

REAL PROPERTY ACT, 1886



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 5970 Folio 668

Parent Title(s) CT 5957/322  
Creating Dealing(s) RTU 10512223  
Title Issued 05/09/2006 Edition 5 Edition Issued 04/09/2019

## Estate Type

FEE SIMPLE

## Registered Proprietor

GARY TREVOR RAWLINS  
BROOKE JOY HUGHES  
OF 14 POWERS AVENUE MORPHETT VALE SA 5162  
AS JOINT TENANTS

## Description of Land

ALLOTMENT 53 DEPOSITED PLAN 71134  
IN THE AREA NAMED MOUNT COMPASS  
HUNDRED OF NANGKITA

## Easements

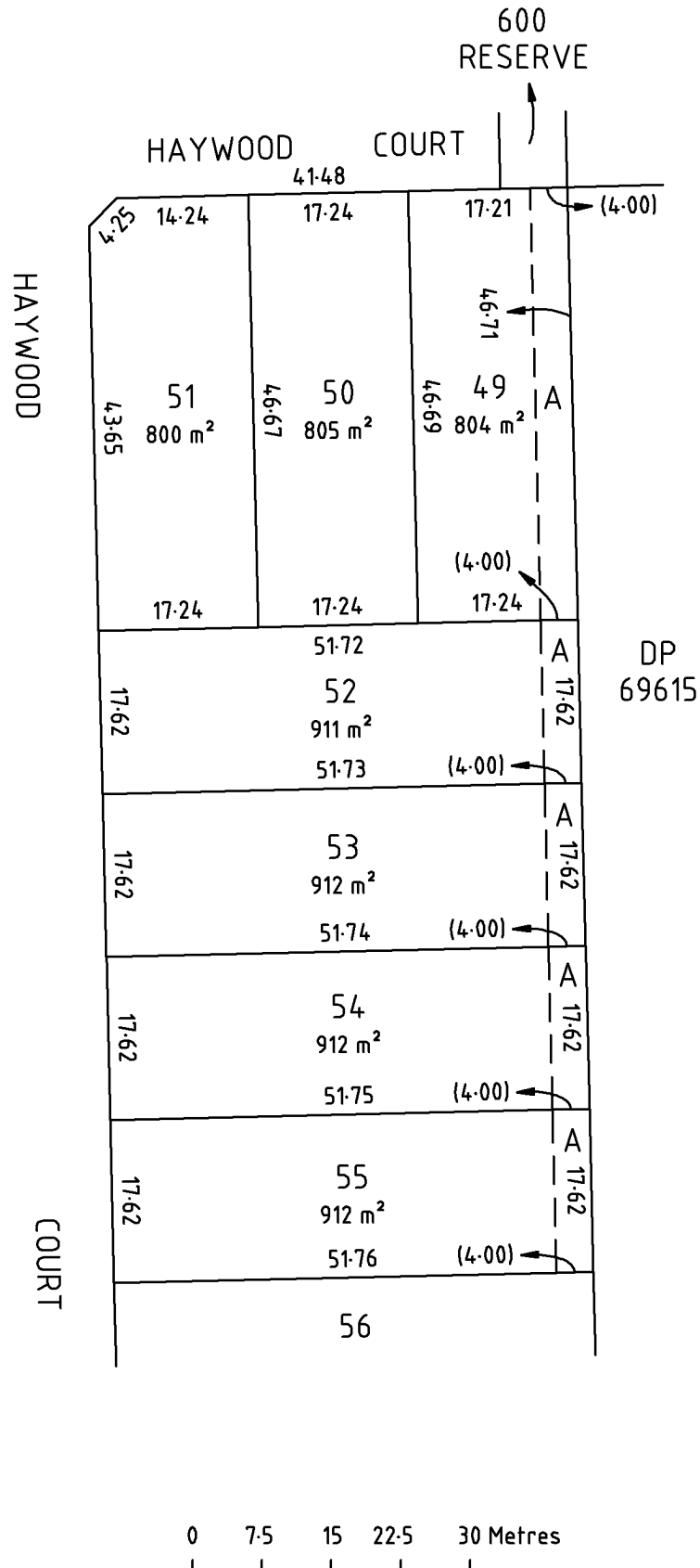
SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED A FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

## Schedule of Dealings

Dealing Number	Description
10849081	ENCUMBRANCE TO LOTTAFUN PTY. LTD. AND SENTIER PTY. LTD. AS TO THE SHARES SPECIFIED THEREIN (SINGLE COPY ONLY)
11308381	MORTGAGE TO BEYOND BANK AUSTRALIA LTD. (ACN: 087 651 143)

## Notations

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



# Property Interest Report

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

Title Reference	CT 5970/668	Reference No. 2604609
Registered Proprietors	G T*RAWLINS & ANR	Prepared 10/09/2024 16:19
Address of Property	26 HAYWOOD COURT, MOUNT COMPASS, SA 5210	
Local Govt. Authority	ALEXANDRINA COUNCIL	
Local Govt. Address	PO BOX 21 GOOLWA SA 5214	

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

## Table of Particulars

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

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

Prescribed encumbrance	Particulars (Particulars in bold indicates further information will be provided)
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### 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> |
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## **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 |
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## **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 |
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## **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 |
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## **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 |
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## **24. *Mining Act 1971***

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



24.9	Proclamation with respect to a private mine	Mineral Tenements in the Department of Energy and Mining has no record of any proclamation affecting this title
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## **25. *Native Vegetation Act 1991***

25.1	Part 4 Division 1 - Heritage agreement	DEW Native Vegetation has no record of any agreement affecting this title also Refer to the Certificate of Title
25.2	section 25C - Conditions of approval regarding achievement of environmental benefit by accredited third party provider	DEW Native Vegetation has no record of any agreement affecting this title also Refer to the Certificate of Title
25.3	section 25D - Management agreement	DEW Native Vegetation has no record of any agreement affecting this title also Refer to the Certificate of Title
25.4	Part 5 Division 1 - Refusal to grant consent, or condition of a consent, to clear native vegetation	DEW Native Vegetation has no record of any refusal or condition affecting this title

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

26.1	section 97 - Notice to pay levy in respect of costs of regional NRM board	The regional landscape board has no record of any notice affecting this title
26.2	section 123 - Notice to prepare an action plan for compliance with general statutory duty	The regional landscape board has no record of any notice affecting this title
26.3	section 134 - Notice to remove or modify a dam, embankment, wall or other obstruction or object	The regional landscape board has no record of any notice affecting this title
26.4	section 135 - Condition (that remains in force) of a permit	The regional landscape board has no record of any notice affecting this title
26.5	section 181 - Notice of instruction as to keeping or management of animal or plant	The regional landscape board has no record of any notice affecting this title
26.6	section 183 - Notice to prepare an action plan for the destruction or control of animals or plants	The regional landscape board has no record of any notice affecting this title
26.7	section 185 - Notice to pay costs of destruction or control of animals or plants on road reserve	The regional landscape board has no record of any notice affecting this title
26.8	section 187 - Notice requiring control or quarantine of animal or plant	The regional landscape board has no record of any notice affecting this title
26.9	section 193 - Protection order to secure compliance with specified provisions of the Act	The regional landscape board has no record of any order affecting this title
26.10	section 195 - Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act	The regional landscape board has no record of any order affecting this title
26.11	section 197 - Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act	The regional landscape board has no record of any authorisation affecting this title

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

27.1	section 21 - Notice of levy or contribution payable	Outback Communities Authority has no record affecting this title
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## 28. ***Phylloxera and Grape Industry Act 1995***

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

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

- 29.1 Part 5 - Planning and Design Code  
*[ Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]*
- Contact the Local Government Authority for the title or other brief description of the zone or subzone in which the land is situated.
- also
- Heritage Branch in DEW has no record of a State Heritage Area created prior to 15 January 1994 under the former South Australian Heritage Act 1978 affecting this title
- also
- For details of this item, including State Heritage Areas which have been authorised or put under interim effect since 15 January 1994, contact the Local Government Authority
- also
- Contact the Local Government Authority for other details that might apply to a place of local heritage value
- also
- For details of declared significant trees affecting this title, contact the Local Government Authority
- also
- Code Amendment**
- Residential Driveway Crossovers –draft design standard aiming to improve public safety and enhance streetscapes across SA. Minor changes to the Planning and Design Code have also been drafted to complement the design standard and support its delivery and are open for consultation as part of this process. For more information, refer to the 'Code Amendments' page on the PlanSA portal:  
[https://plan.sa.gov.au/have\\_your\\_say/](https://plan.sa.gov.au/have_your_say/) or phone PlanSA on 1800752664.
- Code Amendment**
- Goolwa North - The Designated Entity, Ambo Pty Ltd, is proposing to rezone approx. 241 hectares of land between Alexandrina Rd and Byrnes Rd, Goolwa (the Affected Area) to accommodate a low density and low scale residential community. For more information, refer to the 'Code Amendments' page on the PlanSA portal:  
[https://plan.sa.gov.au/have\\_your\\_say/](https://plan.sa.gov.au/have_your_say/) or phone PlanSA on 1800752664.
- Code Amendment**
- Statewide Bushfire Hazards Overlay - aims to review the current policy framework (spatial layers and policy content) of the six Hazard (Bushfire Risk) Overlays as well as explore other planning instruments and mechanisms to assist in mitigating bushfire hazard impacts. Please note that this Code Amendment only applies to a portion of some council areas. To understand if your property is affected, please check the bushfire hazard map at <https://plus.geodata.sa.gov.au/bushfire/index.html>. For more information, please visit [https://plan.sa.gov.au/have\\_your\\_say/](https://plan.sa.gov.au/have_your_say/) or contact PlanSA via email (PlanSA@sa.gov.au) or telephone (1800 752 664).
- Code Amendment**
- Old Bull Creek Road, Strathalbyn - Nevarc Developments Pty Ltd proposes to rezone approximately 19.9 hectares of land located approx. 1km from the town's main street. The Affected Area is zoned 'Deferred Urban' and 'Neighbourhood' and is identified within The 30-Year Plan for Greater Adelaide as 'planned urban lands to 2045'. For more information and to view the DPA online, visit the amendment webpage on the SA Planning Portal [https://plan.sa.gov.au/have\\_your\\_say/general\\_consultations](https://plan.sa.gov.au/have_your_say/general_consultations) or phone PlanSA on 1800752664.

### **Code Amendment**

Ancillary Accommodation and Student Accommodation Definitions Review Code

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

#### Code Amendment

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

#### Code Amendment

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

#### Code Amendment

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

#### Code Amendment

76 Kessell Road Goolwa - Seeks to facilitate the future development of this site, as an expansion of the adjoining Discovery Parks caravan park located at 40 Kessell Road. The intention is for 76 Kessell Road to be rezoned Caravan and Tourist Park, to align with the existing caravan park. For more information, visit the Code Amendments webpage on the SA Planning Portal [https://plan.sa.gov.au/have\\_your\\_say/general\\_consultations](https://plan.sa.gov.au/have_your_say/general_consultations) or phone PlanSA on 1800752664.

#### Code Amendment

Future Living - seeks to enhance housing diversity by providing housing options for smaller household types, and responding to the ageing demographics of the state's population by providing greater opportunities for ageing in place. For more information, visit the Code Amendments webpage on the SA Planning Portal [https://plan.sa.gov.au/have\\_your\\_say/general\\_consultations](https://plan.sa.gov.au/have_your_say/general_consultations) or phone PlanSA on 1800752664.

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

also

Contact the Local Government Authority for other details that might apply

29.7 section 155 - Emergency order State Planning Commission in the Department for Housing and Urban Development has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.8 section 157 - Fire safety notice Building Fire Safety Committee in the Department for Housing and Urban Development has no record of any order or notice affecting this title

also

Contact the Local Government Authority for other details that might apply

29.9 section 192 or 193 - Land management agreement Refer to the Certificate of Title

29.10 section 198(1) - Requirement to vest land in a council or the Crown to be held as open space State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply

29.11 section 198(2) - Agreement to vest land in a council or the Crown to be held as open space State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply

29.12 Part 16 Division 1 - Proceedings Contact the Local Government Authority for details relevant to this item

also

Contact the vendor for other details that might apply

29.13 section 213 - Enforcement notice State Planning Commission in the Department for Housing and Urban Development has no record of any conditions that continue to apply, affecting this title

also

Contact the Local Government Authority for other details that might apply

29.14 section 214(6), 214(10) or 222 - Enforcement order Contact the Local Government Authority for details relevant to this item

also

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

### 30. *Plant Health Act 2009*

30.1 section 8 or 9 - Notice or order concerning pests Plant Health in PIRSA has no record of any notice or order affecting this title

### 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	<i>Public and Environmental Health (Waste Control) Regulations 2010</i> (revoked) regulation 19 - Maintenance order (that has not been complied with)	Public Health in DHW has no record of any order affecting this title  also  Contact the Local Government Authority for other details that might apply
<b>32.</b>	<b><i>South Australian Public Health Act 2011</i></b>	
32.1	section 66 - Direction or requirement to avert spread of disease	Public Health in DHW has no record of any direction or requirement affecting this title
32.2	section 92 - Notice	Public Health in DHW has no record of any notice affecting this title  also  Contact the Local Government Authority for other details that might apply
32.3	<i>South Australian Public Health (Wastewater) Regulations 2013</i> Part 4 - Condition (that 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
<b>33.</b>	<b><i>Upper South East Dryland Salinity and Flood Management Act 2002 (expired)</i></b>	
33.1	section 23 - Notice of contribution payable	DEW has no record of any notice affecting this title
<b>34.</b>	<b><i>Water Industry Act 2012</i></b>	
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. If you do not receive the certificate please contact the SA Water Customer Contact Centre on 1300 650 950</b>  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.
<b>35.</b>	<b><i>Water Resources Act 1997 (repealed)</i></b>	
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
<b>36.</b>	<b>Other charges</b>	
36.1	Charge of any kind affecting the land (not included in another item)	Refer to the Certificate of Title  also  Contact the vendor for these details  also  Contact the Local Government Authority for other details that might apply

## Other Particulars

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

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

## Additional Information

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

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

## Notices

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

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

#### Building restrictions

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

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

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

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

#### Statutory easements

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

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

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

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

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

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

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

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

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

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

Information should be obtained from:

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

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

Water Resources Management - Taking of underground water

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

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

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



## Certificate of Title

**Title Reference:** CT 5970/668

**Status:** CURRENT

**Parent Title(s):** CT 5957/322

**Dealing(s) Creating Title:** RTU 10512223

**Title Issued:** 05/09/2006

**Edition:** 5

## Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
04/09/2019	04/09/2019	13168390	CHANGE OF NAME (GLOBAL ENDORSEMENT UPDATE)	REGISTERED	BEYOND BANK AUSTRALIA LTD. (ACN: 087 651 143) 11308381
10/12/2009	24/12/2009	11308381	MORTGAGE	REGISTERED	COMMUNITY CPS AUSTRALIA LTD.
10/12/2009	24/12/2009	11308380	TRANSFER	REGISTERED	GARY TREVOR RAWLINS, BROOKE JOY HUGHES
10/12/2009	24/12/2009	11308379	DISCHARGE OF MORTGAGE	REGISTERED	10902634
16/03/2009	19/05/2009	11138514A	VESTING (GLOBAL UPDATE)	REGISTERED	BENDIGO & ADELAIDE BANK LTD. (ACN: 068 049 178) 10902634
18/02/2008	04/03/2008	10902634	MORTGAGE	REGISTERED	ADELAIDE BANK LTD. (ACN: 061 461 550)
18/02/2008	04/03/2008	10902633	TRANSFER	REGISTERED	DUAN KIM RHYS VALLANCE
30/11/2007	30/01/2008	10849081	ENCUMBRANCE	REGISTERED	LOTTAFUN PTY. LTD. (ACN: 007 844 644), SENTIER PTY. LTD. (ACN: 008 215 665)
30/11/2007	30/01/2008	10849080	TRANSFER	REGISTERED	PIONEER HOMES AUSTRALIA PTY. LTD. (ACN: 010 869 477)
30/11/2007	30/01/2008	10849079	DISCHARGE OF MORTGAGE	REGISTERED	10065938
10/09/2004	20/09/2004	10065938	MORTGAGE	REGISTERED	COMMONWEALTH BANK OF AUSTRALIA

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## Certificate of Title

**Title Reference:** CT 5970/668  
**Status:** CURRENT  
**Edition:** 5

## 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 5970/668  
**Status** CURRENT  
**Easement** YES  
**Owner Number** 15204073  
**Address for Notices** PO BOX 558 MOUNT COMPASS 5210  
**Area** 912m<sup>2</sup> (CALCULATED)

## Estate Type

Fee Simple

## Registered Proprietor

GARY TREVOR RAWLINS  
BROOKE JOY HUGHES  
OF 14 POWERS AVENUE MORPHETT VALE SA 5162  
AS JOINT TENANTS

## Description of Land

ALLOTMENT 53 DEPOSITED PLAN 71134  
IN THE AREA NAMED MOUNT COMPASS  
HUNDRED OF NANGKITA

## Last Sale Details

**Dealing Reference** TRANSFER (T) 11308380  
**Dealing Date** 10/12/2009  
**Sale Price** \$110,000  
**Sale Type** TRANSFER FOR FULL MONETARY CONSIDERATION

## Constraints

### Encumbrances

Dealing Type	Dealing Number	Beneficiary
ENCUMBRANCE	10849081	LOTTAFUN PTY. LTD. (ACN: 007 844 644) SENTIER PTY. LTD. (ACN: 008 215 665)
MORTGAGE	11308381	BEYOND BANK AUSTRALIA LTD. (ACN: 087 651 143)

### Stoppers

NIL

## Valuation Numbers

Valuation Number	Status	Property Location Address
4553438203	CURRENT	26 HAYWOOD COURT, MOUNT

Valuation Number	Status	Property Location Address
		COMPASS, SA 5210

## Notations

### Dealings Affecting Title

NIL

### Notations on Plan

NIL

### Registrar-General's Notes

NIL

### Administrative Interests

NIL

## Valuation Record

<b>Valuation Number</b>	4553438203
<b>Type</b>	Site & Capital Value
<b>Date of Valuation</b>	01/01/2024
<b>Status</b>	CURRENT
<b>Operative From</b>	01/07/2007
<b>Property Location</b>	26 HAYWOOD COURT, MOUNT COMPASS, SA 5210
<b>Local Government</b>	ALEXANDRINA
<b>Owner Names</b>	GARY TREVOR RAWLINS BROOKE JOY HUGHES
<b>Owner Number</b>	15204073
<b>Address for Notices</b>	PO BOX 558 MOUNT COMPASS 5210
<b>Zone / Subzone</b>	N - Neighbourhood
<b>Water Available</b>	Yes
<b>Sewer Available</b>	No
<b>Land Use</b>	1100 - House
<b>Description</b>	8HDGV
<b>Local Government Description</b>	Residential

## Parcels

Plan/Parcel	Title Reference(s)
D71134 ALLOTMENT 53	CT 5970/668

## Values

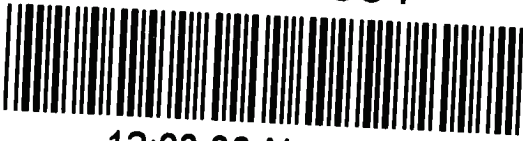
Financial Year	Site Value	Capital Value	Notional Site Value	Notional Capital Value	Notional Type
Current	\$168,000	\$710,000			
Previous	\$160,000	\$590,000			

## Building Details

Valuation Number	4553438203
Building Style	Federation
Year Built	2011
Building Condition	Very Good
Wall Construction	Brick
Roof Construction	Galvanised Iron
Equivalent Main Area	260 sqm
Number of Main Rooms	8

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

E 10849081



12:03 30-Nov-2007

Single Copy Only

3 of 7

Fees: \$108.00

LANDS TITLES REGISTRATION  
OFFICE  
SOUTH AUSTRALIA

MEMORANDUM OF ENCUMBRANCE


FORM APPROVED BY THE REGISTRAR-GENERAL

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

Prefix
E
Series No.
3

**BELOW THIS LINE FOR AGENT USE ONLY**

CERTIFIED CORRECT FOR THE PURPOSES  
OF THE REAL PROPERTY ACT 1886

  
Solicitor/Registered Conveyancer/Encumbrancee

SM DAVIE

AGENT CODE

Lodged by: C. MUSCAT

CJMI

Correction to: Webster Davies Conveyancers v189

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

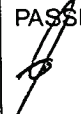
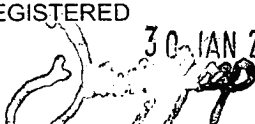

1. ....
2. ....
3. ....
4. ....

PLEASE ISSUE NEW CERTIFICATE(S) OF TITLE AS FOLLOWS

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

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

ITEM(S)	AGENT CODE

CORRECTION	PASSED 
REGISTERED  30 JAN 2003	DEC 2007  PRO REGISTRAR-GENERAL

DATED.....

29-11-07

## EXECUTION

Signature of ENCUMBRANCER

Signature of ENCUMBRANCER

Signature of WITNESS - Signed in my presence by the ENCUMBRANCER who is either personally known to me or has satisfied me as to his or her identity. A penalty of up to \$2000 or 6 months imprisonment applies for improper witnessing.

Signature of WITNESS - Signed in my presence by the ENCUMBRANCER who is either personally known to me or has satisfied me as to his or her identity. A penalty of up to \$2000 or 6 months imprisonment applies for improper witnessing.

Print Full name of Witness (BLOCK LETTERS)

Print Full name of Witness (BLOCK LETTERS)


Address of Witness

Business Hours Telephone No

Address of Witness

Business Hours Telephone No

SIGNED by ANDREW PETER HURT as Operations Manager SA and STEVEN WEIGHTMAN as Regional Manager - South Australia both of 212 Pirie Street Adelaide SA 5000 as attorneys for the Transferee PIONEER HOMES AUSTRALIA PTY. LTD. pursuant to Power of Attorney No.10401559 in the presence of :-

  
.....  
Andrew Peter Hurt  
.....  
Steven Weightman  
..... Witness

..... Full Name

..... Address

..... Business / Daytime telephone No.

5. The rights and obligations of the Encumbrancee will cease 12 months after the Encumbrancee ceases to be the registered proprietor of any of the residential building allotments created in Deposited Plan No: 71134.
6. That the Encumbrancer and their successors in title shall be successively released and discharged from the payment of the annuity and observance and performance of the covenants and other stipulations herein contained and implied forthwith upon ceasing to be registered as the proprietor of the encumbered land to the intent that the said annuity and covenants and other stipulations shall be binding only upon the registered proprietor for the time being of the encumbered land provided that nothing in this clause shall be construed so as to release any Encumbrancer from any obligation or liability in respect of any breach of any covenant or other stipulation herein contained which occurred or arose prior to him ceasing to be the registered proprietor of the encumbered land.
7. That any notice or demand to be served or made or given upon the Encumbrancer by the Encumbrancee hereunder shall be deemed to be duly served or made or given if the same be served personally upon the Encumbrancer or left at the last known or usual place of abode of the Encumbrancer or enclosed in any envelope addressed to the Encumbrancer at the Encumbrancer's last known address and posted at any Post Office in the State or if the Encumbrancer is a body corporate served personally at its registered office in the State or enclosed in an envelope addressed to the Encumbrancer at the registered office of the Encumbrancer in the State and posted at any Post Office in the State and any such demand or notice shall take effect and be deemed to have been duly served or given upon the same day that it was so served, left, or posted.
8. AND subject as aforesaid the Encumbrancee shall be entitled to all the powers and remedies given to an Encumbrancee by the Real Property Act 1886 as amended from time to time.
9. That the interpretation of this Memorandum of Encumbrance where the context admits and (where applicable) notwithstanding any previous more limited meaning :-
  - (a) 'the Encumbrancer' shall include the persons named on the first page of this Memorandum of Encumbrance as the Encumbrancer and their respective heirs, executors, administrators, assigns and all successors in title to each and every part of the land comprised in Certificate of Title Register Book Volume 5979 Folio 668;
  - (b) 'the Encumbrancee' shall include the persons or company named on the first page of this Memorandum of Encumbrance as the Encumbrancee and their respective heirs, executors, administrators, and assigns.
  - (c) 'the encumbered land' means the land comprised in Certificate of Title Register Book Volume 5970 Folio 668 ;



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

1. That the land subject to the burden of this Memorandum of Encumbrance is the encumbered land.
2. The Encumbrancer must adhere to any development guidelines issued by the Encumbrancee from time to time relating to carrying out any development on the land.
3. That as regards the construction or erection of any improvements on the encumbered land the Encumbrancer shall not :-
  - (a) use second hand or used materials in the construction of any dwelling house or domestic outbuildings;
  - (b) the Encumbrancer shall not use or permit the said land or any part thereof to be used for any purpose other than a private residence;
  - (c) erect or suffer to be erected or to remain thereon a transportable dwelling house, nor any caravan, tent or other temporary dwelling;
  - (d) Unless otherwise approved by the Encumbrancee the Encumbrancer will not erect or cause or permit to be erected on the said land any building scheme which does not provide accommodation for at least one vehicle either in the form of a carport under main roof of the building or other suitable freestanding car accommodation having a roof line substantially similar in style and of the same roofing materials as that of the principal dwelling.
  - (e) The Encumbrancer shall not further subdivide the said land or any part thereof or create any additional allotments from it;
  - (f) It is covenanted agreed and declared between the Encumbancer and the Encumbrancee that the Encumbrancer will within 12 calendar months after the completion of the erection of a private residence upon the said land prepare and develop in the form of landscaping and thereafter maintain the said land between the front alignment of the said private residence and the kerb alignment or pedestrian walkway fronting or bordering the said land in good order and condition;
  - (g) That without the approval in writing of the Encumbrancee no fences or walls shall be constructed along any part of the boundary of the said which is forward of the front of the main dwelling EXCEPT where the land is a corner allotment, in which case the fence on the rear boundary may extend the full length of such rear boundary;
  - (h) Erect or suffer to be erected any fence on the said land less than 1800mm in height and shall be of "good neighbour" modular style in the colour "Terrace" (formerly known as "Marino") on both sides and if the said land shall adjoin a reserve ARC garden fencing materials 1800mm in height and of a black colour or its equivalent shall be acceptable;
  - (i) The Encumbrancer shall not make any claim against the Encumbrancee for the cost of or contribution toward the cost of erecting a fence between the encumbered land and land owned by the Encumbrancee;
4. That 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.

081

## MEMORANDUM OF ENCUMBRANCE

### CERTIFICATE(S) OF TITLE BEING ENCUMBERED

The whole of the land comprised in Certificate of Title Register Book Volume 5970 Folio 668

### ESTATE AND INTEREST

Estate in Fee Simple

### ENCUMBRANCES

Nil

### ENCUMBRANCER (Full name and address)

PIONEER HOMES AUSTRALIA PTY. LTD. ACN 010 869 477 of 212 Pirie Street Adelaide SA 5000

PIONEER

### ENCUMBRANCEE (Full name, address and mode of holding)

LOTTAFUN PTY. LTD. ACN 007 844 644 of 1 undivided 2<sup>nd</sup> part of PO Box 229 Aldinga SA 5173  
and SENTIER PTY. LTD. ACN 008 215 665 of 1 undivided 2<sup>nd</sup> part of PO Box 164 McLaren Vale  
SA 5171

### OPERATIVE CLAUSE

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 OR RENT CHARGE OF

(a) Insert the amount of the annuity or rent charge

(a) Ten Cents (10c)

(b) State the term of the annuity or rent charge.  
If for life use the words "during his or her lifetime"

(b) TO BE PAID TO THE ENCUMBRANCEE  
for Nine Hundred and Ninety Nine (999) Years from  
the date of this Encumbrance

(c) State the times appointed for payment of the annuity  
or rent charge. Any special covenants may be inserted  
in the following panel.

(c) AT THE TIMES AND IN THE MANNER FOLLOWING

The Encumbrancer shall pay to the Encumbrancee the annuity (if demanded by the Encumbrancee) on the 1<sup>st</sup> day of January in each and every year commencing on the 1<sup>st</sup> day of January next after the date of this Memorandum of Encumbrance provided that the Encumbrancee shall not demand payment of the annuity, if and so long as the Encumbrancer shall duly perform and observe all of the covenants and other stipulations hereinafter contained (and the burden of proving such performance and observance shall lie on the Encumbrancer) but none of the foregoing provisions for or in respect of the payment of the annuity shall in any way affect or prejudice the rights of the Encumbrancee to an injunction to prevent or restrain any breach of the covenants and other stipulations hereinafter contained or to damages for any such breach and the Encumbrancer for themselves and their respective heirs, executors, administrators, assigns and successors in title **DOES HEREBY COVENANT** with the Encumbrancee :-

DP 71134

THIS IS SHEET 1 OF 3 SHEETS

DEPOSITED 31/ 8 /2006  
ACCEPTED FOR FILING PRO REGISTRAR GENERAL  
MAP REF. 6627/32 & 39 DEV. No. 455/D099/04-002  
TITLE SYSTEM RPA  
TITLE REFERENCE CT 5957/322

O.B./LAST PLAN REF. DP 51854 TOTAL AREA 6.888ha

DOCKET No.  
FIELD BOOK No.

CLOSURE CHECKED	PLAN EXAMINED	PLAN APPROVED	P.M.S. APPROVED
ST.	186	986 7/7/06	-

IRRIGATION AREA ..... DIVISION .....  
HUNDRED ..... NANGKITA .....  
AREA ..... MOUNT COMPASS .....  
COUNCIL ..... ALEXANDRINA COUNCIL .....

PLAN OF DIVISION  
ALLOTMENT 502 IN DP 70026  
OF SEC 319

SCALE 0 50 100 150 METRES

STATEMENTS CONCERNING EASEMENTS ANNOTATIONS AND AMENDMENTS

PORTION OF ALLOTMENTS 49, 52 TO 56, INCLUSIVE, 58, 59, 60 & 61 MARKED A IS TO BE SUBJECT TO A SERVICE EASEMENT TO THE COUNCIL FOR THE AREA FOR DRAINAGE PURPOSES

PORTIONS OF ALLOTMENT 600 (RESERVE) MARKED B ARE TO BE SUBJECT TO A SERVICE EASEMENT TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO L8890000) FOR ELECTRICITY SUPPLY PURPOSES

PORTION OF ALLOTMENT 600 (RESERVE) MARKED C(T/F) IS TO BE SUBJECT TO A SERVICE EASEMENT TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO L8890000) FOR ELECTRICITY SUPPLY PURPOSES

PORTIONS OF ALLOTMENT 600 (RESERVE) MARKED D IS TO BE SUBJECT TO A SERVICE EASEMENT TO THE SOUTH AUSTRALIAN WATER CORPORATION FOR WATER SUPPLY PURPOSES

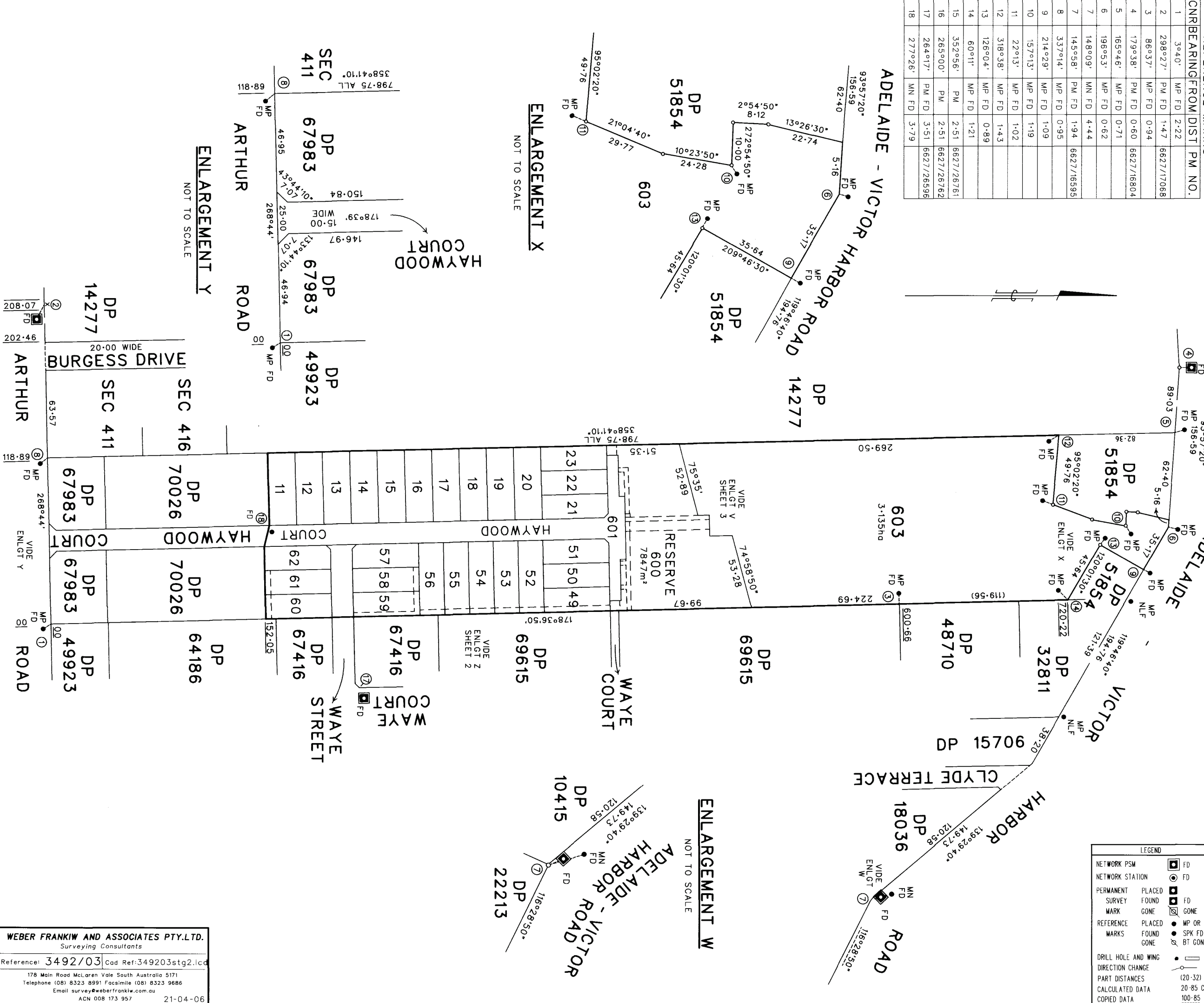
PC PLANS  
ALL DISTANCES ARE GROUND DISTANCES

COMBINED SCALE FACTOR 1:10000.1. ZONE 54. MGA. 94.  
BEARING DATUM: 117°36'23". DISTANCE 475.57  
DERIVED FROM PM's 6627/16804 & 6627/16595.

I, JOHN LESLIE WEBER  
licensed surveyor of South Australia do hereby certify -  
(1) That this plan has been made from surveys carried out by me or under my personal supervision and in accordance with the Survey Act 1992  
(2) That the field work was completed on the 17th day of March 20 06  
excepting for the final placement of survey marks.

Date 22-6-06  
Licensed Surveyor

CNR BEARING FROM DIST	PM NO.
1 3°40'	MP FD 2.22
2 298°27'	PM FD 1.47 6627/17068
3 86°37'	MP FD 0.94
4 179°38'	PM FD 0.60 6627/16804
5 165°46'	MP FD 0.71
6 196°53'	MP FD 0.62
7 148°09'	MN FD 4.44
7 145°58'	PM FD 1.94 6627/16595
8 337°14'	MP FD 0.95
9 214°29'	MP FD 1.09
10 157°13'	MP FD 1.19
11 22°13'	MP FD 1.02
12 318°38'	MP FD 1.43
13 126°04'	MP FD 0.89
14 60°11'	MP FD 1.21
15 352°56'	PM 2.51 6627/26761
16 265°00'	PM 2.51 6627/26762
17 264°17'	PM FD 3.51 6627/26596
18 277°26'	MN FD 3.79



LEGEND	
NETWORK PSM	FD
NETWORK STATION	FD
PERMANENT	FD
SURVEY	FD
MARK	GONE
REFERENCE	MP OR RM
MARKS	SPK FD
	BT GONE
DRILL HOLE AND WING	
DIRECTION CHANGE	(20-32)
PART DISTANCES	20-85 CALC.
CALCULATED DATA	100-85
COPIED DATA	

WEBER FRANKIW AND ASSOCIATES PTY.LTD.  
Surveying Consultants  
Reference: 3492/03 Cad Ref:349203stg2.lcd  
178 Main Road McLaren Vale South Australia 5171  
Telephone (08) 8323 8991 Facsimile (08) 8323 9686  
Email survey@weberfrankiw.com.au  
ACN 008 173 957 21-04-06

ENLARGEMENT 2  
SCALE AS SHOWN

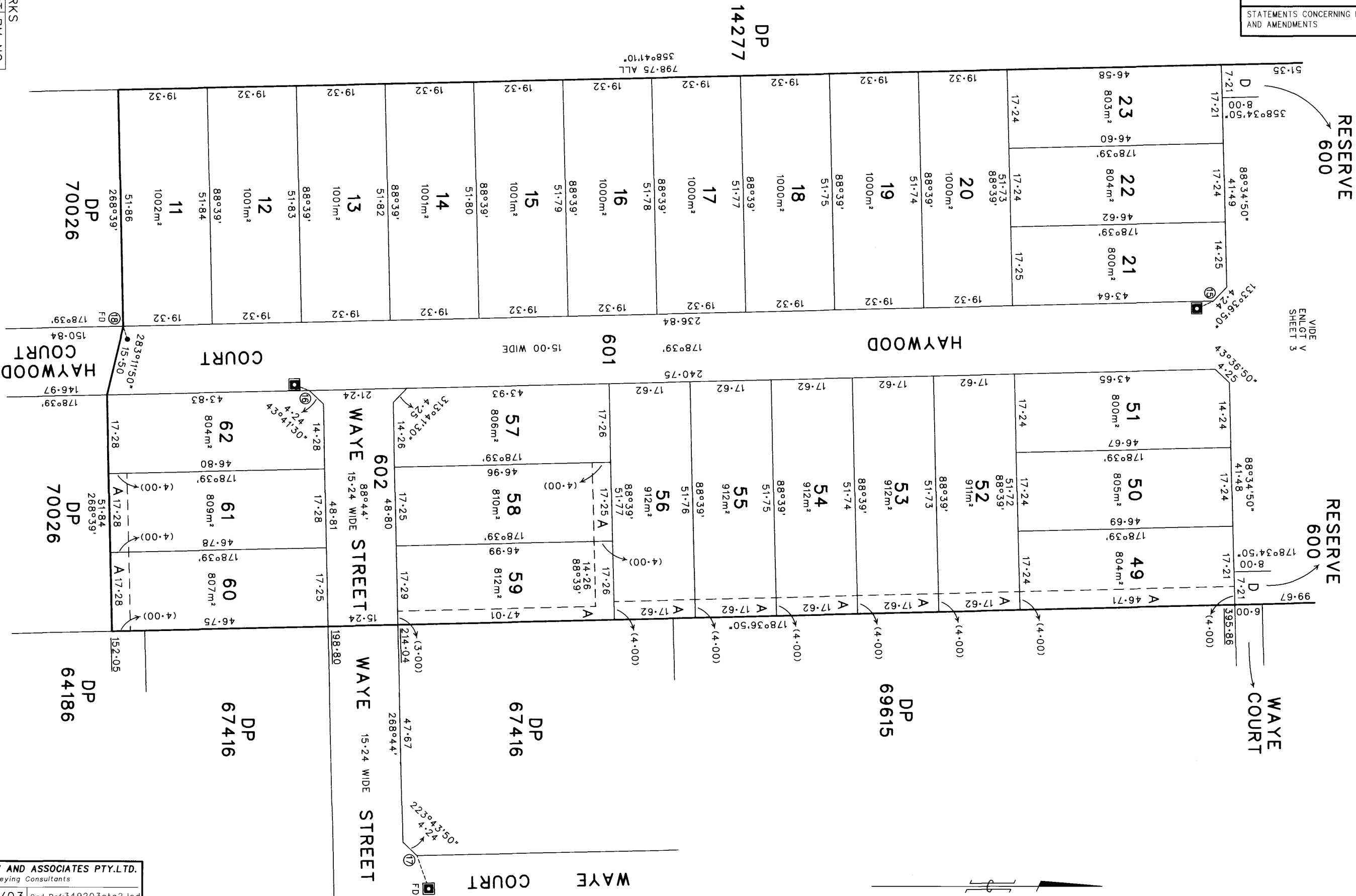
PLAN NUMBER  
**DP 71134**

DEPOSITED 31/ 8 /2006 *Paul B. Sigurdson*  
ACCEPTED FOR FILING PRO REGISTRAR GENERAL

THIS IS SHEET 2 OF MY PLAN IN 3 SHEETS  
DATED 22 / 06 /2006  
*[Signature]*  
LICENSED SURVEYOR

SCALE 10 20 30 40 METRES 50

STATEMENTS CONCERNING EASEMENTS ANNOTATIONS AND AMENDMENTS



REFERENCE MARKS		
CNR BEARING FROM DIST	PM NO.	
15	352°56'	PM
16	265°00'	PM
17	264°17'	PM
18	277°26'	MN

PLAN NUMBER  
**DP 71134**

DEPOSITED 31/ 8 /2006 *Paul B. ...*  
ACCEPTED FOR FILING PRO REGISTRAR GENERAL

THIS IS SHEET 3 OF MY PLAN IN 3 SHEETS  
DATED 22 / 06 /2006  
*[Signature]*  
LICENSED SURVEYOR

0 SCALE 5 10 15 METRES 20

STATEMENTS CONCERNING EASEMENTS ANNOTATIONS AND AMENDMENTS

REFERENCE MARKS				
CNR	BEARING	FROM	DIST	PM NO.
15	352°56'	PM	2.51	6627/26761

**ENLARGEMENT V**  
SCALE AS SHOWN

