

REAL PROPERTY ACT, 1886



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



## Certificate of Title - Volume 5699 Folio 20

**Parent Title(s)** CT 5384/133  
**Creating Dealing(s)** RTU 8750357  
**Title Issued** 08/10/1999      **Edition** 7      **Edition Issued** 06/02/2023

## Estate Type

FEE SIMPLE

## Registered Proprietor

CHERIE SUSAN EGGLESTONE  
OF 554 GRAND BOULEVARD SEAFORD SA 5169

## Description of Land

ALLOTMENT 239 DEPOSITED PLAN 53099  
IN THE AREA NAMED SEAFORD  
HUNDRED OF WILLUNGA

## Easements

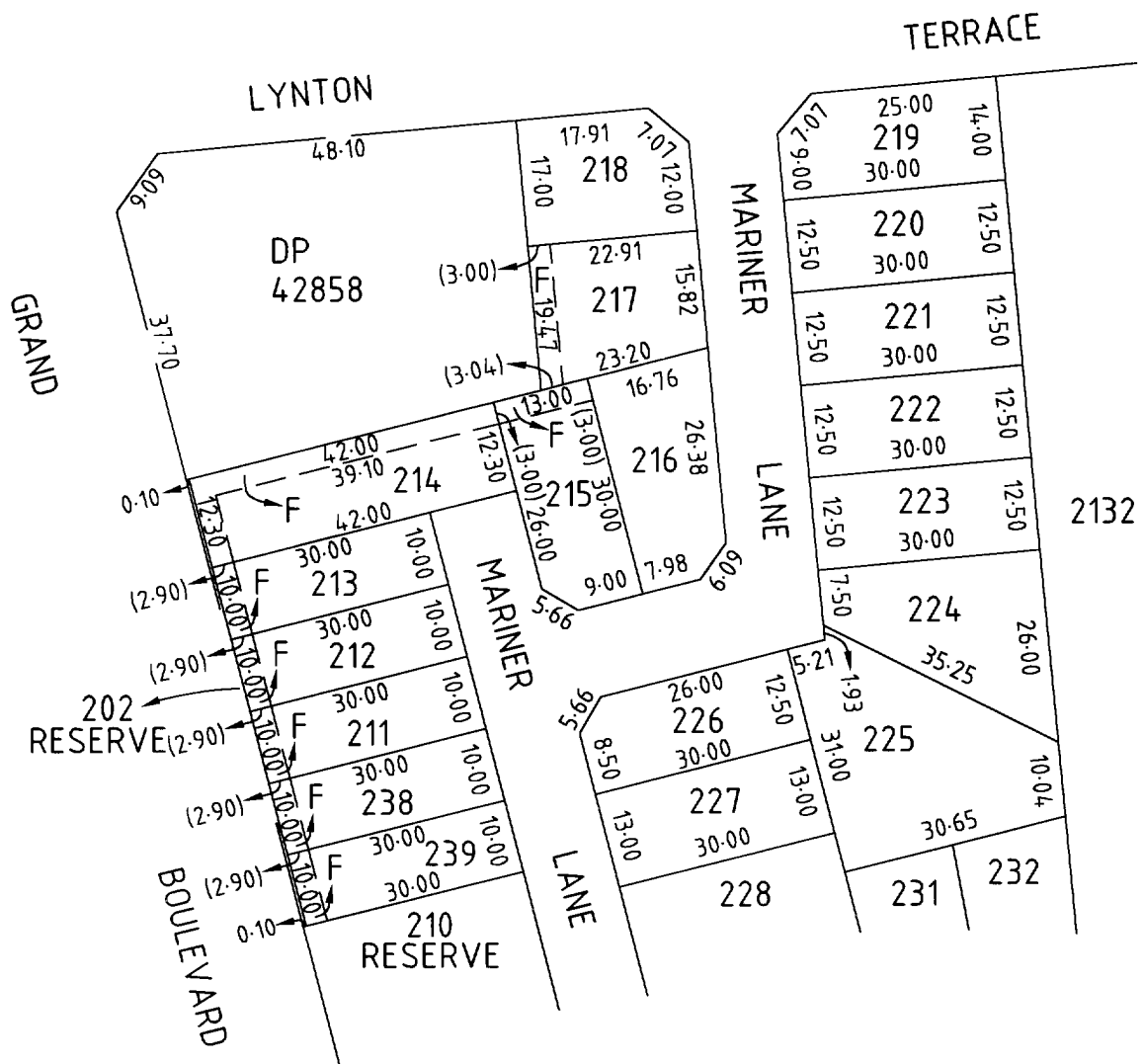
SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED F FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

## Schedule of Dealings

Dealing Number	Description
8865755	ENCUMBRANCE TO URBAN RENEWAL AUTHORITY AND SOUTH AUSTRALIAN HOUSING TRUST AS TO THE SHARES SPECIFIED THEREIN (SINGLE COPY ONLY)
13959516	MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141)

## Notations

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





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: 2684150

FENTONS FORMS PTY LTD  
POST OFFICE BOX 298  
CHRISTIES BEACH SA 5165

## DATE OF ISSUE

23/06/2025

## ENQUIRIES:

Tel: (08) 8226 3750

Email: revsaesl@sa.gov.au

### OWNERSHIP NUMBER OWNERSHIP NAME

17033706 C S EGGLESTONE

### PROPERTY DESCRIPTION

554 GRAND BLVD / SEAFORD SA 5169 / LT 239 D53099

ASSESSMENT NUMBER	TITLE REF. (A "+" indicates multiple titles)	CAPITAL VALUE	AREA / FACTOR	LAND USE / FACTOR
8613227159	CT 5699/20	\$475,000.00	R4 1.000	RE 0.400

### LEVY DETAILS:

#### FINANCIAL YEAR

2024-2025

FIXED CHARGE	\$	50.00
+ VARIABLE CHARGE	\$	178.95
- REMISSION	\$	141.75
- CONCESSION	\$	46.00
+ ARREARS / - PAYMENTS	\$	-41.20
= <u>AMOUNT PAYABLE</u>	\$	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

21/09/2025



Government of  
South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Emergency Services Funding Act 1998

## CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

PAYMENT REMITTANCE ADVICE

**No payment is required on this Certificate**

**RevenueSA**

DEPARTMENT OF TREASURY AND FINANCE

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

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

PIR Reference No: 2684150

**DATE OF ISSUE**

23/06/2025

FENTONS FORMS PTY LTD  
POST OFFICE BOX 298  
CHRISTIES BEACH SA 5165

**ENQUIRIES:**

Tel: (08) 8226 3750

Email: landtax@sa.gov.au

**OWNERSHIP NAME**

C S EGGLESTONE

**FINANCIAL YEAR**

2024-2025

**PROPERTY DESCRIPTION**

554 GRAND BLVD / SEAFORD SA 5169 / LT 239 D53099

**ASSESSMENT NUMBER**

8613227159

**TITLE REF.**

(A "+" indicates multiple titles)

CT 5699/20

**TAXABLE SITE VALUE**

\$215,000.00

**AREA**

0.0300 HA

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

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

**Please Note:**

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

**ON OR BEFORE****21/09/2025****Government of  
South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

**RevenueSA**

DEPARTMENT OF TREASURY AND FINANCE

Land Tax Act 1936

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

Account Number	L.T.O Reference	Date of issue	Agent No.	Receipt No.
86 13227 15 9	CT569920	24/6/2025	8278	2684150

FENTONS FORMS PTY LTD  
 PO BOX 298  
 CHRISTIES BEACH SA 5165  
 admin@fentonsforms.com.au

Section 7/Elec

## Certificate of Water and Sewer Charges & Encumbrance Information

### Property details:

Customer: C S EGGLESTONE  
 Location: 554 GRAND BLVD SEAFORD LT 239 D53099  
 Description: 5H CP P DIG      Capital Value: \$ 475 000  
 Rating: Residential

### Periodic charges

Raised in current years to 30/6/2025

			\$
	Arrears as at: 30/6/2024	:	0.00
Water main available: 14/3/2000	Water rates	:	314.40
Sewer main available: 1/7/2000	Sewer rates	:	347.80
	Water use	:	17.85
	SA Govt concession	:	412.20CR
	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	:	205.35CR
	Balance outstanding	:	62.50

Degree of concession: 100.00%      Date granted: 15/2/2023

Recovery action taken: ACCOUNT SENT

Next quarterly charges:      Water supply: Not declared      Sewer: Not declared      Bill: 3/9/2025

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

The last Water Use Year ended on 02/06/2025.

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

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

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

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

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

## South Australian Water Corporation

Name:  
C S EGGLESTONE

Water & Sewer Account  
Acct. No.: 86 13227 15 9

Amount: \_\_\_\_\_

Address:  
554 GRAND BLVD SEAFORD LT 239  
D53099

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### Payment Options

**EFT**

EFT Payment

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	8613227159



Bill code: 8888  
Ref: 8613227159

Telephone and Internet Banking — BPAY®

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



Paying online

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



Paying by phone

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

SA Water account number: 8613227159



**Government of  
South Australia**

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

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

# Property Interest Report

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

Title Reference	CT 5699/20	Reference No. 2684150
Registered Proprietors	C S*EGGLESTONE	Prepared 23/06/2025 11:12
Address of Property	554 GRAND BOULEVARD, SEAFORD, SA 5169	
Local Govt. Authority	CITY OF ONKAPARINGA	
Local Govt. Address	PO BOX 1 NOARLUNGA CENTRE SA 5168	

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

## Table of Particulars

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

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

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

### 1. General

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

### 2. Aboriginal Heritage Act 1988

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



an area surrounding a site

2.3 Part 3 Division 6 - Aboriginal heritage agreement

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

also

Refer to the Certificate of Title

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

3.1 section 8 - Human remains interred on land

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

also

contact the vendor for these details

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

4.1 section 5 - Notice requiring payment

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

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

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

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

5.4 section 55 - Order to remove or perform work

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

also

Contact the Local Government Authority for other details that might apply

5.5 section 56 - Notice to complete development

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

also

Contact the Local Government Authority for other details that might apply

5.6 section 57 - Land management agreement

Refer to the Certificate of Title

5.7 section 60 - Notice of intention by building owner

Contact the vendor for these details

5.8 section 69 - Emergency order

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

also

Contact the Local Government Authority for other details that might apply

5.9 section 71 - Fire safety notice

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

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

## 6. Repealed Act conditions

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

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

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

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

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

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

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

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

Act

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

## **19. *Land Tax Act 1936***

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

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

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

## **21. *Local Government Act 1999***

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

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

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

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

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

## **24. *Mining Act 1971***

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

24.9	Proclamation with respect to a private mine	Mineral Tenements in the Department of Energy and Mining has no record of any proclamation affecting this title
<b>25. <i>Native Vegetation Act 1991</i></b>		
25.1	Part 4 Division 1 - Heritage agreement	DEW Native Vegetation has no record of any agreement affecting this title also Refer to the Certificate of Title
25.2	section 25C - Conditions of approval regarding achievement of environmental benefit by accredited third party provider	DEW Native Vegetation has no record of any agreement affecting this title also Refer to the Certificate of Title
25.3	section 25D - Management agreement	DEW Native Vegetation has no record of any agreement affecting this title also Refer to the Certificate of Title
25.4	Part 5 Division 1 - Refusal to grant consent, or condition of a consent, to clear native vegetation	DEW Native Vegetation has no record of any refusal or condition affecting this title
<b>26. <i>Natural Resources Management Act 2004 (repealed)</i></b>		
26.1	section 97 - Notice to pay levy in respect of costs of regional NRM board	The regional landscape board has no record of any notice affecting this title
26.2	section 123 - Notice to prepare an action plan for compliance with general statutory duty	The regional landscape board has no record of any notice affecting this title
26.3	section 134 - Notice to remove or modify a dam, embankment, wall or other obstruction or object	The regional landscape board has no record of any notice affecting this title
26.4	section 135 - Condition (that remains in force) of a permit	The regional landscape board has no record of any notice affecting this title
26.5	section 181 - Notice of instruction as to keeping or management of animal or plant	The regional landscape board has no record of any notice affecting this title
26.6	section 183 - Notice to prepare an action plan for the destruction or control of animals or plants	The regional landscape board has no record of any notice affecting this title
26.7	section 185 - Notice to pay costs of destruction or control of animals or plants on road reserve	The regional landscape board has no record of any notice affecting this title
26.8	section 187 - Notice requiring control or quarantine of animal or plant	The regional landscape board has no record of any notice affecting this title
26.9	section 193 - Protection order to secure compliance with specified provisions of the Act	The regional landscape board has no record of any order affecting this title
26.10	section 195 - Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act	The regional landscape board has no record of any order affecting this title
26.11	section 197 - Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act	The regional landscape board has no record of any authorisation affecting this title
<b>27. <i>Outback Communities (Administration and Management) Act 2009</i></b>		
27.1	section 21 - Notice of levy or contribution payable	Outback Communities Authority has no record affecting this title

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

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

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

- 29.1 Part 5 - Planning and Design Code  
*[ Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*
- Contact the Local Government Authority for the title or other brief description of the zone or subzone in which the land is situated.
- also
- Heritage Branch in DEW has no record of a State Heritage Area created prior to 15 January 1994 under the former South Australian Heritage Act 1978 affecting this title
- also
- For details of this item, including State Heritage Areas which have been authorised or put under interim effect since 15 January 1994, contact the Local Government Authority
- also
- Contact the Local Government Authority for other details that might apply to a place of local heritage value
- also
- For details of declared significant trees affecting this title, contact the Local Government Authority
- also
- The Planning and Design Code (the Code) is a statutory instrument under the ***Planning, Development and Infrastructure Act 2016*** for the purposes of development assessment and related matters within South Australia. The Code contains the planning rules and policies that guide what can be developed in South Australia. Planning authorities use these planning rules to assess development applications. To search and view details of proposed statewide code amendments or code amendments within a local government area, please search the code amendment register on the SA Planning Portal:  
[https://plan.sa.gov.au/have\\_your\\_say/code-amendments/code\\_amendment\\_register](https://plan.sa.gov.au/have_your_say/code-amendments/code_amendment_register) or phone PlanSA on 1800 752 664.
- 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 has no record of any conditions that continue to apply, affecting this title
- also
- Contact the Local Government Authority for other details that might apply
- 29.3 section 139 - Notice of proposed work and notice may require access
- Contact the vendor for these details
- 29.4 section 140 - Notice requesting access
- Contact the vendor for these details
- 29.5 section 141 - Order to remove or perform work
- State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title
- also
- Contact the Local Government Authority for other details that might apply
- 29.6 section 142 - Notice to complete development
- State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title
- also
- Contact the Local Government Authority for other details that might apply
- 29.7 section 155 - Emergency order
- State Planning Commission in the Department for Housing and Urban Development

has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.8 section 157 - Fire safety notice

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

also

Contact the Local Government Authority for other details that might apply

29.9 section 192 or 193 - Land management agreement

Refer to the Certificate of Title

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

29.12 Part 16 Division 1 - Proceedings

Contact the Local Government Authority for details relevant to this item

also

Contact the vendor for other details that might apply

29.13 section 213 - Enforcement notice

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

also

Contact the Local Government Authority for other details that might apply

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

Contact the Local Government Authority for details relevant to this item

also

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

### 30. *Plant Health Act 2009*

30.1 section 8 or 9 - Notice or order concerning pests

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

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

31.1 Part 3 - Notice

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply

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

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

also

Contact the Local Government Authority for other details that might apply



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

- |      |   |   |
|------|---|---|
| 32.1 | section 66 - Direction or requirement to avert spread of disease  | Public Health in DHW has no record of any direction or requirement affecting this title   |
| 32.2 | section 92 - Notice   | Public Health in DHW has no record of any notice affecting this title<br><br>also<br><br>Contact the Local Government Authority for other details that might apply    |
| 32.3 | <i>South Australian Public Health (Wastewater) Regulations 2013</i> Part 4 - Condition (that continues to apply) of an approval | Public Health in DHW has no record of any condition affecting this title<br><br>also<br><br>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 | <b>An SA Water Certificate will be forwarded.<br/>If you do not receive the certificate please contact the SA Water Customer Contact Centre on 1300 650 950</b><br><br>also<br><br>The Office of the Technical Regulator in DEM has no record of any notice or order affecting this title<br><br>also<br><br>Lightsview Re-Water Supply Co Pty Ltd has no record of any notice or order affecting this title.<br><br>also<br><br>Robusto Investments Pty. Ltd. trading as Compass Springs has no current record of any notice or order affecting this title.<br><br>also<br><br>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<br><br>also<br><br>Contact the vendor for these details<br><br>also<br><br>Contact the Local Government Authority for other details that might apply |
|------|--|--|

## Other Particulars

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

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

## Additional Information

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

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

## Notices

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

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

#### Building restrictions

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

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

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

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

#### Statutory easements

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

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

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

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

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

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

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

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

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

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

Information should be obtained from:

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

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

Water Resources Management - Taking of underground water

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

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

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

## Certificate of Title

**Title Reference:** CT 5699/20  
**Status:** CURRENT  
**Edition:** 7

## Dealings

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

## Priority Notices

NIL

## Registrar-General's Notes

No Registrar-General's Notes exist for this title

## Certificate of Title

**Title Reference** CT 5699/20  
**Status** CURRENT  
**Easement** YES  
**Owner Number** 17033706  
**Address for Notices** 554 GRAND BVD SEAFORD, SA 5169  
**Area** 300m<sup>2</sup> (CALCULATED)

## Estate Type

Fee Simple

## Registered Proprietor

CHERIE SUSAN EGGLESTONE  
OF 554 GRAND BOULEVARD SEAFORD SA 5169

## Description of Land

ALLOTMENT 239 DEPOSITED PLAN 53099  
IN THE AREA NAMED SEAFORD  
HUNDRED OF WILLUNGA

## Last Sale Details

**Dealing Reference** TRANSFER (T) 13959515  
**Dealing Date** 18/01/2023  
**Sale Price** \$460,000  
**Sale Type** FULL VALUE / CONSIDERATION AND WHOLE OF LAND

## Constraints

### Encumbrances

Dealing Type	Dealing Number	Beneficiary
ENCUMBRANCE	8865755	SOUTH AUSTRALIAN HOUSING TRUST URBAN RENEWAL AUTHORITY
MORTGAGE	13959516	WESTPAC BANKING CORPORATION (ACN: 007 457 141)

### Stoppers

NIL

## Valuation Numbers

Valuation Number	Status	Property Location Address
8613227159	CURRENT	554 GRAND BOULEVARD, SEAFORD, SA 5169

## Notations

### Dealings Affecting Title

NIL

### Notations on Plan

NIL

### Registrar-General's Notes

NIL

### Administrative Interests

NIL

## Valuation Record

Valuation Number	8613227159
Type	Site & Capital Value
Date of Valuation	01/01/2024
Status	CURRENT
Operative From	01/07/2000
Property Location	554 GRAND BOULEVARD, SEAFORD, SA 5169
Local Government	ONKAPARINGA
Owner Names	CHERIE SUSAN EGGLESTONE
Owner Number	17033706
Address for Notices	554 GRAND BVD SEAFORD, SA 5169
Zone / Subzone	HDN - Housing Diversity Neighbourhood
Water Available	Yes
Sewer Available	Yes
Land Use	1100 - House
Description	5H CP P DIG
Local Government Description	Residential

## Parcels

Plan/Parcel	Title Reference(s)
D53099 ALLOTMENT 239	CT 5699/20

## Values

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$215,000	\$475,000			

Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Previous	\$186,000	\$440,000			

## Building Details

Valuation Number	8613227159
Building Style	Villa
Year Built	2001
Building Condition	Very Good
Wall Construction	Rendered
Roof Construction	Galvanised Iron
Equivalent Main Area	109 sqm
Number of Main Rooms	5

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



## Certificate of Title

**Title Reference:** CT 5699/20  
**Status:** CURRENT  
**Parent Title(s):** CT 5384/133  
**Dealing(s) Creating Title:** RTU 8750357  
**Title Issued:** 08/10/1999  
**Edition:** 7

## Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
18/01/2023	06/02/2023	13959516	MORTGAGE	REGISTERED	WESTPAC BANKING CORPORATION (ACN: 007 457 141)
18/01/2023	06/02/2023	13959515	TRANSFER	REGISTERED	CHERIE SUSAN EGGLESTONE
18/01/2023	06/02/2023	13959514	TRANSMISSION APPLICATION	REGISTERED	EILEEN ELIZABETH LAWMAN (DECD), SINDY ANN MCCLUSKEY (ADMN)
27/03/2012	02/05/2012	11744238	VESTING (GLOBAL UPDATE)	REGISTERED	URBAN RENEWAL AUTHORITY 8865755
30/05/2008	05/06/2008	10967401	APPLICATION TO NOTE DEATH	REGISTERED	WILLIAM EARNEST LAWMAN (DECD), EILEEN ELIZABETH LAWMAN
09/03/2007	14/04/2007	10658861	TRANSFER	REGISTERED	EILEEN ELIZABETH LAWMAN, WILLIAM EARNEST LAWMAN
29/11/2002	04/12/2002	9476335	TRANSFER	REGISTERED	FRED GREENWOOD, RUTH GREENWOOD, MICHAEL JOHN GREENWOOD
31/03/2000	12/04/2000	8865755	ENCUMBRANCE	REGISTERED	LAND MANAGEMENT CORPORATION, SOUTH AUSTRALIAN HOUSING TRUST
31/03/2000	12/04/2000	8865754	TRANSFER	REGISTERED	ARTHUR CHRISTOPHER PARKER, EILEEN MARGARET PARKER

Telephone (08) 8384 0666

**Certificate No: S73299/2025**

**Property Information And Particulars**

In response to an enquiry pursuant to Section 7 of the

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

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**TO:** Fentons Forms  
PO Box 298  
CHRISTIES BEACH SA 5165

**DETAILS OF PROPERTY REFERRED TO:**

ASSESSMENT NO	:	86223
VALUER GENERAL NO	:	8613227159
VALUATION	:	\$475,000.00
OWNER	:	Ms Cherie Susan Egglestone
PROPERTY ADDRESS	:	554 Grand Boulevard SEAFORD SA 5169
VOLUME/FOLIO	:	CT-5699/20
LOT/PLAN NUMBER	:	Allotment 239 Sec 341 DP 53099
WARD	:	01 South Coast Ward

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

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

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

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

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

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

## INFORMATION NOTE

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

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

#### **Development Act 1993 (repealed)**

##### *Section 42*

Condition (that continues to apply) of a development authorisation

YES

Application Number	145/367/2000
Description	DETACHED DWELLING AND FREESTANDING CARPORT
Decision	Approved
Decision Date	13 March 2000

##### **Development Plan Consent Conditions**

1. The front setback area (between the front property boundary and front of the house) shall be planted with suitable trees, shrubs, lawn and/or ground cover. Such landscaping shall be completed within 6 months of the occupation of the dwelling and maintained in good condition at all times.
2. The dwelling shall not be occupied until all essential services required for human habitation have been provided to the dwelling. Further:
  - a written statement satisfying the provisions of Regulation 83AB of the Development Regulations must be provided upon completion of building work;
  - a (trafficable road/formed and sealed road and watertable) must be provided to service the dwelling prior to occupation of the dwelling.

##### **Building Rules Consent Conditions**

1. The roof trusses for the sheet roof shall be:-
  - a proprietary product designed and manufactured by a licensed manufacturer based on a certified design complying with the requirements of AS1720.1-1988 and AS1649 utilising a design wind speed of not less than 33m/s, and
  - erected and braced in accordance with that manufacturers specificationBCA-P2.1/Part 3.4
2. Surface water collected from the rear of the dwelling shall be connected into the main stormwater system via surface inlet grates.  
BCA-P2.1/Part 3.1.2
3. Corrosion protection shall be applied to all wall ties, metal angles, bracing and tie down units in accordance with the requirements of Tables 3.3.3.1 & 3.4.4.2 of the BCA.  
BCA-P2.1/Parts 3.3 & 3.4

Application Number	145/2747/2000
Description	Pergola
Decision	Approved
Decision Date	19 October 2000

##### **Development Plan Consent Conditions**

1. All development shall be completed in accordance with the plans and documents submitted with and forming part of the development application.

##### **Building Rules Consent Conditions**

2. The concrete pads shall be 350mm square x 450mm deep.

#### **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.

#### **Native Vegetation**

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

#### **Prescribed Water Resources Area**

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

#### **Prescribed Wells Area**

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

#### **Regulated and Significant Tree**

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

#### **Stormwater Management**

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

#### **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

*Section 56*

Notice to complete development NO

*Section 57*

Land management agreement NO

*Section 69*

Emergency order NO

*Section 71 (only)*

Fire safety notice NO

*Section 84*

Enforcement notice NO

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

Enforcement Order NO

*Part 11 Division 2*

Proceedings NO

### **Fire and Emergency Services Act 2005**

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

Notice NO

*Section 56 (repealed)*

Notice issued NO

## **Food Act 2001**

### *Section 44*

Improvement notice *issued against the land*

NO

### *Section 46*

Prohibition order

NO

## **Housing Improvement Act 1940 (repealed)**

### *Section 23*

Declaration that house is undesirable or unfit for human habitation

NO

## **Land Acquisition Act 1969**

### *Section 10*

Notice of intention to acquire

NO

## **Local Government Act 1934 (repealed)**

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

NO

## **Local Government Act 1999**

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

NO

Refer to separate attachment for Rates and Charges

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

### *Section 30*

Nuisance or litter abatement notice *issued against the land*

NO

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

### *Section 139*

Notice of proposed work and notice may require access

NO

### *Section 140*

Notice requesting access

NO

### *Section 141*

Order to remove or perform work

NO

### *Section 142*

Notice to complete development

NO

### *Section 155*

Emergency order

NO

### *Section 157*

Fire safety notice

NO

### *Section 192 or 193*

Land Management Agreements

NO

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

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

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

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

<i>Section 92</i> Notice	NO
<i>South Australian Public Health (Wastewater) Regulations 2013</i> Part 4 – Condition (that continues to apply) of an approval	NO

<b>Particulars of building indemnity insurance</b> Details of Building Indemnity Insurance still in existence for building work on the land	NO
--	----

## **Particulars relating to environment protection**

<i>Further information held by council</i> Does the council hold details of any development approvals relating to: (a) commercial or industrial activity at the land; or (b) a change in the use of the land or part of the land (within the meaning of the <i>Development Act 1993</i> ) or the <i>Planning, Development and Infrastructure Act 2016</i> ?	NO
--	----

### **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*

YES

Does a Council drainage easement exist? – Refer to Certificate of Title of subdivision plans (ie Deposited Plans, Community Plans, File Plans etc) for details of easements in the interests of other State Departments or Agencies).

Easements over private land may show on a certificate of title and indicate that council or another authority have some form of infrastructure within them, such as stormwater drainage pipes or other services. Refer to [Encroachment over council easements](#) on our website for further information.

Are you aware of any encroachment on the Council easement?

NO

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

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

NO

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

### *Caveat*

NO

## Other

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

NO

### **PLEASE NOTE:**

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

This statement is made the 23 June 2025



Emma Moyle  
**Coordinator Development Support**  
**AUTHORISED OFFICER**



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**LOCAL GOVERNMENT RATES SEARCH**


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**TO:** Fentons Forms  
PO Box 298  
CHRISTIES BEACH SA 5165

24 June 2025

**DETAILS OF PROPERTY REFERRED TO:**

Property ID : 60563  
 Valuer General No : 8613227159  
 Valuation : \$475,000.00  
 Owner : Ms Cherie Susan Egglestone  
 Property Address : 554 Grand Boulevard SEAFORD SA 5169  
 Volume/Folio : CT-5699/20  
 Lot/Plan No : Allotment 239 Sec 341 DP 53099  
 Ward : 01 South Coast Ward

---

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

Rates balance (as of 30 Jun 2024) and/or Block Clearing Charges	\$0.00
Postponed Amount in Arrears (if applicable monthly interest of 0.58750%)	\$0.00
Fines (2%) and interest on arrears charged from previous financial year (monthly interest of 0.75416%)	\$0.00

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

<b>Total Rates Levied 2024-2025</b>	<b>\$1,691.19</b>
-------------------------------------	-------------------

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

Less Council Rebate. The Council Rebate ceases on sale and a pro-rata calculation will apply to the date of sale	\$0.00
Less Council Capping Rebate	\$0.00
Fines and interest charged in the current financial year (2% fine when rates first become overdue and 0.7625% interest applied per month thereafter)	\$0.00
Postponed Interest (0.59583% per month on total of postponed rates and interest)	\$0.00
Less paid current financial year	-\$1,691.19
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	\$0.00
Property Related Debts	\$0.00

**BPAY Biller Code:** 421503  
**Ref:** 1422310605634

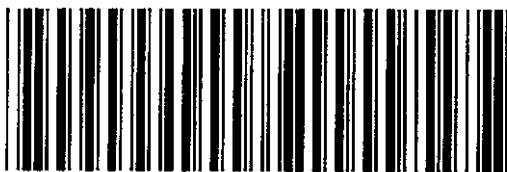
**TOTAL BALANCE****\$0.00**

**AUTHORISED OFFICER**  
Melissa Styles

This statement is made the 24 June 2025

Series No.
2
Prefix
E

# 8865755



## NOTES

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

### See Note 9

Appeared before me at the ..... day of ..... 19.....

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

Signed.....

### See Note 10

Appeared before me at the ..... day of ..... 19.....

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

Signed.....

## LANDS TITLES REGISTRATION OFFICE SOUTH AUSTRALIA

## MEMORANDUM OF ENCUMBRANCE

FORM APPROVED BY THE REGISTRAR-GENERAL

CERTIFIED CORRECT FOR THE PURPOSES  
OF THE REAL PROPERTY ACT 1886

*KTL*  
Solicitor/Licensed Land Broker/Encumbrancer

*Kim Tamara-lee Evans*

### BELOW THIS LINE FOR OFFICE USE ONLY

Date	31 MAR 2000	Time	14:10
FEES			
R.G.O.	POSTAGE	ADVERT	NEW C.T.
82			

### EXAMINATION

CORRECTION	PASSED
------------	--------

### BELOW THIS LINE FOR AGENT USE ONLY

#### AGENT CODE

Lodged by: *PROPERTE CONVEYANCERS. PRA*  
*17 BENTLEY ROAD*  
*CHRISTIES BUSH 5163*

Correction to: NORMAN WATERHOUSE NWAM

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

1. ....
  2. ....
  3. ....
  4. ....
  5. ....
- Assessor

PLEASE ISSUE NEW CERTIFICATES OF TITLE AS FOLLOWS

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

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

ITEM CT/CL REF.	AGENT CODE

DATED THIS

16<sup>th</sup>

DAY OF

March

2000

EXECUTION AND  
ATTESTATION  
(See Note 8)

SIGNED by the Owner(s) who )  
is/are either personally known to )  
me or has satisfied me as to )  
his/her identity )

A. B. Parker

B. M. Parker

L. Mathe Witness

Print Full Name

LINDA MATHEE

Address

~~1000~~ 19 Beach Rd  
Chickies Beach SA 5165

Telephone Number

8384 7404

REGISTERED 11 APR 2000  
...../...../19

pro



REGISTRAR-GENERAL

## MEMORANDUM OF ENCUMBRANCE

CERTIFICATE(S) OF TITLE BEING ENCUMBERED (See Note 3)	The whole of the land comprised in Certificate of Title Register Book Volume 5699 Folio 20	COMMISSIONER OF STATE TAXATION - LIMESTONE SA STAMP DUTY PAID \$0.00 ORIGINAL WITH 0 Cents
ESTATE AND INTEREST (See Note 4)	Estate in fee simple	EXEMPT / NOT CHARGEABLE REF NO: 234008 AUTH: NW 348 1 31/03/2000
ENCUMBRANCES (See Note 5)	Nil	
ENCUMBRANCER Full Name and Address (See Note 6)	<u>ARTHUR CHRISTOPHER PARKER and EILEEN MARGARET PARKER</u> both of Lot 239 Grand Boulevard Seaford Rise-SA 5169  (hereinafter referred to as "the Owner")	
ENCUMBRANCEE Full Name and Address (See Note 7)	<u>LAND MANAGEMENT CORPORATION</u> of Adelaide 5000 AND <u>SOUTH AUSTRALIAN HOUSING TRUST</u> of Adelaide 5000 <b>AS TENANTS IN COMMON</b>  (hereinafter referred to as "the Encumbrancees")	
(a) State the term of the annuity. If for life use the words "during his lifetime"	THE ENCUMBRANCER ENCUMBERS THE ESTATE AND INTEREST IN THE LAND ABOVE DESCRIBED FOR THE BENEFIT OF THE ENCUMBRANCEE SUBJECT TO THE ENCUMBRANCES AND OTHER INTERESTS AS SHOWN HEREON WITH AN ANNUITY OF  SEE PAGE 3 AND FOLLOWING PAGES	
	(a) TO BE PAID TO THE ENCUMBRANCEES  SEE PAGE 3 AND FOLLOWING PAGES	
(b) State the times appointed for payment of the annuity and any special covenants	(b) AT THE TIMES AND IN THE MANNER FOLLOWING  SEE PAGE 3 AND FOLLOWING PAGES	

IT IS COVENANTED BETWEEN THE ENCUMBRANCER AND ENCUMBRANCEE as follows:

See page 3 and following pages

- A. IN CONSIDERATION of the transfer of the said Land to the Owner by the Encumbrancee FOR VALUABLE CONSIDERATION: AND
- B. DESIRING TO render the said land available for the purpose of securing to the Encumbrancee the rent charge hereinafter mentioned and the performance and observance of the covenants on the part of the Owner hereinafter contained.

the Owner hereby encumbers the estate and interest herein specified in the land above described (the "said Land") for the benefit of the Encumbrancee subject however to the encumbrances as shown hereon with the rent charge payments set out in clause 1, which are payable on written demand by the Encumbrancee as set out in clause 1.

IT IS COVENANTED BETWEEN THE ENCUMBRANCER AND ENCUMBRANCEE as follows: (in addition and without prejudice to the covenants on the part of the Owner and the powers rights and remedies of the Encumbrancee implied herein under and by virtue of the provisions of the Real Property Act, 1886)

**1. Rent-Charge**

- 1.1 The Owner shall pay the Encumbrancee, on written demand by the Encumbrancee, the sum of \$1.00 per annum payable on the 1st day of July in each year commencing on the 1st day of July next after the execution of this instrument to the intent that the Encumbrancee will hold the rent charge in perpetuity (unless or until terminated in accordance with the terms of this instrument) and with the performance and observance of the covenants and other stipulations contained in this Encumbrance PROVIDED HOWEVER THAT the Encumbrancee shall not demand payment of the said sum if and so long as the Owner and its transferees shall duly perform and observe all the terms and conditions hereinafter contained (the burden of proving the performance and observance of which shall be borne by the Owner).
- 1.2 None of the provisions herein contained for or in respect of the payment of the said sum shall in any way affect or prejudice the rights of the Encumbrancee or any other person claiming under the Encumbrancee as purchaser of any part of parts of the Development Zone (being all the Land and allotments delineated in the plan deposited in the Lands Titles Registration Office Numbered 53706) to an injunction to prevent or restrain any breach of the covenants and other stipulations hereinafter contained or damages for any such breach.

**2. General Covenants**

The Owner for itself and its successors in title HEREBY COVENANTS with the Encumbrancee as proprietor of and with all other persons claiming under the Encumbrancee as purchaser of any part or parts of the Development Zone (to the intent that the benefit of

such covenants will be annexed to and devolve with each and every part of the Development Zone other than the said Land hereby encumbered) as follows:

- 2.1 Use
- 2.2 The Owner will not use or allow to be used the said Land or any part thereof for any purpose other than residential
- 2.3 Approvals for Site Building Works
- 2.4 The Owner will not erect, install, make or carry out or allow to be erected, installed, made or carried out any:
  - 2.4.1 building or structure (including a fence or wall of any nature whatsoever) in or over the said Land or any part thereof except in accordance with plans and a schedule of materials which are submitted by the Owner and are sufficient to outline the building or structure and which have received the prior written approval of the Encumbrancee; or
  - 2.4.2 any site works (including fencing, any excavation, any levelling or filling or any retaining wall or any driveway) on or about the said Land or any part thereof except in accordance with plans which are submitted by the Owner and are sufficient to outline the works and which have received the prior written approval of the Encumbrancee:
- 2.5 PROVIDED THAT the Encumbrancee will not unreasonably or capriciously refuse or withhold any such approval, but a refusal will not be or be deemed unreasonable or capricious if a registered architect in private practice has certified that the proposed works do not conform with the general standards of design and planning of the development of other lands within the Development Zone or that the proposed works are undesirable by reason of the effect that they would have upon the development, appearance, health or amenity of the neighbourhood or any part of it.
- 2.6 No Further Division
- 2.7 The Owner will not further divide the said Land
- 2.8 Building Before Resale
  - 2.8.1 The Owner will not:
    - 2.8.1.1 cause or permit the said Land to be resold or advertised for sale unless a residence has been constructed thereon or unless the Encumbrancee has consented in writing to such resale and/or advertising: or

- 2.8.1.2 permit the said Land to remain vacant for more than 12 months from the date hereof or such other date as the Encumbrancee may advise the Owner by which date the Owner must commence to construct a residence on the said Land in accordance with plans and specifications approved by the Encumbrancee, in default of which the Encumbrancee will have the option to repurchase the said Land by notice in writing to the Owner at the price paid by the Owner to the Encumbrancee, such Option to be exercised by notice posted to the Owner within 3 calendar months of expiry of the period mentioned at the beginning of this clause.

2.8.2 Building Delays

- 2.8.3 The Owner will not allow any undue delay to occur in the commencement or in the completion of any work approved by the Encumbrancee and no variation to such work as approved will be permitted other than in accordance with the terms of any subsequent written approval of the Encumbrancee given before such variation was commenced.

3. Breach by Owner

3.1 If:

- 3.1.1 the Owner makes default under any provision of this Encumbrance; or

- 3.1.1.1 having commenced erection of a residence within the period required, then fails to complete the building works within 12 calendar months after the date of commencement of construction as determined by the Encumbrancee

- 3.2 then and in such case the Encumbrancee may give to the Owner notice in writing to make good such default by commencing and proceeding with or completing rectification works or if applicable the completion of building works in accordance with the plans and specifications approved by the Encumbrancee, without delay.

- 3.3 The Owner will not obstruct or do anything which would prevent or hinder the Encumbrancee its servants agents or contractors from entering the said Land for the purpose of remedying any breach by the Owner of its obligations under this Encumbrance of which breach at least 14 days' notice in writing has been given to the Owner and which breach has not then been remedied.

- 3.4 The Owner will pay to the Encumbrancee on demand all costs (including legal costs) and expenses incurred by the Encumbrancee or its servants agents or contractors in respect of any breach by the Owner of its obligations under this Encumbrance and any action taken to rectify the same. All such costs may be



recovered in any court of competent jurisdiction in addition to the other powers available to the Encumbrancee in this Encumbrance.

**4. Successive Owners**

The Owner and the Owner's successors in title will be successively released from payment of the rent charge and observance of the covenants under this instrument forthwith upon ceasing to be registered as the proprietor in fee simple of the said Land to the intent that the rent charge and covenants under this instrument will be binding only on the registered proprietor for the time being of the said Land PROVIDED ALWAYS THAT the Encumbrancee's rights and remedies against any former registered proprietor of the said Land under this instrument will be expressly preserved in respect of any breach or default which occurred before transfer of the said Land by that registered proprietor.

**5. Waiver of this Encumbrance**

- 5.1 The Encumbrancee may from time to time in its absolute discretion modify waive or release any of the covenants and other stipulations herein contained or implied without being liable to the Owner.
- 5.2 No failure of the Encumbrancee to exercise any power given to it or to insist upon the strict compliance by the Owner with any obligations or conditions and no custom or practice of the parties or variance with the terms will constitute a waiver of the Encumbrancee's rights hereunder nor shall a waiver by the Encumbrancee of any particular default affect or impair the Encumbrancee's rights in respect of any subsequent default of the same or different nature.

**6. Waiver/Discharge of other Encumbrances**

- 6.1 The Encumbrancee may from time to time in its absolute discretion:
  - 6.1.1 modify waive or release any of the covenants and other stipulations expressed or implied in any Memorandum of Encumbrance or other instrument whatsoever relating to any other land in the Development Zone and whether the same were entered into or imposed before or at the same time as or after the date hereof and no such modification or waiver or release will release the Owner or his successors in title from the covenants and other stipulations herein contained and implied; or
  - 6.1.2 discharge one or more of the Memoranda of Encumbrance registered over the land in the Development Zone or transfer one or more of such Memoranda to such body or bodies as it in its absolute discretion deem fit;

AND it is hereby acknowledged and agreed that the Encumbrancee will not be liable for any loss or damage suffered by the Owner for or on account of or in any way whatsoever

arising out of or connected with any non-observance of or any failure to enforce any other provisions of this Encumbrance or of any other encumbrance.

- 6.2 The Owner will indemnify and keep indemnified the Encumbrancee and its agents and servants from and against all claims for any such loss or damage.

## **7. Termination**

- 7.1 If the Owner is not then in breach of the terms of this Encumbrance the Encumbrancee will at the written request of the Owner made on or after (and at the Owner's cost in all things) discharge this Encumbrance from the title for the land and release the Owner from further compliance with the covenants of this Encumbrance.
- 7.2 In any event, all rights and any obligations of the Encumbrancee (but not those of any person claiming under the Encumbrancee as purchaser of other land in the Development Zone) will cease as and from

## **8. Notices**

- 8.1 Any notice or demand to be given to or made upon the Owner hereunder may be given or made by posting or delivering the same in writing signed by any officer of or solicitor or agent for and on behalf of the Encumbrancee to or at the address of the Owner appearing on the front page of this Encumbrance or the last known place of abode or business of the Owner or by posting the same at any Post Office in an envelope directed to the Owner at any address aforesaid.
- 8.2 Any notice to be given to or served upon the Encumbrancee may be given or served by delivering the same at or sending the same through the Post Office addressed to the Encumbrancee at its principal office for the time being in Adelaide.
- 8.3 Any notice posted as aforesaid will be deemed to have been received 48 hours after the time of posting.

## **9. Severance**

Each word, phrase, sentence and clause (a "provision") of this Encumbrance is severable and if a court determines that a provision is unenforceable, illegal or void the court may sever that provision and such severance will not affect the other provisions of this Encumbrance.

## **10. Interpretation**

In this Encumbrance:

- 10.1 unless repugnant to the context words importing any particular gender will include all other genders and words importing the singular number will include the plural and vice versa;
- 10.2 the expression the "Owner" includes the registered proprietor for the time being of the said Land;
- 10.3 if there will be more than one person responsible hereunder as the Owner or as a successor in title to the Owner, the liability of each of such persons will be both joint and several; and
- 10.4 headings are used for convenience of reference only and will not affect the interpretation or construction of this Encumbrance.

AND subject as aforesaid the Encumbrancee will be entitled to all the powers rights and remedies given to encumbrancees by the Real Property Act 1886 (as amended).