail over these by-laws in respect of the person or persons to whom they are given.

- (j) The meaning of general words is not limited to or by specific examples introduced by the words "including", "for example" or other similar expressions.

If the whole or any part of a provision of this Scheme Description is invalid, unenforceable or illegal, it is severed. The remainder of this Scheme Description will have full force and effect.

2. Identification of the Community Parcel, Lots and Common Property

- (a) The Community Parcel and the Lots and Common Property into which the Community Parcel is to be divided comprise Allotment 1 in Development No. 145/D309/10 being a portion of the land comprised in Certificate of Title Volume 6035 Folio 11 being the property located at 2 Ochre Place, Christie Downs (*Land*).
- (b) The Community Strata Plan divides the Land into 24 Lots and Common Property.

3. Purposes for which the Lots may be used

- (a) The Lots are to be used for residential purposes.
- (b) There are Lot subsidiaries comprising car ports and yards at ground floor level and balconies for upper floor levels.
- (c) The Common Property is to be used for the purposes of providing:
- (i) access to the Lots and Lot subsidiaries;
 - (ii) car ports and visitor parking,
 - (iii) recycled green waste and garbage disposal facilities for the Lots;
 - (iv) storage areas and mailboxes;
 - (v) service infrastructure and services areas including a storm water interceptor system;
 - (vi) provision of other services such as meter reading and for repairs and maintenance; and
 - (vii) for other uses approved by the Corporation from time to time.

4. Standard of buildings and other improvements

- (a) Any additional buildings or improvements, or alterations or additions, or replacement of existing buildings or improvements, whether on Lots or Common Property, shall be located, designed and constructed in a manner and to a standard consistent with the Building and improvements undertaken by the Developer.

5. Development of Community Strata Lots

- (a) The Developer has developed the Land in accordance with the development approval granted by the Relevant Development Authority and numbered 145/N007/11, subject to such amendments as approved by the Relevant Development Authority ('Development').
- (b) The Developer has:
- (i) applied to the Office of the Co-ordinator-General and been granted, pursuant to Schedule 1A(13) of the *Development Regulations 2008*, an exemption from the need to obtain development plan

consent for the Development by virtue of the Developer's involvement in the National Building Economic Stimulus Plan; and

- (ii) subsequently submitted the proposal for the Development to the Relevant Development Authority and obtained development approval for the Development.

6. Development of the Common Property

- (a) The Common Property will be comprised of:
- (i) the external structures of any Buildings constructed on the Community Parcel;
 - (ii) walkways, stairways, pathways, driveways, passages, letterboxes, visitor's carpark and entrance areas for access to the Lots and Lot subsidiaries;
 - (iii) Enclosed utility room on ground floor;
 - (iv) recycle green waste and garbage disposal designated area within secured carports;
 - (v) a stormwater interceptor system and pump out system within shed;
 - (vi) signage;
 - (vii) solar hot water systems within access hatch with evacuated solartube panels on roof and 2x500L storage HWS with pumps;
 - (viii) storage areas including storage for plant, equipment and services;
 - (ix) main switch board area on ground floor;
 - (x) common landscape areas and park benches;
 - (xi) provision for service infrastructure including but not limited to water meter, fire hydrant, fire booster cabinet, fire stairs;
 - (xii) lift;
 - (xiii) ETSA transformer site;
 - (xiv) electric gate to secured carports; and
 - (xv) any lighting on the Common Property.
- (b) The Developer has constructed the improvements referred to in paragraph 6(a) on the Common Property. Construction has been undertaken in accordance with the relevant development approvals granted by the relevant planning authority, subject to such amendments as approved by the relevant planning authority and prior to the expiry of the development approvals or granted extensions thereof.
- (c) The standard of the work performed and the materials used on the Common Property are to fair average standard or such higher standard as the Developer, at its absolute discretion, has determined.
- (d) The Developer is under no obligation to further develop the Lots or Common Property.

7. Conditions of development imposed pursuant to the *Development Act 1993*

The division of the Community Parcel and construction of the Building is subject to conditions imposed by the Relevant Development Authority pursuant to development approvals (see Annexure A) numbered:

- 145/N007/11
- 145/C124/11

8. Other important features of the scheme

8.1 Telecommunications, Communications and Television Receiving Devices

The Corporation may from time to time on terms the Corporation requires at its complete discretion grant rights of occupancy over a portion of the Common Property:

- (a) to telecommunications service providers for the erection, maintenance and operation of mobile phone and other telecommunications towers, networks, services, facilities, plant and equipment and associated purposes; and/or
- (b) to owners of Lots and/or occupiers of Lots for the erection, maintenance and operation of telecommunications equipment, communications equipment and/or television receiving devices that the particular Lotholder and/or occupier may require.

8.2 General

The Corporation will co-ordinate the security and maintenance of the Community Parcel and the effective operation of the Common Property and for this purpose may enter into appropriate contracts with third parties for the provision of plan, equipment, goods and services for the benefit of owners of Lots.

9. Other information required by the Regulations

No other information is required by the regulations.

Endorsement by the relevant development authority

The Development Assessment Commission hereby endorses this Scheme Description in accordance with section 3(11) of the *Community Titles Act 1996* and confirms that:

1. All the consents or approvals required under the *Development Act 1993* in relation to the division of land in accordance with the scheme description attached and the relevant plan of community division under the *Community Titles Act 1996* have been granted for a Community Title Land Division of the Land into 24 Community Lots and Common Property.
2. However, this endorsement does not limit the relevant authority's right to refuse, or place conditions on, development approvals under the *Development Act 1993* in relation to other development envisaged by the scheme or other authorisations still require.

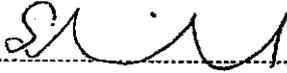
SIGNED



Principal Planner

As delegate of the Development Assessment Commission

WITNESS



DATE

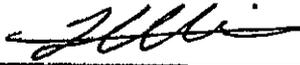
30.10.2012

Form 10

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

Certificate as to preparation of scheme description, By-Laws or development contracts

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



Minter Ellison JEREMY HELL
Level 10, 25 Grenfell Street 23/10/2012
Adelaide SA 5000

Annexure A – Copy of Development Approvals

South Australia - Regulation under the Development Act, 1993 Regulation 42

DECISION NOTIFICATION FORM

Development Number
145/N007/11
2010/00788/01 SH.331

FOR DEVELOPMENT APPLICATION

REGISTERED ON: 13 May 2011

Mr Patrick Mitchell
Urban Strategy & Asset Investment, Housing SA
Department for Families and Communities
Level 5, Riverside Centre
North Terrace
ADELAIDE SA 5000

LOCATION OF PROPOSED DEVELOPMENT:

| Lot No | Section | Street | Suburb | Hundred | Title Reference |
|----------------|---------|------------|----------------|-------------|-----------------|
| A 601 DP 80362 | | Beach Road | Christie Downs | Onkaparinga | CT 6035/11 |

NATURE OF PROPOSED DEVELOPMENT: Residential Development Proposal (STAGE 2)
24 Dwellings with 24 secure car parks and new access road

From: DEVELOPMENT ASSESSMENT COMMISSION

In respect of this proposed development you are informed that:

| NATURE OF DECISION | GRANTED | CONDITIONS |
|----------------------|---------|------------|
| DEVELOPMENT APPROVAL | ✓ | ONE (1) |

Condition of Approval

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by the building rules consent, the development shall be established in strict accordance with the details and plans submitted under the Commonwealth Nation Building Program and endorsed by the Office of the Coordinator General.

Advisory Note

- a. Pursuant to Regulation 92(2b)(a) of the *Development Regulations 2008*, where any development approved under the Commonwealth Nation Building Program for compliance with the building rules, one copy of the certified plans must be provided to the local Council.



Phil Turvey
Assessment Coordinator
as delegate of the
DEVELOPMENT ASSESSMENT COMMISSION
Date of Decision: 13 May 2011

cc: Onkaparinga Council

South Australia - Regulation under the Development Act, 1993 Regulation 42

DECISION NOTIFICATION FORM

Contact Officer: Elysse Kuhar
 Telephone: 8303 0572

Development Number
145/C124/11

FOR DEVELOPMENT APPLICATION

DATED: 28 June 11
REGISTERED ON: 28 June 11

TO: Housing SA
 c/- Alexander & Symonds Pty Ltd
 PO Box 1000
 KENT TOWN SA 5071
EMAIL: jarnold@alexander.com.au

LOCATION OF PROPOSED DEVELOPMENT:

| Lot No | Section | Street | Suburb | Hundred | Title Reference |
|----------------------------|---------|--------------|-----------------|-----------|-----------------|
| Lot 1 in DA 145/D309/10 | | McKinna Road | Christies Downs | Noarlunga | CT 6035/11 |

NATURE OF PROPOSED DEVELOPMENT:

Community division - Secondary Plan of Division - One (1) allotment into 24 (23 additional allotments)

From: DEVELOPMENT ASSESSMENT COMMISSION

In respect of this proposed development you are informed that:

| NATURE OF DECISION | CONSENT GRANTED | NO. OF CONDITIONS | CONSENT REFUSED | NOT APPLICABLE |
|-----------------------------|-----------------|-------------------|-----------------|----------------|
| Development Plan Consent | GRANTED | TWO (2) | | |
| Land Division [Strata] | GRANTED | TWO (2) | | |
| DEVELOPMENT APPROVAL | GRANTED | FOUR (4) | | |

Any conditions imposed are set out on the attached sheets.



Simon Neldner
A/PRINCIPAL PLANNER
DAC SECRETARIAT
as delegate of the
DEVELOPMENT ASSESSMENT COMMISSION
Date of Decision: 25 May 2012
[1] Sheets Attached

DEVELOPMENT APPLICATION – 145/C124/11

Planning Conditions

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans (Plan Reference A113110LTO1(A) dated 15 June 2011 prepared by Alexander & Symonds Pty Ltd – Sheets 1 to 6) submitted in development application number 145/C124/11.
2. Certification that fire separation between dwellings complying with the requirements of the Building Code of Australia shall be provided to the Development Assessment Commission by a professional engineer, building surveyor or private certifier stating that the wall/s have fire separating construction complying with the Building Code of Australia, P2.3.1 Housing Provisions Volume 2. *(Note: Land division clearance under Section 51 of the Development Act 1993 cannot be issued unless, or until such compliance exists: refer Regulation 5A of the Development Regulations 2008).*

Land Division Requirements

3. That payment of \$135048 shall be made into the Planning and Development Fund (24 allotments @ \$5627/allotment). Cheques shall be made payable and marked "Not Negotiable" to the Development Assessment Commission and payment made on Level 5, Roma Mitchell House, 136 North Terrace, Adelaide, (opposite the Railway Station) or sent to GPO Box 1815, Adelaide, SA 5001.
4. That two copies of a certified survey plan shall be lodged for Certificate purposes.

Advisory Notes

- a. The development must be substantially commenced or application for certificate made within 12 months of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- b. The applicant is also advised that the final land division certificate must be obtained from the Development Assessment Commission to complete the development within 3 years of the date of the Notification unless this period is extended by the Commission.
- c. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
- d. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- e. Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow.
- f. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
- g. The applicant must inform potential purchasers of the community lots of the water servicing arrangements and seek written agreement prior to settlement.
- h. The applicant is advised that the development should include appropriate drainage infrastructure to accommodate the increase in stormwater run-off generated by the proposed development.
- i. The applicant is advised that no final land division certificate will be issued by the Commission in respect to this development until the primary land division in DA 145/D309/10 has been finalised.

| PURPOSE: PRIMARY COMMUNITY STRATA MAP REF: 6527/15/M, 6527/15/N LAST PLAN: D90223 | AREA NAME: CHRISTIE DOWNS COUNCIL: CITY OF ONKAPARINGA DEVELOPMENT NO.: 146/C/124/1/001/33215 | RE-APPROVED: BILL SHEEKY 20/11/2012 DEPOSITED: DEAN WATSON 21/11/2012 |  <p style="font-size: 2em; text-align: center; margin-top: 10px;">C27500</p> <p style="text-align: right;">SHEET 1 OF 6 33775_text_01_v07_Version_7</p> | | | | | | | | | | | | | | | | |
|--|--|--|--|------------|------------------|---|-------------------------|------------|------------------|--------------|----------|----------|-----------------|------|-------------|---|--|---|-------------|
| AGENT DETAILS: ALEXANDER & SYMONDS PTY LTD 1ST FLOOR 11 KING WILLIAM ST KENT TOWN SA 5067 PH: 81301666 FAX: 83620099 AGENT CODE: ALSY REFERENCE: A113110/LT01(B) | | | | | | | | | | | | | | | | | | | |
| SURVEYORS CERTIFICATION: I METTINA ELIZABETH GRACE BARRINGTON, a licensed surveyor under the Survey Act 1992, certify that (a) I am uncertain about the location of that part of the service infrastructure shown between the points marked > and < on the plan; and (b) This community plan has been correctly prepared in accordance with the Community Titles Act 1996 20th day of November 2012 Mettina Barrington Licensed Surveyor | | | | | | | | | | | | | | | | | | | |
| SUBJECT TITLE DETAILS: PREFIX VOLUME FOLIO OTHER PARCEL ALLOTMENT(S) CT 6100 934 OTHER TITLES AFFECTED: | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>NUMBER</th> <th>PLAN</th> <th>NUMBER</th> <th>HUNDRED / IA / DIVISION</th> <th>TOWN</th> <th>REFERENCE NUMBER</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">D</td> <td style="text-align: center;">90223</td> <td style="text-align: center;">NOARLUNGA</td> <td></td> <td></td> </tr> </tbody> </table> | | | | NUMBER | PLAN | NUMBER | HUNDRED / IA / DIVISION | TOWN | REFERENCE NUMBER | 1 | D | 90223 | NOARLUNGA | | | | | | |
| NUMBER | PLAN | NUMBER | HUNDRED / IA / DIVISION | TOWN | REFERENCE NUMBER | | | | | | | | | | | | | | |
| 1 | D | 90223 | NOARLUNGA | | | | | | | | | | | | | | | | |
| EASEMENT DETAILS: <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>STATUS</th> <th>LAND BURDENED</th> <th>FORM</th> <th>CATEGORY</th> <th>IDENTIFIER</th> <th>PURPOSE</th> <th>IN FAVOUR OF</th> <th>CREATION</th> </tr> </thead> <tbody> <tr> <td>EXISTING</td> <td>COMMON PROPERTY</td> <td>LONG</td> <td>EASEMENT(S)</td> <td style="text-align: center;">C</td> <td></td> <td>CKI UTILITIES DEVELOPMENT LTD. PAI UTILITIES DEVELOPMENT LTD. SPARK INFRASTRUCTURE SA (NO. 1) PTY. LTD. SPARK INFRASTRUCTURE SA (NO. 2) PTY. LTD. SPARK INFRASTRUCTURE SA (NO. 3) PTY. LTD.</td> <td style="text-align: right;">TG 11727275</td> </tr> </tbody> </table> | | | | STATUS | LAND BURDENED | FORM | CATEGORY | IDENTIFIER | PURPOSE | IN FAVOUR OF | CREATION | EXISTING | COMMON PROPERTY | LONG | EASEMENT(S) | C | | CKI UTILITIES DEVELOPMENT LTD. PAI UTILITIES DEVELOPMENT LTD. SPARK INFRASTRUCTURE SA (NO. 1) PTY. LTD. SPARK INFRASTRUCTURE SA (NO. 2) PTY. LTD. SPARK INFRASTRUCTURE SA (NO. 3) PTY. LTD. | TG 11727275 |
| STATUS | LAND BURDENED | FORM | CATEGORY | IDENTIFIER | PURPOSE | IN FAVOUR OF | CREATION | | | | | | | | | | | | |
| EXISTING | COMMON PROPERTY | LONG | EASEMENT(S) | C | | CKI UTILITIES DEVELOPMENT LTD. PAI UTILITIES DEVELOPMENT LTD. SPARK INFRASTRUCTURE SA (NO. 1) PTY. LTD. SPARK INFRASTRUCTURE SA (NO. 2) PTY. LTD. SPARK INFRASTRUCTURE SA (NO. 3) PTY. LTD. | TG 11727275 | | | | | | | | | | | | |
| ANNOTATIONS: | | | | | | | | | | | | | | | | | | | |

C27500

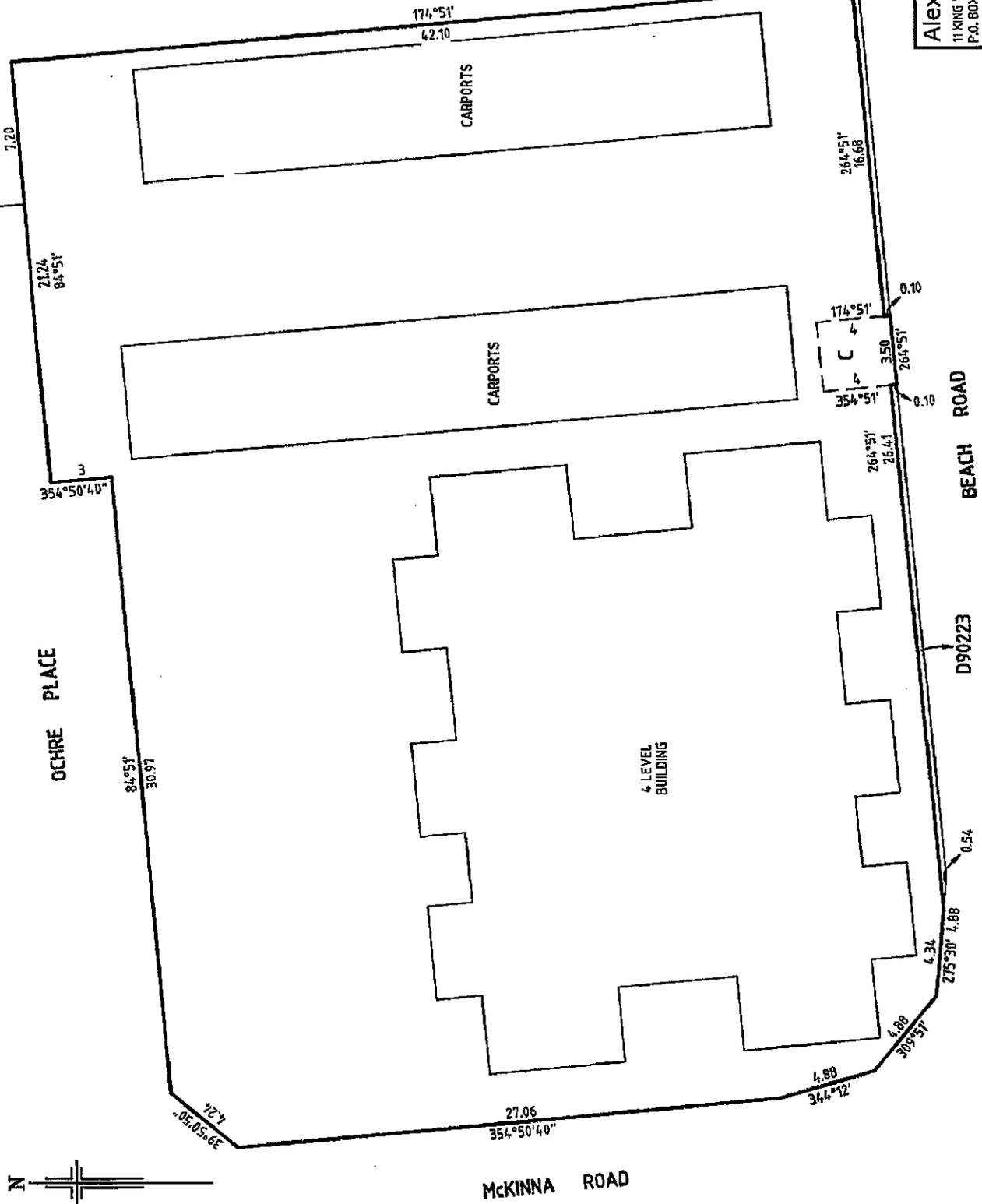
SHEET 2 OF 6

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BEARING DATUM: MGA 94, ZONE 54.
DERIVATION: PM 6527/163 TO 6527/1606
TOTAL AREA: 2202m²



D90223



Alexander & Symonds Pty. Ltd.

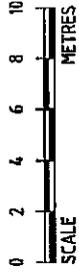
11 KING WILLIAM STREET, KENT TOWN
P.O. BOX 1000 KENT TOWN 5071
Tel (08) 830 1666 Fax (08) 8362 0099 A.B.N. 93 007 753 988
REFERENCE A131011018
O/N 2854
PM 63031001

SITE PLAN

C27500

SHEET 4 OF 6

33775_pland_3_V01_Version_7



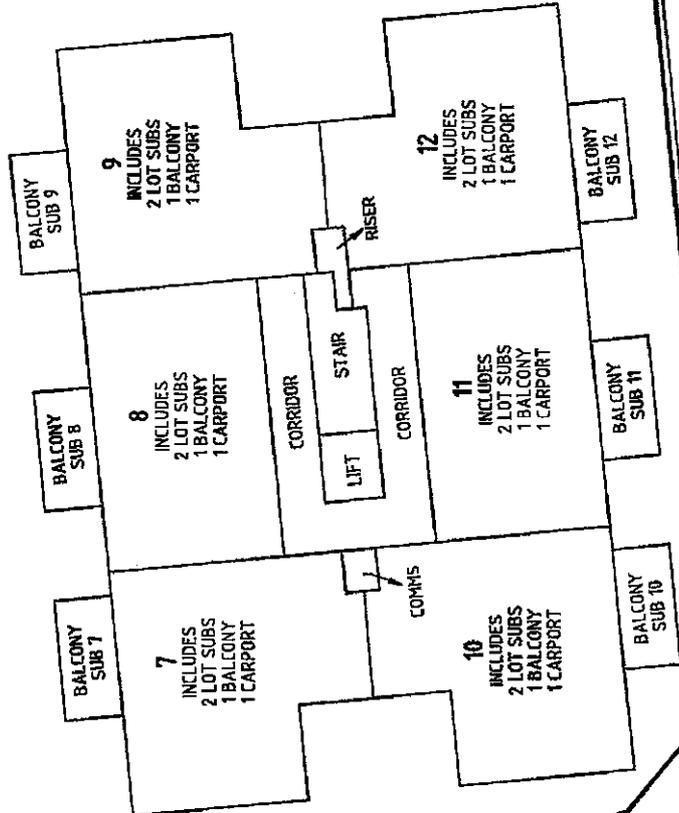
THE UPPER LIMIT OF A LOT SUBSIDIARY SHOWN AS BALCONY IS 2.80 METRES ABOVE THE UPPER SURFACE OF THE BALCONY UNLESS LIMITED IN HEIGHT BY OVERHANGING STRUCTURES BELOW 2.80 METRES



OCHRE PLACE

McKINNA ROAD

BEACH ROAD



Alexander & Symonds Pty. Ltd.

11 KING WILLIAM STREET, KENT TOWN
P.O. BOX 1000 KENT TOWN 5071

Tel (08) 8380 6666 Fax (08) 8362 0099 A.B.N. 93 007 753 988

REFERENCE A1819M1(TO18)

D/N 2854

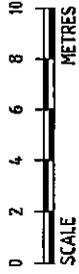
PH 63031001

FIRST FLOOR

C27500

SHEET 5 OF 6

33775_pland_4_V01_Version_7



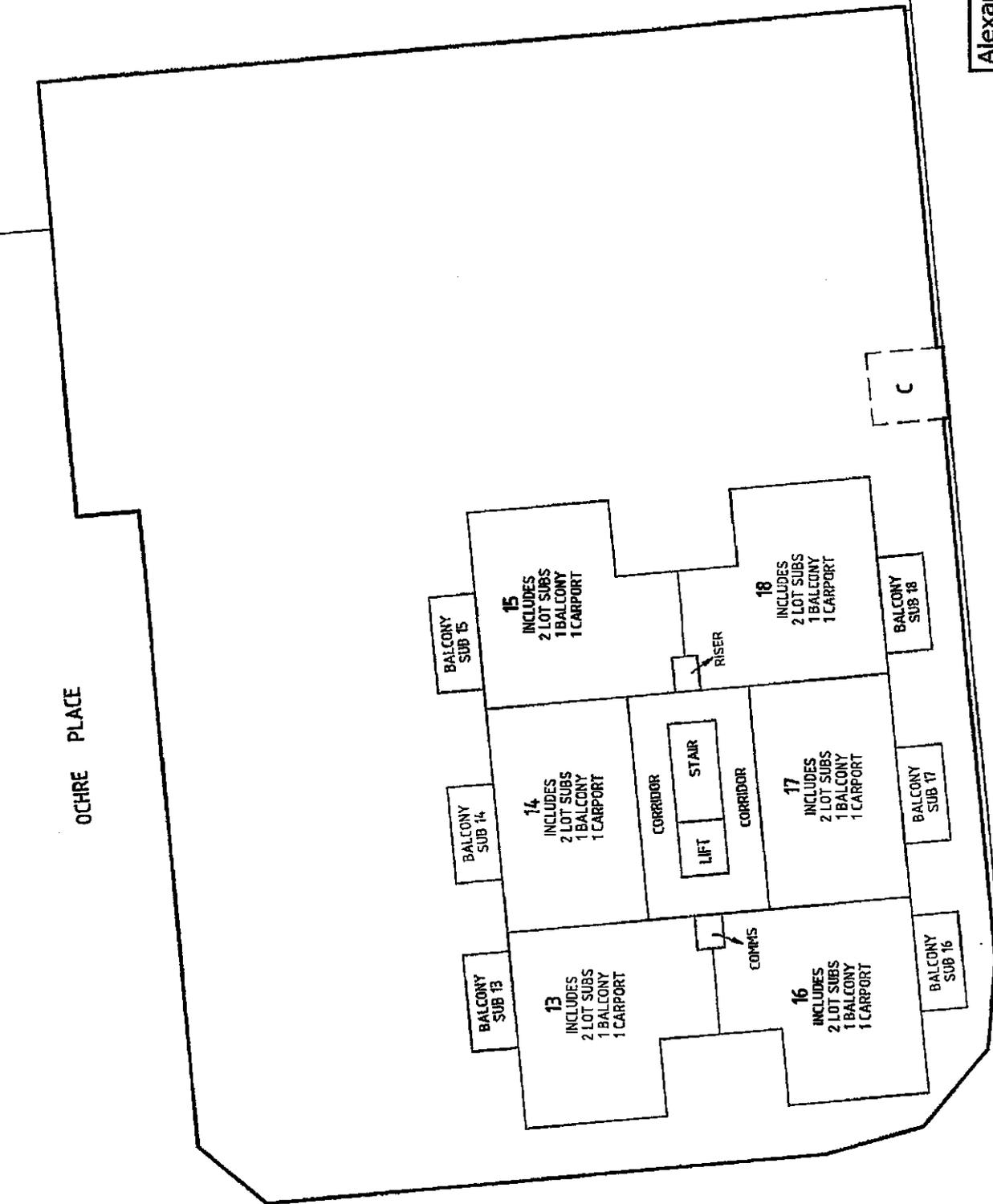
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OCHRE PLACE

McKINNA ROAD

BEACH ROAD



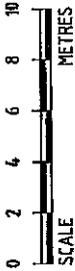
Alexander & Symonds Pty. Ltd.
11 KING WILLIAM STREET, KENT TOWN
P.O. BOX 1000 KENT TOWN 5071
Tel (08) 8130 1666 Fax (08) 8362 0099 A.B.N. 93 007 753 988
REFERENCE A131101TO10B D/N 2854
BRF 01.05.2012 PN 6303001

SECOND FLOOR

C27500

SHEET 6 OF 6

33775_pland_5_V01_Version_7



THE UPPER LIMIT OF A LOT SUBSIDIARY SHOWN AS BALCONY IS 2.80 METRES ABOVE THE UPPER SURFACE OF THE BALCONY UNLESS LIMITED IN HEIGHT BY OVERHANGING STRUCTURES BELOW 2.80 METRES

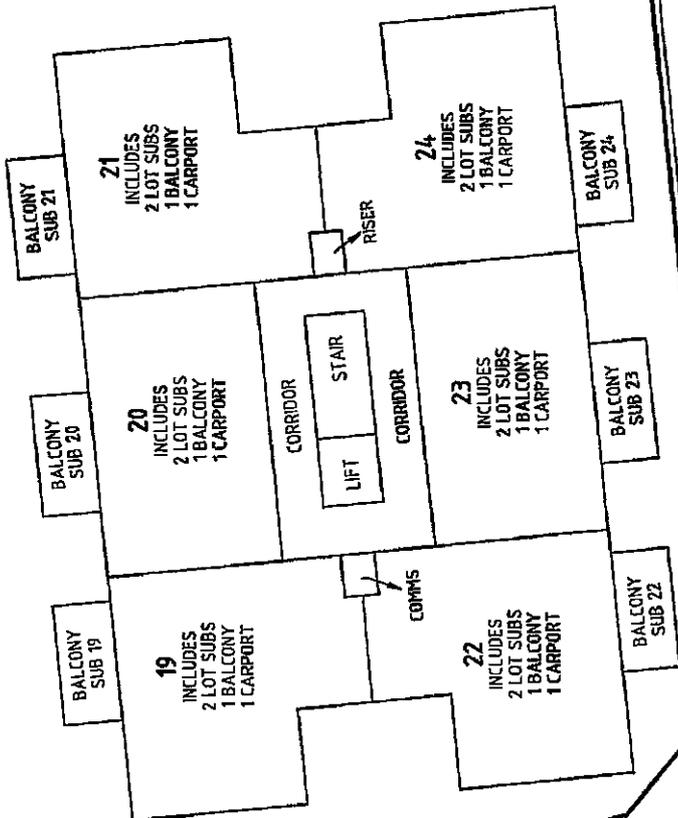


OCHRE PLACE

McKINNA ROAD

BEACH ROAD

THIRD FLOOR



Alexander & Symonds Pty.Ltd.
11 KING WILLIAM STREET, KENT TOWN
P.O. BOX 1008 KENT TOWN 5071
Tel. (081) 8130 1666 Fax (081) 8362 0099 A.B.N. 93 007 753 988
REFERENCE: A1B1M(LTD)B) D/N 2054
RHF: 01.05.2012 PN 63031001

LOT ENTITLEMENT SHEET

COMMUNITY PLAN NUMBER

CP 27500

THIS IS SHEET 1 OF 1 SHEETS

APPROVED *[Signature]*

DEPOSITED

21/11/2012

PRO REGISTRAR-GENERAL

APPLICATION 11847622

SCHEDULE OF LOT ENTITLEMENTS

LOT LOT ENTITLEMENT SUBDIVIDED

| | | |
|------------------|--------------|--|
| 1 | 390 | |
| 2 | 365 | |
| 3 | 365 | |
| 4 | 395 | |
| 5 | 365 | |
| 6 | 395 | |
| 7 | 405 | |
| 8 | 390 | |
| 9 | 405 | |
| 10 | 415 | |
| 11 | 395 | |
| 12 | 415 | |
| 13 | 435 | |
| 14 | 425 | |
| 15 | 435 | |
| 16 | 445 | |
| 17 | 435 | |
| 18 | 445 | |
| 19 | 445 | |
| 20 | 435 | |
| 21 | 445 | |
| 22 | 455 | |
| 23 | 445 | |
| 24 | 455 | |
| AGGREGATE | 10000 | |

CERTIFICATE OF LAND VALUER

I, Fred Taormina, being a Land Valuer within the meaning of the Land Valuers Act 1994 certify that this schedule is correct for the purposes of the Community Titles Act 1996

Dated the 3rd day of June, 2012

[Signature]

Signature of Land Valuer