

**PROPOSED ALLOTMENT _____
MURRAY BRIDGE SA 5253**

**AVJENNINGS PROPERTIES LTD
ABN 004 601 503**

Vendor

and

.....

Purchaser

**FORM 1
STATEMENT UNDER SECTION 7
LAND AND BUSINESS (SALE AND CONVEYANCING) ACT 1994**

423010/759

7136211V1

Form 1—Vendor's statement

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

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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 a rectangle or square brackets 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:
2. ~~Purchaser's registered agent:~~
~~Address:~~
3. Vendor: **AVJENNINGS PROPERTIES LTD ACN 004 601 503**
Address: **Level 2, 18 Dequetteville Tce, Kent Town SA 5067**
4. Vendor's registered agent: **First Nationals Real Estate**
Address: **23 Bridge Street, Murray Bridge SA 5253**
5. Date of contract (if made before this statement is served):
6. Description of the land: **Proposed Allotment _____ as shown on the Proposed Plan of Division, being a portion of the land comprised in Certificate of Title Volume 6247 Folio 52, situated at Murray Bridge SA 5253 – See Annexure A for Certificate of Title Volume 6247 Folio 52 and proposed Plan of Division**
[Identify the land including any certificate of title reference]

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:
c/- AVJennings Real Estate Pty Ltd, Level 2, 18 Dequetteville Tce, Kent Town SA 5067
(being the vendor's last known address); or
- (c) transmitted by fax or email to the following fax number or email address:
Fax: (08) 8300 0781 or Email: jbooth@avjennings.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:
First Nationals Real Estate, 23 Bridge Street, Murray Bridge SA 5253
(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;
- (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;
- (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, **Michael Lyons** of **AVJENNINGS PROPERTIES LTD**
of **Level 2, 18 Dequetteville Terrace, Kent Town SA 5067**

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:.....

Signed:.....

Part D Certificate with respect to prescribed inquiries by registered agent (section 9)

To the purchaser:



I,, of **First Nationals Real Estate**
of **23 Bridge Street, Murray Bridge SA 5253**

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 one 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 | <i>Is this item applicable?</i> | <input checked="" type="checkbox"/> |
| | [Note— <i>Do not omit this item. The item and its heading must be included in the statement even if not applicable]</i> | <i>Will this be discharged or satisfied prior to or at settlement?</i> | YES |
| | | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> Certificate of Title – See Annexure A | YES |
| | | Number of mortgage (if registered): 11289720 | |
| | | Name of mortgagee: CBA Corporate Services | |
| 1.2 | Easement (whether over the land or annexed to the land) | <i>Is this item applicable?</i> | <input checked="" type="checkbox"/> * |
| | Note— "Easement" includes rights of way and party wall rights | <i>Will this be discharged or satisfied prior to or at settlement?</i> | |
| | | 1. Various Easements as detailed on the Certificate of Title. | YES |
| | | 2. Statutory SA Power Networks Easement | NO |

| | | | |
|-----|--|--|--|
| | <p>[Note— Do not omit this item. The item and its heading must be included in the statement even if not applicable]</p> | <p>Are there any attachments? If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <ol style="list-style-type: none"> 1. Certificate of Title – See Annexure A 2. Statutory SA Power Networks Easement – see Annexure C <p>Description of land subject to easement: Portion of the land comprised in Certificate of Title Volume 6247 Folio 52</p> <p>Nature of easement:</p> <ol style="list-style-type: none"> 1. Subject to various service easements – See Annexure A 2. Subject to Statutory SA Power Networks Easement(s) (if any) <p>Are you aware of any encroachment on the easement? NO (If YES, give details):</p> <p>If there is an encroachment, has approval for the encroachment been given? N/A (If YES, give details):</p> | <p>YES</p> |
| 1.3 | <p>Restrictive covenant</p> <p>[Note— Do not omit this item. The item and its heading must be included in the statement even if not applicable]</p> <p>* Encumbrance to be lodged at Settlement, copy already provided to Purchaser via Annexure to the Contract for Sale</p> | <p>Is this item applicable?</p> <p>Will this be discharged or satisfied prior to or at settlement?</p> <p>Are there any attachments? If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): Refer to copy of the Encumbrance annexed to the Contract for Sale and the Special Conditions of the Contract for Sale</p> <p>Nature of restrictive covenant: Refer to copy of the Encumbrance annexed to the Contract for Sale and the Special Conditions of the Contract for Sale</p> <p>Name of person in whose favour restrictive covenant operates: Refer to copy of the Encumbrance annexed to the Contract for Sale and the Special Conditions of the Contract for Sale</p> <p>Does the restrictive covenant affect the whole of the land being acquired? Refer to copy of the Encumbrance annexed to the Contract for Sale and the Special Conditions of the Contract for Sale</p> <p>If NO, give details:</p> <p>Does the restrictive covenant affect land other than that being acquired? Refer to copy of the Encumbrance annexed to the Contract for Sale and the Special Conditions of the Contract for Sale</p> | <p><input checked="" type="checkbox"/> *</p> <p>NO</p> <p>NO</p> |

| | | |
|-----|--|--|
| 1.4 | <p>Lease, agreement for lease, tenancy agreement or licence</p> <p>(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.)</p> <p>[Note— <i>Do not omit this item. The item and its heading must be included in the statement even if not applicable]</i></p> <p>NOT APPLICABLE</p> | <p>Is this item applicable? <input type="checkbox"/></p> <p>Will this be discharged or satisfied prior to or at settlement? N/A</p> <p>Are there any attachments? N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Name of parties:</p> <p>Period of lease, agreement for lease etc: From _____ to _____</p> <p>Amount of rent or licence fee: \$ _____ per _____</p> <p>If the lease or licence was granted under an Act relating to disposal of Crown lands, specify: (a) the Act under which the lease or licence was granted:</p> <p>(b) the outstanding amounts due (including any interest or penalty):</p> |
| 1.5 | Caveat | <p>Is this item applicable? <input type="checkbox"/></p> |
| | NOT APPLICABLE | <p>Will this be discharged or satisfied prior to or at settlement? N/A</p> <p>Are there any attachments? N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Name and address of caveator:</p> <p>Particulars of interest claimed:</p> |
| 1.6 | Lien or notice of a lien | <p>Is this item applicable? <input type="checkbox"/></p> |
| | NOT APPLICABLE | <p>Will this be discharged or satisfied prior to or at settlement? N/A</p> <p>Are there any attachments? N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Land or other property subject to lien:</p> <p>Nature of lien:</p> <p>Name and address of person who has imposed lien or given notice of it:</p> |

| 2. Aboriginal Heritage Act 1988 | | |
|---|--|---|
| 2.1 | section 9—Registration in central archives of an Aboriginal site or object | <p>Is this item applicable? <input type="checkbox"/></p> <p>Will this be discharged or satisfied prior to or at settlement? N/A</p> <p>NOT APPLICABLE</p> <p>Are there any attachments? N/A If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>Particulars of register entry:</p> |
| 2.2 | section 24—Directions prohibiting or restricting access to, or activities on, a site or an area surrounding a site | <p>Is this item applicable? <input type="checkbox"/></p> <p>Will this be discharged or satisfied prior to or at settlement? N/A</p> <p>NOT APPLICABLE</p> <p>Are there any attachments? N/A If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>Date of notice:</p> <p>Site or area to which notice relates:</p> <p>Directions (as stated in notice):</p> |
| 2.3 | Part 3 Division 6—Aboriginal heritage agreement | <p>Is this item applicable? <input type="checkbox"/></p> <p>Will this be discharged or satisfied prior to or at settlement? N/A</p> <p>NOT APPLICABLE</p> <p>Are there any attachments? N/A If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>Date of agreement:</p> <p>Description of property subject to agreement:</p> <p>Names of parties:</p> <p>Terms of agreement:</p> |
| 3. Burial and Cremation Act 2013 | | |
| 3.1 | section 8—Human remains interred on land | <p>Is this item applicable? <input type="checkbox"/></p> <p>NOT APPLICABLE</p> <p>Will this be discharged or satisfied prior to or at settlement? N/A</p> <p>Are there any attachments? N/A If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</p> <p>Have human remains been interred on the land that will not be exhumed prior to Settlement? N/A</p> <p>GPS coordinates of the remains:</p> |

| 4. Crown Rates and Taxes Recovery Act 1945 | | | |
|---|---|--|-------------------------------------|
| 4.1 | section 5—Notice requiring payment | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of notice: | |
| | | Land in respect of which Crown rates and taxes are owing: | |
| | | Amount owing (as stated in the notice): | |
| 5. Development Act 1993 (repealed) (*NOTE: the Development Act 1993 has been repealed and replaced with the Planning, Development and Infrastructure Act 2016) | | | |
| 5.1 | Section 42—Condition (that continues to apply) of a development authorisation) [Note— <i>Do not omit this item. The item and its heading must be included in the statement even if not applicable]</i> | <i>Is this item applicable?</i> | <input checked="" type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | NO |
| | | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> Council Search – See Annexure D | YES |
| | | Condition(s) of authorisation: See Annexure D | |
| 5.2 | Section 50(1)—Requirement to vest land in a council or the Crown to be held as open space | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE – See Annexures C and I | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date requirement given: | |
| | | Name of body giving requirement: | |
| | | Nature of requirement: | |
| | | Contribution payable (if any): | |
| 5.3 | Section 50(2)—Agreement to vest land in a council or the Crown to be held as open space | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE – See Annexure I | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of Agreement: | |

Name of parties:

Terms of agreement:

Contribution payable (if any):

| | | | |
|-----|--|--|-------------------------------------|
| 5.4 | Section 55—Order to remove or perform work | Is this item applicable? | <input type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | NOT APPLICABLE | Are there any attachments? If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | N/A |
| | | Date of order: | |
| | | Terms of order: | |
| | | Building work (if any) required to be carried out: | |
| | | Amount payable (if any): | |
| 5.5 | Section 56—Notice to complete development | Is this item applicable? | <input type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | NOT APPLICABLE | Are there any attachments? If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | N/A |
| | | Date of notice: | |
| | | Requirements of notice: | |
| | | Building work (if any) required to be carried out: | |
| | | Amount payable (if any): | |
| 5.6 | Section 57—Land management agreement | Is this item applicable? | <input checked="" type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | NO |
| | | Are there any attachments? If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): Land Management Agreement No. 10969715 – See Annexure D | YES |
| | | Date of agreement: See Annexure D | |
| | | Name of parties: See Annexure D | |
| | | Terms of agreement: See Annexure D | |
| 5.7 | Section 60—Notice of intention by building owner | Is this item applicable? | <input type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | NOT APPLICABLE | Are there any attachments? If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | N/A |

Date of notice:

Building work proposed (as stated in the notice):

Other building work as required pursuant to the Act:

| | | |
|------|---|---|
| 5.8 | Section 69—Emergency order | <i>Is this item applicable?</i> <input type="checkbox"/> |
| | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | N/A |
| | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | 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): | |
| 5.9 | Section 71—Fire safety notice | <i>Is this item applicable?</i> <input type="checkbox"/> |
| | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | N/A |
| | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | Date of notice: | |
| | Name of authority giving notice: | |
| | Requirements of notice: | |
| | Building work (if any) required to be carried out: | |
| | Amount payable (if any): | |
| 5.10 | Section 84—Enforcement notice | <i>Is this item applicable?</i> <input type="checkbox"/> |
| | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | N/A |
| | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | 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): | |

| | | | |
|------|---|---|--------------------------|
| 5.11 | Section 85(6), 85(10 or 106— Enforcement order | Is this item applicable? | <input type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | NOT APPLICABLE | Are there any attachments? | N/A |
| | | 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: | |
| 5.12 | Part 11 Division 2—Proceedings | Is this item applicable? | <input type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | NOT APPLICABLE | Are there any attachments? | N/A |
| | | 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): | |

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) | Is this item applicable? | <input type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | [Note— Do not omit this item. The item and its heading must be included in the statement even if not applicable.] | Nature of condition(s): | |
| | NOT APPLICABLE | | |

7. Emergency Services Funding Act 1998

| | | | |
|-----|-------------------------------|--|-------------------------------------|
| 7.1 | section 16—Notice to pay levy | Is this item applicable? | <input checked="" type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | YES |
| | | Are there any attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> Emergency Services Levy Certificate – See Annexure E | YES |
| | | Date of notice: See Annexure E | |
| | | Amount of levy payable: See Annexure E | |

8. Environment Protection Act 1993

| | | | |
|-----|---|--|--------------------------|
| 8.1 | section 59—Environment performance agreement that is registered in relation to the land | Is this item applicable? | <input type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | NOT APPLICABLE | Are there any attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of agreement: | |
| 8.2 | section 93—Environment protection order that is registered in relation to the land | Is this item applicable? | <input type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | NOT APPLICABLE | Are there any attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of issue: | |
| | | Compliance date(s) specified in the order: | |
| 8.3 | section 93A—Environment protection order relating to cessation of activity that is registered in relation to the land | Is this item applicable? | <input type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | NOT APPLICABLE | Are there any attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of issue: | |
| | | Compliance date(s) specified in the order: | |
| 8.4 | section 99—Clean up order that is registered in relation to the land | Is this item applicable? | <input type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | NOT APPLICABLE | Are there any attachments? | N/A |

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| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of issue: | |
| | | Compliance date(s) specified in the order: | |
| | | Amount of charge on the land (if applicable and known): | |
| 8.5 | section 100—Clean up authorisation that is registered in relation to the land | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of issue: | |
| | | Amount of charge on the land (if known): | |
| 8.6 | section 103H—Site contamination assessment order that is registered in relation to the land | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of issue: | |
| | | Compliance date(s) specified in the order: | |
| | | Amount of charge on the land (if applicable and known): | |
| 8.7 | section 103J—Site remediation order that is registered in relation to the land | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of issue: | |
| | | Compliance date(s) specified in the order: | |
| | | Amount of charge on the land (if applicable and known): | |
| 8.8 | section 103N— Notice of declaration of special management area in relation to the land (due to possible existence of site contamination) | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of notice: | |

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| | | Date of Gazette in which notice published: | |
| | | Description of area or areas to which the notice relates: | |
| 8.9 | section 103P—Notation of site contamination audit report in relation to the land | Is this item applicable? | <input type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | NOT APPLICABLE | Are there any attachments? If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | N/A |
| | | Date of notation: | |
| | | Note— | |
| | | | Site contamination audit reports are kept by the EPA in the public register under section 109 of the <i>Environment Protection Act 1993</i> |
| 8.10 | section 103S—Notice of prohibition or restriction on taking water affected by site contamination in relation to the land | Is this item applicable? | <input type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | NOT APPLICABLE | Are there any attachments? If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | N/A |
| | | Date of notice: | |
| | | Date of Gazette in which notice published: | |
| | | Description of the water to which the notice relates: | |
| | | Particulars given in the notice of the site-contamination affecting the water: | |
| 9 | Fences Act 1975 | | |
| 9.1 | section 5—Notice of intention to perform fencing work | Is this item applicable? | <input type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | NOT APPLICABLE | Are there any attachments? If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | N/A |
| | | Date of notice: | |
| | | Name and address of person to whom notice was given or from whom notice was received: | |
| | | Particulars of relevant boundary: | |
| | | Kind of fence proposed to be constructed or nature of work proposed to be done to existing fence: | |
| | | Cost or estimated cost of fence or work (as stated in the notice): | |

Amount sought by proponent from adjoining owner (as stated in the notice):

If there is a cross notice under section 6, give details of—

_____ (a) _____ the proposals objected to:

_____ (b) _____ the counter proposals:

10 Fire and Emergency Services Act 2005

| | | | |
|------|---|---|--------------------------|
| 10.1 | section 105F (or section 56 or 83 (repealed))—Notice to take action to prevent outbreak or spread of fire | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of notice: | |
| | | Person or body who issued notice: | |
| | | Requirements of notice (as stated therein): | |
| | | Amount payable (if any): | |

11 Food Act 2001

| | | | |
|------|-------------------------------|---|--------------------------|
| 11.1 | section 44—Improvement notice | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of notice: | |
| | | Name of authorised officer who served notice: | |
| | | Name of authority that appointed officer: | |
| | | Requirements of notice: | |
| 11.2 | section 46—Prohibition order | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of order: | |
| | | Name of authorised officer who served order: | |
| | | Requirements of order: | |

| 12 Ground Water (Qualco – Sunlands) Control Act 2000 | | | |
|---|---|---|--------------------------|
| 12.1 | Part 6—Risk management allocation | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Is a waterlogging and salinity risk management allocation attached to the whole or any part of the land? [] If YES, give details of the allocation and the land to which it is attached: | |
| 12.2 | section 56—Notice to pay share of Trust costs, or for unauthorised use of water, in respect of irrigated property | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of notice: Amount payable (as stated in notice): | |
| 13 Heritage Places Act 1993 | | | |
| 13.1 | section 14(2)(b)—Registration of an object of heritage significance | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of registration: Description and location of object registered: | |
| 13.2 | section 17 or 18—Provisional registration or registration | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Description of place registered: Has the place been designated as a place of geological, palaeontological or speleological significance or archaeological significance? [] | |

| | | If YES, give details: | |
|-----------|--|--|--------------------------|
| 13.3 | section 30—Stop order | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there any attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of order: | |
| | | Term of order: | |
| 13.4 | Part 6—Heritage agreement | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there any attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of agreement: | |
| | | Description of property subject to agreement: | |
| | | Names of parties: | |
| | | Terms of agreement: | |
| 13.5 | section 38—"No development" order | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there any attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of order: | |
| | | Terms of order: | |
| 14 | <i>Highways Act 1926</i> | | |
| 14.1 | Part 2A—Establishment of control of access from any road abutting the land | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there any attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of establishment of control of access: | |
| | | Description of boundary of land affected: | |

| 15 Housing Improvement Act 1940 (repealed) | | |
|---|--|---|
| 15.1 | section 23—Declaration that house is undesirable or unfit for human habitation | <p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p>NOT APPLICABLE</p> <p><i>Are there any attachments?</i> N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of declaration:</p> <p>Those particulars required to be provided by a council under section 23:</p> |
| 15.2 | Part 7 (rent control for substandard houses)—Notice or declaration | <p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p>NOT APPLICABLE</p> <p><i>Are there any attachments?</i> N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of notice or declaration:</p> <p>Those particulars required to be provided by the housing authority under section 60:</p> |
| 16 Housing Improvement Act 2016 | | |
| 16.1 | Part 3 Division 1—Assessment, improvement or demolition orders | <p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p>NOT APPLICABLE</p> <p><i>Are there any attachments?</i> N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of order:</p> <p>Those particulars required to be provided by the Minister under section 14 or 15 (if applicable):</p> |
| 16.2 | section 22—Notice to vacate premises | <p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p>NOT APPLICABLE</p> <p><i>Are there any attachments?</i> N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of notice:</p> <p>Name of authority that issued the notice:</p> <p>Date by which the premises must be vacated:</p> |

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| 16.3 | section 25—Rental control notice | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of notice: | |
| | | Maximum rent payable (per week): | |
| 17 Land Acquisition Act 1969 | | | |
| 17.1 | section 10—Notice of intention to acquire | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of notice: | |
| | | Name of Authority who served notice: | |
| | | Description of land intended to be acquired (as described in the notice): | |
| 18 Landscape South Australia Act 2019 | | | |
| 18.1 | section 72—Notice to pay levy in respect of costs of regional landscape board | Is this item applicable? | <input checked="" type="checkbox"/> |
| | | Will this be discharged or satisfied prior to or at settlement? | YES* |
| | | *Regional Landscape Levy only (if any) | |
| | | Are there any attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> Refer to Council Certificate of Charges – See Annexure D | YES |
| | | Date of notice: See Annexure D | |
| | | Amount of levy payable: See Annexure D | |
| 18.2 | section 78—Notice to pay levy in respect of right to take water or taking of water | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of notice: | |
| | | Amount of levy payable: | |

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| 18.3 | section 99—Notice to prepare an action plan for compliance with general statutory duty | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of notice: | |
| | | Name of authority or person that issued notice: | |
| | | Requirements of notice (as specified therein): | |
| 18.4 | section 107—Notice to rectify effects of unauthorised activity | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of notice: | |
| | | Name of relevant authority that issued notice: | |
| | | Requirements of notice (as specified therein): | |
| 18.5 | section 108—Notice to maintain watercourse or lake in good condition | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of notice: | |
| | | Name of relevant authority that issued notice: | |
| | | Requirements of notice (as specified therein): | |
| 18.6 | section 109—Notice restricting the taking of water or directing action in relation to the taking of water | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of notice: | |
| | | Name of relevant authority that issued notice: | |
| | | Requirements of notice (as specified therein): | |
| 18.7 | section 111—Notice to remove or modify a dam, embankment, wall or other obstruction or object | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> | N/A |

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| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of notice: | |
| | | Requirements of notice (as specified therein): | |
| 18.8 | section 112—Permit (or condition of a permit) that remains in force | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of permit: | |
| | | Name of relevant authority that granted permit: | |
| | | Condition(s) of permit: | |
| 18.9 | section 120—Notice to take remedial or other action in relation to a well | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of notice: | |
| | | Location of well: | |
| | | Requirements of notice (as specified therein): | |
| 18.10 | section 135—Water resource works approval | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Details of site where works are authorised: | |
| 18.11 | section 142—Site use approval | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Details of location where water use is allowed: | |
| 18.12 | section 166—Forest water licence | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |

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| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Details of location of forest to which licence relates: | |
| 18.13 | section 191—Notice of instruction as to keeping or management of animal or plant | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of notice: | |
| | | Name of authorised officer who issued notice: | |
| | | Requirements of notice (as specified therein): | |
| 18.14 | section 193—Notice to comply with action order for the destruction or control of animals or plants | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of notice: | |
| | | Name of authorised officer who issued notice: | |
| | | Requirements of notice (as specified therein): | |
| 18.15 | section 194—Notice to pay costs of destruction or control of animals or plants on road reserve | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of notice: | |
| | | Name of authority that issued notice: | |
| | | Amount payable (as specified in notice): | |
| 18.16 | section 196—Notice requiring control or quarantine of animal or plant | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there any attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of notice: | |
| | | Requirements of notice (as specified therein): | |

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|-------|--|--|--------------------------|
| 18.17 | section 207—Protection order to secure compliance with specified provisions of the Act | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of order: | |
| | | Name of authority or person who issued order: | |
| | | Requirements of order (as specified therein): | |
| 18.18 | section 209—Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of order: | |
| | | Name of authority or person who issued order: | |
| | | Requirements of order (as specified therein): | |
| 18.19 | section 211—Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of authorisation: | |
| | | Name of relevant authority that issued authorisation: | |
| | | Person authorised to take action: | |
| | | Requirements of authorisation (as specified therein): | |
| 18.20 | section 215—Orders made by ERD Court | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there any attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of order: | |
| | | Name of parties: | |
| | | Requirements of order: | |

| | | | |
|-----------|---|--|-------------------------------------|
| 18.21 | section 219—Management agreements | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of agreement: | |
| | | Name of parties: | |
| | | Requirements of agreement: | |
| 18.22 | section 235—Additional orders on conviction | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of conviction: | |
| | | Name of court by which conviction is recorded: | |
| | | Requirements of additional order(s): | |
| 19 | Land Tax Act 1936 | | |
| 19.1 | Notice, order or demand for payment of land tax | <i>Is this item applicable?</i> | <input checked="" type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | YES |
| | | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> Land Tax Certificate – See Annexure F | YES |
| | | Date of notice, order or demand: See Annexure F | |
| | | Amount payable (as stated in the notice): See Annexure F | |
| 20 | Local Government Act 1934 (repealed) | | |
| 20.1 | Notice, order, declaration, charge, claim or demand given or made under the Act | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there any attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | 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):~~

21. Local Government Act 1999

| | | | |
|------|---|--|-------------------------------------|
| 21.1 | Notice, order, declaration, charge, claim or demand given or made under the Act | <i>Is this item applicable?</i> | <input checked="" type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement? *(Council rates only)</i> | *YES |
| | | <i>Are there attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> Council Certificate of Charges – See Annexure D | YES |
| | | Date of notice, order etc: See Annexure D | |
| | | Name of council by which, or person by whom, notice, order etc is given or made: The Rural City of Murray Bridge | |
| | | Land subject thereto: Certificate of Title Volume 6247 Folio 52 | |
| | | Nature of requirements contained in notice, order etc: See Annexure D | |
| | | Time for carrying out requirements: See Annexure D | |
| | | Amount payable (if any): See Annexure D | |

22. Local Nuisance and Litter Control Act 2016

| | | | |
|------|--|---|--------------------------|
| 22.1 | section 30—Nuisance or litter abatement notice | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | 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 | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | <i>Does the restriction apply to all of the land?</i> | |
| | | <input type="checkbox"/> | |
| | | <i>If NO, give details about the part of the land to which the restriction applies:</i> | |

24. Mining Act 1971

| | | | |
|------|--|--|--------------------------|
| 24.1 | Mining tenement (other than an exploration licence) | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | <i>Type of tenement:</i> | |
| | | <i>Terms of tenement:</i> | |
| | | <i>Condition(s) (if any) the tenement is subject to:</i> | |
| 24.2 | section 9AA—Agreement or order to waive exemption from mining operations | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | <i>Date of agreement or order:</i> | |
| | | <i>Description of land subject to agreement or order:</i> | |
| | | <i>Names of parties:</i> | |
| | | <i>Period of waiver:</i> | |
| | | <i>Terms (and conditions if any) of agreement or order:</i> | |
| 24.3 | section 56T(1)—Consent to a change in authorised operations | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | <i>Date of consent:</i> | |

Description of property subject to consent:
 Name of tenement holder who sought consent:
 Name of person who gave consent:
 Terms of agreement:

| | | |
|------|---|---|
| 24.4 | section 58(a)—Agreement authorising tenement holder to enter land | <p>Is this item applicable? <input type="checkbox"/></p> <p>Will this be discharged or satisfied prior to or at settlement? N/A</p> <p>Are there attachments? N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of agreement:</p> <p>Description of property subject to agreement:</p> <p>Names of parties:</p> <p>Terms of agreement:</p> |
| | NOT APPLICABLE | |
| 24.5 | section 58A—Notice of intention to commence authorised operations or apply for lease or licence | <p>Is this item applicable? <input type="checkbox"/></p> <p>Will this be discharged or satisfied prior to or at settlement? N/A</p> <p>Are there attachments? N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of notice:</p> <p>Description of property subject to notice:</p> <p>Names of person who served notice:</p> <p>Name of person on whom notice was served:</p> <p>Terms of notice:</p> |
| | NOT APPLICABLE | |
| 24.6 | section 61—Agreement or order to pay compensation for mining operations | <p>Is this item applicable? <input type="checkbox"/></p> <p>Will this be discharged or satisfied prior to or at settlement? N/A</p> <p>Are there attachments? N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of agreement or order:</p> <p>Description of property subject to agreement or order:</p> <p>Names of parties:</p> <p>Terms of agreement or order:</p> |
| | NOT APPLICABLE | |
| 24.7 | section 75(1)—Consent relating to extractive minerals | <p>Is this item applicable? <input type="checkbox"/></p> <p>Will this be discharged or satisfied prior to or at settlement? N/A</p> <p>Are there attachments? N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> |
| | NOT APPLICABLE | |

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| | | Date of consent: | |
| | | Description of property subject to consent: | |
| | | Names of tenement holder who sought consent: | |
| | | Name of person who gave consent | |
| | | Terms of consent: | |
| 24.8 | section 82(1)—Deemed consent or agreement | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of consent or agreement: | |
| | | Description of property subject to consent or agreement: | |
| | | Name of owner of the land/tenement holder deemed to have provided consent or agreement: | |
| | | Terms of consent or agreement: | |
| 24.9 | Proclamation with respect to a private mine | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of proclamation: | |
| 25. | <i>Native Vegetation Act 1991</i> | | |
| 25.1 | Part 4 Division 1—Heritage agreement | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of agreement: | |
| | | Description of property subject to agreement: | |
| | | Names of parties: | |
| | | Terms of agreement: | |
| 25.2 | section 25C—Conditions of approval regarding achievement of environmental benefit by accredited third party provider | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |

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| | | Date of approval: | |
| | | Condition(s) of approval: | |
| | | Terms of agreement: | |
| 25.3 | section 25D—Management agreement | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of agreement: | |
| | | Names of parties: | |
| | | Terms of agreement: | |
| 25.4 | Part 5 Division 1—Refusal to grant consent, or condition of a consent, to clear native vegetation | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of refusal or grant of consent: | |
| | | If consent given, condition(s) (if any) of the consent: | |
| 26 | <i>Natural Resources Management Act 2004 (repealed)</i> | | |
| 26.1 | section 97—Notice to pay levy in respect of costs of regional NRM board | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of notice: | |
| | | Amount of levy payable: | |
| 26.2 | section 123—Notice to prepare an action plan for compliance with general statutory duty | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of notice: | |
| | | Name of authority or person that issued notice: | |
| | | Requirements of notice (as specified therein): | |

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| 26.3 | section 134—Notice to remove or modify a dam, embankment, wall or other obstruction or object | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of notice: | |
| | | Requirements of notice (as specified therein): | |
| 26.4 | section 135—Condition (that remains in force) of a permit | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of permit: | |
| | | Name of relevant authority that granted permit: | |
| | | Condition(s) of permit: | |
| 26.5 | section 181—Notice of instruction as to keeping or management of animal or plant | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of notice: | |
| | | Name of authorised officer who issued notice: | |
| | | Requirements of notice (as specified therein): | |
| 26.6 | section 183—Notice to prepare an action plan for the destruction or control of animals or plants | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of notice: | |
| | | Name of authorised officer who issued notice: | |
| | | Requirements of notice (as specified therein): | |
| 26.7 | section 185—Notice to pay costs of destruction or control of animals or plants on road reserve | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE | <i>Are there attachments?</i> | N/A |

| | | | |
|-------|--|--|--|
| | | <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of notice:</p> <p>Name of authority that issued notice:</p> <p>Amount payable (as specified in notice):</p> | |
| 26.8 | <p>section 187—Notice requiring control or quarantine of animal or plant</p> <p>NOT APPLICABLE</p> | <p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p><i>Are there attachments?</i> N/A</p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of notice:</p> <p>Requirements of notice (as specified therein):</p> | |
| 26.9 | <p>section 193—Protection order to secure compliance with specified provisions of the Act</p> <p>NOT APPLICABLE</p> | <p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p><i>Are there attachments?</i> N/A</p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of order:</p> <p>Name of authority or person who issued order:</p> <p>Requirements of order (as specified therein):</p> | |
| 26.10 | <p>section 195—Reparation order requiring specified action or payment to make good damage resulting from contravention of the Act</p> <p>NOT APPLICABLE</p> | <p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p><i>Are there attachments?</i> N/A</p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of order:</p> <p>Name of authority or person who issued order:</p> <p>Requirements of order (as specified therein):</p> | |
| 26.11 | <p>section 197—Reparation authorisation authorising specified action to make good damage resulting from contravention of the Act</p> <p>NOT APPLICABLE</p> | <p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p><i>Are there attachments?</i> N/A</p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of authorisation:</p> <p>Name of relevant authority that issued authorisation:</p> <p>Person authorised to take action:</p> | |

| | | Requirements of authorisation (as specified therein): | |
|---|---|--|-------------------------------------|
| 27. Outback Communities (Administration and Management) Act 2009 | | | |
| 27.1 | section 21—Notice of levy or contribution payment | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of notice: | |
| | | Name of person or body giving notice: | |
| | | Type of levy or contribution: | |
| | | Amount payable (as stated in notice): | |
| 28. Phylloxera and Grape Industry Act 1995 | | | |
| 28.1 | section 23(1)—Notice of contribution payable | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there attachments? | N/A |
| | | If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars): | |
| | | Date of notice: | |
| | | Name of person or body giving notice: | |
| | | Terms of notice: | |
| | | Amount payable (as stated in notice): | |
| 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.] | Is this item applicable? | <input checked="" type="checkbox"/> |
| | | 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): Council Search – See Annexure D and Property Interest Report – See Annexure B | |
| | | Title or other brief description of zone, subzone and overlay in which the land is situated (as shown in the Planning and Design Code): SN Suburban Neighbourhood zone. See Annexure D for zoning overlays. | |
| | | Is the land situated in a State Heritage place? | NO |

Is the land designated as a place of local heritage value? **NO**

Is there a tree declared to be a significant tree or a stand of trees declared to be significant trees on the land? **NO**

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

YES – See Annexure B and D

Note—

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

| | | |
|------|--|---|
| 29.2 | <p>section 127—Condition (that continues to apply) of a development authorisation</p> <p>[Note— <i>Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i></p> | <p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p><i>Are there attachments?</i> N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):—</i></p> <p>Date of authorisation:—</p> <p>Name of relevant authority that granted authorisation:—</p> <p>Condition(s) of authorisation:—</p> |
| | <p>NOT APPLICABLE - However please note conditions (that continue to apply) of development authorisations under section 42 of the Development Act 1993 in Item 5.1 and referred to in the Council Search at Annexure D.</p> | |
| 29.3 | <p>section 139—Notice of proposed work and notice may require access</p> <p>NOT APPLICABLE</p> | <p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p><i>Are there attachments?</i> N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):—</i></p> <p>Date of notice:</p> <p>Name of person giving notice of proposed work:</p> <p>Building work proposed (as stated in the notice):</p> <p>Other building work as required pursuant to the Act:</p> |
| 29.4 | <p>section 140—Notice requesting access</p> <p>NOT APPLICABLE</p> | <p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p><i>Are there attachments?</i> N/A <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):—</i></p> <p>Date of notice:</p> <p>Name of person requesting access:</p> |

| | | | |
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| | | Reason for which access is sought (as stated in the notice): | |
| | | Activity or work to be carried out: | |
| 29.5 | section 141—Order to remove or perform work | Is this item applicable? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | 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? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | 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? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | 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? | <input type="checkbox"/> |
| | NOT APPLICABLE | Will this be discharged or satisfied prior to or at settlement? | N/A |
| | | Are there attachments? <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | 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 | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE - However please note Land Management Agreement pursuant to section 57 of the Development Act 1993 in Item 5.6 and referred to in the Council Search at Annexure D. | <i>Are there attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | 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 | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE – See Annexure I | <i>Are there attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | 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 | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | NOT APPLICABLE – See Annexure I | <i>Are there attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of agreement: | |
| | | Names of parties: | |
| | | Terms of agreement: | |
| | | Contribution payable (if any): | |
| 29.12 | Part 16 Division 1—Proceedings | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | N/A |
| | | Date of commencement of proceedings: | |
| | | Date of determination or order (if any): | |
| | | Terms of determination or order (if any): | |

| | | | |
|------------|---|--|--------------------------|
| 29.13 | section 213—Enforcement notice | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> N/A | |
| | | <i>Are there attachments?</i> N/A | |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | 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): | |
| 29.14 | section 214(6), 214(10) or 222— Enforcement order | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> N/A | |
| | | <i>Are there attachments?</i> N/A | |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | 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: | |
| 30. | <i>Plant Health Act 2009</i> | | |
| 30.1 | section 8 or 9—Notice or order concerning pests | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> N/A | |
| | | <i>Are there attachments?</i> N/A | |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of notice or order: | |
| | | Date of Gazette in which notice published (if applicable): | |
| | | Nature of requirement, restriction or prohibition: | |
| 31. | <i>Public and Environmental Health Act 1987 (repealed)</i> | | |
| 31.1 | Part 3—Notice | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> N/A | |
| | | <i>Are there attachments?</i> N/A | |
| | | <i>If YES, identify the attachment(s)</i> | |

| | | | |
|-------------|---|---|--------------------------|
| | | <i>(and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of notice: | |
| | | Name of council or other authority giving notice: | |
| | | Requirements of notice: | |
| 31.2 | <i>Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) (revoked) Part 2—Condition (that continues to apply) of an approval</i> | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of approval: | |
| | | Name of relevant authority that granted the approval: | |
| | | Condition(s) of approval: | |
| 31.3 | <i>Public and Environmental Health (Waste Control) Regulations 2010 (revoked) regulation 19—Maintenance order (that has not been complied with)</i> | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of order: | |
| | | Name of relevant authority giving order: | |
| | | Requirements of order: | |
| 32. | South Australian Public Health Act 2011 | | |
| 32.1 | section 66—Direction or requirement to avert spread of disease | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of direction or requirement: | |
| | | Name of authority giving direction or making requirement: | |
| | | Nature of direction or requirement: | |
| 32.2 | section 92—Notice | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of notice: | |

| | | Name of council or other relevant authority giving notice: | |
|-------------|---|---|-------------------------------------|
| | | Requirements of notice: | |
| 32.3 | <i>South Australian Public Health (Wastewater) Regulations 2013 Part 4—Condition (that continues to apply) of an approval</i> | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of approval: | |
| | | Name of person or body that granted the approval: | |
| | | Condition(s) of approval: | |
| 33. | <i>Upper South East Dryland Salinity and Flood Management Act 2002 (expired)</i> | | |
| 33.1 | section 23—Notice of contribution payable | <i>Is this item applicable?</i> | <input type="checkbox"/> |
| | NOT APPLICABLE | <i>Will this be discharged or satisfied prior to or at settlement?</i> | N/A |
| | | <i>Are there attachments?</i> | N/A |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | Date of notice: | |
| | | Terms of notice: | |
| | | Amount payable: | |
| 34. | <i>Water Industry Act 2012</i> | | |
| 34.1 | Notice or order under the Act requiring payment of charges or other amounts or making other requirement | <i>Is this item applicable?</i> | <input checked="" type="checkbox"/> |
| | | <i>Will this be discharged or satisfied prior to or at settlement?</i> | YES |
| | | <i>Are there attachments?</i> | YES |
| | | <i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i> | |
| | | SA Water Certificate – See Annexure G | |
| | | Date of notice or order: | See Annexure G |
| | | Name of person or body who served notice or order: | See Annexure G |
| | | Amount payable (if any) as specified in the notice or order: | See Annexure G |
| | | Nature of other requirement made (if any) as specified in the notice or order: | See Annexure G |

| 35. Water Resources Act 1997 | | |
|-------------------------------------|--|---|
| 35.1 | section 18 (repealed)—Condition (that remains in force) of a permit | <p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p>NOT APPLICABLE</p> <p><i>Are there attachments?</i> N/A</p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of permit:</p> <p>Name of relevant authority that granted permit:</p> <p>Condition(s) of permit:</p> |
| 35.2 | section 125 (or a corresponding previous enactment)—Notice to pay levy | <p><i>Is this item applicable?</i> <input type="checkbox"/></p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> N/A</p> <p>NOT APPLICABLE</p> <p><i>Are there attachments?</i> N/A</p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Date of notice:</p> <p>Amount of levy payable:</p> |
| 36. Other charges | | |
| 36.1 | Charge of any kind affecting the land (not included in another item) *See also Various Notices at page 13 and 14 of the Property Interest Report at Annexure B for further information in relation to the Land. | <p><i>Is this item applicable?</i> <input checked="" type="checkbox"/> *</p> <p><i>Will this be discharged or satisfied prior to or at settlement?</i> YES</p> <p><i>*Insofar as the charge relates to the Land only (if at all)</i></p> <p><i>Are there attachments?</i> NO</p> <p><i>If YES, identify the attachment(s) (and, if applicable, the part(s) containing the particulars):</i></p> <p>Person or body in whose favour charge exists: Refer to the registrations against the Vendor in the Personal Property Securities Register (if any)</p> <p>Nature of charge: Refer to the registrations against the Vendor in the Personal Property Securities Register (if any)</p> <p>Amount of charge (if known): Refer to the registrations against the Vendor in the Personal Property Securities Register (if any)</p> |

Schedule—Division 2—Other particulars (section 7(1)(b))**Particulars of transactions in last 12 months**

If the vendor, within 12 months before the date of the contract of sale—

- (a) obtained title to the land; or
- (b) obtained an option to purchase the land; or
- (c) entered into a contract to purchase the land (whether on the vendor's own behalf or on behalf of another).

the vendor must provide the following particulars of all transactions relating to the acquisition of the interest that occurred within that 12 month period:

- 1 The name and address of each party to the transaction and of each person in whom an interest vested as a result of the transaction:—
- 2 The date and nature of each instrument registered on the certificate of title or, if no such instrument has been registered, the date and nature of each document forming the whole or part of a contract relating to the transaction:—
- 3 Particulars of the consideration provided for the purposes of the transaction:—

The above particulars must be provided for each transaction.

Particulars relating to community lot (including strata lot) or development lot

- 1 Name of community corporation:—
— Address of community corporation:
- 2 Application must be made in writing to the community corporation for the particulars and documents referred to in 3 and 4. Application must also be made in writing to the community corporation for the documents referred to in 6 unless those documents are obtained from the Lands Titles Registration Office.
- 3 Particulars supplied by the community corporation or known to the vendor:—
 - (a) particulars of contributions payable in relation to the lot (including details of arrears of contributions related to the lot):—
 - (b) particulars of assets and liabilities of the community corporation:—
 - (c) particulars of expenditure that the community corporation has incurred, or has resolved to incur, and to which the owner of the lot must contribute, or is likely to be required to contribute:
 - (d) if the lot is a development lot, particulars of the scheme description relating to the development lot and particulars of the obligations of the owner of the development lot under the development contract:
 - (e) if the lot is a community lot, particulars of the lot entitlement of the lot:

[If any of the above particulars have not been supplied by the community corporation by the date of this statement and are not known to the vendor, state "not known" for those particulars.]

- 4 Documents supplied by the community corporation that are enclosed:
- (a) a copy of the minutes of the general meetings of the community corporation and management committee *for the 2 years preceding this statement/since the deposit of the community plan;
(*Strike out or omit whichever is the greater period)
[]
 - (b) a copy of the statement of accounts of the community corporation last prepared;
[]
 - (c) a copy of current policies of insurance taken out by the community corporation.
[]

[For each document indicate (YES or NO) whether or not the document has been supplied by the community corporation by the date of this statement.]

5 If "not known" has been specified for any particulars in 3 or a document referred to in 4 has not been supplied, set out the date of the application made to the community corporation and give details of any other steps taken to obtain the particulars or documents concerned:

6 The following documents are enclosed:

- (a) a copy of the scheme description (if any) and the development contract (if any);
- (b) a copy of the by-laws of the community scheme.

7 The following additional particulars are known to the vendor or have been supplied by the community corporation:

8 Further inquiries may be made to the secretary of the community corporation or the appointed community scheme manager.

— Name:—

— Address:—

Note—

- (1) A community corporation must (on application by or on behalf of a current or prospective owner or other relevant person) provide the particulars and documents referred to in 3(a)–(c) and 4 and must also make available for inspection any information required to establish the current financial position of the corporation, a copy of any contract with a body corporate manager and the register of owners and lot entitlements that the corporation maintains: see sections 139 and 140 of the *Community Titles Act 1996*.
- (2) Copies of the scheme description, the development contract or the by-laws of the community scheme may be obtained from the community corporation or from the Lands Titles Registration Office.
- (3) All owners of a community lot or a development lot are bound by the by-laws of the community scheme. The by-laws regulate the rights and liabilities of owners of lots in relation to their lots and the common property and matters of common concern.
- (4) For a brief description of some of the matters that need to be considered before purchasing a community lot, see Division 3 of this Schedule.

Particulars relating to strata unit

1 Name of strata corporation:—
Address of strata corporation:

2 Application must be made in writing to the strata corporation for the particulars and documents referred to in 3 and 4. Application must also be made in writing to the strata corporation for the articles referred to in 6 unless the articles are obtained from the Lands Titles Registration Office.

3 Particulars supplied by the strata corporation or known to the vendor:

- (a) particulars of contributions payable in relation to the unit (including details of arrears of contributions related to the unit):
- (b) particulars of the assets and liabilities of the strata corporation:

~~(c) particulars of expenditure that the strata corporation has incurred, or has resolved to incur, and to which the unit holder of the unit must contribute, or is likely to be required to contribute;~~

~~(d) particulars of the unit entitlement of the unit:~~

~~[If any of the above particulars have not been supplied by the strata corporation by the date of this statement and are not known to the vendor, state "not known" for those particulars.]~~

~~4 Documents supplied by the strata corporation that are enclosed:~~

~~(a) a copy of the minutes of the general meetings of the strata corporation and management committee *for the 2 years preceding this statement/since the deposit of the strata plan;~~

~~—— (*Strike out or omit whichever is the greater period)~~

~~—— []~~

~~(b) a copy of the statement of accounts of the strata corporation last prepared;~~

~~—— []~~

~~(c) a copy of current policies of insurance taken out by the strata corporation.~~

~~—— []~~

~~[For each document indicate (YES or NO) whether or not the document has been supplied by the strata corporation by the date of this statement.]~~

~~5 If "not known" has been specified for any particulars in 3 or a document referred to in 4 has not been supplied, set out the date of the application made to the strata corporation and give details of any other steps taken to obtain the particulars or documents concerned:~~

~~6 A copy of the articles of the strata corporation is enclosed.~~

~~7 The following additional particulars are known to the vendor or have been supplied by the strata corporation: _____~~



~~8 Further inquiries may be made to the secretary of the strata corporation or the appointed strata manager:~~

~~—— Name:—~~

~~—— Address:—~~

Note—

~~1 A strata corporation must (on application by or on behalf of a current owner, prospective purchaser or other relevant person) provide the particulars and documents referred to in 3(a) — (c), 4 and 6 and must also make available for inspection its accountancy records and minute books, any contract with a body corporate manager, the register of unit holders and unit holder entitlements that it maintains and any documents in its possession relating to the design and construction of the buildings or improvements on the site or relating to the strata scheme.~~

~~2 Copies of the articles of the strata corporation may also be obtained from the Lands Titles Registration Office.~~

~~3 All owners of a strata unit are bound by the articles of the strata corporation. The articles regulate the rights and liabilities of owners of units in relation to their units and the common property and matters of common concern.~~

~~4 For a brief description of some of the matters that need to be considered before purchasing a strata unit, see Division 3 of this Schedule.~~

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:

- 1 ~~Name(s) of person(s) insured:-~~
- 2 ~~Name of insurer:-~~
- 3 ~~Limitations on the liability of the insurer:-~~
- 4 ~~Name of builder:-~~
- 5 ~~Builder's licence number:-~~
- 6 ~~Date of issue of insurance:-~~
- 7 ~~Description of insured building work:-~~

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?~~

~~[]~~

~~If YES, give details:-~~

- (a) ~~Date of the exemption:~~
- (b) ~~Name of builder granted the exemption:~~
- (c) ~~Licence number of builder granted the exemption:~~
- (d) ~~Details of building work to which the exemption applies:~~
- (e) ~~Details of conditions (if any) to which the exemption is subject:-~~

Particulars relating to asbestos at workplaces



- 1 ~~In these particulars—~~
 - ~~*asbestos* and *asbestos containing material* have the same meaning as in the *Work Health and Safety Regulations 2012*;~~
 - ~~*workplace* has the same meaning as in the *Work Health and Safety Act 2012*.~~
- 2 ~~Is there a workplace on the land?~~
 - ~~[]~~
- 3 ~~If YES, is there an asbestos register for the workplace?~~
 - ~~[]~~
- 4 ~~If YES, does that register record any asbestos or asbestos containing material at the workplace (or likely to be present at the workplace from time to time and specify the location, type and condition of that asbestos or asbestos containing material?~~
 - ~~[]~~
- 5 ~~If YES—~~
 - (a) ~~give details of the location, type and condition of the asbestos or asbestos containing material:~~
 - (b) ~~has a plan been prepared for the management of asbestos at the workplace?~~
 - ~~[]~~
 - ~~If YES, give details:~~

(c) ~~is any asbestos or asbestos-containing material to be removed before settlement?~~

~~_____ [_____]~~

~~_____ If YES, give details:~~

Note—

~~1. _____ A register is not required to be prepared for a workplace—~~

~~(a) _____ if a register has already been prepared for the workplace; or—~~

~~(b) _____ if—~~

~~(i) _____ the workplace is a building that was constructed after 31 December 2003; and—~~

~~(ii) _____ no asbestos has been identified at the workplace; and—~~

~~(iii) _____ no asbestos is likely to be present at the workplace from time to time.~~

~~_____ See regulation 425 of the *Work Health and Safety Regulations 2012*.~~

~~2. _____ A person with management or control of a workplace who plans to relinquish management or control must ensure (so far as is reasonably practicable) that the asbestos register is given to the person assuming management or control of the workplace.~~

~~_____ See regulation 428 of the *Work Health and Safety Regulations 2012*.~~

Particulars relating to aluminium composite panels



~~Has the vendor been notified that a building on the land has been identified, as part of a South Australian Building Cladding Audit initiated in 2017 and conducted by the former Department of Planning, Transport and Infrastructure in conjunction with the Metropolitan Fire Service, Country Fire Service and councils—~~

~~(a) _____ as having aluminium composite panels installed on the exterior of the building; and~~

~~(b) _____ as constituting a moderate, high or extreme risk as a result of that installation; and~~

~~(c) _____ as requiring remediation to reduce the risk to an acceptable level; and~~

~~(d) _____ as not having had the necessary remedial work performed or a determination made by the appropriate authority of the relevant council (within the meaning of section 157 of the *Planning, Development and Infrastructure Act 2016*) that no further action is required?~~

~~_____ [_____]~~

~~If YES, give details of the following:~~

~~1 _____ the actions required to remediate the risk (if known):~~

~~2 _____ the estimated costs of remediation (if known):~~

Particulars relating to court or tribunal process



~~If process has issued out of any court or tribunal in relation to a claim—~~

~~(a) _____ that is stated to affect the land or the value of which is \$5 000 or more; and~~

~~(b) _____ that presently affects (or may prospectively affect) title to, or the possession or enjoyment of, the land,~~

~~the vendor must provide the following particulars:~~

~~1 _____ Name of court or tribunal:~~

~~2 _____ Names of parties:~~

~~3 _____ Nature of claim:~~

~~4 _____ Amount of claim (if applicable):~~

~~5 _____ Amount of judgment (if applicable):~~

~~6 _____ Name of judgment creditor (if applicable):~~

Particulars relating to land irrigated or drained under Irrigation Acts**1—Land irrigated or drained under *Irrigation Act 2009***

If the land is land in respect of which water is supplied or delivered, or is drained, through an irrigation or drainage system provided by an irrigation trust under the *Irrigation Act 2009*—

(a) has the trust given notice under section 40 of that Act in respect of the land?

[]

If YES, specify—

- (i) the date on which notice was given;
- (ii) the requirements of the notice;
- (iii) the amount (if any) payable under section 40(7) of the Act;

(b) has the trust given notice under section 50 of that Act?

[]

If YES, specify—

- (i) the date on which notice was given;
- (ii) the amount payable (including interest, if any);

2—Land irrigated or drained under *Renmark Irrigation Trust Act 2009*

If the land is land in respect of which water is supplied or delivered, or is drained, through an irrigation or drainage system provided by the Renmark Irrigation Trust under the *Renmark Irrigation Trust Act 2009*—

(a) has the Trust given notice under section 41 of that Act in respect of the land?

[]

If YES, specify—

- (i) the date on which notice was given;
- (ii) the requirements of the notice;
- (iii) the amount (if any) payable under section 41(7) of the Act;

(b) has the Trust given notice under section 52 of that Act in respect of the land?

[]

If YES, specify—

- (i) the date on which notice was given;
- (ii) the amount payable (including interest, if any);

Particulars relating to environment protection**1—Interpretation**

(1) In this and the following items (items 1 to 7 inclusive)—

domestic activity has the same meaning as in the *Environment Protection Act 1993*;

environmental assessment, in relation to land, means an assessment of the existence or nature or extent of

- (a) site contamination (within the meaning of the *Environment Protection Act 1993*) at the land; or
- (b) any other contamination of the land by chemical substances,

and includes such an assessment in relation to water on or below the surface of the land;

EPA means the Environment Protection Authority established under the *Environment Protection Act 1993*;

pre-1 July 2009 site audit, in relation to land, means a review (carried out by a person recognised by the EPA as an environmental auditor) that examines environmental assessments or remediation of the land for the purposes of determining—

- (a) the nature and extent of contamination of the land by chemical substances present or remaining on or below the surface of the land; and
- (b) the suitability of the land for a particular use; and
- (c) what remediation is or remains necessary for a particular use,

but does not include a site contamination audit (as defined below) completed on or after 1 July 2009;

pre-1 July 2009 site audit report means a detailed written report that sets out the findings of a pre-1 July 2009 site audit;

prescribed commercial or industrial activity—see item 1(2);

prescribed fee means the fee prescribed under the *Environment Protection Act 1993* for inspection of, or obtaining copies of information on, the public register;

public register means the public register kept by the EPA under section 109 of the *Environment Protection Act 1993*;

site contamination audit has the same meaning as in the *Environment Protection Act 1993*;

site contamination audit report has the same meaning as in the *Environment Protection Act 1993*.

- (2) For the purposes of this and the following items (items 1 to 7 inclusive), each of the following activities (as defined in Schedule 3 clause 2 of the *Environment Protection Regulations 2009*) is a prescribed commercial or industrial activity:

| | | |
|---|---|---|
| abrasive blasting | acid sulphate soil generation | agricultural activities |
| airports, aerodromes or aerospace industry | animal burial | animal dips or spray race facilities |
| animal feedlots | animal saleyards | asbestos disposal |
| asphalt or bitumen works | battery manufacture, recycling or disposal | breweries |
| brickworks | bulk shipping facilities | cement works |
| ceramic works | charcoal manufacture | coal handling or storage |
| coke works | compost or mulch production or storage | concrete batching works |
| curing or drying works | defence works | desalination plants |
| dredge spoil disposal or storage | drum reconditioning or recycling works | dry cleaning |
| electrical or electronics component manufacture | electrical substations | electrical transformer or capacitor works |
| electricity generation or power plants | explosives or pyrotechnics facilities | fertiliser manufacture |
| fibreglass manufacture | fill or soil importation | fire extinguisher or retardant manufacture |
| fire stations | fire training areas | foundry |
| fuel burning facilities | furniture restoration | gasworks |
| glass works | glazing | hat manufacture or felt processing |
| incineration | iron or steel works | laboratories |
| landfill sites | lime burner | metal coating, finishing or spray painting |
| metal forging | metal processing, smelting, refining or metallurgical works | mineral processing, metallurgical laboratories or mining or extractive industries |
| mirror manufacture | motor vehicle manufacture | motor vehicle racing or testing venues |
| motor vehicle repair or maintenance | motor vehicle wrecking yards | mushroom farming |
| oil recycling works | oil refineries | paint manufacture |

| | | |
|--|-------------------------------------|---|
| pest control works | plastics manufacture works | printing works |
| pulp or paper works | railway operations | rubber manufacture or processing |
| scrap metal recovery | service stations | ship breaking |
| spray painting | tannery, fellmongery or hide curing | textile operations |
| transport depots or loading sites | tyre manufacture or retreading | vermiculture |
| vessel construction, repair or maintenance | waste depots | wastewater storage, treatment or disposal |
| water discharge to underground aquifer | wetlands or detention basins | wineries or distilleries |
| wood preservation works | woolscouring or wool carbonising | works |
| works depots (operated by councils or utilities) | | |

2—Pollution and site contamination on the land—questions for vendor

- (1) Is the vendor aware of any of the following activities ever having taken place at the land:
- (a) storage, handling or disposal of waste or fuel or other chemicals (other than in the ordinary course of domestic activities)?
 - (b) importation of soil or other fill from a site at which—
 - (i) an activity of a kind listed in paragraph (a) has taken place; or
 - (ii) a prescribed commercial or industrial activity (see item 1(2) above) has taken place?

NO

If YES, give details of all activities that the vendor is aware of and whether they have taken place before or after the vendor acquired an interest in the land:

- (2) Is the vendor aware of any prescribed commercial or industrial activities (see item 1(2) above) ever having taken place at the land?

NO

If YES, give details of all activities that the vendor is aware of and whether they have taken place before or after the vendor acquired an interest in the land:

- (3) Is the vendor aware of any dangerous substances ever having been kept at the land pursuant to a licence under the *Dangerous Substances Act 1979*?

NO

If YES, give details of all dangerous substances that the vendor is aware of and whether they were kept at the land before or after the vendor acquired an interest in the land:

- (4) Is the vendor aware of the sale or transfer of the land or part of the land ever having occurred subject to an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the *Environment Protection Act 1993* applies?

NO

If YES, give details of each sale or transfer and agreement that the vendor is aware of:

- (5) Is the vendor aware of an environmental assessment of the land or part of the land ever having been carried out or commenced (whether or not completed)?

YES

If YES, give details of all environmental assessments that the vendor is aware of and whether they were carried out or commenced before or after the vendor acquired an interest in the land: **Environmental assessment reports carried out before the Vendor acquired the land. Reports available for viewing at AVJennings Properties Ltd upon request at Level 2, 18 Dequetteville Terrace, Kent Town SA 5067 – See Annexure I.**

Note—

These questions relate to details about the land that may be known by the vendor. A "YES" answer to the questions at items 2(1) or 2(2) may indicate that a **potentially contaminating activity** has taken place at the land (see sections 103C and 103H of the *Environment Protection Act 1993*) and that assessments or remediation of the land may be required at some future time.

A "YES" answer to any of the questions in this item may indicate the need for the purchaser to seek further information regarding the activities, for example, from the council or the EPA.

3—Licences and exemptions recorded by EPA in public register

Does the EPA hold any of the following details in the public register:

- (a) details of a current licence issued under Part 6 of the *Environment Protection Act 1993* to conduct any prescribed activity of environmental significance under Schedule 1 of that Act at the land?

NO

- (b) details of a licence no longer in force issued under Part 6 of the *Environment Protection Act 1993* to conduct any prescribed activity of environmental significance under Schedule 1 of that Act at the land?

NO

- (c) details of a current exemption issued under Part 6 of the *Environment Protection Act 1993* from the application of a specified provision of that Act in relation to an activity carried on at the land?

NO

- (d) details of an exemption no longer in force issued under Part 6 of the *Environment Protection Act 1993* from the application of a specified provision of that Act in relation to an activity carried on at the land?

NO

- (e) details of a licence issued under the repealed *South Australian Waste Management Commission Act 1979* to operate a waste depot at the land?

NO

- (f) details of a licence issued under the repealed *Waste Management Act 1987* to operate a waste depot at the land?

NO

- (g) details of a licence issued under the repealed *South Australian Waste Management Commission Act 1979* to produce waste of a prescribed kind (within the meaning of that Act) at the land?

NO

- (h) details of a licence issued under the repealed *Waste Management Act 1987* to produce prescribed waste (within the meaning of that Act) at the land?

NO

Note—

These questions relate to details about licences and exemptions required to be recorded by the EPA in the public register. If the EPA answers "YES" to any of the questions—

- in the case of a licence or exemption under the *Environment Protection Act 1993*—
 - the purchaser may obtain a copy of the licence or exemption from the public register on payment of the prescribed fee; and
 - the purchaser should note that transfer of a licence or exemption is subject to the conditions of the licence or exemption and the approval of the EPA (see section 49 of the *Environment Protection Act 1993*); and
- in the case of a licence under a repealed Act—the purchaser may obtain details about the licence from the public register on payment of the prescribed fee.

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

The EPA will not provide details about licences to conduct the following prescribed activities of environmental significance (within the meaning of Schedule 1 Part A of the *Environment Protection Act 1993*): waste transport business (category A), waste transport business (category B), dredging, earthworks drainage, any other activities referred to in Schedule 1 Part A undertaken by means of mobile works, helicopter landing facilities, marinas and boating facilities or discharges to marine or inland waters.

The EPA will not provide details about exemptions relating to—

- the conduct of any of the licensed activities in the immediately preceding paragraph in this note; or
- noise.

4—Pollution and site contamination on the land—details recorded by EPA in public register

Does the EPA hold any of the following details in the public register in relation to the land or part of the land:

- (a) details of serious or material environmental harm caused or threatened in the course of an activity (whether or not notified under section 83 of the *Environment Protection Act 1993*)?

NO

- (b) details of site contamination notified to the EPA under section 83A of the *Environment Protection Act 1993*?

NO

- (c) a copy of a report of an environmental assessment (whether prepared by the EPA or some other person or body and whether or not required under legislation) that forms part of the information required to be recorded in the public register?

NO

- (d) a copy of a site contamination audit report?

NO

- (e) details of an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the *Environment Protection Act 1993* applies?

NO

- (f) details of an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*?

NO

- (g) details of an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*?

NO

- (h) details of a notification under section 103Z(1) of the *Environment Protection Act 1993* relating to the commencement of a site contamination audit?

NO

- (i) details of a notification under section 103Z(2) of the *Environment Protection Act 1993* relating to the termination before completion of a site contamination audit?

NO

- (j) details of records, held by the former South Australian Waste Management Commission under the repealed *Waste Management Act 1987*, of waste (within the meaning of that Act) having been deposited on the land between 1 January 1983 and 30 April 1995?

NO

Note—

These questions relate to details required to be recorded by the EPA in the public register. If the EPA answers "YES" to any of the questions, the purchaser may obtain those details from the public register on payment of the prescribed fee.

5—Pollution and site contamination on the land—other details held by EPA

Does the EPA hold any of the following details in relation to the land or part of the land:

- (a) a copy of a report known as a "Health Commission Report" prepared by or on behalf of the South Australian Health Commission (under the repealed *South Australian Health Commission Act 1976*)?

NO

- (b) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*?

NO

- (c) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*?

NO

- (d) a copy of a pre-1 July 2009 site audit report?

NO

- (e) details relating to the termination before completion of a pre-1 July 2009 site audit?

NO

Note—

These questions relate to details that the EPA may hold. If the EPA answers "YES" to any of the questions, the purchaser may obtain those details from the EPA (on payment of any fee fixed by the EPA).

6—Further information held by councils

Does the council hold details of any development approvals relating to—

- (a) commercial or industrial activity at the land; or
 (b) a change in the use of the land or part of the land (within the meaning of the repealed *Development Act 1993* or the *Planning, Development and Infrastructure Act 2016*)?

NO – See Council Search in Annexure D

Note—

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

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

It should be noted that—

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

7—Further information for purchasers



Note—

The purchaser is advised that other matters under the *Environment Protection Act 1993* (that is, matters other than those referred to in this Statement) that may be relevant to the purchaser's further enquiries may also be recorded in the public register. These include:

- details relating to environmental authorisations such as applications, applicants, locations of activities, conditions, suspension, cancellation or surrender of authorisations, disqualifications, testing requirements and test results;

- details relating to activities undertaken on the land under licences or other environmental authorisations no longer in force;
- written warnings relating to alleged contraventions of the *Environment Protection Act 1993*;
- details of prosecutions and other enforcement action;
- details of civil proceedings;
- other details prescribed under the *Environment Protection Act 1993* (see section 109(3)(l)).

Details of these matters may be obtained from the public register on payment to the EPA of the prescribed fee.

If—

- an environment performance agreement, environment protection order, clean-up order, clean-up authorisation, site contamination assessment order or site remediation order has been registered on the certificate of title for the land; or
- a notice of declaration of special management area in relation to the land has been gazetted; or
- a notation has been made on the certificate of title for the land that a site contamination audit report has been prepared in respect of the land; or
- a notice of prohibition or restriction on taking water affected by site contamination in relation to the land has been gazetted,

it will be noted in the items under the heading *Environment Protection Act 1993* under the Table of Particulars in this Statement. Details of any registered documents may be obtained from the Lands Titles Registration Office.

~~Particulars relating to Livestock Act 1997~~



~~1 Has any notice under section 33 or 37 of the *Livestock Act 1997* been made that affects, presently or prospectively, enjoyment of the land?~~

~~_____ [_____]~~

~~_____ If YES, give details of the following:~~

~~_____ Date of notice:~~

~~_____ Terms of notice:~~

~~2 Has any order under section 38, or notice under section 72, of the *Livestock Act 1997* been issued to the vendor in relation to the land or any building on the land?~~

~~_____ [_____]~~

~~_____ If YES, give details of the following:~~

~~_____ Date of order or notice: Terms of order or notice:~~

~~Schedule—Division 3—Community lots and strata units~~



~~Matters to be considered in purchasing a community lot or strata unit~~

~~The property you are buying is on strata or community title. There are **special obligations and restrictions** that go with this kind of title. Make sure you understand these. If unsure, seek legal advice before signing a contract. For example:~~

~~Governance~~

~~You will automatically become a member of the **body corporate**, which includes all owners and has the job of maintaining the common property and enforcing the rules. Decisions, such as the amount you must pay in levies, will be made by vote of the body corporate. You will need to take part in meetings if you wish to have a say. If outvoted, you will have to live with decisions that you might not agree with.~~

~~If you are buying into a mixed use development (one that includes commercial as well as residential lots), owners of some types of lots may be in a position to outvote owners of other types of lots. Make sure you fully understand your voting rights, see later.~~

~~Use of your property~~

~~You, and anyone who visits or occupies your property, will be bound by rules in the form of **articles or by-laws**. These can restrict the use of the property, for example, they can deal~~

with keeping pets, car parking, noise, rubbish disposal, short-term letting, upkeep of buildings and so on. Make sure that you have read the articles or by-laws before you decide whether this property will suit you.

Depending on the rules, you might not be permitted to make changes to the exterior of your unit, such as installing a television aerial or an air conditioner, building a pergola, attaching external blinds etc without the permission of the body corporate. A meeting may be needed before permission can be granted. Permission may be refused.

Note that the articles or by-laws **could change** between now and when you become the owner: the body corporate might vote to change them. Also, if you are buying before the community plan is registered, then any by-laws you have been shown are just a draft.

Are you buying a debt?

If there are unpaid contributions owing on this property, you can be made to pay them. You are entitled to **know the financial state of the body corporate** and you should make sure you see its records before deciding whether to buy. As a prospective owner, you can write to the body corporate requiring to see the records, including minutes of meetings, details of assets and liabilities, contributions payable, outstanding or planned expenses and insurance policies. There is a fee. To make a request, write to the secretary or management committee of the body corporate.

Expenses

The body corporate can **require you to maintain your property**, even if you do not agree, or can carry out maintenance and bill you for it.

The body corporate can **require you to contribute** to the cost of upkeep of the common property, even if you do not agree. Consider what future maintenance or repairs might be needed on the property in the long term.

Guarantee

As an owner, you are a **guarantor** of the liabilities of the body corporate. If it does not pay its debts, you can be called on to do so. Make sure you know what the liabilities are before you decide to buy. Ask the body corporate for copies of the financial records.

Contracts

The body corporate can make contracts. For example, it may engage a body corporate manager to do some or all of its work. It may contract with traders for maintenance work. It might engage a caretaker to look after the property. It might make any other kind of contract to buy services or products for the body corporate. Find out **what contracts the body corporate is committed to and the cost**.

The body corporate will have to raise funds from the owners to pay the money due under these contracts. As a guarantor, you could be liable if the body corporate owes money under a contract.

Buying off the plan

If you are buying a property that has not been built yet, then you **cannot be certain** what the end product of the development process will be. If you are buying before a community plan has been deposited, then any proposed development contract, scheme description or by-laws you have been shown could change.

Mixed use developments—voting rights

You may be buying into a group that is run by several different community corporations. This is common in mixed use developments, for example, where a group of apartments is combined with a hotel or a group of shops. If there is more than one corporation, then you should not expect that all lot owners in the group will have equal voting rights. The corporations may be structured so that, even though there are more apartments than shops in the group, the shop owners can outvote the apartment owners on some matters. Make enquiries so that you understand how many corporations there are and what voting rights you will have.

Further information

The Real Estate Institute of South Australia provides an information service for enquiries about real estate transactions, see www.reisa.com.au.

The Australian Institute of Conveyancers (SA Division) (AICSA) provides information and operates a Public Advisory Service with respect to conveyancers and the conveyancing process, see www.aicsa.com.au.

Information and a booklet about strata and community titles is available from the Legal Services Commission of South Australia at www.lsc.sa.gov.au. You can also seek advice from a legal practitioner.

ANNEXURE A

Certificate of Title Volume 6247 Folio 52 and proposed Plan of Division



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 6247 Folio 52

Parent Title(s) CT 6145/199
Creating Dealing(s) RTU 13409357
Title Issued 27/11/2020 Edition 1 Edition Issued 27/11/2020

Estate Type

FEE SIMPLE

Registered Proprietor

AVJENNINGS PROPERTIES LTD. (ACN: 004 601 503)
OF L 2 18 DEQUETTEVILLE TERRACE KENT TOWN SA 5067

Description of Land

ALLOTMENT 4002 DEPOSITED PLAN 125317
IN THE AREA NAMED MURRAY BRIDGE
HUNDRED OF MOBILONG

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED K(T/F) ON D125317 FOR ELECTRICITY SUPPLY PURPOSES TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) (223LG RPA)

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED L ON D125317 FOR ELECTRICITY SUPPLY PURPOSES TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) (223LG RPA)

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED M ON D125317 FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED N ON D125317 FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED P ON D125317 FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

Schedule of Dealings

| Dealing Number | Description |
|----------------|---|
| 10969715 | AGREEMENT UNDER DEVELOPMENT ACT, 1993 PURSUANT TO SECTION 57(2) |
| 11289720 | MORTGAGE TO CBA CORPORATE SERVICES (NSW) PTY. LTD. (ACN: 072 765 434) |

Notations

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

ANNEXURE B
Property Interest Report

Property Interest Report

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

| | | |
|------------------------|--|---------------------------|
| Title Reference | CT 6247/52 | Reference No. 2306272 |
| Registered Proprietors | AVJENNINGS PROPERTIES LTD | Prepared 12/11/2021 14:32 |
| Address of Property | 27 WILLOWBARK CRESCENT, MURRAY BRIDGE, SA 5253 | |
| Local Govt. Authority | RURAL CITY OF MURRAY BRIDGE | |
| Local Govt. Address | PO BOX 421 MURRAY BRIDGE 5253 | |

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 Heritage Branch in Aboriginal Affairs and Reconciliation Division in DPC 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 Heritage Branch in Aboriginal Affairs and Reconciliation Division in DPC has no record of any direction affecting this title |

an area surrounding a site

2.3 Part 3 Division 6 - Aboriginal heritage agreement Aboriginal Heritage Branch in Aboriginal Affairs and Reconciliation Division in DPC 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 Attorney-General's Department 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 Attorney-General's Department will respond with details relevant to this item**

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 Attorney-General's Department will respond with details relevant to this item**

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 Attorney-General's Department 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 Attorney-General's Department 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 Attorney-General's Department 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 Attorney-General's Department has no record of any notice affecting this title

- | | | |
|------|--|---|
| 5.10 | section 84 - Enforcement notice | State Planning Commission in the Attorney-General's Department 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 Attorney-General's Department has no record of any conditions that continue to apply, affecting this title |
| | | also |
| | | Contact the Local Government Authority for other details that might apply |
| 5.12 | Part 11 Division 2 - Proceedings | Contact the Local Government Authority for other details that might apply |
| | | also |
| | | Contact the vendor for these details |

6. Repealed Act conditions

- | | | |
|-----|---|---|
| 6.1 | Condition (that continues to apply) of an approval or authorisation granted under the <i>Building Act 1971</i> (repealed), the <i>City of Adelaide Development Control Act, 1976</i> (repealed), the <i>Planning Act 1982</i> (repealed) or the <i>Planning and Development Act 1966</i> (repealed) | State Planning Commission in the Attorney-General's Department 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 |
| | | <i>[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]</i> |

7. Emergency Services Funding Act 1998

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

8. Environment Protection Act 1993

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

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

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

17. *Land Acquisition Act 1969*

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

18. *Landscape South Australia Act 2019*

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

Act

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

19. **Land Tax Act 1936**

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

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

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

21. **Local Government Act 1999**

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

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

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

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

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

24. **Mining Act 1971**

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

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

25. *Native Vegetation Act 1991*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 29.1 Part 5 - Planning and Design Code
[Note - Do not omit this item. The item and its heading must be included in the statement even if not applicable.]
- Contact the Local Government Authority for the title or other brief description of the zone or subzone in which the land is situated.
- also
- Heritage Branch in DEW has no record of a State Heritage Area created prior to 15 January 1994 under the former South Australian Heritage Act 1978 affecting this title
- also
- For details of this item, including State Heritage Areas which have been authorised or put under interim effect since 15 January 1994, contact the Local Government Authority
- also
- Contact the Local Government Authority for other details that might apply to a place of local heritage value
- also
- For details of declared significant trees affecting this title, contact the Local Government Authority
- also
- Code Amendments on Consultation**
- Local Design Review Code Amendment – proposed amendment to enable operation of the Local Design Review Scheme to support high quality design for the benefit of their communities. For further information please refer to the PlanSA portal: <https://plan.sa.gov.au/have_your_say/general_consultations> or contact the Office for Design and Architecture SA on (08) 8402 1884.**
-
- Following the repeal of the Development Act 1993 and its replacement with the Planning, Development and Infrastructure Act 2016 on 19 March 2021, all new Development Applications will now be assessed against the Planning and Design Code (The Code).
- The Code is the cornerstone of South Australia's new planning system, and is the single source of planning policy for assessing development applications across the State. The purpose of this is to make the planning process quicker, simpler and more equitable than ever before, affording South Australians greater access to planning information that is consistent and clear. This in turn will help the community to navigate the planning system when building a house, developing a business, or progressing large commercial developments.
The Code has now replaced all South Australian Development Plans.
- Further information on the Code is available on the PlanSA Portal.
<https://code.plan.sa.gov.au>
- Or call 1800 752 664 (Option 1)**
- 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 Attorney-General's Department 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 Attorney-General's Department 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 Attorney-General's Department 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 Attorney-General's Department 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 Attorney-General's Department 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 Attorney-General's Department will respond with details relevant to this item**

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 Attorney-General's Department will respond with details relevant to this item**

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 Attorney-General's Department 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 Attorney-General's Department 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 | <i>Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) (revoked) Part 2 - Condition (that continues to apply) of an approval</i> | Public Health in DHW has no record of any condition affecting this title also Contact the Local Government Authority for other details that might apply |
| 31.3 | <i>Public and Environmental Health (Waste Control) Regulations 2010 (revoked) regulation 19 - Maintenance order (that has not been complied with)</i> | 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 Part 4 - Condition (that continues to apply) of an approval</i> | 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>) | Dog Fence Board has no current record of Dog Fence rates relating to this title |
| 9. | Pastoral Board (<i>Pastoral Land Management and Conservation Act 1989</i>) | The Pastoral Board has no current interest in this title |
| 10. | Heritage Branch DEW (<i>Heritage Places Act 1993</i>) | Heritage Branch in DEW has no record of any World, Commonwealth or National Heritage interest affecting this title |
| 11. | Health Protection Programs – Department for Health and Wellbeing | Health Protection Programs in the DHW has no record of a public health issue that currently applies to this title. |

Notices

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

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

Building restrictions

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

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

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

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

Statutory easements

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

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

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

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

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

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

Land Tax Act 1936 and Regulations thereunder

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

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

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

Information should be obtained from:

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

Landscape South Australia 2019

Water Resources Management - Taking of underground water

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

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

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

Certificate of Title

| | |
|----------------------------|--|
| Title Reference | CT 6247/52 |
| Status | CURRENT |
| Easement | YES |
| Owner Number | 70703684 |
| Address for Notices | LEVEL 4/108 POWER STREET HAWTHORN VIC 3122 |
| Area | 2.726HA (CALCULATED) |

Estate Type

Fee Simple

Registered Proprietor

AVJENNINGS PROPERTIES LTD. (ACN: 004 601 503)
OF L 2 18 DEQUETTEVILLE TERRACE KENT TOWN SA 5067

Description of Land

ALLOTMENT 4002 DEPOSITED PLAN 125317
IN THE AREA NAMED MURRAY BRIDGE
HUNDRED OF MOBILONG

Last Sale Details

There are no sales details recorded for this property

Constraints

Encumbrances

| Dealing Type | Dealing Number | Beneficiary |
|--------------|----------------|---|
| AGREEMENT | 10969715 | RURAL CITY OF MURRAY BRIDGE |
| MORTGAGE | 11289720 | CBA CORPORATE SERVICES (NSW) PTY. LTD. (ACN: 072 765 434) |

Stoppers

NIL

Valuation Numbers

| Valuation Number | Status | Property Location Address |
|------------------|---------|---|
| 4101241688 | CURRENT | 27 WILLOWBARK CRESCENT, MURRAY BRIDGE, SA 5253 |

Notations

Dealings Affecting Title

NIL

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

Valuation Record

| | |
|-------------------------------------|--|
| Valuation Number | 4101241688 |
| Type | Site & Capital Value |
| Date of Valuation | 01/01/2021 |
| Status | CURRENT |
| Operative From | 01/07/2021 |
| Property Location | 27 WILLOWBARK CRESCENT, MURRAY BRIDGE, SA 5253 |
| Local Government | MURRAY BRIDGE |
| Owner Names | AVJENNINGS PROPERTIES LTD. |
| Owner Number | 70703684 |
| Address for Notices | LEVEL 4/108 POWER STREET HAWTHORN VIC 3122 |
| Zone / Subzone | SN - Suburban Neighbourhood\\ |
| Water Available | Yes |
| Sewer Available | Yes |
| Land Use | 4100 - Vacant Land-Urban |
| Description | L |
| Local Government Description | Vacant Land |

Parcels

| Plan/Parcel | Title Reference(s) |
|------------------------|--------------------|
| D125317 ALLOTMENT 4002 | CT 6247/52 |

Values

| Financial Year | Site Value | Capital Value | Notional Site Value | Notional Capital Value | Notional Type |
|----------------|------------|---------------|---------------------|------------------------|---------------|
| Current | \$315,000 | \$315,000 | | | |

Building Details

| | |
|-------------------------|---------------|
| Valuation Number | 4101241688 |
| Building Style | Not Available |
| Year Built | Not Available |

| | |
|-----------------------------|---------------|
| Building Condition | Not Available |
| Wall Construction | Not Available |
| Roof Construction | Not Available |
| Equivalent Main Area | Not Available |
| Number of Main Rooms | Not Available |

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

Certificate of Title

Title Reference: CT 6247/52
Status: CURRENT
Parent Title(s): CT 6145/199
Dealing(s) Creating Title: RTU 13409357
Title Issued: 27/11/2020
Edition: 1

Dealings

| Lodgement Date | Completion Date | Dealing Number | Dealing Type | Dealing Status | Details |
|----------------|-----------------|----------------|--------------|----------------|----------------------------------|
| 10/11/2009 | 02/12/2009 | 11289720 | MORTGAGE | REGISTERED | ANZ FIDUCIARY SERVICES PTY. LTD. |
| 02/06/2008 | 25/06/2008 | 10969715 | AGREEMENT | REGISTERED | RURAL CITY OF MURRAY BRIDGE |

ANNEXURE C

Statutory SA Power Networks Easement

Statutory easements

Separate from the above 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 provide these 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 telecommunications cables or equipment that may be incorporated in, or attached to, their equipment (Clause 2 of Schedule 1 of the *Electricity Corporations (Restructuring and Disposal) Act 1999*; section 48A of the *Electricity Act 1996*).

A statutory easement is not generally registered on the title for the land.

To avoid risking injury and damage, it is recommended that the location of underground services be confirmed by telephoning Dial-Before-You-Dig on 1100.

For further clarification on these matters, please contact SA Power Networks' Real Estate Branch on telephone 8404 5897 or 8404 5894.

ANNEXURE D

Council Search and Land Management Agreement No. 10969715

Certificate No: **5077**
Receipt No:
Reference No: **ID 1303027**
Finlaysons Lawyers
GPO Box 1244
ADELAIDE SA 5001

Date: **12/11/2021**
Application No: **14369**
Certificate Fee: **\$62.50**
Assessment No. 13604



THE RURAL CITY OF MURRAY BRIDGE

Local Government Centre, 2 Seventh Street (PO Box 421) MURRAY BRIDGE SA 5253
Phone 08 85391100 Fax 08 85322766

SECTION 187 OF THE LOCAL GOVERNMENT ACT 1999

PROPERTY DESCRIPTION:

Property Address: 27 Willowbark Crescent MURRAY BRIDGE 5253
Property Description: LOT: 4002 HD: MOB PL: D125317 CT: 6247/52
Valuation No: 4101241688
Owner(s): AV Jennings Limited

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

Please direct any queries regarding this certificate to Council's Rates Assessment Officer

ANNUAL RATES:

| | | |
|-----------------------------------|-------------------------------|------------|
| Date Declared: | Last Payment Date: 06/09/2021 | |
| Arrears of Previous Rates & Fines | | \$0.00 |
| Vacant | | \$2,798.96 |
| RL Levy - Separate Rate | | \$70.04 |
| Less Pensioner Concession | | \$0.00 |
| Less payments received | | -\$718.00 |
| Less discount received | | \$0.00 |
| Current Fines Incurred | | \$0.00 |

Total Rates Outstanding \$ **\$2,151.00**

Details of Fines/Interest for Non-payment of Rates:

If an instalment of rates is not paid on or before the due date, the instalment will be regarded as being in arrears and a fine of two (2) percent of the amount of the instalment is payable. Further interest at the prescribed percentage rate is payable on the total amount of any arrears of rates (including unpaid fines) on the first day of each month thereafter.

The total amounts shown on this certificate are valid only as at the date of this certificate. If settlement occurs before the last day to pay the first rate instalment for the current financial year, any pensioner concession listed against this property will not be applicable.

OTHER CHARGES:

| | |
|---|-----------|
| Charge for Property | |
| Fines & Arrears | \$ |
| Previous other Charges | \$ |
| Total Other Charges Outstanding: | \$ |

TOTAL OUTSTANDING: \$ **\$2,151.00**

CERTIFIED: Jodie Hagger – Rates Officer _____

DATE: 19.11.2021 _____

| <p style="text-align: center;">Column 1</p> <p style="text-align: center;">Prescribed encumbrance</p> | <p style="text-align: center;">Column 2</p> <p style="text-align: center;">Other particulars required</p> |
|---|--|
| <p>Part 1—Items that must be included in statement</p> | |
| <p><i>{If an item is not applicable strike it out or write "NOT APPLICABLE" or "N/A" in column 1.}</i></p> | |
| <p><i>Development Act 1993</i></p> | |
| <p>Part 3—Development Plan</p> | <p>Title or other brief description of zone or policy area in which the land is situated (as shown in the Development Plan):</p> <p>Is the land situated in a designated State Heritage Area? NO</p> <p>Is the land designated as a place of local heritage value? NO</p> <p>Is there a current Development Plan Amendment released for public consultation by a council on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation? NO</p> <p>If YES, state the name of the council:</p> <p>Is there a current Development Plan Amendment released for public consultation by the Minister on which consultation is continuing or on which consultation has ended but whose proposed amendment has not yet come into operation? NO</p> |
| <p>section 42—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>See attached authorisations</p> |

Planning, Development and Infrastructure Act 2016

Part 5 – Planning and Design Code

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

Is the land situated in a designated State Heritage place?
NO

Is the land designated as a place of local heritage value?
NO

Is there a tree declared to be a significant tree or a stand of trees declared to be significant trees on the land? **NO**

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

Repealed Act conditions

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)

Nature of condition(s): **N/A**

Part 2—Items to be included if land affected

[If an item is not applicable, strike it out or write "NOT APPLICABLE" or "N/A" in column 1, or else omit the items and headings that are not applicable.]

Development Act 1993

| | |
|--|---|
| <p>section 50(1)—Requirement to vest land in a council or the Crown to be held as open space</p> <p>N/A</p> | <p>Date requirement given:</p> <p>Name of body giving requirement:</p> <p>Nature of requirement:</p> <p>Contribution payable (if any):</p> |
| <p>section 50(2)—Agreement to vest land in a council or the Crown to be held as open space</p> <p>N/A</p> | <p>Date of agreement:</p> <p>Names of parties:</p> <p>Terms of agreement:</p> <p>Contribution payable (if any):</p> |
| <p>section 55—Order to remove or perform work</p> <p>N/A</p> | <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> |
| <p>section 56—Notice to complete development</p> <p>N/A</p> | <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> |
| <p>section 57—Land management agreement</p> | <p>Date of agreement:</p> <p>Names of parties:</p> <p>Terms of agreement:</p> <p>See attached authorisations</p> |
| <p>section 69—Emergency order</p> <p>N/A</p> | <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> |

| | |
|---|---|
| <p>section 71—Fire safety notice</p> <p>N/A</p> | <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> |
| <p>section 84—Enforcement notice</p> <p>N/A</p> | <p>Date notice given:</p> <p>Name of the relevant authority giving notice:</p> <p>Nature of directions contained in notice:</p> <p>Building work (if any) required to be carried out:</p> <p>Amount payable (if any):</p> |
| <p>section 85(6), 85(10) or 106— Enforcement order</p> <p>N/A</p> | <p>Date order made:</p> <p>Name of court that made order:</p> <p>Action number:</p> <p>Names of parties:</p> <p>Terms of order:</p> <p>Building work (if any) required to be carried out:</p> |
| <p>Part 11 Division 2—Proceedings</p> <p>N/A</p> | <p>Date of commencement of proceedings:</p> <p>Date of determination or order (if any):</p> <p>Terms of determination or order (if any):</p> |
| <p>Confirmed – Planning/Development SectionLP.....</p> | |
| <p><i>Fire and Emergency Services Act 2005</i></p> | |
| <p>section 105F (or section 56 or 83 (repealed))—Notice of action required concerning flammable materials on land</p> <p>NA</p> | <p>Date of notice:</p> <p>Person or body who issued notice:</p> <p>Requirements of notice (as stated therein):</p> <p>Amount payable (if any):</p> |
| <p>Confirmed – Enforcement/compliance section:TA.....</p> | |

| | |
|---|--|
| 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: |
| Confirmed – Environmental health section: JS | |
| 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: JS | |
| Local Government Act 1934 | |
| 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:JH.....

Planning, Development and Infrastructure Act 2016

section 141 – 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 142 – 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):

section 155 – Emergency order

N/A

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):

section 157 – Fire safety notice

N/A

Date of notice:
 Name of authority giving notice:
 Requirements of notice:
 Building work (if any) required to be carried out:
 Amount payable (if any):

| | |
|--|---|
| <p>section 198(1) – Requirement to vest land in a council or the Crown to be held as open space</p> <p>N/A</p> | <p>Date requirement given:</p> <p>Name of body giving requirement:</p> <p>Nature of requirement:</p> <p>Contribution payable (if any):</p> |
| <p>section 198(2) – Agreement to vest land in a council or the Crown to be held as open space</p> <p>N/A</p> | <p>Date of agreement:</p> <p>Names of parties:</p> <p>Terms of agreement:</p> <p>Contribution payable (if any):</p> |
| <p>Part 16 Division 1 – Proceedings</p> <p>N/A</p> | <p>Date of commencement of proceedings:</p> <p>Date of determination or order (if any):</p> <p>Terms of determination or order (if any):</p> |
| <p>section 213 – Enforcement notice</p> <p>N/A</p> | <p>Date notice given:</p> <p>Name of designated authority giving notice:</p> <p>Nature of directions contained in notice:</p> <p>Building work (if any) required to be carried out:</p> <p>Amount payable (if any):</p> |
| <p><i>Public and Environmental Health Act 1987 (repealed)</i></p> | |
| <p>Part 3—Notice</p> <p>N/A</p> | <p>Date of notice:</p> <p>Name of council or other authority giving notice:</p> <p>Requirements of notice:</p> |
| <p><i>Public and Environmental Health (Waste Control) Regulations 2010 (or 1995) Part 2—Condition (that continues to apply) of an approval</i></p> <p>N/A</p> | <p>Date of approval:</p> <p>Name of relevant authority that granted the approval:</p> <p>Condition(s) of approval:</p> |
| <p><i>Public and Environmental Health (Waste Control) Regulations 2010 (revoked) regulation 19—Maintenance order (that has not been complied with)</i></p> <p>N/A</p> | <p>Date of order:</p> <p>Name of authority giving order:</p> <p>Requirements of order:</p> |
| <p>Confirmed – Environmental health section: JS</p> | |

South Australian Public Health Act 2011

section 66—Direction or requirement to avert spread of disease

N/A

Date of direction or requirement:

Name of Authority giving or making requirement:

Nature of direction or requirement:

section 92-Notice

N/A

Date of notice:

Name of Council or other relevant authority giving notice:

Requirements of notice

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: **JS****Water Industry Act 2012**

notice or order under the Act requiring payment of charges or other amounts or making other requirement

N/A

Date of notice or order:

Name of person or body who served notice or order:

Amount payable (if any) as specified in the notice or order:

Nature of other requirement made (if any) as specified in the notice or order:

Confirmed –Water section: **JS**

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....**NO** (refer above note):

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

Exemption from holding insurance:

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

NO

If **YES**, give details:

- (a) Date of the exemption:.....
- (b) Name of builder granted the exemption:.....
- (c) Licence number of builder granted the exemption:.....
- (d) Details of building work to which the exemption applies:
.....
.....
- (e) Details of conditions (if any) to which the exemption is subject:
.....
.....

Certified Development Section.....LP..... Date.....16/11/21.....

Particulars relating to Environment Protection

Further information held by councils

Does the council hold details of any development approvals relating to—

- (a) commercial or industrial activity at the land; or
- (b) a change in the use of the land or part of the land (within the meaning of the *Development Act 1993*) or the *Planning, Development and Infrastructure Act 2016*?

NO

Note—

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

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

It should be noted that—

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




Fri 12/11/2021 4:10 PM

Georgia Halliday <Georgia.Halliday@finlaysons.com.au>

Section 7 search - CT 6247 52

To  records

 20211112007312_RegisterSearch_CT_6247_52_1.PDF
.PDF File

Dear Sir/Madam,

Would you please supply a full section 7 certificate for 27 Willowbank Crescent Murray Bridge, SA 5253 CT 6247 52

We enclose a copy of the Certificate of Title.

Please phone me on 8235 7620 to process payment over the phone via credit card.

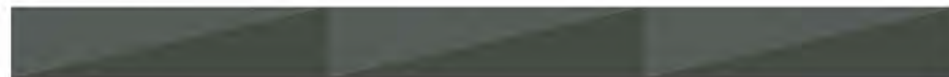
Please forward the certificate via email to convey@finlaysons.com.au

In your reply please quote reference number 423010/745

Georgia Halliday
Legal Secretary

Adelaide L7/43 Franklin Street, Adelaide SA 5000
Phone +61 8 8235 7620
Email georgia.halliday@finlaysons.com.au

FINLAYSONS
LAWYERS



.....
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Finlaysons Lawyers, Adelaide, South Australia <http://www.finlaysons.com.au>
.....

Please visit our [COVID-19 page](#) for continuous updates on our working policy regarding COVID-19.



Certificate of Title - Volume 6247 Folio 52

| | | | | |
|---------------------|--------------|-----------|----------------|------------|
| Parent Title(s) | CT 6145/199 | | | |
| Creating Dealing(s) | RTU 13409357 | | | |
| Title Issued | 27/11/2020 | Edition 1 | Edition Issued | 27/11/2020 |

Estate Type

FEE SIMPLE

Registered Proprietor

AVJENNINGS PROPERTIES LTD. (ACN: 004 601 503)
OF L 2 18 DEQUETTEVILLE TERRACE KENT TOWN SA 5067

Description of Land

ALLOTMENT 4002 DEPOSITED PLAN 125317
IN THE AREA NAMED MURRAY BRIDGE
HUNDRED OF MOBILONG

Easements

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED K(T/F) ON D125317 FOR ELECTRICITY SUPPLY PURPOSES TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) (223LG RPA)

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED L ON D125317 FOR ELECTRICITY SUPPLY PURPOSES TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) (223LG RPA)

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED M ON D125317 FOR SEWERAGE PURPOSES TO SOUTH AUSTRALIAN WATER CORPORATION (223LG RPA)

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED N ON D125317 FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED P ON D125317 FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

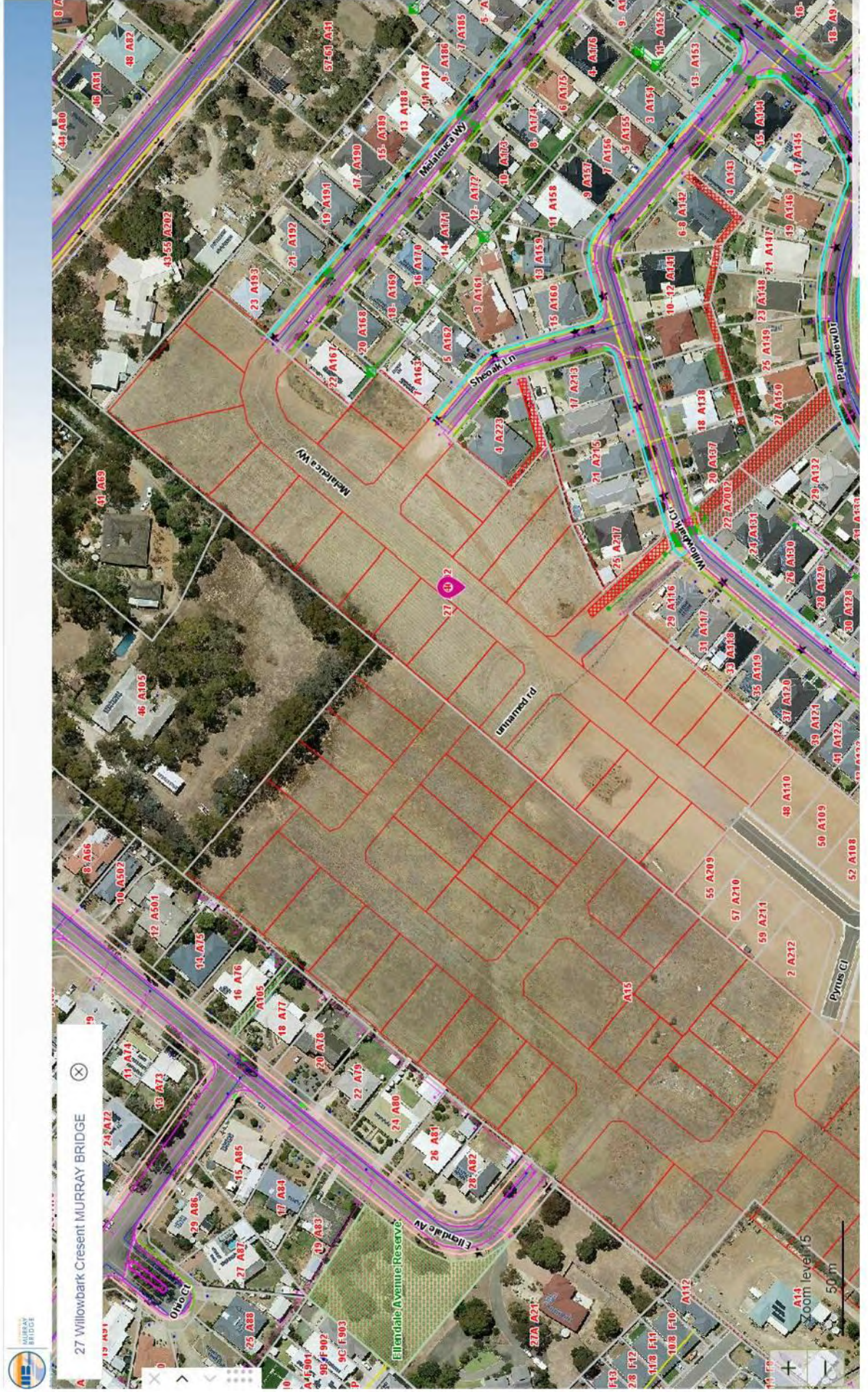
Schedule of Dealings

| Dealing Number | Description |
|----------------|---|
| 10969715 | AGREEMENT UNDER DEVELOPMENT ACT, 1993 PURSUANT TO SECTION 57(2) |
| 11289720 | MORTGAGE TO CBA CORPORATE SERVICES (NSW) PTY. LTD. (ACN: 072 765 434) |

Notations

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

27 Willowbark Crescent, Murray Bridge — Easement Electricity Supply— red criss cross pattern and Stormwater pipes—green line



Data Extract for Section 7 search purposes

Valuation ID 4101241688

Parcel ID: D125317 A4002

Certificate Title: CT6247/52

Property Address: 27 WILLOWBARK CR MURRAY BRIDGE SA 5253

Zones

SN Suburban Neighbourhood

Subzones

No

Zoning overlays

Overlays

Affordable Housing

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

Urban Interface Hazards (Bushfire - Urban Interface)

The Hazards (Bushfire - Urban Interface) Overlay seeks to ensure urban neighbourhoods adjoining bushfire risk areas allow access through to bushfire risk areas, are designed to protect life and property from the threat of bushfire and facilitate evacuation to areas safe from bushfire danger.

Hazards (Flooding - Evidence Required)

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

Murray-Darling Basin

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

Native Vegetation

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

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 to be a significant tree or trees in the Planning and Design Code

(Council input required)

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 Building Indemnity Insurance

No

Associated DA Conditions

No

Associated DA Info

No

GIS Dataset

LMAS

- 10969715 Agreement with Council RURAL CITY OF MURRAY BRIDGE



Bridge to Opportunity

The Rural City of
MURRAY
BRIDGE

DECISION NOTIFICATION FORM

Development Number 415/D009/2014

FOR DEVELOPMENT APPLICATION:

DATED 27/02/2014
REGISTERED ON 03/03/2014

TO: AV Jennings
C/- Fyfe Pty Ltd
GPO Box 2450
ADELAIDE SA 5001

Property Owner: AV Jennings Limited
Applicant Name: AV Jennings

LOCATION OF PROPOSED DEVELOPMENT

47 Melaleuca Way MURRAY BRIDGE
LOT: 204 ALT: HD: MOB SEC: 61 PL: D79454 CT: 6025/954

Nature of Proposed Development

Variation to condition 1 in DA 415/D121/04 to allow for additional staging and creation of 1 additional allotment

In respect of this proposed development you are informed that:

| Nature of Decision | Consent Granted | No of Conditions | Consent Refused | Not Applicable |
|-----------------------------|-----------------|------------------|-----------------|----------------|
| Development Plan Consent | 08/04/2014 | 2 | | |
| Land Division | 08/04/2014 | 2 | | |
| Land Division (Strata) | - | - | | |
| Building Rules Consent | - | - | | |
| Public Space | - | - | | |
| Other | - | - | | |
| DEVELOPMENT APPROVAL | 09/04/2014 | 4 | | |

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

No work can commence on this development unless Development Approval has been obtained. If one or more consents have been granted on this Notification Form, you must not start any site works or building works or change the use of the land until you have also received notification of a Development Approval.

Section 86(1)(a) of the Development Act 1993 provides you with a right of appeal against Council's decision or any condition attached to the decision if instituted **within 2 months**. The appeal is to the Environment, Resources & Development Court located in the Sir Samuel Way Building Victoria Square, Adelaide, or phone the Court on (08) 8204 0300.

Signed: 
for CHIEF EXECUTIVE OFFICER

Date: 09/04/2014

2 sheets of conditions and notes attached

DEVELOPMENT ACT APPROVAL

DEVELOPMENT PLAN CONDITIONS

Development Application No: 415/D009/2014
Applicant: AV Jennings
Location: 47 Melaleuca Way MURRAY BRIDGE
LOT: 204 ALT: HD: MOB SEC: 61 PL: D79454
CT: 6025/954
Development Work: Variation to condition 1 in DA 415/D121/04 to allow for additional staging and creation of 1 additional allotment

- A. That pursuant to Section 35 (2) of the Development Act, 1993, the proposal is not seriously at variance with the relevant provisions of the Murray Bridge Council Development Plan.
- B. That pursuant to Section 33 of the Development Act, 1993, Development Application Number 415/D009/2014 be GRANTED Development Plan Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT CONDITIONS:

- (1) That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans submitted in development application number 415/D009/2014

Plan numbers listed here:

- **Drawing No:16408P01-9 dated 10/1/2014**

Reason: To ensure the development proceeds in an orderly manner.

- (2) The conditions imposed in land division 415/D121/2004 must be fully complied with except where varied by the current application and conditions attached to it.

Reason: To ensure relevant conditions of previous consent which are still applicable are complied with.

LAND DIVISION CONSENT CONDITIONS:

- (1) The financial and augmentation requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water 90030/14)

The necessary easements shall be granted to the SA water Corporation free of cost.

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

NOTES:

- (1) The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended in writing by Council.
- (2) You are also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended in writing by the Council.
- (3) You have a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- (4) Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow.
- (5) Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide. (Telephone number 8204 0300).


.....
for CHIEF EXECUTIVE OFFICER



THE RURAL CITY OF MURRAY BRIDGE

DECISION NOTIFICATION FORM

Development Number 415/D121/04-V2

FOR DEVELOPMENT APPLICATION:

DATED

16/12/2004

REGISTERED ON

23/12/2004

415/1836/04

| | |
|---|---|
| TO: A V Jennings c/- Fyfe Pty Ltd PO Box 114 KENT TOWN SA 5067 | Property Owner: Mr B C & Mrs S Foster Applicant Name: A V Jennings |
|---|---|

LOCATION OF PROPOSED DEVELOPMENT

61-69 Roper Road & Ridge Road MURRAY BRIDGE 5253

LOTS: 204, 102 & 103 PIECE 101 HD: MOB SEC: 61 PL: D16694, F213514, F213513 CT: 5844/124, 5613/528 & 5687/79

Nature of Proposed Development
Land Division

In respect of this proposed development you are informed that:


| Nature of Decision | Consent Granted | No of Conditions | Consent Refused | Not Applicable |
|--------------------------------------|-------------------|------------------|-----------------|----------------|
| Provisional Development Plan Consent | 09/06/2005 | 36 | | |
| Land Division | 09/06/2005 | 7 | | |
| Land Division (Strata) | | - | | |
| Provisional Building Rules Consent | | - | | |
| Public Space | | - | | |
| Other | | - | | |
| DEVELOPMENT APPROVAL | 09/06/2005 | 43 | | |

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

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Notification Form, you must not start any site works or building works or change the use of the land until you have also received notification of a Development Approval.

Section 86(1)(a) of the Development Act 1993 provides you with a right of appeal against Council's decision or any condition attached to the decision if instituted **within 2 months**. The appeal is to the Environment, Resources & Development Court located in the Sir Samuel Way Building Victoria Square, Adelaide, or phone the Court on (08) 8204 0300.

Date of Decision: - 09/06/2005

Signed: 
for CHIEF EXECUTIVE OFFICER

Date: - 09/06/2005

6 sheets of conditions and notes attached

DEVELOPMENT ACT APPROVAL
DEVELOPMENT PLAN CONDITIONS

Development Application No: 415/D121/04-V2
Applicant: A V Jennings
Location: 61-69 Roper Road & Ridge Road MURRAY BRIDGE 5253
LOTS: 204, 102 & 103 PIECE 101 HD: MOB SEC: 61
PL: D16694 & F213514, F213513 CT: 5844/124, 5613/528
& 5687/79
Development Work: Land Division

PROVISIONAL DEVELOPMENT PLAN CONSENT CONDITIONS:

- (1) The development may proceed in accordance with the plans and details submitted with the application and contained in Development Application 415/D121/04 and amended plan dated 10 May, 2005, and marked Option A, except where varied by the following conditions.
- (2) The Reserve area (2005) extension of Road marked "L" to the adjoining property (CT4171/93), east of the subject land shall be constructed as a public road to the property boundary.
- (3) During construction of the development the property shall be managed in a manner as to prevent erosion and pollution of the subject site and the environment in accordance with the Construction Environment Management Plan (CEMP). This must include drainage and silt management that will address the measures taken to prevent silt loss into the River Murray.
- (4) The construction area is to be kept in a tidy state, ensuring that waste material is placed into bins to ensure no pollutants enter the River Murray.
- (5) Stormwater from the development shall be managed to prevent erosion and pollution of the subject site and the River Murray. This requires the interception and treatment of all stormwater runoff from the development to ensure to protection of the Floodplain and the River Murray. The applicant is required to prepare an Urban Stormwater Runoff Wetlands Management Plan, by a suitably qualified and experienced professional engineer to the satisfaction of the Council.
- (6) Stormwater outlets shall be fitted with a suitable energy dissipation device to prevent erosion. Stormwater discharge points must be located in areas where they will not increase erosion potential of the hillside leading to the wetlands, floodplain and river.
- (7) All earthworks associated with the development shall be stabilised in accordance with standard engineering design and practices against erosion and failure.

- (8) The engineering design and specifications for all site construction works including any required roads, kerbing, footpaths, site works, stormwater drainage, fences, public lighting etc. shall meet the components of the Australian Standards and Regulatory guidelines. The final design plans shall be to the satisfaction of the Council's Engineer.
- (9) The roads shall be designed by a chartered engineer and consist of compacted rubble and crushed rock base, sealed with hotmix bitumen.
- (10) The road cross section shall be generally symmetrical and a two way cross fall.
- (11) Concrete kerb and watertable shall be of a rollover type except along the edges of reserves where the upright form of kerbing shall be used.
- (12) Footpaths shall be provided along one side of all roads. Such footpaths shall be concrete, a minimum of 1.2 metres wide, 100mm thick and reinforced with F62 steel mesh centrally located, or as agreed with Council's Engineer.
- (13) The Stormwater Drainage Scheme shall be prepared by a Professional Civil Engineer with suitable experience. The Stormwater Drainage Management Scheme is to incorporate:
 - disposal of stormwater from the site in an effective manner
 - control of litter and pollution from the site
 - control of erosion and sedimentation during construction
 - measures to encourage on site water harvesting
- (14) Rear of allotment stormwater drainage shall be provided for those allotments that do not drain naturally to their road frontage watertable. Such drains shall be designed to accommodate stormwater from the entirety of the respective allotments in the occurrence of a 1 in 10 year ARI storm event. The minimum diameter of the pipe shall be no less than 100mm diameter.
- (15) All stormwater drainage pipes shall be designed to carry a 1 in 10 year ARI storm event. All allotments shall be protected from inundation in a 1 in 100 year ARI storm event.
- (16) Each allotment shall be provided with a 300mm by 300mm grated inlet pit, located at the lowest corner of each respective allotment. Rear of allotment stormwater drainage shall also be provided where allotments back onto reserves.
- (17) Where properties drain naturally to the street, two galvanised steel kerb adaptors shall be provided per allotment. Such adaptors shall be cast into the kerb. The location of which shall be within approximately one metre from the alignment of adjoining property boundaries. Where footpaths are to be provided, a 100mm diameter stormwater sleeve shall be provided under the footpath adjacent each respective kerb adaptor. The installation of the pipe should ensure a minimum fall of 1 in 100 towards the kerb.

- (18) "As constructed" plans for all stormwater and sewer construction works shall be provided at the conclusion of works. Such plans shall confirm the location and level of all structures such as swales, levee banks, bulk filling pipes, pits, Gross Pollutant Traps, all pipes, flushing points, manholes and other structures in relation to adjacent boundaries. The plans shall be submitted in both hard copy and Autocad® electronic format.
- (19) Capped "Colorbond" fencing shall be erected along the boundaries of any reserve where the reserve abuts any allotment not being a road or existing reserve. Such fencing shall be 1800mm capped colorbond fencing with posts and rails "facing into the allotment".
- (20) Easements shall be provided over all drains in any allotments not being a road or reserve. Unless indicated otherwise, such easements shall be four (4) metres wide where the easement contains more than one drain and three (3) metres wide when the easement contains only a single drain.
- (21) Public lighting shall be provided at the intersection with Roper and Ridge Roads and to all internal roads in accordance with AS/NZS.1158 category P4.
- (22) The construction of all civil engineering and drainage works are to be supervised by an approved professional Civil Engineer with suitable experience. At the conclusion of works, the engineer will provide to Council a certificate declaring that all works have been carried out in a satisfactory manner and meets all the provisions of the approved plans and specifications for the development.
- (23) All construction work shall be guaranteed for the period of 12 months from the date of practical completion.
- (24) A bank guarantee whose value represents 5% of the construction value shall be lodged with Council prior to practical completion. The Bank guarantee shall be held by Council for the full 12 months guarantee period and shall only be released when Council is satisfied that there are no defect items outstanding.
- (25) Street/road names shall be etched onto the kerb at the threshold to each new road. Roads marked "L" and "R" shall have "No Through Road" signs made to Council's specifications.
- (26) All public utilities (water supply, sewer, power and telecommunications services) shall be provided underground.
- (27) Temporary silt control devices in the form of hay bales or silt fences shall be installed on the development site prior to commencement of works. The devices are to be maintained throughout the construction period and dismantled at the conclusion of works. Any silt captured by the device/s to be disposed of to the satisfaction of Council's Engineer.
- (28) All engineering designs shall be to AHD and AMG standards.

- (29) That a detailed landscaping plan incorporating the following information shall be prepared, and agreed to, in consultation with Council's Horticultural Officer:
- Location of trees to be retained;
 - Proposed street tree planting;
 - Species of street and reserve trees;
 - Water management practices and water sensitive design;
 - Reserve irrigation systems including valves, fittings and backflow prevention devices suitable for automatic operation and capable of utilising reclaimed water (Class A) and mains water;
 - Gradients of reserves for recreational use;
 - Dams should not exceed a 1 in 8 gradient; and
 - Location and design of park furniture (seats, bins etc) park lighting.
- (30) Where indigenous vegetation is approved to be removed, it must be replaced with local species and identified in the landscaping plan.
- (31) Noxious weeds are to be eradicated and disposed of at the direction of the Council's Horticultural Officer.
- (32) A minimum of 100mm of top-soil should be provided over all reserves. Excavated material may be utilised if suitable.
- (33) All top-soil should be planted with approved grass seed and watered where necessary to ensure a continuous mature and robust grass coverage of all reserves is achieved prior to the conclusion of the guarantee period.
- (34) Street trees of minimum 1.5m in height and trunk of a minimum of 40mm in diameter shall be provided along each new roadway and shall be generally located adjacent each adjoining properties common boundary. The trees shall be maintained by the applicant for a minimum period of 12 months after planting.
- (35) Construction, maintenance and care of the detention ponds, lagoons and all reserves shall be the responsibility of the applicant for the period of development and one year after completion.
- (36) All infrastructure costs including, but not exclusive, stormwater, lights, roads, drains and landscaping shall be at the applicant's expense.

ENVIRONMENT PROTECTION AUTHORITY CONDITIONS:

- (37) The storage and treatment ponds and the detention basin must be developed in accordance with the plans submitted to the EPA with a letter dated 13th May (Plan Dev No 415/D121/04 amended plan 10/05/2005 Option A). The treatment pond must be placed at RL 2.0 and have a battered wall height no greater than 1 metre above natural ground level. The detention basin battered wall must have a maximum height of less than 1 metre above the natural ground level.
- (38) A sufficient number of monitoring bores must be installed, and be placed to the satisfaction of the EPA, prior to construction commencing on the waste

water storage lagoons. A monitoring plan must be submitted to the EPA for approval and shall include an outline of proposed bore numbers and their locations, the proposed monitoring frequency, the monitoring parameters, and a proposed reporting process.

- (39) A clay liner must be installed as part of the treatment and storage ponds in the stormwater treatment system. The liner must be a minimum of 200mm compacted clay constructed to achieve a coefficient permeability of less than $1 \times 10^{-9} \text{ms}^{-1}$. In order to ensure the acceptability of the clay liner it is required that a geotechnical engineer sign off on the performance of the clay liner following completion of construction, stating that the liner is performing to the standard of a permeability of less than $1 \times 10^{-9} \text{ms}^{-1}$.

For further information please refer to the EPA's "Guidelines for Wastewater and Evaporation Lagoon Construction 2004".

- (40) The detention basin area of the wastewater treatment system must be pumped dry of water as soon as is practicable, and be maintained in a manner which ensures that insect infestations, or malodour, does not occur.
- (41) A detailed landscaped plan for the area of the treatment, storage and detention lagoons which provides for the visual amenity of the overall lagoon system, shall be prepared and submitted to the commencement of construction of the area. The landscaping shall incorporate native species complementary to the purpose of water treatment and visual amenity as required for specific locations of the system, and be maintained in good heart and condition at all times to the reasonable satisfaction of Council. The landscaping plan shall include the management of any insect infestation that may occur. Should any tree, shrub, ground cover or other plant die or become diseased, it shall be replaced forthwith to the reasonable satisfaction of Council.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

- (42) That the financial, easement and internal drain requirements for water and sewerage services of the SA Water Corporation, if any, shall be met.
- (43) Two copies of a certified survey plan shall be lodged for Certificate purposes.

NOTES:

- (1) The applicant is required to prepare a Construction Environmental Management Plan (CEMP), which must include drainage and silt management plan that will address the measures taken to prevent silt loss into the River Murray. This is required in order to:-
- i. Meet the requirements of the environment Protection Authority (Water Quality) Policy (2003).
 - ii. To prevent pollution downstream.
 - iii. To prevent problems to adjacent properties through excessive dust or noise emissions.
- (2) The CEMP must be prepared in accordance with the EPA 2003 Handbook for Pollution Avoidance on Building Sites.

- (3) The Central Archive, which includes the Register of Aboriginal Sites and Objects, administered by the Department for Aboriginal Affairs and Reconciliation (DAARE), has no entries for Aboriginal heritage sites within the proposed exploration area.

It is important to note however that the Register of Aboriginal Sites and Objects does not purport to be a comprehensive record of all Aboriginal sites, objects and remains in South Australia and it is possible that there are sites of significance to Aboriginal heritage, which have not yet been discovered in the area of interest. Under section 20 of the *Aboriginal Heritage Act 1988* (the Act) an owner or occupier of private land, or an employee or agent of such owner or agent must report the discovery on the land of any Aboriginal sites, objects and remains to the Minister for Aboriginal Affairs and Reconciliation, as soon as practicable, giving the particulars of the nature and location of the Aboriginal sites, objects or remains. Penalties may apply for failure to comply with the Act.

If you require further assistance regarding for example, interpretation of the Act or other general Aboriginal heritage matters please do not hesitate to contact Margaret Hess, Senior Project Officer, Heritage on telephone (08) 8226 8930

- (4) The applicant should be advised of their general duty of care to take all reasonable measures to prevent any harm to the River Murray through his or her actions or activities.
- (5) The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- (6) To minimise the potential for impact on neighbours (eg. through excessive noise events and dust creation), and to ensure that site erosion caused by wet weather is kept to a minimum, any development activity in the areas labeled as "future" stages must be avoided.
- (7) Any information sheets, guidelines documents, codes of practice, technical bulletins etc that are referenced in this decision have been provided to the planning authority or may be accessed on the following web site:
<http://www.environment.sa.gov.au/epa/pub.html>


.....
for CHIEF EXECUTIVE OFFICER

THIS DEED is made the 22 day of April 2008

BETWEEN: **THE RURAL CITY OF MURRAY BRIDGE** of 2 Seventh Street Murray Bridge SA 5253 (hereinafter with its successors and assigns called "the Council") of the one part

AND: **AVJENNINGS PROPERTIES LTD.** of 62 The Parade Norwood SA 5067 (hereinafter with its executors administrators successors and assigns as the case may be called "the Owner") of the other part

RECITALS:

- A. The Owner is the proprietor of an estate in fee simple being those allotments 14 to 50 inclusive, 202, 240 to 242 inclusive, 67, 68, 134-136 inclusive, 87-90 inclusive in DP 77531 being portion of Certificates of Title Register Book Volume 5961 Folio 606 and Volume 5613 Folio 528 (hereinafter called "the Land");
- B. By a Development Application numbered DA 415/D121/04 (hereinafter called "the Application") the Owner through its agents sought provisional development plan consent and land division consent pursuant to the provisions of the Development Act, 1993 (hereinafter called "the Act"), from the Council, to develop the land comprised in Certificates of Title VOLUME 5312 FOLIO 417, VOLUME 5613 FOLIO 528 and VOLUME 5943 FOLIOS 317 and 318 by dividing that land in five stages to create 235 allotments generally in accordance with the plan of division attached hereto and marked Annexure A (hereinafter called "the Proposed Development");
- C. The land comprising the Proposed Development is situated within the Residential, Country Living, Fringe and Flood Zones in the Council's Development Plan;
- D. The first part of the Proposed Development comprises the Land;
- E. The Proposed Development includes the creation of both residential and country living allotments, together with internal roads and reserves. The Council and the Owner are concerned to ensure that a consistent level of design is achieved for all allotments within the Proposed Development, particularly as regards set backs of buildings from allotment boundaries;
- F. The Council wishes to ensure that, apart from the Proposed Development, no further division of the Land occurs;
- G. Pursuant to the provisions of Section 57(2) of the Act the Owner has agreed with the Council to enter into this Deed relating to the management, preservation, conservation and development of the Land subject to the terms and conditions hereinafter mentioned.

NOW THIS DEED WITNESSES as follows:

1. INTERPRETATION

- 1.1 The parties acknowledge that the matters recited above are true and accurate and agree that they shall form part of the terms of this Deed.
- 1.2 In the interpretation of this Deed unless the context shall otherwise require or admit:
 - 1.2.1 Words and phrases used in this Deed which are defined in the Development Act 1993 or in the Regulations made under the Act shall have the meanings ascribed to them by the Act or the Regulations as the case may be;
 - 1.2.2 References to any statute or subordinate legislation shall include all statutes and subordinate legislation amending consolidating or replacing the statute or subordinate legislation referred to;
 - 1.2.3 The term "the Owner" where the Owner is a company includes its successors, assigns and transferees and where the Owner is a person, includes his heirs, executors, administrators and transferees and where the Owner consists of more than one person or company the term includes each and every one or more of such persons or companies jointly and each of them severally and their respective successors, assigns, heirs, executors, administrators and transferees of the companies or persons being registered or entitled to be registered as the proprietor of an estate in fee simple to the Land or to each and every one of all separate allotments into which the Land may be divided after the date of this Deed subject however to such encumbrances, liens and interests as are registered and notified by memoranda endorsed on the Certificate of Title thereof;
 - 1.2.4 The term "person" shall include a corporate body;
 - 1.2.5 The term "the Land" shall include any part or parts of the Land;
 - 1.2.6 The term "primary frontage" shall mean that allotment boundary with a public road that represents the principal address of a dwelling or allotment as set out in the Council's Assessment Book;
 - 1.2.7 The term "secondary frontage" shall mean any allotment boundary with a public road not being the primary frontage;
 - 1.2.8 The term "Assessment Book" shall mean the Assessment Book maintained by the Council pursuant to the Local Government Act 1999 (as amended);
 - 1.2.9 The term "allotment" means the allotments to be created by the proposed Development as shown on Annexure "A";
 - 1.2.10 Any term which is defined in the statement of the names and descriptions of the parties or in the Recitals shall have the meaning there defined;

- 1.2.11 Words importing the singular number or plural number shall be deemed to include the plural number and the singular number respectively;
- 1.2.12 Words importing any gender shall include every gender;
- 1.2.13 Where two or more persons are bound hereunder to observe or perform any obligation or agreement whether express or implied then they shall be bound jointly and each of them severally.
- 1.3 Clause headings are provided for reference purposes only and shall not be resorted to in the interpretation of this Deed.
- 1.4 The requirements of this Deed are at all times to be construed as additional to the requirements of the Act and any other legislation affecting the Land.

2. OWNER'S OBLIGATIONS

- 2.1 The Owner shall not cause, suffer or permit the construction of any dwelling, carport or other structure closer than 6.0 metres from the primary frontage of any allotment.
- 2.2 For allotments with two road frontages, the Owner shall not cause, suffer or permit the construction of any dwelling, carport or other structure closer than 6.0 metres from the primary frontage and 2.0 metres from the secondary frontage.
- 2.3 The Owner shall not cause, suffer or permit the construction of any dwelling, carport or other structure closer than 1.0 metres from any allotment boundary not constituting a primary or secondary frontage, except for regular shaped allotments with frontages of 15.0 metres (16.0 metres for corner allotments) or less, which shall be permitted to build on a portion of one side boundary with approval from the Council under this Deed.
- 2.4 Apart from the Proposed Development, the Owner shall not cause, suffer or permit the Land to be divided, including commencing with or proceeding with or causing, suffering or permitting any application pursuant to the Act, the Real Property Act 1886, or any other relevant Act, to undertake any further division of the Land.
- 2.5 The Owner shall, prior to the signing of any contract for the sale and purchase of the Land, provide to the intending purchaser notice in the following form:

"To the intending purchaser:

The land which you are proposing to purchase forms part of an estate created by AV Jennings Properties Ltd. AV Jennings Properties Ltd have agreed to maintain the reserves, parks, entrance statements and lighting for one year following the completion of the final stage of the development. Therefore the reserves, parks, entrance statements and lighting may or may not be maintained by the Council, and if maintained, will be maintained at a standard set in accordance with Council's policy or policies for maintenance of reserves, parks,

entrance statements and lighting, which standard may or may not accord with the standard of maintenance maintained by AV Jennings Properties Ltd.”

3. COUNCIL’S OBLIGATIONS

The Council shall not unreasonably refuse to approve any matter that is required to be approved by the Council under this Deed.

4. RESTRICTION ON LEASING AND OTHER DEALINGS

The Owner shall not grant any lease licence easement or other right of any nature whatsoever which may give any person the right to possession or control of or entry on to the Land which right would enable such person to breach any of the obligations imposed on the Owner by this Deed unless such grant:

- 4.1 is expressed in writing;
- 4.2 is made with the previous written consent of the Council; and
- 4.3 contains as an essential term a covenant by the grantee not to do or omit to do (or suffer or permit any other person to do or omit to do) any act matter or thing which would constitute a breach by the Owner of the Owner's obligations under this Deed.

5. COUNCIL'S POWERS OF ENTRY, ETC

5.1 The Council and any employee or agent of the Council authorised by the Council may at any reasonable time enter the Land for the purpose of:

- 5.1.1 inspecting the Land and any building or structure thereupon;
- 5.1.2 exercising any other powers of the Council under this Deed or pursuant to law.

5.2 If the Owner is in breach of any provision of this Deed, the Council may, by notice in writing served on the Owner, specify the nature of the breach and require the Owner to remedy the breach within such time as may be nominated by the Council in the notice (being not less than twenty eight (28) days from the date of service of the notice) and if the Owner fails so to remedy the breach, the Council or its servants or agents may carry out the requirements of the notice and in doing so may enter and perform any necessary works upon the Land and recover any costs thereby incurred from the Owner.

5.3 If in a notice referred to in Clause 4.2 the Council requires the removal of the building or structure from the Land the Council and its servants or agents are hereby authorised and empowered by the Owner to enter and remove the building or structure from the Land and to dispose of it in any manner determined by the Council provided that if the building or structure shall have any monetary value then the Council shall use its best endeavours to realise that monetary value and shall after the disposal account to the Owner and pay to him the realised value less all expenses incurred.

5.4 The Council may delegate any of its powers under this Deed to any person.

6. VARIATION AND WAIVER

6.1 This Deed may not be varied except by a Supplementary Deed signed by the Council and the Owner.

6.2 The Council may waive compliance by the Owner with the whole or any part of the obligations on the Owner's part herein contained provided that no such waiver shall be effective unless expressed in writing and signed by the Council.

7. NOTICES

Notice shall for the purposes of this Deed be properly served on the Owner if it is:

7.1 posted to the Owner's last address known to the Council; or

7.2 affixed in a prominent position on the Land.

8. COSTS

The Owner hereby indemnifies the Council and agrees to keep it forever indemnified in respect of the whole of its costs and expenses (including without limitation legal costs and expenses) of and incidental to the negotiation preparation stamping and registration of this Deed.

9. NOTATION OF THIS DEED

Each party shall do and execute all such acts documents and things as shall be necessary to ensure that as soon as is possible after the execution of this Deed by all necessary parties this Deed is lodged at the Lands Titles Office and a memorial thereof entered on the Certificate of Title for the Land pursuant to the provisions of Section 57(5) of the Act in priority to any other registrable interest in the Land save and except for the estate and interest of the Owner therein.

10. GOVERNING LAW

The law governing the interpretation and implementation of the provisions of this Deed shall be the law of South Australia.

11. GENERAL PROVISIONS

11.1 If any provision of this Deed shall be found by a court of competent jurisdiction to be invalid or unenforceable in law THEN and in such case the parties hereby request and direct such court to sever such provision from this Deed.

11.2 This Deed contains the whole agreement between the parties in respect of the matters referred to herein.

EXECUTED as a deed



THE COMMON SEAL of)
THE RURAL CITY OF MURRAY)
BRIDGE was hereunto affixed)
in the presence of:

..... *Alan C. Ash* Mayor

..... *[Signature]* Chief Executive Officer

Signed for and on behalf of)
AVJennings Properties Limited)
by their duly constituted Attorney)
PETER ALLAN JACKSON)
of 62 The Parade Norwood 5067)
pursuant to Power of Attorney)
No 10234405 in the presence of:)

AVJennings Properties Limited
by their Attorney

..... *[Signature]*
Peter Allan Jackson
Power of Attorney No. 10234405

..... *[Signature]*
(Signature of Witness)

PETER JEFFREY DEER
(Witness Full Name)

C/- 226 Greenhill Road, EASTWOOD SA 5063
(Address of Witness)

The Owner **HEREBY CERTIFIES** pursuant to Section 57(4) of the Development Act 1993
that no other person has a legal interest in the Land.

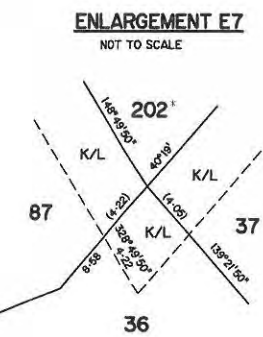
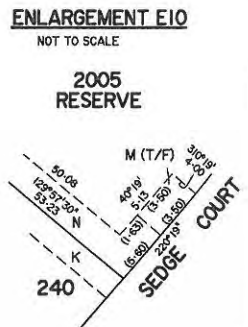
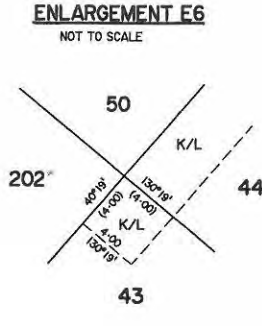
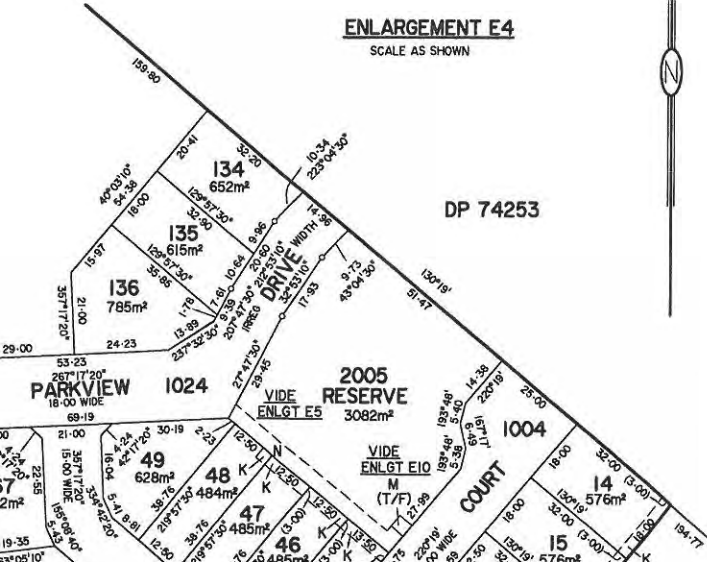
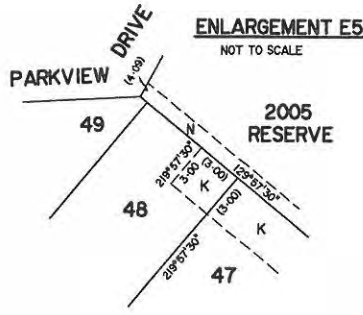
..... *[Signature]*
Peter Allan Jackson on behalf of
AVJENNINGS PROPERTIES LTD.

THE LAND

PLAN NUMBER / 720 PRO REGISTRAR GENERAL
 DEPOSITED FOR PLAN / 720 OF MY PLAN IN 2 SHEETS
 THIS IS SHEET 2 DATED / 720

LOGGED METERS
 0 15 30 45 60 75

STATEMENTS CONCERNING EASEMENTS, LIMITATIONS AND INCUMBRANCES



| REFERENCE MARKS | | | | |
|-----------------|---------|-------|------|-----------|
| Cnr | Bearing | From | Dist | PM Number |
| 14 | 148°50' | PM FD | 1-01 | 6727/3696 |
| 26 | | PM | | 6727/7234 |

FYFE PTY LTD
 SURVEYORS and ENGINEERS
 A.C.N. 062 892 465
 143 ELLIOTT STREET, SYDNEY NSW 1587
 PHONE (02) 9584 1000 FAX (02) 9584 0084
 Brisbane (07) 3208 6565 STAGE 3
 Reference 15409/52 Dwg No. 15409/52
 CA REV 3 DATE 02/04/2008 DR MAJ

LANDS TITLES REGISTRATION
OFFICE
SOUTH AUSTRALIA

FORM APPROVED BY THE REGISTRAR GENERAL

BELOW THIS LINE FOR AGENT USE ONLY

CERTIFIED CORRECT FOR THE PURPOSES
OF THE REAL PROPERTY ACT 1886

Solicitor/Registered Conveyance/Applicant

AGENT CODE
NWAM

Lodged by: **NORMAN WATERHOUSE**

Correction to: **NORMAN WATERHOUSE**
02527361AJN1103080

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

1. 8961-608
2. 8613-528
3.
4.
5.

Assessor

PLEASE ISSUE NEW CERTIFICATES OF TITLE AS FOLLOWS

1.
2.
3.

Orig. AG 10969715



14 08 2 Jun 2008

Fees: \$46.50

2 of 2

Fees: \$0.00

10951144

| | |
|------------|--------|
| Series No. | Prefix |
| 2 | AG |

TEMPORARILY
WITHDRAWN
VIDE LETTER
ATTACHED *Wesen*

BELOW THIS LINE FOR OFFICE USE ONLY

| | | |
|----------|---------|----------|
| Date | Time | |
| FEES | | |
| R.G.O. | POSTAGE | NEW C.T. |
| \$108.00 | | |

Land Title 11:56 07/05/08 187748
REGISTRATION FEE \$108.00

| | |
|------------|--------|
| CORRECTION | PASSED |
| | |

REGISTERED 5.6.2008

pro

REGISTRAR GENERAL

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

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

APPLICATION TO NOTE LAND MANAGEMENT AGREEMENT
(Pursuant to s 57(5) of the Development Act 1993)

To the Registrar-General:

1. THE RURAL CITY OF MURRAY BRIDGE ("the Council") of 2 Seventh Street Murray Bridge SA 5253 has entered into the attached Land Management Agreement dated 22 April 2008 ("the Agreement") with AVJENNINGS PROPERTIES LTD ACN 004 601 503 of 62 The Parade Norwood SA 5067 pursuant to s 57(2) of the Development Act 1993 ("the Act").
2. The Agreement relates to the whole of the land comprised in Allotments 14 to 50 inclusive, 202, 240 to 242 inclusive, 67, 68, 134-136 inclusive, 87-90 inclusive in DP 77531 being portion of Certificates of Title Register Book Volume 5961 Folio 606 and Volume 5613 Folio 528 ("the land").

NOW THEREFORE the Council applies pursuant to s 57(5) of the Act to note the Agreement against the land.

DATED the 22 day of April 2008

THE COMMON SEAL of THE RURAL CITY OF MURRAY BRIDGE was hereunto affixed in the presence of:



[Signature] Mayor

[Signature] Chief Executive Officer

Signed for and on behalf of AVJennings Properties Limited by their duly constituted Attorney PETER ALLAN JACKSON of 62 The Parade Norwood 5067 pursuant to Power of Attorney No 10234405 in the presence of:

AVJennings Properties Limited by their Attorney [Signature] Peter Allan Jackson Power of Attorney No. 10234405

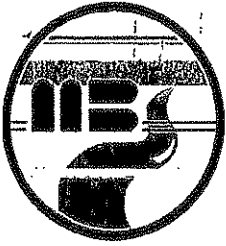
(Signature of Witness)

PETER JEFFREY DEER
(Witness Full Name)

C/- 226 Greenhill Road, EASTWOOD SA 5063
(Address of Witness)

Telephone No: (08) 8300 0700

NB: This form may be used only when no panel form is suitable. A penalty of up to \$2000 or 6 months imprisonment applies for improper witnessing.



The Rural City of
**MURRAY
BRIDGE**

PO Box 421
Murray Bridge SA 5253
council@rcmb.sa.gov.au

Bridge to Opportunity

Ref: 0252736\NRW1128749.doc

22 May 2008

Registrar-General
Land Titles Office
101 Grenfell Street
ADELAIDE SA 5000

Dear Sir

Land Management Agreement No-10951144

We have been advised by the lodging party, Minter Ellison, that the Application to Deposit a Plan of Division ("RTU") is required to be fully withdrawn and an Application to Deposit a Plan of Division ("RTC") is to be lodged in its place.

To facilitate this, Land Management Agreement No. 10951144 is required to be temporarily withdrawn to enable the full withdrawal of the RTU and lodgement of the RTC.

We hereby consent to the temporary withdrawal of Land Management Agreement No. 10951144.

Yours faithfully

For and on behalf of the
Rural City of Murray Bridge

| | |
|----------------------|----------|
| DO NOT DETACH | |
| Doc. No. | 10969715 |
| Initials | MB |
| Date | 5.6.2008 |

Local Government Centre
2 Seventh Street
Murray Bridge
Ph: 8539 1100
Fax: 8532 2766

Visitor Information Centre
3 South Terrace
Murray Bridge
Ph: 8539 1142
Fax: 8532 5288

Works Depot
21 Hindmarsh Road
Murray Bridge
Ph: 8539 1160
Fax: 8531 0170

Public Library
Mobilong House
Murray Bridge
Ph: 8539 1175
Fax: 8532 1622

Regional Gallery
27 Sixth Street
Murray Bridge
Ph: 8531 2606
Fax: 8531 2606

Lerwin Nursing Home
67 Joyce Street
Murray Bridge
Ph: 8539 1189
Fax: 8531 1655

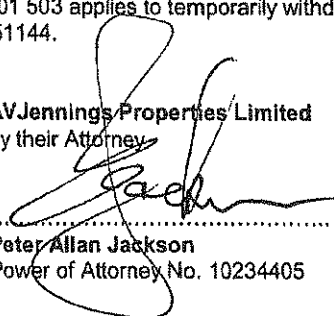
TEMPORARY WITHDRAWAL OF INSTRUMENT FROM REGISTRATION

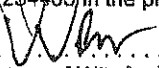
To the Registrar-General,

AVJENNINGS PROPERTIES LIMITED ACN 004 601 503 applies to temporarily withdraw from registration Land Management Agreement AG 10951144.

Signed for and on behalf of)
AVJennings Properties Limited)
by their duly constituted Attorney)
PETER ALLAN JACKSON)
of 62 The Parade Norwood 5067)
pursuant to Power of Attorney)
No 10234405 in the presence of:)

AVJennings Properties Limited
by their Attorney


.....
Peter Allan Jackson
Power of Attorney No. 10234405


.....
(Signature of Witness)

PETER JEFFREY DEER
(Witness Full Name)

C/- 62 The Parade
Norwood SA 5067
Telephone: 8201 0000

Norman Waterhouse LAWYERS

Ref: 0252736\NRW1115477.doc

1 May 2008

Registrar-General
Land Titles Office
101 Grenfell Street
ADELAIDE SA 5000

Dear Sir

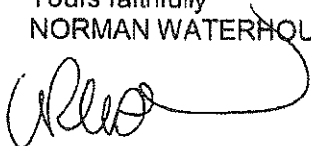
Land Management Agreement dated 22 April 2008

We act for the Rural City of Murray Bridge in relation to the attached Land Management Agreement.

The Application to Note Land Management Agreement has been prepared and executed on the old format of B2 form. This occurred due to an administration error in our office whereby a previous version of the Land Management Agreement was used to create this document.

Due to the urgency of notation of this Land Management Agreement to allow the registered proprietor's land division to be finalised, we ask that you accept this document in its present format.

Yours faithfully
NORMAN WATERHOUSE



Natalie Westover
REGISTERED CONVEYANCER
Direct Line: (08) 8210 1213 or 0413 055 169
e-mail: nwestover@normans.com.au

THIS DEED is made the 22 day of April 2008

BETWEEN: THE RURAL CITY OF MURRAY BRIDGE of 2 Seventh Street Murray Bridge SA 5253 (hereinafter with its successors and assigns called "the Council") of the one part

AND: AVJENNINGS PROPERTIES LTD. of 62 The Parade Norwood SA 5067 (hereinafter with its executors administrators successors and assigns as the case may be called "the Owner") of the other part

RECITALS:

- A. The Owner is the proprietor of an estate in fee simple being those allotments 14 to 50 inclusive, 202, 240 to 242 inclusive, 67, 68, 134-136 inclusive, 87-90 inclusive in DP 77531 being portion of Certificates of Title Register Book Volume 5961 Folio 606 and Volume 5613 Folio 528 (hereinafter called "the Land");
- B. By a Development Application numbered DA 415/D121/04 (hereinafter called "the Application") the Owner through its agents sought provisional development plan consent and land division consent pursuant to the provisions of the Development Act, 1993 (hereinafter called "the Act"), from the Council, to develop the land comprised in Certificates of Title VOLUME 5312 FOLIO 417, VOLUME 5613 FOLIO 528 and VOLUME 5943 FOLIOS 317 and 318 by dividing that land in five stages to create 235 allotments generally in accordance with the plan of division attached hereto and marked Annexure A (hereinafter called "the Proposed Development");
- C. The land comprising the Proposed Development is situated within the Residential, Country Living, Fringe and Flood Zones in the Council's Development Plan;
- D. The first part of the Proposed Development comprises the Land;
- E. The Proposed Development includes the creation of both residential and country living allotments, together with internal roads and reserves. The Council and the Owner are concerned to ensure that a consistent level of design is achieved for all allotments within the Proposed Development, particularly as regards set backs of buildings from allotment boundaries;
- F. The Council wishes to ensure that, apart from the Proposed Development, no further division of the Land occurs;
- G. Pursuant to the provisions of Section 57(2) of the Act the Owner has agreed with the Council to enter into this Deed relating to the management, preservation, conservation and development of the Land subject to the terms and conditions hereinafter mentioned.

NOW THIS DEED WITNESSES as follows:

1. INTERPRETATION

- 1.1 The parties acknowledge that the matters recited above are true and accurate and agree that they shall form part of the terms of this Deed.
- 1.2 In the interpretation of this Deed unless the context shall otherwise require or admit:
 - 1.2.1 Words and phrases used in this Deed which are defined in the Development Act 1993 or in the Regulations made under the Act shall have the meanings ascribed to them by the Act or the Regulations as the case may be;
 - 1.2.2 References to any statute or subordinate legislation shall include all statutes and subordinate legislation amending consolidating or replacing the statute or subordinate legislation referred to;
 - 1.2.3 The term "the Owner" where the Owner is a company includes its successors, assigns and transferees and where the Owner is a person, includes his heirs, executors, administrators and transferees and where the Owner consists of more than one person or company the term includes each and every one or more of such persons or companies jointly and each of them severally and their respective successors, assigns, heirs, executors, administrators and transferees of the companies or persons being registered or entitled to be registered as the proprietor of an estate in fee simple to the Land or to each and every one of all separate allotments into which the Land may be divided after the date of this Deed subject however to such encumbrances, liens and interests as are registered and notified by memoranda endorsed on the Certificate of Title thereof;
 - 1.2.4 The term "person" shall include a corporate body;
 - 1.2.5 The term "the Land" shall include any part or parts of the Land;
 - 1.2.6 The term "primary frontage" shall mean that allotment boundary with a public road that represents the principal address of a dwelling or allotment as set out in the Council's Assessment Book;
 - 1.2.7 The term "secondary frontage" shall mean any allotment boundary with a public road not being the primary frontage;
 - 1.2.8 The term "Assessment Book" shall mean the Assessment Book maintained by the Council pursuant to the Local Government Act 1999 (as amended);
 - 1.2.9 The term "allotment" means the allotments to be created by the proposed Development as shown on Annexure "A";
 - 1.2.10 Any term which is defined in the statement of the names and descriptions of the parties or in the Recitals shall have the meaning there defined;

- 1.2.11 Words importing the singular number or plural number shall be deemed to include the plural number and the singular number respectively;
- 1.2.12 Words importing any gender shall include every gender;
- 1.2.13 Where two or more persons are bound hereunder to observe or perform any obligation or agreement whether express or implied then they shall be bound jointly and each of them severally.
- 1.3 Clause headings are provided for reference purposes only and shall not be resorted to in the interpretation of this Deed.
- 1.4 The requirements of this Deed are at all times to be construed as additional to the requirements of the Act and any other legislation affecting the Land.

2. OWNER'S OBLIGATIONS

- 2.1 The Owner shall not cause, suffer or permit the construction of any dwelling, carport or other structure closer than 6.0 metres from the primary frontage of any allotment.
- 2.2 For allotments with two road frontages, the Owner shall not cause, suffer or permit the construction of any dwelling, carport or other structure closer than 6.0 metres from the primary frontage and 2.0 metres from the secondary frontage.
- 2.3 The Owner shall not cause, suffer or permit the construction of any dwelling, carport or other structure closer than 1.0 metres from any allotment boundary not constituting a primary or secondary frontage, except for regular shaped allotments with frontages of 15.0 metres (16.0 metres for corner allotments) or less, which shall be permitted to build on a portion of one side boundary with approval from the Council under this Deed.
- 2.4 Apart from the Proposed Development, the Owner shall not cause, suffer or permit the Land to be divided, including commencing with or proceeding with or causing, suffering or permitting any application pursuant to the Act, the Real Property Act 1886, or any other relevant Act, to undertake any further division of the Land.
- 2.5 The Owner shall, prior to the signing of any contract for the sale and purchase of the Land, provide to the intending purchaser notice in the following form:

"To the intending purchaser:

The land which you are proposing to purchase forms part of an estate created by AV Jennings Properties Ltd. AV Jennings Properties Ltd have agreed to maintain the reserves, parks, entrance statements and lighting for one year following the completion of the final stage of the development. Therefore the reserves, parks, entrance statements and lighting may or may not be maintained by the Council, and if maintained, will be maintained at a standard set in accordance with Council's policy or policies for maintenance of reserves, parks,

entrance statements and lighting, which standard may or may not accord with the standard of maintenance maintained by AV Jennings Properties Ltd."

3. COUNCIL'S OBLIGATIONS

The Council shall not unreasonably refuse to approve any matter that is required to be approved by the Council under this Deed.

4. RESTRICTION ON LEASING AND OTHER DEALINGS

The Owner shall not grant any lease, licence, easement or other right of any nature whatsoever which may give any person the right to possession or control of or entry on to the Land which right would enable such person to breach any of the obligations imposed on the Owner by this Deed unless such grant:

- 4.1 is expressed in writing;
- 4.2 is made with the previous written consent of the Council; and
- 4.3 contains as an essential term a covenant by the grantee not to do or omit to do (or suffer or permit any other person to do or omit to do) any act, matter or thing which would constitute a breach by the Owner of the Owner's obligations under this Deed.

5. COUNCIL'S POWERS OF ENTRY, ETC

5.1 The Council and any employee or agent of the Council authorised by the Council may at any reasonable time enter the Land for the purpose of:

- 5.1.1 inspecting the Land and any building or structure thereupon;
- 5.1.2 exercising any other powers of the Council under this Deed or pursuant to law.

5.2 If the Owner is in breach of any provision of this Deed, the Council may, by notice in writing served on the Owner, specify the nature of the breach and require the Owner to remedy the breach within such time as may be nominated by the Council in the notice (being not less than twenty eight (28) days from the date of service of the notice) and if the Owner fails so to remedy the breach, the Council or its servants or agents may carry out the requirements of the notice and in doing so may enter and perform any necessary works upon the Land and recover any costs thereby incurred from the Owner.

5.3 If in a notice referred to in Clause 4.2 the Council requires the removal of the building or structure from the Land the Council and its servants or agents are hereby authorised and empowered by the Owner to enter and remove the building or structure from the Land and to dispose of it in any manner determined by the Council provided that if the building or structure shall have any monetary value then the Council shall use its best endeavours to realise that monetary value and shall after the disposal account to the Owner and pay to him the realised value less all expenses incurred.

5.4 The Council may delegate any of its powers under this Deed to any person.

6. VARIATION AND WAIVER

6.1 This Deed may not be varied except by a Supplementary Deed signed by the Council and the Owner.

6.2 The Council may waive compliance by the Owner with the whole or any part of the obligations on the Owner's part herein contained provided that no such waiver shall be effective unless expressed in writing and signed by the Council.

7. NOTICES

Notice shall for the purposes of this Deed be properly served on the Owner if it is:

7.1 posted to the Owner's last address known to the Council; or

7.2 affixed in a prominent position on the Land.

8. COSTS

The Owner hereby indemnifies the Council and agrees to keep it forever indemnified in respect of the whole of its costs and expenses (including without limitation legal costs and expenses) of and incidental to the negotiation preparation stamping and registration of this Deed.

9. NOTATION OF THIS DEED

Each party shall do and execute all such acts, documents and things as shall be necessary to ensure that as soon as is possible after the execution of this Deed by all necessary parties this Deed is lodged at the Lands Titles Office and a memorial thereof entered on the Certificate of Title for the Land pursuant to the provisions of Section 57(5) of the Act in priority to any other registrable interest in the Land save and except for the estate and interest of the Owner therein.

10. GOVERNING LAW

The law governing the interpretation and implementation of the provisions of this Deed shall be the law of South Australia.

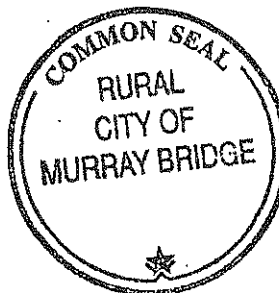
11. GENERAL PROVISIONS

11.1 If any provision of this Deed shall be found by a court of competent jurisdiction to be invalid or unenforceable in law THEN and in such case the parties hereby request and direct such court to sever such provision from this Deed.

11.2 This Deed contains the whole agreement between the parties in respect of the matters referred to herein.

EXECUTED as a deed

THE COMMON SEAL of)
THE RURAL CITY OF MURRAY)
BRIDGE was hereunto affixed)
in the presence of:



..... *Alan C. Allen* Mayor

..... *[Signature]* Chief Executive Officer

Signed for and on behalf of)
AVJennings Properties Limited)
by their duly constituted Attorney)
PETER ALLAN JACKSON)
of 67 The Parade Norwood 5067)
pursuant to Power of Attorney)
No 10234405 in the presence of:)

AVJennings Properties Limited
by their Attorney

..... *[Signature]*
Peter Allan Jackson
Power of Attorney No. 10234405

..... *[Signature]*
(Signature of Witness)

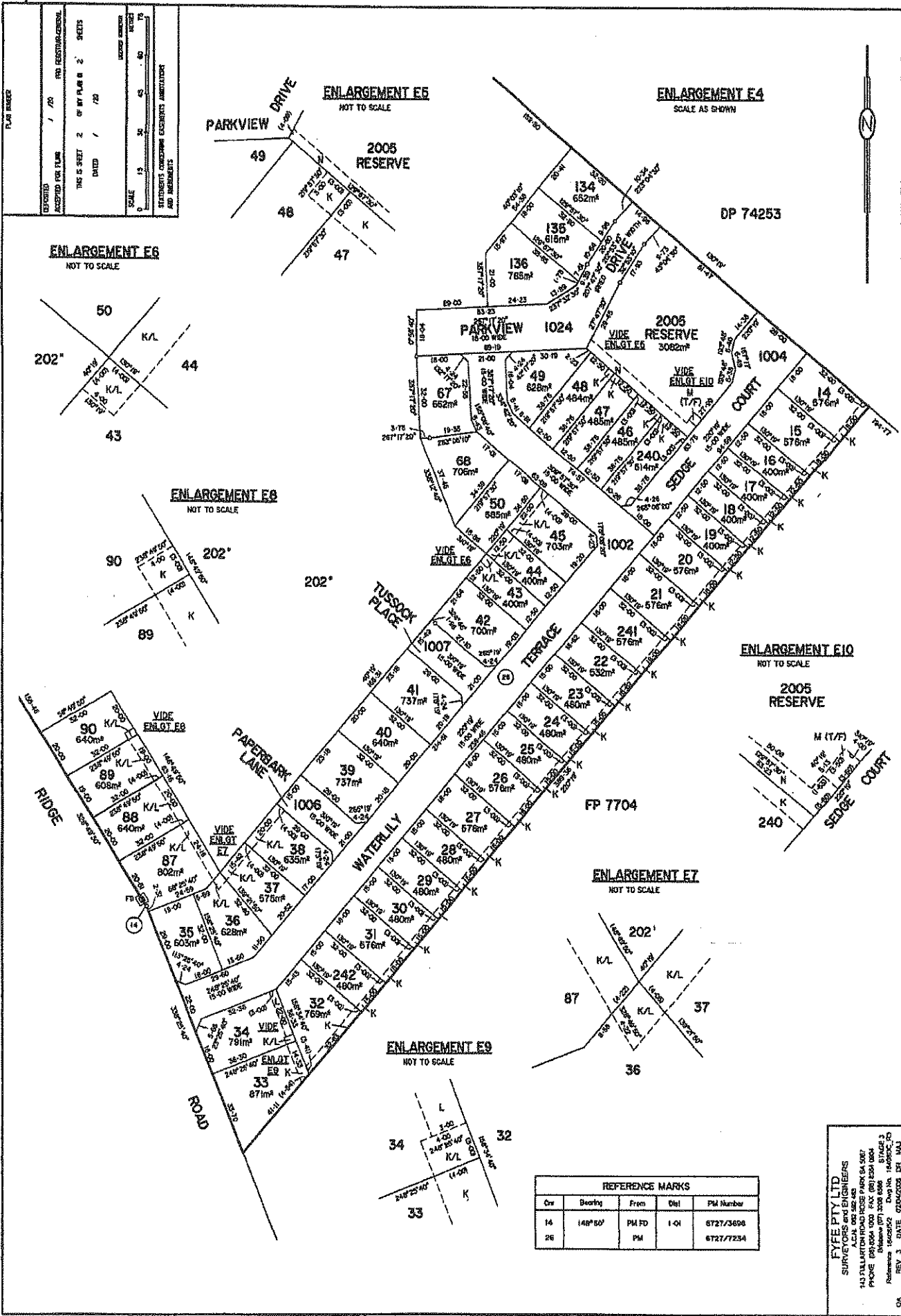
PETER JEFFREY DEER
(Witness Full Name)

C/- 226 Greenhill Road, EASTWOOD SA 5063
(Address of Witness)

The Owner HEREBY CERTIFIES pursuant to Section 57(4) of the Development Act 1993
that no other person has a legal interest in the Land.

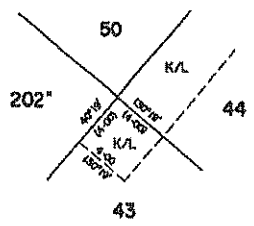
..... *[Signature]*
Peter Allan Jackson on behalf of
AVJENNINGS PROPERTIES LTD.

THE LAND

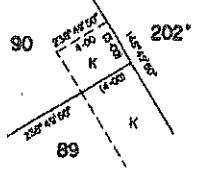


PLAN INDEX
 REGISTERED FOR PLUM / 7/0
 THIS SHEET 2 OF 10 PLANS 2 SHEETS
 DATED 1 / 7/0
 SCALE 1:500
 STATEMENTS CONCERNING EXCESSIVE AMBIGUITIES AND NUMBERS

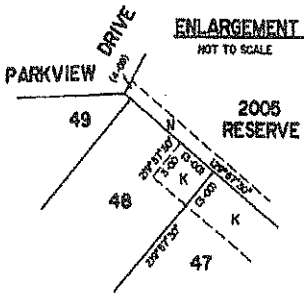
ENLARGEMENT E6
 NOT TO SCALE



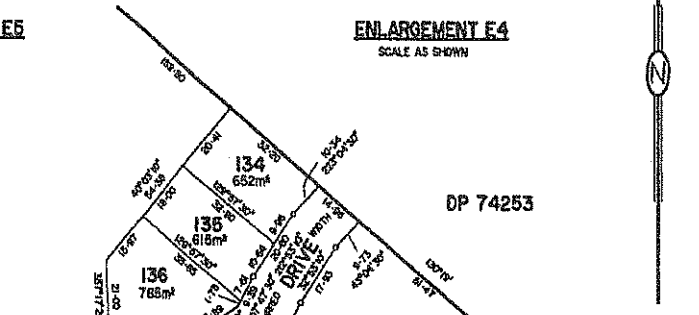
ENLARGEMENT E8
 NOT TO SCALE



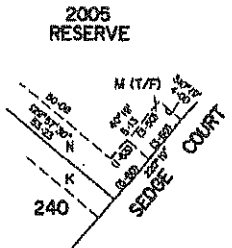
ENLARGEMENT E5
 NOT TO SCALE



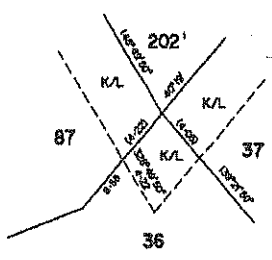
ENLARGEMENT E4
 SCALE AS SHOWN



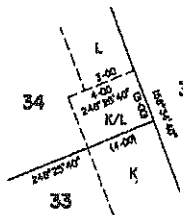
ENLARGEMENT E10
 NOT TO SCALE



ENLARGEMENT E7
 NOT TO SCALE



ENLARGEMENT E9
 NOT TO SCALE



| REFERENCE MARKS | | | | |
|-----------------|---------|-------|------|-----------|
| Cv | Bearing | From | To | Pl Number |
| 14 | 148°50' | PM FD | I-OH | 6727/3698 |
| 26 | | PM | | 6727/7234 |

FREEEY LTD
 SURVEYORS AND ENGINEERS
 A.C.A. 080 582 445
 143 FILLMONT ROAD ROSE PARK SA 5107
 PHONE 080 0556 1000 FAX 080 0556 1004
 Email: freeey@freeey.com.au
 Reference: 6727/7234
 REV. 3 DATE 02/02/03 151 MAL

FILE_0045

OK

ANNEXURE E

Emergency Services Levy Certificate



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: 2306272

FINLAYSONS
GPO BOX 1244
ADELAIDE SA 5001

DATE OF ISSUE

15/11/2021

ENQUIRIES:

Tel: (08) 8226 3750

Email: revsaesl@sa.gov.au

| OWNERSHIP NUMBER | OWNERSHIP NAME | | | |
|--|---------------------------|-------------------------------|---------------|-------------------|
| 70703684 | AVJENNINGS PROPERTIES LTD | | | |
| PROPERTY DESCRIPTION | | | | |
| 27 WILLOWBARK CR / MURRAY BRIDGE SA 5253 | | | | |
| ASSESSMENT NUMBER | TITLE REF. | CAPITAL VALUE | AREA / FACTOR | LAND USE / FACTOR |
| (A "+" indicates multiple titles) | | | | |
| 4101241688 | CT 6247/52 | \$315,000.00 | R1 0.800 | VA 0.300 |
| LEVY DETAILS: | | | | |
| | | FIXED CHARGE | \$ | 50.00 |
| | | + VARIABLE CHARGE | \$ | 101.15 |
| FINANCIAL YEAR | | - REMISSION | \$ | 48.80 |
| 2021-2022 | | - CONCESSION | \$ | 0.00 |
| | | + ARREARS / - PAYMENTS | \$ | -102.35 |
| | | = AMOUNT PAYABLE | \$ | 0.00 |

Please Note:

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

EXPIRY DATE

13/02/2022



Government of South Australia

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT



Emergency Services Funding Act 1998

CERTIFICATE OF EMERGENCY SERVICES LEVY PAYABLE

The Emergency Services Levy working for all South Australians

PAYMENT REMITTANCE ADVICE

No payment is required on this Certificate

Please Note:

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

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

For more information:

Visit: www.revenuesa.sa.gov.au

Email: revsupport@sa.gov.au

Phone: (08) 8226 3750

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at:

OR

By Post to:

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

ANNEXURE F
Land Tax Certificate

**RevenueSA**

DEPARTMENT OF TREASURY AND FINANCE

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

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

PIR Reference No: 2306272

| |
|---|
| FINLAYSONS GPO BOX 1244 ADELAIDE SA 5001 |
|---|

DATE OF ISSUE

15/11/2021

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

| | | | |
|--|---|---------------------------|-------------|
| OWNERSHIP NAME | | FINANCIAL YEAR | |
| AVJENNINGS PROPERTIES LTD | | 2021-2022 | |
| PROPERTY DESCRIPTION | | | |
| 27 WILLOWBARK CR / MURRAY BRIDGE SA 5253 | | | |
| ASSESSMENT NUMBER | TITLE REF. <small>(A "+" indicates multiple titles)</small> | TAXABLE SITE VALUE | AREA |
| 4101241688 | CT 6247/52 | \$315,000.00 | 2.7260 HA |
| DETAILS OF THE LAND TAX PAYABLE FOR THE ABOVE PARCEL OF LAND: | | | |
| CURRENT TAX | \$ 5,521.00 | SINGLE HOLDING | \$ 0.00 |
| - DEDUCTIONS | \$ 0.00 | | |
| + ARREARS | \$ 0.00 | | |
| - PAYMENTS | \$ 0.00 | | |
| = AMOUNT PAYABLE | \$ 5,521.00 | | |

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 13/02/2022**Government of South Australia**

See overleaf for further information

DETACH AND RETURN THE PAYMENT REMITTANCE ADVICE WITH YOUR PAYMENT

**RevenueSA**

DEPARTMENT OF TREASURY AND FINANCE

Land Tax Act 1936

CERTIFICATE OF LAND TAX PAYABLE**PAYMENT REMITTANCE ADVICE****OWNERSHIP NUMBER**

70703684

OWNERSHIP NAME

AVJENNINGS PROPERTIES LTD

AGENT NUMBER

100018860

ASSESSMENT NUMBER

4101241688

AGENT NAME

FINLAYSONS

AMOUNT PAYABLE

\$5,521.00

PAYABLE ON OR BEFORE

13/02/2022

+80009099690012> +000927+ <0550648203> <0000552100> +444+

Please Note:

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

This Certificate is only valid for the financial year shown.

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

Payment should be made as part of the settlement process.

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

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

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

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

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

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

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

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

For more information:

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

PAYMENT OF THIS CERTIFICATE CAN ONLY BE MADE

Online at:

OR

By Post to:

www.revenuesaonline.sa.gov.au

RevenueSA
Locked Bag 555
ADELAIDE SA 5001

ANNEXURE G
SA Water Certificate

| | | | | |
|--|-----------------------------|-----------------------------|------------------|------------------------|
| Account Number 41 01241 68 8 | L.T.O Reference CT624752 | Date of issue 15/11/2021 | Agent No. 242 | Receipt No. 2306272 |
|--|-----------------------------|-----------------------------|------------------|------------------------|

FINLAYSONS & CO
GPO BOX 1244
ADELAIDE GPO SA 5001
accounts@finlaysons.com.au

Section 7/Elec

Certificate of Water and Sewer Charges & Encumbrance Information

Property details:

Customer: AVJENNINGS PROPERTIES LTD
Location: 27 WILLOWBARK CR MURRAY BRIDGE LT4002 D125317
Description: L **Capital Value:** \$ 315 000
Rating: Residential

Periodic charges

Raised in current years to 30/9/2021

| | | | |
|-----------------------|----------|----------------------------|-------------|
| | | | \$ |
| | | Arrears as at: 30/6/2021 | 0.00 |
| Water main available: | 1/1/2021 | Water rates | 68.60 |
| Sewer main available: | 1/1/2021 | Sewer rates | 95.37 |
| | | 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 | 163.97CR |
| | | Balance outstanding | 0.00 |

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

Next quarterly charges: Water supply: 68.60 Sewer: 95.37 Bill: 17/11/2021

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: AVJENNINGS PROPERTIES LTD **Water & Sewer Account** **Amount:** _____
Acct. No.: 41 01241 68 8

Address:
27 WILLOWBARK CR MURRAY BRIDGE
LT4002 D125317

Payment Options

EFT

EFT Payment

| | |
|----------------------|-----------------------------|
| Bank account name: | SA Water Collection Account |
| BSB number: | 065000 |
| Bank account number: | 10622859 |
| Payment reference: | 4101241688 |



Biller code: 8888
Ref: 4101241688

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: 4101241688

ANNEXURE H

State Planning Commission Notice

| | |
|---------|----------------------------|
| Contact | Natalie Skelding |
| Email | Natalie.skelding@sa.gov.au |
| Phone | 7109 7040 |



Level 5, 50 Flinders Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

17 November 2021

Finlaysons
GPO Box 1244
ADELAIDE SA 5001

Dear Sir/Madam

Re: *Land and Business (Sale and Conveyancing) Act 1994 - Section 7 Enquiry*
Property at 27 Willowbark Crescent, Murray Bridge
Registered Proprietor(s): AVJennings Properties Ltd

I refer to your enquiry to the Attorney-General's Department (AGD) concerning the parcel of land comprised in Certificate of Title Volume 6247 Folio 52 and the subsequent Property Interest Report (PIR) issued. (Reference No. 206272 dated 12/11/21).

Items 5.2 and 5.3 of the PIR indicate that the State Planning Commission (SPC) will respond with details of a possible requirement under Section 50 (1) or agreement under Section 50 (2) of the *Development Act 1993 (repealed)* respectively to vest land in a council or the Crown to be held as open space.

I therefore advise that land division proposals (415/D121/04 and 415/D009/14) recorded against this property each propose to divide the land into more than 20 allotments and accordingly details of any requirement under Section 50 (1) of the *Development Act (repealed)* should be sought from the Rural City of Murray Bridge (refer item 5.2 of the PIR).

Section 50 (2) of the *Development Act (repealed)* does not apply to this particular proposal (refer item 5.3 of the PIR).

In addition, there are no relevant details under Sections 198 (1) and 198 (2) of the *Planning, Development and Infrastructure Act 2016* applicable to this Certificate of Title (refer items 29.10 and 29.11 of the PIR).

Yours faithfully

A handwritten signature in blue ink that reads "Biljana Prokic".

Biljana Prokic
Land Division Coordinator
on behalf of
STATE PLANNING COMMISSION

ANNEXURE I

Environmental Assessment Reports

The following environmental assessments were undertaken on the Pathways development site (as a whole) and commissioned by AVJennings as part of their due diligence obligations:

- Coffey Environments Pty Ltd "Draft Remediation Management Plan Murray Bridge Subdivision Murray Bridge South Australia" dated 12 September 2006.
- IT Environmental "Site History Report, Roper Road Murray Bridge South Australia" dated 2004; and
- IT Environmental "Environmental Site Assessment, Roper Road Murray Bridge South Australia" dated 2004

ANNEXURE J

Form R3 – Buyers Information Notice

Form R3

Buyers information notice

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

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

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 eg sheds and fences?
- Does the property have any significant **defects** eg **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** (eg 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.