

Form 1 - Vendor's statement

(Section 7 *Land and Business (Sale and Conveyancing) Act 1994*)

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Schedule

Preliminary

To the purchaser:

The purpose of a statement under section 7 of the *Land and Business (Sale and Conveyancing) Act 1994* is to put you on notice of certain particulars concerning the land to be acquired.

If you intend to carry out building work on the land, change the use of the land or divide the land, you should make further inquiries to determine whether this will be permitted. For example, building work may not be permitted on land not connected to a sewerage system or common drainage scheme if the land is near a watercourse, dam, bore or the River Murray and Lakes.

The *Aboriginal Heritage Act 1988* protects any Aboriginal site or object on the land. Details of any such site or object may be sought from the "traditional owners" as defined in that Act.

If you desire additional information, it is up to you to make further inquiries as appropriate.

Instructions to the vendor for completing this statement:

☐ means the Part, Division, particulars or item may not be applicable.

If it is applicable, ensure the box is ticked and complete the Part, Division, particulars or item.

If it is not applicable, ensure the box is empty or strike out the Part, Division, particulars or item. Alternatively, the Part, Division, particulars or item may be omitted, but not in the case of an item or heading in the table of particulars in Division 1 of the Schedule that is required by the instructions at the head of that table to be retained as part of this statement.

** means strike out or omit the option that is not applicable.*

All questions must be answered with a YES or NO (inserted in the place indicated by parentheses below or to the side of the question).

If there is insufficient space to provide any particulars required, continue on attachments.

Part A—Parties and land

1. Purchaser:

Address:

Street 1: _____

Suburb: _____ State: _____ Postcode: _____

2. Purchaser's registered agent:

Address:

Street 1: _____

Suburb: _____ State: _____ Postcode: _____

3. Vendor:

ADELAIDE HILLS COUNCIL PURSUANT TO s184 OF THE LOCAL GOVERNMENT ACT 1999

Address:

Street 1: 63 MOUNT BARKER ROAD

Suburb: STIRLING State: SA Postcode: 5152

4. Vendor's registered agent:

BRENTON WARD REL ESTATE

Address:

Street 1: 76 HEWITT AVENUE

Suburb: ROSE PARK State: SA Postcode: 5067

5. Date of contract: (if made before this statement is served)

6. Description of the land: (Identify the land including any certificate of title reference)

Street 1: 31 OLIVEDALE STREET

Suburb: BIRDWOOD State: SA Postcode: 5234

being the *whole / ~~portion~~ of the land comprised in Certificate of Title

VOLUME 5384 FOLIO 452

Part B—Purchaser's cooling-off rights and proceeding with the purchase

To the purchaser:

Right to cool-off (section 5)

1. Right to cool-off and restrictions on that right

You may notify the vendor of your intention not to be bound by the contract for the sale of the land UNLESS:

- (a) you purchased by auction; or
- (b) you purchased on the same day as you, or some person on your behalf, bid at the auction of the land; or
- (c) you have, before signing the contract, received independent advice from a legal practitioner and the legal practitioner has signed a certificate in the prescribed form as to the giving of that advice; or
- (d) you are a body corporate and the land is not residential land; or
- (e) the contract is made by the exercise of an option to purchase not less than 5 clear business days after the grant of the option and not less than 2 clear business days after service of this form; or
- (f) the sale is by tender and the contract is made not less than 5 clear business days after the day fixed for the closing of tenders and not less than 2 clear business days after service of this form; or
- (g) the contract also provides for the sale of a business that is not a small business.

2. Time for service

The cooling-off notice must be served:

- (a) if this form is served on you before the making of the contract—before the end of the second clear business day after the day on which the contract was made; or
- (b) if this form is served on you after the making of the contract—before the end of the second clear business day from the day on which this form is served.

However, if this form is not served on you at least 2 clear business days before the time at which settlement takes place, the cooling-off notice may be served at any time before settlement.

3. Form of cooling-off notice

The cooling-off notice must be in writing and must be signed by you.

4. Methods of service

The cooling-off notice must be:

- (a) given to the vendor personally; or
- (b) posted by registered post to the vendor at the following address:
63 MOUNT BARKER ROAD STIRLING SA 5152

(being the vendor's last known address); or
- (c) transmitted by fax or email to the following fax number or email address:
brenton@brentonward.com.au

(being a number or address provided to you by the vendor for the purpose of service of the notice); or
- (d) left for the vendor's agent (with a person apparently responsible to the agent) at, or posted by registered post to the agent at, the following address:
76 HEWITT AVENUE ROSE PARK SA 5067

(being *the agent's address for service under the *Land Agents Act 1994* / an address nominated by the agent to you for the purpose of service of the notice).

Note:

Section 5(3) of the *Land and Business (Sale and Conveyancing) Act 1994* places the onus of proving the giving of the cooling-off notice on the purchaser. It is therefore strongly recommended that:

- (a) if you intend to serve the notice by leaving it for the vendor's agent at the agent's address for service or an address nominated by the agent, you obtain an acknowledgment of service of the notice in writing;
- (b) if you intend to serve the notice by fax or email, you obtain a record of the transmission of the fax or email.

5. Effect of service

If you serve such cooling-off notice on the vendor, the contract will be taken to have been rescinded at the time when the notice was served. You are then entitled to the return of any money you paid under the contract other than:

- (a) the amount of any deposit paid if the deposit did not exceed \$100; or
- (b) an amount paid for an option to purchase the land.

Proceeding with the purchase

If you wish to proceed with the purchase:

- (a) it is strongly recommended that you take steps to make sure your interest in the property is adequately insured against loss or damage; and
- (b) pay particular attention to the provisions in the contract as to time of settlement - it is essential that the necessary arrangements are made to complete the purchase by the agreed date - if you do not do so, you may be in breach of the contract; and
- (c) you are entitled to retain the solicitor or registered conveyancer of your choice.

Part C—Statement with respect to required particulars

(section 7(1))

To the purchaser:

*I/We, ADELAIDE HILLS COUNCIL PURSUANT TO s184 OF THE LOCAL GOVERNMENT ACT 1999

of 63 MOUNT BARKER ROAD STIRLING SA 5152

being the ~~*vendor(s)~~ / person authorised to act on behalf of the vendor(s) in relation to the transaction state that the Schedule contains all particulars required to be given to you pursuant to section 7(1) of the *Land and Business (Sale and Conveyancing) Act 1994*.

Date:		Date:	
Signed:		Signed:	
Date:		Date:	
Signed:		Signed:	

Part D—Certificate with respect to prescribed inquiries by registered agent



(section 9)

To the purchaser:

I, BRENTON WARD

certify ~~*that the responses / that, subject to the exceptions stated below, the responses~~ to the inquiries made pursuant to section 9 of the *Land and Business (Sale and Conveyancing) Act 1994* confirm the completeness and accuracy of the particulars set out in the Schedule.

Exceptions: NIL

Date: _____
Signed: _____

*Vendor's / Purchaser's agent

*Person authorised to act on behalf of *Vendor's/Purchaser's agent

**Schedule—Division 1—Particulars of mortgages, charges and prescribed encumbrances affecting the land
(section 7(1)(b))**

Note:

Section 7(3) of the Act provides that this statement need not include reference to charges arising from the imposition of rates or taxes less than 12 months before the date of service of the statement.

Where a mortgage, charge or prescribed encumbrance referred to in column 1 of the table below is applicable to the land, the particulars in relation to that mortgage, charge or prescribed encumbrance required by column 2 of the table must be set out in the table (in accordance with the instructions in the table) unless -

- (a) there is an attachment to this statement and:
 - (i) all the required particulars are contained in that attachment; and
 - (ii) the attachment is identified in column 2; and
 - (iii) if the attachment consists of more than 2 sheets of paper, those parts of the attachment that contain the required particulars are identified in column 2; or
- (b) the mortgage, charge or prescribed encumbrance:
 - (i) is 1 of the following items in the table:
 - (A) under the heading 1. General:
 - 1.1 Mortgage of land
 - 1.4 Lease, agreement for lease, tenancy agreement or licence
 - 1.5 Caveat
 - 1.6 Lien or notice of a lien
 - (B) under the heading 36. Other charges:
 - 36.1 Charge of any kind affecting the land (not included in another item); and
 - (ii) is registered on the certificate of title to the land; and
 - (iii) is to be discharged or satisfied prior to or at settlement.

Table of particulars

Column 1

Column 2

Column 3

(If an item is applicable, ensure that the box for the item is ticked and complete the item.)

(If an item is not applicable, ensure that the box for the item is empty or else strike out the item or write "NOT APPLICABLE" or "N/A" in column 1. Alternatively, the item and any inapplicable heading may be omitted, but not in the case of:

- (a) the heading "1. General" and items 1.1, 1.2, 1.3 and 1.4; and
- (b) the heading "5. Development Act 1993 (repealed)" and item 5.1; and
- (c) the heading "6. Repealed Act conditions" and item 6.1; and
- (d) the heading "29. Planning, Development and Infrastructure Act 2016" and items 29.1 and 29.2,

which must be retained as part of this statement whether applicable or not.)

(If an item is applicable, all particulars requested in column 2 must be set out in the item unless the Note preceding this table otherwise permits. Particulars requested in **bold type** must be set out in column 3 and all other particulars must be set out in column 2.)

(If there is more than 1 mortgage, charge or prescribed encumbrance of a kind referred to in column 1, the particulars requested in column 2 must be set out for each such mortgage, charge or prescribed encumbrance.)

(If requested particulars are set out in the item and then continued on an attachment due to insufficient space, identify the attachment in the place provided in column 2. If all of the requested particulars are contained in an attachment (instead of in the item) in accordance with the Note preceding this table, identify the attachment in the place provided in column 2 and (if required by the Note) identify the parts of the attachment that contain the particulars.)

1. General

1.1 Mortgage of land

(Note: Do not omit this item. The item and its heading must be included in the statement even if not applicable.)

Is this item applicable?



Will this be discharged or satisfied prior to or at settlement?

YES

Are there attachments?

YES

If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)
CERTIFICATE OF TITLE VOLUME 5384 FOLIO 452

Number of mortgage: (if registered)

13052350

Name of mortgagee:

MORTGAGE TO AFSH NOMINEES PTY. LTD. (ACN: 143 937 437)

- 1.2** Easement
(whether over the land or annexed to the land)
- Note:** "Easement" includes rights of way and party wall rights
- (Note:** Do not omit this item. This item and its heading must be included in the statement even if not applicable.)

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Description of land subject to easement:

Nature of easement:

Are you aware of any encroachment on the easement?

If YES, give details:

If there is an encroachment, has approval for the encroachment been given?

If YES, give details:

- 1.3** Restrictive covenant
- (Note:** Do not omit this item. This item and its heading must be included in the statement even if not applicable.)

Is this item applicable?

☒

Will this be discharged or satisfied prior to or at settlement?

NO

Are there attachments?

YES

If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)

6906886 ENCUMBRANCE TO DONALD MICHAEL CHISHOLM (SINGLE COPY ONLY) ANNEXURE K

Nature of restrictive covenant:

SEE ATTACHED ANNEXURE K

Name of person in whose favour restrictive covenant operates:

DONALD MICHAEL CHISHOLM

Does the restrictive covenant affect the whole of the land being acquired?

YES

If NO, give details:

Does the restrictive covenant affect land other than that being acquired?

1.4 Lease, agreement for lease, tenancy agreement or licence

(The information does not include information about any sublease or subtenancy. That information may be sought by the purchaser from the lessee or tenant or sublessee or subtenant.)

(Note: Do not omit this item. This item and its heading must be included in the statement even if not applicable.)

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Name of parties:

Period of lease, agreement for lease etc.

From _____ to _____

Amount of rent or licence fee:

\$ _____ per _____ (period)

Is the lease, agreement for lease etc in writing?

If the lease or licence was granted under an Act relating to the disposal of Crown lands, specify -

(a) the Act under which the lease or licence was granted:

(b) the outstanding amounts due: (including any interest or penalty)

5. *Development Act 1993* (repealed)

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

(Note - Do not omit this item. This item and its heading must be included in the statement even if not applicable.)

~~Is this item applicable?~~
~~Will this be discharged or satisfied prior to or at settlement?~~
~~Are there attachments?~~

~~If YES, identify the attachment(s)
(and, if applicable, the part(s) containing the particulars):~~

Condition(s) of authorisation:

6. Repealed Act conditions

- 6.1 Condition (that continues to apply) of an approval or authorisation granted under the *Building Act 1971* (repealed), the *City of Adelaide Development Control Act 1976* (repealed), the *Planning Act 1982* (repealed) or the *Planning and Development Act 1966* (repealed)

(Note - Do not omit this item. This item and its heading must be included in the statement even if not applicable.)

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

~~Nature of condition(s):~~

7. Emergency Services Funding Act 1998

- 7.1 section 16 - Notice to pay levy

Is this item applicable?

☒

Will this be discharged or satisfied prior to or at settlement?

YES

Are there attachments?

YES

If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)
CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

Date of notice:

21/7/2025

Amount of levy payable:

\$245.87

21. Local Government Act 1999

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

Is this item applicable?



Will this be discharged or satisfied prior to or at settlement?

YES

Are there attachments?

NO

If YES, identify the attachment(s):

(and, if applicable, the part(s) containing the particulars)

Date of notice, order etc:

1 APRIL 2025

Name of council by which, or person by whom, notice, order etc is given or made:

ADELAIDE HILLS COUNCIL

Land subject thereto:

THE WHOLE OF THE LAND IN CERTIFICATE OF TITLE VOLUME 5384 FOLIO 452, KNOWN AS 31 OLIVEDALE STREET BIRDWOOD SA 5234

Nature of requirements contained in notice, order etc:

NOTICES ISSUED PURSUANT TO SECTION 184 LOCAL GOVERNMENT ACT 1999 (SA) FOR PAYMENT OF RATES MORE THAN THREE (3) YEARS IN ARREARS

Time for carrying out requirements:

ONE MONTH FROM DATE OF SERVICE

Amount payable (if any):

\$16,347.87

22. Local Nuisance and Litter Control Act 2016

22.1 section 30 - Nuisance or litter abatement notice

~~**Is this item applicable?**~~



~~**Will this be discharged or satisfied prior to or at settlement?**~~

~~**Are there attachments?**~~

~~*If YES, identify the attachment(s):*~~

~~*(and, if applicable, the part(s) containing the particulars)*~~

Date of notice:

Notice issued by:

Nature of requirements contained in notice:

Time for carrying out requirements:

23. Metropolitan Adelaide Road Widening Plan Act 1972

23.1 section 6 - Restriction on building work

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

~~Does the restriction apply to all of the land?~~

~~If NO, give details about the part of the land to which the restriction applies:~~

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 attachment even if not applicable.)

Is this item applicable?



Will this be discharged or satisfied prior to or at settlement?

NO

Are there attachments?

YES

If YES, identify the attachment(s):

(and, if applicable, the part(s) containing the particulars)

ADELAIDE HILLS COUNCIL PROPERTY INFORMATION SEE ANNEXURE C ATTACHED PAGES 15-17

Title or other brief description of zone, subzone and overlay in which the land is situated: (as shown in the Planning and Design Code)

Zones

Township (Z6001) - T

Overlays

Hazards (Flooding) (O2403)

The Hazards (Bushfire - Medium Risk) (O2408)

Mount Lofty Ranges Water Supply Catchment (Area 2) (O3905)

Native Vegetation (O4202)

Prescribed Water Resources Area (O4802)

Regulated and Significant Tree (O5404)

Traffic Generating Development (O6001)

Urban Transport Routes (O6301)

Transport Routes (O6301)

Water Resources (O6902)

Is there a State heritage place on the land or is the land situated in a State heritage area?

NO

Is the land designated as a local heritage place?

NO

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

UNKNOWN

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?

NO

Note - For further information about the Planning and Design Code www.code.plan.sa.gov.au.

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 attachment
even if not applicable.)*

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Date of authorisation:

Name of relevant authority that granted authorisation:

Condition(s) of authorisation:

29.3 section 139 - Notice of
proposed work and notice
may require access

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Date of notice:

Name of person giving notice of proposed work:

Building work proposed: (as stated in the notice)

Other building work as required pursuant to the Act:

29.4 section 140 - Notice requesting access

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Date of notice:

Name of person requesting access:

Reason for which access is sought: (as stated in the notice)

Activity of work to be carried out:

29.5 section 141 - Order to remove or perform work

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Date of order:

Terms of order:

Building work (if any) required to be carried out:

Amount payable: (if any)

29.6 section 142 - Notice to complete development

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Date of notice:

Requirements of notice:

Building work (if any) required to be carried out:

Amount payable: (if any)

29.7 section 155 - Emergency order

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Date of order:

Name of authorised officer who made order:

Name of authority that appointed the authorised officer:

Nature of order:

Amount payable: (if any)

29.8 section 157 - Fire safety notice

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Date of notice:

Name of authority giving notice:

Requirements of notice:

Building work (if any) required to be carried out:

Amount payable: (if any)

29.9 section 192 or 193 - Land management agreement

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Date of agreement:

Names of parties:

Terms of agreement:

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

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

~~Date requirement given:~~

~~Name of body giving requirement:~~

~~Nature of requirement:~~

~~Contribution payable: (if any)~~

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

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

~~Date of agreement:~~

~~Names of parties:~~

~~Terms of agreement:~~

~~Contribution payable: (if any)~~

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Date of commencement of proceedings:

Date of determination or order: (if any)

Terms of determination or order: (if any)

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Date notice given:

Name of designated authority giving notice:

Nature of directions contained in notice:

Building work (if any) required to be carried out:

Amount payable: (if any)

~~**Is this item applicable?**~~

☐

~~**Will this be discharged or satisfied prior to or at settlement?**~~

~~**Are there attachments?**~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Date order made:

Name of court that made order:

Action number:

Names of parties:

Terms of order:

Building work (if any) required to be carried out:

32. South Australian Public Health Act 2011

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

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Date of direction or requirement:

Name of authority giving direction or making requirement:

Nature of direction or requirement:

32.2 section 92 - Notice

Is this item applicable?

☒

Will this be discharged or satisfied prior to or at settlement?

NO

Are there attachments?

YES

If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)

Adelaide Hills Council inquiry page 93 of 95

Date of notice:

24 July 2025

Name of council or other relevant authority giving notice:

Adelaide Hills Council

Requirements of notice:

See attached notice page 93 of 95 of the local government inquiry.
Arrange to have the septic tank access shaft exposed and pumped out by a licenced contractor, send a copy of the pump out receipt to AHC

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

~~Is this item applicable?~~

☐

~~Will this be discharged or satisfied prior to or at settlement?~~

~~Are there attachments?~~

~~If YES, identify the attachment(s):
(and, if applicable, the part(s) containing the particulars)~~

Date of approval:

Name of person or body that granted the approval:

Condition(s) of approval:

ANNEXURES

~~* There are no documents annexed hereto~~

* The following documents are annexed hereto -

COPY OF THE CONTRACT
COPY OF CERTIFICATE OF TITLE TO THE LAND (ANNEXURE B)
ADELAIDE HILLS COUNCIL PROPERTY SEARCH (ANNEXURE C)
PROPERTY INTEREST REPORT (ANNEXURE D)
SA WATER SEARCH (ANNEXURE E)
CERTIFICATE OF EMERGENCY SERVICES LEVY (ANNEXURE F)
LAND TAX SEARCH (ANNEXURE G)
SAPPA REPORT (ANNEXURE H)
6906886 ENCUMBRANCE TO DONALD MICHAEL CHISHOLM (SINGLE COPY ONLY) (ANNEXURE K)
Form R3 - Buyers Information Notice
Form R7 - Warning Notice

ACKNOWLEDGEMENT OF RECEIPT

* I / We, the abovenamed Purchaser(s), hereby acknowledge having received this day this Statement under section 7 under the *Land and Business (Sale and Conveyancing) Act* with the annexures as set out above.

Dated this _____ Day of _____ 20 _____

Signature of purchaser(s)

<div></div>	Signature	<div></div>	Signature
<div></div>	Date	<div></div>	Date
<div></div>	Signature	<div></div>	Signature
<div></div>	Date	<div></div>	Date

(*Strike out whichever is not applicable)

Form R3

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

Land and Business (Sale and Conveyancing) Regulations 2010 (regulation 17)

Buyers information notice

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

The following questions may help you to identify if a property is appropriate to purchase. In many cases the questions relate to a variety of laws and standards. These laws and standards change over time, so it is important to seek the most up to date information. Various government agencies can provide up to date and relevant information on many of these questions. To find out more, Consumer and Business Services recommends that you check the website: www.cbs.sa.gov.au.

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

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

Safety

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

Enjoyment

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

Value

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

For more information on these matters visit: www.cbs.sa.gov.au.

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

Form R7

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

Land and Business (Sale and Conveyancing) Regulations 2010 (regulation 21)

Warning notice

Financial and investment advice

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

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

Note: For the purposes of section 24B of the Act, an agent or sales representative who provides financial or investment advice to a person in connection with the sale or purchase of land or a business must:

- in the case of oral advice - immediately before giving the advice, give the person warning of the matters set out in this Form orally, prefaced by the words **"I am legally required to give you this warning"**; or
- in the case of written advice - at the same time as giving the advice or as soon as reasonably practicable after giving the advice, give the person this Form, printed or typewritten in not smaller than 12-point type.

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 5384 Folio 452

Parent Title(s) CT 4336/537

Creating Dealing(s) CONVERTED TITLE

Title Issued 09/12/1996 Edition 6 Edition Issued 31/01/2019

Estate Type

FEE SIMPLE

Registered Proprietor

CASSANDRA LOUISE BAMFORD
OF 31 OLIVEDALE STREET BIRDWOOD SA 5234

Description of Land

ALLOTMENT 3 DEPOSITED PLAN 25414
IN THE AREA NAMED BIRDWOOD
HUNDRED OF TALUNGA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
6906886	ENCUMBRANCE TO DONALD MICHAEL CHISHOLM (SINGLE COPY ONLY)
13052350	MORTGAGE TO AFSH NOMINEES PTY. LTD. (ACN: 143 937 437)

Notations

Dealings Affecting Title NIL

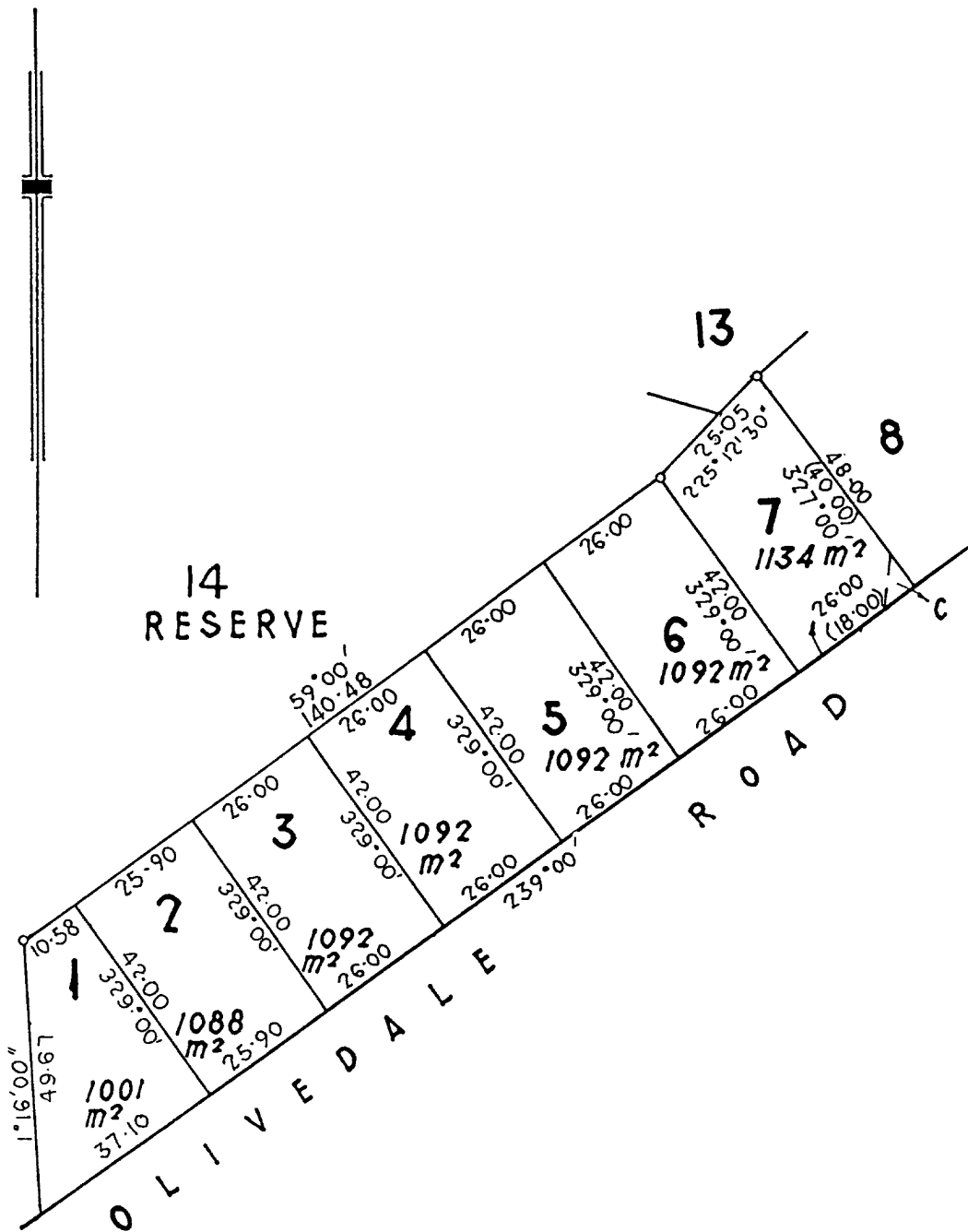
Priority Notices NIL

Notations on Plan NIL

Registrar-General's Notes

APPROVED G231/1989

Administrative Interests NIL



**63 Mount Barker Road
Stirling SA 5152**

**Telephone (08) 8408 0400
Email: mail@ahc.sa.gov.au**

**To Brenton Ward Real Estate
 PO Box 3150
 Norwood SA 5067**

**Certificate No: 30250
Certificate Date: 21/07/2025**

LOCAL GOVERNMENT INQUIRY

(Certificate of Liabilities pursuant to Section 187(1) of the Local Government Act 1999)

Land:

Assessment No: 14675
Valuer-General's No: 4710621002
Owner/s: C L Bamford
Property Details: 31 Olivedale Street Birdwood 5234
Legal Description: Lot 3 Sec: P6594 DP:25414 CT:5384/452

Rates and other monies due as known by Adelaide Hills Council as at 21/07/2025

Due Dates for Payment:	1st Qtr due	01/09/2025	2nd Qtr due	01/12/2025
	3rd Qtr due	01/03/2026	4th Qtr due	01/06/2026

Arrears/Credits as at 01/07/2025	\$20,784.57
----------------------------------	-------------

Rates for the 2025/2026 rating year (Declared 1/07/2025)	\$2,649.81
-----------------------------------------------------------------	-------------------

Rates - Residential	\$953.33	
Fixed Charge	\$880.00	
Birdwood/Mt Torrens CWMS Occupied	\$770.00	
State Govt. Hills & Fleurieu Landscape Levy	\$46.48	
Rates Postponed (arrears and current)		\$0.00
Postponed Interest		\$0.00
PLUS Other property Related Debts		
PLUS Fines and/or Interest to date		\$135.83
PLUS other adjustments, including Legal Fees		\$3,439.10
LESS Rebate (if applicable)		\$0.00
LESS Payments/Rounding		\$0.00
TOTAL OWING AS AT 21/07/2025		\$27,009.31

Fines on Rates: Council Rates are deemed to be overdue if not paid by 01/09/25 and a 2% fine will be added to this outstanding balance. Interest at the prescribed percentage rate of 8.5% p.a. will be added to the total amount in arrears (including amount of any unpaid fine) on the 12th of each month following until the total balance owing is paid.

Fines on Payments by Instalments: Where rates are paid quarterly the total rate is divided by four which is then required to be paid on the due dates set for September, December, March and June. If the quarterly payments are not received by the due date, a 2% fine will be added to that amount with interest at the prescribed percentage rate 8.5% p.a. added on the 12th of each month following, until the total amount overdue is paid.

The charges as shown are valid for the date of the certificate.

If settlement occurs within three months from the date of this certificate, you may check the above details quoting the assessment number. If this information falls outside of the above time frame, a new Section 187 certificate is required.

Any verbal information provided by Council for the above is not deemed a certificate for the purposes of a Section 187 of the Local Government Act 1999.



Biller Code: 45369

BPay Reference Number 146753

Certified - Adelaide Hills Council

Date -21-July-2025

**To Brenton Ward Real Estate
 PO Box 3150
 Norwood SA 5067**

**Certificate No: 30250
Certificate Date: 21/07/2025**

LOCAL GOVERNMENT INQUIRY

(Certificate of Liabilities pursuant to Section 187(1) of the Local Government Act 1999)

Land:

Assessment No: 14675
Valuer-General's No: 4710621002
Owner/s: C L Bamford
Property Details: 31 Olivedale Street Birdwood 5234
Legal Description: Lot 3 Sec: P6594 DP:25414 CT:5384/452

Rates and other monies due as known by Adelaide Hills Council as at 21/07/2025

Due Dates for Payment:	1st Qtr due	01/09/2025	2nd Qtr due	01/12/2025
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Biller Code: 45369

BPay Reference Number 146753

Certified - Adelaide Hills Council

Date -21-July-2025



63 Mount Barker Road
Stirling SA 5152

Telephone (08) 8408 0400
Email: mail@ahc.sa.gov.au

To: **Brenton Ward Real Estate**
PO Box 3150
Norwood SA 5067

Certificate No: 23345
Certificate Date: 21/07/2025

REQUEST FOR INFORMATION

We refer to your request and now attach particulars and documentary material which Council must supply pursuant to the provisions of the Local Government Act and the Land and Business (Sale and Conveyancing) Act 1994.

Land:

Assessment No:	14675
Valuer-General's No:	4710621002
Owner/s:	C L Bamford
Property Details:	31 Olivedale Street Birdwood 5234
Legal Description:	Lot 3 Sec: P6594 DP:25414 CT:5384/452

PRESCRIBED INFORMATION***Important Information to Note*****General Advice**

The Section 7 of the Land and Business (Sales & Conveyancing) Act 1994 provides information relating to a property as prescribed by legislation. Included in the search by Council is the zoning of the land and where applicable, the more recent development consents for the property.

Intended purchasers of land are requested to refer to the relevant provisions of the Planning and Design Code and contact the Development Services team on 08 8408 0558 before doing anything on the said property, if they are proposing to, for example, construct a new dwelling, undertake alterations or additions to a dwelling, construct a tennis court or swimming pool, build retaining walls, undertake boundary realignments or land divisions.

The Planning and Design Code (the document that guides development within the Council) can be viewed online at <https://code.plan.sa.gov.au>. Information sheets relating to development applications and various land uses are also available from the Department of Planning, Transport & Infrastructure or from Council's web site at www.ahc.sa.gov.au.

Development in the Mt Lofty Ranges has more development controls and restrictions compared to other areas of the State primarily due to:

- bushfire protection
- watershed protection
- retention of native vegetation

This advice is provided for your information to promote a better understanding of the requirements for development and other obligations in the Adelaide Hills Council area.

Developments prior to 1998

Council records for developments prior to 1998 may be incomplete due to differing standards of recordkeeping applied in the various Hills Councils prior to amalgamation and formation of the Adelaide Hills Council in 1998.

Building Indemnity Insurance

This is insurance taken out by a building work contractor when performing domestic building work costing \$12,000 or more that requires Council approval. This insurance protects the current building owner and future owner if:

- work has not been completed or faulty work has not been rectified; and
- the builder dies, disappears or is declared bankrupt.

Claims can usually be made up to five years from the date the building work was completed.

Source:

<https://www.cbs.sa.gov.au/campaigns/repairs-and-rebuilding-after-bushfire-or-other-catastrophic-event>

Further information can be found from the housing, property and land section of the State Government website directory www.sa.gov.au or from the Office of Consumer and Business Affairs website www.ocba.sa.gov.au.

Greg Georgopoulos
Chief Executive Officer

PRESCRIBED INFORMATION**Development Act 1993 (Repealed)****Section 42** - Condition (that continues to apply) of a development authorisation.**No**

If yes see attached approvals

Part 2 - Items to be Included if land affected**Development Act 1993 (repealed)**

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

N/A

Date Requirement given:

Name of Body giving requirement:

Nature of Requirement:

Contribution payable (if any):

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

N/A

Date of agreement:

Name of parties:

Terms of agreement:

Contribution payable (if any):

Section 55 - Order to remove or perform work

N/A

Date of order:

Terms of order:

Building work (if any) required to be carried out:

Amount payable (if any):

Section 56 - Notice to complete development

N/A

Date of notice:

Requirements of notice:

Building work (if any) required to be carried out:

Amount payable (if any):

PRESCRIBED INFORMATION

Section 57 - Land management agreement

No

Date of agreement:

Name of parties:

Terms of agreement:

If Yes, copy attached
.....

Section 69 - Emergency order

N/A

Date of order:

Name of authorised officer who made order:

Nature of authority that appointed the officer:

Amount payable (if any):
.....

Section 71 - Fire safety notice

N/A

Date of notice:

Names of authority giving notice

Requirements of notice:

Building work (if any) required to be carried out:

Amount payable (if any):
.....

Section 84 - Enforcement notice

N/A

Date notice given:

Name of relevant authority giving notice:

Nature of directions contained in notice:

Building work (if any) required to be carried out:

Amount payable (if any):
.....

PRESCRIBED INFORMATION

Section 85(6), 85(10) or 106 - Enforcement order

N/A

Date order made:

Name of court that made order:

Action number:

Names of parties:

Terms of order:

Building work (if any) required to be carried out:
.....

Part 11 Division 2 - Proceedings

N/A

Date of commencement of proceedings:

Date of determination or order (if any):

Terms of determination or order (if any):
.....Refer to Supplementary Prescribed Information in Appendix 1 for *Planning Development and Infrastructure Act 2016***Confirmed-Planning/Development Section** Anneke Potter
.....**Housing Improvement Act 1940**
.....

Section 23 - Declaration that house is undesirable or unfit for human habitation

N/A

Date of declaration:

Those particulars required to be provided by a council under Section 23:
.....**Confirmed-Building/Development Section** Anneke Potter
.....

PRESCRIBED INFORMATION

Food Act 2001

Section 44 - Improvement Notice

N/A

Date of notice:

Name of authorised officer who served notice:

Name of authority that appointed officer:

Requirements of notice:

Section 46 - Prohibition order

N/A

Date of order:

Name of authority or person who served order:

Requirements of order:

Public and Environmental Heath Act 1987 (repealed)

Part 3 - Notice

N/A

Date of notice:

Name of council or other authority giving notice:

Requirements of notice:

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

Date of approval:

Name of relevant authority that granted approval:

Conditions of approval:

Public and Environmental Heath (Waste Control) Regulations 2010 (revoked) regulation 19
- Maintenance order (that has not been complied with)**N/A**

Date of order:

Name of authority giving order:

Requirements of order:

Confirmed-Environmental Health Section Stewart West

PRESCRIBED INFORMATION

South Australian Public Health Act 2011

Section 92 Notice

Date of notice: 24/07/2025

Name of Council or other relevant authority giving notice: AHC

Requirements of notice: arrange septic tank service shaft expose and pump out by licenced contractor

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

Date of approval:

Name of person or body that granted the approval:

Condition(s) of approval:

Confirmed-Health Section Stewart West

PRESCRIBED INFORMATION

Local Government Act 1934 (repealed)

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

N/A

Date of Notice, order etc:

Name of council by which, or person by whom,
notice, order etc is given or made:

Land subject thereto:

Nature of requirements contained in notice,
order etc:

Time for carrying out requirements:

Amount payable (if any):

Local Government Act 1999

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

N/A

Date of Notice, order etc:

Name of council by which, or person by whom,
notice, order etc is given or made:

Land subject thereto:

Nature of requirements contained in notice,
order etc:

Time for carrying out requirements:

Amount payable (if any):

Confirmed-General Section Mignon DuRieu

PRESCRIBED INFORMATION

Fire and Emergency Services Act 2005

Section 105F (or section 56 or 83 (repealed) - Notice to take action to prevent outbreak or spread of fire

N/A

Date of Notice:

Person or body who issued notice:

Requirements of notice (as stated therein):

Amount payable (if any):

Confirmed-Enforcement/Compliance Section Mignon DuRieu

PRESCRIBED INFORMATION**Particulars relating to Environment Protection****Further information held by Councils**

Does the Council hold details of any development relating to -

(a) commercial or Industrial activity at the land; or

No

(b) a change in the use of the land or part of the land (within the meaning of the Development Act 1993 or the Planning, Development and Infrastructure Act 2016)

Development Consents Attached

No

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

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

It should be noted that-

(a) The approval of development by Council does not necessarily mean that the development has taken place;

(b) The Council will not necessarily be able to provide a complete history of all such development that has taken place at the land.

Data Extract for Section 7 search purposes

Valuation ID 4710621002

Data Extract Date: 22/07/2025

Important Information

This Data Extract contains information that has been input into the Development Application Processing (DAP) system by either the applicant or relevant authority for the development for which approval was sought under the Planning, Development and Infrastructure Act 2016. The Department for Housing and Urban Development does not make any guarantees as to the completeness, reliability or accuracy of the information contained within this Data Extract and councils should verify or confirm the accuracy of the information in the Data Extract in meeting their obligations under the Land and Business (Sale and Conveyancing) Act 1994.

Parcel ID: D25414 AL3

Certificate Title: CT5384/452

Property Address: 31 OLIVEDALE ST BIRDWOOD SA 5234

Zones

Township (T)

Subzones

No

Zoning overlays

Overlays

Hazards (Flooding)

The Hazards (Flooding) Overlay seeks to minimise flood hazard risk to people, property, infrastructure and the environment.

Hazards (Bushfire - Medium Risk) (Medium)

The Hazards (Bushfire - Medium Risk) Overlay seeks to ensure development responds to the medium level of bushfire risk by siting and designing buildings to mitigate threat and impact of bushfires on life and property and facilitating access for emergency service vehicles.

Mount Lofty Ranges Water Supply Catchment (Area 2)

The Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay is to protect Adelaide's drinking water supply by limiting development to that which has a beneficial impact on the quality of water harvested from the Mount Lofty Ranges Watershed

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.

Regulated and Significant Tree

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

Traffic Generating Development

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

Urban Transport Routes

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

Water Resources

The Water Resources Overlay seeks to protect the quality of surface waters in South Australia.

Is the land situated in a State Heritage Place/Area

No

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

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

Is the land designated as a Local Heritage Place

No

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

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

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

No, refer note below:

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

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

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

Associated Development Authorisation Information

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

No

Land Management Agreement (LMA)

No

PRESCRIBED INFORMATION

APPENDIX 1

Planning, Development and Infrastructure (PDI Act) 2016

<p>Repealed Act Conditions</p> <p>Conditions (that continue to apply of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), <i>The 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)</p>	<p>Nature of conditions:</p>	<p>Yes, refer attached</p>
<p>Part 5 – Planning and Design Code</p>	<p>Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code):</p>	<p>For zone, subzone and overlay refer Attached Section 7 Extract from Plan SA</p>
<p>Part 5 – Planning and Design Code</p>	<p>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</p>	<p>Unknown</p>
<p>Part 5 – Planning and Design Code</p>	<p>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.</p>	<p>Link to Planning and Design Code: Code Amendments PlanSA</p>
<p>Part 5 – Planning and Design Code</p>	<p>Is there a State Heritage place on the land or is the land situated in a State Heritage Area?</p>	<p>No</p>
<p>Part 5 – Planning and Design Code</p>	<p>Is the land designated as a Local Heritage place?</p>	<p>No</p>
<p>Section 127 – Condition (that continues to apply) of a development authorisation</p>	<p>Date of Authorisation:</p> <p>Name of relevant authority that granted authorisation:</p> <p>Condition(s) of authorisation:</p>	<p>No</p>

PRESCRIBED INFORMATION

APPENDIX 1

Section 141 – Order to remove or perform work	<p>Date of order:</p> <p>Terms of order:</p> <p>Building work (if any) required to be carried out:</p> <p>Amount payable (if any):</p>	Nil
Section 142 – Notice to complete development	<p>Date of notice:</p> <p>Requirements of notice:</p> <p>Building work (if any) required to be carried out:</p> <p>Amount payable (if any):</p>	Nil
Section 155 – Emergency order	<p>Date of order:</p> <p>Name of authorised officer who made order:</p> <p>Name of authority that appointed the authorised officer:</p> <p>Nature of order:</p> <p>Amount payable (if any):</p>	Nil
Section 157 – Fire safety notice	<p>Date of notice:</p> <p>Name of authority giving notice:</p> <p>Requirements of notice:</p> <p>Building work (if any) required to be carried out:</p> <p>Amount payable (if any):</p>	Nil
Section 192 or 193 – Land management agreement	<p>Date of agreement:</p> <p>Names of parties:</p> <p>Terms of agreement:</p>	Nil
Section 198(1) – Requirement to vest land in a council or the Crown to be held as open space	<p>Date requirement given:</p> <p>Name of body giving requirement:</p> <p>Nature of requirement:</p> <p>Contribution payable (if any):</p>	Nil

PRESCRIBED INFORMATION

APPENDIX 1

Section 198(2) – Agreement to vest land in a council or the Crown to be held as open space	Date of agreement: Names of parties: Terms of agreement: Contribution payable (if any):	Nil
Part 16 Division 1 – Proceedings	Date of commencement of proceedings: Date of determination or order (if any): Terms of determination or order (if any):	Nil
Section 213 – Enforcement notice	Date notice given: Name of designated authority giving notice: Nature of directions contained in notice: Building work (if any) required to be carried out: Amount payable (if any):	Nil
Section 214(6), 214(10) or 222 – Enforcement order	Date order made: Name of court that made order: Action number: Name of parties: Terms of order: Building work (if any) required to be carried out:	Nil
<i>Development Act 1993 (repealed)</i>		
Section 57 – Land Management Agreement	Date of agreement: Names of parties: Terms of agreement:	Nil
<i>Housing Improvement Act 1940</i>		

PREScribed INFORMATION

APPENDIX 1

Part 7 (rent control for substandard houses)	Notice or Declaration: Date of Notice or Declaration: Those particulars required to be proved by the housing authority under section 60	Nil
Other Charges		
Charge of any kind affecting the land (not included in another item)	Person or body in whose favour charge exists: Nature of charge: Amount of charge (if known):	Nil

Particulars of Building Indemnity Insurance

Note—Building indemnity insurance is not required for—

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

Details of building indemnity insurance still in existence for building work on the land:

Building Indemnity Insurance is required.... (refer above note): **No**

Name(s) of person(s) insured:

1. Name of insurer:
2. Limitations on the liability of the insurer:
3. Name of builder:
4. Builder's licence number:
5. Date of issue of insurance:
6. Description of insured building work:

PRESCRIBED INFORMATION

APPENDIX 1

Exemption from holding insurance:

If particulars of insurance are not given, has an exemption been granted under section 45 of the *Building Work Contractors Act 1995* from the requirement to hold an insurance policy in accordance with Division 3 of Part 5 of that Act? * **No**

If **YES**, give details:

Date of the exemption	
Name of builder granted the exemption	
Licence number of builder granted the exemption	
Details of building work to which the exemption applies:	
Details of conditions (if any) to which the exemption is subject	

Certified Development Section..... Date: 22/07/2025

Confirmed Accurate: Anneke Potter

PREScribed INFORMATION

<i>Local Nuisance and Litter Control Act 2016</i>		
Section 30 – Nuisance or litter abatement notice	Date of notice: Notice issued by: Nature of requirements contained in notice: Time for carrying out requirements:	N/A

Certified by Environmental Health Section:	Alexis Black	Date: 22/07/25
--------------------------------------------	--------------	----------------

PREScribed INFORMATION

<i>Local Nuisance and Litter Control Act 2016</i>		
Section 30 – Nuisance or litter abatement notice	Date of notice: Notice issued by: Nature of requirements contained in notice: Time for carrying out requirements:	N/A

Certified by Regulatory Services Section:	Mignon DuRieu	Date: 22/07/25
-------------------------------------------	---------------	----------------

PRESCRIBED INFORMATION

Land Acquisition Act 1969

Section 10 – Notice of
intention to acquire

Date of notice:

N/A

Name of Authority who served
notice:

Description of land intended to be
acquired (as described in notice)

Certified by Civil Section.....Lisa Smith.....Date...22/7/2025

PRESCRIBED INFORMATION

<i>Land Acquisition Act 1969</i>		
Section 10 – Notice of intention to acquire	Date of notice: Name of Authority who served notice: Description of land intended to be acquired (as described in notice)	N/A

Certified by Property Section.....Lisa SmithDate...22/7/2025

PLANNING DECISION NOTIFICATION

Development Number

1-608

Register Copy

FOR DEVELOPMENT APPLICATION

DATED 18 / 4 / 90

REGISTERED ON 7 / 5 / 90

A14675

To: R H Hughes
15 Chichester Court
SALISBURY HEIGHTS SA 5109

Location of Proposed Development
Olivedale Street
Lot 3, Part Section 6594
Hd Talunga - Birdwood

Nature of Proposed Development
Garage

From: DISTRICT COUNCIL OF GUMERACHA, PO BOX 1, GUMERACHA

In respect of this proposed development you are informed that:

- ☐ consent is refused
☒ consent is granted
☐ consent is granted subject to () condition(s)

representations(s) from third parties concerning your proposal were received.

If there were third party representations, any consent or consent with conditions does not operate until the periods specified on the back of the original of this form have expired. Reasons for this decision, any conditions imposed, and the reasons for imposing those conditions, are set out below. Please also refer to the information on the back of this form about appeal rights and operation of consent.

Signed: 

Date: 8 / 5 / 90

- ☐ Chairman, S.A. Planning Commission
☐ Town Clerk
☒ District Clerk
☐ Sheets attached

PLEASE READ THE INFORMATION ON THE BACK OF THIS FORM

3-REGISTER COPY

Regulation 41
Sixth ScheduleSouth Africa
Planning Act
Development Control Regulations

DISTRICT COUNCIL OF GUMERACHA

P.O. Box 1, Gumeracha S.A. 5233

*** BUILDING ACT 1982 (as amended) ***

COPY

Council Ref. No. .1-608.....

☒ Consent to } Building Work Class ...10..... Fee \$..20.44.....
~~Refusal of~~

Name and Address of Owner R H Hughes
..... 15 Chichester Court
..... SALISBURY HEIGHTS..SA..5109.....

Name and Address of Applicant As.above.....

Your plans and specifications for proposed building work situate: Olivedale Street..
Lot 3 - Birdwood Section Part 6594 Hundred Talunga

☒ For the erection/~~demolition~~ of ...Garage.....

are hereby approved/~~refused~~

Approval is subject to the following conditions:


1 Compliance in all respects with the requirements of the Building Act 1982, as amended.

☒ 2 **IMPORTANT NOTICE TO APPLICANT:** This approval does not imply compliance with E.T.S.A Act 1946, as amended, or the Regulations thereunder. It is the responsibility of the owner and the person erecting the building to ensure compliance with the same.

(Also See Reverse)

- (a) This consent is valid for 12 months from the date of approval and if the building work is not substantially commenced within that time the consent lapses.
- (b) No person shall occupy any portion of a Building of Class II to IX until a certificate of classification has been issued.
- (c) Building work must be constructed, in all respects, with the Building Act 1982 (as amended) and Council By-Laws.
- (d) One normal working day's notice must be given to the Council Office before pouring footings.

Date: 7 May 1990


.....
DISTRICT CLERK.

COMPLETION REPORT (to be returned immediately building work has been completed).

Ref. No.1-608.....

Signed
(Owner/Applicant)

PLANNING DECISION NOTIFICATION

Development Number

1-607

Register Copy

FOR DEVELOPMENT APPLICATION

DATED

27/3/90

REGISTERED ON 7/5/90

To: Mr & Mrs R Hughes
15 Chichester Court
SALISBURY HEIGHTS SA 5109

Location of
Proposed
Development Olivedale Street
Lot 3, Part Section 6594
Hd Talunga - Birdwood

Nature of
Proposed
Development Timber framed dwelling

From: DISTRICT COUNCIL OF GUMERACHA, PO BOX 1, GUMERACHA

In respect of this proposed development you are informed that:

- ☐ consent is refused
☒ consent is granted
☐ consent is granted subject to () condition(s)

representations(s) from third parties concerning your proposal were received.

If there were third party representations, any consent or consent with conditions does not operate until the periods specified on the back of the original of this form have expired. Reasons for this decision, any conditions imposed, and the reasons for imposing those conditions, are set out below. Please also refer to the information on the back of this form about appeal rights and operation of consent.

Signed

Date: 8/5/90

- ☐ Chairman, S.A. Planning Commission
☐ Town Clerk
☒ District Clerk
☐ Sheets attached

PLEASE READ THE INFORMATION ON THE BACK OF THIS FORM

Regulation 41
Sixth ScheduleSouth Australia
Planning Act
Development Control Regulations

3-REGISTER COPY

DISTRICT COUNCIL OF GUMERACHA

P.O. Box 1, Gumeracha S.A. 5233

*** BUILDING ACT 1982 (as amended) ***

Council Ref. No. ...1-607.....

☐ Consent to } Building Work Class ...1..... Fee \$.94.80
~~Refusal of~~ }

Name and Address of Owner Mr. & Mrs. R. Hughes
..... 15 Chichester Court
..... SALISBURY HEIGHTS SA 5109

Name and Address of Applicant .As above.....

Your plans and specifications for proposed building work situate: .Olivedale Street.
.Lot.3.- Birdwood..... Section Part 6594..... Hundred .Talunga.....

☐ or the erection/~~demolition~~ of .Timber framed dwelling.....

are hereby approved/~~refused~~

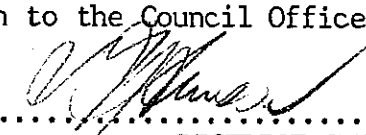
Approval is subject to the following conditions:

- 1 Compliance in all respects with the requirements of the Building Act 1982, as amended.
- ☐ 2 **IMPORTANT NOTICE TO APPLICANT:** This approval does not imply compliance with E.T.S.A Act 1946, as amended, or the Regulations thereunder. It is the responsibility of the owner and the person erecting the building to ensure compliance with the same.
- 3 The building is not to be used for any other purpose than that approved without application being made to Council and if such application is approved, a new classification determined by Council.

(Also See Reverse)

- (a) This consent is valid for 12 months from the date of approval and if the building work is not substantially commenced within that time the consent lapses.
- (b) No person shall occupy any portion of a Building of Class II to IX until a certificate of classification has been issued.
- (c) Building work must be constructed, in all respects, with the Building Act 1982 (as amended) and Council By-Laws.
- (d) One normal working day's notice must be given to the Council Office before pouring footings.

Date:


.....
DISTRICT CLERK.

COMPLETION REPORT (to be returned immediately building work has been completed).

Ref. No.

Signed
(Owner/Applicant)

PLANNING DECISION NOTIFICATION

Development Number

471/D020/86

Consultation Copy

(Amended Plan)

FOR DEVELOPMENT APPLICATION

DATED 23 / 7 / 86

REGISTERED ON 23 / 7 / 88

To MR. D.M. CHISHOLM
C/- SYMONDS, RYAN & CORNISH PTY. LTD
214 GLEN OSMOND ROAD
FULLARTON SA 5063

Location of Proposed Development LOTS B, C, D AND E CT 3208/173
D.P. 551 4130/999
P.S. 6594 HD. TALLINGA

Nature of Proposed Development LAND DIVISION

From: SOUTH AUSTRALIAN PLANNING COMMISSION

In respect of this proposed development you are informed that:

- ☐ consent is refused
☐ consent is granted
☒ consent is granted subject to (0) condition(s)

One representations(s) from third parties concerning your proposal were received.

If there were third party representations, any consent or consent with conditions does not operate until the periods specified on the back of the original of this form have expired. Reasons for this decision, any conditions imposed, and the reasons for imposing those conditions, are set out below. Please also refer to the information on the back of this form about appeal rights and operation of consent.

See Attached List of Conditions

These conditions have been imposed in order to protect the Mount Lofty Ranges Watershed from pollution and to minimise the extent and impact of any flooding on the subject land.

RECEIVED	
- 8 DEC 1988	
FILE	REG. No.
REPLY VIA <input type="checkbox"/>	N.A.R. <input checked="" type="checkbox"/>

R. Bunker

Date of Decision 2 / 12 / 1988

Signed: [Signature]

Date: 2 / 12 / 1988

- ☒ Chairman, S.A. Planning Commission
☐ Town Clerk
☐ District Clerk
☐ Sheets attached

Appeal(s): ☐ Yes ☐ No ☐ By Applicant ☐ By Third Party Result of Appeal:

Regulation 41
Sixth Schedule

Southern Australia
Planning Act
Development Control Regulations

4-CONSULTATION COPY

DEVELOPMENT APPLICATION 471/D020/86

LIST OF CONDITIONS

- (1) All allotments are to be connected to the Birdwood township common effluent drainage scheme.
- (2) All allotments are to be connected to the Engineering and Water Supply Department's reticulated water supply.
- (3) Stormwater is to be treated and disposed of to the satisfaction of the Chief Executive Officer, Engineering and Water Supply Department.
- (4) An encumbrance be placed on each Title requiring the floor level of any dwellings to be at the following minimum AHD levels or higher :

Lot No.	Minimum Floor Level
1	380.00
2	380.00
3	380.10
4	380.20
5	380.30
6	380.40
7	380.50
8	
9	381.00
10	381.40
11	381.70
12	382.30

- (5) An encumbrance be placed on each Title for proposed Lots 1-6, requiring that all built development is to be restricted to that part of the allotment within the Engineering and Water Supply Department's township boundary for Birdwood township.
- (6) Quarry material fill or top soil fill is to be spread on allotments 1-3 and compacted to 90% Modified Maximum Dry Density in such a manner as to ensure that a uniform grade to the rear of the allotments is achieved. Fill levels are to be in accordance with those set out in the plan accompanying B.C. Tonkin and Associate's report dated 16th September, 1987.

Raymond Bunker
CHAIRMAN
SOUTH AUSTRALIAN PLANNING COMMISSION



PO Box 44, WOODSIDE SA 5244
Telephone: 8408 0400 Facsimile : 8389 7440

Compliance Notice

Issued pursuant to Section 92 of the *South Australian Public Health Act 2011*

NOTICE NUMBER: A14675

DATE: 24/07/25

FROM: Adelaide Hills Council
28 Onkaparinga Valley Road
WOODSIDE SA 5244

TO: C L Bamford
31 Olivedale Street
BIRDWOOD
SA 5234

ATTENTION: C L Bamford

You are the owner that has management or control of the premises situated at **31 Olivedale Street Birdwood** comprised in Certificate of Title **Volume 5384 Folio 452** in the State of South Australia ("the premises").

Pursuant to section 92(1) of the *South Australian Public Health Act 2011* ("the Act"), the Adelaide Hills Council ("the Council") may issue a notice for the purpose of-

- a) securing compliance with a requirement imposed by or under the Act (including a requirement imposed under a regulation or a code of practice under the Act); or
- b) averting, eliminating or minimising a risk, or a perceived risk to public health.

The Council records indicate that the septic tank at the premises has not had the septic tank emptied/cleaned in the past 4 years as is required.

The Council is of the opinion that the circumstances described above gives rise to:

- a breach of your obligations under Regulation 12 of the South Australian Public Health (Wastewater) Regulations 2013, or

Accordingly, you are hereby **ISSUED** with this Notice under section 92(1) of the Act for the purposes of

- securing compliance with your obligations under Regulation 12 of the South Australian Public Health (Wastewater) Regulations 2013, or

This Notice **requires** you to take the following action:

1. Arrange to have the septic tank access shaft exposed and pumped out by a licenced contractor and forward a copy of the pump out receipt to the Adelaide Hills Council

You **must** comply with the requirements of this Notice on or before the expiry date of the property settlement agreement or **August 15th 2025**.

Signed: _____ as delegate for the Council

Stewart West
Environmental Health Officer
Acting under delegated authority

Relevant Act and Regulations

Public Health Act 2011

Part 12—Notices and emergency situations

Division 2—Notices and emergencies

Section 92

92—Notices

- (1) A relevant authority may issue a notice under this section for the purpose of—
- (a) securing compliance with a requirement imposed by or under this Act (including the duty under Part 6 or a requirement imposed under a regulation or a code of practice under this Act); or
 - (b) averting, eliminating or minimising a risk, or a perceived risk, to public health.

Public Health (Wastewater) Regulations 2013

Part 3—Wastewater system requirements

Regulation 12

12—Operation, maintenance and servicing of wastewater systems

- (1) The operator of a wastewater system must ensure that the system is operated, maintained and serviced in accordance with—
- (a) any conditions of a wastewater works approval relating to the system (whether granted before or after the person became the operator of the system); and
 - (b) the prescribed codes to the extent that they are applicable.
- (2) A person who maintains or services a wastewater system must do so in accordance with—
- (a) any conditions of a wastewater works approval relating to the system; and
 - (b) the prescribed codes to the extent that they are applicable

TAKE NOTE:

1. Your Right of Review to the South Australian Civil and Administrative Tribunal

Pursuant to section 96 of the *South Australian Public Health Act 2011* you **may** apply to the Tribunal under section 34 of the *South Australian Civil and Administrative Tribunal Act 2019* for review. An application for review **must** be made within 14 days from the date that you received the Notice.

An appeal to the South Australian Civil and Administrative Tribunal does not suspend the operation of the Notice (pending the determination of any appeal). The operation of the Notice is only suspended *if* the South Australian Civil and Administrative Tribunal makes an interim Order to that effect.

The South Australian Civil and Administrative Tribunal has the power to vary or set aside the Notice if it is satisfied that there are reasons to do so.

2. What Happens if I Fail to Comply with the Notice?

If the requirements of this Notice are not complied with within the time specified, the Council may take action under section 93 of the Act to give effect to the Notice. This includes entering the property and taking any action required by the Notice. The reasonable costs and expenses incurred by the Council in taking such action may be recovered from you as a debt. If you fail to pay the amount sought by the Council, you will be liable to pay interest and where applicable, the unpaid amount will be a charge on the land in favour of the Council.

3. Failure to Comply with the Notice is an Offence

Section 92(10) of the *South Australian Public Health Act 2011* provides that:

A person to whom a notice is issued under this section must not, without reasonable excuse, fail to comply with the notice.

Maximum Penalty: \$25 000

Expiation Fee: \$750.

The Council reserves its rights to either issue you with an expiation fee or commence a prosecution against you if you fail to comply with this Notice.

Property Interest Report

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

Title Reference	CT 5384/452	Reference No. 2694732
Registered Proprietors	C L*BAMFORD	Prepared 20/07/2025 15:04
Address of Property	31 OLIVEDALE STREET, BIRDWOOD, SA 5234	
Local Govt. Authority	ADELAIDE HILLS COUNCIL	
Local Govt. Address	PO BOX 44 WOODSIDE SA 5244	

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

Table of Particulars

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

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

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

1. General

- | | | |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| 1.1 | Mortgage of land

<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> | Refer to the Certificate of Title |
| 1.2 | Easement
(whether over the land or annexed to the land)

Note--"Easement" includes rights of way and party wall rights

<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> | Refer to the Certificate of Title |
| 1.3 | Restrictive covenant

<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> | Refer to the Certificate of Title for details of any restrictive covenants as an encumbrance |
| 1.4 | Lease, agreement for lease, tenancy agreement or licence
(The information does not include information about any sublease or subtenancy. That information may be sought by the purchaser from the lessee or tenant or sublessee or subtenant.)

<i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> | Refer to the Certificate of Title

also

Contact the vendor for these details |
| 1.5 | Caveat | Refer to the Certificate of Title |
| 1.6 | Lien or notice of a lien | Refer to the Certificate of Title |

2. Aboriginal Heritage Act 1988

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

an area surrounding a site

2.3 Part 3 Division 6 - Aboriginal heritage agreement

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

also

Refer to the Certificate of Title

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

3.1 section 8 - Human remains interred on land

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

also

contact the vendor for these details

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

4.1 section 5 - Notice requiring payment

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

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

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

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

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

17. *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 | A Land Tax Certificate will be forwarded.
If you do not receive the certificate within four (4) working days please contact the RevenueSA Customer Contact Centre on (08) 8226 3750.

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

20. *Local Government Act 1934 (repealed)*

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

21. *Local Government Act 1999*

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

22. *Local Nuisance and Litter Control Act 2016*

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

23. *Metropolitan Adelaide Road Widening Plan Act 1972*

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

24. *Mining Act 1971*

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

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

25. *Native Vegetation Act 1991*

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

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

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

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

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

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

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

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

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

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 |

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

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

34. ***Water Industry Act 2012***

- | | | |
|------|---------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 34.1 | Notice or order under the Act requiring payment of charges or other amounts or making other requirement | An SA Water Certificate will be forwarded.
If you do not receive the certificate please contact the SA Water Customer Contact Centre on 1300 650 950

also

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

also

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

also

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

also

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

35. ***Water Resources Act 1997 (repealed)***

- | | | |
|------|--------------------------------------------------------------------------|---------------------------------------------------------|
| 35.1 | section 18 - Condition (that remains in force) of a permit | DEW has no record of any condition affecting this title |
| 35.2 | section 125 (or a corresponding previous enactment) - Notice to pay levy | DEW has no record of any notice affecting this title |

36. ***Other charges***

- | | | |
|------|----------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 36.1 | Charge of any kind affecting the land (not included in another item) | Refer to the Certificate of Title

also

Contact the vendor for these details

also

Contact the Local Government Authority for other details that might apply |
|------|----------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Other Particulars

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

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

Additional Information

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

- | | |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Pipeline Authority of S.A. Easement | Epic Energy has no record of a Pipeline Authority Easement relating to this title |
| 2. State Planning Commission refusal | No recorded State Planning Commission refusal |
| 3. SA Power Networks | SA Power Networks has no interest other than that recorded on the attached notice or registered on the Certificate of Title |
| 4. South East Australia Gas Pty Ltd | SEA Gas has no current record of a high pressure gas transmission pipeline traversing this property |
| 5. Central Irrigation Trust | Central Irrigation Trust has no current records of any infrastructure or Water Delivery Rights associated to this title. |
| 6. ElectraNet Transmission Services | ElectraNet has no current record of a high voltage transmission line traversing this property |
| 7. Outback Communities Authority | Outback Communities Authority has no record affecting this title |
| 8. Dog Fence (<i>Dog Fence Act 1946</i>) | 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

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.

Account Number	LTO Reference	Date of issue	Agent No.	Receipt No.
47 10621 00 2	CT5384452	21/7/2025	458	2694732

BRENTON WARD P/L
PO BOX 3150
NORWOOD SA 5067
brenton@brentonward.com.au

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: C LBAMFORD
Location: 31 OLIVDALE ST BIRDWOOD LT3
Description: 5H DIG CP **Capital Value:** \$ 475 000
Rating: Residential

Periodic charges

Raised in current years to 30/6/2025

			\$
	Amount as at: 30/6/2025	:	497.28
Water main available: 1/7/1989	Water rates	:	0.00
Sewer main available:	Sewer rates	:	0.00
	Water use	:	0.00
	SA Govt concession	:	0.00
	Recycled Water Use	:	0.00
	Service Rent	:	0.00
	Recycled Service Rent	:	0.00
	Other charges	:	0.00
	Goods and Services Tax	:	0.00
	Amount paid	:	20.00CR
	Balance outstanding	:	477.28

Degree of concession: 00.00%
Recovery action taken: REPAYMENT ARRANGEMENT

Next quarterly charges: **Water supply:** 82.30 **Sewer:** 0.00 **Bill:** 30/7/2025

A sewer main is not available to this property.

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

The last Water Use Year ended on 24/04/2025.

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 L BAMFORD

Water & Sewer Account
Acct. No.: 47 10621 00 2

Amount: _____

Address:
31 OLIVEDALE ST BIRDWOOD LT3

Payment Options

EFT

EFT Payment

Bank account name:	SA Water Collection Account
BSB number:	065000
Bank account number:	10622859
Payment reference:	4710621002



Bill code: 8888
Ref: 4710621002

Telephone and Internet Banking — BPAY®

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



Paying online

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



Paying by phone

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

SA Water account number: 4710621002



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



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: 2694732

BRENTON WARD
76 HEWITT AVENUE
ROSE PARK SA 5067

DATE OF ISSUE

21/07/2025

ENQUIRIES:

Tel: (08) 8226 3750

Email: revsaesl@sa.gov.au

OWNERSHIP NUMBER

17042258

OWNERSHIP NAME

C L BAMFORD

PROPERTY DESCRIPTION

31 OLIVEDALE ST / BIRDWOOD SA 5234 / LT 3

ASSESSMENT NUMBER

4710621002

TITLE REF.

(A "+" indicates multiple titles)

CT 5384/452

CAPITAL VALUE

\$475,000.00

AREA / FACTOR

R4
1.000

LAND USE / FACTOR

RE
0.400

LEVY DETAILS:

FINANCIAL YEAR

2025-2026

FIXED CHARGE

+ VARIABLE CHARGE

- REMISSION

- CONCESSION

+ ARREARS / - PAYMENTS

= AMOUNT PAYABLE

\$ 50.00
\$ 160.70
\$ 96.70
\$ 0.00
\$ 131.87
\$ 245.87

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

19/10/2025



**Government of
South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

PAYMENT REMITTANCE ADVICE

OWNERSHIP NUMBER

17042258

OWNERSHIP NAME

C L BAMFORD

ASSESSMENT NUMBER

4710621002

AMOUNT PAYABLE

\$245.87

AGENT NUMBER

100020439

AGENT NAME

BRENTON WARD

EXPIRY DATE

19/10/2025

+70052479160022> +001571+ <0550728958> <0000024587> +444+

Please Note:

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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




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

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

For more information:

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

PAYMENT OPTIONS FOR THIS CERTIFICATE SHOWN BELOW

 <p>Billers Code: 456285 Ref: 7005247916</p> <p>Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au <small>© Registered to BPAY Pty Ltd ABN 69 079 137 518</small></p>	 <p>To pay via the internet go to: www.revenuesaonline.sa.gov.au</p>	 <p>Send your cheque or money order, made payable to the Community Emergency Services Fund, along with this Payment Remittance Advice to:</p> <p>Revenue SA Locked Bag 555 ADELAIDE SA 5001</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

OFFICIAL: Sensitive



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: 2694732

DATE OF ISSUE

21/07/2025

BRENTON WARD
76 HEWITT AVENUE
ROSE PARK SA 5067

ENQUIRIES:

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

OWNERSHIP NAME		FINANCIAL YEAR	
C L BAMFORD		2025-2026	
PROPERTY DESCRIPTION			
31 OLIVEDALE ST / BIRDWOOD SA 5234 / LT 3			
ASSESSMENT NUMBER	TITLE REF. <small>(A "+" indicates multiple titles)</small>	TAXABLE SITE VALUE	AREA
4710621002	CT 5384/452	\$200,000.00	0.1092 HA
DETAILS OF THE LAND TAX PAYABLE FOR THE ABOVE PARCEL OF LAND:			
CURRENT TAX	\$ 0.00	SINGLE HOLDING	\$ 0.00
- DEDUCTIONS	\$ 0.00		
+ ARREARS	\$ 0.00		
- PAYMENTS	\$ 0.00		
= <u>AMOUNT PAYABLE</u>	\$ 0.00		

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

ON OR BEFORE **19/10/2025**

See overleaf for further information



**Government of
South Australia**

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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




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

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

For more information:

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

PAYMENT OPTIONS FOR THIS CERTIFICATE SHOWN BELOW

 Billers Code: 456293 Ref: 7005247825 Contact your bank or financial institution to make this payment from your cheque, savings, debit, credit card or transaction account. More info: www.bpay.com.au <small>® Registered to BPAY Pty Ltd ABN 69 079 137 518</small>	 To pay via the internet go to: www.revenuesaonline.sa.gov.au	 Send your cheque or money order, made payable to the Commissioner of State Taxation , along with this Payment Remittance Advice to: Revenue SA Locked Bag 555 ADELAIDE SA 5001
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

OFFICIAL: Sensitive

SAPPA Parcel Report

Date Created: July 7, 2025

The South Australian Property and Planning Atlas is available at the Plan SA website <https://sappa.plan.sa.gov.au/>



Address Details

Scale ≈ 1:2257 (on A4 page)

Unit Number:

Street Number: 31

Street Name: OLIVEDALE

Street Type: ST

Suburb: BIRDWOOD

Postcode: 5234

100 metres≈

The information provided, is not represented to be accurate, current or complete at the time of printing this report.

Property Details:

Council: ADELAIDE HILLS COUNCIL

State Electorate: KAVEL (2014), MORIALTA (2018), SCHUBERT (2022), SCHUBERT (2026)

Federal Electorate: MAYO (2013), MAYO (2016), MAYO (2019)

Hundred: TALUNGA

Valuation Number: 4710621002

Title Reference: CT5384/452

Plan No. Parcel No.: D25414A3

Zoning details next page

The Government of South Australia accepts no liability for the use of this data, or any reliance placed on it.

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Government of South Australia
Department for Housing
and Urban Development

Zone Details

Zones

Township (Z6001) - T

Overlays

Hazards (Flooding) (O2403)

The Hazards (Flooding) Overlay seeks to minimise flood hazard risk to people, property, infrastructure and the environment.

Hazards (Bushfire - Medium Risk) (O2408) - Medium

The Hazards (Bushfire - Medium Risk) Overlay seeks to ensure development responds to the medium level of bushfire risk by siting and designing buildings to mitigate threat and impact of bushfires on life and property and facilitating access for emergency service vehicles.

Mount Lofty Ranges Water Supply Catchment (Area 2) (O3905)

The Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay is to protect Adelaide's drinking water supply by limiting development to that which has a beneficial impact on the quality of water harvested from the Mount Lofty Ranges Watershed

Native Vegetation (O4202)

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

Prescribed Water Resources Area (O4802)

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

Regulated and Significant Tree (O5404)

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

Traffic Generating Development (O6001)

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

Urban Transport Routes (O6301)

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

Water Resources (O6902)

The Water Resources Overlay seeks to protect the quality of surface waters in South Australia.

PREFIX **E** NO.**6906886****SINGLE COPY
ONLY**SERIES NO. **2**
TO BE COMPLETED BY AGENT

NOTES

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

BELOW THIS LINE FOR OFFICE USE ONLY

EXAMINATION

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

REGISTERED ON **14.5.1990** AT **11:00**
BY ENTRY OF A MEMORIAL OF THIS INSTRUMENT IN THE
REGISTER BOOK. VOL. **4336** FOLIO **537**

T. Lawrence pro

ITEM(S) DELIVERED—POSTED

IN ACCORDANCE WITH DELIVERY INSTRUCTIONS

ITEM	AGENT/RGO BOX No.	DELIVERY DATE	*POSTAGE DATE	INITIALS
1				
2				
3				
4				
5				

A3426 *FILL OUT POSTAGE DATE ONLY IF ITEMS ARE
RETURNED BY CERTIFIED MAILREGISTRAR-GENERAL'S
OFFICE

SOUTH AUSTRALIA

MEMORANDUM OF ENCUMBRANCE

FORM APPROVED BY THE REGISTRAR-GENERAL

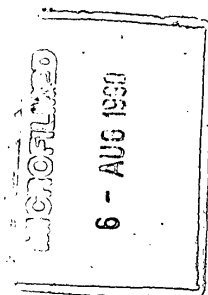
CERTIFIED CORRECT FOR THE PURPOSES OF THE REAL PROPERTY ACT, 1886

(SIGNED)

Kristina Macaulay
Solicitor/Licensed Land Broker/Encumbrancee**KRISTINA MACAULAY**

27 APR 1990	TIME 13:40
FEES	\$
R.G.O.	41
POSTAGE	
ADVERTISING	
NEW C.T. TO ISSUE	41.00

OFFICE NOTES:



BELOW THIS LINE FOR AGENT USE ONLY

Lodged by: *MA Lyon*
Address: *161 Icesiders Rd
PADA Hills
In Property Brokers
Chapman St.
Buckwood*Correction to *BHPB*TITLES, CROWN LEASES, DECLARATIONS ETC. LODGED WITH THIS
INSTRUMENT (TO BE FILLED IN BY PERSON LODGING)

1.....	Received items No. Assessor
2.....	
3.....	
4.....	
5.....	

PLEASE ISSUE NEW CERTIFICATES OF TITLE AS FOLLOWS

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

DELIVERY INSTRUCTIONS: PLEASE DELIVER THE FOLLOWING ITEM(S)
TO THE UNDERMENTIONED AGENT(S)

ITEM	AGENT/RGO BOX No.	DELIVERY DATE	*POSTAGE DATE	INITIALS	ITEM: CT/CL REF.	AGENT'S NAME	AGENT/RGO BOX No.	POSTAL ADDRESS*
1								
2								
3								
4								
5								

*FILL OUT POSTAL ADDRESS ONLY IF ITEMS
ARE TO BE RETURNED BY CERTIFIED MAILAGENT'S
INITIALS

DATED THIS

12th

DAY OF

APRIL

1990

SIGNED by the Encumbrancer:

Rick Hughes
 RICK ANTHONY HUGHES

Alexandra Hughes
 ALEXANDRA MARY HUGHES

EXECUTION AND
 ATTESTATION
 (See Note 8)

in the presence of:

Witness: *Russell*

SHORT FORM OF
 PROOF
 (See Note 9)

Appeared before me at _____ the _____ day of _____ 19

RICK ANTHONY HUGHES and ALEXANDRA MARY HUGHES

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) *X*

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) _____

LONG FORM OF PROOF
 (See Note 10)

Appeared before me at _____ the _____ day of _____ 19

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

(SIGNED) _____

Appeared before me at *Para Hills*

NORMAN RUSSELL 161 Kester Road Para Hills 5096 dated *5th* day of *April* 19 *90*

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

B.W. GUILD
 (SIGNED)
 PROCLAIMED BANK MANAGER
 PARA HILLS, S.A.

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

1. The Encumbrancer will pay to the Encumbrancee the sum of \$0.10 (if demanded) on the 1st day of July 1989 and each succeeding 1st day of July provided that the Encumbrancee shall not demand payment of the said annuity if and so long as the Encumbrancer and the Encumbrancers successors in title shall duly perform and observe all the covenants terms and conditions herein set forth (and the burden of providing such performance and observance shall be with the Encumbrancer) and provided always that none of the foregoing provisions for or in respect of the payment of the said annuity shall in any way affect or prejudice the rights of the Encumbrancee to an injunction to restrain any breach of the covenants terms and conditions herein set forth or to damages for such breach.

2. That the Encumbrancer will not erect or permit to be erected any house, building, outbuilding, shed, garage or any other form of permanent structure the erection of which requires consent of the District Council of Gumeracha pursuant to regulations under the Building Act 1982 as amended over that part of the allotment within the Engineering and Water Supply Department's Township Boundary for Birdwood Township being that portion marked "A" in G.P. 231 of 1989.

3. That the Encumbrancer will not erect or permit to be erected any house, building, outbuilding, shed, carport, garage or any other form of structure having a floor level of less than 380.0 metres Australian Height Datum.

4. Provided always and it is hereby agreed and declared by and between the Encumbrancee and the Encumbrancer that:—

(a) In the event that the Encumbrancer shall sell or agree to sell the estate or interest of the Encumbrancer in the said land the Encumbrancer shall obtain from the intending purchaser or transferee of the said land the subject of the sale or transfer a binding agreement to execute and lodge for registration under the provisions of the Real Property Act 1886 (as amended) forthwith after the registration of the Memorandum of Transfer in respect of the said land the subject of the sale or transfer a Memorandum of Encumbrance containing the same or substantially the similar covenants and other stipulations as are herein contained with the substitution of:—

(i) the name and address and description of the intending purchaser or transferee of the said land or such part or portion thereof subject to the sale or transfer as Encumbrancer.

(ii) A description of the said land subject to the sale or transfer in a form required for registration.

(iii) Such further or other consequential amendments as may be required for registration.

(b) The Encumbrancer and the successors in title of the Encumbrancer shall be successively released and discharged from the payment of the said annuity and from the observance and performance of the covenants terms and conditions and other stipulations herein contained and applied forthwith upon ceasing to be registered as the proprietor of the said land to the intent that the said annuity and the covenants terms conditions and other stipulations shall be binding only upon the registered proprietor for the time being of the said land.

5. And subject as aforesaid the said Encumbrancee shall be entitled to all the powers and remedies given to the Encumbrancee by virtue of the Real Property Act 1886 (as amended).

6. In the interpretation of this Memorandum of Encumbrance:—

(a) A reference to the singular shall include the plural and vice versa.

(b) A reference to a particular gender includes all other genders.

(c) If there be more than one person responsible hereunder as the Encumbrancer or as a successor entitled to the Encumbrancer the liability of all such persons shall take effect as a joint and several liability.

MEMORANDUM OF ENCUMBRANCE

CERTIFICATES OF TITLE
BEING ENCUMBERED
(See Note 3)

The whole of the land comprised in Certificate of Title
Register Book VOLUME 4336 FOLIO 537

01281242
COMMISSIONER OF STAMPS
S.A. STAMP DUTY
ADJUDGED
NOT CHARGEABLE
17/04/90 15:13

ESTATE AND INTEREST
(See Note 4)

ESTATE IN FEE SIMPLE

ENCUMBRANCES
(See Note 5)

NIL

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

RICK ANTHONY HUGHES Painter and ALEXANDRA MARY HUGHES ^{Departmental} ~~Direct Care~~
~~Worker~~ both of Lot 3 Olivedale Road Birdwood 5234
CARE WORKER

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

DONALD MICHAEL CHISHOLM formerly of care of Post Office Birdwood 5234
now care of Post Office Box 376 Mount Barker 5251 Manager

(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 \$0.10 (ten cents)

TO BE PAID TO THE ENCUMBRANCEE (a). term commencing on the 30th day of June next
hereafter and expiring 30th June 3000

(b) State the times
appointed for payment
of the annuity and any
special covenants.

AT THE TIMES AND IN THE MANNER FOLLOWING (b) On the 1st day of July in each and every
year at times and in the manner following commencing on the 1st day
of July 1990 to the intent that the Encumbrancee shall hold the said
annuity in fee simple AND WITH the performance and observation of the
covenants of the terms and conditions by the Encumbrancer hereinafter
contained AND the Encumbrancer hereby covenants on the part of the
Encumbrancer and the powers rights and remedies of the Encumbrancee
implied herein under and by virtue of the provisions of the Real
Property Act 1886 (as amended) except insofar as the same are hereby
expressly or impliedly varied negated or modified.